



## CONCUSSIONS AND SAN MATEO COUNTY HIGH SCHOOL SPORTS: MORE TO LEARN, MORE TO DO

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### ISSUE

What more can the County’s school districts do to reduce the serious consequences of concussions that occur during high school sports?

### SUMMARY

The risk from concussions incurred during organized sports is well established. Long-term physical and psychological ill-effects, including chronic traumatic encephalopathy (CTE), personality changes, depression, poor cognition, and even suicide may result. Concussions continue to occur in high school sports, including those in San Mateo County high schools. The 2014-2015 San Mateo County Civil Grand Jury reported on the issue of concussions in high school sports. Prompted by continuing research showing the risks of concussions and an interest in whether the recommendations of the previous Grand Jury report were followed, this Grand Jury has undertaken a re-examination of the issue.

Despite the recommendations of the 2014-2015 Grand Jury, this year’s Grand Jury found that much remains unchanged in local high schools. For example, staffing high risk sporting events with athletic trainers is incomplete, and school districts’ promises to report concussion data to a central County database remain unfulfilled. Examples from other high school programs locally and across the country demonstrate that progress can be made. For example, Michigan High School Athletic Association (MHSAA) has a statewide database of concussion information that has shown useful trends and lessons. The ConcussionSmartMarin.org program has established a common county-wide protocol that includes collection of concussion data. Although a primary goal for all high schools in San Mateo County should be to minimize the risks of concussions by careful execution of a well-considered “concussion protocol” and to make basic information about concussions public, progress towards those goals among the various San Mateo County high school districts has been uneven.

The 2018-2019 San Mateo Grand Jury recommends establishing a common San Mateo County concussion protocol across all the County high school districts.<sup>1</sup> The San Mateo County Office of Education (SMCOE) should assert leadership in this effort. The common concussion protocol needs to: (1) clarify both the specific responsibilities of those involved in the protocol and when the steps of the protocol need to be accomplished, (2) make neurocognitive testing an optional part of the protocol, (3) establish a county-wide database of concussions that can track the frequency and circumstances of concussions and track compliance with the protocol. Furthermore, the Grand Jury recommends that an annual summary of the database be published so that parents, students, and educators can be better informed on this important issue. Finally,

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<sup>1</sup> As used herein, the term “high school districts” refers not only to “union high school districts” which serve only students in grades 9-12, but also “unified school districts,” which serve students in grades 9-12 but also younger students.

the Grand Jury reiterates the 2015 recommendation that the school districts should provide certified athletic trainers at high risk sporting events, including all football games.

## **GLOSSARY**

California Interscholastic Federation (CIF) - An organization in the state to which five of the six San Mateo County High School Districts belong. CIF establishes rules and minimum standards governing interscholastic athletics (grades 9-12).

Centers for Disease Control and Prevention (CDC) - A US government agency that conducts and supports health promotion, prevention and preparedness activities in the United States, with the goal of improving overall public health.

Certified Athletic Trainer (CAT) - An athletic trainer certified by the National Athletic Trainers' Association. Certification requires completing certain levels of education, passing a test, and maintaining continuing education.

Chronic traumatic encephalopathy (CTE) - A neurodegenerative disease that is found in people who have suffered from chronic traumatic brain injury (TBI). A specific pattern of tau protein found at autopsy in the brain is required for the diagnosis.

ConcussionSmartMarin.org (CSM) - A collaboration among multiple organizations to help Marin County schools establish and carry out a concussion protocol and to help gather county-wide data on concussions.

ImPACT (Immediate Post-Concussion Assessment and Cognitive Testing) - A collection of neurocognitive assessments administered online in a controlled environment. It is owned by ImPACT Applications, Inc. It is a type of neurocognitive testing.

Licensed Health Care Provider, Licensed Health Care Professional - (LHCP). Licensed health care providers are trained in the evaluation and treatment of concussions/brain injuries and authorized to allow the athlete to return to play. The “scope of practice” for licensed health care providers and medical professionals is defined by California state statutes. This scope of practice limits the evaluation to a medical doctor (MD) or doctor of osteopathy (DO).<sup>2</sup>

Michigan High School Athletic Association (MHSAA) - A private, voluntary association for public, private, and parochial secondary schools in Michigan.

mild Traumatic Brain Injury (mTBI) - There is no universally accepted definition of mTBI. mTBI can be considered synonymous with concussion. One definition states: “any period of observed or self-reported: transient confusion, disorientation, or impaired consciousness;

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<sup>2</sup> California Interscholastic Federation website, “Constitution”, 2018-19.  
[http://www.cifstate.org/governance/constitution/Article\\_1.pdf](http://www.cifstate.org/governance/constitution/Article_1.pdf)

dysfunction of memory around the time of injury; loss of consciousness lasting less than 30 minutes” as well as “observed signs of neurological or neuropsychological dysfunction.”<sup>3</sup>

Neurocognitive testing (NCT) - also called neuropsychological testing - A comprehensive evaluation of a person’s cognitive status by specific neurologic domains, including, but not necessarily limited to, memory, attention, problem solving, language, visuospatial, processing speed, motor, and emotion and may be administered by either pen and paper or by computer. NCT generally requires a neuropsychologist for interpretation but can be administered by others.

Peninsula Athletic League (PAL) - The Peninsula Athletic League is a 17 member league of schools from Atherton to Daly City.<sup>4</sup>

SCAT- The SCAT 5 (or 3) is a standardized tool for evaluation of injured athletes for concussion and can be used in athletes aged 13 years and older.<sup>5</sup> It is a type of neurocognitive testing.

Standard of Care - A practice of medical care that is defined by a professional organization, such as the CDC or the American Academy of Pediatrics.

Traumatic Brain Injury (TBI). There is no universally accepted definition of TBI. One version from the CDC states a disruption in the normal function of the brain that can be caused by a bump, blow, or jolt to the head, or penetrating head injury.

## BACKGROUND

An autopsy exam of the brain of Pittsburgh Steeler star Mike Webster by Dr. Bennett Omalu helped establish the diagnosis of chronic traumatic encephalopathy (CTE) following football head injuries.<sup>6</sup> A player’s love for football can compound the tragedy of CTE, and sometimes disaster can occur at a young age, such as death at 25.<sup>7</sup> Other sports where concussions occur can have similar outcomes. For example, Kelly Catlin, a Stanford student and Olympic cyclist, died by suicide at age 23, preceded by personality changes following a concussion.<sup>8</sup> CTE remains a diagnosis that cannot be made before death,<sup>9</sup> nor does any current test predict those who will develop CTE from head injuries.<sup>10</sup>

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<sup>3</sup> C. Prince & M. Bruhns, “Evaluation and Treatment of Mild Traumatic Brain Injury: The Role of Neuropsychology”, *Brain Sci*, 7, 2017, 105-119. <https://www.mdpi.com/2076-3425/7/8/105/pdf>

<sup>4</sup> Peninsula Athletic League website, <http://www.smcoe.org/parents-and-students/peninsula-athletic-league/>

<sup>5</sup> BJSM Online First, “SCAT5 Sport Concussion Assessment Tool-5th Edition”, April 26, 2017, <https://bjsm.bmj.com/content/bjsports/early/2017/04/26/bjsports-2017-097506SCAT5.full.pdf>

<sup>6</sup> B. I. Omalu, S. DeKosky, R. Minster, & al., “Chronic traumatic encephalopathy in a National Football League player”, *Neurosurgery*, July 1, 2005, 128-134.

<sup>7</sup> T. Leonard, “Moms take on football, suing Pop Warner for their sons’ head trauma, deaths”, *San Diego Union Tribune*, January 28, 2018. <https://www.sandiegouniontribune.com/sports/sd-sp-moms-sue-pop-warner-for-cte-damage-20180128-story.html>

<sup>8</sup> C. Boren, “Cyclist Kelly Catlin’s family donates her brain for concussion research”, *Washington Post*, March 13, 2019. [https://www.washingtonpost.com/sports/2019/03/12/cyclist-kelly-catlins-family-donates-her-brain-concussion-research/?utm\\_term=.b668faf3024d](https://www.washingtonpost.com/sports/2019/03/12/cyclist-kelly-catlins-family-donates-her-brain-concussion-research/?utm_term=.b668faf3024d)

<sup>9</sup> A. Ropper, “Links in the Chain of Chronic Traumatic Encephalopathy”, *NEJM* 380, May 2, 2019, 1771-1772.

<sup>10</sup> R. Stern, C. Adler, K. Chen & al., “Tau Positron-Emission Tomography in Former National Football League Players”, *NEJM*, 380, May 2, 2019, 1716-1725.

The number of concussions in adolescents in the United States is enormous. Estimates are that from 300,000<sup>11</sup> to as many as 3.8 million concussions<sup>12</sup> occur in the USA each year during competitive sports. The acute recovery from mild traumatic brain injury (mTBI) is fairly rapid in most adolescents, though in girls more slowly than in boys, Figure 1.<sup>13</sup>

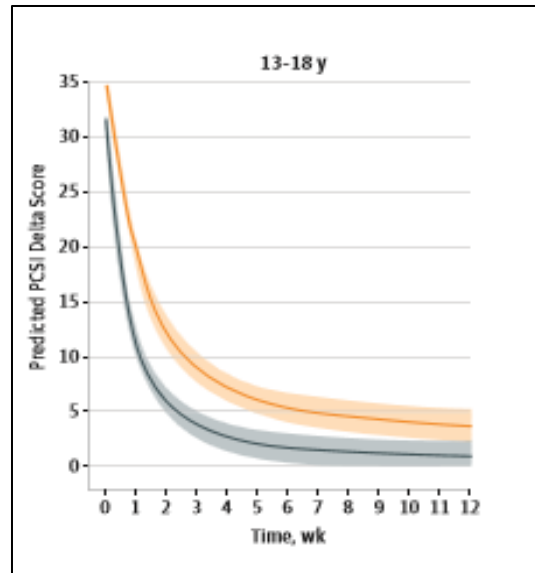


Figure 1: Recovery from mTBI using the delta score, defined as the difference between the current rating and the preinjury rating of the Post-concussion Symptom Inventory (PCSI). Upper curve is girls, lower is boys.<sup>14</sup>

While most athletes recover from mTBI, a small fraction, poorly determined at present, suffers longer term chronic symptoms, especially after repeated injury. The range of post-mTBI psychological changes include PTSD (post-traumatic stress disorder), depression, decreased cognitive performance, personality changes, drug abuse, and suicide.<sup>15,16</sup> Prospective long-term studies on the effects of mTBI are in progress, which may clarify the fraction of those suffering longer term effects of mTBI.<sup>17</sup> While serious long-term effects may follow an mTBI,<sup>18</sup> the direct

<sup>11</sup> L. Gessel, S. Fields & C. Collins, “Concussions Among United States High School and Collegiate Athletes”, *J of Athletic Training*, 42(4), December 2007.495-503.

<sup>12</sup> K. Harmon, J. Clugston, K. Dec & al., “American Medical Society for Sports Medicine position statement on concussion in sport”, *Br. J Sports Med*, 53, 2019, 213-225.

<sup>13</sup> A. Ledoux, K. Tang K. Yeates & al., “Natural Progression of Symptom Change and Recovery From Concussion in a Pediatric Population”, *JAMA Pediatrics*, 173(1), January 7, 2019, 1-11.

<sup>14</sup> *Ibid.*

<sup>15</sup> E. Kim, E. Lauterbach, A. Reeve & al., “Neuropsychiatric Complications of Traumatic Brain Injury”, *J. Neuropsychiatry Clin. Neurosciences*, 19(2), 2007, 106-127.

<sup>16</sup> T. Madsen, A. Erlangsen, S. Orlovska, & al., “Association Between Traumatic Brain Injury and Risk of Suicide”, *JAMA*, 320(6), 2018, 580-588.

<sup>17</sup> M. McCrea & G. Manley, “State of the Science on Pediatric Mild Traumatic Brain Injury: Progress Toward Clinical Translation”, *JAMA Pediatrics*, 172(11), November 2018.

<sup>18</sup> *Ibid.*



cause of these effects remains difficult to prove, especially for individual cases.<sup>19</sup> Another area of great medical need, optimal treatment for mTBI,<sup>20</sup> is beyond the scope of this report.

Since the risks of athletics-related concussions have become clear, California has regulated concussion management in high school sports with specific emphasis on football, (AB 2127 [2014]).<sup>21</sup> The statute sets forth the required training of coaches, the timing for return to play after an injury, limitations on practice time, as well as other aspects of managing high school sports with respect to concussion risk. In response, schools and high school districts adopted “concussion protocols” that set out how these requirements are to be fulfilled. These protocols define the school districts’ policies and are critically important in understanding how student athletes may fare with respect to concussions.

### **Certified athletic trainers (CATs) and their roles in concussion protocols**

The American Medical Association has long endorsed the presence of certified athletic trainers (CATs) at high school sports.<sup>22</sup> The American Academy of Family Practice<sup>23</sup> has a similar recommendation.<sup>24</sup> The range of services that a CAT can provide is broad: (1) developing and implementing emergency action plans and pre-season conditioning programs, (2) advising on safety of equipment, weather, and field conditions, (3) providing first response to and triage of acute injuries, (4) implementing treatment and rehabilitation for injured athletes, and (5) determining readiness for return-to-play after injury.<sup>25</sup> The CAT is often the first healthcare professional to respond to an injury and can focus on the injured student, unlike the coach who must supervise others in the game. The CAT often can carry out key steps of the concussion protocol, such as communicating with parents, physicians, and teachers, and supervising return to play. One study found there were more injuries and more recurrent injuries in schools without athletic trainers than those with athletic trainers.<sup>26</sup>

California is unique among the 50 states and the District of Columbia in that it has no mechanism to certify the qualifications of athletic trainers.<sup>27</sup> Legislation is now being considered to remedy that (AB 3110 [2020]).<sup>28</sup> Nevertheless, colleges in California train athletic trainers, and there are national and state associations (National Athletic Trainer’s Association, the

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<sup>19</sup> L. Goldstein & R. Diaz-Arrastia, “Traumatic Brain Injury and Risk of Suicide”, JAMA, 320(6), August 14, 2018, 554-555.

<sup>20</sup> Ibid.

<sup>21</sup> State of California, “AB 2127, Cooley. Interscholastic sports: full-contact football practices: concussions and head injuries”, 2014. [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201320140AB2127](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB2127)

<sup>22</sup> American Medical Association, “Policy Policy H-470.995”, 1998  
[https://www.nata.org/sites/default/files/ama\\_recommendation.pdf](https://www.nata.org/sites/default/files/ama_recommendation.pdf)

<sup>23</sup> The American Academy of Family Practice provides board certification of family practitioners in the US, thereby maintaining the quality of that medical subspecialty.

<sup>24</sup> Athletic Trainers for High School Athletes website. <https://www.aafp.org/about/policies/all/sports-medicine-trainers.html>

<sup>25</sup> L. Pierpoint, C. LaBelle, C. Collins & al., “Injuries in girls' soccer and basketball: a comparison of high schools with and without athletic trainers”, Injury Epidemiology, 5, 2018, 29-37.

<sup>26</sup> Ibid.

<sup>27</sup> Chris Mullin, “Former Warrior Chris Mullin calls for licensing athletic trainers”, The Mercury News, March 22, 2019. <https://www.mercurynews.com/2019/03/22/former-warrior-chris-mullin-calls-for-licensing-athletic-trainers/>

<sup>28</sup> State of California, “AB 3110, as amended, Mullin. Athletic Trainers”, 2018.  
[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180AB3110](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB3110)

California Athletic Association) that certify athletic trainers based on their education, training, and expertise as demonstrated by passing a test, and continuing education.<sup>29,30</sup>

### **Neurocognitive tests (NCT) in the diagnosis and care of concussions**

NCT at baseline and following head injury was recommended by the 2014-2015 Grand Jury report on concussions (R1).<sup>31</sup> However, several reasons justify changing this recommendation. While it may appear to be common sense to evaluate head injury with a neurological test and to compare that test with a baseline test before injury, doing that in practice is not straightforward and requires training and expertise not routinely available to high school sports programs.<sup>32</sup> While the administration of ImPACT can be done on any laptop or desktop computer, “ImPACT is intended to be used by medical professionals qualified to interpret the results of a concussion assessment examination and aid in the management of concussion.”<sup>33</sup> A recent technical study on ImPACT testing made clear that the interpretation of the NCT requires a specialist’s evaluation.<sup>34</sup> The NCT, SCAT5, has been used as a sideline evaluation tool of concussions (including Cabrillo Unified as will be discussed below), but when it is used, who interprets the results, if a baseline comparison has been done, how the comparison is made, and how that information is integrated into the clinical observations can all affect the usefulness of the test.<sup>35,36</sup> For example, the use of SCAT5 by non-medical staff is against the published directions of the test.<sup>37</sup> Requiring NCT at baseline and after injury goes beyond the recommendations of the Centers for Disease Control (CDC)<sup>38</sup> and the American Medical Society for Sports Medicine.<sup>39</sup> “Baseline testing may be useful in some cases, but is not necessary, required, or an accepted standard of care for the appropriate management of SRC (Sport Related Concussion).”<sup>40</sup> Although the CDC position is, “Healthcare professionals may use validated, age-appropriate computerized cognitive testing in the acute period of injury as a component of the diagnosis of

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<sup>29</sup> National Athletic Trainer's Association (NATA) website. <https://www.nata.org/>

<sup>30</sup> California Athletic Trainers' Association (CATA) website. <https://ca-at.org/>

<sup>31</sup> San Mateo County Civil Grand Jury, 2014-15, “Athletes at Risk: Are San Mateo County High Schools Safeguarding Athletes from Serious Head Trauma?”, 2015. [https://www.sanmateocourt.org/documents/grand\\_jury/2014/head\\_injury.pdf](https://www.sanmateocourt.org/documents/grand_jury/2014/head_injury.pdf)

<sup>32</sup> P. Schatz, JE Pardini, MR Lovell, & al., “Sensitivity and Specificity of the ImPact Test Battery for concussion in athletes”, Arch Clin Neuropsychol, 2006, 91-99.

<sup>33</sup> ImPACT Applications, Inc, “ImPACT Administration and Interpretation Manual”, 2016. <https://pulse-static-files.s3.amazonaws.com/ecb/document/2017/02/07/a05aa3da-93d7-4fff-b9cb-2fb3a89c960f/IMPACT-interpretation-manual.pdf>

<sup>34</sup>“These recommendations, combined with the complex nature of the clinical diagnosis of concussion, highlight the necessity of concussion programs to include members who have advanced knowledge of psychometric testing and performance validity assessment in addition to knowledge of management of concussion.” C.A. Abeare, I.Messa, B. Zuccato, & al., “Prevalence of Invalid Performance on Baseline Testing for Sport-Related Concussion by Age and Validity Indicator”, JAMA Neurology, 2018, 697-703.

<sup>35</sup> Ibid.

<sup>36</sup> Supra, Note 32.

<sup>37</sup> Supra, Note 5.

