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LAW/RWH

P.L.2011, CHAPTER 168, *approved January 5, 2012*  
Assembly, No. 4008

1 AN ACT concerning the health and safety of certain students and  
2 amending P.L.2010, c.94.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 2 of P.L.2010, c.94 (C.18A:40-41.2) is amended to  
8 read as follows:

9 2. a. The Department of Education shall work to develop and  
10 implement, by the 2011-2012 school year, an interscholastic athletic  
11 head injury safety training program. The program shall be  
12 completed by a school physician, a person who coaches a public  
13 school district or nonpublic school interscholastic sport or  
14 cheerleading program, and an athletic trainer involved in a public or  
15 nonpublic school interscholastic sports program or cheerleading  
16 program. The safety training program shall include, but need not be  
17 limited to, the following:

18 (1) the recognition of the symptoms of head and neck injuries,  
19 concussions, and injuries related to second-impact syndrome; and

20 (2) the appropriate amount of time to delay the return to  
21 **[sports]** competition or practice of a student-athlete or cheerleader  
22 who has sustained a concussion or other head injury.

23 b. The department shall update the safety training program as  
24 necessary to ensure that it reflects the most current information  
25 available on the nature, risk, and treatment of sports-related  
26 concussions and other head injuries.

27 c. The department shall develop an educational fact sheet that  
28 provides information about sports-related concussions and other  
29 head injuries. A school district or a nonpublic school that  
30 participates in an interscholastic sports program or cheerleading  
31 program shall distribute the educational fact sheet annually to the  
32 parents or guardians of student-athletes and cheerleaders and shall  
33 obtain a signed acknowledgment of the receipt of the fact sheet by  
34 the student-athlete or cheerleader and his parent or guardian.

35 (cf: P.L.2010, c.94, s.2)

36  
37 2. Section 3 of P.L.2010, c.94 (C.18A:40-41.3) is amended to  
38 read as follows:

39 3. a. Each school district shall develop a written policy  
40 concerning the prevention and treatment of sports-related  
41 concussions and other head injuries among student-athletes and  
42 cheerleaders. The policy shall include, but need not be limited to,

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

**Matter underlined thus is new matter.**

1 the procedure to be followed when it is suspected that a student-  
2 athlete or cheerleader has sustained a concussion or other head  
3 injury. When developing the district policy, a school district shall  
4 review the model policy established by the Commissioner of  
5 Education pursuant to subsection b. of this section, the policies  
6 established by the New Jersey State Interscholastic Athletic  
7 Association, the National Collegiate Athletic Association, and the  
8 recommendations made by the Brain Injury Association of New  
9 Jersey Concussion in Sports Steering Committee, the Athletic  
10 Trainers' Society of New Jersey, and other organizations with  
11 expertise in the area of preventing or treating sports-related  
12 concussions and other head injuries among student-athletes and  
13 cheerleaders. Each school district shall implement the policy by the  
14 2011-2012 school year.

15 The policy shall be reviewed annually, and updated as necessary,  
16 by the district to ensure that it reflects the most current information  
17 available on the prevention, risk, and treatment of sports-related  
18 concussions and other head injuries.

19 b. To assist school districts in developing policies concerning  
20 the prevention and treatment of sports-related concussions and other  
21 head injuries among student-athletes and cheerleaders, the  
22 Commissioner of Education shall develop a model policy applicable  
23 to grades kindergarten through 12. This model policy shall be  
24 issued no later than March 31, 2011.

25 (cf: P.L.2010, c.94, s.3)

26

27 3. Section 4 of P.L.2010, c.94 (C.18A:40-41.4) is amended to  
28 read as follows:

29 4. A student who participates in an interscholastic sports  
30 program or cheerleading program and who sustains or is suspected  
31 of having sustained a concussion or other head injury while engaged  
32 in a **[sports]** competition or practice shall be immediately removed  
33 from the **[sports]** competition or practice. A student-athlete or  
34 cheerleader who is removed from competition or practice shall not  
35 participate in further sports or cheerleading activity until he is  
36 evaluated by a physician or other licensed healthcare provider  
37 trained in the evaluation and management of concussions, and  
38 receives written clearance from a physician trained in the evaluation  
39 and management of concussions to return to competition or  
40 practice.

