

SENATE, No. 2275

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED JUNE 26, 2014

Sponsored by:

Senator BRIAN P. STACK

District 33 (Hudson)

Senator DIANE B. ALLEN

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SYNOPSIS

Designates cheerleading as interscholastic sport; requires safety harness at health clubs with members who are cheerleaders.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/8/2015)

1 AN ACT concerning cheerleading, amending and supplementing
2 Title 18A of the New Jersey Statutes, and supplementing
3 P.L.1987, c.238 (C.56:8-39 et seq.).
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
7

8 1. (New section) a. The New Jersey State Interscholastic
9 Athletic Association shall establish cheerleading as an
10 interscholastic athletic program. In accordance with procedures for
11 existing interscholastic programs, the association shall set forth
12 guidelines governing student participation in cheerleading and shall
13 conduct cheerleading tournaments between member schools.

14 b. The association shall require any coach of cheerleading to
15 receive training specific to the sport of cheerleading and the safety
16 of cheerleaders.
17

18 2. (New section) In consultation with the New Jersey
19 Cheerleading and Dance Coaches Association, Inc., the New Jersey
20 State Interscholastic Athletic Association shall establish
21 cheerleading coach and program safety requirements for all student
22 athletes, recreational athletes, and competitive athletes, such as All-
23 Stars.
24

25 3. Section 1 of P.L.2007, c.125 (C.18A:40-41) is amended to
26 read as follows:

27 1. a. The Commissioner of Education, in consultation with the
28 Commissioner of Health, the American Heart Association, and the
29 American Academy of Pediatrics, shall develop a pamphlet that
30 provides information about sudden cardiac arrest to student-athletes
31 and the parents or guardians of student athletes and shall post the
32 information on the Department of Education's website. The
33 pamphlet shall include: an explanation of sudden cardiac arrest; its
34 incidence among student athletes; a description of early warning
35 signs, including fainting, labored breathing, chest pains, dizziness
36 and abnormal heart rate, and the risks associated with continuing to
37 play or practice after experiencing one or more of the symptoms; an
38 overview of the options that are privately available to screen for
39 cardiac conditions that may lead to sudden cardiac arrest, including
40 a statement about the limitations of these options ; and a form to be
41 signed by the student athlete and his parent or guardian
42 acknowledging receipt and review of the pamphlet.

43 b. The commissioner shall distribute the pamphlet, at no
44 charge, to all school districts and nonpublic schools in the State and
45 shall update the pamphlet as necessary.

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 c. Each school district and nonpublic school shall distribute the
2 pamphlet to the parents or guardians of students participating in
3 athletic activities.

4 d. A student participating in or desiring to participate in an
5 athletic activity and the student's parent or guardian shall, each year
6 and prior to participation by the student in an athletic activity, sign
7 and return to the student's school the form developed by the
8 commissioner pursuant to subsection a. of this section
9 acknowledging the receipt and review of the informational
10 pamphlet.

11 e. As used in this section, "athletic activity" means:
12 interscholastic athletics; an athletic contest or competition, other
13 than interscholastic athletics, that is sponsored by or associated with
14 a school district or nonpublic school, including **【cheerleading and】**
15 club-sponsored sports activities; and any practice or interschool
16 practice or scrimmage for those activities.

17 (cf: P.L.2013, c.209, s.7)

18

19 4. Section 2 of P.L.2013, c.209 (C.18A:40-41f) is amended to
20 read as follows:

21 2. As used in sections 3 through 5 of P.L.2013, c.209
22 (C.18A:40-41g through C.18A:40-41i), "athletic activity" means:
23 interscholastic athletics; an athletic contest or competition, other
24 than interscholastic athletics, that is sponsored by or associated with
25 a school district or nonpublic school, including **【cheerleading and】**
26 club-sponsored sports activities; and any practice or interschool
27 practice or scrimmage for those activities.

28 (cf: P.L.2013, c.209, s.2)

29

30 5. Section 6 of P.L.2013, c.209 (C.18A:40-41j) is amended to
31 read as follows:

32 6. All nonprofit youth-serving organizations as defined in
33 section 1 of P.L.1999, c.432 (C.15A:3A-1) including, but not
34 limited to, Little Leagues, Babe Ruth Leagues, Pop Warner
35 Leagues, Police Athletic Leagues, **【and】** youth soccer leagues, and
36 recreational cheerleading squads, which organize, sponsor, or are
37 otherwise affiliated with youth athletic events, are encouraged to:

38 a. direct the parent or guardian of each child participating in a
39 youth athletic event to the sudden cardiac arrest information posted
40 on the Department of Education's website pursuant to section 1 of
41 P.L.2007, c.125 (C.18A:40-41); and

42 b. follow the protocol concerning removal-from-play
43 established pursuant to section 4 of P.L.2013, c.209 (C.18A:40-41h)
44 of a child who exhibits symptoms or early warning signs of sudden
45 cardiac arrest during a youth athletic event, or who exhibits
46 symptoms or early warning signs of sudden cardiac arrest at any
47 time prior to or following a youth athletic event.