<sup>38</sup> A. Lumba-Brown, K. Yeates, K. Sarmiento, & al., “Centers for Disease Control and Prevention Guideline on the Diagnosis and Management of Mild Traumatic Brain Injury Among Children”, JAMA Pediatrics, September 4, 2018, E1-E13.

<sup>39</sup> Supra, Note 12.

<sup>40</sup> Ibid.

mTBI,”<sup>41</sup> there is no recommendation to use it as a standard of care.<sup>42</sup> A medical expert, who leads an area clinic specializing in sports-related concussion, expressed her medical judgment that NCT at baseline and after head injury is not required nor essential; however, NCT at baseline and post injury can be a useful piece of data in evaluation and treatment of a patient with a sports-related concussion.<sup>43</sup>

### **Data collection for concussions in organized school sports.**

Many questions about the risks of concussions in athletics remain incompletely answered. Which sports are the most dangerous? How much more dangerous are multiple concussions? Do laws limiting contact during football practice lead to fewer concussions? Are the risks of concussions decreasing or increasing? Only by collecting data on the frequency of concussions in each sport, the circumstances of the injury, and the relationships between risk factors and outcomes will the public be informed about the risk of high school sports. This information may also suggest ways to decrease those risks and indicate whether changes in protocols and rules may be helping. Getting answers will help each parent and student answer the key question: Are the benefits of playing a sport greater than the risks?

The NFL has reluctantly adopted plans to collect data.<sup>44</sup> Some college leagues are proactively collecting data and now can show that a simple rule change -- shortening the field during kickoffs -- has reduced concussions.<sup>45</sup> Starting in the 2015-2016 school year, the Michigan High School Athletic Association (MHSAA) required all high schools report head injuries to the MHSAA through an online reporting system.<sup>46</sup> The MHSAA data collection asks for information about the student (i.e., grade, gender, level, and sport), the injury event, the medical examiner, the date the student is authorized to return to play, and any missed school.<sup>47</sup> Furthermore, summaries of the data have been published. One of the lessons learned is that girls are at higher risk for concussions for sports, such as soccer and basketball, that have the same rules for boys and girls.<sup>48</sup> All of these processes to collect data have safeguards to protect the privacy of the individuals involved.

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<sup>41</sup> Supra, Note 38.

<sup>42</sup> Ibid.

<sup>43</sup> Grand Jury interview with local medical expert.

<sup>44</sup> New York Times, “Decoding the N.F.L. Database to Find 100 Missing Concussions”, March 24, 2016.

<https://www.nytimes.com/2016/03/25/sports/football/at-least-100-concussions-left-out-of-nfl-studies.html>

<sup>45</sup> D. Wiebe, B. D'Alonzo, R. Harris, & al., “Association Between the Experimental Kickoff Rule and Concussion Rates in Ivy League Football”, JAMA, 320(19), November 20, 2018, 2035-2036.

<sup>46</sup> Michigan High School Athletic Association, “MHSAA Report Shows Reduction in Concussions During 2017-18 School Year”, August 8, 2018. <https://www.mhsaa.com/News/Press-Releases/articleType/ArticleView/articleId/7441/MHSAA-Report-Shows-Reduction-in-Concussions-During-2017-18-School-Year>

<sup>47</sup> Michigan High School Athletic Association, "Summary Report: Michigan High School Athletic Association head injury reporting system 2015-2017 School Year", 2017,

<https://www.mhsaa.com/portals/0/Documents/health%20safety/concussionreport1516.pdf>

<sup>48</sup> A. Bretzin, T. Covassin, M. Fox, & al., “Sex Differences in the Clinical Incidence of Concussions, Missed School Days, and Time Loss in High School Student-Athletes”, American J of Sports Med, 2018, 2263-2269.

## How do sports vary as to risk of head injury?

Data for the risk of head injury for different high school sports comes from the Michigan data.<sup>49,50</sup> Tables 1 and 2 show a summary of two years of data for the sports with the highest number of head injuries. Boys football has by far the highest risk (by rate - more than 40 injuries per thousand participants - and numerically, data not shown but can be derived). For girls, soccer is the sport with the highest potential for a head injury (28 or 25 injuries per thousand participants). For boys, ice hockey (not available in San Mateo County) and wrestling also have rates of head injury greater than 20 per thousand participants. For girls, basketball, cheer (cheerleading), and lacrosse have similar rates (around 20 per thousand participants).

Table 1: Girls sports concussion by prevalence from Michigan in order of frequency

Order	Sport	2016-2017		2017-2018	
		Participants	Head Injury Reports per thousand	Participants	Head Injury Reports per thousand
1	Soccer	13,212	28	13,216	25
2	Basketball	15,896	23	15,654	20
3	Cheer	6,720	22	6,715	20
4	Lacrosse	2,814	20	2,900	20
5	Gymnastics	636	13	702	16
6	Volleyball	19,067	9	19,416	9
7	Softball	13,641	11	13,610	7

Table 2: Boys sports concussion by prevalence from Michigan in order of frequency

Order	Sport	2016-2017		2017-2018	
		Participants	Head Injury Reports per thousand	Participants	Head Injury Reports per thousand
1	Football	36,571	45	35,583	41
2	Ice hockey	3,411	36	3,365	32
3	Wrestling	9,598	26	9,397	25
4	Lacrosse	5,114	18	5,168	17
5	Soccer	14,630	14	14,619	12
6	Basketball	21,267	8	21,372	9
7	Baseball	17,998	4	17,675	3

**A regional model for a common concussion protocol is found in Marin County: ConcussionSmartMarin.org.<sup>51</sup>**

<sup>49</sup> Michigan High School Athletic Association, "Summary Report: Michigan High School Athletic Association head injury reporting system 2017-2018 School Year", 2018.

<https://www.mhsaa.com/portals/0/Documents/health%20safety/concussionreport1718.pdf>

<sup>50</sup> Michigan High School Athletic Association, "Summary Report: Michigan High School Athletic Association head injury reporting system 2016-2017 School Year", 2017.

<https://www.mhsaa.com/portals/0/Documents/health%20safety/concussionreport1617.pdf>

<sup>51</sup> ConcussionSmartMarin.org website. <https://www.concussionsmartmarin.org/>

In Marin County, ConcussionSmartMarin.org (CSM), a coalition of school districts, local medical experts, health systems, and other interested parties has worked together since 2017 to decrease the risks following concussions in the county high schools and to “coordinate county-wide protocols for educating, reporting and treating concussions among Marin’s student athletes.”<sup>52</sup> CSM has helped respond to the recommendations of a Marin County Civil Grand Jury Report on concussions in high schools in 2016<sup>53</sup> and a follow-up report in 2018.<sup>54</sup> The Marin County Office of Education (MCOE) was key in establishing the collaboration, and the county office’s Director of Education Services has been a leader of the program.<sup>55</sup> CSM functions as a collaboration, and the MCOE does not dictate policy. The collaboration has written a protocol which is detailed, practical, and can be updated or revised as necessary.<sup>56,57</sup> This protocol was being applied across the district in 2018.<sup>58</sup> The CSM website includes the protocol and documents supporting the protocol (Appendix B) that could be used as a model for San Mateo County.<sup>59</sup> The protocol has a detailed flow map of the steps that need to be followed, separating steps done by school personnel, by parents, and by Licensed Health Care Providers. There is also a detailed list of documents that are used at different steps of the process.

ConcussionSmartMarin.org has also helped all of their high schools collect data on concussions.<sup>60</sup> The MCOE performs the centralized data collection. The data they collect for each event is shown in Appendix B. A preliminary analysis of their data has been posted on their website,<sup>61</sup> and more complete analyses are in progress.<sup>62</sup>

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<sup>52</sup> The organizations include Kaiser Permanente, Marin Athletic Foundation, Marin County Office of Education, Marin County School Nurses, Marin County Health and Human Services, Marin General Hospital, Novato Community Hospital, Schurig Center for Brain Injury Recovery and Certified Athletic Trainers in the schools

<sup>53</sup> Marin County Civil Grand Jury 2015-16, “Head injuries and concussions: Are our high schools keeping our children safe?”, 2016. <https://www.marincounty.org/-/media/files/departments/gj/reports-responses/2015/head-injuries-and-concussions.pdf?la=en>

<sup>54</sup> Marin County Civil Grand Jury 2017-18, “Head injuries and concussions: Are our high schools keeping our children safe? A Follow-Up”, 2018. <https://www.marincounty.org/-/media/files/departments/gj/reports-responses/2017-18/head-injuries-and-concussions-a-followup.pdf?la=en>

<sup>55</sup> M. Volain, “Marin schools focus on concussions as football participation declines”, Marin Independent Journal, August 29, 2018. <https://www.marinij.com/2018/08/25/marin-schools-focus-on-concussions-as-football-participation-declines/>

<sup>56</sup> Ibid.

<sup>57</sup> Interview with CSM leaders.

<sup>58</sup> Ibid.

<sup>59</sup> Supra, Note 51.

<sup>60</sup> Interview with CSM leaders.

<sup>61</sup> ConcussionSmartMarin.org, “Marin County High School Athlete Concussion Data,” <https://www.concussionsmartmarin.org/student-concussion-data>

<sup>62</sup> Interview with CSM leaders.

## DISCUSSION

### **The 2014-2015 Grand Jury report on concussions and responses from San Mateo School Districts.**

The 2014-2015 Civil Grand Jury of San Mateo County issued a report titled: “Athletes at Risk: Are San Mateo County High Schools Safeguarding Athletes From Serious Head Trauma?”<sup>63</sup> There were three recommendations: school districts should (1) provide athletic trainers, (2) conduct neurocognitive testing pre- and post-head injury, and (3) maintain data on concussions at the district level and report such data in an anonymized format to the Peninsula Athletic League (PAL). The school districts, to whom the report was directed, responded to each finding and recommendation. The six San Mateo County (SMC) districts with high schools<sup>64</sup> were in general agreement with the report’s finding that athletic trainers provide a valuable service in protecting student athletes. Despite this agreement, only two districts, San Mateo Union and Sequoia Union, agreed to provide part-time athletic trainers for some sporting events. Four responded that they would decide after four months of evaluation. With respect to neurocognitive testing (NCT), there was general disagreement with the finding that the cost of NCT was “minimal.” For the recommendation that NCT be done at baseline and after head injury, two districts, San Mateo Union and Sequoia Union, said they already conduct pre- and post-injury NCT, and the other four said they would decide after six months of evaluation. (Details of these six month evaluations are not known but the outcomes of those evaluations are described below in the current status of these recommendations at the six high school districts.) With respect to the recommendation that data on concussions be collected at the district level, all districts reported they maintain data and are willing to submit it to the Peninsula Athletic League (PAL). Of note, in the last three years, PAL has not been consulted by a school district on centralizing concussion data nor has it been provided with any concussion data.<sup>65</sup>

### **What are the San Mateo County High School Districts doing about concussions now, and is there a role for the San Mateo County Office of Education (SMCOE)?**

Currently, the individual districts formulate and implement concussion policies. The SMCOE is not involved with these policies.<sup>66</sup>

However, on a strategic level, the SMCOE describes its role to enhance the capabilities of school districts in a broad range of areas: Quoting the Strategic Plan 2016-2021 of the SMCOE, “...few [of the school districts in San Mateo County] have the bandwidth or regional perspective of the County Office of Education. Individually, schools and districts lack the platform to frame the agenda for widespread change. SMCOE works to understand district challenges and priorities in order to provide operational services and program support to all 23 school districts in the county. It is the hub of educational *information and data* [emphasis added]... The SMCOE advocates for effective policies, provides seminal thought leadership, offers district access to the best

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<sup>63</sup> Supra, Note 31.

<sup>64</sup> San Mateo County has 3 high school districts (Jefferson Union High School District, San Mateo Union High School District, Sequoia Union High School District) and 3 Unified school districts that include high schools (Cabrillo Unified School District, La Honda-Pescadero Unified School District, South San Francisco Unified School District).

<sup>65</sup> Interview PAL official.

<sup>66</sup> Interview with SMCOE leader and responses to survey.



information possible, enhances district-wide practices, and supports operational efficiencies....”<sup>67</sup> Through its “Safe and Supportive Schools” initiative, SMCOE has expanded its leadership into areas broader than traditionally classroom activities. These efforts include establishing common immediate response safety protocols, “The Big Five,”<sup>68</sup> across the County.

## **Grand Jury Survey to San Mateo County High School Districts**

The Grand Jury sent a survey to the six high school districts in San Mateo County to learn about their current policies regarding concussions. The questionnaire is found in Appendix A. The following discussion is based on written responses.<sup>69</sup>

### **A. General sources of policies**

Five of the high school districts – Cabrillo Unified, Jefferson Union, San Mateo Union, Sequoia Union, South San Francisco Unified -- are members of California Interscholastic Federation (CIF). As members of CIF, they use CIF as the starting point for their policies, but may have additional policies in their concussion protocols.<sup>70</sup> La Honda-Pescadero Unified is not a CIF member, and while it uses the CIF forms, it also uses its own basic concussion-related forms.<sup>71</sup> In summary, the school districts use a range of forms and information that come from a range of different sources.

### **B. Are there notable omissions in the districts’ concussion policies?**

Based on the Grand Jury survey, the 2018-2019 Grand Jury found examples of important deficiencies in the districts’ concussion policies.<sup>72</sup> The following are examples of information not explicitly stated in some (1-4 below) or all (5) of the districts’ concussion protocols, along with the Grand Jury’s view of the importance of that information:

1. Who makes the initial observation of possible concussion (trainer, coach, or others including parents)? If a parent is aware of a head injury that occurs either in school or outside of school, it is important that the school be made aware so that the appropriate Return-to-Play/ Return-to-Learn (RTP/RTL) protocols can be put into place.
2. What is the process for notifying parents of a possible concussion, including what forms are used, who contacts the parents, and when does this notification need to occur? This is an important step with important details that needs to occur within a window after the injury to make sure appropriate follow-up is done, including an evaluation by a LHCP.

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<sup>67</sup> San Mateo County Office of Education, “Excellence and Equity in Education”, 2015.

<http://www.smcoe.org/assets/files/about-smcoe/strategic-plan/SMCOE%20Strategic%20Plan.pdf>

<sup>68</sup> San Mateo County Office of Education, “The Big Five - School Emergency Guidelines”, 2019.

<http://www.smcoe.org/learning-and-leadership/safe-and-supportive-schools/the-big-five.html>

<sup>69</sup> Responses to Grand Jury survey.

<sup>70</sup> Supra, Note 2.

<sup>71</sup> Pescadero High/Middle School, “Athletic Packet”, August 15, 2018.

<https://www.lhpUSD.com/site/handlers/filedownload.ashx?moduleinstanceid=2163&dataid=2319&FileName=Athletic%20Packet.pdf>

<sup>72</sup> Note that in Appendix B, the flow diagram from ConcussionSmartMarin.org outlines the steps in 1-2 below.

3. If neurocognitive testing (NCT) is part of the concussion protocol, when tests are to be done, who interprets the test results, and how the test results impact on subsequent events need to be described and should be consistent with the instructions specified by the test provider. Without those parameters being defined, the utility of the tests cannot be justified.
4. Is there a formal process to track compliance with the concussion protocol? This would entail documenting for each student who has had a suspected concussion whether each important step of the concussion protocol is followed and by whom. For example, is there a mechanism to track if the Return-to-Play protocol followed the timing as required by law? It is not enough to have rules; it is also important that records are kept to document whether those rules are followed.
5. While there may be records kept for whether the student has had previous concussions, is there a policy to restrict athletic participation for multiple concussions? Given the higher risks of long term problems following multiple concussions,<sup>73</sup> this is important to specify.<sup>74</sup>

**C. Which are high-risk sports and are there any special considerations for high-risk sports?**

For five of the six high school districts surveyed, there is no designation of high-risk. The one exception, Cabrillo Unified, designates football, soccer, wrestling, and basketball as high-risk. For those high risk sports, a CAT is present at games and at football practice in that school district.

**D. Is neurocognitive testing (NCT) required at baseline or after head injury, and if so, which one is used?**

San Mateo Union requires ImpACT testing as a baseline and after head injury. Sequoia Union does not require that athletes have a baseline ImpACT testing; however, ImpACT testing is given to football, water polo and volleyball teams, and if a baseline test has been done, additional testing is done after head injury. Within this district some high schools, e.g., Menlo-Atherton High School, make baseline ImpACT testing a requirement.<sup>75</sup> Cabrillo Unified does not require baseline or post-injury NCT but the NCT, SCAT5, is strongly encouraged. The other districts do not use NCT at baseline or after injury.

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<sup>73</sup> “Although studies of the effects of multiple concussions on cognitive function and symptom presentation have had mixed results, more studies report unfavorable changes than do not....Athletes with a history of concussion may have more severe subsequent concussions and may take longer to recover.” F.P. Rivara, M.A. Ford, & al., “5 Consequences of Repetitive Head Impacts and Multiple Concussions” in *Sports-Related Concussions in Youth: Improving the Science, Changing the Culture*, ed. National Research Council (The National Academies Press, 2014), 203-238.

<sup>74</sup>A CAT interviewed by GJ stated that a student suffering two concussions in one year should not continue to play.

<sup>75</sup> Interview with Menlo-Atherton High School official.

## **E. Data reporting for San Mateo County high schools**

Despite the recommendation in the 2014-2015 Grand Jury report that the school districts maintain data on concussions and despite all of the school districts' stated willingness to collect and report the data to the PAL, this is not being done.<sup>76</sup> Jefferson Union does not collect any data. San Mateo Union has each high school collect data independently. South San Francisco Unified has each coach collect data. Sequoia Union has each of its high schools track concussion data independently and there is no centralized data. There are plans for Sequoia Union to work with Lucile Salter Packard Children's Hospital to collect district-wide concussion data.<sup>77</sup> Cabrillo Unified has an online database that tracks injuries. La Honda-Pescadero Unified reported no concussions in the last three years.<sup>78</sup> No district reports their data to a centralized site, with the exception of La Honda-Pescadero Unified, where all injuries are reported on Incident Reports to the district.

## **F. Athletic trainers in San Mateo County high schools**

Of the six high school districts, three do not provide any certified athletic trainers (CATs): Jefferson Union, South San Francisco Unified, La Honda-Pescadero Unified. While Pescadero High School is very small (92 students) with a limited athletic program, both Jefferson Union and South San Francisco Unified have multiple large high schools with large athletic programs that include football. As a result, higher risk events such as football games may not be covered by CATs unless one is provided by the opposing team from outside the district. One response to the Grand Jury survey pointed out that while CATs are not present at football games, Emergency Medical Technicians (EMTs) are present. However, EMTs and CATs have very different training and responsibilities and EMTs have no role in the execution of concussion protocols. Three other districts have CATs at each of their high schools with athletic programs - Cabrillo Unified, San Mateo Union, and Sequoia Union.

