

Sub. H.B. 33  
As Passed by the Senate  
EDUCD93

\_\_\_\_\_ moved to amend as follows:

- In line 74 of the title, after "3313.48," insert "3313.5310," 1
- In line 86 of the title, after "3319.291," insert "3319.303," 2
- In line 250 of the title, after "3310.581," insert 3
- "3313.5318," 4
- In line 309 of the title, after "3319.26," insert "3319.303," 5
- In line 816, after "3313.48," insert "3313.5310," 6
- In line 825, after "3319.291," insert "3319.303," 7
- In line 945, after "3310.581," insert "3313.5318," 8
- After line 45252, insert: 9
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- "**Sec. 3313.5310.** (A)(1) This section applies to both of the 10
- following: 11
- (a) Any school operated by a school district board of 12
- education; 13
- (b) Any chartered or nonchartered nonpublic school that is 14
- subject to the rules of an interscholastic conference or an 15
- organization that regulates interscholastic conferences or events. 16
- (2) As used in this section, "athletic activity" means all of 17

the following:	18
(a) Interscholastic athletics;	19
(b) An athletic contest or competition that is sponsored by or associated with a school that is subject to this section, including cheerleading, club-sponsored sports activities, and sports activities sponsored by school-affiliated organizations;	20 21 22 23
(c) Noncompetitive cheerleading that is sponsored by school-affiliated organizations;	24 25
(d) Practices, interschool practices, and scrimmages for all of the activities described in divisions (A)(2)(a), (b), and (c) of this section.	26 27 28
(B) Prior to the start of each athletic season, a school that is subject to this section may hold an informational meeting for students, parents, guardians, other persons having care or charge of a student, physicians, pediatric cardiologists, athletic trainers, and any other persons regarding the symptoms and warning signs of sudden cardiac arrest for all ages of students.	29 30 31 32 33 34
(C) No student shall participate in an athletic activity until the student has submitted to a designated school official a form signed by the student and the parent, guardian, or other person having care or charge of the student stating that the student and the parent, guardian, or other person having care or charge of the student have received and reviewed a copy of the information developed by the departments of health and education and posted on their respective internet web sites as required by section 3707.59 of the Revised Code. A completed form shall be submitted each school year, as defined in section 3313.62 of the Revised Code, in which the student participates in an athletic activity.	35 36 37 38 39 40 41 42 43 44 45 46

(D) No individual shall coach an athletic activity unless the individual has completed, ~~on an annual basis,~~ the sudden cardiac arrest training course approved by the department of health under division (C) of section 3707.59 of the Revised Code in accordance with section 3319.303 of the Revised Code.

(E)(1) A student shall not be allowed to participate in an athletic activity if either of the following is the case:

(a) The student's biological parent, biological sibling, or biological child has previously experienced sudden cardiac arrest, and the student has not been evaluated and cleared for participation in an athletic activity by a physician authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery.

(b) The student is known to have exhibited syncope or fainting at any time prior to or following an athletic activity and has not been evaluated and cleared for return under division (E)(3) of this section after exhibiting syncope or fainting.

(2) A student shall be removed by the student's coach from participation in an athletic activity if the student exhibits syncope or fainting.

(3) If a student is not allowed to participate in or is removed from participation in an athletic activity under division (E)(1) or (2) of this section, the student shall not be allowed to return to participation until the student is evaluated and cleared for return in writing by any of the following:

(a) A physician authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery, including a physician who specializes in cardiology;

(b) A certified nurse practitioner, clinical nurse

specialist, or certified nurse-midwife who holds a certificate of	76
authority issued under Chapter 4723. of the Revised Code;	77
(c) A physician assistant licensed under Chapter 4730. of the	78
Revised Code;	79
(d) An athletic trainer licensed under Chapter 4755. of the	80
Revised Code.	81
The licensed health care providers specified in divisions	82
(E)(3)(a) to (d) of this section may consult with any other	83
licensed or certified health care providers in order to determine	84
whether a student is ready to return to participation.	85
(F) A school that is subject to this section shall establish	86
penalties for a coach who violates the provisions of division (E)	87
of this section.	88
(G) Nothing in this section shall be construed to abridge or	89
limit any rights provided under a collective bargaining agreement	90
entered into under Chapter 4117. of the Revised Code prior to	91
March 14, 2017.	92
(H)(1) A school district, member of a school district board	93
of education, or school district employee or volunteer, including	94
a coach, is not liable in damages in a civil action for injury,	95
death, or loss to person or property allegedly arising from	96
providing services or performing duties under this section, unless	97
the act or omission constitutes willful or wanton misconduct.	98
This section does not eliminate, limit, or reduce any other	99
immunity or defense that a school district, member of a school	100
district board of education, or school district employee or	101
volunteer, including a coach, may be entitled to under Chapter	102
2744. or any other provision of the Revised Code or under the	103
common law of this state.	104

(2) A chartered or nonchartered nonpublic school or any officer, director, employee, or volunteer of the school, including a coach, is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from providing services or performing duties under this section, unless the act or omission constitutes willful or wanton misconduct.

