



**QUESTAR III**  
PUTTING STUDENTS FIRST

Bethlehem Central School District:

FY 2019/20 Concussion Management Audit

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July 23, 2020

Board of Education  
Bethlehem Central School District  
700 Delaware Avenue  
Delmar, NY 12054

We have completed the review of controls for the Bethlehem Central School District. Our engagement was designed to evaluate the adequacy of internal controls over the Concussion Management processes to ensure they are appropriately designed and operating effectively and efficiently. And, to provide a report with recommended changes for strengthening controls and reducing identified risks.

The purpose of the review was to evaluate the internal controls that the District has in place to prevent errors, detect fraud and ensure that financial reporting is accurate and that the District assets are safeguarded.

#### RELIABILITY OF INFORMATION

In performing our engagement, we obtained a sample from the population of interscholastic sports to test compliance related to parental consent and a sample from the population of students diagnosed with a concussion to test that the Concussion Management and Awareness Act is being appropriately followed by the District.

As noted, the purpose of our engagement was to assist you in improving the process by which you monitor and manage the risks that face the District. Any comments and recommendations in the attached report are the responsibility of the district to implement, accept the risk as identified, or implement alternative controls that will mitigate the risk to a level that is acceptable by the District. Ultimately, it is your responsibility to assess the adequacy of your risk management system.

## DISTRIBUTION OF THE REPORT

This report is intended solely for the information and use of the Board of Education and management of Bethlehem Central School District and should not be used for any other purpose.

We appreciate the opportunity to serve you and thank the individuals in your organization for their cooperation. Over time, it will be necessary to reassess your risks to ensure that they have not changed and to ensure that your risk management system is functioning properly. Through our ongoing involvement with you as a client and our knowledge of your district and its processes, we are in a unique position to assist you with that process. Please contact us at any time should you desire such services.

Sincerely,

*Mark Beaudette*

Mark Beaudette  
Internal Audit Manager  
Questar III

**Objectives**

The Bethlehem Central School District requested Internal Audit to examine the District’s Concussion Management processes. Key objectives included evaluating if the District adheres to NYSED’s Guidelines for Concussion Management in Schools and the applicable Board of Education’s policies.

The audit covered activity from July 1, 2018 to June 30, 2019. Our fieldwork concluded on October 25, 2019.

**Acknowledgements**

We would like to thank the staff of the Bethlehem Central School District for their courteous and prompt assistance during our audit.

**Conclusion**

Six observations were noted and are summarized below. Our recommendations are detailed in the report.

Reference	Observation		Risk
1	Training Compliance		High
2	Consent Form Compliance		High
3	Documentation of Initial Incident		High
4	Elementary School File Management		Medium
5	Need for an Oversight Team		Medium
6	Timing of Medical Director Sign-Off		Medium

**BETHLEHEM CENTRAL SCHOOL DISTRICT CONCUSSION MANAGEMENT AUDIT REPORT FY 2019-20**

<b>ENTITY NAME</b>	<b>Bethlehem Central School District</b>
<b>REPORT DATE</b>	October 25, 2019
<b>PROCESS REVIEWED</b>	Concussion Management Policy and Practice
<b>PERSONNEL INTERVIEWED</b>	Leonard Kies, Athletics Director Kathy Johnston, Special Education and Student Services Director Fred Powers, Director Physical Education Harold Smith, Certified Athletic Trainer JoAnn Menrath, School Nurse Coordinator
<b>SCOPE OF WORK</b>	<p>We reviewed the District's Concussion Management Policy and procedures for implementing the policy with applicable Athletic Department, Nursing and Medical staff to obtain an understanding of the processes used by the District during the fiscal year ending June 30, 2019.</p> <p>In addition, we performed the following testing procedures:</p> <ul style="list-style-type: none"> <li>• Inquired about the processes used for identifying students with prospective concussive injuries.</li> <li>• Inquired about the processes used for post-concussion evaluation and the processes related to return to play.</li> <li>• Tested for compliance of the mandatory NYSED-approved training for the District's 103 employees categorized as school nurses, physical education teachers and coaches.</li> <li>• Tested a sample of 206 student-athletes from 7 interscholastic sports for signed consent agreements and the necessary communications on concussion management required on those forms.</li> <li>• Tested a sample of 12 students out of a population of 60 high school and middle school students for compliance regarding attributes from actual concussion cases.</li> </ul>
<b>SCOPE RESTRICTIONS</b>	None.
<b>AUDIT OBJECTIVES</b>	<ul style="list-style-type: none"> <li>• Evaluate the internal controls established by the District to assure that all applicable staff are current in the required training.</li> <li>• Evaluate the internal controls established by the District to ensure that all parents/guardians have received proper communications on the District's and State's concussion policy.</li> <li>• Evaluate the internal controls established by the District to ensure students diagnosed with a concussion are appropriately removed from activities and</li> </ul>