## **CONCLUSION**

This Grand Jury has re-evaluated the findings from the 2014-2015 Grand Jury report. As mentioned above, current science states that NCT can be helpful in the diagnosis of concussions, but the current standards of care do not recommend the routine use of these tests at baseline or after head injury, and complexities in the execution and interpretation of these tests make their use difficult.<sup>79</sup> In addition, the concerns of the school districts about costs of these tests make clear that part of the reason for not doing the tests is cost.<sup>80</sup> Therefore the Grand Jury no longer recommends the use of NCT as a standard part of a concussion protocol.<sup>81</sup>

The Grand Jury determined that current practices to protect against concussion risks in San Mateo County high schools remain highly variable from school to school and district to district.

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<sup>76</sup> Responses from survey.

<sup>77</sup> Communication with Sequoia Union.

<sup>78</sup> Responses from survey.

<sup>79</sup> Supra, Note 34.

<sup>80</sup> Supra, Note 31.

<sup>81</sup> A concussion specialist interviewed by the Grand Jury and the current Marin County concussion protocol agreed with this conclusion.

Moreover, the protocols are inadequate as can be seen in comparison to ConcussionSmartMarin's more complete and well-defined protocol (Appendix B). To bring all of the high schools up to a consistent high standard, the Grand Jury recommends that a common San Mateo County concussion protocol be adopted by all of the County high school districts.

This San Mateo County concussion protocol needs to specify a process of concussion data collection for all high school sports. The data collected should also include district-wide information such as the number of participants in each sport, as well as information about each head injury event. For example, the ConcussionSmartMarin data elements are shown in Appendix B. All of these processes to collect data need safeguards to protect the privacy of the individuals involved. Because the number of events from individual schools and individual districts is generally small, these data need to be collected centrally as recommended by the previous Grand Jury report. A summary report needs to be made public annually to inform and educate the public.

Reviewing the standards of care for athletic trainers, the Grand Jury still agrees strongly that certified athletic trainers (CATs) are useful to help decrease the risks following mTBI. Nevertheless, the Grand Jury recognizes that cost may be a factor.<sup>82</sup> From discussions with PAL and CATs, various strategies could be used to mitigate the expense of a CAT, such as using visiting team CATs or seeking part-time CATs supported by local health organizations.<sup>83</sup>

## **FINDINGS**

- F1. Concussions in high school athletics have potential serious negative health consequences, both short-term and long-term.
- F2. Concussion protocols describe what must happen following a suspected concussion and can ensure students complete the required legal and medical steps following an injury.
- F3. Each San Mateo County (SMC) high school district and unified school district is responsible for its own concussion protocol, and these vary from district to district and even school to school.
- F4. Responses to the 2018-2019 Grand Jury survey show that existing concussion protocols are inadequate because of omissions and lack of clarity on what to do after a suspected concussion.
- F5. None of the SMC current school district concussion protocols provided to the Grand Jury in response to its survey have a mechanism to track compliance.

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<sup>82</sup> An estimate from Salary.com (<https://www.salary.com/>) is that a certified AT earns approximately \$50,000/year. Generally, CATs cover all the athletic events at a high school and cannot be present at all events, thus requiring judgment to decide which events to cover as described in interviews.

<sup>83</sup> Grand Jury interviews.

- F6. The San Mateo County Office of Education (SMCOE) currently has no role in writing or implementing concussion protocols.
- F7. The SMCOE has expressed in their Strategic Plan,<sup>84</sup> and in their “Safe and Supportive Schools” programs, the vision that the SMCOE could encompass a leadership position in areas broader than traditional classroom activities. One area where the SMCOE could assume a leadership position is in raising the level of concussion care in the County high schools.
- F8. ConcussionSmartMarin (CSM) provides a regional example of a concussion protocol that includes detailed steps to be followed when a possible concussion injury is observed and provides a process for collecting county-wide concussion data.
- F9. Neurocognitive testing (NCT) may contribute to the diagnosis of mild traumatic brain injury, but multiple complexities compromise its use in practice, either at baseline or after head injury. If NCT is used as part of a concussion protocol, clear guidelines should be written to describe how tests are interpreted and who should interpret them, which does not appear to be the case in the districts that use them.
- F10. The availability of county-wide data on concussions summarized across sports and across high school districts can lead to more informed individual decisions by students and parents on concussion risks and allow for tracking of whether changes in sporting rules or concussion assessment practices decrease concussion risks over time.
- F11. There is no county-wide database across all districts of SMC that tracks the frequency and circumstances of concussion data in high school sports.
- F12. Certified athletic trainers (CATs) are trained in all aspects of carrying out concussion protocols. Their availability or presence on the field at the time of a concussion event is a valuable resource to decrease the consequences of concussions.
- F13. Three SMC high school districts do not provide athletic trainers: Jefferson Union, South San Francisco Unified, and La Honda-Pescadero Unified. Jefferson Union and South San Francisco Unified have active football programs.
- F14. No standard definition of high-risk sports exists throughout the United States; the definition remains a judgment call by parents, educators, and physicians. Tables 1 and 2 show that for Michigan high schools, football clearly stands out as having more head injuries.

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<sup>84</sup> Supra, Note 67.

## RECOMMENDATIONS

- R1. By September 2020, the San Mateo County Office of Education (SMCOE), with input from each high school district and unified school district, should establish a common “San Mateo County Concussion Protocol” that will:
- a. Identify the specific responsibilities of those involved who carry out the steps of the concussion protocol as well as the timing of those actions.
  - b. Establish a county-wide database of concussions by sport - to include number of students by gender participating in each sport, frequency of head injuries, circumstances of head injuries (e.g., whether incurred at a formal game or at practice), timing, and completion of RTL/RTP steps.
  - c. Make neurocognitive testing (NCT) an option, not a requirement. If a school or district does use NCT at baseline or after injury, it should be made clear which test is used, who administers the test, how the results are reported, and who interprets the results.
  - d. Specify that at a minimum, football games and full-contact practices should be attended by certified athletic trainers (CATs).
  - e. Establish a process for tracking compliance with the San Mateo County Concussion Protocol.
- R2. Beginning with the 2020-2021 school year, each high school district and unified school district should supply its statistics for the database to the SMCOE annually.
- R3. By September 2021, the SMCOE should publish an annual summary of the database on its website (excluding personally identifiable information), so that parents, students, and educators can be better informed on concussion risks for high school students’ sports of choice.

## REQUEST FOR RESPONSES

Pursuant to Penal Code Section 933.05, the Grand Jury requests responses as follows:

From the following individuals:

- San Mateo County Superintendent of Schools - R1, R3

From the governing bodies of:

- San Mateo County High School Districts
  - Jefferson Union High School District - R1, R2
  - San Mateo Union High School District - R1, R2
  - Sequoia Union High School District - R1, R2
- San Mateo County Unified School Districts
  - Cabrillo Unified School District - R1, R2
  - La Honda-Pescadero Unified School District - R1, R2
  - South San Francisco Unified School District - R1, R2



The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

## METHODOLOGY

### Documents

- Reviewed 2014-2015 Grand Jury Report on concussions and responses from County high school districts.
- Reviewed published guidelines, medical literature, and news reports pertaining to concussions.
- Reviewed documents listed in bibliography.

### Interviews

- Sent questionnaire to and received written responses from the six high school districts on current concussion protocols and practices.
- Conducted interviews with representative of the SMCOE, concussion medical expert, athletic directors, representative of Peninsula Athletic League, representatives from ConcussionSmartMarin.org, and San Mateo County athletic trainers.

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- Wiebe, D., D'Alonzo, B., Harris, R., & al., e. (2018, November 20). Association Between the Experimental Kickoff Rule and Concussion Rates in Ivy League Football. *JAMA*, 320(19), 2035-2036.

## APPENDIX A

Questionnaire sent to the superintendents of the six high school districts

Please respond to the following questions and please provide the documents mentioned:

1. Which sports are offered to students at schools within the district?
  - a. Are sports head injury/concussion policies within the district the same across all sports? [Note: This assumes there are district-wide policies.] If not, do district sports head injury/concussion policies treat some sports as higher risk with respect to such head injuries/concussions than others? If so, which sports are treated as higher risk?
2. Does the district establish and implement the policies relating to sports head injuries/concussions, or are such policies established and implemented by individual schools within the district? If the district is responsible for such policies, rather than individual schools, who is the individual within the district responsible for establishing, updating and implementing such policies?
3. Does the district require neurocognitive testing for athletes as a condition of their participation in any sports sponsored by schools within the district? If so, how often is the athlete required to have such testing done?
4. Does the district require any neurocognitive testing to be performed on athletes participating in school sponsored sports within the district following their suffering any head injury/concussion while participating in such sports?
5. Within the district, which district employees (e.g., coaches, assistant coaches, trainers) are required by the district to be “licensed health care providers” within the meaning of AB2127?
6. Please provide any data maintained by the district relating to possible head injuries/concussions incurred by athletes participating in school sponsored sports within the district during the last [three] years.
7. Please provide a copy (or links) to the district policies relating to
  - a. Information related to head injuries/concussions provided to parent and students prior to student participation
  - b. Parental and student consent requirements and forms in connection with participation in school sponsored sports
  - c. Process of documenting possible head injury/concussions.
  - d. Process of documenting treatment, physician follow-up, and outcome following a head injury
  - e. Form given to student after a possible concussion
  - f. Return to play/learn



A follow-up Question was sent, tailored to their responses from the previous grand jury report about Athletic Trainers:

1. At what athletic events are ATs present or available (for example on campus but in office or another event): sports, levels (JV, varsity), game (home away), practice, always, when possible
2. Are ATs required to be certified? If so by whom. If not, does the district use another requirement similar to ATA certification?
3. Does each high school have an AT? More than 1?

APPENDIX B

# Concussion Protocol Guide for Marin County Schools

## Background

**California Education Code Section 49475 (and California Laws AB-2007 and AB-2127)** requires all schools that offer athletic programs to:

- Recognize signs of concussion, immediately remove the athlete from the activity for the remainder of the day, and not permit the athlete to return to play until he or she receives written clearance to return by a licensed healthcare provider
- Each athlete shall complete a graduated return-to-play protocol of no less than seven days in duration, under the supervision of a licensed healthcare provider.

**Application of California Education Code 49475**

- The graduated return-to-play protocol applies to all concussions that occur at school (athletics, physical education, other activity) and concussions that occur outside of school.

## Forms: Document and Respond to Head Injury Occurring at School

Marin County Schools’ protocol for students with possible concussions includes standard reporting and tracking forms. The supervising adult starts the process, with the school nurse or other designated school representative as the main informational point of contact. A student who has begun the concussion protocol must not participate in any athletics or physical activity until they have received written clearance from their licensed healthcare provider.

### ConcussionSmart Marin Forms

Form	Description	Recipient
Head Injury Report	Immediately documents and describes incident – who received injury, as well as when and how injury happened. English and Spanish language versions.	<ul style="list-style-type: none"> <li>• Witness/supervising adult to complete.</li> <li>• Parent/guardian receive and sign.</li> <li>• Copy kept by school.</li> </ul>
Head Injury Referral	Sent to licensed healthcare provider for diagnosis of possible concussion. Licensed healthcare provider to sign and provide/attach initial plan for Return to Learn and possible Return to Play plan for student.	<ul style="list-style-type: none"> <li>• School nurse or designee to complete - copy provided to parent/guardian to sign.</li> <li>• Licensed healthcare provider to fill out and sign.</li> </ul>
School Accommodations Following Concussion	Checklist of modifications for schoolwork and activities prescribed by licensed healthcare provider.	<ul style="list-style-type: none"> <li>• Parent/guardian to sign.</li> <li>• Licensed healthcare provider to complete/sign.</li> <li>• Designated school representative receives a copy.</li> </ul>
Concussion RTP Clearance	Licensed healthcare provider confirmation that student can begin activity and before student can resume competitive play.	<ul style="list-style-type: none"> <li>• Licensed healthcare provider must sign and return copy to designated school representative.</li> </ul>
Concussion RTL Protocol	Information regarding possible concussion symptoms and recommended instructions for progressive recovery at school.	<ul style="list-style-type: none"> <li>• For parent/guardian, student</li> </ul>
Return to Learn: Daily School Checklist of Concussion-Related Symptoms	Five-day calendar and checklist of symptoms encountered and accommodations utilized for a student following concussion.	<ul style="list-style-type: none"> <li>• Completed by designated school representative(s)</li> </ul>
Concussion RTP Protocol	Details recommended stages for progressive return to competitive athletics.	<ul style="list-style-type: none"> <li>• For parent/guardian, student</li> </ul>
Return to Play Progress	Checklist for documenting student’s progress as they return to play.	<ul style="list-style-type: none"> <li>• Completed by designated school representative(s)</li> </ul>

### Links to Forms

[Head Injury Report](#)

[Head Injury Referral](#)

[School Accommodations](#)

[Return to Play Clearance](#)

[CIF Return to Learn Protocol](#)

[Daily School Checklist](#)

[CIF Return to Play Protocol](#)

[Return to Play Progress](#)

[Forms Flow Chart](#)

**California Education Code Section 49475 (and California Laws AB-2007 and AB-2127) requires all schools that offer athletic programs to:**

- Recognize signs of concussion, immediately remove the athlete from the activity for the remainder of the day, and not permit the athlete to return to play until he or she receives written clearance to return by a licensed healthcare provider
- Each athlete shall complete a graduated return-to-play protocol of no less than seven days in duration, under the supervision of a licensed healthcare provider.
- Application of California Education Code 49475
- The graduated return-to-play protocol applies to all concussions that occur at school (athletics, physical education, other activity) and concussions that occur outside of school.
- Incident documented. All forms filled out, delivered to and signed by respective parties.
- Parent/guardian collects student. (Student should not drive.) Forms provided to parent/guardian.
- Student examined and diagnosed by licensed healthcare provider.

### **Return to Learn Protocol**

**Step 1: School nurse or designee established as liaison between student's licensed healthcare provider(s) and school staff**

- If injury occurred outside of school, parents and student's licensed healthcare provider are responsible for notifying school.
- If injury occurred in school, school staff are responsible for notifying school
- nurse or designee (coach, athletic trainer, PE and other teachers, administrators, etc.)
- School nurse or designee initiates Return to Learn and Return to Play for student (and parent release to exchange information).

**Step 2: School nurse or designee obtains an incident report; oversees exchange of information**

- For any out-of-school injury, the nurse or designee obtains a history from the parent and medical providers.
- School nurse or designee identifies licensed healthcare provider managing student's post-concussion care (e.g., primary care doctor, rehabilitation physician, neurologist.)

**School responsibility when no licensed healthcare provider is managing student's care:**

- If student does not see a licensed healthcare provider, the school will abide by the California State Law [Return to Learn](#) and [Return to Play](#) protocols.

**School responsibility when student's licensed healthcare provider refutes a concussion, despite symptoms witnessed by school staff:**

- If school staff witness symptoms of concussion at school, but these observations are not validated by the child's licensed healthcare provider, schools will abide by the minimum standard management for suspected concussion.
- Designated school staff will provide written follow up with parents/guardian.

**Step 3: School nurse or designee as liaison to school personnel**

- School nurse or designee notifies staff (teaching, PE, athletic, others) about concussion and to observe/report potential symptoms; school nurse distributes information received from managing licensed healthcare representative.
- If student experiences persistent symptoms in class or between classes, consider convening a meeting of a "Student Study Team" to include the following people: school nurse or designee, administrator, student's teachers, counselor psychologist; invite parent and athletics staff; consider (based on symptoms): speech therapist, site special education representative.
- Establish point communication persons for: Student at school, school-to-parent, school-to-healthcare representative.
- School nurse or designee should provide regular reminders to teachers to modify workload as per Return to Learn plan, using information from: teacher's own observations, student self-report, physician and parent guidance.
- Extracurricular activities (drama, clubs, etc.) to be treated same as curricular activities.
- If symptoms anticipated to be less than four weeks: use ISHP (Individualized Student Health Plan) format; Consider "contract" homework with modified expectations.
- If symptoms anticipated to be more than four weeks, consider convening a 504 Team.
- If student cannot attend school at all, consider homebound education.

**Step 4: School communication with managing physician/clinician and parent**

- Staff to document the following, to be communicated by school liaison:
  1. Symptoms noted in school and what exacerbates these symptoms (may use Return to Learn: [Daily School Checklist](#).)
  2. Difficulty noted in any select subjects.
  3. Student adherence to school and physician recommendations.
  4. Attendance record, time arriving in school, time leaving school.
  5. Number of breaks student requires and their nature and duration.
- School staff may review the [Symptom Wheel](#), to help note elements of a student's behavior that may be relevant to document.

**Step 5: Revisit and revise Return to Learn plan, as necessary**

- Reconvene Student Study Team meeting, as necessary.
- Change individualized health plan or 504, as necessary to reflect improving or worsening condition.
- If symptoms persist for months, consider a special education referral (based on traumatic brain injury.)

## Return to Play Protocol

1. Send [Return to Play Progress](#) form to student's licensed healthcare provider and begin gradual return to activity based on licensed healthcare provider's instructions.

- Schools may accept the Return to Play Prescription or other form signed by student's licensed healthcare provider, as clearance as long as they do not permit return to play earlier than the district's own [Return to Play Clearance](#) form.

2. "Return to Play" Protocol

- Progression is adapted from the *International Concussion Consensus Guidelines* and *CIF Concussion Return to Play Protocol*. Summary is described in Stages 1-4, below.
- A student's medical provider may recommend more restrictions, but not fewer restrictions.
- If student's medical provider recommends fewer restrictions than Stages 1-4 below, refer this to the school nurse or designee who can communicate with the medical provider.
- Each student must be kept from any exertive activity beyond 15 minutes of walking (Step 1) for the first and second day after the concussion.
- Student may not resume any physical activity beyond 15 minutes of walking until the student tolerates normal academics.  
*Exception:* If back-to-normal academics have not been achieved by two weeks post-concussion, a physical activity program can be prescribed by the student's managing physician in conjunction with school health, physical education and athletic staff.

### Progression for Physical Activity Cannot Exceed Following Steps:

**Stage 1.** Limited activity for 5-10 minutes that is designed to increase the student's heart rate (e.g., exercise bike, walking, light jogging); No weight lifting, jumping or hard running. As student will be resting at home at least 24 hours after experiencing symptoms of concussion, do not start Stage 1 until at least 48 hours after head injury with symptoms of concussion.

**Stage 2A.** Light aerobic activity. Student can attempt 10-15 minutes of brisk walking or stationary biking under direct supervision by designated school representative.

**Stage 2B.** Moderate activity, with limited body and head movement. May go 20-30 minutes, but be reduced from typical routine for age. (e.g., moderate jogging, brief running, moderate intensity stationary biking, and moderate intensity weightlifting)

**Stage 2C.** Strenuous aerobic activity including running or stationary biking for 30-45 minutes or weight lifting up to 50% of max weight.

**Stage 2D** Heavy, non-contact activity (closer to what would be in student's typical routine), but non-contact. (e.g., running, high-intensity stationary biking, regular weightlifting routine, non-contact sport-specific drills). At this stage, may add some cognitive component to practice.

**Stage 3.** Begin with limited contact practice. Controlled contact drills are allowed, but no scrimmaging. Then progress to full contact practice but no competition. **Prior to beginning this stage, make sure that student receives written licensed healthcare provider approval.**

**Stage 4.** Full contact and full activity can be resumed. Then, after written clearance from student's licensed healthcare provider, student may return to competition.

