

ASSEMBLY BILL

No. 2127

Introduced by Assembly Member Cooley

February 20, 2014

An act to amend Section 49475 of, and to add Section 35179.5 to, the Education Code, relating to interscholastic sports.

LEGISLATIVE COUNSEL'S DIGEST

AB 2127, as introduced, Cooley. Interscholastic sports: full-contact practices: concussions and head injuries.

(1) Existing law establishes a system of public elementary and secondary schools operated by local educational agencies throughout this state. Under existing law, public and private secondary schools participate in interscholastic sports, and are authorized to enter into associations or consortia to enact and enforce rules relating to eligibility for, and participation in, these activities. Existing law acknowledges the role of the California Interscholastic Federation in the regulation of interscholastic sports in this state.

This bill would express legislative findings and declarations relating to head injuries sustained by high school pupil-athletes, particularly those who play football. The bill would prohibit high school and middle school football teams from conducting more than one full-contact practice, as defined, per week during the preseason and regular season, as defined, and completely prohibit full-contact practice during the off-season, as defined. The bill would urge the California Interscholastic Federation to develop and adopt rules to implement this provision.

(2) Existing law requires a school district, charter school, or private school, if it offers an athletic program, to immediately remove an athlete from an athletic activity for the remainder of the day if the athlete is

suspected of sustaining a concussion or head injury, and prohibits the athlete from returning to the athletic activity until the athlete is evaluated by a licensed health care provider, trained in the management of concussions and acting within the scope of his or her practice, and the athlete receives written clearance from the licensed health care provider to return to the athletic activity. Existing law also requires, on a yearly basis, a concussion and head injury information sheet to be signed and returned by the athlete and athlete’s parent or guardian before the athlete initiates practice or competition.

This bill would provide that an athlete suspected of sustaining a concussion or head injury is prohibited from returning to the athletic activity until the athlete is evaluated by a licensed health care provider, trained in the management of concussions and acting within the scope of his or her practice, and the athlete receives written clearance from the licensed health care provider to return to the athletic activity after completion of a graduated and supervised return-to-play protocol of no less than 7 days in duration. The bill would urge the California Interscholastic Federation to develop and adopt rules and protocols to implement this provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
 State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Concussions and other mild traumatic brain injuries affect
- 4 thousands of California’s high school pupil-athletes each year.
- 5 Many concussions or head injuries go undetected due to a lack of
- 6 recognition of symptoms or intentional underreporting of
- 7 symptoms.
- 8 (b) Most concussions do not involve a loss of consciousness,
- 9 according to the federal Centers for Disease Control and
- 10 Prevention.
- 11 (c) The symptoms of concussions vary, and most symptoms are
- 12 not necessarily specific to concussion. Symptoms may include
- 13 dizziness, sensitivity to light, and loss of consciousness.
- 14 (d) Pupil-athletes who suffer a concussion are more likely to
- 15 suffer an additional concussion than someone who has never been
- 16 concussed.

1 (e) Children and adolescents are skeletally immature, and are
2 thus more likely to be concussed or suffer a brain injury than adults.

3 (f) Many athletes want to keep playing despite a concussion or
4 head injury. In a study published by the American Academy of
5 Pediatrics in October 2012, 32 percent of high school football
6 players reported that they had experienced symptoms of concussion
7 but did not pursue medical attention.

8 (g) Many high schools lack the standard of care afforded to
9 college and professional players. At the collegiate and professional
10 level, neurologists and other physicians are available. High schools
11 cannot afford this. In California, coaches or athletic trainers must
12 try to identify a head injury on the sidelines.

13 (h) Medical experts recommend that the recovery and
14 rehabilitation process from a concussion proceed conservatively.
15 Experts suggest six stages, which should be supervised, should
16 last at least 24 hours each, and that athletes should be prohibited
17 from proceeding until they are asymptomatic. Most athletes are
18 symptom-free in 7 to 10 days, but according to the American
19 Academy of Pediatrics, adolescents suffer from post-concussive
20 symptoms longer than adults or college students.

