Chapter 281B

YOUTH ATHLETIC ACTIVITIES

ARTICLE I
Head Injuries and Concussions In Youth Athletic Activities Played On Town Owned Fields

§ 281B-1. Statement of purpose and authority:
§ 281B-2. Citation
§ 281B-3. Scope
§ 281B-4. Definitions.
§ 281B-5. Education for Coaches.
§ 281B-6. Signed statement.
§ 281B-7. Return to Play/ Exclusion from Play.
§ 281B-8. Enforcement and Violations.
§ 281B-9. Severability.
§ 281B-10. Regulations.
§ 281B-11. Effective date.

[HISTORY: Adopted by the Town of Ashland as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Youth activity — See Ch. 281A.

ARTICLE I
Head Injuries and Concussions In Youth Athletic Activities Played On Town Owned Fields
[Adopted 5-2-2012 ATM, Art. 15]

§ 281B-1. Statement of purpose and authority:

Brain injury research from Boston University and throughout the world is showing that by preventing, identifying and reducing concussions, plus providing "return to play" protocols, athletic teams reduce the potential severity of traumatic brain injury from an initial concussion. By ensuring proper training and a "return to play protocol", the Town of Ashland will work to protect Athletes on town owned property the same way Athletes are already protected on "school owned" athletic fields as required under current Massachusetts State law.

State law regulates the education and return to play protocols for schools in Massachusetts regarding students who experience a hit/ fall/ incidence which could have caused a traumatic brain injury. The Commonwealth of Massachusetts is looking to keep records of the number of concussions a student has incurred and the Ashland School System is tracking the number of concussions in order to ensure the student gets the proper treatment as well as is provided time to heal from the injury. In keeping records of said injuries, parents are to be aware of and report when their child has potentially experienced a concussion. At the schools, there is trained medical staff and the coaches, parents and Athletes receive training. On town owned playing fields the same standards should be enforced.

Conclusive evidence shows that it is important to understand the signs and symptoms of traumatic brain injury. If this type of injury is neglected and further head trauma occurs prior to healing of prior injuries, conclusive evidence shows this can lead to long-term disability or death due to swelling of the brain. There are serious consequences to ignoring traumatic brain injuries. Therefore, it is important for coaches, parents and Athletes to understand the signs and symptoms of a concussion or traumatic brain injury and to understand the seriousness of neglecting this type of injury no matter where they occur. The Board of Health of the Town of Ashland recognizes the right to those who wish to ensure the safety of children on Town owned fields in Ashland and establishes this bylaw to protect and improve the public health and welfare by ensuring training of coaches, parents and Youth Athletes (over age ten) and establishing return to play protocols with regard to a suspected concussion in a similar manner as the Ashland Public School System does today. This bylaw is promulgated under the authority granted to the Ashland Board of Health under Massachusetts General Laws 111, Section 31.

§ 281B-2. Citation

This bylaw shall be known and may be cited as Head Injuries and Concussions in Youth Athletic Activities Played on Town Owned Fields.

§ 281B-3. Scope

The requirements of this bylaw shall apply to coaches, parents and Youth Athletes playing Youth Athletic activities or participate in any organized athletic activity on Town of Ashland owned fields or facilities, not under the control of the School Committee.

§ 281B-4. Definitions.

As used within this bylaw, the following terms shall be defined as below:

Athletic Activity means an organized athletic activity occurring on Town owned fields and facilities under the direction of a coach or assistant coach including but not limited to baseball, basketball, cheerleading, cross country track, fencing, field hockey, football, golf, gymnastics, horseback riding, ice hockey, lacrosse, rugby, soccer, skating, softball, squash, swimming and diving, tennis, track (indoor and outdoor), ultimate Frisbee, volleyball, water polo, and wrestling.

Board of Health or Board or Department means the Board of Health for the Town of Ashland, Massachusetts, its agents and designees.

Centers for Disease Control and Prevention (CDC) refers to one of the major agencies of the United States Department of Health and Human Services with a mission to protect the health of people and communities through health promotion, prevention of disease, injury and disability.

Coach means an employee or volunteer responsible for organizing and supervising Youth Athletes participating in athletic activities. The term coach refers to both head coaches and assistant coaches.

Concussion means a complex disturbance in brain function, due to direct or indirect trauma to the head, related to neurometabolic dysfunction, rather than structural injury.

Diagnosed means a physician's or nurse practitioner's opinion, derived from observation, examination, and evaluation of procedures or tests of a patient, that the patient has or had a concussion.

Head Injury means direct blow to the head or indirect trauma to the head including a concussion or traumatic brain injury. Scalp or facial laceration alone is not a head injury for purposes of this bylaw.

Health Agent / Director means the Health Agent/ Director of the Ashland Health Department or his or her designee.

Neuropsychologist means a professional who is licensed as a psychologist and certified as a health service provider by the Board of Registration of Psychologists pursuant to M.G.L. c. 112, §§ 118 through 129A with additional specialized training and expertise in the applied science of brain-behavior relationships and who has specific experience in evaluating neurocognitive, behavioral and psychological conditions and their relationship to central nervous system functioning. The neuropsychologist has specialized experience in administering and interpreting neuropsychological tests and has duties which may include, but are not limited to pre-injury measurement of the cognitive abilities that may be disturbed by a concussion, testing within the first few days post-head injury, and periodic retesting to track resolution of the Youth Athlete's symptoms and improvement in cognitive functioning. The neuropsychologist may also advise coaches and parents regarding the Youth Athlete's need for post injury academic accommodations.

Nurse Practitioner means a duly licensed and registered nurse authorized to practice in an expanded role as a nurse practitioner whose professional activities include performing physical examinations, diagnosing health and developmental problems, managing therapeutic regimens, and ordering therapies and tests.

