



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

AB-856 Pupil health: COVID-19 Youth Health Information Act. (2021-2022)

SHARE THIS:  

Date Published: 07/26/2021 02:00 PM

Assembly Bill No. 856

CHAPTER 123

An act to add and repeal Article 13.3 (commencing with Section 33477) of Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, relating to pupil health, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor July 23, 2021. Filed with Secretary of State July 23, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 856, Maienschein. Pupil health: COVID-19 Youth Health Information Act.

Existing law establishes a system of public elementary and secondary education in this state. Under this system, local educational agencies throughout the state provide instruction to pupils in kindergarten and grades 1 to 12, inclusive, at the schoolsites they operate. Private schools also provide elementary and secondary level instruction.

This bill would enact the COVID-19 Youth Health Information Act. The act would require the State Department of Education to post on its internet website information related to the safe return of pupils to exercise and physical activity, as defined, after exhibiting signs or symptoms of, or testing positive for, COVID-19, and would specify that the information include current guidelines issued by the American Academy of Pediatrics. The bill also would require the department to include in its posts current guidelines of the American Academy of Pediatrics for pupils to obtain medical clearance before returning to exercise and physical activity after exhibiting signs or symptoms of, or testing positive for, COVID-19, as specified.

The bill would require the department to monitor best practices and evolving guidelines on the safe return of pupils to exercise and physical activity after exhibiting signs or symptoms of, or testing positive for, COVID-19, and to update its internet website in response to new information. The bill would also require the department to encourage schools and school districts to give pupils and their parents and guardians ready access to the information obtained pursuant to this bill by posting it on their internet websites, and actively distributing this information, as specified.

This bill would make these provisions inoperative on July 1, 2024, and would repeal them as of January 1, 2025.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Article 13.3 (commencing with Section 33477) is added to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, to read:

Article 13.3. COVID-19 Youth Health Information Act

33477. This article shall be known, and may be cited, as the COVID-19 Youth Health Information Act.

33477.1. For purposes of this article, the following definitions apply:

(a) "Exercise and physical activity" includes all of the following:

- (1) Interscholastic athletics.
- (2) An athletic contest, event, or competition, other than interscholastic athletics, sponsored by a school, including cheerleading and club-sponsored sports activities.
- (3) Noncompetitive cheerleading sponsored by a school.
- (4) Practices, conditioning, drills, and scrimmages for all of the activities listed under paragraphs (1) to (3), inclusive.
- (5) Physical education classes.

(b) "Licensed healthcare provider" means a licensed medical practitioner skilled in the evaluation and screening of youth heart conditions related to viral exposure.

(c) "School" means a public elementary or secondary school, including a charter school, or a private school that conducts athletic and physical activities.

33477.3. (a) The department shall post on its internet website information related to the safe return of pupils to exercise and physical activity after exhibiting signs or symptoms of, or testing positive for, COVID-19, including current American Academy of Pediatrics guidelines for (1) a preparticipation screening evaluation, with a special emphasis on cardiac symptoms, with a licensed health care provider to evaluate health and heart risks associated with COVID-19, and (2) "gradual return to play" protocols, according to whether the pupil's COVID-19 was mild, moderate, or severe.

(b) The department shall include in its posts made pursuant to subdivision (a) American Academy of Pediatrics guidelines for pupils to obtain medical clearance before returning to exercise and physical activity after exhibiting signs or symptoms of, or testing positive for, COVID-19, and the gradual return to play protocols, relative to the severity of symptoms.

(c) Materials posted by the department on its internet website pursuant to this article may include, but are not necessarily limited to, those developed by the Eric Paredes Save A Life Foundation, the California Interscholastic Federation, the American Academy of Pediatrics, the American Medical Society for Sports Medicine, and the California Athletic Trainers' Association.

(d) The department shall monitor best practices and evolving guidelines on the safe return of pupils to physical activity after exhibiting signs or symptoms of, or testing positive for, COVID-19, and shall update its internet website in response to new information.

(e) The department shall encourage schools and school districts to give pupils and their parents and guardians ready access to the information obtained pursuant to this article by posting it on their internet websites, and actively distributing this information via postal mail, email, newsletter, meetings, in registration and sports clearance packets, or in person.

33477.9. This article shall become inoperative on July 1, 2024, and, as of January 1, 2025, is repealed.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to expedite the safe return of the pupils of this state to exercise and physical activities, it is necessary that this act take effect immediately.