41 (cf: P.L.2010, c.94, s.4)

42

43 4. This act shall take effect immediately.

44

#### 45 STATEMENT

46

47 P.L.2010, c.94, which was approved on December 7, 2010,  
48 provided for the following:

1 (1) required the Department of Education to develop and  
2 implement an interscholastic athletic head injury safety program on  
3 the recognition of the symptoms of head injuries and the  
4 appropriate amount of time to delay the return to competition of a  
5 student who suffers a head injury. The program must be completed  
6 by school physicians, public school district and nonpublic school  
7 interscholastic sports coaches, and athletic trainers involved in  
8 public or nonpublic school interscholastic sports programs;

9 (2) school districts must develop a written policy concerning the  
10 prevention and treatment of sports-related concussions and other  
11 head injuries among student athletes; and

12 (3) students who participate in interscholastic sports programs  
13 who sustain or are suspected of having sustained a concussion or  
14 other head injury while engaged in a sports competition or practice  
15 must be immediately removed from the competition or practice and  
16 may not return to competition or practice until evaluated and  
17 cleared by a physician.

18 This bill amends P.L.2010, c.94 to provide specifically that  
19 cheerleaders are included in the student-athlete head injury safety  
20 program, and that cheerleading coaches must complete the program.

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25 \_\_\_\_\_  
26 Requires DOE to include cheerleaders in the student-athlete head  
injury safety program.

# ASSEMBLY, No. 4008

## STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED MAY 19, 2011

**Sponsored by:**

**Assemblyman PATRICK J. DIEGNAN, JR.**

**District 18 (Middlesex)**

**Assemblywoman MILA M. JASEY**

**District 27 (Essex)**

**Assemblyman ROBERT SCHROEDER**

**District 39 (Bergen)**

**Assemblyman CRAIG J. COUGHLIN**

**District 19 (Middlesex)**

**Co-Sponsored by:**

**Assemblyman Caputo, Assemblywoman N.Munoz, Assemblyman  
Conaway, Senators Ruiz and Allen**

**SYNOPSIS**

Requires DOE to include cheerleaders in the student-athlete head injury safety program.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 12/16/2011)**

1 AN ACT concerning the health and safety of certain students and  
2 amending P.L.2010, c.94.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 2 of P.L.2010, c.94 (C.18A:40-41.2) is amended to  
8 read as follows:

9 2. a. The Department of Education shall work to develop and  
10 implement, by the 2011-2012 school year, an interscholastic athletic  
11 head injury safety training program. The program shall be  
12 completed by a school physician, a person who coaches a public  
13 school district or nonpublic school interscholastic sport or  
14 cheerleading program, and an athletic trainer involved in a public or  
15 nonpublic school interscholastic sports program or cheerleading  
16 program. The safety training program shall include, but need not be  
17 limited to, the following:

18 (1) the recognition of the symptoms of head and neck injuries,  
19 concussions, and injuries related to second-impact syndrome; and

20 (2) the appropriate amount of time to delay the return to  
21 **[sports]** competition or practice of a student-athlete or cheerleader  
22 who has sustained a concussion or other head injury.

23 b. The department shall update the safety training program as  
24 necessary to ensure that it reflects the most current information  
25 available on the nature, risk, and treatment of sports-related  
26 concussions and other head injuries.

27 c. The department shall develop an educational fact sheet that  
28 provides information about sports-related concussions and other  
29 head injuries. A school district or a nonpublic school that  
30 participates in an interscholastic sports program or cheerleading  
31 program shall distribute the educational fact sheet annually to the  
32 parents or guardians of student-athletes and cheerleaders and shall  
33 obtain a signed acknowledgment of the receipt of the fact sheet by  
34 the student-athlete or cheerleader and his parent or guardian.

