

1-1 By: Campbell, Creighton S.B. No. 2398  
 1-2 (In the Senate - Filed March 12, 2025; March 25, 2025, read  
 1-3 first time and referred to Committee on Education K-16;  
 1-4 April 22, 2025, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 11, Nays 0; April 22, 2025,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 2398 By: Hinojosa of Nueces

1-21 A BILL TO BE ENTITLED  
 1-22 AN ACT

1-23 relating to certain policies and procedures related to concussions  
 1-24 or other brain injuries sustained by public school students.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Subchapter A, Chapter 38, Education Code, is  
 1-27 amended by adding Section 38.0051 to read as follows:

1-28 Sec. 38.0051. ACADEMIC ACCOMMODATIONS FOR STUDENT WITH  
 1-29 CONCUSSION OR OTHER BRAIN INJURY. (a) The agency shall develop a  
 1-30 list of nonmedical academic accommodations a school district may  
 1-31 offer to a student diagnosed with a concussion or other brain  
 1-32 injury.

1-33 (b) The agency shall:

1-34 (1) develop a form for use by school districts  
 1-35 describing the accommodations a district may offer under this  
 1-36 section; and

1-37 (2) make the form developed under Subdivision (1)  
 1-38 available on the agency's Internet website for use by school  
 1-39 districts, district educators or administrators, students, and  
 1-40 parents or guardians.

1-41 (c) A school district that provides accommodations under  
 1-42 this section must make the form developed under Subsection (b)  
 1-43 available to:

1-44 (1) a district employee as soon as practicable after  
 1-45 receiving:

1-46 (A) notice that a student enrolled in the  
 1-47 district has been diagnosed with a concussion or other brain  
 1-48 injury; or

1-49 (B) a request from the employee; and

1-50 (2) a student enrolled in the district or the student's  
 1-51 parent or guardian as soon as practicable after receiving:

1-52 (A) notice that the student has been diagnosed  
 1-53 with a concussion or other brain injury; or

1-54 (B) a request from the student or parent or  
 1-55 guardian.

1-56 (d) This section may not be construed to require a school  
 1-57 district to provide any accommodations under this section.

1-58 SECTION 2. Chapter 38, Education Code, is amended by adding  
 1-59 Subchapter D-1 to read as follows:

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2-1 SUBCHAPTER D-1. TREATMENT OF CONCUSSIONS AFFECTING STUDENTS OTHER  
2-2 THAN STUDENT ATHLETES

2-3 Sec. 38.171. DEFINITION. In this subchapter, "concussion"  
2-4 has the meaning assigned by Section 38.151.

2-5 Sec. 38.172. APPLICABILITY. This subchapter does not apply  
2-6 to a concussion believed to have been sustained by a student while  
2-7 participating in an interscholastic athletic activity described by  
2-8 Section 38.152.

2-9 Sec. 38.173. CONCUSSION RESPONSE POLICY. (a) A school  
2-10 district shall adopt and implement a policy regarding how to  
2-11 respond to a concussion believed to have been sustained by a student  
2-12 while on school property or participating in a school-sponsored or  
2-13 school-related activity on or off school property.

2-14 (b) The policy adopted under Subsection (a) must provide  
2-15 for:

2-16 (1) the immediate removal of a student from a  
2-17 school-sponsored or school-related activity if a school district  
2-18 employee or volunteer believes the student might have sustained a  
2-19 concussion;

2-20 (2) notice to the student's parent or guardian or  
2-21 another person with legal authority to make medical decisions for  
2-22 the student of the student's suspected concussion and removal under  
2-23 Subdivision (1); and

2-24 (3) the student's return to a school-sponsored or  
2-25 school-related activity only after the requirements under Section  
2-26 38.157(a) have been satisfied.

2-27 SECTION 3. This Act applies beginning with the 2025-2026  
2-28 school year.

2-29 SECTION 4. This Act takes effect immediately if it receives  
2-30 a vote of two-thirds of all the members elected to each house, as  
2-31 provided by Section 39, Article III, Texas Constitution. If this  
2-32 Act does not receive the vote necessary for immediate effect, this  
2-33 Act takes effect September 1, 2025.

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