



**UNC Institutional Responses  
to the  
Commission's Questions and Case Study  
for the  
Commission Meeting  
October 3, 2018**

**Appalachian State University**  
**Legislative Commission on the Fair Treatment of Student-Athletes**

1.	What mental health and medical services are provided to student-athletes beyond what is accessible to the general student population?
	<ol style="list-style-type: none"> <li>1. Dedicated Mental Health Professional through the counseling center who has dedicated hours to provide services to student-athletes.</li> <li>2. Frequently visits Athletic Training Facilities, Contests, and practices to observe and assist student-athletes with their potential needs.</li> <li>3. Meets with coaching staffs to review policy and procedures for the athletic department.</li> <li>4. Meets with athletic teams to review services that are available to student-athletes throughout the year.</li> <li>5. Develop in-services to help student-athletes decrease stress and anxiety and develop tactics to employ through their career.</li> </ol>
2.	What processes or requirements are currently in place to prevent athletic injuries? For purposes of this response, items that meet NCAA minimum requirements, such as time limits on athletics-related activity or conditioning, or athletic personnel certification, do not need to be included in the response.
	<ol style="list-style-type: none"> <li>1. Development of the High-Performance Team to identify new techniques to engage student-athletes to perform at their highest ability level with decreasing the potential of athletic injury.</li> <li>2. Develop the pre-screening technique to identify student-athletes who are at risk for certain injuries.</li> </ol>
3.	What is the process of identification, diagnosis, and treatment when an student-athlete first presents symptoms of an injury?
	<ol style="list-style-type: none"> <li>1. Detailed medical history (entry-level and returning) obtained.</li> <li>2. Review medical history to identify potential injuries.</li> <li>3. Beginning of the year team meeting to review the expectations of the Athletic Training staff and to review the policy on when to report injuries.</li> <li>4. Athletic Training Staff turns in the document stating all policies were reviewed with the student-athletes in the beginning of the year meeting.</li> <li>5. Athletic Training Staff is on-site for all CARA practice and conditioning sessions to observe and identify potential injuries.</li> <li>6. Student-Athlete reports the potential injury to the Athletic Training staff for evaluation.</li> <li>7. Athletic Training staff facilitates services that are required to assist the student-athlete to get the required medical treatment.</li> </ol>
4.	Who is responsible for insurance, and who is responsible for any costs not covered by insurance for a student with an athletic scholarship who is injured or has other medical issues arising from participation in an athletic program in the following instances? (i) Treatment for injury during the season. (ii) Follow-up treatment after the season ends, but during the same school year.

	<p>(iii) Follow-up treatment in the next year, while the student remains enrolled in school.</p> <p>(iv) Follow-up treatment after the student graduates.</p> <p>(v) For questions (i) through (iv), are there any differences in coverage if the student has a partial scholarship or no scholarship?</p>
	<p>(i) Appalachian State University (3 year benefit period from the date of injury)</p> <p>(ii) Appalachian State University (3 year benefit period from the date of injury)</p> <p>(iii) Appalachian State University (3 year benefit period from the date of injury)</p> <p>(iv) Appalachian State University (3 year benefit period from the date of injury)</p> <p>(v) no difference</p>
5.	<p>Can a student-athlete be cut from a team due to injury in the academic year in which the injury occurs? Can a student-athlete be cut from the team due to the injury in a future academic year? Who makes this decision, is it appealable, and if so, on what grounds?</p>
	<ol style="list-style-type: none"> <li>1. This has not been our standard of care for injured student-athletes.</li> <li>2. This has not been our standard of care for injured student-athletes.</li> <li>3. Roster status is not appealable unless related to disciplinary sanction. Per NCAA rules, reduction or cancellation of athletics aid is always appealable.</li> </ol> <p>Standard of Care is a department-wide action of how we treat our student-athletes once they are injured. We continue to treat and rehabilitate injured student-athletes regardless if they are active on the team's roster or not. We continue this standard of care until they are released from the plan of treatment from the medical provider who treated the student-athlete. Even though there is no external professional standard it is not a practice of the department of athletics to remove a student-athlete's aid because they are injured.</p>
6.	<p>If a student-athlete seeks a medical opinion on sports-related injuries that results in a different diagnosis and treatment plan than recommended by a medical personnel for the team (if any), what impact does choosing to follow an alternate treatment plan have on the student-athletes' eligibility or standing with the team?</p>
	<ol style="list-style-type: none"> <li>1. None</li> </ol>
7.	<p>How can injuries impact a student-athlete's scholarship status?</p> <p>(i) Can a student-athlete lose or have an athletic scholarship reduced for the academic year due to an injury?</p> <p>(ii) Can a student-athlete lose or have an athletic scholarship reduced for future academic years due to an injury?</p> <p>(iii) Are there any differences in response to questions (i) and (ii) if the student-athlete has been awarded a single-year</p> <p>(iv) If a student-athlete on an athletic scholarship is no longer able to play due to an injury and the student-athlete no longer receives an athletic scholarship, does your school have a policy on offering additional financial aid or scholarships in lieu of the</p>

