

# SENATE BILL 638

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CF HB 836

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By: **Senator Hettleman**

Introduced and read first time: February 3, 2022

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools – Student Athletics – Requirements and Reports**  
3 **(Elijah Gorham Act)**

4 FOR the purpose of requiring each county superintendent of schools to submit a certain  
5 report on public high school sports teams in the county to the State Department of  
6 Education on or before a certain date each year; altering the requirements for an  
7 automated external defibrillator program in public middle and high schools; altering  
8 the requirements for actions to be taken by county boards of education regarding  
9 heat acclimatization for student athletes; and generally relating to student athletics  
10 in public schools in the State.

11 BY adding to  
12 Article – Education  
13 Section 7–129  
14 Annotated Code of Maryland  
15 (2018 Replacement Volume and 2021 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article – Education  
18 Section 7–425 and 7–434  
19 Annotated Code of Maryland  
20 (2018 Replacement Volume and 2021 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
22 That the Laws of Maryland read as follows:

23 **Article – Education**  
24 **7–129.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(A) ON OR BEFORE DECEMBER 1, 2023, AND EACH DECEMBER 1**  
2 **THEREAFTER, EACH COUNTY SUPERINTENDENT SHALL SUBMIT TO THE**  
3 **DEPARTMENT A REPORT ON PUBLIC HIGH SCHOOL SPORTS TEAMS IN THE COUNTY.**

4           **(B) THE REPORT REQUIRED UNDER THIS SECTION SHALL INCLUDE:**

5                   **(1) THE NUMBER OF SPORTS TEAMS AFFILIATED WITH EACH PUBLIC**  
6 **HIGH SCHOOL IN THE COUNTY;**

7                   **(2) THE TYPE OF SPORT EACH TEAM PLAYS;**

8                   **(3) THE CERTIFICATIONS, IF ANY, HELD BY A COACH OF EACH SPORTS**  
9 **TEAM;**

10                   **(4) THE TYPE OF AFFILIATION BETWEEN THE SPORTS TEAM AND A**  
11 **HIGH SCHOOL, INCLUDING:**

12                           **(I) THE NUMBER OF STUDENT ATHLETES ON EACH SPORTS**  
13 **TEAM;**

14                           **(II) THE NAME OF THE HIGH SCHOOL EACH STUDENT ATHLETE**  
15 **ATTENDS;**

16                           **(III) WHETHER THE SPORTS TEAM USES THE FACILITIES AND**  
17 **PROPERTY OF THE AFFILIATED HIGH SCHOOL; AND**

18                           **(IV) WHETHER THE SPORTS TEAM USES THE AFFILIATED HIGH**  
19 **SCHOOL'S LOGO AND NAME;**

20                   **(5) WHETHER THE SPORTS TEAM HAS A BOARD OF DIRECTORS AND,**  
21 **IF SO, WHAT CERTIFICATIONS THE DIRECTORS HOLD; AND**

22                   **(6) ANY OTHER RELEVANT INFORMATION AS DETERMINED BY THE**  
23 **DEPARTMENT.**

24 7-425.

25           **(A) IN THIS SECTION, "PRACTICE" HAS THE MEANING STATED IN §**  
26 **7-434 OF THIS SUBTITLE.**

27           **[(a)] (B) (1) Each county board shall develop and implement an automated**  
28 **external defibrillator program that meets the requirements of § 13-517 of this article for**  
29 **each high school and middle school in the county.**

1           (2) The program required under paragraph (1) of this subsection shall  
2 include provisions that:

3           (i) Ensure that an automated external defibrillator is provided on  
4 site **AND IS LOCATED IN CLOSE PROXIMITY TO EACH SCHOOL–SPONSORED ATHLETIC**  
5 **PRACTICE AND EVENT; [and]**

6           (ii) An individual trained in the operation and use of an automated  
7 external defibrillator is present at all school–sponsored athletic **PRACTICES AND** events;

8           **(III) REQUIRE THE DEVELOPMENT OF AN EMERGENCY PLAN AT**  
9 **EACH SCHOOL; AND**

10           **(IV) REQUIRE THE EMERGENCY PLAN DEVELOPED UNDER ITEM**  
11 **(III) OF THIS PARAGRAPH TO BE DISTRIBUTED TO EACH STUDENT ATHLETE’S**  
12 **PARENT OR GUARDIAN AT THE BEGINNING OF EACH SCHOOL YEAR.**

13           **(3) EACH COUNTY BOARD SHALL REPORT THE FOLLOWING**  
14 **INFORMATION TO THE DEPARTMENT EACH YEAR:**

15           **(I) THE NUMBER AND LOCATION OF EACH AUTOMATIC**  
16 **EXTERNAL DEFIBRILLATOR AT EACH SCHOOL IN THE COUNTY; AND**