48 (cf: P.L.2013, c.209, s.6)

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

3 2. a. The Department of Education shall work to develop and
4 implement, by the 2011-2012 school year, an interscholastic athletic
5 head injury safety training program. The program shall be
6 completed by a school physician, a person who coaches a public
7 school district or nonpublic school interscholastic **【sport or**
8 **cheerleading】** sports program, and an athletic trainer involved in a
9 public or nonpublic school interscholastic sports program **【or**
10 **cheerleading program】**. The safety training program shall include,
11 but need not be limited to, the following:

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

14 (2) the appropriate amount of time to delay the return to
15 competition or practice of a student-athlete **【or cheerleader】** who
16 has sustained a concussion or other head injury.

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

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

30 (cf: P.L.2011, c.168, s.1)

31

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

34 3. a. Each school district shall develop a written policy
35 concerning the prevention and treatment of sports-related
36 concussions and other head injuries among student-athletes **【and**
37 **cheerleaders】**. The policy shall include, but need not be limited to,
38 the procedure to be followed when it is suspected that a student-
39 athlete **【or cheerleader】** has sustained a concussion or other head
40 injury. When developing the district policy, a school district shall
41 review the model policy established by the Commissioner of
42 Education pursuant to subsection b. of this section, the policies
43 established by the New Jersey State Interscholastic Athletic
44 Association, the National Collegiate Athletic Association, and the
45 recommendations made by the Brain Injury Association of New
46 Jersey Concussion in Sports Steering Committee, the Athletic
47 Trainers' Society of New Jersey, and other organizations with
48 expertise in the area of preventing or treating sports-related

1 concussions and other head injuries among student-athletes **【and**
2 cheerleaders**】**. Each school district shall implement the policy by
3 the 2011-2012 school year.

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

8 b. To assist school districts in developing policies concerning
9 the prevention and treatment of sports-related concussions and other
10 head injuries among student-athletes **【and cheerleaders】**, the
11 Commissioner of Education shall develop a model policy applicable
12 to grades kindergarten through 12. This model policy shall be
13 issued no later than March 31, 2011.

14 (cf: P.L.2011, c.168, s.2)

15

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

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

30 (cf: P.L.2011, c.168, s.3)

31

32 9. Section 5 of P.L.2010, c.94 (C.18A:40-41.5) is amended to
33 read as follows:

34 5. a. A school district and nonpublic school shall not be liable
35 for the injury or death of a person due to the action or inaction of
36 persons employed by, or under contract with, a youth sports team
37 organization that operates on school grounds, if the youth sports
38 team organization provides the district or nonpublic school, as
39 applicable, with the following:

40 (1) proof of an insurance policy of an amount of not less than
41 \$50,000 per person, per occurrence insuring the youth sports team
42 organization against liability for any bodily injury suffered by a
43 person; and

44 (2) a statement of compliance with the school district or
45 nonpublic school's policies for the management of concussions and
46 other head injuries.

47 b. As used in this section, a "youth sports team organization"
48 means one or more sports teams or squads organized pursuant to a

1 nonprofit or similar charter or which are member teams in a league
2 organized by or affiliated with a county or municipal recreation
3 department.

4 (cf: P.L.2010, c.94, s.5)

5

6 10. (New section) A health club with a membership of at least
7 six cheerleaders holding a health club services contract, or with a
8 cheerleading squad or team holding a group health club services
9 contract for membership, shall have at least one safety harness
10 available for use by the cheerleaders or squad.

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12 11. Sections 1 through 9 of this act shall take effect immediately
13 and section 10 shall take effect on the first day of the seventh month
14 after the date of enactment.

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STATEMENT

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19 The bill requires the New Jersey State Interscholastic Athletic
20 Association (NJSIAA) to establish cheerleading as an
21 interscholastic athletic program, and requires certain health clubs
22 (e.g. gyms and fitness centers) to have a safety harness available for
23 use by cheerleaders.

24 In accordance with procedures for existing interscholastic
25 programs, the bill requires the NJSIAA to set forth guidelines
26 governing student participation in cheerleading and to conduct
27 cheerleading tournaments between member schools. The bill also
28 requires the NJSIAA, in consultation with the New Jersey
29 Cheerleading and Dance Coaches Association, Inc., to establish
30 cheerleading coach and program safety requirements for all student
31 athletes, recreational athletes, and competitive athletes, such as All-
32 Stars. The NJSIAA also is to require any cheerleading coach to
33 receive training specific to the sport of cheerleading and the safety
34 of cheerleaders.

35 The bill's provisions further require a health club with a
36 membership of at least six cheerleaders holding a health club
37 services contract, or with a cheerleading squad or team holding a
38 group health club services contract for membership, to have at least
39 one safety harness available for use by the cheerleaders or squad.

40 Finally, the bill amends existing law to include cheerleading with
41 references to youth sports teams and organizations, such as other
42 recreational sports leagues. By directing the NJSIAA to include
43 cheerleading as an "interscholastic sport" and "athletic activity,"
44 separate references to cheerleaders or cheerleading programs would
45 then be deleted from current law.