	<p>their return to activities is governed by the appropriate rules and procedures as set forth in the Concussion Management and Awareness Act.</p>
<p><b>KEY PROGRAM CONTROLS</b></p>	<p>The District has created the following key program controls designed to meet business obligations, provide accountability, and promote operational effectiveness &amp; efficiency:</p> <ul style="list-style-type: none"> <li>• The District has developed Regulation 5280.1-R, Concussion Management which includes a Protocol for Concussion Management detailing the responsibilities of administrators, students, parents/guardians, medical director, school nurses, athletic director, coaches, athletic trainer, director of physical education, physical education teachers and teachers/guidance counselors.</li> <li>• The Board of Education approves the District’s Medical Director on an annual basis.</li> <li>• The District’s athletic administration and nursing staff are experienced and knowledgeable of the regulations and issues governing concussion management policy as described in the State Education Department’s Guidelines for Concussion Management in the Schools 2018 and the Bethlehem Central School District Board Policy 5280.1 and Regulation 5280.1-R.</li> <li>• Board policy 5280.1 requires that every coach, physical education teacher, nurse, and athletic trainer complete, on an annual basis, a course of instruction relating to recognizing the symptoms of a suspected head injury/concussion and monitoring and seeking proper medical treatment for individuals who suffer a suspected head injury/concussion. This is more frequent than the requirement to complete the New York State Education Department (NYSED) approved course on concussions and concussion management, at least every two years.</li> <li>• All interscholastic sporting events are attended by coaches that have received the required training. Additionally, all varsity football games are attended by the District’s Certified Athletic Trainer.</li> <li>• The District utilizes a Suspected Head Injury Notification Form to document on-site evaluations. It is a two-copy form intended to deliver one copy to a parent/guardian.</li> <li>• After an athlete suspected of having a concussion is removed from play, the District utilizes a 6-stage return to sport activity protocol. This is documented on a form titled <i>Graduated Return to Physical Activity Following Concussion</i>. The completed form is signed by the School Physician and either the Athletic Trainer or the School Nurse.</li> <li>• At the onset of each sport season, Parental Permission is obtained through the use of a Sport’s Update Form. The form includes the web address of</li> </ul>

	<p>the District's athletic page which lists the District's Board Policy 5280.1 and Regulation 5280.1-R.</p>
<p><b>OBSERVATIONS AND RECOMMENDATIONS</b></p>	<p><u>Observation 1:</u> There currently exists decentralized responsibility for the monitoring of staff training requirements. The Athletic Director, through the Athletic Secretary, is responsible for monitoring the training compliance of the coaching staff. The Director of Physical Education is responsible for monitoring the training compliance for the physical education teachers. The Nurse Coordinator is responsible for monitoring the training compliance of the District's nurses. From the entire population of 103 employees categorized as school coaches, physical education teachers and nurses tested for evidence of completion of the required NYSED-approved training course, we noted the following:</p> <ul style="list-style-type: none"> <li>• Three staff members that the District was unable to provide for audit with a training certificate during the time of our fieldwork. Two of these were for nurses and one was for a coach.</li> <li>• Three certificates that were older than two years. The training is mandated by NYSED to be completed every two years. All three were for coaches.</li> <li>• Fifteen certificates that were dated on or after the date of our request, which indicates they were likely not current prior to our request. Eight of these were for coaches, four for nurses and three for teachers.</li> <li>• Eight certificates that were within NYSED's two-year window but were not in compliance with board policy 5280.1 that requires annual training.</li> <li>• The Athletic Department has a methodology to track which coaches have completed their training. However, there is not a method in place to do the same for the nurses and teachers.</li> </ul> <p><i>Recommendation: The District should strengthen the process to ensure that all nurses, physical education teachers and coaches have received the required NYSED-approved training course that satisfies both the state and board policy for frequency. A central database should be created that lists all the employees in need of the training and the date of their last training and reminders should be sent prior to expiration.</i></p> <p><u>Observation 2:</u> The Concussion Management and Awareness Act requires that parental consent forms, required for participation in interscholastic athletics, contain information on concussions and/or reference how to obtain information on concussions from the NYSED and DOH websites. From the sample of 206 student-athletes tested for consent forms (Sport's Update forms), we noted the following:</p> <ul style="list-style-type: none"> <li>• The District was unable to provide 49 of the forms for examination. The athletic department reported that all of the forms for seniors from the class</li> </ul>

of 2019 had been destroyed in error. This extends beyond our sample as the forms for all sports for the senior class of 2019 have been destroyed.

- The form has a place for the signer (parent/guardian) to check off next to a statement that reads “I am aware that the District has a Concussion Protocol and that I can access information regarding Head Injuries and Concussions on the District’s Athletics link: <http://www.bethlehemschools.org/departments/athletics/>.” For 26 of the 157 forms that we were able to observe, the box was not checked by the parent or guardian.

*Recommendation: The District should retain parental consent forms. NYSED’s Records Retention and Disposition Schedule ED-1 requires retention of parental consent forms for interscholastic sports for a period of at least one year beyond the end of the school year in which they were applicable. Additionally, the District should evaluate the Sport’s Update form and consider whether to allow participation without acknowledging awareness of the Concussion Protocol.*

Observation 3: We reviewed the District’s records containing documentation of head injuries for our sample of 12 cases from the 2018-19 school year and noted the following: There were six cases where we would have expected to see the Suspected Head Injury Notification Form in the student’s file because the original incident occurred during a class or interscholastic sporting event; however, the completed form was only present in one of the files. Upon further discussion with District staff it was indicated that this form is not being completed with any regularity. Documentation of the initial incident provides evidence that the student was attended to and evaluated.

*Recommendation: The District should develop a method to ensure that the initial incident of a possible head injury is properly documented. The Suspected Head Injury Notification Form would serve this purpose when properly completed. The requirement to document the initial incident should be better communicated to the District’s staff. There should be a review process that encourages enforcement over the consistent use of the form.*

Observation 4: Upon request to the School Nurse Coordinator, the District provided Internal Audit with an organized list of head injury cases in the District from July 1, 2018 to the present day. This list included a section for the high school and a section for the middle school. There were not any cases listed for the District’s five elementary schools. After further inquiry it was revealed that there are several existing cases on the elementary level. On the last day of our fieldwork, we were provided with a list similar to those for the high school and middle school. One of the reasons given for the delay was that the elementary schools currently do not have a consistent method of documentation in the electronic record keeping system.

	<p><i>Recommendation: The District should review the record keeping practices of the elementary schools and develop an action plan to implement the same systems in place in the secondary schools. Information should be available to school officials when requested; delays are an indication of limited organization.</i></p> <p><u>Observation 5:</u> The District has not established a concussion management team as recommended in NYSED Guidelines for Concussion Management in Schools 2018. Some of the observations above may have been prevented by the communication that would take place during team meetings. During the course of the audit several officials stated that the District would benefit from the improved communication that could result from the formation of such a team.</p> <p><i>Recommendation: The District should consider the formation of a Concussion Management Team. A team would provide oversight to the concussion management process District wide. Such a team can be a useful strategy to achieve coordination between all parties. In conversation with District officials it was suggested that the team could be composed of:</i></p> <ul style="list-style-type: none"> <li>• <i>Athletic Director</i></li> <li>• <i>Special Education Director</i></li> <li>• <i>Director Physical Education</i></li> <li>• <i>Nurse Coordinator</i></li> <li>• <i>Athletic Trainer</i></li> <li>• <i>One Doctor from the Medical Staff</i></li> </ul> <p><u>Observation 6:</u> Stage 6 of the Graduated Return to Physical Activity Following Concussion is a return to the activity or sport. The School Physician (Medical Director) signs off upon completion of Stage 6; which is after the return to interscholastic sports. The NYSED Guidelines for Concussion Management states that the student will need to be approved to return to Athletic Activities (interscholastic sports) by the Medical Director; and as such, the Medical Director is signing off too late to be in compliance.</p> <p><i>Recommendation: The District should consider having the Medical Director sign off after completion of Stage 5; thus, ensuring sign-off prior to return to Athletic Activities (interscholastic sports). To help facilitate this the District may want to consider redesigning the form so that the Medical Director's signature line appears below Stage 5 instead of after Stage 6.</i></p>
<p><b>SUBMITTED BY:</b></p>	<p>Mark Beaudette Internal Audit Manager - Questar III BOCES</p>
<p><b>DATED:</b></p>	<p>October 25, 2019</p>

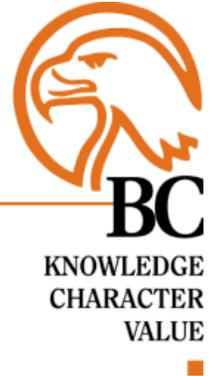


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**Bethlehem** Central School District

<http://bethlehemschools.org>



TO: Jody Monroe, Superintendent  
Audit Committee Members

FROM: Kathy Johnston, Director of SESS

DATE: June 3, 2020

RE: Response to Internal Audit Report on Concussion Management

### **Observation 1: Training Compliance**

*There currently exists decentralized responsibility for the monitoring of staff training requirements. The Athletic Director, through the Athletic Secretary, is responsible for monitoring the training compliance of the coaching staff. The Director of Physical Education is responsible for monitoring the training compliance for the physical education teachers. The Nurse Coordinator is responsible for monitoring the training compliance of the District's nurses. From the entire population of 103 employees categorized as school coaches, physical education teachers and nurses tested for evidence of completion of the required NYSED-approved training course, we noted the following:*

- Three staff members that the District was unable to provide for audit with a training certificate during the time of our fieldwork. Two of these were for nurses and one was for a coach.*
- Three certificates that were older than two years. The training is mandated by NYSED to be completed every two years. All three were for coaches.*
- Fifteen certificates that were dated on or after the date of our request, which indicates they were likely not current prior to our request. Eight of these were for coaches, four for nurses and three for teachers.*
- Eight certificates that were within NYSED's two-year window but were not in compliance with board policy 5280.1 that requires annual training.*
- The Athletic Department has a methodology to track which coaches have completed their training. However, there is not a method in place to do the same for the nurses and teachers*

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## **Recommendation:**

*The District should strengthen the process to ensure that all nurses, physical education teachers and coaches have received the required NYSED-approved training course that satisfies both the state and board policy for frequency.*

*A central database should be created that lists all the employees in need of the training and the date of their last training and reminders should be sent prior to expiration.*

## **DISTRICT RESPONSE:**

- There were a number of unique circumstances that caused delays in satisfying requests and providing proof of compliance. In some cases employees had multiple certificates and there was confusion in which was being asked for. In other instances employees no longer worked in the district and therefore the district would not have current proof of compliance. Also, when the district selected a new provider for the staff training, employees lost access to certificates maintained by the former provider.
  
- Athletics, Physical Education, and SESS will maintain an up to date document on their staff in need of this biannual concussion training. This document will list the date of the staff member's last training and reminders will be sent to staff prior to expiration. Certificates of Completion for concussion training will be filed with the appropriate department.