Parent means the parent or guardian or foster parent of a Youth Athlete.

Physician means a duly licensed doctor of medicine or osteopathy.

Play means a practice or competition.

Second Impact Syndrome means a potentially lethal condition that can occur when a person sustains a head injury prior to complete healing of a previous brain injury, causing dysregulation of cerebral blood flow with subsequent vascular engorgement.

Sports means Youth Athletic activities.

Traumatic Brain Injury (TBI) means a complex pathophysiological process affecting the brain, induced by traumatic biomechanical forces. TBI may be caused either by a direct blow to the head, face, neck or elsewhere on the body with an impulsive force transmitted to the head. TBI includes, but is not limited to, a concussion.

Volunteer means an adult who volunteers as a, coach, assistant coach, team parent, physician, nurse, or in an authoritative role to assist Youth Athletes who are engaged in a Youth Athletic

activity. Youth Athlete or Athlete as it appears herein means a Youth (person under the age of eighteen) who prepares for or participates in an athletic activity on town-owned fields and or facilities.

Youth Organization means the governing body for organized athletic activity occurring on Town owned fields and facilities under the direction of a coach or assistant coach including but not limited to baseball, basketball, cheerleading, cross country track, fencing, field hockey, football, golf, gymnastics, horseback riding, ice hockey, lacrosse, rugby, soccer, skating, softball, squash, swimming and diving, tennis, track (indoor and outdoor), ultimate Frisbee, volleyball, water polo, and wrestling.

§ 281B-5. Education for Coaches.

Head coaches, coaches and assistant coaches must have completed concussion training as required for them to be on the playing field.

§ 281B-6. Signed statement.

Parents and Athlete Education Organizations shall have parents and players age ten and older sign a statement stating they have read the required document regarding concussion safety or completed the concussion training with coaches within the last calendar year.

§ 281B-7. Return to Play/ Exclusion from Play.

(a) If an Athlete participating in Youth Athletic activity becomes unconscious on town owned fields and facilities, the Athlete shall not return to participate in the activity and shall seek immediate medical attention – either a trip to the emergency room with their parent or guardian or through the coach calling 9-1-1 for an ambulance. The Athlete shall not return to participate in any athletic activity until the Athlete provides written authorization for such participation to the team's coach, from a licensed physician, licensed neuropsychologist, certified athletic trainer or other appropriately trained or licensed health care professional.

If an Athlete suffers a concussion as diagnosed by a medical professional, or is suspected to have suffered a concussion (i.e. exhibits symptoms) while participating in a Youth athletic activity on a town-owned field or facility, the Athlete shall not return to the practice or competition during which the Athlete suffered, or is suspected to have suffered, a concussion and shall not participate in any further athletic activity until the Athlete provides written authorization for such participation, from a licensed physician, licensed neuropsychologist, certified athletic trainer or other appropriately trained or licensed health care professional to the team's coach.

(b) Return to play only with approval from a licensed healthcare professional which if school is in session, may include medical staff from the school, otherwise, a physician or health care specialist shall give the Youth return to play approval.

(c) A coach, trainer or volunteer for an athletic activity shall not encourage or permit an Athlete participating in the activity to engage in any unreasonably dangerous athletic technique that unnecessarily endangers the health of an Athlete, including using a helmet or any other sports equipment as a weapon.

(d) A team that fails to comply with training and ensuring medical release of the Youth engaged in the sport, as determined by the department, shall be subject to penalties as determined by the department.

(e) Nothing in this section shall be construed to waive liability or immunity of a team or league or the town. This section shall not create any liability for a course of legal action against the town, its officers or employees.

(f) This bylaw shall not create an additional personal liability for a person who volunteers to assist with a Youth Athletic activity on town-owned fields or facilities and shall not add any additional liability for civil damages arising out of any act or omission relating to the requirements of this section, unless such person is willfully or wantonly negligent in his act or omission.

(g) The Board of Health shall adopt regulations to carry out this bylaw.

§ 281B-8. Enforcement and Violations.

Non-criminal fines: Violations of this bylaw shall be enforced in the manner provided in M.G.L. c. 40, Sec. 21D, by the Board or its agents. Any fines imposed under the provisions of this bylaw shall be payable to the Town of Ashland.

(a) Concussion Safety Education of Coaches

It shall be a violation of this bylaw if any Youth Organization fails to submit evidence of the concussion training for all coaches under its control within 21 days prior to play. Any Youth Organization who violates this provision of this bylaw shall be subject to the following fines:

First offense	Warning
Second offense	$25.00
Third offense	$50.00
Each subsequent offense	$50.00

(b) Concussion Return to Play Protocols, medical release

It shall be a violation of this bylaw if the Return to Play Protocols are violated by a responsible party hereunder as set forth herein. Said violators, shall be subject to the following fines:

First offense	$50.00
Second offense	$50.00
Third offense	$75.00
Each subsequent offense	$100.00

§ 281B-9. Severability.

The invalidity of any section or provision of this bylaw shall not invalidate any other section or provision thereof, nor shall it invalidate any permit, approval or determination which previously has been issued.

§ 281B-10. Regulations.

After a public notice and a public hearing, the Board of Health shall promulgate rules and regulations to effectuate the purpose of this bylaw. Failure by the Board of Health to promulgate such rules and regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this bylaw. At a minimum these regulations may reiterate the terms defined in this bylaw, define additional terms not inconsistent with the bylaw, prescribe requirements for applications, provide more specific terms and conditions in furtherance of this bylaw and not inconsistent herewith and impose filing and consultant fees.

§ 281B-11. Effective date.

This bylaw shall be effective on January 1, 2013.