AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION AND LOCAL BOARDS OF EDUCATION TO EDUCATE THOSE INVOLVED IN SCHOOL ATHLETIC ACTIVITIES ON SUDDEN CARDIAC ARREST AND HEAT-RELATED ILLNESSES, TO DIRECT THE STATE BOARD TO ESTABLISH A DATABASE ON THE OCCURRENCE OF INJURY AND ILLNESS OF STUDENT ATHLETES PARTICIPATING IN ATHLETIC ACTIVITIES, AND TO RECODIFY THE STATUTORY PROVISIONS ON CONCUSSION SAFETY AND EMERGENCY ACTION PLANS.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 115C of the General Statutes is amended by adding a new Article to read:

"Article 29E.

Student Safety in Athletics.

The following definitions apply in this Article:

(1) Athletic activity. – An activity offered to students enrolled in a high school or middle school covering grades six or higher under any of the following circumstances:
   a. Interscholastic athletics.
   b. An athletic contest or competition, other than interscholastic athletics, that is sponsored by a school, including cheerleading, or any other sports activities provided by a club or school-affiliated organization that is school-sponsored.
   c. Practices, interschool practices, and scrimmages for all of the activities listed under this subdivision.

(2) Catastrophic illness or injury. – An illness or injury occurring during athletic activity that results in a fatality, permanent disability, or serious injury, including a fractured neck, severe traumatic brain injury such as a subdural hematoma, temporary or transient paralysis, heat stroke related to exercise, sickle-cell trait associated collapse, sudden cardiac arrest, or commotio cordis.

(3) Concussion. – A traumatic brain injury caused by a direct or indirect impact to the head that results in disruption of normal brain function, which may or may not result in loss of consciousness.

(4) Heat exhaustion. – A heat-related illness resulting in the depletion of body fluids and causing weakness, dizziness, nausea, and possible collapse.
(5) Heat stroke. — A heat-related illness in which the person's core body temperature is greater than 105 degrees Fahrenheit, with complications involving the central nervous system that occur after exposure to high temperatures.

(6) Sudden cardiac arrest. — The sudden, unexpected loss of heart function, breathing, and consciousness.

"§ 115C-407.41. Sudden cardiac arrest education."

(a) The State Board of Education shall develop guidelines and educational materials, which may be provided through a directory of relevant Web sites, to be used by local boards of education to inform students who participate in athletic activities and those students' parents and coaches on the awareness, recognition, and management of sudden cardiac arrest. In developing these guidelines and materials, the State Board may utilize existing materials developed by heart health awareness organizations, including the American Heart Association, Parent Heart Watch, and the Sudden Arrhythmia Death Syndromes Foundation. The State Board shall also publish a list of approved providers of CPR instruction training courses to be offered to coaches of athletic activities.

(b) Each local school administrative unit shall require the head coach or the athletic director for each athletic activity to complete and maintain CPR certification offered by a provider approved by the State Board of Education under subsection (a) of this section. A coach shall not be eligible to coach an athletic activity until such time the coach completes the training course.

(c) Other sponsors of youth athletic activities are encouraged to adopt guidelines to address sudden cardiac arrest for students participating in athletics that are consistent with this section.

"§ 115C-407.42. Heat exhaustion and heat stroke education; removal from athletic participation."

(a) The State Board of Education shall adopt guidelines and educational materials, which may be provided through a directory of relevant Web sites, to be used by local boards of education to inform students who participate in athletic activities and those students' parents and coaches on (i) heat-related illnesses, including heat stroke and heat exhaustion, and (ii) the health risks associated with continuing athletic play or practice after experiencing signs and symptoms of a heat-related illness. In developing these guidelines and materials, the State Board may utilize existing materials on the signs, symptoms, and prevention of heat-related illnesses, including guidelines on heat and humidity adopted by the North Carolina High School Athletic Association.

(b) Each local board of education shall adopt a mandatory heat stroke prevention protocol for students participating in athletic activities consistent with the guidelines and educational materials adopted in accordance with subsection (a) of this section. A student who exhibits symptoms of heat exhaustion or heat stroke, as determined by a game official, coach from the student's team, verified athletic trainer, licensed healthcare professional, or other official designated by the school under the venue-specific emergency action plan under G.S. 115C-407.45, at any time prior to, during, or following an athletic activity shall be removed by the coach from participation in an athletic activity. The venue-specific emergency action plan shall provide for circumstances in which specific cooling methods must be made available during an athletic activity, including weather conditions requiring access to an immersion pool. A student removed or prevented from participating in an athletic activity in accordance with this subsection shall not return to participation until the student is evaluated and cleared for return to participation in writing by (i) the student's parent or legal guardian or (ii) a licensed healthcare professional or other official designated by the school under the venue-specific emergency action plan.

