

Senate Bill 721

Sponsored by Senators STEINER HAYWARD, GIROD, Representative GILLIAM; Senators BURDICK, COURTNEY, DEVLIN, DINGFELDER, EDWARDS, FERRIOLI, MONNES ANDERSON, MONROE, ROBLAN, THOMSEN, Representatives BARTON, BOONE, FREDERICK, GREENLICK, KENY-GUYER, WILLIAMSON

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Expands school district policy requirements for recognizing and responding to possible concussions.

Imposes on nonschool athletic teams requirements for recognizing and responding to possible concussions.

A BILL FOR AN ACT

1
2 Relating to youth athletic team safety; creating new provisions; and amending ORS 336.485.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 336.485 is amended to read:

5 336.485. (1) As used in this section, "coach" means a person who instructs or trains members
6 on a school athletic team, as identified by criteria established by the State Board of Education by
7 rule.

8 (2)(a) Each school district shall ensure that coaches receive annual training to learn how to
9 recognize the symptoms of a concussion and how to seek proper medical treatment for a person
10 suspected of having a concussion.

11 (b) The board shall establish by rule:

12 (A) The requirements of the training described in paragraph (a) of this subsection, which shall
13 be provided by using community resources to the extent practicable; and

14 (B) Timelines to ensure that, to the extent practicable, every coach receives the training de-
15 scribed in paragraph (a) of this subsection before the beginning of the season for the school athletic
16 team.

17 (3)(a) A coach may not allow a member of a school athletic team to participate in any athletic
18 event or training on the same day that the member:

19 (A) Exhibits signs, symptoms or behaviors consistent with a concussion following an observed
20 or suspected blow to the head or body; or

21 (B) Has been diagnosed with a concussion.

22 (b) A coach may allow a member of a school athletic team who is prohibited from participating
23 in an athletic event or training, as described in paragraph (a) of this subsection, to participate in
24 an athletic event or training no sooner than the day after the member experienced a blow to the
25 head or body and only after the member:

26 (A) No longer exhibits signs, symptoms or behaviors consistent with a concussion; and

27 (B) Receives a medical release form from a health care professional.

28 **(4) If a coach has been found in violation of the requirements of subsection (3) of this**
29 **section, the school district shall impose the following penalties:**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (a) For a first violation, suspension from coaching any school athletic team for two
2 weeks from the date of discovery of the violation.

3 (b) For a second violation, suspension from coaching any school athletic team for one
4 year from the date of discovery of the violation.

5 (c) For a third violation, permanent suspension from coaching any school athletic team.

6 (5)(a) The Department of Education shall develop and make available guidelines and other
7 relevant materials to inform and educate students desiring to be a member of a school ath-
8 letic team, their parents and their coaches about the symptoms and warning signs of a
9 concussion.

10 (b) To the extent practicable, the department shall use community resources in develop-
11 ing the guidelines and materials described in paragraph (a) of this subsection.

12 (6) Each school year, and prior to a student participating as a member on a school ath-
13 letic team, an acknowledgement of receipt and review of the materials developed as described
14 in subsection (5) of this section must be provided by:

15 (a) The parent of the student; and

16 (b) If the student is 12 years of age or older, the student.

17 (7) A school district may hold an informational meeting prior to the start of the season
18 for each school athletic team regarding the symptoms and warning signs of a concussion.

19 **SECTION 2.** The amendments to ORS 336.485 by section 1 of this 2013 Act first apply to
20 the 2014-2015 school year.

21 **SECTION 3.** (1) As used in this section:

22 (a) "Coach" means a person who volunteers or is paid to instruct or train members of
23 an athletic team.

24 (b) "League governing body" means a governing body that:

25 (A) Oversees an association of nonschool athletic teams that provide instruction or
26 training for team members and that may compete with each other; and

27 (B) Is affiliated with, or otherwise sponsored or organized by, a nonprofit corporation
28 established as provided by ORS chapter 65.

29 (c) "Nonschool athletic team" means an athletic team that includes members who are
30 18 years of age or younger and that is not affiliated with a public school in this state.

31 (d) "Referee" means a person who volunteers or is paid to act as a referee, as an umpire
32 or in a similar supervisory position for events involving nonschool athletic teams.

33 (2)(a) Each league governing body shall ensure that coaches and referees receive annual
34 training to learn how to recognize the symptoms of a concussion and how to seek proper
35 medical treatment for a person suspected of having a concussion.

36 (b) Each league governing body shall adopt a policy that establishes:

37 (A) The requirements of the training described in paragraph (a) of this subsection; and

38 (B) Timelines that ensure that, to the extent practicable, every coach and referee re-
39 ceives the training described in paragraph (a) of this subsection before the beginning of the
40 season for the nonschool athletic team.

41 (3)(a) A coach or a referee may not allow a member of a nonschool athletic team to
42 participate in any athletic event or training on the same day that the member:

43 (A) Exhibits signs, symptoms or behaviors consistent with a concussion following an ob-
44 served or suspected blow to the head or body; or

45 (B) Has been diagnosed with a concussion.

1 (b) A coach or referee may allow a member of a nonschool athletic team who is prohib-
2 ited from participating in an athletic event or training, as described in paragraph (a) of this
3 subsection, to participate in an athletic event or training no sooner than the day after the
4 member experienced a blow to the head or body and only after the member:

5 (A) No longer exhibits signs, symptoms or behaviors consistent with a concussion; and

6 (B) Receives a medical release form from a health care professional.

7 (4) If a coach or referee has been found in violation of the requirements of subsection (3)
8 of this section, the league governing body shall impose the following penalties:

9 (a) For a first violation, suspension from coaching or refereeing duties for any nonschool
10 athletic team for two weeks from the date of the discovery of the violation.

11 (b) For a second violation, suspension from coaching or refereeing duties for any non-
12 school athletic team for one year from the date of the discovery of the violation.

13 (c) For a third violation, permanent suspension from coaching or refereeing duties for
14 any nonschool athletic team.

15 (5) The league governing body shall develop and make available guidelines and other rel-
16 evant materials to inform and educate children desiring to be a member of a nonschool
17 athletic team, their parents and coaches and referees about the symptoms and warning signs
18 of a concussion.

19 (6) For each year of participation, and prior to a child participating as a member on a
20 nonschool athletic team, an acknowledgement of receipt and review of the materials devel-
21 oped as described in subsection (5) of this section must be provided by:

22 (a) The parent of the child; and

23 (b) If the child is 12 years of age or older, the child.

24 (7) A league governing body may hold an informational meeting prior to the start of the
25 season for each nonschool athletic team regarding the symptoms and warning signs of a
26 concussion.

27 (8) When filing a renewal application with the Secretary of State, the nonprofit corpo-
28 ration that is affiliated with, or otherwise sponsors or organizes, a league governing body
29 shall include an affidavit with the renewal application that verifies that the league governing
30 body is in compliance with the requirements of this section.

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