## **Observation 2: Consent Compliance**

*The Concussion Management and Awareness Act requires that parental consent forms, required for participation in interscholastic athletics, contain information on concussions and/or reference how to obtain information on concussions from the NYSED and DOH websites. From the sample of 206 student-athletes tested for consent forms (Sport's Update forms), we noted the following:*

- *The District was unable to provide 49 of the forms for examination. The athletic department reported that all of the forms for seniors from the class of 2019 had been destroyed in error. This extends beyond our sample as the forms for all sports for the senior class of 2019 have been destroyed.*
- *The form has a place for the signer (parent/guardian) to check off next to a statement that reads "I am aware that the District has a Concussion Protocol and that I can access information regarding Head Injuries and Concussions on the District's Athletics link: <http://www.bethlehemschools.org/departments/athletics/>." For 26 of the 157 forms that we were able to observe, the box was not checked by the parent or guardian.*

## **Recommendation:**

*The District should retain parental consent forms. NYSED's Records Retention and Disposition Schedule ED-1 requires retention of parental consent forms for interscholastic sports for a period of at least one year beyond the end of the school year in which they were applicable. Additionally, the District should evaluate the Sport's*

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*Update form and consider whether to allow participation without acknowledging awareness of the Concussion Protocol.*

**DISTRICT RESPONSE:**

- The records referenced were destroyed in error.
  
- District will retain parental consent forms for interscholastic sports, per NYSED’s Records Retention and Disposition Schedule ED-1.
  
- The District has modified the sign up process with the creation of an “Interscholastic Parent/Guardian Consent Form” which allows parents to sign their child up to play a sport through Aspen's parent portal. On this form, parents will be required to provide the necessary acknowledgements and permissions, including for concussion management. The form will not be accepted without the parent's acknowledgement that they have reviewed the District's Concussion Protocol and that they are aware that they can access information regarding Head Injuries and Concussions on the District Athletics Site. The link to the Athletics Site is also provided within the consent. Once the parent fully completes the consent, it will be emailed automatically to the dedicated health office "sport's email" where the consent will be saved to the student's electronic health record, and also shared with athletics.

**Observation 3: Documentation of Initial Incident**

*We reviewed the District’s records containing documentation of head injuries for our sample of 12 cases from the 2018-19 school year and noted the following: There were six cases where we would have expected to see the Suspected Head Injury Notification Form in the student’s file because the original incident occurred during a class or interscholastic sporting event; however, the completed form was only present in one of the files. Upon further discussion with District staff it was indicated that this form is not being completed with any regularity. Documentation of the initial incident provides evidence that the student was attended to and evaluated.*

**Recommendation:** *The District should develop a method to ensure that the initial incident of a possible head injury is properly documented. The Suspected Head Injury Notification Form would serve this purpose when properly completed. The requirement to document the initial incident should be better communicated to the District’s staff. There should be a review process that encourages enforcement over the consistent use of the form.*

**DISTRICT RESPONSE:**

- All departments have expressed concern regarding the lack of completion of this form, or for any other written documentation, at the time/site of injury. Coaches, teachers, and the trainer have expressed challenges in completing this form at the time/site of injury, but agree the form will be filled out within 24 hours of the incident.

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- All district staff will complete “The Suspected Head Injury Notification Form” for every initial assessment of a head injury. Training for all involved staff will occur at the onset of their next sports season.
  - Athletics and PE departments have established a plan for documenting and following up on all head injuries. PE and Athletics have established a documentation plan for following up on all head injuries, using duplicate forms that will be used for any such injury. Each department has communicated to their respective staff, (i.e. coaches and PE teachers) who will be responsible for documenting their injuries and following up with nurses, etc. as appropriate.