**No student is permitted to move from one stage to the next, unless there has been an absence of symptoms or signs. Refer to [CIF Return to Play Protocol](#) for details.**

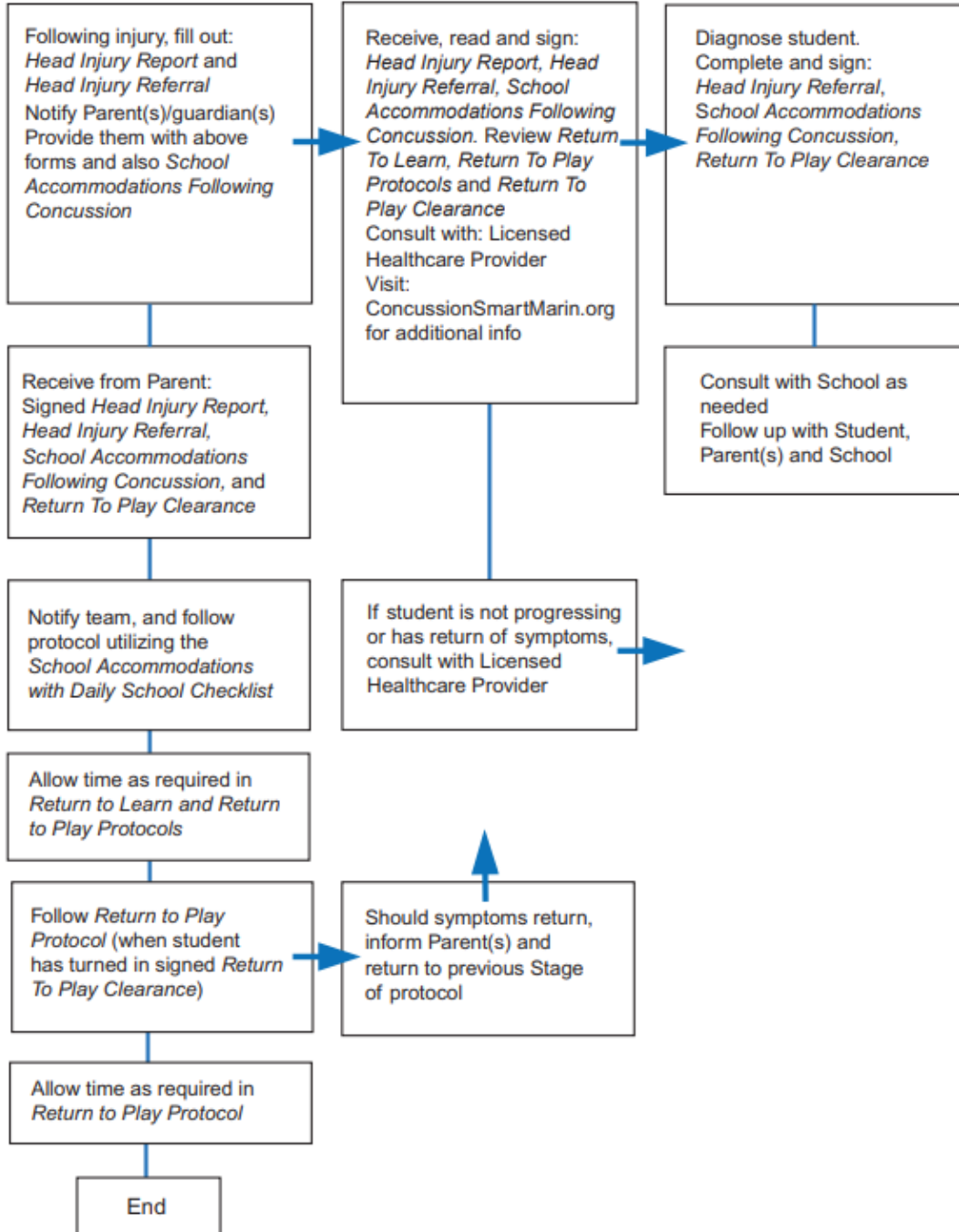
- a) School staff will document performance in each stage and report this to school nurse (and athletic trainer, if athlete). Nurse may communicate with student's licensed healthcare provider, as necessary; The District's Return to Play form may be used by any school staff member when a school nurse or athletic trainer is unavailable.
- b) If symptoms or signs are experienced, then withhold activity until there are no symptoms for 24 hours, and then return to the previous step.
- c) On weekends and days where there is no trained school staff member or physician to document successful progression from one step to the next, school may take parent and student history.
- d) If a student fails to achieve any step on three occasions, refer the student to the managing physician with this information

ConcussionSmart Marin Protocol Flow Chart

**SCHOOL**

**PARENTS/  
GUARDIANS**

**LICENSED HEALTHCARE  
PROVIDER**



Data collected from all the Marin County High Schools using simple Google form. This is a basic Google feature that allows you to create a survey to be shared with a desired audience:

- School
- Name of Recorder (Last name, First name)
- Role of Recorder at your school
- Grade Level (of student)
- Gender/Sex
- Date of Injury
- Sport Related (y/n)
- Identify Sport
- Sport Event (Practice, Game, Scrimmage)
- School Sponsored or Club level Sport
- Level of sport at time of injury
- Describe activity
- Site
- Date of full clearance (return to physical activity)
- Length/Duration of Return to Learn
- Length/Duration of Return to Play
- Is this the student's first concussion for the academic year?
- If no, how many previous concussions this academic year?
- Number of concussions across lifetime
- If outcome of student is not known, please provide a brief reason

Issued: August 7, 2019





# CABRILLO UNIFIED SCHOOL DISTRICT

498 Kelly Avenue, Half Moon Bay, California, 94019 • 650 712-7100 • Fax 650 726-0279 • [www.cabrillo.k12.ca.us](http://www.cabrillo.k12.ca.us)

## SUPERINTENDENT

Sean McPhetridge, Ed.D.

## GOVERNING BOARD

Mary Beth Alexander  
Lizet Cortes  
Kimberly Hines  
Sophia Layne  
Freya McCamant

October 10, 2019

Via Email ([grandjury@sanmateocourt.org](mailto:grandjury@sanmateocourt.org))

The Honorable Donald J. Ayob  
Judge of the Superior Court  
c/o Charlene Kresevich  
Hall of Justice  
400 County Center; 2<sup>nd</sup> Floor  
Redwood City, CA 94063-1655

*Re: Response to the 2018-2019 Grand Jury Report entitled "Concussions and San Mateo County High School Sports: More to Learn, More to Do."*

Dear Judge Ayob:

The Cabrillo Unified School District (the "District") has received and reviewed the 2018-2019 Grand Jury Report entitled "Concussions and San Mateo County High School Sports: More to Learn, More to Do." We appreciate the Grand Jury's interest in this matter. Having reviewed and considered the Grand Jury's Findings and Recommendations, the District responds as follows, pursuant to section 933.05 of the California Penal Code:

## FINDINGS

1. *Concussions in high school athletics have potential serious negative health consequences, both short-term and long-term.*

The District agrees with this Finding.

2. *Concussion protocols describe what must happen following a suspected concussion and can ensure students complete the required legal and medical steps following an injury.*

The District agrees with this Finding.

3. *Each San Mateo County (SMC) high school district and unified school district is responsible for its own concussion protocol, and these vary from district to district and even school to school.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District agrees that it has its own concussion protocol.

4. *Responses to the 2018-2019 Grand Jury survey show that existing concussion protocols are inadequate because of omissions and lack of clarity on what to do after a suspected concussion.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. The District disagrees with this Finding with regard to the District's concussion protocol. We do not believe there are omissions or a lack of clarity on what to do after a suspected concussion, however we look forward to working closely with San Mateo County Office to learn how to standardize our procedures to ensure ongoing measures are taken for student safety.

5. *None of the SMC current school district concussion protocols provided to the Grand Jury in response to its survey have a mechanism to track compliance.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this response.

6. *The San Mateo County Office of Education (SMCOE) currently has no role in writing or implementing concussion protocols.*

The District agrees with this Finding.

7. *The SMCOE has expressed in their Strategic Plan, and in their "Safe and Supportive Schools" programs, the vision that the SMCOE could encompass a leadership position in areas broader than traditional classroom activities. One area where the SMCOE could assume a leadership position is in raising the level of concussion care in the County high schools.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

8. *ConcussionSmartMarin (CSM) provides a regional example of a concussion protocol that includes detailed steps to be followed when a possible concussion injury is observed and provides a process for collecting county-wide concussion data.*

The District agrees with this Finding.

9. *Neurocognitive testing (NCT) may contribute to the diagnosis of mild traumatic brain injury, but multiple complexities compromise its use in practice, either at baseline or after head injury. If NCT is used as part of a concussion protocol, clear guidelines should be written to describe how tests are interpreted and who should interpret them, which does not appear to be the case in the districts that use them.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

10. *The availability of county-wide data on concussions summarized across sports and across high school districts can lead to more informed individual decisions by students and parents on concussion risks and allow for tracking of whether changes in sporting rules or concussion assessment practices decrease concussion risks over time.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

11. *There is no county-wide database across all districts of SMC that tracks the frequency and circumstances of concussion data in high school sports.*

The District agrees with this Finding.

12. *Certified athletic trainers (CATs) are trained in all aspects of carrying out concussion protocols. Their availability or presence on the field at the time of a concussion event is a valuable resource to decrease the consequences of concussions.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

13. *Three SMC high school districts do not provide athletic trainers: Jefferson Union, South San Francisco Unified, and La Honda-Pescadero Unified. Jefferson Union and South San Francisco Unified have active football programs.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District disagrees in part to the Grand Jury's Finding in so far as it applies to the Cabrillo Unified School District. CUSD provides one full time certified athletic trainer at all practices of the football team and at all high risk sporting events, (soccer, wrestling, football and basketball).

14. *No standard definition of high-risk sports exists throughout the United States; the definition remains a judgment call by parents, educators, and physicians. Tables 1 and 2 show that for Michigan high schools, football clearly stands out as having more head injuries.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this Report. However, the District accepts the Grand Jury's Finding for the purposes of this Response.

## **RECOMMENDATIONS**

1. *By September 2020, the San Mateo County Office of Education (SMCOE), with input from each high school district and unified school district, should establish a common "San Mateo County Concussion Protocol" that will:*
  - a. *Identify the specific responsibilities of those involved who carry out the steps of the concussion protocol as well as the timing of those actions.*
  - b. *Establish a county-wide database of concussions by sport - to include number of students by gender participating in each sport, frequency of head injuries, circumstances of head injuries (e.g., whether incurred at a formal game or at practice), timing, and completion of RTL/RTP steps.*
  - c. *Make neurocognitive testing (NCT) an option, not a requirement. If a school or district does use NCT at baseline or after injury, it should be made clear which test is used, who administers the test, how the results are reported, and who interprets the results.*
  - d. *Specify that at a minimum, football games and full-contact practices should be attended by certified athletic trainers (CATs).*
  - e. *Establish a process for tracking*

Generally speaking, the District supports this Recommendation; however, it requires further analysis given the coordination required among the District, other affected districts, and the San Mateo County Office of Education. The Cabrillo Unified School District has a concussion protocol that it follows, provides a CAT at high risk sporting events and at all football practices. Currently, the District maintains the incidences of concussion by logging them as they occur and tracking them.

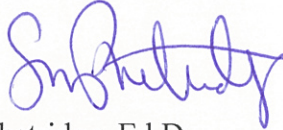
2. *Beginning with the 2020-2021 school year, each high school district and unified school district should supply its statistics for the database to the SMCOE annually.*

The District will implement this Recommendation.

Both the Grand Jury Report and these responses were presented to and approved by the District's Governing Board on October 10, 2019

Please do not hesitate to contact me if you have questions or require additional information.

Sincerely,



Sean McPhetridge, Ed.D.  
Superintendent  
Cabrillo Unified School District



## Jefferson Union High School District

### ADMINISTRATIVE OFFICES - SERRAMONTE DEL REY

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Dr. Terry A. Deloria  
Superintendent

August 27, 2019

Via Email ([grandjury@sanmateocourt.org](mailto:grandjury@sanmateocourt.org))

The Honorable Donald J. Ayoob  
Judge of the Superior Court  
c/o Charlene Kresevich  
Hall of Justice  
400 County Center; 2<sup>nd</sup> Floor  
Redwood City, CA 94063-1655

*Re: Response to the 2018-2019 Grand Jury Report entitled "Concussions and San Mateo County High School Sports: More to Learn, More to Do."*

Dear Judge Ayoob:

The Jefferson Union High School District (the "District") has received and reviewed the 2018-2019 Grand Jury Report entitled "Concussions and San Mateo County High School Sports: More to Learn, More to Do." We appreciate the Grand Jury's interest in this matter. Having reviewed and considered the Grand Jury's Findings and Recommendations, the District responds as follows, pursuant to section 933.05 of the California Penal Code:

### **FINDINGS**

1. *Concussions in high school athletics have potential serious negative health consequences, both short-term and long-term.*

The District agrees that concussions in high school athletics have potential serious negative health consequences, both short-term and long-term.

2. *Concussion protocols describe what must happen following a suspected concussion and can ensure students complete the required legal and medical steps following an injury.*

The District agrees that concussion protocols describe what must happen following a suspected concussion and can ensure students complete the required legal and medical steps following an injury.

3. *Each San Mateo County (SMC) high school district and unified school district is responsible for its own concussion protocol, and these vary from district to district and even school to school.*



The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding. However, the District agrees that it has its own concussion protocol.

4. *Responses to the 2018-2019 Grand Jury survey show that existing concussion protocols are inadequate because of omissions and lack of clarity on what to do after a suspected concussion.*

The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding. The District disagrees with this Finding with regard to the District's concussion protocol. We do not believe there are omissions or a lack of clarity on what to do after a suspected concussion.

5. *None of the SMC current school district concussion protocols provided to the Grand Jury in response to its survey have a mechanism to track compliance.*

The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding.

6. *The San Mateo County Office of Education (SMCOE) currently has no role in writing or implementing concussion protocols.*

The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding.

7. *The SMCOE has expressed in their Strategic Plan, and in their "Safe and Supportive Schools" programs, the vision that the SMCOE could encompass a leadership position in areas broader than traditional classroom activities. One area where the SMCOE could assume a leadership position is in raising the level of concussion care in the County high schools.*

The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding.

8. *ConcussionSmartMarin (CSM) provides a regional example of a concussion protocol that includes detailed steps to be followed when a possible concussion injury is observed and provides a process for collecting county-wide concussion data.*

The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding.

9. *Neurocognitive testing (NCT) may contribute to the diagnosis of mild traumatic brain injury, but multiple complexities compromise its use in practice, either at baseline or after head injury. If NCT is used as part of a concussion protocol, clear guidelines should be written to describe how*

*tests are interpreted and who should interpret them, which does not appear to be the case in the districts that use them.*

The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding.

- 10. The availability of county-wide data on concussions summarized across sports and across high school districts can lead to more informed individual decisions by students and parents on concussion risks and allow for tracking of whether changes in sporting rules or concussion assessment practices decrease concussion risks over time.*

The District agrees that the availability of county-wide data on concussions summarized across sports and across high school districts can lead to more informed individual decisions by students and parents on concussion risks and allow for tracking of whether changes in sporting rules or concussion assessment practices decrease concussion risks over time.

- 11. There is no county-wide database across all districts of SMC that tracks the frequency and circumstances of concussion data in high school sports.*

The District agrees that there is no county-wide database across all districts of SMC that tracks the frequency and circumstances of concussion data in high school sports.

- 12. Certified athletic trainers (CATs) are trained in all aspects of carrying out concussion protocols. Their availability or presence on the field at the time of a concussion event is a valuable resource to decrease the consequences of concussions.*

The District cannot fully agree or disagree with this Finding as stated, as the District did not conduct the research cited in the Report on which this Finding is based. The District defers to the Grand Jury with regard to this Finding.

- 13. Three SMC high school districts do not provide athletic trainers: Jefferson Union, South San Francisco Unified, and La Honda-Pescadero Unified. Jefferson Union and South San Francisco Unified have active football programs.*

The District cannot fully agree or disagree with this Finding as stated, as the District did not conduct the research cited in the Report on which this Finding is based. The District defers to the Grand Jury with regard to this Finding.

- 14. No standard definition of high-risk sports exists throughout the United States; the definition remains a judgment call by parents, educators, and physicians. Tables 1 and 2 show that for Michigan high schools, football clearly stands out as having more head injuries.*

The District cannot fully agree or disagree with this Finding as stated, as the District did not conduct the research cited in the Report on which this Finding is based. The District defers to the Grand Jury with regard to this Finding.

## RECOMMENDATIONS

1. *By September 2020, the San Mateo County Office of Education (SMCOE), with input from each high school district and unified school district, should establish a common "San Mateo County Concussion Protocol" that will:*
  - a. *Identify the specific responsibilities of those involved who carry out the steps of the concussion protocol as well as the timing of those actions.*
  - b. *Establish a county-wide database of concussions by sport - to include number of students by gender participating in each sport, frequency of head injuries, circumstances of head injuries (e.g., whether incurred at a formal game or at practice), timing, and completion of RTL/RTP steps.*
  - c. *Make neurocognitive testing (NCT) an option, not a requirement. If a school or district does use NCT at baseline or after injury, it should be made clear which test is used, who administers the test, how the results are reported, and who interprets the results.*
  - d. *Specify that at a minimum, football games and full-contact practices should be attended by certified athletic trainers (CATs).*
  - e. *Establish a process for tracking compliance with the San Mateo County Concussion Protocol.*

Generally speaking, the District supports this Recommendation for points a, b, c and 3; however, these require further analysis given the coordination required among the District, other affected districts, and the San Mateo County Office of Education. I cannot respond to point 1d because I would need additional information:

- How is "full-contact" practices defined?
- What is the definition of a certified athletic trainer? How does a CAT differ from an EMT as we have EMT services during football games.
- What source of funding would be provided for districts to provide CATs at football games and practices? If the cost is shouldered by school districts, mine might have to rethink whether or not to offer this sport.

2. *Beginning with the 2020-2021 school year, each high school district and unified school district should supply its statistics for the database to the SMCOE annually.*

The District will implement this Recommendation.

Both the Grand Jury Report and these responses were presented to and approved by the District's Board of Trustees on September 3, 2019.

