**Concussion Management Policy Booster: Board Adoption Required**

The Legislature enacted [**HF 2442**](https://www.legis.iowa.gov/legislation/BillBook?ga=87&ba=hf2442) **High School Collision Sports**, in the 2018 Legislative Session. The bill required school districts to take several actions regarding the management of concussion experiences for students in athletic activities and contests:

**Information Sheet to Parents:** Required districts to provide concussion information sheets to the parents of all 7-12 students and a signed form must be returned for participation in certain activities. Here’s the link to IDPH [form/information sheet](https://www.iahsaa.org/wp-content/uploads/2013/08/HEADS_UP_CONCUSSION_FACT_SHEET_0530121.pdf).

**School Board Policy:** Required school boards to adopt the protocol regarding removal from a contest for concussion/brain injury incidence and a Return-to-Learn plan based on guidance by the Brain Injury Association of America, in cooperation with the student, the student’s parents and health care provider, by July 1, 2019. That deadline is approaching. School board policy is timeless and communicates expectations to parents, students, coaches, staff and health care providers. Board policy is the best way for the board to adopt the protocols and plans as required.

The Iowa Department of Public Health developed the return to play protocols required in their administrative rules Chapter 641—[54.3](https://www.legis.iowa.gov/docs/iac/rule/12-19-2018.641.54.3.pdf)(280). A link to additional guidance from the DPH is found [here](https://idph.iowa.gov/Portals/1/userfiles/32/Iowa%20Concussion%20Guidelines%202017%20-%20electronic.pdf) which includes various examples of best practice that could be incorporated into staff or student handbooks and discussions in the district about implementation of the school board policy.

**Actions mandated by HF 2442:** requires a student to be removed from an extracurricular contest if the student shows any sign of brain injury. Defines the extracurricular contests as those sponsored by the High School Associations and identified as contact/limited contact by the American Academy of Pediatrics. Requires districts to have a licensed healthcare provider at athletic contests, including EMS workers, and includes provisions for continuing the contest if the provider cannot be there. Students with concussion are excluded from all defined activities, not just the one in which they were injured, until they are cleared by a health care professional, and the bill also prohibits a student from participating in a new activity until cleared

**Liability:** providesliability protections for schools that have adopted the mandated protocols for return to play/learn, if they have a licensed health care provider at contests (also provides liability for the health care provider if they are volunteering). Clarifies that liability protection continues if the district follows protocols, even if the healthcare professional does not make it to the game, as long as there is a prearranged agreement with the school district that the healthcare professional was supposed to be there and the reason they missed the game is documentable. *Note: there is no mandate to provide a health care professional at the contest, but the school board could add this requirement in the policy if preferred.*

We’ve attached a sample Board Policy to this Policy Booster for your reference. Contact margaret@iowaschoolfinance.com with questions.

***The “dot your I’s and cross your T’s” disclaimer:*** *This Policy Booster is not a substitute for legal advice, but rather, the impetus to get the local ball rolling. Check with your local school attorney and consider the impact this policy will have on other policies, handbooks, bargaining agreements, administrative procedures and forms in the district.*

Concussion Management 550.2 *Draft Policy*

The District considers concussions and head injuries serious matters, and will follow all laws and regulations regarding the identification and management of such injuries. The District shall provide annually to each parent or guardian of each student in grades seven through twelve a concussions and brain injury information sheet, as provided by the Iowa Department of Public Health, the Iowa High School Athletic Association, and the Iowa Girls High School Athletic Union. The student and the student’s parent or guardian shall sign the sheet and return it to the District prior to the student’s participation in any extra-curricular interscholastic activity.

If a student’s coach or activity sponsor observes signs, symptoms or behaviors consistent with a concussion or brain injury during an extra-curricular interscholastic activity, the student shall be immediately removed from the activity. Extra-curricular interscholastic activity means any dance or cheerleading activity or extracurricular interscholastic activity, contest or practice governed by the Iowa High School Athletic Association or the Iowa Girls High School Athletic Union that is a contact or limited contact activity as identified by the American Academy of Pediatrics.

The student’s parent or guardian shall be contacted as soon as possible following the injury, and told that the student cannot return to participate in the activity until evaluated by an appropriate health-care professional. The student shall not return to participate in the activity or practice on the same day of a concussion. The student shall not return to participation in an extracurricular interscholastic activity, contest or practice until a written clearance to participation signed by the appropriate health care provider is given to the district. The student shall be examined by an appropriate health-care professional the same day the injury occurs. A licensed health care provider means a physician, physician’s assistant, chiropractor, advanced registered nurse practitioner, nurse, physical therapist or licensed athletic trainer. There may be situations when the Iowa High School Athletic Association, Iowa Girls High School Athletic Union and/or the District specifically designates individuals to act as the health-care professional during an activity or event. In such situations, the Iowa High School Athletic Association’s, the Iowa Girls High School Athletic Union’s, and/or the District’s decision regarding the designation of the health-care professional is final. The written release shall be maintained as part of the student’s cumulative record.

For students who participate in an extracurricular interscholastic activity which is a contest in grades seven through twelve, the District shall adopt a return to play protocol consistent with the Department of Public Health’s rules and a return to learn plan based on guidance developed by the Brain Injury Association of America in cooperation with a student removed from participation in an extracurricular interscholastic activity and diagnosed with a concussion or brain injury, the student’s parent or guardian, and the student’s licensed health care provider to accommodate the student as the student returns to the classroom.