	athletic scholarships?
	<p>(i) No. Athletics aid cannot be reduced or canceled during the period of the award. If a student-athlete is offered a scholarship, they receive the aid according to all applicable NCAA rules &amp; regulations.</p> <p>(ii) Head Coaches have the discretion to make roster/athletics aid related decisions from year to year (with the exception of multiyear athletics scholarships - if a student-athlete is offered a scholarship, they receive the aid according to all applicable NCAA rules &amp; regulations), but this has not been our standard of care for injured student-athletes.</p> <p>(iii) Most Appalachian State University student-athletes are on one-year (renewable) athletics scholarships. If a student-athlete is offered a scholarship, they receive the aid according to all applicable NCAA rules &amp; regulations.</p> <p>(iv) No additional policies are in place at this time.</p>

### Case Study

(i)	At the time of John's injury in practice, he is able to walk following the fall, but complains of significant pain when doing so. What actions would be taken by coaches and athletic trainers to assess and respond to the injury?
	<ol style="list-style-type: none"> <li>1. Coaches and Athletic Training staff would evaluate basic life-saving measures and then contact necessary advanced medical personnel if necessary.</li> <li>2. If the Athletic Training staff is not on-site the coach would provide basic life-saving measures and then contact Athletic Training staff for further evaluation.</li> <li>3. Athletic Training staff would evaluate the injury and determine the best course of action to provide the essential medical care for that student-athlete.</li> </ol>
(ii)	John is assessed by university medical personnel, who recommend a conservative approach and do not recommend immediate surgery, and clear John to continue practicing. John continues to experience pain, and sees a medical expert in his hometown, who advises immediate surgery and no further play until a two month recovery period has passed. If John seeks immediate surgery, rather than following the advice of the university medical personnel, can John be cut from the team and can John's scholarship be reduced or revoked?
	<ol style="list-style-type: none"> <li>1. This has not been our standard of care for injured student-athletes. If a student-athlete is offered a scholarship, they receive the aid according to all applicable NCAA rules &amp; regulations.</li> </ol> <p>Standard of Care is a department-wide action of how we treat our student-athletes once they are injured. We continue to treat and rehabilitate injured student-athletes regardless if they are active on the team's roster or not. We continue this standard of care until they are released from the plan of treatment from the medical provider who</p>