35 (cf: P.L.2010, c.94, s.2)

36

37 2. Section 3 of P.L.2010, c.94 (C.18A:40-41.3) is amended to  
38 read as follows:

39 3. a. Each school district shall develop a written policy  
40 concerning the prevention and treatment of sports-related  
41 concussions and other head injuries among student-athletes and  
42 cheerleaders. The policy shall include, but need not be limited to,  
43 the procedure to be followed when it is suspected that a student-  
44 athlete or cheerleader has sustained a concussion or other head  
45 injury. When developing the district policy, a school district shall

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 review the model policy established by the Commissioner of  
2 Education pursuant to subsection b. of this section, the policies  
3 established by the New Jersey State Interscholastic Athletic  
4 Association, the National Collegiate Athletic Association, and the  
5 recommendations made by the Brain Injury Association of New  
6 Jersey Concussion in Sports Steering Committee, the Athletic  
7 Trainers' Society of New Jersey, and other organizations with  
8 expertise in the area of preventing or treating sports-related  
9 concussions and other head injuries among student-athletes and  
10 cheerleaders. Each school district shall implement the policy by the  
11 2011-2012 school year.

12 The policy shall be reviewed annually, and updated as necessary,  
13 by the district to ensure that it reflects the most current information  
14 available on the prevention, risk, and treatment of sports-related  
15 concussions and other head injuries.

16 b. To assist school districts in developing policies concerning  
17 the prevention and treatment of sports-related concussions and other  
18 head injuries among student-athletes and cheerleaders, the  
19 Commissioner of Education shall develop a model policy applicable  
20 to grades kindergarten through 12. This model policy shall be  
21 issued no later than March 31, 2011.

22 (cf: P.L.2010, c.94, s.3)

23

24 3. Section 4 of P.L.2010, c.94 (C.18A:40-41.4) is amended to  
25 read as follows:

26 4. A student who participates in an interscholastic sports  
27 program or cheerleading program and who sustains or is suspected  
28 of having sustained a concussion or other head injury while engaged  
29 in a **【sports】** competition or practice shall be immediately removed  
30 from the **【sports】** competition or practice. A student-athlete or  
31 cheerleader who is removed from competition or practice shall not  
32 participate in further sports or cheerleading activity until he is  
33 evaluated by a physician or other licensed healthcare provider  
34 trained in the evaluation and management of concussions, and  
35 receives written clearance from a physician trained in the evaluation  
36 and management of concussions to return to competition or  
37 practice.

38 (cf: P.L.2010, c.94, s.4)

39

40 4. This act shall take effect immediately.

41

42

43

#### STATEMENT

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45 P.L.2010, c.94, which was approved on December 7, 2010,  
46 provided for the following:

47 (1) required the Department of Education to develop and  
48 implement an interscholastic athletic head injury safety program on



**A4008 DIEGNAN, JASEY**

4

1 the recognition of the symptoms of head injuries and the  
2 appropriate amount of time to delay the return to competition of a  
3 student who suffers a head injury. The program must be completed  
4 by school physicians, public school district and nonpublic school  
5 interscholastic sports coaches, and athletic trainers involved in  
6 public or nonpublic school interscholastic sports programs;

7 (2) school districts must develop a written policy concerning the  
8 prevention and treatment of sports-related concussions and other  
9 head injuries among student athletes; and

10 (3) students who participate in interscholastic sports programs  
11 who sustain or are suspected of having sustained a concussion or  
12 other head injury while engaged in a sports competition or practice  
13 must be immediately removed from the competition or practice and  
14 may not return to competition or practice until evaluated and  
15 cleared by a physician.

16 This bill amends P.L.2010, c.94 to provide specifically that  
17 cheerleaders are included in the student-athlete head injury safety  
18 program, and that cheerleading coaches must complete the program.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 4008**

**STATE OF NEW JERSEY**

DATED: JUNE 16, 2011

The Assembly Education Committee favorably reports Assembly Bill No. 4008.

P.L.2010, c.94, which was approved on December 7, 2010, requires the Department of Education to develop and implement by the 2011-2012 school year a head injury safety training program on the recognition of the symptoms of head injuries and the appropriate amount of time to delay the return to competition of a student who suffers a head injury. The program is to be completed by school physicians and public and nonpublic school coaches and athletic trainers involved in interscholastic sports programs. The law also requires school districts to develop a written policy on the prevention and treatment of sports-related head injuries among student athletes, and requires the immediate removal from competition or practice of a student-athlete who sustains or is suspected of sustaining a head injury.