17           **(II) A LIST OF EACH INDIVIDUAL AT EACH SCHOOL IN THE**  
18 **COUNTY WHO HAS COMPLETED INITIAL AND REFRESHER TRAINING ON THE**  
19 **OPERATION AND USE OF AUTOMATED EXTERNAL DEFIBRILLATORS AND THE DATE**  
20 **EACH TRAINING WAS COMPLETED.**

21           **[(b)] (C)** The Department, in consultation with the Maryland Department of  
22 Health, the Maryland State School Health Council, and the Maryland Institute for  
23 Emergency Medical Services Systems, shall adopt regulations that:

24           (1) Establish guidelines for periodic inspections and annual maintenance  
25 of the automated external defibrillators; and

26           (2) Assist county boards in carrying out the provisions of this section.

27 7–434.

28           (a) (1) In this section the following words have the meanings indicated.

29           (2) “Heat acclimatization” means enhancing an individual’s exercise heat  
30 tolerance and ability to exercise safely and effectively in warm to hot conditions.

31           (3) “Practice” means a period of time a student athlete engages in physical

1 activity during a coach-supervised, school-approved sports- or conditioning-related  
2 activity, including warm-up, stretching, weight training, and cool-down periods.

3 (4) "Preseason practice" means the initial 14 days of practice for a student  
4 athlete.

5 (5) "Recovery period" means the time between the end of one practice or  
6 walk-through and the beginning of the next practice or walk-through.

7 (6) "Student athlete" means a student who participates in an athletic  
8 program for high school students in a State secondary school that is a member of the  
9 Maryland Public Secondary Schools Athletic Association.

10 (7) (i) "Walk-through" means a teaching opportunity when an athlete  
11 is not wearing protective equipment, including helmets, shoulder pads, catcher's gear, or  
12 shin guards, or using other sports-related equipment.

13 (ii) "Walk-through" does not include any part of a practice period.

14 (b) (1) The Department, in collaboration with the Maryland Department of  
15 Health, each county board, the Maryland Public Secondary Schools Athletic Association,  
16 the Maryland Athletic Trainers' Association, and representatives of licensed health care  
17 providers who treat student athletes, shall develop a model policy for preseason-practice  
18 heat acclimatization guidelines for student athletes.

19 (2) Each local board shall adopt preseason-practice heat acclimatization  
20 guidelines for student athletes.

21 (c) The preseason-practice heat acclimatization guidelines shall include  
22 requirements for the duration of a practice time, a walk-through, and a recovery period  
23 during preseason practice.

24 **(D) EACH COUNTY BOARD SHALL:**

25 **(1) ENSURE THAT A STOCK TANK OR INFLATABLE POOL IS AVAILABLE**  
26 **TO STUDENT ATHLETES AT ALL SCHOOL-SPONSORED ATHLETIC PRACTICES AND**  
27 **EVENTS;**

28 **(2) ENSURE THAT AN INDIVIDUAL TRAINED IN HEAT**  
29 **ACCLIMATIZATION SAFETY IS PRESENT AT ALL SCHOOL-SPONSORED ATHLETIC**  
30 **PRACTICES AND EVENTS;**

31 **(3) REPORT TO THE DEPARTMENT THE NAMES OF EACH INDIVIDUAL**  
32 **AT EACH SCHOOL IN THE COUNTY WHO COMPLETED INITIAL AND ANY REFRESHER**  
33 **TRAINING IN THE HEAT ACCLIMATIZATION SAFETY STANDARDS AND PROCEDURES**  
34 **IN ACCORDANCE WITH ITEM (2) OF THIS SUBSECTION AND THE DATE EACH TRAINING**

1 WAS COMPLETED;

2           **(4) DEVELOP AN EMERGENCY PLAN CONSISTENT WITH THE MODEL**  
3 **POLICY FOR PRESEASON–PRACTICE HEAT ACCLIMATIZATION GUIDELINES FOR**  
4 **STUDENT–ATHLETES ESTABLISHED UNDER SUBSECTION (B)(1) OF THIS SECTION;**  
5 **AND**

6           **(5) DISTRIBUTE THE EMERGENCY PLAN DEVELOPED UNDER ITEM (4)**  
7 **OF THIS SUBSECTION TO THE PARENT OR GUARDIAN OF EACH STUDENT ATHLETE AT**  
8 **THE BEGINNING OF EACH SCHOOL YEAR.**

9           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
10 1, 2022.