

SENATE No. 796

The Commonwealth of Massachusetts

PRESENTED BY:

Baddour, Steven (SEN)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Relating to safety regulations for school athletic programs.

PETITION OF:

NAME:

Baddour, Steven (SEN)

DISTRICT/ADDRESS:

First Essex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATING TO SAFETY REGULATIONS FOR SCHOOL ATHLETIC PROGRAMS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 111 of the General Laws is hereby amended by adding at the conclusion thereof
2 the following new section.

3 Section 219, Head Injury Safety Regulations for School Athletic Programs

4 This Section shall apply to all public schools within the Commonwealth and to any other school
5 in the Commonwealth whose athletic programs are subject to Massachusetts Interscholastic
6 Athletic Association rules.

7 A) The Commissioner shall direct the Division of Violence and Injury Prevention to develop
8 an interscholastic athletic Head Injury Safety Training program. The Department may use
9 materials available from the Centers for Disease Control and Prevention, the American
10 Red Cross, or any other appropriate entity.

11 B) The following persons must satisfactorily complete this safety training program:

- 12 1) a coach, trainer or parent volunteer for an extracurricular athletic activity;
13 2) a physician who is employed by a school or school district, or who volunteers to
14 assist with an extracurricular athletic activity; and

- 15 3) A director responsible for a school marching band
- 16 C) The safety training shall include, but not be limited to, the following: current training in
17 recognizing the symptoms of potentially catastrophic injuries, including head and neck
18 injuries, concussions, and injuries related to second impact syndrome.
- 19 D) A school district shall provide training to students participating in extracurricular athletic
20 activity related to recognizing the symptoms of injuries described in section C above, as
21 well as information regarding the biology of concussions and the short-term and long-
22 term consequences of concussions.
- 23 E) The Department of Public Health shall develop forms entitled “preparticipation physical
24 evaluation—medical history” for completion by each student participating in an
25 extracurricular athletic activity. These forms must be signed by both the student and the
26 student’s legal parent or guardian.
- 27 F) A coach, trainer or volunteer for an extracurricular athletic activity shall not encourage or
28 permit a student participating in the activity to engage in any unreasonably dangerous
29 athletic technique that unnecessarily endangers the health of a student, including using a
30 helmet or any other sports equipment as a weapon.
- 31 G) If a student participating in an extracurricular athletic activity, during a practice or
32 competition, becomes unconscious during the activity, the student may not:
- 33 i. return to the practice or competition during which the student became
34 unconscious; or
- 35 ii. Participate in any extracurricular athletic activity until the student receives
36 written authorization for such participation from a physician.

- 37 H) If a student participating in an extracurricular athletic activity, during a practice or
38 competition, suffers a concussion as diagnosed by a medical professional, the student
39 may not:
- 40 i. Participate in any extracurricular athletic activity until the student receives
41 written authorization for such participation from a physician
- 42 I) The superintendent of the school district or the director of a school subject to this section
43 shall maintain complete and accurate records of the district's or school's compliance with
44 the requirements of this section.
- 45 J) A school that is determined by the school's superintendent or director to be out of
46 compliance with this section shall be subject to the range of penalties as determined by
47 the Massachusetts Interscholastic Athletic Association.
- 48 K) The requirements put forth in this section shall be posted at the entrance to all schools
49 that offer extracurricular athletic activity, and shall be incorporated into the
50 Massachusetts Interscholastic Athletic Association's constitution and contest rules.
- 51 L) This section does not waive any liability or immunity of a school district or its officers or
52 employees. This section does not create any liability for a course of legal action against a
53 school district, or its officers or employees.
- 54 M) A person who volunteers to assist with an extracurricular athletic activity is not liable for
55 civil damages arising out of an act or omission relating to the requirements of this
56 section, unless the act or omission is willfully or wantonly negligent.