	<p>treated the student-athlete. Even though there is no external professional standard it is not a practice of the department of athletics to remove a student-athlete's aid because they are injured.</p>
(iii)	<p>After further review, the team doctors also conclude John needs immediate surgery. John undergoes a surgery the next week, with out of pocket costs of \$2000. Who provides the insurance for the surgery and who covers the out-of-pocket cost? Would it matter if John is no longer on the team roster?</p>
	<p>Appalachian State's policy states that all medical care is coordinated by the Athletic Training Staff and self-directed visits would be the responsibility of the student-athlete. It would not matter if the student-athlete is no longer on the roster.</p> <p>Since this was a self-directed visit and not done in coordination with the Athletic Training Staff and Medical Providers the student-athlete would be responsible for any and all associated cost with the procedure. If the visits were coordinated than the University would be responsible for the cost</p>
(iv)	<p>In the spring semester following his injury, after the season is concluded, John continues to struggle with the injury and has to have a follow-up surgery, with out of pocket cost of \$5000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? Would it matter if John is no longer on the team roster?</p>
	<p>Appalachian State's policy states that all medical care is coordinated by the Athletic Training Staff and self-directed visits would be the responsibility of the student-athlete. It would not matter if the student-athlete is no longer on the roster.</p> <p>If the student-athlete follows-up with our medical providers and allows them and the athletic training staff to coordinate the medical care Appalachian State University will be financially responsible for the cost associated with the procedure. It would not matter if John is on the roster or not as long as he follows Department procedures.</p>
(v)	<p>John is able to take extra courses over the summer while recovering from surgery and graduates early, but continues to have complications from the injury and needs an additional surgery two months after graduating, with out of pocket cost of \$1000. Who provides the insurance for the surgery and who covers the out-of-pocket costs?</p>
	<p>Appalachian State's policy states that all medical care is coordinated by the Athletic Training Staff and self-directed visits would be the responsibility of the student-athlete. It would not matter if the student-athlete is no longer on the roster.</p> <p>If the student-athlete follows-up with our medical providers and allows them and the athletic training staff to coordinate the medical care Appalachian State University will be financially responsible for the cost associated with the procedure. Our secondary insurance policy has a limitation that it would cover all athletic related injuries for three years from the date of injury that is on the claim that is submitted to the secondary insurance provider. These restrictions are discussed and reviewed with the student-athletes at the beginning of the year meetings with each team.</p>

(vi)	Assume John does not graduate and plans to return for his senior year. The coach is uncertain if John will be able to play at the same level as the result of his injury. Can the coach cut John from the team? Can the coach keep John on the team, but not renew his athletic scholarship for his senior year? If John had a multi-year scholarship instead of a single year scholarship, would he be able to keep the scholarship if he were cut?
	Head Coaches have the discretion to make roster/athletics aid related decisions from year to year (with the exception of multiyear athletics scholarships).
(vii)	John seems to have recovered from his injury and the coach keeps John on the team and offers an athletic scholarship for his senior year. However, in the second pre-season practice, John falls, and aggravates the prior injury, and although further treatment is not required, John's performance declines. Can the coach cut John from the team? If so, does John keep his scholarship for the year? Can the coach keep John on the roster, but remove his scholarship?
	If a student-athlete is offered a scholarship, they receive the aid according to all applicable NCAA rules & regulations. This has not been our standard of care for injured student-athletes.

# Legislative Commission on Fair Treatment of College Student-Athletes

## September 19 Meeting Written Questions

Please provide the following information related to student-athletes attending your university in written form no later than September 17. Responses will be provided to members of the Commission prior to the September 19 meeting,

**1. What mental health and medical services are provided to student-athletes beyond what is accessible to the general student population?**

It is useful to consider that as a baseline, the ECU Center for Counseling and Student Development (CCSD) is available to see any student, including student-athletes, Monday – Friday from 8:00 AM – 5:00 PM by appointment, and from 11:00 AM – 4:00 PM for walk-in patients in crisis. Similar coverage is available for physical health issues in the Student Health Center. Crisis services are also available to all students by phone after hours. On campus clinic appointments may be scheduled either by the student-athlete or by a member of the ECU Athletic Training staff. Two counselors from the CCSD are made available to student-athletes each week in the Athletics facilities. The same counselors are available for sessions with teams as requested by a member of the coaching staff.

There are two primary care physicians (one is the Team Physician) who provide half-day (4 hours) clinics four days per week in the Athletics Department (i.e. in the Ward Sports Medicine Bldg). They see student-athletes only and can make referrals for counseling or psychiatric services if they detect a need. In addition, both attend home football games, one travels with football for away games. One is in attendance for all home men's basketball games, and the other is in attendance at all home women's basketball games, home soccer matches, and home lacrosse games.

A physical therapist is scheduled in Athletics two days per week, two hours per day. He is also available to see student-athletes in his office practice off campus.

A second physical therapist is available from the Department of Physical Therapy to consult on foot issues and make cast moldings for orthotics.

A chiropractor has Athletics Clinic hours one day per week for two hours and is also available pre-game at home football games to see student-athletes. He will also see student-athletes in his office off campus.

Two orthopaedic surgeons have an Athletics Clinic one day each per week and will come over to see student-athletes at other times as needed. Both are present for home football games, and one will travel with football when there is an away game.

Two registered dietitians from the ECU Student Health Center provide educational programming to teams as requested, in addition to seeing patients in their on-campus clinic.

