**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑63‑95 SO AS TO REQUIRE THE DEPARTMENT OF EDUCATION TO DEVELOP AND DISTRIBUTE MODEL POLICIES CONCERNING THE NATURE AND RISK OF CONCUSSIONS SUSTAINED BY STUDENT ATHLETES, TO REQUIRE EACH LOCAL SCHOOL DISTRICT TO DEVELOP ITS OWN POLICY, TO REQUIRE THE REVIEW OF THE POLICY BY STUDENT ATHLETES AND THEIR PARENTS OR GUARDIANS, TO REQUIRE THE REMOVAL FROM PLAY AND MEDICAL EVALUATION OF A STUDENT ATHLETE BELIEVED TO HAVE SUSTAINED A CONCUSSION DURING PLAY, TO ALLOW FOR THE EVALUATION TO BE UNDERTAKEN BY A VOLUNTEER HEALTH CARE PROVIDER, AND TO PROVIDE THAT LOCAL SCHOOL DISTRICTS ARE NOT REQUIRED TO ENFORCE THE PROVISIONS OF THIS SECTION.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 1, Chapter 63, Title 59 of the 1976 Code is amended by adding:

“Section 59‑63‑95. (A) The Department of Education shall develop and distribute to each local school district of this State model policies to inform and educate coaches, student athletes, and their parents or guardians of the nature and risk of concussions, criteria for removal from and return to play, and risks of not reporting the injury and continuing to play.

(B) A local school district shall develop policies and procedures regarding the identification and handling of suspected concussions in student athletes. These policies must require:

(1) a student athlete and his parent or guardian to review on an annual basis information on concussions provided by the local school district in order to participate in an extracurricular physical activity. After having reviewed materials describing the short‑ and long‑term health effects of concussions, the student athlete and his parent or guardian shall sign a statement acknowledging receipt of this information, in a manner approved by the department; and

(2) a student athlete suspected by his coach, athletic trainer, or team physician of sustaining a concussion or brain injury in a practice or game must be removed from the activity at that time. A student athlete who has been removed from play, evaluated, and suspected to have a concussion or brain injury may not return to play that same day nor until:

(a) evaluated by an appropriate licensed health care provided as determined by the department; and

(b) in receipt of written clearance to return to play from the licensed health care provider.

(C) The licensed health care provider evaluating student athletes suspected of having a concussion or brain injury pursuant to this section may serve as a volunteer.

(D) In addition, local school districts may provide the guidelines established by the department pursuant to this section to organizations sponsoring athletic activity for student athletes on school property. Local school districts are not required to enforce compliance with these policies.”

SECTION 2. This act takes effect upon approval by the Governor.

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