



ONTARIO PUBLIC  
SCHOOL BOARDS'  
ASSOCIATION

**Leading Education's Advocates**

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**OPSBA Response re: Consultation Paper for Potential Regulations for  
Rowan's Law (Concussion Safety), 2018**

OPSBA's Policy Development Work Team and Education Program Work Team, met recently and this issue was one of their joint agenda items. The work teams include trustee representatives from across the province and includes members of our Indigenous Trustees' Council. A student trustee from OSTA-AECO's Public Council was also in attendance.

Although school boards are not considered sports organizations under Rowan's Law, we thank you for your encouragement to participate in this engagement with education stakeholders to consider possible revisions to PPM 158 (School Board Policies on Concussions) that are aiming to ensure consistency between the policy for school boards and Rowan's Law. Our work teams focused on answering the consultation questions that focus on elementary and secondary education.

We look forward to working with the Ministry of Education on next steps for any updates to PPM 158. Please see below for the comments from each of the sections.

**COACHES AND OFFICIALS**

*QUESTION 8: Do you agree with the definition for "coach"? "A person involved in the direction, operation, instruction and/or training of a sports team or of an individual athlete. This will include assistant coaches and other specialized trainers that support the role of the coach and support the development of the athlete."*

OPSBA - Yes, we agree with the definition of coach as stated and support the inclusion of certified and non-certified coaches.

*QUESTION 9: Do you agree with the definition for "official" "A person responsible for presiding over: the fields of play, fair play according to the rules of the sport, and the outcome of sporting events, athletic games, and sports competitions. Individuals who participate in monitoring roles, such as timekeepers and goal judges, will not be included".*

OPSBA - Yes, we agree with this definition, but suggest that those individuals responsible for scheduling of competitions and games be added.

### **MANDATORY CONCUSSION EDUCATION**

*QUESTION 10: What content do you think should be included in the Minister-approved and supplied concussion awareness resources?*

- *Information about the nature of concussions, including the ways in which they commonly occur*
- *Information about the common signs and symptoms of a concussion*
- *Information about the steps to be taken to prevent concussions in sport*
- *Information about the steps to be taken if an athlete is suspected of having a concussion, including the importance of seeking appropriate medical assessment*
- *Concussion removal-from-sport protocol*
- *Concussion return-to-sport protocol*

OPSBA - We agree with the above list of resource learning content but also suggest the following be included:

- Information on how to return-to-learn (this would build a connection with education stakeholders)
- Ongoing assessment – what happens after the return-to-sport?

*QUESTION 11: Which of the following groups of individuals do you believe should also be required to annually review concussion awareness resources?*

- *Team or club managers*
- *Sport specific specialists*
- *Instructors*
- *Athletic trainers*
- *Convenors/organizers for events/competitions*

OPSBA - All of the above should be required to review the resources. It was also suggested that parents and students involved in sports be added.

*QUESTION 12: In what other circumstances/timeframes should the review of concussion resources be required?*

- *At the beginning of the sport season*
- *At the beginning of the calendar year*
- *At the beginning of an individual's involvement with the sport organization*
- *When concussion resources have been revised because of advances in the science of concussions*

OPSBA - We agree with the above circumstances and would add that a review is also necessary whenever an incident has taken place. In addition, we discussed adding updated concussion awareness and resources to the Health and Physical Education curriculum. We were also curious to know if this updated information was part of training provided by St. John's Ambulance or other similar courses.

*QUESTION 13: Should sport organizations and school boards be required to keep track that individuals have reviewed concussion awareness resources?*

OPSBA – Yes, tracking and recording ensures accountability and reduces liability. We discussed how this might be done for large organizations with limited resources or staff and whether it could be done electronically?

### **CONCUSSION CODE OF CONDUCT**

**QUESTION 14:** Which of the following should be included as minimum requirements for a Concussion Code of Conduct that would be part of a pledge or commitment?