Athletics has developed a network of medical specialists throughout Greenville that provide preferred scheduling and direct communication with the team physician to expedite diagnosis and care plans.

All appointments with providers having clinic hours in Athletics reported in this response to Question 1 are scheduled by a member of the Athletic Training staff upon request of the student-athlete or at the discretion of the athletic trainer. Other appointments, either on campus or off campus, may be scheduled by the student-athlete or an athletic trainer.

The American Athletic Conference and ECU Student-Athlete Advisory Committee have encouraged and developed mental health initiatives for student-athletes throughout the academic

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year. These will include collaboration with other campus groups and the ECU Center for Counseling and Student Development.

- 2. What processes or requirements are currently in place to prevent athletic injuries? For the purposes of this response, items that meet NCAA minimum requirements, such as time limits on athletics-related activity or conditioning, or athletics personnel certification, do not need to be included in the response**

In addition to complying with all NCAA requirements relating to prevention of athletic injuries, ECU takes the following measures:

Strength and conditioning programs are implemented for all teams to improve strength, flexibility, balance, and cardiovascular conditioning.

Teams have instituted additional sport-specific pre-practice and post-practice routines to focus on strength and flexibility in those areas most prone to injury

Athletic trainers use a variety of recovery therapies to aid in the reduction of normal post-practice soreness and inflammation.

Athletic trainers, physical therapy, and strength and conditioning coaches use strategies to identify poor movement patterns. Once identified, specific exercises can be used to correct.

Monitors and tracking devices are used to assess workloads, with adjustments in activity levels used depending on results.

Coaches monitor playing time of the student-athletes and adjust subsequent practice and lifting schedules to ensure proper rest.

As funds allow for new equipment purchases, the most up-to-date research is utilized to aid in the process. As an example, the National Football League and National Football League Players Association released a report on helmet testing performance results in April 2018. ECU replaced any helmets that were not in the top performing group with helmets that were.

Football reduces the amount of contact and shortens practice times throughout the season and will increase the amount of stretching and flexibility exercises to aid in the recovery process. In addition, and subject to any adjustments made for individual student-athletes at the direction of the athletic trainers, changes in practice schedules and the inclusion of additional recovery measures on a team-wide basis are determined by the coaches of each team in consultation with the athletic training and strength and conditioning staffs.

- 3. What is the process for identification, diagnosis, and treatment when an athlete first presents symptoms of an injury.**

The athlete will be evaluated initially by a licensed athletic trainer. Depending on the nature and severity of the injury, a determination will be made by the athletic trainer as to whether the injury requires further evaluation by a physician, either immediately at the hospital or through normal clinic hours. Some injuries (e.g. concussion) will automatically be seen by a physician at the first available time or on an emergency basis as needed. The ECU Student Health Center has x-ray and lab available if the physician deems additional information is needed to aid in diagnosis. Access to Vidant Medical Center's Level I trauma center and ECU Physicians is available should more specialized testing be required.



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The athletic trainer assigned to the team of the injured player will provide appropriate treatment and care for the injury both initially and throughout the healing process. The athletic trainer compiles medical diagnoses and recommendations and incorporates those into the care plan, consulting the team physician as needed.

Referral to treatment specialists (i.e. physical therapy, chiropractic) are made based on the nature of the injury.

ECU adheres to NCAA Bylaw 3.2.4.17 regarding Independent Medical Care. Members of the athletic training staff report to the team physician regarding medical decisions, and to the NCAA designated Athletics Health Care Administrator for administrative purposes. Coaches are not responsible for the hiring, firing, or retention of any athletic training staff member.

**4. Who is responsible for insurance, and who is responsible for any costs not covered by insurance for a student with an athletic scholarship who is injured or has other medical issues arising from participation in an athletic program in the following instances?**

**i. Treatment for an injury during the season**

The athlete's primary medical insurance is billed first. For any athletically-related injuries that occur in a supervised activity as defined in ECU's insurance policy, any co-pays, deductibles, or balances are paid by ECU Athletics as they are submitted by the student-athlete. Once payments reach \$10,000, further claims are sent to the Athletics Department's excess insurance carrier for payment. There are no out-of-pocket expenses incurred by the student-athlete or their family if those expenses are submitted to Athletics. This process is in place whether the student-athlete is on scholarship or not.

The ECU Athletics insurance policy covers athletically-related injuries that occur in a supervised activity as defined in the policy for a period of three (3) years, provided there is continuous care during the 3-year period. This policy is in effect even after the student-athlete graduates, up to the 3-year term limit.

**ii. Follow-up treatment after the season ends, but during the same school year**

Same as (i) above

**iii. Follow-up treatment in the next year, while the student remains enrolled in school**

Same as (i) above

**iv. Follow-up after the student graduates**

The coverage depend on the limits of the excess insurance policy ECU is authorized to purchase through the State of North Carolina's process. Current policy terms state that injuries are covered for three years from the date of injury, provided there is continuous care during that time. So, an athlete who is injured with less than three years remaining until they graduate would be covered post-graduation until the 3-year limit is reached if care is continuous (i.e. there is no interruption in the need for care) and the institution has documentation that the initial injury was incurred during a supervised activity as defined within the policy. Recent NCAA legislation has required Power 5 schools to cover athletically-related injuries for two years after graduation. The American Athletic Conference, of which ECU is a member, has opted into that legislation while leaving individual institutions broad discretion as to how the legislation is to be implemented. ECU is currently investigating the impact and feasibility of implementing this policy.

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- v. **For questions (i) through (iv), are there any differences in coverage if the student has a partial scholarship or no scholarship?**

No

- vi. **For questions (ii) through (iv), are there any differences in coverage if the student is no longer a member of the athletic team?**

No.

5. **Can a student-athlete be cut from a team due to an injury in the academic year in which the injury occurs?**

Yes. Coaches have the discretion to add or remove players from rosters for any reason. However, their financial aid may not be reduced or cancelled due to injury (see question 7 for NCAA bylaws regarding athletic financial aid and injuries)

6. **If a student seeks a medical opinion on a sports-related injury that results in a different diagnosis and treatment plan than recommended by medical personnel for the team (if any), what impact does choosing to follow an alternate treatment plan have on the student's eligibility or standing on the team?**

Obtaining outside opinions and alternative courses of treatment do not routinely affect standing of the team, eligibility, or scholarship status. However, the ECU Team Physician has the final authority on medical clearance. As an example, a student-athlete has a particular injury or condition, and the Team Physician feels that continuing to participate in sports could exacerbate the injury or, worst case, be catastrophic. The student-athlete is free to obtain other opinions without it having any effect on their team standing or eligibility. However, the final decision as to whether they are medically cleared to return to participation resides with the ECU Team Physician.

7. **How can injuries impact a student's scholarship status?**

- i. **Can a student lose or have an athletic scholarship reduced for the academic year due to an injury?**

No. See NCAA Bylaw below:

**15.3.5.2 Reduction or Cancellation Not Permitted -- During the Period of the Award.** [A] Institutional financial aid based in any degree on athletics ability may not be reduced or canceled during the period of its award: (Adopted: 1/16/93, Revised: 1/11/94, 12/11/07, 1/14/08, 8/7/14, 1/17/15 effective 8/1/15)

- a) On the basis of a student-athlete's athletics ability, performance or contribution to a team's success;
- b) **Because of an injury, illness, or physical or mental medical condition** (except as permitted pursuant to Bylaw 15.3.5.1); or
- c) For any other athletics reason.

- ii. **Can a student lose or have an athletic scholarship reduced for future academic years due to an injury?**

No. See NCAA Bylaw below:

**15.3.5.3 Reduction or Nonrenewal Not Permitted -- After the Period of the Award.** [A] If a student-athlete receives athletically related financial aid in the academic year of his or her initial full-time enrollment at the

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certifying institution, the following factors shall not be considered in the reduction or nonrenewal of such aid for the following academic year or years of the student-athlete's five-year period of eligibility: (Adopted: 1/17/15 effective 8/1/15)

- a) A student-athlete's athletics ability, performance or contribution to a team's success (e.g., financial aid contingent upon specified performance or playing a specific position);
- b) An injury, illness, or physical or mental medical condition; or
- c) Any other athletics reason.

