

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 234

AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 20-34-7-1.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 1.6. As used in this chapter, "school" refers to a public school and an accredited nonpublic school.**

SECTION 2. IC 20-34-7-1.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 1.7. As used in this chapter, "student athlete" means any student who:**

- (1) attends a school;**
- (2) is in grade 5, 6, 7, 8, 9, 10, 11, or 12; and**
- (3) participates in any:**
 - (A) interscholastic sport, including cheerleading; or**
 - (B) intramural sport, including cheerleading, in which the head coach or assistant coach elects to comply or as part of the head coach's or assistant coach's coaching certification requirements is required to comply with this chapter.**

SECTION 3. IC 20-34-7-3, AS ADDED BY P.L.144-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 3. Each year, before beginning practice for an interscholastic sport or an intramural sport in which a head coach or assistant coach elects to or is required to comply with this chapter, a high school student athlete and the student athlete's parent:**



- (1) must be given the information sheet and form described in section 2 of this chapter; and
- (2) shall sign and return the form acknowledging the receipt of the information to the student athlete's coach.

The coach shall maintain a file of the completed forms.

SECTION 4. IC 20-34-7-4, AS ADDED BY P.L.144-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4. A ~~high school~~ student athlete who is suspected of sustaining a concussion or head injury in a practice or game:

- (1) shall be removed from play at the time of the injury; and
- (2) may not return to play until the student athlete has received a written clearance under section 5(a) of this chapter.

SECTION 5. IC 20-34-7-5, AS AMENDED BY P.L.34-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 5. (a) A ~~high school~~ student athlete who has been removed from play under section 4 of this chapter may not return to play until:

- (1) the student athlete:
 - (A) is evaluated by a licensed health care provider trained in the evaluation and management of concussions and head injuries; and
 - (B) receives a written clearance to return to play from the health care provider who evaluated the student athlete; and
- (2) not less than twenty-four (24) hours have passed since the student athlete was removed from play.

(b) A licensed health care provider who evaluates a student athlete under subsection (a) may conduct the evaluation as a volunteer. A volunteer health care provider who in good faith and gratuitously authorizes a student athlete to return to play is not liable for civil damages resulting from an act or omission in the rendering of an evaluation, except for acts or omissions that constitute gross negligence or willful or wanton misconduct.

SECTION 6. IC 20-34-7-6, AS AMENDED BY P.L.222-2015, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 6. (a) As used in this section, "football" does not include flag football.

(b) Prior to coaching football to individuals who are less than twenty (20) years of age and are in grades 1 through 12, each head football coach and assistant football coach shall complete a certified coaching education course that:

- (1) is sport specific;
- (2) contains player safety content, including content on:



- (A) concussion awareness;
- (B) equipment fitting;
- (C) heat emergency preparedness; and
- (D) proper technique;
- (3) requires a coach to complete a test demonstrating comprehension of the content of the course; and
- (4) awards a certificate of completion to a coach who successfully completes the course.
- (c) For a coach's completion of a course to satisfy the requirement imposed by subsection (b), the course must have been approved by the department.
- (d) A coach shall complete a course not less than once during a two (2) year period. However, if the coach receives notice from the organizing entity that new information has been added to the course before the end of the two (2) year period, the coach must:
 - (1) complete instruction; and
 - (2) successfully complete a test;
 concerning the new information to satisfy the requirement imposed by subsection (b).
- (e) An organizing entity shall maintain a file of certificates of completion awarded under subsection (b)(4) to any of the organizing entity's head coaches and assistant coaches.
- (f) A coach who complies with this ~~section~~ **chapter** and provides coaching services in good faith is not personally liable for damages in a civil action as a result of a concussion or head injury incurred by an athlete participating in an athletic activity in which the coach provided coaching services, except for an act or omission by the coach that constitutes gross negligence or willful or wanton misconduct.

SECTION 7. IC 20-34-7-7 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 7. (a) This section applies after June 30, 2017.**

- (b) This section applies to a head coach or assistant coach who:**
 - (1) coaches any:**
 - (A) interscholastic sport; or**
 - (B) intramural sport and elects to comply or as part of the head coach's or assistant coach's coaching certification requirements is required to comply with this chapter; and**
 - (2) is not subject to section 6 of this chapter.**
- (c) Before coaching a student athlete in any sport, a head coach and every assistant coach described in subsection (b) must complete a certified coaching education course that:**
 - (1) contains player safety content on concussion awareness;**



(2) requires a head coach or an assistant coach to complete a test demonstrating comprehension of the content of the course; and

(3) awards a certificate of completion to a head coach or an assistant coach who successfully completes the course.

(d) A course described in subsection (c) must be approved by the department, in consultation with a physician licensed under IC 25-22.5 who has expertise in the area of concussions and brain injuries. The department may, in addition to consulting with a physician licensed under IC 25-22.5, consult with other persons who have expertise in the area of concussions and brain injuries.

(e) A head coach and every assistant coach described in subsection (b) must complete a course described in subsection (c) at least once each two (2) year period. If a head coach or an assistant coach receives notice from the school that new information has been added to the course before the end of the two (2) year period, the head coach or the assistant coach shall:

(1) complete instruction; and

(2) successfully complete a test;

concerning the new information to satisfy subsection (c).

(f) Each school shall maintain all certificates of completion awarded under subsection (c)(3) to each of the school's head coaches and assistant coaches.

(g) A head coach or an assistant coach described in subsection (b) who complies with this chapter and provides coaching services in good faith is not personally liable for damages in a civil action as a result of a concussion or head injury incurred by a student athlete participating in an athletic activity for which the head coach or the assistant coach provided coaching services, except for an act or omission by the head coach or the assistant coach that constitutes gross negligence or willful or wanton misconduct.

SECTION 8. IC 34-30-2-85.9, AS ADDED BY P.L.34-2014, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 85.9. IC 20-34-7-6 and **IC 20-34-7-7** (Concerning coaches and assistant coaches).



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

