

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 7590

To promote minimum State requirements for the prevention and treatment of concussions caused by participation in school sports, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 17, 2026

Mr. DESAULNIER (for himself and Mr. STAUBER) introduced the following bill; which was referred to the Committee on Education and Workforce

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## A BILL

To promote minimum State requirements for the prevention and treatment of concussions caused by participation in school sports, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Student  
5 Athletes from Concussions Act”.

6 **SEC. 2. MINIMUM STATE REQUIREMENTS.**

7 (a) MINIMUM REQUIREMENTS.—Each State that re-  
8 ceives funds under the Elementary and Secondary Edu-  
9 cation Act of 1965 (20 U.S.C. 6301 et seq.) and does not

1 meet the requirements described in this section, as of the  
2 date of enactment of this Act, shall, not later than the  
3 last day of the fifth full fiscal year after the date of enact-  
4 ment of this Act (referred to in this Act as the “compli-  
5 ance deadline”), enact legislation or issue regulations es-  
6 tablishing the following minimum requirements:

7           (1) LOCAL EDUCATIONAL AGENCY CONCUSSION  
8           SAFETY AND MANAGEMENT PLAN.—Each local edu-  
9           cational agency in the State, in consultation with  
10          members of the community in which such agency is  
11          located, shall develop and implement a standard plan  
12          for concussion safety and management that—

13                   (A) educates students, parents, and school  
14                   personnel about concussions, through activities  
15                   such as—

16                           (i) training school personnel, including  
17                           coaches, teachers, athletic trainers, related  
18                           services personnel, and school nurses, on  
19                           concussion safety and management, includ-  
20                           ing training on the prevention, recognition,  
21                           and academic consequences of concussions  
22                           and response to concussions; and

23                           (ii) using, maintaining, and dissemi-  
24                           nating to students and parents—

1 (I) release forms and other ap-  
2 propriate forms for reporting and  
3 record keeping;

4 (II) treatment plans; and

5 (III) prevention and post-injury  
6 observation and monitoring fact  
7 sheets about concussion;

8 (B) encourages supports, where feasible,  
9 for a student recovering from a concussion (re-  
10 gardless of whether or not the concussion oc-  
11 curred during school-sponsored activities, dur-  
12 ing school hours, on school property, or during  
13 an athletic activity), such as—

14 (i) guiding the student in resuming  
15 participation in athletic activity and aca-  
16 demic activities with the help of a multi-  
17 disciplinary concussion management team,  
18 which may include—

19 (I) a health care professional, the  
20 parents of such student, a school  
21 nurse, relevant related services per-  
22 sonnel, and other relevant school per-  
23 sonnel; and

1 (II) an individual who is assigned  
2 by a public school to oversee and  
3 manage the recovery of such student;

4 (ii) providing appropriate academic  
5 accommodations aimed at progressively re-  
6 introducing cognitive demands on the stu-  
7 dent; and

8 (iii) if the student's symptoms of con-  
9 cussion persist for a substantial period of  
10 time—

11 (I) evaluating the student in ac-  
12 cordance with section 614 of the Indi-  
13 viduals with Disabilities Education  
14 Act (20 U.S.C. 1414) to determine  
15 whether the student is eligible for  
16 services under part B of such Act (20  
17 U.S.C. 1411 et seq.); or

18 (II) evaluating whether the stu-  
19 dent is eligible for services under sec-  
20 tion 504 of the Rehabilitation Act of  
21 1973 (29 U.S.C. 794); and

22 (C) encourages the use of best practices  
23 designed to ensure, with respect to concussions,  
24 the uniformity of safety standards, treatment,  
25 and management, such as—

1 (i) disseminating information on con-  
2 cussion safety and management to the  
3 public; and

4 (ii) applying uniform best practice  
5 standards for concussion safety and man-  
6 agement to all students enrolled in public  
7 schools.