**iii. Are there differences in response to questions (i) and (ii) if the student has been awarded a single-year or multi-year athletic scholarship?**

ECU does not offer multi-year scholarships

**iv. If a student on an athletic scholarship is no longer able to play due to injury and the student no longer receives an athletic scholarship, does your school have a policy on offering additional financial aid or scholarships in lieu of the athletic scholarship?**

Student-athletes do not lose their athletic scholarship based on any injury or loss of ability to play, even if they are removed from a roster and cut from the team. Students who meet the criteria as defined below by NCAA Bylaw 15.5.1.2 will be offered NCAA Medical Noncounter Status:

15.5.1.2 Counter Who Becomes Injured or Ill. A counter who becomes injured or ill to the point that he or she apparently never again will be able to participate in intercollegiate athletics shall not be considered a counter beginning with the academic year following the incapacitating injury or illness

This status will allow them to continue to receive their athletics financial aid until such point that they receive their undergraduate degree or exhaust their athletic eligibility. The process for applying for Medical Noncounter Status may be found under the Compliance tab on the ECU Athletics webpage

Students are reminded yearly of the terms under which their aid will continue and the protections from discontinuation they are afforded in the Grant-in-Aid agreements regarding cancellation or reduction in awards:

I understand that my athletics scholarship will not be reduced or canceled during the period of my award based on my athletic ability, performance or contribution to my team's athletic success, because of an injury, illness, or physical or mental condition that prevents me from participating in athletics, or for any other athletics reason.

I am aware that my athletics scholarship may be immediately reduced or canceled during the period of award if I:

- a. render myself ineligible for intercollegiate competition
- b. fraudulently misrepresent any information on an application, letter of intent, or financial aid agreement
- c. engage in serious misconduct warranting substantial disciplinary penalty
- d. violate Athletics Department policies or team rules provided such policies and rules are written and been reviewed with you
- e. voluntarily withdraw from my sport at any time for any reason

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## September 19 Case Study for Meeting Presentation

**John is a junior who was awarded a one-year scholarship to play basketball. In pre-season practice, John had a serious fall, resulting in an injury.**

- i. At the time of John's injury in practice, he is able to walk following the fall, but complains of significant pain when doing so. What actions would be taken by coaches and athletic trainers to assess and respond to the injury?**

John would be removed from practice and evaluated by an athletic trainer. Appropriate treatment would be administered (ice, crutches, splint if necessary, etc.). John would most likely be referred to a physician for x-rays. The coaches are not involved in the evaluation process.

- ii. John is assessed by university medical personnel, who recommend a conservative approach and do not recommend immediate surgery, and clear John to continue practicing. John continues to experience pain, and sees a medical expert in his home town, who advises immediate surgery and no further play until a two-month recovery period has passed. If John seeks immediate surgery, rather than following the advice of the university medical personnel, can John be cut from the team and can John's scholarship be reduced or revoked**

John can be cut from the team for any reason, but his scholarship cannot be reduced or revoked due to injury.

- iii. After further review, the team doctors also conclude that John needs immediate surgery. John undergoes a surgery the next week, with out-of-pocket costs of \$2000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? Would it matter if John were no longer on the roster?**

John's insurance would be billed first. Any remaining balances or out-of-pocket expenses would either be paid for by ECU or by the Athletics insurance policy. The ECU Athletics Accident policy has a \$10,000 deductible. Claims up to that point are paid either by John's insurance or ECU Athletics. Once the deductible is met, claims are paid by the Athletics insurance carrier. There are no expenses that John or his family would need to pay out-of-pocket. It would not matter whether John was still on the team, assuming the institution had documentation that the initial injury was incurred during a supervised activity as defined within the policy.

- iv. In the spring semester following the injury, after the season has concluded, John continues to struggle with the injury and has to have a follow-up surgery with out-of-pocket costs of \$5000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? Would it matter if John is no longer on the team roster?**

Same responses as (iii)

- v. John is able to take extra courses over the summer while recovering from surgery and graduates early but continues to have complications from the injury and needs additional surgery two months after graduating, with out-of-pocket costs of \$1000. Who provides the insurance for the surgery and who covers the out-of-pocket expenses?**

As John is still within the 3-year coverage limit as defined in the Department's policy, the answers remain the same as (iii)

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- vi. Assume John does not graduate and plans to return for his senior year. The coach is uncertain if John will be able to play at the same level as the result of his injury.**

- a. Can the coach cut John?**

Yes. Coaches have decision-making authority as to which players will constitute their roster

- b. Can the coach keep John on the team, but not renew his scholarship for his senior year?**

No, John would keep his scholarship

- c. If John had a multi-year scholarship instead of a single-year scholarship, would he be able to keep the scholarship if he were cut?**

Regardless of whether he was on a multi-year or single-year scholarship, he would not have his athletics financial aid cancelled if he were cut. Annual financial support at the rate of his single-year scholarship would be renewed serially while he is enrolled as a student at ECU until he receives his undergraduate degree or exhausts his athletic eligibility, subject to the terms as described in 7 (iv) above.

- vii. John seems to have recovered from his injury and the coach keeps John on the team and offers an athletic scholarship for his senior year. However, in the second pre-season practice, John falls and aggravates the prior injury and although further treatment is not required, John's performance declines.**

- a. Can the coach cut John from the team?**

Yes. See the response to (vi.a) above

- b. If so, does John keep his scholarship for the year?**

Yes

- c. Can the coach keep John on the roster, but remove his scholarship?**

No

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Please provide the following information related to student athletes attending your university in written form no later than September 17. Responses will be provided to members of the Commission prior to the September 19 meeting.

1. What mental health and medical services are provided to student-athletes beyond what is accessible to the general student population?

**[ECSU] There are no additional services provided to our student athletes that do not correspond with our student body. We do offer training that corresponds with mental health, which we provide to all student athletes as a resource. This resource is also available to our general student population.**

2. What processes or requirements are currently in place to prevent athletic injuries?  
For the purposes of this response, items that meet NCAA minimum requirements, such as time limits on athletics-related activity or conditioning, or athletic personnel certification, do not need to be included in the response.

**[ECSU] Our athletic staff ensures that student athletes receive training on proper techniques and fundamentals for their particular sport. We also ensure that members of the athletic staff are CPR/First Aid certified. Our athletic training staff operates on the treatment principle of evaluation, diagnosis and treatment.**

3. What is the process for identification, diagnosis, and treatment when an athlete first presents symptoms of an injury?

**[ECSU] Evaluation, diagnosis and treatment are our athletic protocol process for the first presented symptoms of injury. The process includes an initial evaluation by a licensed member of our athletic training staff. The designated athletics trainer will determine the need and process path of further evaluation, which may include evaluation at a hospital, and / or with a physician, and or a specialist. The designated trainer follows through with the plan for care and treatment by implementing consultation outcomes as required.**

4. Who is responsible for insurance, and who is responsible for any costs not covered by insurance for a student with an athletic scholarship who is injured or has other medical issues arising from participation in an athletic program in the following instances?

**[ECSU] All of our insurance claims for student athletes are filed by our director of sports medicine. These claims are processed by our Director of Business Services, Business & Finance. In the case of an athletic related injury, the student's primary insurance will be utilized and the institution's insurance will be process as the secondary insurance. Note: This is also determined on a case to case basis.**

- (i) Treatment for injury during the season

**[ECSU] Primary/Secondary Insurance**

- (ii) Follow-up treatment after the season ends, but during the same school year.

**[ECSU] Primary/Secondary Insurance**

- (iii) Follow-up treatment in the next year, while the student remains enrolled in school.

**[ECSU] Primary/Secondary Insurance**

- (iv) Follow-up treatment after the student graduates.

**[ECSU] Primary/Secondary Insurance 1 year from the date of initial injury.**

- (v) For questions (i) through (iv), are there any differences in coverage if the student has a partial athletic scholarship or no scholarship?

**[ECSU] No**

- (vi) For questions (ii) through (iv), are there any differences in coverage if the student is no longer a member of the athletic team?

**[ECSU] Yes, the student is no longer be covered if the injury occurred during the time they were not a member of the athletic program. The student's primary insurance will solely be responsible for the coverage. If the injury occurred while the student was still a member of the athletic team, then the student is covered by the institution's secondary insurance.**

- 5. Can a student-athlete be cut from a team due to injury in the academic year in which the injury occurs? Can a student-athlete be cut from the team due to that injury in a future academic year? Who makes this decision, is it appealable, and if so, on what grounds?

**[ECSU] No. This decision is by the coach and vetted by the athletic director (or designee).**

- 6. If a student seeks a medical opinion on sports-related injuries that results in a different diagnosis and treatment plan than recommended by medical personnel for the team (if any),

what impact does choosing to follow an alternate treatment plan have on the student's eligibility or standing with the team?