Sincerely,



Dr. Terry Deloria  
Superintendent  
Jefferson Union High School District





LA HONDA-PESCADERO UNIFIED SCHOOL DISTRICT  
PO Box 189 • 360 Butano Cut Off, Pescadero, CA 94060  
650-879-0286 • FAX 650-879-0816

Amy Wooliever, Superintendent

October 10, 2019

Via Email ([grandjury@sanmateocourt.org](mailto:grandjury@sanmateocourt.org))

The Honorable Donald J. Ayoob  
Judge of the Superior Court  
c/o Charlene Kresevich  
Hall of Justice  
400 County Center; 2<sup>nd</sup> Floor  
Redwood City, CA 94063-1655

*Re: Response to the 2018-2019 Grand Jury Report entitled "Concussions and San Mateo County High School Sports: More to Learn, More to Do."*

Dear Judge Ayoob:

The La Honda-Pescadero Unified School District (the "District") has received and reviewed the 2018-2019 Grand Jury Report entitled "Concussions and San Mateo County High School Sports: More to Learn, More to Do." We appreciate the Grand Jury's interest in this matter. Having reviewed and considered the Grand Jury's Findings and Recommendations, the District responds as follows, pursuant to section 933.05 of the California Penal Code:

**FINDINGS**

1. *Concussions in high school athletics have potential serious negative health consequences, both short-term and long-term.*

The District agrees that concussions in high school athletics have potential serious negative health consequences, both short-term and long-term.

2. *Concussion protocols describe what must happen following a suspected concussion and can ensure students complete the required legal and medical steps following an injury.*

The District agrees that concussion protocols describe what must happen following a suspected concussion and can ensure students complete the required legal and medical steps following an injury.

3. *Each San Mateo County (SMC) high school district and unified school district is responsible for its own concussion protocol, and these vary from district to district and even school to school.*

The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding. However, the District agrees that it has its own concussion protocol.

4. *Responses to the 2018-2019 Grand Jury survey show that existing concussion protocols are inadequate because of omissions and lack of clarity on what to do after a suspected concussion.*

The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding.

5. *None of the SMC current school district concussion protocols provided to the Grand Jury in response to its survey have a mechanism to track compliance.*

The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding.

6. *The San Mateo County Office of Education (SMCOE) currently has no role in writing or implementing concussion protocols.*

The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding.

7. *The SMCOE has expressed in their Strategic Plan, and in their "Safe and Supportive Schools" programs, the vision that the SMCOE could encompass a leadership position in areas broader than traditional classroom activities. One area where the SMCOE could assume a leadership position is in raising the level of concussion care in the County high schools.*

The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding.

8. *ConcussionSmartMarin (CSM) provides a regional example of a concussion protocol that includes detailed steps to be followed when a possible concussion injury is observed and provides a process for collecting county-wide concussion data.*

The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding.

9. *Neurocognitive testing (NCT) may contribute to the diagnosis of mild traumatic brain injury, but multiple complexities compromise its use in practice, either at baseline or after head injury. If NCT is used as part of a concussion protocol, clear guidelines should be written to describe how tests are interpreted and who should interpret them, which does not appear to be the case in the districts that use them.*

The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding.

10. *The availability of county-wide data on concussions summarized across sports and across high school districts can lead to more informed individual decisions by students and parents on concussion risks and allow for tracking of whether changes in sporting rules or concussion assessment practices decrease concussion risks over time.*

The District agrees that the availability of county-wide data on concussions summarized across sports and across high school districts can lead to more informed individual decisions by students and parents on concussion risks and allow for tracking of whether changes in sporting rules or concussion assessment practices decrease concussion risks over time.

11. *There is no county-wide database across all districts of SMC that tracks the frequency and circumstances of concussion data in high school sports.*

The District agrees that there is no county-wide database across all districts of SMC that tracks the frequency and circumstances of concussion data in high school sports.

12. *Certified athletic trainers (CATs) are trained in all aspects of carrying out concussion protocols. Their availability or presence on the field at the time of a concussion event is a valuable resource to decrease the consequences of concussions.*

The District cannot fully agree or disagree with this Finding as stated, as the District did not conduct the research cited in the Report on which this Finding is based. The District defers to the Grand Jury with regard to this Finding.

13. *Three SMC high school districts do not provide athletic trainers: Jefferson Union, South San Francisco Unified, and La Honda-Pescadero Unified. Jefferson Union and South San Francisco Unified have active football programs.*

The District cannot fully agree or disagree with this Finding as stated, as the District did not conduct the research cited in the Report on which this Finding is based. The District defers to the Grand Jury with regard to this Finding.

14. *No standard definition of high-risk sports exists throughout the United States; the definition remains a judgment call by parents, educators, and physicians. Tables 1 and 2 show that for Michigan high schools, football clearly stands out as having more head injuries.*

The District cannot fully agree or disagree with this Finding as stated, as the District did not conduct the research cited in the Report on which this Finding is based. The District defers to the Grand Jury with regard to this Finding.

## RECOMMENDATIONS

1. *By September 2020, the San Mateo County Office of Education (SMCOE), with input from each high school district and unified school district, should establish a common "San Mateo County Concussion Protocol" that will:*
  - a. *Identify the specific responsibilities of those involved who carry out the steps of the concussion protocol as well as the timing of those actions.*
  - b. *Establish a county-wide database of concussions by sport - to include number of students by gender participating in each sport, frequency of head injuries, circumstances of head injuries (e.g., whether incurred at a formal game or at practice), timing, and completion of RTL/RTP steps.*
  - c. *Make neurocognitive testing (NCT) an option, not a requirement. If a school or district does use NCT at baseline or after injury, it should be made clear which test is used, who administers the test, how the results are reported, and who interprets the results.*
  - d. *Specify that at a minimum, football games and full-contact practices should be attended by certified athletic trainers (CATs).*
  - e. *Establish a process for tracking compliance with the San Mateo County Concussion Protocol.*

Generally speaking, the District supports this Recommendation; however, it requires further analysis given the coordination required among the District, other affected districts, and the San Mateo County Office of Education. The District would participate in any effort to further analyze this recommendation.

2. *Beginning with the 2020-2021 school year, each high school district and unified school district should supply its statistics for the database to the SMCOE annually.*

The District will implement this Recommendation.

Both the Grand Jury Report and these responses were presented to and approved by the District's Board of Trustees on October 10, 2019.

Please do not hesitate to contact me if you have questions or require additional information.

Sincerely,



Amy Wooliever, Superintendent  
La Honda-Pescadero Unified School District



**Excellence and Equity in Education**

Nancy Magee • County Superintendent of Schools

October 1, 2019

*Via Email ([grandjury@sanmateocourt.org](mailto:grandjury@sanmateocourt.org))*

The Honorable Donald J. Ayooob  
Judge of the Superior Court  
c/o Charlene Kresevich  
Hall of Justice  
400 County Center; 2<sup>nd</sup> Floor  
Redwood City, CA 94063-1655

*Re: Response to the 2018-2019 Grand Jury Report entitled “Concussions and San Mateo County High School Sports: More to Learn, More to Do.”*

Dear Judge Ayooob:

The San Mateo County Office of Education (the “SMCOE”) has received and reviewed the 2018-2019 Grand Jury Report entitled “Concussions and San Mateo County High School Sports: More to Learn, More to Do.” We appreciate the Grand Jury’s interest in this matter. Having reviewed and considered the Grand Jury’s Findings and Recommendations, the SMCOE responds as follows, pursuant to section 933.05 of the California Penal Code:

**FINDINGS**

1. *Concussions in high school athletics have potential serious negative health consequences, both short-term and long-term.*

The SMCOE agrees that concussions in high school athletics have potential serious negative health consequences, both short-term and long-term.

2. *Concussion protocols describe what must happen following a suspected concussion and can ensure students complete the required legal and medical steps following an injury.*

The SMCOE agrees that concussion protocols describe what must happen following a suspected concussion and can ensure students complete the required legal and medical steps following an injury.



3. *Each San Mateo County (SMC) high school district and unified school district is responsible for its own concussion protocol, and these vary from district to district and even school to school.*

The SMCOE agrees that each high school district and unified school district is responsible for its own concussion protocol. However, the SMCOE cannot agree or disagree with the second part of this Finding, as the SMCOE did not conduct the research cited in the Report on which this Finding is based. The SMCOE therefore defers to the Grand Jury with regard to whether concussion protocols vary from district to district and even school to school.

4. *Responses to the 2018-2019 Grand Jury survey show that existing concussion protocols are inadequate because of omissions and lack of clarity on what to do after a suspected concussion.*

The SMCOE cannot agree or disagree with this Finding, as the SMCOE did not conduct the research cited in the Report on which this Finding is based. The SMCOE therefore defers to the Grand Jury with regard to this Finding.

5. *None of the SMC current school district concussion protocols provided to the Grand Jury in response to its survey have a mechanism to track compliance.*

The SMCOE cannot agree or disagree with this Finding, as the SMCOE did not conduct the research cited in the Report on which this Finding is based. The SMCOE therefore defers to the Grand Jury with regard to this Finding.

6. *The San Mateo County Office of Education (SMCOE) currently has no role in writing or implementing concussion protocols.*

The SMCOE agrees that it does not have a role in writing or implementing concussion protocols for districts, which is the responsibility of each individual school district. Within its student programs, SMCOE follows the “Emergency First Aid Guidelines for California Schools” created by Emergency Medical Services Authority as part of the California Health and Human Services Agency for guidance on concussion protocol.

7. *The SMCOE has expressed in their Strategic Plan, and in their “Safe and Supportive Schools” programs, the vision that the SMCOE could encompass a leadership position in areas broader than traditional classroom activities. One area where the SMCOE could assume a leadership position is in raising the level of concussion care in the County high schools.*

The SMCOE seeks to support student health and wellness in all San Mateo County school districts. However, the SMCOE does not currently have a staff position to implement such work. The SMCOE is “flat funded,” which means its funding will remain the same even as mandated

costs increase, and without regard to property tax revenue. As a result, the SMCOE is engaging with community partners to explore funding to address this need.

8. *ConcussionSmartMarin (CSM) provides a regional example of a concussion protocol that includes detailed steps to be followed when a possible concussion injury is observed and provides a process for collecting county-wide concussion data.*

The SMCOE agrees with this Finding, based on its review of the CSM website.

9. *Neurocognitive testing (NCT) may contribute to the diagnosis of mild traumatic brain injury, but multiple complexities compromise its use in practice, either at baseline or after head injury. If NCT is used as part of a concussion protocol, clear guidelines should be written to describe how tests are interpreted and who should interpret them, which does not appear to be the case in the districts that use them.*

The SMCOE cannot agree or disagree with this Finding, as the SMCOE did not conduct the research cited in the Report on which this Finding is based. The SMCOE therefore defers to the Grand Jury with regard to this Finding.

10. *The availability of county-wide data on concussions summarized across sports and across high school districts can lead to more informed individual decisions by students and parents on concussion risks and allow for tracking of whether changes in sporting rules or concussion assessment practices decrease concussion risks over time.*

The SMCOE agrees that the availability of county-wide data on concussions summarized across sports and across high school districts can lead to more informed individual decisions by students and parents on concussion risks and allow for tracking of whether changes in sporting rules or concussion assessment practices decrease concussion risks over time.

11. *There is no county-wide database across all districts of SMC that tracks the frequency and circumstances of concussion data in high school sports.*

The SMCOE agrees that there is no county-wide database across all districts of SMC that tracks the frequency and circumstances of concussion data in high school sports.

12. *Certified athletic trainers (CATs) are trained in all aspects of carrying out concussion protocols. Their availability or presence on the field at the time of a concussion event is a valuable resource to decrease the consequences of concussions.*

The SMCOE cannot fully agree or disagree with this Finding as stated, as the SMCOE did not conduct the research cited in the Report on which this Finding is based. The District defers to the Grand Jury with regard to this Finding.



13. *Three SMC high school districts do not provide athletic trainers: Jefferson Union, South San Francisco Unified, and La Honda-Pescadero Unified. Jefferson Union and South San Francisco Unified have active football programs.*

The SMCOE agrees with this Finding. However, we wish to point out that school funding directly affects which districts can provide athletic trainers at practices and games. We understand that some districts may need to reconsider whether they offer certain sports if the operational costs increase.

14. *No standard definition of high-risk sports exists throughout the United States; the definition remains a judgment call by parents, educators, and physicians. Tables 1 and 2 show that for Michigan high schools, football clearly stands out as having more head injuries.*

The SMCOE cannot fully agree or disagree with this Finding as stated, as the SMCOE did not conduct the research cited in the Report on which this Finding is based. The SMCOE defers to the Grand Jury with regard to this Finding.

### **RECOMMENDATIONS**

1. *By September 2020, the San Mateo County Office of Education (SMCOE), with input from each high school district and unified school district, should establish a common “San Mateo County Concussion Protocol” that will:*
  - a. *Identify the specific responsibilities of those involved who carry out the steps of the concussion protocol as well as the timing of those actions.*
  - b. *Establish a county-wide database of concussions by sport - to include number of students by gender participating in each sport, frequency of head injuries, circumstances of head injuries (e.g., whether incurred at a formal game or at practice), timing, and completion of RTL/RTP steps.*
  - c. *Make neurocognitive testing (NCT) an option, not a requirement. If a school or district does use NCT at baseline or after injury, it should be made clear which test is used, who administers the test, how the results are reported, and who interprets the results.*
  - d. *Specify that at a minimum, football games and full-contact practices should be attended by certified athletic trainers (CATs).*
  - e. *Establish a process for tracking compliance with the San Mateo County Concussion Protocol.*

Generally speaking, the SMCOE supports this Recommendation; however, it requires further analysis given the coordination required among the SMCOE and other affected districts, and the absence of funding to support this work. The SMCOE agrees to partner with each high school district and unified school district over the course of the 2019-2020 school year to evaluate whether a common “San Mateo County Concussion Protocol” is feasible as proposed by the Grand Jury’s report. Central to this evaluation will be determining whether funding can be obtained to offset the cost of the work proposed by the Grand Jury. The SMCOE further agrees



to work with the Marin County Office of Education to understand its model for data collection and reporting.

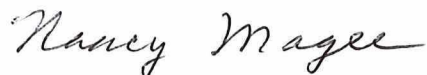
2. *Beginning with the 2020-2021 school year, each high school district and unified school district should supply its statistics for the database to the SMCOE annually.*

As noted above in response to the first Recommendation, the SMCOE will seek to work with the Marin County Office of Education to understand its model, to ensure meaningful data collection and reporting for San Mateo County Schools. The SMCOE agrees to partner with each high school district and unified school district over the course of the 2019-2020 school year to determine which statistics should be supplied and how to best operate the database proposed by the Grand Jury, contingent upon availability of funding.

Both the Grand Jury Report and these responses will be presented to the San Mateo County Board of Education Board of Trustees on October 16, 2019.

Please do not hesitate to contact me if you have questions or require additional information.

Sincerely,



Nancy A. Magee  
San Mateo County Superintendent of Schools

# San Mateo Union High School District

Kevin Skelly, Ph.D., Superintendent

Elizabeth McManus, Deputy Superintendent Business Services

Kirk Black, Ed.D., Deputy Superintendent Human Resources and Student Services

Julia Kempkey, Ed.D. Assistant Superintendent of Curriculum and Instruction

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December 5, 2019

Hon. Donald J. Ayoob  
Judge of the Superior Court  
C/O Charlene Kresevich  
Hall of Justice  
400 County Center; 2<sup>nd</sup> Floor  
Redwood City, CA 94063-1655

Dear Judge Ayoob:

Enclosed are the minutes from the October 10, 2019 Board meeting showing our Board of Trustees approved the Grand Jury Recommendations for the Concussions and San Mateo County High School Sports: More to Learn, More to Do.

Please let me know if you have any questions or concerns.

Sincerely,

Kirk Black, Ed.D.  
Deputy Superintendent  
Human Resources and Student Services

Encl.: October 10, 2019 Board of Trustees Meeting Agenda  
October 10, 2019 Board of Trustees Meeting Minutes

# San Mateo Union High School District Minutes

## Regular Meeting

October 10, 2019 7:00 PM

San Mateo Union High School District Office

650 N. Delaware Street

District Office Conference Room 129

CLOSED SESSION-6:00 PM

District Office Conference Room 204

### Attendance Taken at 7:00 PM:

#### Present:

Linda Lees Dwyer  
Marc Friedman  
Robert Griffin  
Peter Hanley  
Greg Land

#### A. CALL TO ORDER

##### Minutes:

Vice-President Friedman called the Closed Session to order at 6:00 p.m.

#### B. ROLL CALL

##### Minutes:

In attendance, Trustee Hanley, Trustee Dwyer, Clerk Griffin and Vice-President Friedman. President Land arrived at 6:10 p.m.

#### C. PUBLIC AND/OR GOVERNING BOARD COMMENTS ON CLOSED SESSION ITEMS

#### D. CLOSED SESSION

Anyone wishing to address the Board regarding Closed Session items may do so at this time.

Items [\*] marked are scheduled for discussion at this meeting. All proceedings are reported to the public in open session where action is taken or staff is given direction.

D.1. [ ] Public Employee Evaluation pursuant to Government Code Section 54957

D.2. [ ] Public Employee Appointment/Employment pursuant to Government Code Section 54957

D.3. [ ] Conference with Legal Counsel-Existing Litigation;-pursuant to Government Code Section 54956.9

D.4. [ \* ] Conference with Legal Counsel-Pending Litigation pursuant to Government Code Section 54956.9(d)(1)- one (1) case

D.5. [ ] Liability Claims pursuant to Government Code Section 54957

D.6. [ ] Conference with Labor Negotiators pursuant to Government Code Section 54957.6

D.7. [ ] Conference with Real Property Negotiator-pursuant to Government Code Section 54956

D.8. [ \* ] Public Employee Discipline/Dismissal/Release/Complaint pursuant to Government Code Section 54957

D.9. [ ] Confidential Student Discipline

D.10. [ ] Confidential Student Matters

#### **E. OPEN SESSION**

##### **Minutes:**

President Land called the Open Session to order at 7:02 p.m.

President Land stated there was nothing to report from Closed Session.

#### **F. ROLL CALL**

##### **Minutes:**

In attendance, Trustee Linda Lees Dwyer, Trustee Peter Hanley, Clerk Robert Griffin, Vice-President Marc Friedman and President Greg Land and Student Board Members Kaitlyn Duong and Shelby Cherkas.

#### **G. PLEDGE OF ALLEGIANCE TO THE FLAG**

##### **Minutes:**

The pledge of allegiance to the flag was led by Student Board Members Shelby Cherkas and Kaitlyn Duong.

#### **H. PUBLIC AND/OR GOVERNING BOARD COMMENTS**

##### **Minutes:**

Trustee Dwyer reported she has tickets to every play and musical for the fall.

Trustee Hanley, nothing to report

Clerk Griffin, nothing to report

Vice-President Friedman requested to have the schedule for the musicals emailed to him.

President Land also requested to have the schedule for the musicals emailed to him.

**I. COMMUNICATIONS TO THE BOARD OF TRUSTEES**

**I.1. Letter from the San Mateo County Office Of Education for the Local Control Accountability Plan and Adopted Budget-Fiscal Year 2018-19**

Minutes:

President Land acknowledge the receipt of the Letter from the San Mateo County Office Of Education for the Local Control Accountability Plan and Adopted Budget-Fiscal Year 2018-19.

**J. CONSENT AGENDA**

Minutes:

The Board upon the motion of Trustee Dwyer, and seconded by Clerk Griffin, moved to approve the Consent Agenda with a vote of 5 to 0.

