

**ORANGE COUNTY  
BOARD OF EDUCATION**

**AGENDA ITEM ABSTRACT**

**Meeting Date:** September 6, 2011

**AGENDA ITEM No.** 11-09-07

**ACTION ITEM (Y/N)** Y

**SUBJECT:** Concussion and Head Injury Policy #4270 - New – 2<sup>nd</sup> Reading Approval

**INFO. CONTACT:** Dr. George McFarley, Jr. **PHONE:** 919-732-8126

**ATTACHMENTS:**

1. General Assembly of North Carolina Session 2011, Session Law 2011-147 House Bill 792
2. Policy # 4270, Concussion and Head Injury (NEW)

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**PURPOSE:** To allow the Board of Education the opportunity to consider the Concussion and Head Injury policy for 2<sup>nd</sup> Reading Approval.

**BACKGROUND:** The Gfeller-Waller Concussion Awareness Act was drafted and implemented to protect the safety of student-athletes in North Carolina and was signed into law on June 16, 2011 by Governor Beverly Perdue. There are three major areas of focus in the law and these include: education, emergency action and postconcussion protocol implementation, and clearance/return to play or practice following concussion.

The state has produced a Gfeller-Waller Concussion Awareness Act Resource Packet containing all compliance materials. This resource packet contains the following information which is attached to this abstract:

- Gfeller-Waller Law Compliance Information and Checklist.
- Student–Athlete Concussion Statement Form.
- Concussion Information for Student-Athletes
- Adult (parent/coach/volunteer/school nurse/first responder) Education & Statement Form.
- Sample Emergency Action Plan.
- Postconcussion Protocol.
- Return to Play Written Clearance Form.

The North Carolina School Board Association (NCSBA) has created the new *Policy #4270, Concussion and Head Injury* to reflect these new legislative requirements as its rules. NCSBA recommends BOEs to adopt a policy responding to the requirements to be effective for the 2011-2012 school year.

This policy was presented to the Board on August 22, 2011 and was approved on 1<sup>st</sup> Reading Approval. The policy is being brought back to the Board for 2<sup>nd</sup> Reading Approval.

**FINANCIAL IMPACT:** None.

**RECOMMENDATION:** The Superintendent recommends the Board of Education approve the proposed Concussion and Head Injury policy for 2<sup>nd</sup> Reading Approval.

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

SESSION LAW 2011-147  
HOUSE BILL 792

AN ACT TO ENACT THE GFELLER-WALLER CONCUSSION AWARENESS ACT.

The General Assembly of North Carolina enacts:

**TITLE OF ACT**

**SECTION 1.** This act may be known and cited as the Gfeller-Waller Concussion Awareness Act.

**DEVELOPMENT OF AN ATHLETIC CONCUSSION SAFETY TRAINING PROGRAM**

**SECTION 2.(a)** The Matthew A. Gfeller Sport-Related Traumatic Brain Injury Research Center at UNC-Chapel Hill in consultation with the North Carolina Medical Society, the North Carolina Athletic Trainers Association, the Brain Injury Association of North Carolina, the North Carolina Neuropsychological Society, the North Carolina High School Athletic Association, Inc., and the Department of Public Instruction shall develop an athletic concussion safety training program. The program shall be developed for the use of coaches, school nurses, school athletic directors, volunteers, students who participate in interscholastic athletic activities in the public schools, and the parents of these students.

**SECTION 2.(b)** The program shall include, but not be limited to, the following:

- (1) Written information detailing the recognition of the signs and symptoms of concussions and other head injuries.
- (2) A description of the physiology and the potential short-term and long-term effects of concussions and other head injuries.
- (3) The medical return-to-play protocol for postconcussion participation in interscholastic athletic activities.

**CONCUSSION SAFETY REQUIREMENTS FOR INTERSCHOLASTIC ATHLETIC COMPETITION**

**SECTION 3.** G.S. 115C-12(23) reads as rewritten:

"(23) Power to Adopt Eligibility Rules for Interscholastic Athletic Competition. – The State Board of Education ~~may~~shall adopt rules governing interscholastic athletic activities conducted by local boards of education, including eligibility for student participation. With regard to middle schools and high schools, the rules shall provide for the following:

- a. All coaches, school nurses, athletic directors, first responders, volunteers, students who participate in interscholastic athletic activities, and the parents of those students shall receive, on an annual basis, a concussion and head injury information sheet. School employees, first responders, volunteers, and students must sign the sheet and return it to the coach before they can participate in interscholastic athletic activities, including tryouts, practices, or competition. Parents must sign the sheet and return it to the coach before their children can participate in any such interscholastic athletic activities. The signed sheets shall be maintained in accordance with sub-subdivision d. of this subdivision.

For the purpose of this subdivision, a concussion is a traumatic brain injury caused by a direct or indirect impact to the head that



results in disruption of normal brain function, which may or may not result in loss of consciousness.

