

ASSEMBLY, No. 4738

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED SEPTEMBER 24, 2020

Sponsored by:

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District 11 (Monmouth)

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SYNOPSIS

“Braeden’s Law”; requires public colleges to adopt policy for prevention and treatment of exertional heat illness; requires pamphlet on heat stroke be provided to student-athletes, parents, and coaches at public colleges and K-12 schools.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 9/24/2020)

1 AN ACT concerning the prevention of heat illness in student-
2 athletes, designated as Braeden's Law, amending P.L.2019,
3 c.293, and supplementing chapters 40 and 62 of Title 18A of the
4 New Jersey Statutes.

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

8
9 1. Section 1 of P.L.2019, c.293 (C.18A:11-3.10) is amended to
10 read as follows:

11 1. A school district which is a member of any voluntary
12 association, pursuant to section 1 of P.L.1979, c.172 (C.18A:11-3),
13 which oversees activities associated with Statewide interscholastic
14 sports programs shall:

15 a. Adopt the "Heat Participation Policy" required by the New
16 Jersey State Interscholastic Athletic Association for conducting
17 practice or games in all sports during times of high heat or
18 humidity. The association's policy shall **【address】** include:

19 **【**(1) the scheduling of practice or games during times of various
20 heat and humidity levels;

21 (2) the ratio of time devoted to workouts to time allotted for rest
22 and hydration during various heat and humidity levels; and

23 (3) the heat and humidity levels at which practice or games will
24 be canceled.**】**

25 (1) at least a five-step progression of heat-acclimatization
26 modifications, with specific modification of equipment, if
27 applicable to the sport, specific modification of work to rest ratios,
28 specific modification of total practice time, specific modification of
29 water breaks, and the use of shaded area for rest breaks;

30 (2) WetBulb Global Temperature guidelines. The policy shall
31 follow modified guidelines of the American College of Sports
32 Medicine in regard to: the scheduling of practice, games, and
33 contests during times of various WetBulb Global Temperature
34 levels, including levels at which practice, games, and contests will
35 be modified or terminated; and the ratio of workout time to time
36 allotted for rest and hydration during times of various WetBulb
37 Global Temperature levels. The WetBulb Global Temperature
38 guidelines shall take into consideration acclimatized student-
39 athletes and non-acclimatized student-athletes; and

40 (3) a requirement that student-athletes have uninhibited access
41 to hydration and a cooling space which can be a shaded area or an
42 indoor air-conditioned area. At a WetBulb Global Temperature
43 level of 80, ice shall be available to coaches and student-athletes.

44 The guidelines included in the association's policy shall provide
45 a default policy to those responsible or sharing duties for making

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 decisions concerning the implementation of modifications or
2 cancellation of practices or games based on the presence of heat and
3 humidity.

4 b. Purchase a WetBulb Globe Temperature (WBGT) tool to
5 measure the heat stress in direct sunlight at the practice or game
6 site. Heat stress consists of temperature, humidity, wind speed, the
7 angle of the sun, and cloud coverage.

8 A school district shall adopt the association's policy concerning
9 the frequency and recording of WetBulb Globe Temperature
10 (WBGT) measurements.

11 c. In the case of the death a student-athlete which is related to
12 his performance in public school athletics, the Commissioner of
13 Education shall commission an independent third party to conduct
14 an investigation. The results of the investigation shall be provided
15 to the parent or guardian of the student-athlete and shall be made
16 public, to the extent permissible under federal and State law.

17 (cf: P.L.2019, c.293, s.1)

18

19 2. (New section) a. The Commissioner of Education shall
20 develop a pamphlet that provides information about exertional heat
21 stroke to student-athletes and the parents or guardians of student-
22 athletes and shall post the information on the Department of
23 Education's website. The pamphlet shall include: an explanation of
24 exertional heat stroke; how to prevent exertional heat stroke; factors
25 which may increase a student's risk for exertional heat stroke; a
26 description of early warning signs of exertional heat stroke; how to
27 recognize symptoms of exertional heat stroke; appropriate ways to
28 treat exertional heat stroke; and a form to be signed by the student-
29 athlete and his parent or guardian, coaches, assistant coaches, and
30 athletic trainers acknowledging receipt and review of the pamphlet.

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

34 c. Each school district and nonpublic school shall distribute the
35 pamphlet to the parents or guardians of students participating in
36 athletic activities and to all coaches, assistant coaches, and athletic
37 trainers.

38 d. (1) A student participating in, or desiring to participate in,
39 an athletic activity and the student's parent or guardian shall, each
40 year and prior to participation by the student in an athletic activity,
41 sign and return to the student's school the form developed by the
42 commissioner pursuant to subsection a. of this section
43 acknowledging the receipt and review of the pamphlet.

44 (2) All coaches, assistant coaches, and athletic trainers shall sign
45 the form developed by the commissioner pursuant to subsection a.
46 of this section acknowledging the receipt and review of the
47 informational pamphlet. The form shall be returned to the

1 superintendent of schools or the chief school administrator in the
2 case of a nonpublic school.

3 e. As used in this section, "athletic activity" means:
4 interscholastic athletics; an athletic contest or competition, other
5 than interscholastic athletics, that is sponsored by or associated with
6 a school district or nonpublic school, including cheerleading and
7 club-sponsored sports activities; and any practice or interschool
8 practice or scrimmage for those activities.