**J.1. Approval of Field Trip for San Mateo High Band and Orchestra to Participate in the Instrumental Music Tour in Honolulu, Hawaii**

**J.2. Approval of Consulting Agreements, Contracts, Invoices and Purchase Orders**

**J.3. Acceptance of Quarterly Report on Williams Uniform Complaints**

**J.4. Grand Jury Recommendations**

**J.5. Approval of Agreement of Roles and Responsibilities for Project SEARCH**

**J.6. Accept the Report of Investments**

**J.7. Declaration of and Authorization to Dispose of Surplus Property**

**J.8. Acceptance of Gifts to the District**

**J.9. Approval to Award Contract for Aragon High School Elevator Canopy Project.**

**J.10. Approval of DSA Inspection Services Proposal with DFE & Associates, Inc. for DSA Inspection Services on the New Peninsula High School (Continuation High School and Alternative High School, Project #0063)**

**J.11. Approval to Award Contract for Burlingame High School Press Box Project.**

**J.12. Approval of Change Orders for District Deferred Maintenance Projects**

**J.13. Approval of Geotechnical Consulting Services Proposal with Cleary Consultants, Inc. for Geotechnical and Geohazard Services on the Capuchino High School and Mills High School Artificial Turf Replacements and Sports Field Complexes.**

**J.14. Approval of In-Plant Inspection Services Proposal with Joseph Renda Construction Services, Inc. for In-Plant Inspection Services on the New Peninsula High School (Continuation High School/Alternative**

**High School, Project #0063)**

**K. REGULAR REPORTS**

**K.1. Report of the Superintendent**

Minutes:

Superintendent Skelly reported there have been power outages in the Bay Area but there was not a power outage that affected any of the schools in the district or families. On Monday was PD day, this was a school based PD. Some of the classified staff attended the National Equity training while other staff attended CPR or other workshops.

**K.2. Report of the Student Board Member**

Minutes:

Student Board Member Kaitlyn Duong reported on the shoe drive at Aragon High School. It is in collaboration with the Key Club, one of the largest student led service organizations. The Key Club, along with Aragon Students, are collaborating with the local organization called "My New Red Shoes." The students will be collecting clothing and shoes for the adolescence within the community to help support the students who are in need.

Student Board Member Shelby Cherkas reported schools are having pride week celebrations. Aragon had a few events, tie dye, rainbow dress and a pride rally and pride game. She reported all the schools are getting ready for Homecoming.

**K.3. Report of the District Teachers' Association Representative**

Minutes:

District Teachers' Association Representative, nothing to report

**K.4. Report of the San Mateo Adult School Teachers Association**

Minutes:

San Mateo Adult School Teachers Association reported the union is planning to present the AFT proposal to open contract negotiations with the district. The Green Team led some of the Adult School students to help clean up the Bay front. The Adult School is working with the San Mateo County Office of Sustainability to certify some of the classrooms as a Green Star Classroom. Currently being offered to expand the path ways are four classes, the Professional Communication for Business and Beyond Certification course, Pharmacy Technician Certificate Program and the Modern Office Technology class. The Adult School has an articulation agreement with CSM where students are able to take six week courses and upon their completion and satisfactory grade they can earn 3 units toward college. Spanish Smart Business classes are being offered to help Spanish speaking students learn the fundamentals of starting a business.

**L. SPECIAL REPORTS AND APPEARANCES**

**L.1. Potential Prop 39 Capital Facilities General Obligation Bond**

Minutes:

Deputy Superintendent of Business Elizabeth McManus, Todd Lee, Greystone Construction Management Firm and Gin Kim, Keygent,

presented the Prop 39 Capital Facilities General Obligation Bond presentation.

The Board of Trustees directed the Administration to move forward with \$385 or \$388 million for the bond. The board has asked for information on the assumption on the first year based upon a high AV growth and going forward. This information will be provided at a later board meeting.

#### **L.2. Approval of Selection of Consultants and Consultants Contracts**

Minutes:

The Board of Trustees moved to approve the selection of consultants, as presented by the Superintendent, with the motion by Vice-President Friedman, and seconded by Trustee Dwyer with a vote of 5 to 0. The contracts for the consultants will be brought back for approval at the next board meeting.

#### **L.3. Board Direction on Staff Housing**

Minutes:

The Board has agreed to move forward with the Education Workforce Housing and to explore all the opportunities and pursue more than one location for staff housing. The Board directed the Administration to look into Bridge Financing for staff housing and if it would be worth putting language in the bond for Bridge Financing. The Board stated the need for an outside communication consultant, as well as, a real estate broker to help with staff housing. Trustee Dwyer stated she does not want housing built on the Mills High School campus.

#### **L.4. Annual Update on Outcomes Measured in the District Local Control Accountability Plan (LCAP)**

Minutes:

Director of Curriculum and Assessment Brian Simmons, gave the Annual Update on Outcomes Measured in the District Local Control Accountability Plan (LCAP).

### **M. CONSTRUCTION**

#### **M.1. Approve Amendment 1 to the Pre-Construction Services contract with Rodan Builders, Inc. for Pre-Construction Services for the New Peninsula Continuation/Alternative High School Project (Project)**

**Motion Passed:** It is recommended that the Board of Trustees approve Amendment 1 to the Pre-Construction Services contract for the Project. Passed with a motion by Marc Friedman and a second by Robert Griffin.

Yes Linda Lees Dwyer  
Yes Marc Friedman  
Yes Robert Griffin  
Yes Peter Hanley  
Yes Greg Land

### **N. DIVISION OF HUMAN RESOURCES**

#### **N.1. Approval of Personnel Actions**



**Motion Passed:** Approve the attached personnel actions, including the addendum. Passed with a motion by Linda Lees Dwyer and a second by Robert Griffin.

Yes Linda Lees Dwyer  
Yes Marc Friedman  
Yes Robert Griffin  
Yes Peter Hanley  
Yes Greg Land

**N.2. Presentation and Public Hearing Regarding the Contract Proposals for the 2019-2022 Successor Contract Negotiations Between the American Federation of Teachers (AFT) and the San Mateo Union High School District**

Minutes:

The Presentation and Public Hearing Regarding the Contract Proposals for the 2019-2022 Successor Contract Negotiations Between the American Federation of Teachers (AFT) and the San Mateo Union High School District was pulled from the agenda.

**N.3. Review, Discuss and Approve the Contract Proposals for the 2019-2022 Successor Contract Negotiations Between the American Federation of Teachers (AFT) and the San Mateo Union High School District**

Minutes:

The Review, Discuss and Approve the Contract Proposals for the 2019-2022 Successor Contract Negotiations Between the American Federation of Teachers (AFT) and the San Mateo Union High School District was pulled from the agenda.

**O. DIVISION OF INSTRUCTIONAL SERVICES**

**O.1. Approve Changes in District Graduation Requirements**

**Motion Passed:** Approve the five credit Ethnic Studies Course as a high school graduation requirement for all SMUHSD students. This course will replace the current five-credit Contemporary World Studies (CWS) graduation requirement the Class of 2024. The board approved the pilot of the Ethnic Studies course in the spring of 2018. This recommendation is a result of that pilot and board direction. Passed with a motion by Marc Friedman and a second by Linda Lees Dwyer.

Yes Linda Lees Dwyer  
Yes Marc Friedman  
Yes Robert Griffin  
No Peter Hanley  
Yes Greg Land

**P. DIVISION OF STUDENT SERVICES**

**Q. DIVISION OF BUSINESS SERVICES**

**Q.1. Use of Umland Funds for Burlingame High School Needs**

**Motion Passed:** It is recommended that the Board of Trustees approve using \$11,330 to purchase equipment for its athletic and physical education programs. Passed with a motion by Marc Friedman and a

second by Robert Griffin.  
Yes Linda Lees Dwyer  
Yes Marc Friedman  
Yes Robert Griffin  
Yes Peter Hanley  
Yes Greg Land

**R. BOARD OPERATIONS**

**R.1. Board Input on District Logo**

**R.2. Approve changing the April 23, 2020 board meeting to Thursday, April 16, 2020**

**Motion Passed:** Recommendation for the Board to approve changing the April 23, 2020 board meeting date to Thursday, April 16, 2020 due to a scheduling conflict. Passed with a motion by Linda Lees Dwyer and a second by Robert Griffin.


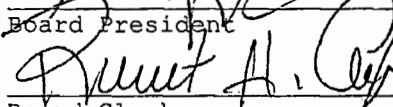
Yes Linda Lees Dwyer  
Yes Marc Friedman  
Yes Robert Griffin  
Yes Peter Hanley  
Yes Greg Land

**S. REQUESTED BOARD ITEM**

**T. ADJOURNMENT**

Minutes:

There being no further business the meeting was adjourned at 9:47 p.m.

  
\_\_\_\_\_  
Board President  
  
\_\_\_\_\_  
Board Clerk

**Regular Meeting****San Mateo Union HSD****October 10, 2019 7:00PM****San Mateo Union High School District Office 650 N. Delaware Street District Office Conference Room 129 CLOSED SESSION-6:00 PM District Office Conference Room 204****A. CALL TO ORDER****Minutes:**

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Vice-President Friedman called the Closed Session to order at 6:00 p.m.

**B. ROLL CALL****Minutes:**

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In attendance, Trustee Hanley, Trustee Dwyer, Clerk Griffin and Vice-President Friedman. President Land arrived at 6:10 p.m.

**C. PUBLIC AND/OR GOVERNING BOARD COMMENTS ON CLOSED SESSION ITEMS**

**D. CLOSED SESSION** Anyone wishing to address the Board regarding Closed Session items may do so at this time. Items [\*] marked are scheduled for discussion at this meeting. All proceedings are reported to the public in open session where action is taken or staff is given direction.

**Rationale:**

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D.1. [ ] Public Employee Evaluation pursuant to Government Code Section 54957

D.2. [ ] Public Employee Appointment/Employment pursuant to Government Code Section §54957

D.3. [ ] Conference with Legal Counsel-Existing Litigation;-pursuant to Government Code Section 54956.9

D.4. [\*] Conference with Legal Counsel-Pending Litigation pursuant to Government Code Section §54956.9(d)(1)- one (1) case

D.5. [ ] Liability Claims pursuant to Government Code Section §54957

D.6. [ ] Conference with Labor Negotiators pursuant to Government Code Section §54957.6

**D.7. [ ] Conference with Real Property Negotiator-pursuant to Government Code Section §54956**

**D.8. [\* ] Public Employee Discipline/Dismissal/Release/Complaint pursuant to Government Code Section §54957**

**D.9. [ ] Confidential Student Discipline**

**D.10. [ ] Confidential Student Matters**

## **E. OPEN SESSION**

### **Minutes:**

President Land called the Open Session to order at 7:02 p.m.

President Land stated there was nothing to report from Closed Session.

## **F. ROLL CALL**

### **Minutes:**

In attendance, Trustee Linda Lees Dwyer, Trustee Peter Hanley, Clerk Robert Griffin, Vice-President Marc Friedman and President Greg Land and Student Board Members Kaitlyn Duong and Shelby Cherkas.

## **G. PLEDGE OF ALLEGIANCE TO THE FLAG**

### **Minutes:**

The pledge of allegiance to the flag was led by Student Board Members Shelby Cherkas and Kaitlyn Duong.

## **H. PUBLIC AND/OR GOVERNING BOARD COMMENTS**

### **Minutes:**

Trustee Dwyer reported she has tickets to every play and musical for the fall.

Trustee Hanley, nothing to report

Clerk Griffin, nothing to report

Vice-President Friedman requested to have the schedule for the musicals emailed to him.

President Land also requested to have the schedule for the musicals emailed to him.

## **I. COMMUNICATIONS TO THE BOARD OF TRUSTEES**

**I.1. Letter from the San Mateo County Office Of Education for the Local Control Accountability Plan and Adopted Budget-Fiscal Year 2018-19**

### **Minutes:**

President Land acknowledge the receipt of the Letter from the San Mateo County Office Of Education for the Local Control Accountability Plan and Adopted Budget-Fiscal Year 2018-19.

### **Recommended Motion:**

For Information

### **Quick Summary / Abstract:**

Letter from the San Mateo County Office Of Education for the Local Control Accountability Plan and Adopted Budget-Fiscal Year 2019-20.

### **Attachments:**

Letter from the SMCOE for LCAP and Adopted Budget-19-20

## **J. CONSENT AGENDA**

### **Minutes:**

The Board upon the motion of Trustee Dwyer, and seconded by Clerk Griffin, moved to approve

the Consent Agenda with a vote of 5 to 0.

### **J.1. Approval of Field Trip for San Mateo High Band and Orchestra to Participate in the Instrumental Music Tour in Honolulu, Hawaii**

**Speaker:**

Brian Simmons

**Recommended Motion:**

Approve the participation of 114 San Mateo High School students to attend the Instrumental Music Tour in Honolulu, Hawaii from April 5, 2020 to April 10, 2020. Students will be chaperoned by Attilio Tribuzi and 14 other adult supervisors. The estimated cost for the group is \$262,200. No student will be excluded from participation because of a lack of sufficient funds.

**Quick Summary / Abstract:**

Approve the participation of 114 San Mateo High School students to attend the Instrumental Music Tour in Honolulu, Hawaii from April 5, 2020 to April 10, 2020. Students will be chaperoned by Attilio Tribuzi and 14 other adult supervisors. The estimated cost for the group is \$262,200. No student will be excluded from participation because of a lack of sufficient funds.

**Financial Impact:**

Approximate Cost: \$2,300.00 per student

Total Estimate for Group: \$262,200.00

**Attachments:**

San Mateo High School Field Trip to Honolulu, HI

### **J.2. Approval of Consulting Agreements, Contracts, Invoices and Purchase Orders**

**Speaker:**

Elizabeth McManus

**Recommended Motion:**

Approve the consulting agreements, contracts, invoices and purchase orders, as listed on the attached spreadsheet, in the amount of \$831,900.14.

**Quick Summary / Abstract:**

Consulting agreements, contracts, invoices and purchase orders have been processed in accordance with the rules and regulations of the Board of Trustees and applicable legal requirements of the State of California. This agenda item presents for Board approval the attached list of consulting agreements, contracts, invoices and purchase orders. Agreements, contracts, invoices and purchase orders \$25,000 and less do not need Board approval, but are listed in order to provide disclosure to the Board.

**Attachments:**

Contract Log for contracts over \$25,000

Contract Log for contracts under \$25,000

### **J.3. Acceptance of Quarterly Report on Williams Uniform Complaints**

**Speaker:**

Kirk Black

**Recommended Motion:**

Accept the Quarterly Report on Williams Uniform Complaints for the quarter, July 1, 2019 through September 30, 2019, noting no complaints were received.

**Quick Summary / Abstract:**

The District is required to submit a quarterly report to the Board of Trustees on complaints that it has received in response to the Williams Settlement Case, Education Code §35186.

The areas that are addressed in the Williams Uniform Complaint Procedures include sufficient textbooks and instructional materials, teacher vacancy or misassignment, facilities conditions and intensive instruction and services. For the quarter, July 1, 2019 through September 30, 2019, the District did not receive any such complaints.

#### **J.4. Grand Jury Recommendations**

##### **Speaker:**

Kirk Black

##### **Recommended Motion:**

Review, discuss and approve the Grand Jury's recommendations regarding Concussions.

##### **Quick Summary / Abstract:**

The District requests the Board of Trustees review, discuss and approve the following recommendations from the Grand Jury regarding Concussions:

R1. By September 2020, the San Mateo County Office of Education (SMCOE), with input from each high school district and unified school district, should establish a common "San Mateo County Concussion Protocol" that will:

1. Identify the specific responsibilities of those involved who carry out the steps of the concussion protocol as well as the timing of those actions.
2. Establish a county-wide database of concussions by sport – to include number of students by gender participating in each sport, frequency of head injuries, circumstances of head injuries (e.g., whether incurred at a formal game or at practice), timing, and completion of RTL/RTP steps.
3. Make neurocognitive testing (NCT) an option, not a requirement. If a school or district does use NCT at baseline or after injury, it should be made clear which test is used, who administers the test, how the results are reported, and who interprets the results.
4. Specify that at a minimum, football games and full-contact practices should be attended by certified athletic trainers (CATs).
5. Establish a process for tracking compliance with the San Mateo County Concussion Protocol.

R2. Beginning with the 2020-2021 school year, each high school district and unified school district should supply its statistics for the data base to the SMCOE annually.

R3. By September 2021, the SMCOE should publish an annual summary of the database on its website (excluding personally identifiable information), so that parents, students, and educators can be better informed on concussion risks for high school students' sports of choice.

##### **Attachments:**

**Grand Jury Advanced Concussion Report**

#### **J.5. Approval of Agreement of Roles and Responsibilities for Project SEARCH**

##### **Speaker:**

Carolyn Schwartzbord

##### **Recommended Motion:**

Approve the Agreement of Roles and Responsibilities for Project SEARCH Project SEARCH between the San Mateo Union High School District, the San Mateo Medical Center and the Department of Rehabilitation, as contained in the attachment.

##### **Quick Summary / Abstract:**

Project SEARCH established a partnership between the San Mateo Medical Center, the San Mateo Union High School District and the Department of Rehabilitation. These partners work together to create an internal training and employment program that meets the needs of the students, in their last year of high school (usually age 21), with significant disabilities.

Students work as non-paid interns through three-to-six 10-week job rotations during their last academic school year. The program provides ongoing support to help the interns learn to successfully perform specific jobs which in turn give them very marketable skills. Nationwide, students graduating from this program go on to well-paying jobs with pensions, benefits and retirement plans at a high rate (65-100%).

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**Financial Impact:**

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**Attachments:**

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**Project SEARCH Agreement**

**J.6. Accept the Report of Investments**

**Speaker:**

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Elizabeth McManus

**Recommended Motion:**

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Accept the Report of Investments as presented.

**Quick Summary / Abstract:**

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SB 564 requires that the chief financial officer of each school agency provide regular reports to the superintendent, internal auditor, and the governing board for the two types of disclosure identified by Government Code Section 53646.

Type One: This statute requires that, if a local agency has placed all its investments in the Local Agency Investment Fund or in Federal Deposit Insurance Corporation-insured accounts in a bank or savings and loan association, in a county investment pool, or any combination of these, the chief financial officer need only supply the most recent statement or statements received by the local agency from these institutions.

Type Two: If the local agency has investments other than those identified in Type One above, the report must include: The type of investment; issuer; date of maturity; par and dollar amount invested in all securities, investments and monies held by the local agency; and shall additionally include a description of any local agency's funds, investments, or programs that are under the management of contracted parties, including lending programs. A current market value and the source of this valuation as of the date of the report must also be included if the local agency has securities under the management of an outside party that is not also a local agency or the California Local Agency Investment Fund.

As of June 30, 2019, all investments owned by the San Mateo Union High School District and shown in the attachment are "Type One" as defined by Government Code Section 53646.

**Attachments:**

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**San Mateo County Investment Pool Fund Report June 2019**

**Summary of Investment Accounts and Liabilities**

**J.7. Declaration of and Authorization to Dispose of Surplus Property**

**Speaker:**

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Elizabeth McManus

**Recommended Motion:**

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Declare the books as surplus and authorize the staff to dispose of them per Education Code Section 17546 (c).

