



## MEMBER ALERT

### Current Issues in Athletics

Coaches' Handbook, Training Requirements, Summer Camps,  
Safety Standards

Athletic activities can help students develop important physical, mental, and social skills. Such activities also present certain risk exposures beyond potential physical injuries. Members often use coaches who may not be full-time or regular district employees; who may not be participating in the District's regular trainings on legal principles regarding "free education," proper fundraising activities, and proper interactions with parents and students; and who may have an assertive personality that works well for coaching, but not necessarily as well for the many personalities and sensitivities in our public schools.

Given the limited role of many coaches, including those who serve on an volunteer basis, it is important to ensure they have access to meaningful information to help assure their compliance with all District policies and to support the concept of prudent risk management. Members also should have access to reference materials that can help them provide uniform guidance and information to coaches, parents, and students regarding the standards for successful participation in Member-supported athletic activities.

This Member Alert works in conjunction with the recently-updated recommended Athletic Department Handbook (rev. June 2017), which provides important information intended to help ensure success in this important program area, with key highlights noted below.

#### **I. NEW LAWS AND CIF STANDARDS**

Given various recent laws, coaches are obligated to undergo required general training on health and safety issues, including issues regarding concussions and "sudden cardiac arrest." Specific laws also impose new requirements for student safety including:

- The immediate removal from participation, and a medically supervised gradual return to play of no less than one week, when a student is diagnosed as having a **concussion**. The supervising physician must be licensed to provide such care (i.e., no chiropractors) and have a practice encompassing brain/concussion care. In addition, for middle and high school football players, full-contact drills are limited to twice a week, and off-season full-contact practice is not permitted.
- The removal from participation, and a return to participation only with medical approval (no chiropractors), for students exhibiting symptoms that might lead to the onset of sudden cardiac arrest, including a requirement to immediately remove students from participation who have fainted or passed out as a result of athletic participation.

In many cases, new informational disclosure obligations and signed acknowledgement forms are required.

#### **II. OVERVIEW OF THE ATHLETIC DEPARTMENT HANDBOOK**

The recommended Athletic Department Handbook has been updated to reflect the new laws and standards, and provides important information regarding:

- Selection criteria for coaches, and issues regarding compensation and acceptance of gifts;
- Training obligations (including obligations imposed by recent laws requiring general training obligations, as well as requirements for managing concussion/potential concussion issues);
- Standards of conduct for coaches, including proper methods of communication; this is an important issue given numerous recent events in which personal communications and interactions with students have led to civil and criminal charges, as well as extensive media attention;
- Required and proper use of forms, with all NBSIA required or suggested forms updated and to be incorporated into the Handbook (with Member branding) to help ensure regulatory compliance;

- Proper methods for handling transportation to and from events (whether by bus or personal car);
- Situations involving students with disabilities or special needs;
- Proper budgeting and fundraising, including limitations on methods to obtain financial support; and
- Confirmation that special camps, summer programs, etc. are not Member-sponsored and must comply with all Facilities Use obligations, with such coaches refraining from stating or implying that such activities are Member-sponsored for liability or fundraising purposes.

### **III. MODIFICATIONS AND ALTERATIONS OF HANDBOOK/TRAINING**

The Handbook was initially prepared for a school district having an Athletic Director overseeing the Member's entire athletic department. Not all Members have such a position (formally or informally). As a result, the Handbook will likely require modification to address the Member's internal organizational structure and operations. In making such alterations, Members should consider:

- Having a principal or centralized position to serve as the Member's primary reviewer of athletic activities, who can ensure compliance with hiring, training, and related obligations;
- Identifying how required training pursuant to Education Code Section 35179.1 will be provided (in-house, external vendor, etc.), as well as training under Section 33479; and
- Avoiding site-specific management, recognizing that Site Administrators or site coaches may have vested interests in selecting individuals for paid and volunteer positions; and at times the Human Resources Department is not included in discussions or paperwork management, which can result in embarrassment or material increases in risk exposures.

Given the scope of athletics and the use of part-time coaches and volunteers, once a Member finalizes the Handbook in keeping with their own standards, in-person training should be implemented to ensure that all coaches are thoroughly and properly advised of its contents. Because coaches may be hired or changed throughout the year, Members should consider multiple training sessions to ensure that all interested parties receive the appropriate information to keep them, and their student athletes, safe and in compliance with current governing standards.

### **IV. APPLICATION OF HANDBOOK TO NON-CIF SPORTS**

The Handbook is intended to apply to all Member-sponsored athletic programs. There has historically been a view in some school districts that athletic programs that are not CIF-governed (including club, intramural, middle school sports) are, or should be, governed less formally. Because the risks involved are truly no different and are sometimes greater, particularly at the lower grade levels, it is important to apply the concepts embodied in the Handbook to all Member-sponsored and supported programs. Moreover, several recent laws make clear that **all** athletic activities (except PE classes) are subject to required forms and protective measures.

### **V. SUMMER AND WINTER CAMPS AND TRAINING PROGRAMS**

In order to continue working with students or to create an alternate method for compensation, coaches often develop summer and winter skills, strength, and/or conditioning training camps. These programs are often not Member-sponsored (i.e., no Board approval), are not conducted in keeping with Member-directed requirements because non-students and others are involved, and often involve paid student athletes who could not/would not fall within the Member hiring and background check requirements.

While involving valued coaches, these programs must be conducted pursuant to standard Facilities Use Agreements, subject to insurance and all other applicable requirements, and without special access to facilities (i.e., keys/kitchens, etc.) that would not otherwise be available. Efforts should be made to help ensure that there is no mistaken belief by participants that these events are "Member-sponsored."

***NBSIA's recommended Athletic Department Handbook is available at [www.nbsia.org/propertyliability](http://www.nbsia.org/propertyliability).***