- Fair play
- Concussion recognition (i.e., self-disclosure of possible concussion by an athlete)
- Concussion reporting (i.e., disclosing when an athlete suspects that another athlete is injured or experiencing possible concussion)
- Pre-game, post-game or practice check-ins to provide opportunity to discuss any athlete concerns
- Zero-tolerance policy for prohibited play that is considered high risk for causing concussions, as defined by individual sports' rules of the play
- ~~Mandatory expulsion from competition for violating sport organization's zero-tolerance policy (duration to be determined by sport organization with jurisdictional responsibility for the sport)~~
- Escalating penalties for athletes/other individuals who repeatedly violate the sport organization's Concussion Code of Conduct, including zero-tolerance policy (penalties to be determined by sport organization with jurisdictional responsibility for the sport)

OPSBA – We did not support mandatory expulsion as a minimum requirement. Those in the education sector are always looking for mitigating factors and try to use progressive discipline when appropriate. We feel these should also be used within sports organizations. We also wondered if this is to be a signed declaration and who keeps these “pledges”?

**QUESTION 15:** Rowan's Law (Concussion Safety), 2018 and concussion policies and guidelines established by the Minister of Education will require athletes, parents/guardians of athletes under 18 years of age, coaches and educators to review Concussion Codes of Conduct. The government may also require other persons to review Concussion Codes of Conduct. Which of the following groups or individuals should also be required to review Concussion Codes of Conduct?

- Team or club managers
- Officials
- Sport specific specialists
- Instructors
- Athletic trainers

OPSBA – We support the above list but were unsure who might be included in the category of “sport specific specialists?” Our other suggestion was to also ensure, or at least share policies and guidelines with municipalities.

**QUESTION 16:** Under which of the following additional circumstances and/or timeframes should government require that Concussion Codes of Conduct be reviewed?

- When a revision is made to the sport organization's/school board's Concussion Code of Conduct
- When an athlete has violated the Concussion Code of Conduct
- At the beginning of each sport season (even if the Concussion Code of Conduct was reviewed within the last 12 months)
- Once per calendar year

OPSBA –Codes of Conduct should be reviewed at the beginning of each sports year by the appropriate individuals. There should also be a formal review process. School boards have a cycle for policy review that varies, but it is usually every three to four years.

**QUESTION 17:** *What timeframe and/or circumstances should be considered for the coach’s review of the Concussion Code of Conduct?*

- *Within the last 12 months (same timeframe as for athletes and their parent/guardian, if the athlete is under 18 years of age)*
- *When a revision is made to the sport organization’s/school board’s Concussion Code of Conduct*
- *In instances when a coach has violated the Concussion Code of Conduct*
- *At beginning of each sport season (even if the Concussion Code of Conduct was reviewed within the last 12 months)*

OPSBA – Trustees suggested that coaches should review the Code within the last 12 months and when a revision is made to ensure they understand what is new or different.

**QUESTION 18:** *How should sport organizations and school boards be required to make their Concussion Code of Conduct available?*

- *Electronically, through a website*
- *Hard copy*
- *In-person/group presentations*

OPSBA – We support the above communication mechanisms and would encourage all formats to be AODA compliant.

**QUESTION 19:** *Should sport organizations and school boards be required to keep track that individuals have reviewed the Concussion Code of Conduct?*

OPSBA – Yes, but we again question how this might be done for large organization and for those with limited resources.

**QUESTION 20:** *The government is considering a requirement for sport organizations and school boards to review, and update if necessary, the content of their Concussion Code of Conduct on an annual basis. Is this an appropriate timeframe?*

OPSBA – There should be a formal review process that follows a set timeframe or cycle.

### **REMOVAL-FROM-SPORT PROTOCOL**

*These proposed minimum components also align with the latest published research on concussions (International Consensus Statement) and are as follows:*

- *Concussion Recognition*
- *Removal-from-sport*
- *Medical Assessment*
- *Informing Parent/Guardian/Emergency Contact*

**QUESTION 21:** *Are there any other components that you believe should be added to the list of minimum requirements for removal-from-sport protocols?*

OPSBA – We support the above list and would add:

- Training
- Legal Indemnification

Trustees felt that coaches may be influenced and distracted by the actual game in progress and not be able to give the full attention to a situation. Having another person would free up the coach for other issues related to the incident (comforting other students) or continuing with the game etc.