**Quick Summary / Abstract:**

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Aragon High School Textbook Surplus

Title: Biotechnology: Science for the New Millennium (Textbook)

Author: Ellyn Daugherty



ISBN:9780763833794 Copyright:2007

Reason: outdated and replaced by the 2017 edition

Number of Copies: 174

Title: Biotechnology: Science for the New Millennium (Manuals in very bad condition)

Author: Ellyn Daugherty

ISBN:9780763833794 Copyright:2007

Reason: outdated and replaced by the 2017 edition

Number of Copies: 206

Pertinent Education Code Sections

Per the Education Code Section 17546, (c) if the Board, by a unanimous vote of those members present, finds that the property is of insufficient value to defray the costs of arranging a sale, the property may be donated to a charitable organization deemed appropriate by the board, or it may be disposed of in the local public dump on order of any employee of the district empowered for that purpose by the Board.

**Attachments:**

**Aragon High School Textbook Surplus**

**J.8. Acceptance of Gifts to the District**

**Speaker:**

Elizabeth McManus

**Recommended Motion:**

Accept the listed donations with thanks.

**Quick Summary / Abstract:**

The district received the following donations.

**Aragon High School**

Aragon School Climate (Stock Donation)

Total \$1,079.83

**Burlingame High School**

Parents Group 1st Semester Donation for 8 Class Sections, PAWS/Explore Salaries, Tutoring, Webmaster PAWS/ Explore expenses, Robotics, Science Consumables, Student Planners, Panther Pal Program and Principal's Discretionary

Totals \$192,000.00

**Capuchino High School**

Drama Class \$100.00

Art Class \$130.00

Video Production \$140.00

Ceramics Class \$185.00

Scholarship \$2,000.00

Principal Grant & Focus Grant \$4,500.00

Total \$7,055.00

**Mills High School**

Mills Annual Fund

Totals \$693.90

Total Donations \$200,828.73

**Attachments:**

Gifts to the District

**J.9. Approval to Award Contract for Aragon High School Elevator Canopy Project.**

**Speaker:**

Elizabeth McManus

**Recommended Motion:**

It is recommended that the Board of Trustees award the proposal identified on the attachment, in the total amount of \$51,872.00, with all costs to be charged to Fund 21- District Deferred Maintenance.

**Quick Summary / Abstract:**

Three proposals were received to install a canopy above the elevator. The proposals have been reviewed by the construction manager for validity and reasonableness. They have determined that Coulter Construction is the lowest responsive and responsible bidder, meeting all requirements.

**Financial Impact:**

The awarded bid for this project will be charged to Fund 21 District Deferred Maintenance. The impact to the individual project budget is the amount listed on the detailed list for that project; the costs have been included in the project budget.

**Attachments:**

AHL Born Structural Steel, Inc.

Coulter Construction, Inc.

Rodan Builders, Inc.

**J.10. Approval of DSA Inspection Services Proposal with DFE & Associates, Inc. for DSA Inspection Services on the New Peninsula High School (Continuation High School and Alternative High School, Project #0063)**

**Speaker:**

Elizabeth McManus

**Recommended Motion:**

It is recommended that the Board of Trustees approve the DSA Inspection Services Proposal with DFE & Associates, Inc. for the New Peninsula High School (Alternative High School, Project #0063).

**Quick Summary / Abstract:**

The Peninsula High School project requires the services of a qualified DSA inspector. Staff is bringing forth a contract with DFE & Associates, Inc. for consideration.

**Financial Impact:**

The fee for DSA Inspection services would not exceed \$240,000.00.

The DSA Inspection services fee is built into the project budget for the project. There is no overall change to the project budget.

**Attachments:**

DFE & Associates, Inc.

**J.11. Approval to Award Contract for Burlingame High School Press Box Project.**

**Speaker:**

Elizabeth McManus

**Recommended Motion:**

It is recommended that the Board of Trustees award the proposal identified on the attachment, in the total amount of \$226,050.00, with all costs to be charged to Fund 21-District Deferred Maintenance.

**Quick Summary / Abstract:**

On September 10, 2019 one proposal was received. The proposal has been reviewed by the construction manager for validity and reasonableness and have determined Southern Bleacher to be the lowest responsive and responsible bidder, meeting all requirements.

**Financial Impact:**

The awarded bid for this project will be charged to Fund 21 District Deferred Maintenance. The impact to the individual project budget is the amount listed on the detailed list for that project; the costs have been included in the project budget.

**Attachments:**

Southern Bleacher Company

**J.12. Approval of Change Orders for District Deferred Maintenance Projects****Speaker:**

Elizabeth McManus

**Recommended Motion:**

Approve the change orders identified on the attachment, in the amount of \$12,116.92 with all costs to be credited to Fund 21 and authorize the Superintendent to sign said change orders.

**Quick Summary / Abstract:**

The attached detailed list of project change orders is recommended for the Board's approval. They have been reviewed by the District's construction manager and architect for validity and reasonableness.

**Financial Impact:**

Change orders for District Projects are charged to Fund 21. There is no impact to the individual project budget.

**Attachments:**

Change Order Approval

Consolidated Partitions, Inc. - AHS Change Order 001

Consolidated Partitions, Inc. -HHS Change Order 001

**J.13. Approval of Geotechnical Consulting Services Proposal with Cleary Consultants, Inc. for Geotechnical and Geohazard Services on the Capuchino High School and Mills High School Artificial Turf Replacements and Sports Field Complexes.****Speaker:**

Elizabeth McManus

**Recommended Motion:**

It is recommended that the Board of Trustees approve the Geotechnical Consulting Services proposal with Cleary Consultants for the Capuchino and Mills High Schools Artificial Turf Replacement and Sports Field Complexes Projects.

**Quick Summary / Abstract:**

The Capuchino High School and Mills High School Athletic Complex projects require the services of a qualified geotechnical and geohazard consultant. We are bringing forward a contract with Cleary Consultants, Inc. for consideration.

**Financial Impact:**

The fee for Geotechnical Consulting services are to be initial lump-sum services not to exceed \$15,000.00 for Mills High School and \$15,000.00 for Capuchino High School.

Staff is asking board approval to issue the purchase orders to be amended later in order to get consulting services underway. The Geotechnical Consulting service fees are included in the project budgets. There is no financial impact.

**Attachments:**

Clearv Consultants Inc.- Mills High School Athletic Field  
 Cleary Consultants Inc.-Capuchino High School Athletic Field

**J.14. Approval of In-Plant Inspection Services Proposal with Joseph Renda Construction Services, Inc. for In-Plant Inspection Services on the New Peninsula High School (Continuation High School/Alternative High School, Project #0063)**

**Speaker:**

Elizabeth McManus

**Recommended Motion:**

It is recommended that the Board of Trustees approve the In-Plant Inspection Services Proposal with Joseph Renda Construction Services, Inc. for the New Peninsula High School (Construction/Alternative High School, Project #0063).

**Quick Summary / Abstract:**

DSA requires required an on-site inspector supervise the construction of the modular buildings for the New Peninsula High School. It is recommended that the Board of Trustees approve the proposal for In-Plant Inspection Services with Joseph Renda Construction Services, Inc. for the New Peninsula High School (Construction/Alternative High School).

**Financial Impact:**

The In-Plant Inspection services fee is a component of the project budget and there is no impact to the project budget. The consulting fee for In-Plant Inspection services will not exceed \$38,750.00.

**Attachments:**

Joseph Renda Construction Services, Inc.

**K. REGULAR REPORTS**

**K.1. Report of the Superintendent**

**Minutes:**

Superintendent Skelly reported there have been power outages in the Bay Area but there was not a power outage that affected any of the schools in the district of families. On Monday was PD day, this was a school based PD. Some of the classified staff attended the National Equity training while other staff attended CPR or other workshops.

**K.2. Report of the Student Board Member**

**Minutes:**

Student Board Member Kaitlyn Duong reported on the shoe drive at Aragon High School. It is in collaboration with the Key Club, one of the largest student led service organizations. The Key Club, along with Aragon Students, are collaborating with the local organization called "My New Red Shoes." The students will be collecting clothing and shoes for the adolescence within the community to help support the students who are in need.

Student Board Member Shelby Cherkas reported schools are having pride week celebrations. Aragon had a few events, tie dye, rainbow dress and a pride rally and pride game. She reported all the schools are getting ready for Homecoming.

**K.3. Report of the District Teachers' Association Representative**

**Minutes:**

District Teachers' Association Representative, nothing to report

**K.4. Report of the San Mateo Adult School Teachers Association**

**Minutes:**

San Mateo Adult School Teachers Association reported the union is planning to present the

AFT proposal to open contract negotiations with the district. The Green Team led some of the Adult School students to help clean up the Bay front. The Adult School is working with the San Mateo County Office of Sustainability to certify some of the classrooms as a Green Star Classroom. Currently being offered to expand the path ways are four classes, the Professional Communication for Business and Beyond Certification course, Pharmacy Technician Certificate Program and the Modern Office Technology class. The Adult School has an articulation agreement with CSM where students are able to take six week courses and upon their completion and satisfactory grade they can earn 3 units toward college. Spanish Smart Business classes are being offered to help Spanish speaking students learn the fundamentals of starting a business.

## **L. SPECIAL REPORTS AND APPEARANCES**

### **L.1. Potential Prop 39 Capital Facilities General Obligation Bond**

#### **Speaker:**

Kevin Skelly/Elizabeth McManus

#### **Minutes:**

Deputy Superintendent of Business Elizabeth McManus, Todd Lee, Greystone Construction Management Firm and Gin Kim, Keygent, presented the Prop 39 Capital Facilities General Obligation Bond presentation.

The Board of Trustees directed the Administration to move forward with \$385 or \$388 million for the bond. The board has asked for information on the assumption on the first year based upon a high AV growth and going forward. This information will be provided at a later board meeting.

#### **Recommended Motion:**

For Information

#### **Quick Summary / Abstract:**

The Board of Trustees has been considering a Prop 39 bond measure to address facility needs for over a year. Staff will present an information item regarding a future bond. The capital projects have been categorized into four distinct areas: safety and security, academic improvement, technology and sustainability. The attached draft presentation materials incorporate a list of capital projects requested, project costs, bond sizes, and issuance timelines.

At the end of the presentation, staff will answer any questions and seek board direction on next steps.

#### **Attachments:**

Bond Information Presentation

### **L.2. Approval of Selection of Consultants and Consultants Contracts**

#### **Speaker:**

Kevin Skelly/Elizabeth McManus

#### **Minutes:**

The Board of Trustees moved to approve the selection of consultants, as presented by the Superintendent, with the motion by Vice-President Friedman, and seconded by Trustee Dwyer with a vote of 5 to 0. The contracts for the consultants will be brought back for approval at the next board meeting.

#### **Recommended Motion:**

Staff is requesting the Board of Trustees approve the recommended consultants for Legal Services, Public Relations and Real Estate Brokerage Services and the contracts for D & A Communications and DCG Strategies. The District has an approved contract with Lozano Smith.

**Quick Summary / Abstract:**

A main goal for the 2019-20 fiscal year is the promotion of careful stewardship of the District's assets. The Board of Trustees has requested staff to transparently and responsibly manage the disposition of the Crestmoor property for its best use. To accomplish this, the District issued Requests for Qualifications/Proposals for legal services, real estate brokerage services and public relation and communication services. Responses were evaluated and qualified firms were interviewed. Several exemplary firms participated in the process and today we bring forward the committee's recommendation.

Legal Services-Harold Freiman, Lozano Smith

Public Relations-D & A Communications

Real Estate Brokerage Services-DCG Strategies

**L.3. Board Direction on Staff Housing****Speaker:**

Kevin Skelly/Elizabeth McManus

**Minutes:**

The Board has agreed to move forward with the Education Workforce Housing and to explore all the opportunities and pursue more than one location for staff housing. The Board directed the Administration to look into Bridge Financing for staff housing and if it would be worth putting language in the bond for Bridge Financing. The Board stated the need for an outside communication consultant, as well as, a real estate broker to help with staff housing. Trustee Dwyer stated she does not want housing built on the Mills High School campus.

**Recommended Motion:**

For Discussion

**Quick Summary / Abstract:**

On August 22, 2019 the Board approved the 2019-2020 District Goals. In that document the Board directed staff to:

*"Pursue feedback and direction from the Board of Trustees regarding ...building workforce (staff) housing. If approved, develop a process to receive community input and deploy a comprehensive communications campaign to ensure that stakeholders are informed of the District's progress.*

Staff requests direction from the board on this topic.

**L.4. Annual Update on Outcomes Measured in the District Local Control Accountability Plan (LCAP)****Speaker:**

Brian Simmons

**Minutes:**

Director of Curriculum and Assessment Brian Simmons, gave the Annual Update on Outcomes Measured in the District Local Control Accountability Plan (LCAP).

**Recommended Motion:**

For Information

**Quick Summary / Abstract:**

The District will present the first of three annual updates on outcomes measured in the District Local Control Accountability Plan (LCAP). This presentation will involve key academic results (from Goal 2 of the District's LCAP) for all student subgroups across all school sites from the 2018-19 School Year.

- C- (or better) Rates:



- Algebra 1 (9th Grade) - spring 2019
- English 1 (9th Grade) - spring 2019
- 10th Graders on Track (post-Summer School 2019) - 110+ Credits earned and a 2.0+ Grade Point Average
- A-G completion among class of 2019 - The numbers and percentages of students who met the course requirements for eligibility for a UC/CSU
- 11th Grade CA Assessment of Student Performance & Progress (CAASPP) scores in English and Mathematics - spring 2019
- AP/IB Course Enrollment among student groups

Draft presentation materials are attached.

**Attachments:**

**LCAP Goal 2 - Academic Achievement Update - DRAFT**

**M. CONSTRUCTION**

**M.1. Approve Amendment 1 to the Pre-Construction Services contract with Rodan Builders, Inc. for Pre-Construction Services for the New Peninsula Continuation/Alternative High School Project (Project)**

**Speaker:**

Elizabeth McManus

**Recommended Motion:**

It is recommended that the Board of Trustees approve Amendment 1 to the Pre-Construction Services contract for the Project.

**Actions:**

**Motion**

It is recommended that the Board of Trustees approve Amendment 1 to the Pre-Construction Services contract for the Project.

Passed with a motion by Marc Friedman and a second by Robert Griffin.

**Vote:**

**Yes** Linda Lees Dwyer.  
**Yes** Marc Friedman.  
**Yes** Robert Griffin.  
**Yes** Peter Hanley.  
**Yes** Greg Land.

**Quick Summary / Abstract:**

On March 7, 2019, the Board of Trustees authorized issuance of a Request for Qualification/Request for Proposals for Lease-Leaseback Construction Services for the Project. The Project includes pre-construction Increment 1 Site Development work, which consists of (i) the existing building and pavement will be removed; (ii) the Site will be cleared and grubbed; (iii) the soil will be processed per the advisement of the geotechnical engineer; (iv) site utilities, including storm drain, sanitary sewer, domestic water, fire suppression water and natural gas piping, will be installed; (v) site electrical and telecommunications infrastructure will be installed in underground conduits; and (vi) final grades will be established for building pads and site paving.

On May 9, 2019, the Board awarded the Project to Rodan Builders as the "best-value" lease-leaseback contractor.

The demolition and abatement work are anticipated to start on October 14, 2019. Rodan has selected subcontractors, performed pre-construction services, and has provided the District with objectively verifiable information of its costs to perform the demolition and abatement services for the Project. It is anticipated that the California Department of General Services' Division of the State Architect will approve the plans and specifications for the Project before December 31, 2019. In the interest of time, staff is requesting the Board of Trustees approve



the Amendment 1 authorizing the addition of demolition and abatement services to the Pre-Construction Services contract.

**Financial Impact:**

The funding source for the Project will be Fund 21 – Building Fund – Measure O. Once the Board of Trustees approves the final GMP and issues a notice to proceed, there will not be any material changes to the budget. Amendment 1 will reallocate funds from the construction phase to the pre-construction phase in the amount of \$219,694.57.

**Attachments:**

Amendment No. 1 Rodan Builders. Inc.  
C-2- Alternative Ed High School-Abatement & Demolition

**N. DIVISION OF HUMAN RESOURCES**

**N.1. Approval of Personnel Actions**

**Speaker:**

Kirk Black

**Recommended Motion:**

Approve the attached personnel actions, including the addendum.

**Actions:**

**Motion**

Approve the attached personnel actions, including the addendum.

Passed with a motion by Linda Lees Dwyer and a second by Robert Griffin.

**Vote:**

**Yes** Linda Lees Dwyer.

**Yes** Marc Friedman.

**Yes** Robert Griffin.

**Yes** Peter Hanley.

**Yes** Greg Land.

**Quick Summary / Abstract:**

A list of personnel actions is contained in the attachment for the Board's consideration.

**Attachments:**

Personnel Actions  
Personnel Actions Addendum

**N.2. Presentation and Public Hearing Regarding the Contract Proposals for the 2019-2022 Successor Contract Negotiations Between the American Federation of Teachers (AFT) and the San Mateo Union High School District**

**Speaker:**

Kirk Black

**Minutes:**

The Presentation and Public Hearing Regarding the Contract Proposals for the 2019-2022 Successor Contract Negotiations Between the American Federation of Teachers (AFT) and the San Mateo Union High School District was pulled from the agenda.

**Recommended Motion:**

Conduct a public hearing on the American Federation of Teachers (AFT) and the San Mateo Union High School District's contract proposals regarding the 2019-2022 successor contract negotiations.

**Quick Summary / Abstract:**

The American Federation of Teachers (AFT) and the San Mateo Union High School District contract proposals regarding the 2019-2022 successor contract negotiations will be presented at the Board of Trustees meeting on October 10, 2019. This hearing is provided for the public to become informed and express itself regarding the proposals.

**Attachments:**

**District AFT Contract Reopeners 2019-2022****N.3. Review, Discuss and Approve the Contract Proposals for the 2019-2022 Successor Contract Negotiations Between the American Federation of Teachers (AFT) and the San Mateo Union High School District****Speaker:**

Kirk Black

**Minutes:**

The Review, Discuss and Approve the Contract Proposals for the 2019-2022 Successor Contract Negotiations Between the American Federation of Teachers (AFT) and the San Mateo Union High School District was pulled from the agenda.

**Recommended Motion:**

Review, discuss and approve the contract proposals for the 2019-2022 successor contract negotiations between the American Federation of Teachers (AFT) and the San Mateo Union High School District, as contained in the attachment.

**Quick Summary / Abstract:**

The District requests the Board of Trustees review, discuss and approve the contract proposals for the 2019-2022 successor contract negotiations between the American Federation of Teachers (AFT) and the San Mateo Union High School District, as contained in the attachment.

**Attachments:**

District AFT Contract Reopeners 2019-2022

**O. DIVISION OF INSTRUCTIONAL SERVICES****O.1. Approve Ethnic Studies Board Policy****Speaker:**

Julia Kempkey/Brian Simmons

**Recommended Motion:**

Approve the five credit Ethnic Studies Course as a high school graduation requirement for all SMUHSD students. This course will replace the current five-credit Contemporary World Studies (CWS) graduation requirement the Class of 2024. The board approved the pilot of the Ethnic Studies course in the spring of 2018. This recommendation is a result of that pilot.