- b. If a student participating in an interscholastic athletic activity exhibits signs or symptoms consistent with concussion, the student shall be removed from the activity at that time and shall not be allowed to return to play or practice that day. The student shall not return to play or practice on a subsequent day until the student is evaluated by and receives written clearance for such participation from (i) a physician licensed under Article 1 of Chapter 90 of the General Statutes with training in concussion management, (ii) a neuropsychologist licensed under Article 18A of Chapter 90 of the General Statutes with training in concussion management and working in consultation with a physician licensed under Article 1 of Chapter 90 of the General Statutes, (iii) an athletic trainer licensed under Article 34 of Chapter 90 of the General Statutes, (iv) a physician assistant, consistent with the limitations of G.S. 90-18.1, or (v) a nurse practitioner, consistent with the limitations of G.S. 90-18.2.
- c. Each school shall develop a venue specific emergency action plan to deal with serious injuries and acute medical conditions in which the condition of the patient may deteriorate rapidly. The plan shall include a delineation of roles, methods of communication, available emergency equipment, and access to and plan for emergency transport. This plan must be (i) in writing, (ii) reviewed by an athletic trainer licensed in North Carolina, (iii) approved by the principal of the school, (iv) distributed to all appropriate personnel, (v) posted conspicuously at all venues, and (vi) reviewed and rehearsed annually by all licensed athletic trainers, first responders, coaches, school nurses, athletic directors, and volunteers for interscholastic athletic activities.
- d. Each school shall maintain complete and accurate records of its compliance with the requirements of this subdivision pertaining to head injuries.

The State Board of Education may authorize a designated organization to apply and enforce the Board's rules governing participation in interscholastic athletic activities at the high school level."

**EFFECTIVE DATE**

**SECTION 4.** This act is effective when it becomes law and applies beginning with the 2011-2012 school year.

In the General Assembly read three times and ratified this the 13<sup>th</sup> day of June, 2011.

s/ Walter H. Dalton  
President of the Senate

s/ Dale R. Folwell  
Speaker Pro Tempore of the House of Representatives

s/ Beverly E. Perdue  
Governor

Approved 11:55 a.m. this 16<sup>th</sup> day of June, 2011

# **CONCUSSION AND HEAD INJURY**

*Date Reviewed/Approved:*

*Policy Number:*  
4270/6145

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*Rescinds Policy Number:*

*Issued:*

The board recognizes that concussions and other head injuries may be serious and potentially life threatening and that such injuries may result in serious consequences later in life if managed improperly. The board is committed to practices that reduce the potential for short-term or long-term effects from such injuries. In support of this commitment, the board directs school employees to comply with the concussion safety requirements for interscholastic athletic competition established by G.S. 115C-12(23) as amended in the Gfeller-Waller Concussion Awareness Act of 2011, and to implement and follow all concussion safety requirements set forth in State Board of Education rules and policies for middle and high schools. The superintendent or designee shall develop a plan consistent with state requirements and shall implement and monitor compliance with this policy. The superintendent is authorized to investigate the use of baseline testing for student-athletes and require that student-athletes undergo such testing prior to their participation in any interscholastic athletic competition.

## **A. DEFINITION OF CONCUSSION**

A concussion is a traumatic brain injury caused by a direct or indirect impact to the head that results in disruption of normal brain function, which may or may not result in a loss of consciousness.

## **B. SCHOOL HEAD INJURY INFORMATION SHEET**

Each year, all coaches, school nurses, athletic directors, first responders, volunteers, student-athletes, and parents of student-athletes must be provided with a concussion and head injury information sheet that meets the requirements of the State Board. Before any student, school employee, volunteer or first responder will be allowed to participate in interscholastic athletic activities, including tryouts, practices or competitions, he or she must sign the head injury information sheet and return it to the coach. Parents also must sign the sheet and return it to the coach before their children may participate in any interscholastic athletic activity. The principal of each school shall ensure that a complete and accurate record of the returned signed sheets is maintained in accordance with law and State Board policy.

## **C. REMOVAL FROM AND RETURN TO PLAY**

Any student-athlete who is exhibiting signs or symptoms consistent with a concussion must be removed from athletic activity immediately. Further, the student-athlete must not be allowed to return to play or practice that day or on any subsequent day until he or she has been evaluated and has received written clearance for participation that complies with the requirements of G.S. 115C-12(23) and any other applicable law or State Board policy.

## **D. EMERGENCY ACTION PLANS**

Each principal or designee shall develop a venue-specific emergency action plan to respond to serious medical injuries and acute medical conditions in which the condition of the injured student may deteriorate rapidly. All such plans must include a delineation of roles, methods of communication, available emergency equipment and a plan for emergency transport. The plans must be (1) in writing, (2) reviewed by an athletic trainer who is licensed in North Carolina, (3) approved by the principal if developed by a designee, (4) distributed, posted, reviewed and rehearsed in accordance with G.S. 115C-12(23), and (5) compliant with any other requirements of state law and State Board policy.

**E. RECORD KEEPING**

The superintendent shall require each principal to maintain complete and accurate records of actions taken in his or her school to comply with this policy and applicable legal authority. Records shall include accounts of any education or training as may be required by law or State Board of Education policy.

The superintendent's annual report to the board on compliance with laws and policies related to student wellness shall include a report on the system's compliance with laws and policies related to concussions and head injuries. (See Section G of policy 6140, Student Wellness.)

Legal References: G.S. 115C-12(23); S.L. 2011-147

Cross References: Student Wellness (policy 6140)

Other Resources: Matthew Gfeller Sport-Related TBI Research Center at UNC website [http://tbicenter.unc.edu/MAG\\_Center/Home.html](http://tbicenter.unc.edu/MAG_Center/Home.html); *Report to the North Carolina General Assembly: Study of Sports Injuries at Middle School and High School Levels*, N.C. Department of Public Instruction (2011)

Adopted: