

# Is the ‘Onus’ Really on the Schools?

By Alan Goldberger

How many association meetings or clinics have you been to where the new rules regarding concussions have been discussed? By now, we all know that it is our charge to remove from the game or match any athlete who exhibits any sign, symptom or behavior consistent with concussion, right? The rule change regarding head injuries requires us, as officials, to recognize the signs of concussion. By now I’m sure you also heard the hoary old bromide, “The onus is on the schools,” when the discussion turned to who prevents a potentially concussed athlete from the risk of concussion.

What is this “onus”? Does anyone believe it?

**Officials need to stop assuming anything about return-to-play. Officials need to verbally verify with the health-care professional that a student-athlete has been cleared to return-to-play. Every time.**

To answer the last question first: lots of people, especially officials who are not as familiar as they should be with sound principles of risk management.

The onus is used to explain the NFHS rule changes regarding a player’s return-to-play after he or she has been substituted for on account of the potential for concussion. The onus theory says that the student-athlete’s return to play under the new rule is under the exclusive control of school personnel. The onus says the official is “protected” because it is assumed that any student-athlete who reports back into the game or match has been

cleared for return-to-play by an appropriate health-care professional, so the onus is on the “schools.”

Trouble is, the onus does not account for the realities of officiating life. The student-athlete of any age is at risk of traumatic brain (and other) injuries every time he or she sets foot on the field or court. Injuries during competition, more often than not, literally display themselves at the feet of the officials. Thus, it is the *officials* who largely control the handling of injuries, while coaches and administrators watch.

So, who’s the onus on? Everything we know about risk management tells us that officials need to stop assuming anything about return-to-play. Officials need to verbally verify with the health-care professional that a student-athlete has been cleared to return to play. Every time. It could save a life — and a lawsuit.

While there is no question that rulemakers and the organizations for which they work are dedicated to the safety of the student-athletes, we in the officiating department are the foot soldiers — the enforcers — who safeguard the student-athletes, mostly with the aid of their coaches. As guardians of the rules and the safety of the players, officials cannot for one minute afford to leave their good judgment and common sense at home when they head out the door to officiate because someone is telling them about the onus. If we do, the onus will not protect us from legal liability.

No official should subvert the rules in the erroneous belief that the onus is on others. On the field and the court, the safety of the student-athlete reigns.

*Alan Goldberger is an attorney and former sports official from Clifton, N.J. He authored Sports Officiating: A Legal Guide. This is intended for informational purposes and is not legal advice. □*

## An Official’s Checklist With Concussion Rules

For officials working under NFHS and NCAA rules codes, Alan Goldberger suggests using the following checklist regarding rules and guidelines governing removal of a player and return-to-play:

### Injury Mechanics

- Beckon coach/medical personnel.
- Observe player and look for any behaviors on list. If no symptoms are apparent, ask questions of player per guidelines.
- When directing removal of the student-athlete from the game, use the language of the rule.
- Do not discuss cause of injury.
- Do not converse with spectators/parents/opponents.
- Partner should observe process while continuing to supervise court/field and players.
- Record removal of player. Note time of substitution and if at request of coach or official.
- Note if athlete is injured or ill, but not removed under “concussion rule.”
- Words to never use: “He may have had a concussion.”
- “It looks like a concussion to me.”
- “I am removing her because I suspect a concussion.”
- “I don’t think she should return to the game today.”

### Return-to-Play (RTP)

- Clear RTP with appropriate health-care professional or physician.
- Note name and title of health-care professional and time of re-entry.
- Partner(s) should observe process while continuing to supervise playing surface.

### After the Game

- Communicate as appropriate.
- No public statements.
- No social media.
- Complete game report (if required).

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