9
10 3. (New section) a. A public institution of higher education
11 shall adopt a policy for the prevention and treatment of exertional
12 heat illnesses in athletes for all sports practices, games, and contests
13 conducted outdoors. The policy shall be in conformance with the
14 heat participation policy adopted by the National Collegiate
15 Athletic Association. The institution's policy shall include:

16 (1) At least a five-step progression of heat-acclimatization
17 modifications, with specific modification of equipment, if
18 applicable to the sport, specific modification of work to rest ratios,
19 specific modification of total practice time, specific modification of
20 water breaks, and the use of shaded area for rest breaks;

21 (2) WetBulb Global Temperature guidelines. The policy shall
22 follow modified guidelines of the American College of Sports
23 Medicine in regard to: the scheduling of practice, games, and
24 contests during times of various WetBulb Global Temperature
25 levels, including levels at which practice, games, and contests will
26 be modified or terminated; and the ratio of workout time to time
27 allotted for rest and hydration during times of various WetBulb
28 Global Temperature levels. The WetBulb Global Temperature
29 guidelines shall take into consideration acclimatized student-
30 athletes and non-acclimatized student-athletes; and

31 (3) A requirement that student-athletes have uninhibited access
32 to hydration and a cooling space which can be a shaded area or an
33 indoor air-conditioned area. At a WetBulb Global Temperature
34 level of 80, ice shall be available to coaches and student-athletes.

35 b. In the case of the death a student-athlete which is related to
36 his performance in collegiate athletics, a public institution of higher
37 education shall commission an independent third party to conduct
38 an investigation. The results of the investigation shall be provided
39 to the parent or guardian of the student-athlete and shall be made
40 public, to the extent permissible under federal and State law.

41
42 4. (New section) a. The Secretary of Higher Education shall
43 develop a pamphlet that provides information about exertional heat
44 stroke to student-athletes and shall post the information on the
45 Office of the Secretary of Higher Education's website. The
46 pamphlet shall include: an explanation of exertional heat stroke;
47 how to prevent exertional heat stroke; factors which may increase a
48 student's risk for exertional heat stroke; a description of early

1 warning signs of exertional heat stroke; how to recognize symptoms
2 of exertional heat stroke; appropriate ways to treat exertional heat
3 stroke; and a form to be signed by the student-athlete, coaches,
4 assistant coaches, and athletic trainers acknowledging receipt and
5 review of the pamphlet.

6 b. Each public institution of higher education shall distribute
7 the pamphlet to the parents or guardians of students participating in
8 athletic activities and to all coaches, assistant coaches, and athletic
9 trainers.

10 c. (1) A student participating in, or desiring to participate in,
11 an athletic activity shall, each year and prior to participation by the
12 student in an athletic activity, sign and return the form developed by
13 the secretary pursuant to subsection a. of this section
14 acknowledging the receipt and review of the informational
15 pamphlet. The form shall be returned by the student to a person
16 designated by the institution.

17 (2) All coaches, assistant coaches, and athletic trainers shall
18 sign the form developed by the secretary pursuant to subsection a.
19 of this section acknowledging the receipt and review of the
20 informational pamphlet. The form shall be returned to the person
21 designated by the institution.

22
23 5. This act shall take effect immediately.
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26 STATEMENT

27
28 This bill amends section 1 of P.L.2019, c293 (C.18A:11-3.10) to
29 require that the following criteria be included in the “Heat
30 Participation Policy” for student-athletes adopted by the New Jersey
31 State Interscholastic Athletic Association (NJSIAA):

32 (1) at least a five-step progression of heat-acclimatization
33 modifications, with specific modification of equipment, if
34 applicable to the sport, specific modification of work to rest ratios,
35 specific modification of total practice time, specific modification of
36 water breaks, and the use of shaded area for rest breaks;

37 (2) WetBulb Global Temperature guidelines; and

38 (3) a requirement that student-athletes have uninhibited access
39 to hydration and a cooling space which can be a shaded area or an
40 indoor air-conditioned area. At a WetBulb Global Temperature
41 level of 80, ice will be available to coaches and student-athletes.

42 The bill requires public institutions of higher education to adopt
43 a policy for the prevention and treatment of exertional heat illnesses
44 in athletes. The criteria for the policy at these institutions would be
45 the same as those adopted by the NJSIAA for school districts.

46 This bill requires the Commissioner of Education and the
47 Secretary of Higher Education to develop a pamphlet that provides
48 information about exertional heat stroke to student-athletes and, in

1 the case of school districts and nonpublic schools, to the parents or
2 guardians of student-athletes. The pamphlet must include: an
3 explanation of exertional heat stroke; how to prevent exertional heat
4 stroke; factors which may increase a student's risk for exertional
5 heat stroke; a description of early warning signs of exertional heat
6 stroke; how to recognize symptoms of exertional heat stroke;
7 appropriate ways to treat exertional heat stroke; and a form to be
8 signed by the student-athlete and coaches, assistant coaches, and
9 athletic trainers acknowledging receipt and review of the pamphlet.
10 In the case of school districts and nonpublic schools, the parent or
11 guardian of the student-athlete must also acknowledge receipt and
12 review of the pamphlet.

13 The bill also requires that an investigation conducted by an
14 independent third party be commissioned in the case of the death of
15 a student-athlete which is related to his athletic performance. In the
16 case of school districts, the investigation will be commissioned by
17 the Commissioner of Education and in the case of public
18 institutions of higher education, it will be the institution that
19 commissions the investigation. The results of the investigation will
20 be provided to the parent or guardian of the student-athlete and also
21 will be made public, to the extent permissible under federal and
22 State law.

23 This bill, named "Braeden's Law," is in response to the tragic
24 death of Braeden Bradforth who left his home in Neptune
25 Township, New Jersey in the summer of 2018 to attend a
26 community college in Kansas. Braeden passed away at school from
27 exertional heat stroke following a grueling conditioning test his
28 football team was made to run in the heat of August. This bill
29 addresses the serious issue of exertional heat stroke among student
30 athletes.