21 (i) Researchers agree that there is no way to “condition” the
22 brain for hits to the head. Researchers strongly contend that hits
23 to the brain should be minimized as much as possible.

24 (j) Several academic and scientific studies have asserted that
25 the cumulative effects of sub-concussive blows to the brain due
26 to football may contribute to long-term brain damage and
27 early-onset dementia, including chronic traumatic encephalopathy
28 (CTE).

29 (k) A Boston University study in 2012 studied the brains of 85
30 deceased athletes and military veterans with histories of repeated
31 mild traumatic brain injuries. Eighty percent of those studied had
32 CTE. Six of the deceased were football players who had not played
33 past high school.

34 (l) In 2010, a 21-year-old University of Pennsylvania football
35 player committed suicide. After a subsequent brain study, he was
36 found to have early stages of CTE. The athlete had never been
37 diagnosed with a concussion, and had never even complained of
38 a headache. Doctors contend that his CTE must have developed
39 from concussions he dismissed or from the thousands of

1 sub-concussive collisions he endured while playing football, most
2 of which occurred while his brain was still developing.

3 (m) Nineteen states have banned off-season full-contact high
4 school football practices. California allows each of its 10 sections
5 to make its own determination. Several of those sections still allow
6 full-contact summer and spring practices.

7 (n) Several states have limited full-contact practices during the
8 preseason and regular season.

9 (o) Maryland requires that a supervised return-to-play protocol
10 be followed in the event of a concussion or head injury.

11 SEC. 2. Section 35179.5 is added to the Education Code, to
12 read:

13 35179.5. (a) A high school or middle school football team
14 shall not conduct more than one full-contact practice per week
15 during the preseason and regular season. A high school or middle
16 school football team shall not hold a full-contact practice during
17 the off-season.

18 (b) The California Interscholastic Federation is urged to develop
19 and adopt rules to implement this section.

20 (c) As used in this section:

21 (1) “Full-contact practice” means a practice where drills or live
22 game simulations are conducted that involve the collisions and
23 other activity that is typical of an actual tackle football game.

24 (2) “Off-season” means a period extending from the end of the
25 regular season until 30 days before the commencement of the next
26 regular season.

27 (3) “Preseason” means a period of 30 days before the
28 commencement of the regular season.

29 (4) “Regular season” means the period from the first
30 interscholastic football game or scrimmage until the completion
31 of the final interscholastic football game of that season.

32 SEC. 3. Section 49475 of the Education Code is amended to
33 read:

34 49475. (a) If a school district, charter school, or private school
35 elects to offer an athletic program, the school district, charter
36 school, or private school shall comply with both of the following:

37 (1) An athlete who is suspected of sustaining a concussion or
38 head injury in an athletic activity shall be immediately removed
39 from the athletic activity for the remainder of the day, and shall
40 not be permitted to return to the athletic activity until he or she is

1 evaluated by a licensed health care provider who is trained in the
2 management of concussions and is acting within the scope of his
3 or her practice. The athlete shall not be permitted to return to the
4 athletic activity until he or she receives written clearance to return
5 to the athletic activity from that licensed health care provider *after*
6 *completion of a graduated and supervised return-to-play protocol*
7 *of no less than seven days in duration. The California*
8 *Interscholastic Federation is urged to work in consultation with*
9 *the American Academy of Pediatrics to develop and adopt rules*
10 *and protocols to implement this paragraph.*

11 (2) On a yearly basis, a concussion and head injury information
12 sheet shall be signed and returned by the athlete and the athlete's
13 parent or guardian before the athlete initiates practice or
14 competition.

15 (b) This section does not apply to an athlete engaging in an
16 athletic activity during the regular schoolday or as part of a physical
17 education course required pursuant to subdivision (d) of Section
18 51220.