

**SENATE . . . . . No. 2267**

---

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the Year Two Thousand Ten**  
\_\_\_\_\_

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 223

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

7 The department shall direct the Division of Violence and Injury Prevention to develop an  
8 interscholastic athletic Head Injury Safety Training program to be completed by the following  
9 individuals: coaches, trainers and parent volunteers for any extracurricular athletic activity;  
10 physicians who are employed by a school or school district, or who volunteers to assist with an  
11 extracurricular athletic activity; directors responsible for a school marching band; and

12 a parent or legal guardian of a child who participates in an extracurricular athletic  
13 activity.

14 In developing said program, the department may use any of the materials readily  
15 available from the Centers for Disease Control and Prevention and the American Red Cross. The  
16 safety training shall include, but not be limited to current training in recognizing the symptoms  
17 of potentially catastrophic head and neck injuries, concussions, and injuries related to second  
18 impact syndrome.

19 As part of the interscholastic athletic Head Injury Safety Training program, school  
20 districts shall provide to students participating in any extracurricular athletic activity the  
21 following information; a summary of department rules and regulations relative to safety  
22 regulations for student participation in extracurricular athletic activities; including protocol for  
23 post concussion participation or participation in an extracurricular athletic activity after  
24 becoming unconscious; and written information related to the recognition of symptoms of head  
25 injuries, information regarding the biology and short-term and long-term consequences of  
26 concussions.

27 The department shall develop forms to provide coaches with up-to-date information of  
28 their athletes head injury history to enable them to identify those students who are at greater risk  
29 for repeated head injuries. These forms would require students to provide information each  
30 season relative to their sports head injury history prior to receiving clearance to participate in an  
31 extracurricular athletic activity. These forms would require the signature of both the student and  
32 their parent or legal guardian.

33 A coach, trainer or volunteer for an extracurricular athletic activity shall not encourage or  
34 permit a student participating in the activity to engage in any unreasonably dangerous athletic

35 technique that unnecessarily endangers the health of a student, including using a helmet or any  
36 other sports equipment as a weapon.

37         If a student participating in an extracurricular athletic activity becomes unconscious  
38 during a practice or competition the student may not return to the practice or competition during  
39 which the student became unconscious; or participate in any extracurricular athletic activity until  
40 the student receives written authorization for such participation from a physician.

41         If a student, suffers a concussion as diagnosed by a medical professional, while  
42 participating in an extracurricular athletic activity the student may not participate in any  
43 extracurricular athletic activity until the student receives written authorization for such  
44 participation from a physician.

45         The superintendent of the school district or the director of a school shall maintain  
46 complete and accurate records of the district's or school's compliance with the requirements of  
47 this section. A school that is determined by the school's superintendent or director to be out of  
48 compliance with this section shall be subject to penalties as determined by the department.

49         This section does not waive any liability or immunity of a school district or its officers or  
50 employees. This section does not create any liability for a course of legal action against a school  
51 district, or its officers or employees.

52         A person who volunteers to assist with an extracurricular athletic activity is not liable for  
53 civil damages arising out of an act or omission relating to the requirements of this section, unless  
54 the act or omission is willfully or wanton negligent.

55           The departments shall promulgate rules and regulations to carry out the provisions of  
56 section 223 of chapter 111 of the General Laws within 90 days of the effective date of this act;  
57 provided that these regulations shall become effective for the fiscal year following final approval  
58 of said regulations; provided, however, that not less than 12 months shall have elapsed between  
59 final approval of the regulations and the date of implementation in order to provide sufficient  
60 time to implement the regulations.