(c) Other sponsors of youth athletic activities are encouraged to adopt guidelines to address heat-related illness for students participating in athletics that are consistent with this section.

"§ 115C-407.43. Concussion safety."

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The State Board of Education shall adopt rules governing interscholastic athletic activities with regard to concussion safety for student athletes in middle schools and high schools that provide for the following:

(1) All coaches, school nurses, athletic directors, first responders, volunteers, students who participate in interscholastic athletic activities, and the parents of those students shall receive, on an annual basis, a concussion and head injury information sheet. School employees, first responders, volunteers, and students must sign the sheet and return it to the coach before they can participate in interscholastic athletic activities, including tryouts, practices, or competition. Parents must sign the sheet and return it to the coach before their children can participate in any such interscholastic athletic activities. The signed sheets shall be maintained in accordance with subdivision (3) of this section.

(2) If a student participating in an interscholastic athletic activity exhibits signs or symptoms consistent with concussion, the student shall be removed from the activity at that time and shall not be allowed to return to play or practice that day. The student shall not return to play or practice on a subsequent day until the student is evaluated by and receives written clearance for such participation from (i) the student's parent or legal guardian, (ii) a physician licensed under Article 1 of Chapter 90 of the General Statutes with training in concussion management, (iii) a neuropsychologist licensed under Article 18A of Chapter 90 of the General Statutes with training in concussion management and working in consultation with a physician licensed under Article 1 of Chapter 90 of the General Statutes, (iv) an athletic trainer licensed under Article 34 of Chapter 90 of the General Statutes, (v) a physician assistant, consistent with the limitations of G.S. 90-18.1, or (vi) a nurse practitioner, consistent with the limitations of G.S. 90-18.2.

(3) Each school shall maintain complete and accurate records of its compliance with the requirements of this section pertaining to head injuries.

"§ 115C-407.44. Requirements for student participation in athletic activities; informational sessions."

(a) Each school year, prior to participation by a student in an athletic activity, the student's parent or guardian shall sign and return to the student's school an acknowledgment of receipt and review of (i) a sudden cardiac arrest awareness information sheet developed in accordance with G.S. 115C-407.41, (ii) a heat-related illness awareness information sheet developed in accordance with G.S. 115C-407.42, and (iii) a concussion awareness information sheet developed in accordance with G.S. 115C-407.43.

(b) Each school year, prior to participation by a student in an athletic activity, the student shall complete a pre-participation athletic activity form that includes questions related to cardiac health history developed in accordance with materials provided by the State Board of Education under G.S. 115C-407.41.

(c) A school may hold an informational meeting prior to the start of each athletic season for all ages of competitors regarding student safety in athletics, including sudden cardiac arrest awareness, heat-related illness awareness, and concussion awareness. A school is encouraged to have physicians, pediatric cardiologists, and athletic trainers attend the meeting to provide information to students, parents, coaches, and other school employees.

"§ 115C-407.45. Venue-specific emergency action plans."

A local board of education shall require each middle school and high school to develop a venue-specific emergency action plan to deal with serious injuries and acute medical conditions in which the condition of an individual may deteriorate rapidly. The plan shall include a delineation of roles, methods of communication, available emergency equipment, and access to and plan for emergency transport. This plan must be (i) in writing, (ii) reviewed by an athletic trainer licensed
in North Carolina, (iii) approved by the principal of the school, (iv) distributed to all appropriate personnel, (v) posted conspicuously at all venues, and (vi) reviewed and rehearsed annually by all licensed athletic trainers, first responders, coaches, school nurses, athletic directors, and volunteers for interscholastic athletic activities.

§ 115C-407.46. Reporting of catastrophic illnesses and injuries and concussions.

(a) The State Board of Education shall create a database maintained by the Department of Public Instruction for high school and middle school personnel to report catastrophic illnesses and injuries and concussions occurring during athletic activities involving student athletes. The State Board shall assign a school code for each high school and middle school for the purposes of assigning a school code for each high school and middle school for the purposes of reporting information to be included in the database. The State Board shall require at least the following information be included in a report by high school and middle school personnel:

1. The school code for the high school or middle school.
2. Age group of the student athlete.
3. Gender.
4. Sport that the student athlete was playing when becoming ill or injured.
5. Type of athletic event.
6. The date of illness or injury.
7. The date of return to play, if applicable.
8. The category of illness or injury.
9. Whether the illness or injury resulted in a fatality.

