



January 27, 2015

New York City Committees on Health and Education
New York City Council Chambers
City Hall Park
New York, NY 10007

Dear Committee Members:

The New York State Association of Independent Schools (NYS AIS), which oversees the New York State Association of Independent Schools Athletic Association, would like to formally comment on the creation of a youth sports health and safety task force as well as the proposed revisions to Title 10 of the Administrative Code of the City of New York.

NYS AIS is a state-wide association of 196 independent schools, enrolling approximately 79,000 students throughout the State of New York. In New York City, there are 109 member schools ranging in size from under 200 students to over 1,800 students. Through the NYS AIS Athletic Association, we organize and support a variety of team competitions for thousands of students.

As an athletic association of independent schools, we recognize that athletics often play an important role in the lives of children. Of paramount importance to us is the safety of all children as they participate in individual and team sports. Additionally, it is our belief that each school's athletic program should be an essential part of the education of students, fostering the development of character, life skills, sportsmanship, and teamwork. Accordingly, we are in support of Intro 86 which creates a NYC youth sports health and safety task force. We believe that the goal of tracking and analyzing injuries sustained during youth sports activities can lead to a stronger collective understanding of ways in which injuries can be minimized resulting in recommendations for best practices for youth sports. Should the participation of the New York State Association of Independent Schools Athletic Association be desired, we would be happy to make a recommendation for participation on this task force.

The Intro 85 modifications to Title 10 of the Administrative Code, though well-intentioned, raise several concerns about their implementation and potential unintended consequences for independent schools. The narrow requirement that a doctor be required at every game and that a doctor or trainer be present at every practice that involves tackling places a logistical and unfunded financial burden on NYC independent schools. Unlike the PSAL, which has received a sizeable grant, the funding of this proposal would need to come directly from the tuition and fees charged to our students forcing the schools to either increase their tuition, reduce another area of their program, or eliminate football. It should be noted that currently there are a very small number of NYS AIS schools which have continued to offer football due to the high cost of operating such a program. Additionally, those schools that serve a smaller student population typically do not have a doctor or athletic trainer present at all games. Depending on the school, instead of a doctor or athletic trainer, there might be a school nurse or an EMT. We would suggest that the qualifications needed to satisfy this requirement be expanded to include other professionals such

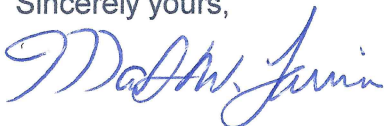
as nurses, physicians assistants, and EMTs. It has been the experience of our schools that the costs to provide a medical doctor at a particular sporting event could be as much as \$550.00. We estimate that the total additional cost that this proposal would create for each school is somewhere between \$8,500.00 to \$12,000.00 per season. As such, the addition of this unfunded financial burden could make the difference between a school fielding or not fielding a football team. Given our deep commitment to physical exercise, teamwork, sportsmanship, and character, the potential elimination of an important team sport, especially for middle school students, would not serve the best interests of our students. Additionally, while this proposal is strictly for football, it is our experience that concussions, though very rare, can occur in many other individual and team sports and under circumstances that are not even athletic in nature. The adoption of this proposal would most likely set a precedence that ultimately would be expanded to other sports.

In addition to our concerns about the logistical and unfunded nature of this proposal, there are areas in which the language is unclear which could lead to confusion and inconsistent implementation. In particular, language in the proposal that requires a doctor or trainer present at practices that include tackling could imply that a football team that mostly is participating in lifting practice with only partial tackling exercises for a short duration for a limited number of students might require a doctor or trainer to be present. Given the number of potential football training sessions and regrouping of students within those sessions, the ambiguity of the proposed language would leave athletic directors and coaches without a clear understanding of the ways in which they would fulfill this requirement.

Finally, an area of potential unintended consequences is in section 10-904 (b) where it states that, *"No youth participant may return to a game or practice if such participant has been administered a standardized assessment of concussion test regardless of the result of such test."* While we recognize that the intent in the entire proposal is to ensure the safety of our children who participate in football, this legal requirement could have the unintended consequence of students, themselves, not reporting a potential injury for fear of being removed from the game for the remainder of the game thus resulting in an *under reporting* of potential injuries. Should such a situation occur, a student might continue to play in a game having sustained a concussion with the adults in charge unaware of the injury. This lack of knowledge by the adults could have tragic implications for the student.

While the New York State Association of Independent Schools Athletic Association is deeply committed to the safe practice of all sports by our students, the proposal, in its current form, imposes costs and restrictions that could ultimately exacerbate the existing problem while leading to a series of unintended consequences. The New York State Association of Independent Schools Athletic Association would be more than willing to work with members of the committee and/or staff as they attempt to craft language that helps create a more safe sports environment.

Sincerely yours,



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