8 (2) POSTING OF INFORMATION ON CONCUS-  
9 SIONS.—Each public elementary school and each  
10 public secondary school shall post on school grounds,  
11 in a manner that is visible to students and school  
12 personnel, and make publicly available on the school  
13 website, information on concussions that—

14 (A) is based on peer-reviewed scientific evi-  
15 dence (such as information made available by  
16 the Centers for Disease Control and Preven-  
17 tion);

18 (B) shall include information on—

19 (i) the risks posed by sustaining a  
20 concussion;

21 (ii) the actions a student should take  
22 in response to sustaining a concussion, in-  
23 cluding the notification of school personnel;  
24 and

1 (iii) the signs and symptoms of a con-  
2 cussion; and

3 (C) may include information on—

4 (i) the definition of a concussion;

5 (ii) the means available to the student  
6 to reduce the incidence or recurrence of a  
7 concussion; and

8 (iii) the effects of a concussion on  
9 academic learning and performance.

10 (3) RESPONSE TO CONCUSSION.—If an indi-  
11 vidual designated from among school personnel for  
12 purposes of this Act, one of whom must be in at-  
13 tendance at every school-sponsored activity, suspects  
14 that a student has sustained a concussion (regard-  
15 less of whether or not the concussion occurred dur-  
16 ing school-sponsored activities, during school hours,  
17 on school property, or during an athletic activity)—

18 (A) the student shall be—

19 (i) immediately removed from partici-  
20 pation in a school-sponsored athletic activ-  
21 ity; and

22 (ii) prohibited from resuming partici-  
23 pation in school-sponsored athletic activi-  
24 ties—

1 (I) on the day the student sus-  
2 tained the concussion; and

3 (II) until the day the student is  
4 capable of resuming such participa-  
5 tion, according to the student's writ-  
6 ten release, as described in paragraph  
7 (4); and

8 (B) the designated individual shall report  
9 to the parent or guardian of such student—

10 (i) any information that the des-  
11 ignated school employee is aware of re-  
12 garding the date, time, and type of the in-  
13 jury suffered by such student (regardless  
14 of where, when, or how a concussion may  
15 have occurred); and

16 (ii) any actions taken to treat such  
17 student.

18 (4) RETURN TO ATHLETICS.—If a student has  
19 sustained a concussion (regardless of whether or not  
20 the concussion occurred during school-sponsored ac-  
21 tivities, during school hours, on school property, or  
22 during an athletic activity), before such student re-  
23 sumes participation in school-sponsored athletic ac-  
24 tivities, the school shall receive a written release  
25 from a health care professional, that—

1 (A) states that the student is capable of  
2 resuming participation in such activities; and

3 (B) may require the student to follow a  
4 plan designed to aid the student in recovering  
5 and resuming participation in such activities in  
6 a manner that—

7 (i) is coordinated, as appropriate, with  
8 periods of cognitive and physical rest while  
9 symptoms of a concussion persist; and

10 (ii) reintroduces cognitive and phys-  
11 ical demands on such student on a pro-  
12 gressive basis only as such increases in ex-  
13 ertion do not cause the reemergence or  
14 worsening of symptoms of a concussion.

15 (5) RETURN TO ACADEMICS.—If a student en-  
16 rolled in a public school in the State has sustained  
17 a concussion, the concussion management team (as  
18 described under paragraph (1)(B)(i)) of the school  
19 shall consult with and make recommendations to rel-  
20 evant school personnel and the student to ensure  
21 that the student is receiving the appropriate aca-  
22 demic supports, including—

23 (A) providing for periods of cognitive rest  
24 over the course of the school day;

1 (B) providing modified academic assign-  
2 ments;

3 (C) allowing for gradual reintroduction to  
4 cognitive demands; and

5 (D) other appropriate academic accom-  
6 modations or adjustments.

