

*note existing Policies: JJIAA (Student Sports-Concussions and Head Injuries)
and JJIF (Sanctioning of Sports)*

STUDENT CONCUSSIONS AND OTHER HEAD INJURIES

~~DWM Note: We have developed this policy as an alternative to the MDOE model policy. While this sample is generally consistent with the MDOE model, it does not require that students be excluded from classes automatically because of a concussion or other head injury. DWM's sample reflects the policy requirements included in L.D. 1873, much of which was not codified in 20-A MRSA (the education statutes). We have attached a copy of the law passed in 2012 (Public Law Chapter 688) for review. Any questions regarding this policy should be directed to the Board's legal counsel.~~

The [Cape Elizabeth School](#) Board recognizes that concussions and other head injuries are serious and can potentially result in significant brain damage and/or death if not recognized and treated properly. This policy is intended to promote awareness of this issue as well as the safety of students participating in school-sponsored athletic activities which may pose a risk of concussion or other head injuries. This policy also applies to other school-sponsored activities which the Superintendent determines, in consultation with school staff, pose a risk of concussion or other head injury (hereafter referred to as "any other covered activities").

The Superintendent shall ensure that all training, protocols and forms implemented in the school unit are consistent with materials promulgated by the Maine Department of Education.

A. Concussion Policy Management Team

DWM Note: This section generally follows the language in the MDOE model policy, although there is no specific requirement in the law that such a team be formed.

The Superintendent will appoint a Concussion Policy Management Team to be responsible, under the supervision of the Superintendent, to make recommendations related to the implementation of this policy. The Concussion Policy Management Team will include the school nurse and Athletic Director, and may include one or more principals or assistant principals, the school physician, and other school personnel or consultants as the Superintendent deems appropriate.

The team shall oversee and implement this policy and related protocols for concussions and other head injuries based on the generally accepted standards of care. This team will identify the school personnel who shall be trained in concussion signs and symptoms and the school activities covered by this policy.

B. Staff Training

~~DWM NOTE: The local school unit should identify any additional staff members who should receive training. The categories below are specified in the law. The schedule of training below is specified in the MDOE model policy.~~

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All Athletic Directors, coaches and other school personnel involved in school-sponsored athletics (and any other covered activities) shall receive training in the identification and management of concussions and other head injuries. The Concussion Policy Management Team shall arrange such training.

All identified personnel will receive refresher training every two years, or whenever the Maine Department of Education recommendations, protocols and/or forms have been revised

C. Student and Parent/Guardian Acknowledgment

~~DWM Note: Local school units should be aware that protocols for managing concussions/head injuries and associated forms must be consistent with those provided by MDOE (see www.maine.gov/doe/concussion/ for current information). If desired, the Board may include the specific components of the acknowledgment form, although that approach would necessitate that the policy be updated every time the form is revised.~~

~~DWM NOTE: Local school units may require that forms be signed before each season if desired (as opposed to once a year), but this is not required by the law.~~

Students who intend to participate in school-sponsored athletics (and any other covered activities), and their parent(s)/guardian(s) are required to sign the School Department's Concussion/Head Injury Acknowledgment Form each year. Students may not participate in athletics (and any other covered activities) until the Acknowledgment Form is returned to the school.

D. Computerized Neuropsychological Testing [ImpACT]

Every student participating in any school sport shall be offered baseline computerized neuropsychological testing during preseason in grades 9 and 11, or, in the case of students new to the high school athletics, early in their first preseason. The athletic department shall offer information to students and their parents/guardians about how this testing works, about its role in the identification and management of students with concussions, and about the Cape Elizabeth school department protocol for the athletic and academic management of students with concussions under the guidance of physicians approved to interpret the neuropsychological testing results. As a condition for the administration of the baseline test, both the student and parents/guardians must consent, in writing, to the administration of the baseline test [and the protocol for concussion management].

If consent is not received to administer the baseline test, that baseline test will not be administered, and, as a condition of participation in athletics, the parents/students must sign

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and submit a statement acknowledging that they will assume the risk of any and all consequences of head injury. If any such student is suspected of a concussion or head injury, the student will not be allowed to return to practice or play cocurricular/athletic activities until a written note is received from a physician authorizing a return to participation.

D.E. Removal of Students from Athletic or Other Covered Activities, Evaluations and Medical Clearance

Any student suspected of having sustained a concussion or other head injury in any school-sponsored athletic activity (and any other covered activities) must be immediately removed from the activity, practice or game. A student suspected of having sustained a concussion or other head injury must receive a brain injury evaluation and written medical clearance from a licensed health care provider trained in concussion management prior to his/her being allowed to resume participation in the athletic activity (and any other covered activities). Such return to participation may be gradual, and in all cases should be based on current accepted standards of care and the health care provider's recommendations.

E.F. Academic and Disability Considerations

~~DWM Note: The MDOE model policy and the law do not require that teachers be trained regarding concussions and other head injuries, but it may make sense to provide them with a fact sheet on symptoms and academic issues that may be caused by concussions. In addition, it would make sense to make sure that teachers are aware of this policy and its requirements.~~

Teachers and other school staff should be alert to possible cognitive and academic issues that a student who has suffered a concussion or other head injury may experience. School staff shall permit adjustments to the academic day and/or expectations, consistent with a medical recommendation from the student's health care provider.

If a parent/guardian or school staff member suspects that a student's concussion or other head injury may significantly impair a major life activity, the student shall be referred to the school unit's 504 system for consideration as a person with a disability who may require a 504 Plan. If the student is identified as having a disability as a result of a concussion or head injury, the student's 504 Team shall address issues regarding participating and accommodations in school programs and activities as a result of that disability. If a parent/guardian or school staff member believes that the student may need special education as a result of a concussion or other head injury, then the student shall be referred to special education.

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~~F.G. Concussion Policy Management Team~~

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The policy and/or related protocols should be reviewed when generally accepted protocols change.

Legal References: Public Law Chapter 688 (2012)
20-A M.R.S.A. §§ 254(17); 1001(19)