



Protecting players

Concussions – what schools need to know

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Concussions can affect all athletes, no matter the age or sport being played. They are serious head injuries that may cause long-term or even permanent brain damage.

However, some individuals may not recognize they suffered a concussion or head injury, and it may take several hours or days for signs or symptoms to arise. To address the seriousness of concussions and head injuries, new requirements have been enacted in Ohio Revised Code Sections (RC) 3313.539 and 3319.303 to ensure the health risks associated with these injuries are fully understood.

Identifying a concussion

First, what is a concussion? The Centers for Disease Control and Prevention (CDC) define a concussion as “a brain injury caused by a bump or blow to the head that changes the way your brain normally works.” CDC notes it may be caused by a blow to the head or body that causes the brain to move rapidly inside the skull. Concussion symptoms may include confusion, headache, loss of consciousness, dizziness, slurred speech and nausea.

Ohio law now requires coaches, referees and student athletes to receive certain information to educate them on concussion signs and symptoms.

Training for coaches and referees

Individuals must hold a pupil-activity program permit issued under RC 3319.303 to coach interscholastic athletics. In addition, an individual applying for a first-time pupil-activity program permit to coach interscholastic athletics must successfully complete

a training program focusing on brain trauma and brain injury management (RC 3319.303).

Individuals applying for a pupil-activity renewal permit to coach interscholastic athletics must have successfully completed a training program within the preceding three years that recognizes the symptoms of concussions and head injuries or a training program authorized and required by an organization that regulates interscholastic athletics or events (RC 3319.303).

An individual who serves as a referee for interscholastic athletics must hold a pupil-activity program permit to coach interscholastic athletics or present evidence he or she successfully completed a training program within the preceding three years that recognizes the symptoms of concussions and head injuries or a training program authorized and required by an organization that regulates interscholastic athletics or events (RC 3313.539).

Injury information sheet

Another provision added to state law is the requirement that student athletes submit an injury information sheet prior to participating in any interscholastic athletic activity. The sheet must inform coaches, athletes and guardians — or others having care or charge of students — of the signs and symptoms related to concussions and head injuries, as well as any risk associated with students continuing to participate in athletics after they have suffered a concussion or head injury (RC 3707.52).

Removing, returning students to play
Ohio law requires a coach or referee to

remove an athlete from any practice or competition if the student displays any signs or symptoms of a concussion or head injury (RC 3313.539). A student may not immediately return to the practice or competition from which he or she was removed. Coaches and referees are prohibited from allowing any removed student to participate in any other practice or competition the coach or referee is controlling until:

- the student is evaluated by a physician or another licensed health care provider authorized by the school board to evaluate students removed from a practice or competition;
- the student receives written clearance from a physician or another licensed health care provider stating it is safe for him or her to return.

A school board must ensure licensed health care providers are:

- acting in consultation with a physician;
- acting pursuant to a physician’s referral;
- collaborating with a physician;
- acting under a physician’s supervision.

The Ohio High School Athletic Association (OHSAA) has established a Medical Authorization to Return to Play (RTP) form that may be used as the written authorization that the physician or licensed health care provider has examined the student and cleared him or her to return to play. A copy of the form is available at: <http://links.ohioschoolboards.org/51458>.

Each school district subject to the

rules of an interscholastic conference or organization that regulates an interscholastic conference or event will be considered to be in compliance with law if the rules are “substantially similar” to those required under state law. OHSAA has adopted a set of concussion regulations, incorporating the requirements of the new state law, for its member schools. A copy of the regulations can be found at: <http://links.ohioschoolboards.org/50895>.

Districts that are not OHSAA members also must ensure they are in compliance with state law and should check with the organization that regulates their interscholastic athletics. Additionally, OSBA policy IGDJ, Interscholastic Athletics, also provides information about concussion management.

Liability

One question that often arises is whether a risk of liability exists when a student suffers a concussion or head injury. There is always a risk that an injury may occur while student athletes are involved with sports. A district, board member, district employee or volunteer, including coaches and referees, will not be liable for damages in a civil action for an injury, death or loss to person or property caused by properly

providing services or performing duties.

However, liability may exist if the individual or individuals involved behaved in a willful or wanton manner. The law does not limit the immunities and defenses discussed in Chapter 2744 (sovereign immunity and related provisions) of Ohio Revised Code or under any other provision of state or common law. It is important that staff members are trained to ensure they understand how to appropriately respond to these situations.



An athlete displaying any signs of a head injury must be removed from practice or competition.

Conclusion

In many instances, student athletes may be reluctant to leave the field of play when they have suffered injuries, including concussions. However, coaches and referees should not allow a

student’s desire to play in a game outweigh the requirements and duties mandated under state law. It is important that coaches and referees are able to understand and identify the signs and symptoms of concussions and head injuries because a student’s health may be jeopardized.

The district staff involved with athletic activities should be educated and informed on the rules and regulations related to head injuries and concussions so they are able to recognize them when they occur and respond accordingly. It is useful for board members to review the information so they can be familiar with the new laws as they communicate with the school community about school athletic programs. Additionally, it is important to educate athletes so they are able to understand and spot any changes that might occur as a result of a head injury or concussion.

For questions about student athletes and concussions, contact the OSBA legal division at (614) 540-4000. ■

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