7 (b) NONCOMPLIANCE.—

8 (1) FIRST YEAR.—If a State described in sub-  
9 section (a) fails to comply with subsection (a) by the  
10 compliance deadline, the Secretary of Education  
11 shall reduce by 5 percent the amount of funds the  
12 State receives under the Elementary and Secondary  
13 Education Act of 1965 (20 U.S.C. 6301 et seq.) for  
14 the first fiscal year following the compliance dead-  
15 line.

16 (2) SUCCEEDING YEARS.—If the State fails to  
17 so comply by the last day of any fiscal year following  
18 the compliance deadline, the Secretary of Education  
19 shall reduce by 10 percent the amount of funds the  
20 State receives under that Act for the following fiscal  
21 year.

22 (3) NOTIFICATION OF NONCOMPLIANCE.—Prior  
23 to reducing any funds that a State receives under  
24 the Elementary and Secondary Education Act of  
25 1965 (20 U.S.C. 6301 et seq.) in accordance with

1 this subsection, the Secretary of Education shall  
2 provide a written notification of the intended reduc-  
3 tion of funds to the State and to the appropriate  
4 committees of Congress.

5 **SEC. 3. RULE OF CONSTRUCTION.**

6 Nothing in this Act shall be construed to affect civil  
7 or criminal liability under Federal or State law.

8 **SEC. 4. DEFINITIONS.**

9 In this Act:

10 (1) **CONCUSSION.**—The term “concussion”  
11 means a type of mild traumatic brain injury that—

12 (A) is caused by a blow, jolt, or motion to  
13 the head or body that causes the brain to move  
14 rapidly in the skull;

15 (B) disrupts normal brain functioning and  
16 alters the mental state of the individual, caus-  
17 ing the individual to experience—

18 (i) any period of observed or self-re-  
19 ported—

20 (I) transient confusion, dis-  
21 orientation, or impaired consciousness;

22 (II) dysfunction of memory  
23 around the time of injury; or

24 (III) loss of consciousness lasting  
25 less than 30 minutes; or

1 (ii) any 1 of 4 types of symptoms, in-  
2 cluding—

3 (I) physical symptoms, such as  
4 headache, fatigue, or dizziness;

5 (II) cognitive symptoms, such as  
6 memory disturbance or slowed think-  
7 ing;

8 (III) emotional symptoms, such  
9 as irritability or sadness; or

10 (IV) difficulty sleeping; and

11 (C) can occur—

12 (i) with or without the loss of con-  
13 sciousness; and

14 (ii) during participation in any orga-  
15 nized sport or recreational activity.

16 (2) HEALTH CARE PROFESSIONAL.—The term  
17 “health care professional” means an individual—

18 (A) who has been trained in diagnosis and  
19 management of concussion in a pediatric popu-  
20 lation;

21 (B) who is registered, licensed, certified, or  
22 otherwise statutorily recognized by the State to  
23 provide such diagnosis and management; and

24 (C) whose scope of practice and experience  
25 includes the diagnosis and management of trau-

1            matic brain injury among a pediatric popu-  
2            lation.

3            (3) LOCAL EDUCATIONAL AGENCY; STATE.—

4            The terms “local educational agency” and “State”  
5            have the meanings given such terms in section 8101  
6            of the Elementary and Secondary Education Act of  
7            1965 (20 U.S.C. 7801).

8            (4) RELATED SERVICES PERSONNEL.—The

9            term “related services personnel” means individuals  
10           who provide related services, as defined under sec-  
11           tion 602 of the Individuals with Disabilities Edu-  
12           cation Act (20 U.S.C. 1401).

13           (5) SCHOOL-SPONSORED ATHLETIC ACTIVITY.—

14           The term “school-sponsored athletic activity”  
15           means—

16                    (A) any physical education class or pro-  
17                    gram of a school;

18                    (B) any athletic activity authorized during  
19                    the school day on school grounds that is not an  
20                    instructional activity;

21                    (C) any extra-curricular sports team, club,  
22                    or league organized by a school on or off school  
23                    grounds; and

24                    (D) any recess activity.

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