Sec. 3313.5318. As used in this section, "athletic activity" has the same meaning as in section 3313.5310 of the Revised Code.

(A) No individual shall coach an athletic activity at a school operated by a school district board of education or any chartered or nonchartered nonpublic school that is subject to the rules of an interscholastic conference or an organization that regulates interscholastic conferences or events unless the individual has completed a student mental health training course approved by the department of mental health and addiction services pursuant to division (B) of this section. The mental health training course may be combined with or part of another training course.

(B) On or after the effective date of this section, an individual shall complete the training prescribed by division (A) of this section each time the individual applies for or renews a pupil-activity program permit under section 3319.303 of the Revised Code. An individual may complete the training at any time within the duration of the individual's new or renewed permit. Upon completion, the individual shall present evidence to the state board of education that the individual has successfully completed the training described in division (A) of this section."

In line 47910, after "3313.5310," insert "3313.5318,"

After line 54570, insert:

"Sec. 3319.303. (A) The state board of education shall adopt 134  
 rules establishing standards and requirements for obtaining a 135  
 pupil-activity program permit for any individual who does not hold 136  
 a valid educator license, certificate, or permit issued by the 137  
 state board under section 3319.22, 3319.26, or 3319.27 of the 138  
 Revised Code. The permit issued under this section shall be valid 139  
 for coaching, supervising, or directing a pupil-activity program 140  
 under section 3313.53 of the Revised Code. Subject to the 141  
 provisions of section 3319.31 of the Revised Code, a permit issued 142  
 under this division shall be valid for three years and shall be 143  
 renewable. 144

(B) The state board shall adopt rules applicable to 145  
 individuals who hold valid educator licenses, certificates, or 146  
 permits issued by the state board under section 3319.22, 3319.26, 147  
 or 3319.27 of the Revised Code setting forth standards to assure 148  
 any such individual's competence to direct, supervise, or coach a 149  
 pupil-activity program described in section 3313.53 of the Revised 150  
 Code. The rules adopted under this division shall not be more 151  
 stringent than the standards set forth in rules applicable to 152  
 individuals who do not hold such licenses, certificates, or 153  
 permits adopted under division (A) of this section. Subject to the 154  
 provisions of section 3319.31 of the Revised Code, a permit issued 155  
 to an individual under this division shall be valid for the same 156  
 number of years as the individual's educator license, certificate, 157  
 or permit issued under section 3319.22, 3319.26, or 3319.27 of the 158  
 Revised Code and shall be renewable. 159

(C) As a condition to issuing or renewing a pupil-activity 160  
 program permit to coach interscholastic athletics: 161

(1) The state board shall require each individual applying 162  
 for a first permit ~~on or after April 26, 2013,~~ to successfully 163

complete a training program that is specifically focused on brain 164  
 trauma and brain injury management and the sudden cardiac arrest 165  
training course approved by the department of health under 166  
division (C) of section 3707.59 of the Revised Code. 167

(2) The state board shall require each individual applying 168  
 for a permit renewal ~~on or after that date~~ to present evidence 169  
 that the individual has successfully completed, within the 170  
duration of the individual's previous three years, a permit, both 171  
of the following: 172

(a) A training program in recognizing the symptoms of 173  
 concussions and head injuries to which the department of health 174  
 has provided a link on its internet web site under section 3707.52 175  
 of the Revised Code or a training program authorized and required 176  
 by an organization that regulates interscholastic athletic 177  
 competition and conducts interscholastic athletic events; 178

(b) The sudden cardiac arrest training course approved by the 179  
department of health under division (C) of section 3707.59 of the 180  
Revised Code. 181

(3) The state board shall require each individual applying 182  
for a permit renewal on or after the effective date of this 183  
amendment to present evidence that the individual has complied 184  
with the student mental health training requirement under section 185  
3313.5318 of the Revised Code." 186

