

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



December 17, 2020

Via Email (grandjury@sanmateocourt.org)

The Honorable Donald J. Ayoob
Judge of the Superior Court
c/o Jenarda Dubois
Hall of Justice
400 County Center; 2nd 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 San Mateo 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 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 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 San Mateo Union High School District. The District tracks compliance with its concussion protocol through our athletic trainers, health aides and in the past with our agreement ImPACT.

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. *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.

10. *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.

11. *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.

12. *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.

13. *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.

14. *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.

15. *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 RTLIRTP 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 has Board policies and regulations regarding concussion protocols and responsibilities. The District had a contract with ImPACT for several years for NCT services. Based on this report, the District ended this agreement. District athletic trainers are at all football games. In the future we will schedule a rotation of athletic trainers to attend full contact practices.

The District will implement these Recommendations.

The Grand Jury Report was on the October 10, 2019. This response is on the December 17, 2020 agenda for Board approval.

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

Sincerely,

Kevin Skelly, Ph.D.
Superintendent

San Mateo Union High School District