

# HOUSE BILL No. 4396

March 8, 2011, Introduced by Reps. Hooker, Yonker, Rendon, Opsommer, Heise, Byrum, Bumstead, Hughes, Outman and Agema and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled

"The revised school code,"

(MCL 380.1 to 380.1852) by adding section 1290.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 1290. (1) THE BOARD OF EACH SCHOOL DISTRICT OR BOARD OF  
2 DIRECTORS OF A PUBLIC SCHOOL ACADEMY THAT OFFERS INTERSCHOLASTIC OR  
3 OTHER COMPETITIVE ATHLETIC PROGRAMS SHALL DEVELOP GUIDELINES AND  
4 OTHER PERTINENT INFORMATION TO INFORM AND EDUCATE COACHES, YOUNG  
5 ATHLETES, AND PARENTS OR GUARDIANS ABOUT THE NATURE AND RISK OF  
6 CONCUSSION AND HEAD INJURY, INCLUDING THE RISKS OF CONTINUING TO  
7 PARTICIPATE IN AN ATHLETIC ACTIVITY AFTER CONCUSSION OR HEAD  
8 INJURY. A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL  
9 INCORPORATE THIS INFORMATION INTO A CONCUSSION AND HEAD INJURY

1 INFORMATION FACT SHEET THAT MAY BE USED FOR THE PURPOSES OF  
2 SUBSECTION (2) .

3 (2) BEFORE ALLOWING A PUPIL TO PARTICIPATE IN AN  
4 INTERSCHOLASTIC OR OTHER COMPETITIVE ATHLETIC ACTIVITY, A SCHOOL  
5 DISTRICT OR PUBLIC SCHOOL ACADEMY SHALL PROVIDE THE PUPIL AND HIS  
6 OR HER PARENT OR LEGAL GUARDIAN WITH A CONCUSSION AND HEAD INJURY  
7 INFORMATION FACT SHEET DEVELOPED IN ACCORDANCE WITH SUBSECTION (1)  
8 AND SHALL REQUIRE THE PUPIL AND HIS OR HER PARENT OR LEGAL GUARDIAN  
9 TO SIGN AND RETURN THE FACT SHEET TO THE APPROPRIATE SCHOOL  
10 OFFICIAL.

11 (3) IF A PUPIL OF A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY  
12 SUFFERS A CONCUSSION OR HEAD INJURY WHILE ENGAGED IN AN  
13 INTERSCHOLASTIC OR OTHER COMPETITIVE ATHLETIC ACTIVITY, THE BOARD  
14 OF THE SCHOOL DISTRICT OR BOARD OF DIRECTORS OF THE PUBLIC SCHOOL  
15 ACADEMY SHALL ENSURE ALL OF THE FOLLOWING:

16 (A) THE PUPIL SHALL BE REMOVED FROM THE ACTIVITY AT THAT TIME.

17 (B) THE PUPIL SHALL NOT BE ALLOWED TO RETURN TO THE ACTIVITY  
18 UNTIL THE PUPIL IS EVALUATED BY A LICENSED HEALTH CARE PROVIDER WHO  
19 IS TRAINED IN THE EVALUATION AND MANAGEMENT OF CONCUSSION AND HEAD  
20 INJURY AND RECEIVES WRITTEN CLEARANCE FROM THE HEALTH CARE PROVIDER  
21 TO RETURN TO THE ACTIVITY. THE HEALTH CARE PROVIDER MAY BE A  
22 VOLUNTEER.

23 (4) AS USED IN THIS SECTION, "ATHLETIC ACTIVITY" MEANS A GAME,  
24 MEET, OR OTHER ATHLETIC COMPETITION OR AN ASSOCIATED PRACTICE OR  
25 TRYOUT THAT IS SPONSORED BY THE SCHOOL DISTRICT OR PUBLIC SCHOOL  
26 ACADEMY.