In line 55319, after "3313.5310," insert "3313.5318," 187

In line 55982, after "3302.037," insert "3313.5318," 188

In line 124640, after "3313.48," insert "3313.5310," 189

In line 124648, after "3319.291," insert "3319.303," 190

In line 125606, after "3319.26," insert "3319.303," 191

After line 126918, insert: 192

"**Sec. 3319.303.** (A) Except as provided in division (D) of 193  
 this section, the state board of education shall adopt rules 194  
 establishing standards and requirements for obtaining a 195  
 pupil-activity program permit for any individual who does not hold 196  
 a valid educator license, certificate, or permit issued by the 197  
 state board under section 3319.22, 3319.26, or 3319.27 of the 198  
 Revised Code. The permit issued under this section shall be valid 199  
 for coaching, supervising, or directing a pupil-activity program 200  
 under section 3313.53 of the Revised Code. Subject to the 201  
 provisions of section 3319.31 of the Revised Code, a permit issued 202  
 under this division shall be valid for three years and shall be 203  
 renewable. 204

(B) The state board shall adopt rules applicable to 205  
 individuals who hold valid educator licenses, certificates, or 206  
 permits issued by the state board under section 3319.22, 3319.26, 207  
 or 3319.27 of the Revised Code setting forth standards to assure 208  
 any such individual's competence to direct, supervise, or coach a 209  
 pupil-activity program described in section 3313.53 of the Revised 210  
 Code. The rules adopted under this division shall not be more 211  
 stringent than the standards set forth in rules applicable to 212  
 individuals who do not hold such licenses, certificates, or 213  
 permits adopted under division (A) of this section. Subject to the 214  
 provisions of section 3319.31 of the Revised Code, a permit issued 215  
 to an individual under this division shall be valid for the same 216  
 number of years as the individual's educator license, certificate, 217  
 or permit issued under section 3319.22, 3319.26, or 3319.27 of the 218  
 Revised Code and shall be renewable. 219

(C)(1) Except as provided in division (D) of this section, as 220  
 a condition to issuing a pupil-activity program permit to coach 221



interscholastic athletics, the state board shall require each 222  
 individual applying for a first permit ~~on or after April 26, 2013,~~ 223  
 to successfully complete a training program that is specifically 224  
 focused on brain trauma and brain injury management and the sudden 225  
cardiac arrest training course approved by the department of 226  
health under division (C) of section 3707.59 of the Revised Code. 227

(2) The state board shall require, as a condition to renewing 228  
 a pupil-activity program permit to coach interscholastic 229  
 athletics, each individual applying for a permit renewal ~~on or~~ 230  
~~after that date~~ to present evidence that the individual has 231  
 successfully completed, within the duration of the individual's 232  
 previous ~~three years,~~ a permit, both of the following: 233

(a) A training program in recognizing the symptoms of 234  
 concussions and head injuries to which the department of health 235  
 has provided a link on its internet web site under section 3707.52 236  
 of the Revised Code or a training program authorized and required 237  
 by an organization that regulates interscholastic athletic 238  
 competition and conducts interscholastic athletic events; 239

(b) The sudden cardiac arrest training course approved by the 240  
department of health under division (C) of section 3707.59 of the 241  
Revised Code. 242

(3) The state board shall require each individual applying 243  
for a permit renewal on or after the effective date of this 244  
amendment to present evidence that the individual has complied 245  
with the student mental health training requirement under section 246  
3313.5318 of the Revised Code. 247

(D) The state board shall issue a permit for coaching, 248  
 supervising, or directing a pupil-activity program in accordance 249  
 with Chapter 4796. of the Revised Code to an applicant if either 250  
 of the following applies: 251

(1) The applicant holds a license or permit in another state. 252

(2) The applicant has satisfactory work experience, a 253  
government certification, or a private certification as described 254  
in that chapter as a coach, supervisor, or pupil-activity program 255  
director in a state that does not issue that permit." 256

In line 128820, after "3319.26," insert "3319.303," 257

The motion was \_\_\_\_\_ agreed to.

SYNOPSIS

**Mental health training for athletic coaches** 258

**R.C. 3313.5318 and 3319.303; conforming changes in 3313.5310,** 259  
**3314.03, 3326.11, and 3328.24** 260

Restores provisions of the House-passed version of the bill 261  
that do the following: 262

- Prohibit an individual from coaching an athletic activity 263  
at a public or chartered nonpublic school unless the individual 264  
has completed a student mental health training course approved by 265  
the Department of Mental Health and Addiction Services; and 266
- Change the frequency of sudden cardiac arrest training and 267  
brain trauma and brain injury management training for renewal of 268  
pupil activity permits to align with the duration of the permit. 269