**Actions:****Motion**

Approve the five credit Ethnic Studies Course as a high school graduation requirement for all SMUHSD students. This course will replace the current five-credit Contemporary World Studies (CWS) graduation requirement the Class of 2024. The board approved the pilot of the Ethnic Studies course in the spring of 2018. This recommendation is a result of that pilot.

Passed with a motion by Marc Friedman and a second by Linda Lees Dwyer.

**Vote:**

**Yes** Linda Lees Dwyer.  
**Yes** Marc Friedman.  
**Yes** Robert Griffin.  
**No** Peter Hanley.  
**Yes** Greg Land.

**Quick Summary / Abstract:**

The District requests the Board of Trustees to approve the five credit Ethnic Studies Course as a high school graduation requirement for all SMUHSD students. This course will replace the current five-credit Contemporary World Studies (CWS) graduation requirement with the Class of 2024. The board approved the pilot of the Ethnic Studies course in the spring of 2018. This recommendation is a result of that pilot.

**Attachments:**

BP 6146.1 (a) High School Graduation Requirement

**P. DIVISION OF STUDENT SERVICES****Q. DIVISION OF BUSINESS SERVICES****Q.1. Use of Umland Funds for Burlingame High School Needs****Speaker:**


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Elizabeth McManus

**Recommended Motion:**


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It is recommended that the Board of Trustees approve using \$11,330 to purchase equipment for its athletic and physical education programs.

**Actions:****Motion**

It is recommended that the Board of Trustees approve using \$11,330 to purchase equipment for its athletic and physical education programs.

Passed with a motion by Marc Friedman and a second by Robert Griffin.

**Vote:**

**Yes** Linda Lees Dwyer.  
**Yes** Marc Friedman.  
**Yes** Robert Griffin.  
**Yes** Peter Hanley.  
**Yes** Greg Land.

**Quick Summary / Abstract:**


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Peter and his wife Dolores T. Umland displayed their strong financial commitment to the District and Burlingame High School by making the District a residual beneficiary in the Peter S. Umland and Dolores T. Umland Trust. The Trust bequeathed \$740,000 of the residual estate to the District "for use by the Burlingame High School Athletic in its athletic endeavors."

The Burlingame High School administration has requested to use up to \$11,330 of the remaining Umland funds to purchase a timing system that will be used by the BHS track and cross country team and during physical education classes. They have also requested purchasing equipment for the weight room. The new equipment will be used by both the athletic program and physical education classes. These purchases will benefit all students at Burlingame High School.

**R. BOARD OPERATIONS****R.1. Board Input on District Logo****Speaker:**


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Kevin Skelly/Laura Chalkley

**Recommended Motion:**


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For Discussion

**Quick Summary / Abstract:**


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The Administration has been considering a new District Logo for quite some time. The staff is asking the Board for input on the process and how the board wants to be involved in the design of a new District Logo.

**R.2. Approve changing the April 23, 2020 board meeting to Thursday, April 16, 2020****Speaker:**


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Kevin Skelly

**Minutes:****Recommended Motion:**


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Recommendation for the Board to approve changing the April 23, 2020 board meeting date to Thursday, April 16, 2020 due to a scheduling conflict.

**Actions:****Motion****Vote:**

**Yes** Linda Lees Dwyer.

Recommendation for the Board to approve changing the April 23, 2020 board meeting date to Thursday, April 16, 2020 due to a scheduling conflict.

**Yes** Marc Friedman.  
**Yes** Robert Griffin.  
**Yes** Peter Hanley.  
**Yes** Greg Land.

Passed with a motion by Linda Lees Dwyer and a second by Robert Griffin.

**Quick Summary / Abstract:**

At the February 27, 2019 board meeting, the Board of Trustees approved the 2019-2020 Board Meeting Calendar. The staff is requesting to change the April 23, 2020 board meeting date to Thursday, April 16, 2020 due to a scheduling conflict.

**S. REQUESTED BOARD ITEM**

**Recommended Motion:**

For Discussion

**Quick Summary / Abstract:**

List of requested Board items:

- Expulsion Program Process-(Scheduled for October 24, 2019)
- Academic Integrity Policy process across the district
- Attendance Process and Review Policy

**T. ADJOURNMENT**

**Minutes:**

There being no further business the meeting was adjourned at 9:47 p.m.

**Disability Information:**

Meetings are accessible to people with disabilities. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed at the meeting, should contact Roberta Beeken, Administrative Assistant to the Superintendent, at least three working days before the meeting at (650) 558-2201. Notification in advance of the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it.

**10/10/2019 7:00:00 PM ( Original )**

Present	Linda Lees Dwyer
Present	Marc Friedman
Present	Robert Griffin
Present	Peter Hanley
Present	Greg Land



# SEQUOIA UNION HIGH SCHOOL DISTRICT

480 JAMES AVENUE, REDWOOD CITY, CALIFORNIA 94062-1098

ADMINISTRATIVE OFFICES (650) 369-1411

BOARD OF TRUSTEES

CARRIE DUBOIS  
GEORGIA JACK  
ALAN SARVER  
CHRIS THOMSEN  
ALLEN WEINER

MARY E. STRESHLY  
SUPERINTENDENT

November 13, 2019

*Via Email (grandjury@sanmateocourt.org)*

The Honorable Donald J. Ayooob  
Judge of the Superior Court  
c/o Charlene Kresevich  
Hall of Justice  
400 County Center; 2<sup>nd</sup> Floor  
Redwood City, CA 94063-1655

*Re: Response to the 2018-2019 Grand Jury Report entitled "Concussions and San Mateo County High School Sports: More to Learn, More to Do."*

Dear Judge Ayooob:

The Sequoia Union High School District (the "District") has received and reviewed the 2018-2019 Grand Jury Report entitled "Concussions and San Mateo County High School Sports: More to Learn, More to Do." We appreciate the Grand Jury's interest in this matter. Having reviewed and considered the Grand Jury's Findings and Recommendations, the District responds as follows, pursuant to section 933.05 of the California Penal Code:

## **FINDINGS**

1. *Concussions in high school athletics have potential serious negative health consequences, both short-term and long-term.*

The District agrees that concussions in high school athletics have potential serious negative health consequences, both short-term and long-term.

2. *Concussion protocols describe what must happen following a suspected concussion and can ensure students complete the required legal and medical steps following an injury.*

The District agrees that concussion protocols describe what must happen following a suspected concussion and can ensure students complete the required legal and medical steps following an injury.



3. *Each San Mateo County (SMC) high school district and unified school district is responsible for its own concussion protocol, and these vary from district to district and even school to school.*

The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding. However, the District agrees that it has its own concussion protocol.

4. *Responses to the 2018-2019 Grand Jury survey show that existing concussion protocols are inadequate because of omissions and lack of clarity on what to do after a suspected concussion.*

The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding. The District disagrees with this Finding with regard to the District's concussion protocol. We do not believe there are omissions or a lack of clarity on what to do after a suspected concussion.

5. *None of the SMC current school district concussion protocols provided to the Grand Jury in response to its survey have a mechanism to track compliance.*

The District lacks information to fully agree or disagree with this Finding given that it did not conduct the research related to this report. However, the District disagrees in part to the Grand Jury's Finding in so far as it applies to Sequoia Union High School District. The District tracks compliance with its concussion protocol through a recent (2019) contract with the Lucile Salter Packard Children's Hospital (LPCH) at Stanford. This provides access to comprehensive concussion management at LPCH, allowing concussion data and compliance to be tracked district wide. This allows athletic trainers to document concussions/injuries and communicate directly with families and the athletes' sports and care circle.

6. *The San Mateo County Office of Education (SMCOE) currently has no role in writing or implementing concussion protocols.*

The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding.

7. *The SMCOE has expressed in their Strategic Plan, and in their "Safe and Supportive Schools" programs, the vision that the SMCOE could encompass a leadership position in areas broader than traditional classroom activities. One area where the SMCOE could assume a leadership position is in raising the level of concussion care in the County high schools.*



The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding.

8. *ConcussionSmartMarin (CSM) provides a regional example of a concussion protocol that includes detailed steps to be followed when a possible concussion injury is observed and provides a process for collecting county-wide concussion data.*

The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding.

9. *Neurocognitive testing (NCT) may contribute to the diagnosis of mild traumatic brain injury, but multiple complexities compromise its use in practice, either at baseline or after head injury. If NCT is used as part of a concussion protocol, clear guidelines should be written to describe how tests are interpreted and who should interpret them, which does not appear to be the case in the districts that use them.*

The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding.

10. *The availability of county-wide data on concussions summarized across sports and across high school districts can lead to more informed individual decisions by students and parents on concussion risks and allow for tracking of whether changes in sporting rules or concussion assessment practices decrease concussion risks over time.*

The District agrees that the availability of county-wide data on concussions summarized across sports and across high school districts can lead to more informed individual decisions by students and parents on concussion risks and allow for tracking of whether changes in sporting rules or concussion assessment practices decrease concussion risks over time

11. *There is no county-wide database across all districts of SMC that tracks the frequency and circumstances of concussion data in high school sports.*

The District agrees that there is no county-wide database across all districts of SMC that tracks the frequency and circumstances of concussion data in high school sports.

12. *Certified athletic trainers (CATs) are trained in all aspects of carrying out concussion protocols. Their availability or presence on the field at the time of a concussion event is a valuable resource to decrease the consequences of concussions.*



The District cannot fully agree or disagree with this Finding as stated, as the District did not conduct the research cited in the Report on which this Finding is based. The District defers to the Grand Jury with regard to this Finding.

13. *Three SMC high school districts do not provide athletic trainers: Jefferson Union, South San Francisco Unified, and La Honda-Pescadero Unified. Jefferson Union and South San Francisco Unified have active football programs.*

The District cannot fully agree or disagree with this Finding as stated, as the District did not conduct the research cited in the Report on which this Finding is based. The District defers to the Grand Jury with regard to this Finding.

14. *No standard definition of high-risk sports exists throughout the United States; the definition remains a judgment call by parents, educators, and physicians. Tables 1 and 2 show that for Michigan high schools, football clearly stands out as having more head injuries.*

The District cannot fully agree or disagree with this Finding as stated, as the District did not conduct the research cited in the Report on which this Finding is based. The District defers to the Grand Jury with regard to this Finding.

### **RECOMMENDATIONS**

1. *By September 2020, the San Mateo County Office of Education (SMCOE), with input from each high school district and unified school district, should establish a common "San Mateo County Concussion Protocol" that will:*
  - a. *Identify the specific responsibilities of those involved who carry out the steps of the concussion protocol as well as the timing of those actions.*
  - b. *Establish a county-wide database of concussions by sport - to include number of students by gender participating in each sport, frequency of head injuries, circumstances of head injuries (e.g., whether incurred at a formal game or at practice), timing, and completion of RTL/RTP steps.*
  - c. *Make neurocognitive testing (NCT) an option, not a requirement. If a school or district does use NCT at baseline or after injury, it should be made clear which test is used, who administers the test, how the results are reported, and who interprets the results.*
  - d. *Specify that at a minimum, football games and full-contact practices should be attended by certified athletic trainers (CATs).*
  - e. *Establish a process for tracking compliance with the San Mateo County Concussion Protocol.*

Generally speaking, the District supports this Recommendation; however, it requires further analysis given the coordination required among the District, other affected districts, and the San Mateo County Office of Education. The District recently entered into a contract with the Lucile



Salter Packard Children's Hospital (LPCH) at Stanford to provide Athletic Training services to district athletic programs. With these services comes further training and access to comprehensive concussion management at LPCH, allowing concussion data to be tracked district wide, in a centralized site. This allows athletic trainers to document concussions/injuries and communicate directly with families and the athletes' sports and care circle.

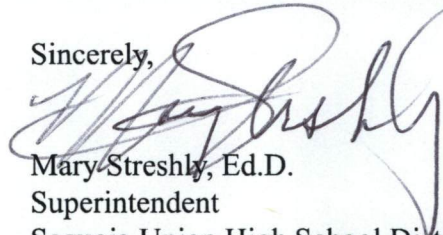
- 2. Beginning with the 2020-2021 school year, each high school district and unified school district should supply its statistics for the database to the SMCOE annually.*

The District will implement this Recommendation.

Both the Grand Jury Report and these responses were presented to and approved by the District's Board of Trustees on November 13, 2019.

Please do not hesitate to contact me if you have questions or require additional information.

Sincerely,



Mary Streshly, Ed.D.

Superintendent

Sequoia Union High School District



## SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT

### SUPERINTENDENT

Shawnterra Moore, Ed.D.

### BOARD OF TRUSTEES

John C. Baker  
Eddie Flores  
Daina R. Lujan  
Patricia A. Murray  
Mina A. Richardson

September 27, 2019

*Via Email ([grandjury@sanmateocourt.org](mailto:grandjury@sanmateocourt.org))*

The Honorable Donald J. Ayoob  
Judge of the Superior Court  
c/o Charlene Kresevich  
Hall of Justice  
400 County Center; 2<sup>nd</sup> Floor  
Redwood City, CA 94063-1655

*Re: Response to the 2018-2019 Grand Jury Report entitled "Concussions and San Mateo County High School Sports: More to Learn, More to Do."*

Dear Judge Ayoob:

The South San Francisco Unified School District (the "District") has received and reviewed the 2018-2019 Grand Jury Report entitled "Concussions and San Mateo County High School Sports: More to Learn, More to Do." We appreciate the Grand Jury's interest in this matter. Having reviewed and considered the Grand Jury's Findings and Recommendations, the District responds as follows, pursuant to section 933.05 of the California Penal Code:

### **FINDINGS**

1. *Concussions in high school athletics have potential serious negative health consequences, both short-term and long-term.*

**The District agrees that concussions in high school athletics have potential serious negative health consequences, both short-term and long-term.**

2. *Concussion protocols describe what must happen following a suspected concussion and can ensure students complete the required legal and medical steps following an injury.*

**The District agrees that concussion protocols describe what must happen following a suspected concussion and can ensure students complete the required legal and medical steps following an injury.**

3. *Each San Mateo County (SMC) high school district and unified school district is responsible for its own concussion protocol, and these vary from district to district and even school to school.*

**The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding. However, the District agrees that it has its own concussion protocol.**

4. *Responses to the 2018-2019 Grand Jury survey show that existing concussion protocols are inadequate because of omissions and lack of clarity on what to do after a suspected concussion.*

**The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding. The District disagrees with this Finding with regard to the District's concussion protocol. We do not believe there are omissions or a lack of clarity on what to do after a suspected concussion.**

5. *None of the SMC current school district concussion protocols provided to the Grand Jury in response to its survey have a mechanism to track compliance.*

**The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding.**

6. *The San Mateo County Office of Education (SMCOE) currently has no role in writing or implementing concussion protocols.*

**The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding.**

7. *The SMCOE has expressed in their Strategic Plan, and in their "Safe and Supportive Schools" programs, the vision that the SMCOE could encompass a leadership position in areas broader than traditional classroom activities. One area where the SMCOE could assume a leadership position is in raising the level of concussion care in the County high schools.*

**The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding.**

8. *ConcussionSmartMarin (CSM) provides a regional example of a concussion protocol that includes detailed steps to be followed when a possible concussion injury is observed and provides a process for collecting county-wide concussion data.*

**The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding.**

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**The District cannot agree or disagree with this Finding, as the District did not conduct the research cited in the Report on which this Finding is based. The District therefore defers to the Grand Jury with regard to this Finding.**

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**The District agrees that the availability of county-wide data on concussions summarized across sports and across high school districts can lead to more informed individual decisions by students and parents on concussion risks and allow for tracking of whether changes in sporting rules or concussion assessment practices decrease concussion risks over time**

11. *There is no county-wide database across all districts of SMC that tracks the frequency and circumstances of concussion data in high school sports.*

**The District agrees that there is no county-wide database across all districts of SMC that tracks the frequency and circumstances of concussion data in high school sports.**

12. *Certified athletic trainers (CATs) are trained in all aspects of carrying out concussion protocols. Their availability or presence on the field at the time of a concussion event is a valuable resource to decrease the consequences of concussions.*

**The District cannot fully agree or disagree with this Finding as stated, as the District did not conduct the research cited in the Report on which this Finding is based. The District defers to the Grand Jury with regard to this Finding.**

13. *Three SMC high school districts do not provide athletic trainers: Jefferson Union, South San Francisco Unified, and La Honda-Pescadero Unified. Jefferson Union and South San Francisco Unified have active football programs.*

**The District cannot fully agree or disagree with this Finding as stated, as the District did not conduct the research cited in the Report on which this Finding is based. The District defers to the Grand Jury with regard to this Finding. However, the District disagrees in part to the Grand Jury's Finding in so far as it applies to South San Francisco Unified. CCS requires a medic for all home football games and SSFUSD contracts with a medic who is present at each football game.**

14. *No standard definition of high-risk sports exists throughout the United States; the definition remains a judgment call by parents, educators, and physicians. Tables 1 and 2 show that for Michigan high schools, football clearly stands out as having more head injuries.*

**The District cannot fully agree or disagree with this Finding as stated, as the District did not conduct the research cited in the Report on which this Finding is based. The District defers to the Grand Jury with regard to this Finding.**

## **RECOMMENDATIONS**

1. *By September 2020, the San Mateo County Office of Education (SMCOE), with input from each high school district and unified school district, should establish a common "San Mateo County Concussion Protocol" that will:*
  - a. Identify the specific responsibilities of those involved who carry out the steps of the concussion protocol as well as the timing of those actions.*
  - b. Establish a county-wide database of concussions by sport - to include number of students by gender participating in each sport, frequency of head injuries, circumstances of head injuries (e.g., whether incurred at a formal game or at practice), timing, and completion of RTL/RTP steps.*

- c. *Make neurocognitive testing (NCT) an option, not a requirement. If a school or district does use NCT at baseline or after injury, it should be made clear which test is used, who administers the test, how the results are reported, and who interprets the results.*
- d. *Specify that at a minimum, football games and full-contact practices should be attended by certified athletic trainers (CATs).*
- e. *Establish a process for tracking compliance with the San Mateo County Concussion Protocol.*

**Generally speaking, the District supports this Recommendation; however, it requires further analysis given the coordination required among the District, other affected districts, and the San Mateo County Office of Education. [In the next few months, SSFUSD will bring a team of stakeholders together to review this recommendation and determine anticipated costs to the District to implement all of these recommendations.**

- 2. *Beginning with the 2020-2021 school year, each high school district and unified school district should supply its statistics for the database to the SMCOE annually.*

**The District will implement this Recommendation.**

Please be advised that Both the Grand Jury Report and the District's responses were presented to and approved by the District's Governing Board on September 26, 2019.

Please do not hesitate to contact me if you have questions or require additional information.

Sincerely,



Dr. Shawnterra Moore  
Superintendent  
South San Francisco Unified School District