### **Observation 4: Elementary School File Management**

*Upon request to the School Nurse Coordinator, the District provided Internal Audit with an organized list of head injury cases in the District from July 1, 2018 to the present day. This list included a section for the high school and a section for the middle school. There were not any cases listed for the District’s five elementary schools. After further inquiry it was revealed that there are several existing cases on the elementary level. On the last day of our fieldwork, we were provided with a list similar to those for the high school and middle school. One of the reasons given for the delay was that the elementary schools currently do not have a consistent method of documentation in the electronic record keeping system.*

### **Recommendation:**

*The District should review the record keeping practices of the elementary schools and develop an action plan to implement the same systems in place in the secondary schools. Information should be available to school officials when requested; delays are an indication of limited organization.*

### **DISTRICT RESPONSE:**

- We disagree with the statement that delays are an indication of limited organization, finding instead that the delays were from miscommunications at multiple levels. It should be noted that due to the greater number of secondary students with head injuries/concussions, secondary nurses have a “concussion binder” which contains all of the information on students with head injuries. This binder includes a tracking form so that they can easily monitor the status of multiple students with head injuries and concussions, especially as it pertains to their return to activities, etc. Elementary nurses do not feel the need to have a concussion binder as they have always had a very limited number of students.
- All district nurses will follow the same plan in documenting head injuries and concussions in a student's electronic health record, (Health Office Anywhere). This process will ensure consistency in documentation and improve efficiency in monitoring head injuries and concussions across the district.

### **Observation 5: Need for Oversight**

*The District has not established a concussion management team as recommended in NYSED Guidelines for Concussion Management in Schools 2018. Some of the observations above may have*

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been prevented by the communication that would take place during team meetings. During the course of the audit several officials stated that the District would benefit from the improved communication that could result from the formation of such a team.

**Recommendation:**

The District should consider the formation of a Concussion Management Team. A team would provide oversight to the concussion management process District wide. Such a team can be a useful strategy to achieve coordination between all parties. In conversation with District officials it was suggested that the team could be composed of:

- Athletic Director
- Special Education Director
- Director Physical Education
- Nurse Coordinator
- Athletic Trainer
- One Doctor from the Medical Staff
- Nurse Representatives from Each Building Level, (Elementary, MS, and HS)
- Guidance Counselor Representative(s)

**DISTRICT RESPONSE:**

- All agree that a Concussion Management Team (CMT) would be helpful in providing oversight to the concussion management process district-wide.
- The District has developed a Concussion Management Team (CMT) composed of the members suggested by the Auditor. It was recommended that a nurse from each school level be added to the team; as well as a representative from guidance, due to concerns surrounding a student’s return to academic activities following a concussion. The CMT met on 1/3/20 and has scheduled future meetings for 6/17/20 and 10/28/20.

**Observation 6: Medical Director Sign Off**

Stage 6 of the Graduated Return to Physical Activity Following Concussion is a return to the activity or sport. The School Physician (Medical Director) signs off upon completion of Stage 6; which is after the return to interscholastic sports. The NYSED Guidelines for Concussion Management states that the student will need to be approved to return to Athletic Activities (interscholastic sports) by the Medical Director; and as such, the Medical Director is signing off too late to be in compliance.

**Recommendation:**

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*The District should consider having the Medical Director sign off after completion of Stage 5; thus, ensuring sign-off prior to return to Athletic Activities (interscholastic sports). To help facilitate this the District may want to consider redesigning the form so that the Medical Director's signature line appears below Stage 5 instead of after Stage 6.*

**DISTRICT RESPONSE:**

In our discussion and review of the NYSED Guidelines for Concussion Management in Schools, as found on page 18, it states that "Following medical clearance" student will participate in normal training activities in Stage 5, which involves "Full contact practice". Based upon that statement, along with some other documents regarding concussion management, we conclude that the school physician should provide medical clearance after Stage 4 (not after Stage 5). The student should have the medical clearance prior to beginning Stage 5. We have modified the plan accordingly, to reflect these medical clearances. The school physician has verbally agreed to provide the clearance after Stage 4; and, then also provide the final clearance after Stage 6, enabling a two step clearance process. By improving how we share concussion information with the school physicians, i.e. providing them with all medical documents and student information when a student is cleared to begin the RTPA process, it should promote a more efficient process as the student progresses through the RTPA. The RTPA form has been updated to reflect the newly developed two-step clearance process by the school physician.

\* \* \* \* \*

The district appreciates the comments from the internal audit, and believes that the overall management of the process, and ultimately the safety of our students, will be improved based on the collective efforts of district staff and the school physician.