**QUESTION 22:** *Are there any circumstances in which any of the four minimum components in the removal-from-sport protocol should not apply?*

OPSBA – No, we believe the minimum components should apply in all circumstances.

**QUESTION 23:** *Should the government consider requiring sport organizations and school boards to keep track of any incidents of removal-from-sport due to suspected concussion?*

OPSBA – Yes, however trustees provided the following comments:

- Concern for how information is shared between sports organizations and schools that also protects the student and their privacy.
- School boards currently do keep track of school-related incidents. How would the coordination of this new requirement be addressed?

**QUESTION 24:** *In addition to the designate(s)' role in removal-from-sport, are there any other individuals who should be required to have a role in dealing with an athlete who has sustained a concussion during training, practice or competition?*

OPSBA – We believe parents/guardians have a role to play in terms of caregiver and providing home support. Trustees also stated that OSBIE (Ontario School Boards' Insurance Exchange) has reporting requirements for any injury that must be followed. We question how many reporting procedures should be in place, and is there an opportunity to streamline.

**QUESTION 25:** *In addition to the designate(s), which of the following individuals should be required to confirm to the sport organization or school board that they have reviewed the sport organization's or school board's removal-from-sport protocol?*

- Coach
- Official

OPSBA – We would add the following to this list: students, parents, school administrators, physical education staff, department heads, and athletic associations. We also suggest that materials produced by OPHEA need to be aligned/ updated to reflect any of these requirements or changes.

### **RETURN-TO-SPORT PROTOCOL**

*Each sport organization and school board will be required to develop and implement a return-to-sport protocol that could include these minimum components:*

- Initial Medical Assessment
- Communications

- *Stepwise Sport-Specific Progressions Supporting Return-to-Sport*
- *Medical Assessment*

**QUESTION 26:** *Are there any other components that you believe should be added to the list of minimum requirements for return-to-sport protocols?*

OPSBA – No, we agree with the above list.

**QUESTION 27:** *Are there circumstances in which you think any of the minimum components in the return-to-sport protocol would not apply?*

OPSBA – No, we believe the minimum requirements should always apply. Trustees also supported a graduated versus an immediate return to sport and used the example of NHL hockey and other sports injuries where a doctor may request a gradual return to school or sport. This could include a number of strategies, the hockey non-contact is just one example.

**QUESTION 28:** *Under the Rowan’s Law (Concussion Safety), 2018, sport organizations will be required to designate a person(s) (“designate(s)”) with the responsibility of ensuring that athletes with suspected/diagnosed concussions do not return-to-sport until permitted to do so, in accordance with the return-to-sport protocol. Similar requirements may be set for provincially-funded school boards in concussion policies and guidelines established by the Minister of Education. Aside from these designates, are there any other individuals who should be required to have a responsibility for ensuring the return-to-sport protocol is followed?*

OPSBA – Students and parents/guardians have a role to play and should be part of any discussion or process for returning to sport.

**QUESTION 29:** *Which of the following individuals should be required to confirm to the sport organization or school that they have reviewed the return-to-sport protocol?*

- *Coach*
- *Official*
- *Sport organization/school’s designate for the purposes of implementing the return-to-sport protocol*

OPSBA – Similar to the removal-from-sport, we believe the following should be added to this list: OPSBA students, parents, school administrators, physical education staff, department heads, and athletic associations. We again suggest that OPHEA materials be updated and aligned to reflect current protocols.

The Ontario Public School Boards' Association (OPSBA) represents public district school boards and public school authorities across Ontario. Together our members serve the educational needs of almost 70% of Ontario’s elementary and secondary students. The Association advocates on behalf of the best interests and needs of the public school system in Ontario. OPSBA believes that the role of public education is to provide universally accessible education opportunities for all students regardless of their ethnic, racial or cultural backgrounds, social or economic status, individual exceptionality, or religious affiliation.