

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Committee Substitute

for

Senate Bill 657

By Senators Grady, Tarr, Oliverio, and Deeds

[Reported February 13, 2026, from the Committee on
Education]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,
2 designated §18-36-1, §18-36-2, §18-36-3, §18-36-4, §18-36-5, and §18-36-6, relating to
3 establishing the Cohen Craddock Student Athlete Safety Act; providing legislative findings;
4 defining terms; requiring the Board of Education to promulgate a legislative rule, in
5 consultation with the Board of Physical Therapy, that governs concussion protocol,
6 education, and training to reduce concussions and the development of a Concussion
7 Education and Response Plan; allowing the West Virginia Board of Physical Therapy to
8 provide a draft rule; requiring a school to adopt a Concussion Education and Response
9 Plan in accordance with the rule; allowing individual student athletes participating in a
10 school-organized football practice to use supplemental safety enhancing devices; allowing
11 individual schools to require their student athletes participating in a school organized
12 football practice to use supplemental safety enhancing devices; allowing county school
13 districts to require student athletes at schools under their jurisdiction and participating in a
14 school-organized football practice to use supplemental safety enhancing devices;
15 preventing any person or entity from prohibiting a student from using supplemental safety
16 enhancing devices while participating in a school-organized football practice; providing
17 warranty and certification protections related to the usage of certain safety equipment;
18 establishing the Cohen Craddock Memorial Grant Program and providing procedures; and
19 creating the Cohen Craddock Memorial Grant Fund.

Be it enacted by the Legislature of West Virginia:

ARTICLE 36. COHEN CRADDOCK STUDENT ATHLETE SAFETY ACT.

§18-36-1. Short Title; findings.

1 (a) This article shall be known, and may be cited as, the "Cohen Craddock Student Athlete
2 Safety Act."

3 (b) The Legislature hereby finds that:

4 (1) Student athletes face varying risks of injury, including concussions, heat-related

5 illnesses, and cardiac events, which warrant the continual evaluation of safety protocols and
6 equipment standards;

7 (2) Repeated head collisions, even with protective helmets, can cause trauma and
8 concussions that have long-term cognitive and neurological effects, making it essential that
9 reasonable safety measures are utilized;

10 (3) The evolution and availability of sport-specific safety equipment is ever-changing and
11 should be consistently monitored;

12 (4) Professional sports leagues and collegiate sports teams have increasingly utilized
13 modern safety equipment to enhance the safety of their athletes;

14 (5) The National Football League recorded the fewest number of concussions during the
15 2024 season, which the NFL's Chief Medical Officer attributed in part to the mandatory use of
16 impact reducing soft-shell helmet covers during training camp and regular-season practices; and

17 (6) The state should consult with medical experts and athletic leaders to help ensure that
18 student athletes across West Virginia have knowledge of and access to modern and necessary
19 safety equipment for athletic activities.

§18-36-2. Definitions.

1 As used in this article, the following terms shall have the meanings ascribed unless the
2 context clearly indicates a different meaning:

3 (1) "Concussion Education and Response Plan" or "the plan" means a written document
4 that establishes concussion-related education requirements for appropriate personnel and sets
5 forth practices for reducing concussions and responding to concussions when they do occur.

6 (2) "Department" means the West Virginia Department of Education;

7 (3) "Fund" means the Cohen Craddock Memorial Grant Fund;

8 (4) "Grant Program" means the Cohen Craddock Memorial Grant Program;

9 (5) "School" means any elementary or secondary school under the jurisdiction of a county
10 board of education;

11 (6) "State board" means the West Virginia Board of Education;

12 (7) "Student Athletes" means all students participating in any interscholastic sport at a high
13 school or middle school in West Virginia; and

14 (8) "Youth sports league team" means any team that is a member of an entity that
15 organizes and establishes rules for competitive youth sports activities other than the West Virginia
16 Secondary School Activities Commission or any other entity that organizes and establishes rules
17 for competitive youth sports activities exclusively for teams that are created by and represent
18 schools.

§18-36-3. State board rule that governs concussion protocol, education, and training to
reduce concussions and the development of a Concussion Education and
Response Plan.

1 (a) The state board shall promulgate a legislative rule pursuant to §29A-3B-1 et seq., in
2 consultation with the West Virginia Board of Physical Therapy, that governs concussion protocol,
3 education, and training to reduce concussions and the development of a Concussion Education
4 and Response Plan. The West Virginia Board of Physical Therapy may provide a draft rule for the
5 state board to consider. The rule shall be applicable to athletic practices or events in which an
6 individual or team represents a school, youth sports league teams that play or practice on school
7 grounds, and practices and events under the regulation of the West Virginia Secondary School
8 Activities Commission. The initial rule shall comply with §18-2-25a, relating to management of
9 concussions and head injuries in activities regulated by the West Virginia Secondary School
10 Activities Commission, but the state board or West Virginia Board of Physical Therapy may
11 recommend to the Legislature that the code section be amended or repealed if either determines it
12 has a better method of educating appropriate personnel or reducing or responding to concussions.
13 The rule also shall specify the individuals required to receive the concussion-related education.

14 (b) A school shall adopt a Concussion Education and Response Plan in accordance with
15 the state board rules promulgated pursuant to this section.

3 apply to either piece of equipment: *Provided*, That one piece of football safety equipment or
4 measure does not modify the components of or otherwise damage the other piece of football
5 safety equipment.

6 (b) A football safety equipment manufacturer, dealer, or any other entity that assigns safety
7 certifications to safety equipment may not revoke a safety certification or guarantee associated
8 with a piece of football safety equipment due to the use of another piece of football safety
9 equipment: *Provided*, That one piece of football safety equipment or measure does not modify the
10 components of or otherwise damage the other piece of football safety equipment.

§18-36-6. Cohen Craddock Memorial Grant Program; fund established.

1 (a) The Cohen Craddock Memorial Grant Program is hereby established. The grant
2 program shall be administered by the department. The department shall provide application forms
3 and procedures to administer the grant.

4 (b) Schools or county boards of education may apply to the grant program for funding to
5 cover all or some of the costs associated with procuring football safety equipment that may reduce
6 concussions.

7 (c) The department shall set the amount of grants based on the funds available. Grants
8 shall be issued on first-come-first-serve basis.

9 (d) There shall be created in the State Treasury a special revenue fund designated the
10 Cohen Craddock Memorial Grant Fund.

11 (1) The fund shall be administered by the department. Expenditures from the fund shall be
12 made solely for the purposes of providing grants authorized by this section.

13 (2) The fund shall consist of moneys appropriated by the Legislature, moneys received
14 from the federal government, and moneys received from private donations, grants, bequests, and
15 all other moneys received from all sources for the purposes stated herein. Any person or entity
16 donating moneys to the fund may restrict expenditures of the donated moneys to the purchase of a
17 particular piece of football safety equipment. The Department of Education, political subdivisions,

18 and any private entity may engage in fundraising efforts to solicit donations to the fund.

19 (3) Any funds remaining in the fund at the end of the fiscal year shall not revert to the
20 general revenue but shall remain in the fund solely for the purposes stated in this article.

21 (4) The moneys accrued in the fund, any earnings thereon, and any yields from
22 investments by the State Treasurer or West Virginia Investment Management Board are reserved
23 solely and exclusively for the purposes set forth in this code section.