(b) Each month in which student athletes are participating in an athletic activity at a high school or middle school, the athletic director or designee, or the principal or designee if there is no assigned athletic director, of that high school or middle school shall report to the Department of Public Instruction on whether a catastrophic illness or injury or a concussion has occurred involving a student athlete as set forth in subsection (a) of this section.

(c) The Department of Public Instruction shall only provide access to the information contained in the database created and maintained under this section to local boards of education, the North Carolina High School Athletic Association, and the National Center for Catastrophic Sport Injury Research and the Matthew A. Gfeller Sport-Related Traumatic Brain Injury Research Center housed at the University of North Carolina at Chapel Hill. The information contained in the database shall not contain personally identifiable student data as defined in G.S. 115C-402.5 and shall not be considered a public record under G.S. 132-1.

§ 115C-407.47. Civil liability.

A local board of education, its members, employees, designees, agents, or volunteers, the members of the State Board of Education, and the Department of Public Instruction or its employees shall not be liable in civil damages to any party for any act authorized by this Article or for any omission relating to that act unless that act or omission amounts to gross negligence, wanton conduct, or intentional wrongdoing.

SECTION 2. G.S. 115C-12(23) reads as rewritten:

"(23) Power to Adopt Eligibility Rules for Interscholastic Athletic Competition. – The State Board of Education shall adopt rules governing interscholastic athletic activities conducted by local boards of education, including (i) eligibility for student participation. With regard to middle schools and high schools, the rules shall provide for the following participation and (ii) student safety in accordance with Article 29E of this Chapter.

a. All coaches, school nurses, athletic directors, first responders, volunteers, students who participate in interscholastic athletic activities, and the parents of those students shall receive, on an annual basis, a concussion and head injury information sheet. School employees, first responders, volunteers, and students must sign the sheet and return it to the coach before they can participate in interscholastic athletic activities,
including tryouts, practices, or competition. Parents must sign the sheet
and return it to the coach before their children can participate in any
such interscholastic athletic activities. The signed sheets shall be
maintained in accordance with subdivision d. of this subdivision.

For the purpose of this subdivision, a concussion is a traumatic brain
injury caused by a direct or indirect impact to the head that results in
disruption of normal brain function, which may or may not result in loss
of consciousness.

b. If a student participating in an interscholastic athletic activity exhibits
signs or symptoms consistent with concussion, the student shall be
removed from the activity at that time and shall not be allowed to return
to play or practice that day. The student shall not return to play or
practice on a subsequent day until the student is evaluated by and
receives written clearance for such participation from (i) a physician
licensed under Article 1 of Chapter 90 of the General Statutes with
training in concussion management, (ii) a neuropsychologist licensed
under Article 18A of Chapter 90 of the General Statutes with training in
concussion management and working in consultation with a physician
licensed under Article 1 of Chapter 90 of the General Statutes, (iii) an
athletic trainer licensed under Article 34 of Chapter 90 of the General
Statutes, (iv) a physician assistant consistent with the limitations of
G.S. 90-18.1, or (v) a nurse practitioner consistent with the limitations
of G.S. 90-18.2.

d. Each school shall develop a venue specific emergency action plan to
deal with serious injuries and acute medical conditions in which the
condition of the patient may deteriorate rapidly. The plan shall include a
delineation of roles, methods of communication, available emergency
equipment, and access to and plan for emergency transport. This plan
must be (i) in writing, (ii) reviewed by an athletic trainer licensed in
North Carolina, (iii) approved by the principal of the school, (iv)
distributed to all appropriate personnel, (v) posted conspicuously at all
venues, and (vi) reviewed and rehearsed annually by all licensed athletic
trainers, first responders, coaches, school nurses, athletic directors, and
volunteers for interscholastic athletic activities.

e. Each school shall maintain complete and accurate records of its
compliance with the requirements of this subdivision pertaining to head
injuries.

The State Board of Education may authorize a designated organization to
apply and enforce the Board's rules governing participation in interscholastic
athletic activities at the high school level."

SECTION 3. This act is effective when it becomes law and applies beginning with the
2017-2018 school year. The reporting requirements of G.S. 115C-407.46, as enacted by this act,
apply to injuries and illnesses that occur on or after January 1, 2018.