

Department of Legislative Services  
Maryland General Assembly  
2020 Session

FISCAL AND POLICY NOTE  
Third Reader

House Bill 453  
Ways and Means

(Delegate Walker)

Education, Health, and Environmental Affairs

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**Education - Public Schools and Youth Sports Programs - Tackle Football**

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This bill limits the annual tackle football season for participants of specified ages and school grade levels to the months of August through December for youth sports programs and public schools. A local board of education may not offer, approve, or sponsor tackle football for students at or below 7th grade during January through July each year. This prohibition applies to (1) a coach-supervised, school-approved, sports- or conditioning-related activity; (2) an intramural athletic activity; (3) an interscholastic athletic activity; or (4) a physical education program. A youth sports program, as defined by the bill, may not provide tackle football or any related physical activity for youth athletes under the age of 14 during January through July. For purposes of the bill, the annual season includes pre-season, and regular season practice, regular season games, tournaments, and playoff games. **The bill takes effect July 1, 2020.**

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**Fiscal Summary**

**State Effect:** The Maryland State Department of Education (MSDE) can develop guidelines and regulations to implement the bill using existing resources. The bill has no impact on State Parks. No effect on revenues.

**Local Effect:** The bill is not expected to have a significant impact on local government finances or operations.

**Small Business Effect:** Small businesses that run youth football programs or provide goods and services related to football may be adversely affected.

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## Analysis

### Current Law:

#### *Public School Physical Education*

Every public school must have a program of physical education that is given in a planned and sequential manner to all students in order to develop their good health and physical fitness and improve their motor coordination and physical skills. The specific curriculum and course of study is set by each local board of education. Maryland regulations (COMAR) require a physical education comprehensive program to provide a developmentally appropriate instructional program that advances student knowledge, confidence, skills, and motivation to enjoy a lifetime of healthful physical activity.

#### *Interscholastic Athletics*

COMAR governs the athletic program for all high school students in Maryland public secondary schools, which are members of the Maryland Public Secondary Schools Athletic Association (MPSSAA). Local school systems may adopt rules governing their athletic programs that are more restrictive than those of the MPSSAA. Students who are 19 years old or older as of August 31 are ineligible to participate in interscholastic athletics. Football is a fall MPSSAA sport. MPSSAA schools must annually conduct all fall season interscholastic athletic contests and practice sessions between the sixth Wednesday following the first Sunday of July, until the final date of the local, conference, district, regional, or State tournament. Aside from golf, a member MPSSAA school may not participate in a regularly scheduled game until at least 20 calendar days have elapsed after and including the first day of practice. Football is limited to 10 regular season games and not more than one game per week.

School athletic teams may not participate in any contests representing their school before or after the defined sports season. Students may attend a summer sports camp of their choice. Member MPSSAA schools, member school coaches, school-related organizations, or individuals may not sponsor or conduct a camp in which students who are returning players are involved or participate. A camp composed of several coaches with their respective teams is a violation of this regulation. Coaches of member MPSSAA schools, while affiliated with a camp, may not conduct any form of team or group practice involving their school.

Before a student who is enrolled in a public school system in the State may participate in an authorized interscholastic athletic activity, the local board must provide a concussion and head injury information sheet to the student and a parent or guardian of the student. A student who is suspected of sustaining a concussion or other head injury in a practice or

game must be removed from play at that time. A student who has been removed from play may not return to play until the student has obtained written clearance from a licensed health care provider trained in the evaluation and management of concussions.

### *Corollary Athletic Program*

COMAR authorizes a Corollary Athletic Program in the local school systems to provide athletic opportunities so that every student in public schools may have an equal opportunity to access the benefits of education-based athletic programs. A Corollary Athletic Program is not governed by the requirements related to MPSSAA and public school physical education programs, and is specifically designed to combine groups of students with and without disabilities together in physical activity.

### *Youth Sports Programs*

Youth sports programs are programs organized for recreational athletic competition or instruction for participants who are under the age of 19 years. A “youth athlete” is an individual who participates in an athletic activity in association with a youth sports program conducted at a public school facility or by a recreational athletic organization. A youth sports program must make available specified information on concussions, head injuries, and sudden cardiac arrest to coaches, youth athletes, and the parents or guardians of youth athletes. Youth sports programs are subject to requirements regarding concussions that are similar to those for interscholastic athletics, discussed above.

## **Background:**

### *Interscholastic and Youth Athletics*

MPSSAA operates in conjunction with MSDE and the 24 local school systems to provide interscholastic participation opportunities to more than 112,000 student-athletes at 199 public high schools. Typically, regional and State football semifinals and finals occur from mid-November to early December.

According to MSDE and MPSSAA, coaching staff often work with players in the off-season to provide skill and sport education remediation. Also, Maryland-based universities and organizations run spring and summer camps, clinics, and collegiate recruiting combines that feature physical activities related to football. Youth sport programs organize and oversee 7-on-7 leagues and flag football leagues. To the extent that such leagues engage in *tackle* football during January through July, these activities are prohibited under the bill. Some students and youth sport participants may elect to travel to neighboring states to participate in these type of events.

## *Temperature-related Sports Injuries, Illnesses, and Deaths*

The American College of Sports Medicine (ACSM) indicated in 2015 that since 1995, there have been at least 54 football player fatalities from heat stroke, including 42 in high school and that analyses of nonfatal heat illness are about 10 times higher in high school football than the total for the combination of about 18 other sports that were studied. According to ACSM, the incidence of exertional heat illness is correlated with the rise in ambient air temperature and humidity; one of the largest risks inherent in playing football is the timing of the start of the season; young athletes are particularly susceptible to heat illness; and nearly all cases of heat illness occur during the first week of (summer) training camp.

According to the National Athletic Trainers' Association (1) the extension of fall sports into late fall and early winter can increase the susceptibility of athletes to environmental cold injuries, including hypothermia, frostbite, and frostnip, as well as injuries related to cold and wet conditions, including chilblain and immersion (trench) foot and (2) exposure to cold environments poses unique challenges for young athletes.

**Local Fiscal Effect:** Baltimore City Public Schools (BCPS) advises that the bill is not expected to have a fiscal impact on operations for BCPS/MPSSAA recognized programs in Baltimore City. St. Mary's County Public Schools advises that the bill might restrict the ability of coaches to work on conditioning students out of season, but is not expected to have a fiscal impact. Any impact on county recreation and parks is expected to be minimal.

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### **Additional Information**

**Prior Introductions:** HB 1308 of 2019 was referred to the House Rules and Executive Nominations Committee, but no further action was taken.

**Designated Cross File:** None.

**Information Source(s):** Anne Arundel County Public Schools; Baltimore City Public Schools; Baltimore County Public Schools; Montgomery County Public Schools; St. Mary's County Public Schools; National Athletic Trainers' Association; Maryland State Department of Education; Department of Natural Resources; Department of Legislative Services

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