This bill amends P.L.2010, c.94 to provide specifically that cheerleaders and their coaches are included in the various aspects of the student-athlete head injury safety program.

SENATE EDUCATION COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 4008**

**STATE OF NEW JERSEY**

DATED: DECEMBER 1, 2011

The Senate Education Committee favorably reports Assembly Bill No. 4008.

P.L.2010, c.94, which was approved on December 7, 2010, requires the Department of Education to develop and implement by the 2011-2012 school year a head injury safety training program on the recognition of the symptoms of head injuries and the appropriate amount of time to delay the return to competition of a student who suffers a head injury. The program is to be completed by school physicians and public and nonpublic school coaches and athletic trainers involved in interscholastic sports programs. The law also requires school districts to develop a written policy on the prevention and treatment of sports-related head injuries among student athletes, and requires the immediate removal from competition or practice of a student-athlete who sustains or is suspected of sustaining a head injury.

This bill amends P.L.2010, c.94 to provide specifically that cheerleaders and their coaches are included in the various aspects of the student-athlete head injury safety program.

As reported by the committee, this bill is identical to Senate Bill No. 3053, which also was reported by the committee on this same date.

# SENATE, No. 3053

## STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED SEPTEMBER 19, 2011

**Sponsored by:**

**Senator M. TERESA RUIZ**

**District 29 (Essex and Union)**

**Senator DIANE B. ALLEN**

**District 7 (Burlington and Camden)**

**SYNOPSIS**

Requires DOE to include cheerleaders in the student-athlete head injury safety program.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 12/16/2011)**

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31 cheerleader who is removed from competition or practice shall not  
32 participate in further sports or cheerleading activity until he is  
33 evaluated by a physician or other licensed healthcare provider  
34 trained in the evaluation and management of concussions, and  
35 receives written clearance from a physician trained in the evaluation  
36 and management of concussions to return to competition or  
37 practice.

38 (cf: P.L.2010, c.94, s.4)

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40 4. This act shall take effect immediately.

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#### STATEMENT

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**S3053 RUIZ, ALLEN**

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2 appropriate amount of time to delay the return to competition of a  
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5 interscholastic sports coaches, and athletic trainers involved in  
6 public or nonpublic school interscholastic sports programs;

7 (2) school districts must develop a written policy concerning the  
8 prevention and treatment of sports-related concussions and other  
9 head injuries among student athletes; and

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11 who sustain or are suspected of having sustained a concussion or  
12 other head injury while engaged in a sports competition or practice  
13 must be immediately removed from the competition or practice and  
14 may not return to competition or practice until evaluated and  
15 cleared by a physician.

16 This bill amends P.L.2010, c.94 to provide specifically that  
17 cheerleaders are included in the student-athlete head injury safety  
18 program, and that cheerleading coaches must complete the program.

# SENATE EDUCATION COMMITTEE

## STATEMENT TO

### SENATE, No. 3053

# STATE OF NEW JERSEY

DATED: DECEMBER 1, 2011

The Senate Education Committee favorably reports Senate Bill No. 3053.

P.L.2010, c.94, which was approved on December 7, 2010, requires the Department of Education to develop and implement by the 2011-2012 school year a head injury safety training program on the recognition of the symptoms of head injuries and the appropriate amount of time to delay the return to competition of a student who suffers a head injury. The program is to be completed by school physicians and public and nonpublic school coaches and athletic trainers involved in interscholastic sports programs. The law also requires school districts to develop a written policy on the prevention and treatment of sports-related head injuries among student athletes, and requires the immediate removal from competition or practice of a student-athlete who sustains or is suspected of sustaining a head injury.

This bill amends P.L.2010, c.94 to provide specifically that cheerleaders and their coaches are included in the various aspects of the student-athlete head injury safety program.

As reported by the committee, this bill is identical to Assembly Bill No. 4008, which also was reported by the committee on this same date.