

**SENATE . . . . . No.**

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**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

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In the Year Two Thousand and Nine  
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## 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.