**[ECSU] This would not have an impact on the student-athlete's eligibility or standing on the team. A student-athlete has the choice to seek a second opinion and / or an alternate treatment plan.**

**It is critical to note that payment of all medical bills that generate from the second opinion and / or alternate treatment plan that are not coordinated directly through our Sports Medicine team will be the responsibility of the student-athlete. Additionally, this student-athlete will now be under the care of the outside physician and not our team's physician or athletic training staff. We will require clearance directly from the outside physician, not our team physician, for the student-athlete to return to any athletically related physical activity.**

7. How can injuries impact a student's scholarship status? No impact on the student athlete's scholarship unless they decide to remove themselves from athletics under their own will.

(i) Can a student lose or have an athletic scholarship reduced for the academic year due to an injury?

**[ECSU] No**

(ii) Can a student lose or have an athletic scholarship reduced for future academic years due to an injury?

**[ECSU] No**

(iii) Are there any differences in response to questions (i) and (ii) if the student has been awarded a single-year or multi-year athletic scholarship?

**[ECSU] Yes, we only offer single year scholarships so reductions and increases generally are offered based on availability of athletic scholarship resources for that particular fiscal year. We do not reduce scholarships based on athletic related injury.**

(iv) If a student on an athletic scholarship is no longer able to play due to injury and the student no longer receives an athletic scholarship, does your school have a policy on offering additional financial aid or scholarships in lieu of the athletic scholarship?

**[ECSU] No. Generally, if a student is not able to play further, based on an athletic related injury, we attempt to maintain the athletic award as long as the student abides by the athletic department and university's code of conduct policies.**



**Legislative Commission on Fair Treatment of College Student-Athletes  
September 19 Case Study for Meeting Presentation**

John is a junior who was awarded a one-year scholarship to play basketball. In pre-season practice, John had a serious fall, resulting in an injury.

- (i) At the time of John's injury in practice, he is able to walk following the fall, but complains of significant pain when doing so. What actions would be taken by coaches and athletic trainers to assess and respond to the injury?

**[ESCU] Evaluation, diagnosis and treatment.**

- (ii) John is assessed by university medical personnel, who recommend a conservative approach and do not recommend immediate surgery, and clear John to continue practicing. John continues to experience pain, and sees a medical expert in his home town, who advises immediate surgery and no further play until a two month recovery period has passed. If John seeks immediate surgery, rather than following the advice of the university medical personnel, can John be cut from the team and can John's scholarship be reduced or revoked?

**[ESCU] No. John will be responsible for treatment not authorized or approved by the university's medical staff.**

- (iii) After further review, the team doctors also conclude John needs immediate surgery. John undergoes a surgery the next week, with out of pocket costs of \$2,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? Would it matter if John is no longer on the team roster?

**[ECSU] (1) Primary insurance will cover a portion of the out of pocket cost while the institution's Secondary insurance covers the rest. (2) No, the injury occurred while John was a student athlete representing the institution.**

- (iv) In the spring semester following his injury, after the season is concluded, John continues to struggle with the injury and has to have a follow-up surgery, with out of pocket costs of \$5,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? Would it matter if John is no longer on the team roster?

**[ECSU] (1) Primary insurance will cover a portion of the out of pocket cost while the institution's Secondary insurance covers the rest. (2) No, the injury occurred while John was a student athlete representing the institution.**

- (v) (John is able to take extra courses over the summer while recovering from surgery and graduates early, but continues to have complications from the injury and needs an additional surgery two months after graduating, with out of pocket costs of \$1,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs?

**[ECSU] Primary insurance will cover a portion of the out of pocket cost/surgery while the institution's Secondary insurance covers the rest.**

- (vi) (Assume John does not graduate and plans to return for his senior year. The coach is uncertain if John will be able to play at the same level as the result of his injury. Can the coach cut John from the team?

**[ECSU] No.**

Can the coach keep John on the team, but not renew his athletic scholarship for his senior year?

**[ECSU] No.**

If John had a multi-year scholarship instead on a single year scholarship, would he be able to keep the scholarship if he were cut?

**[ECSU] Scholarships awards are on a year- to-year basis, so John would not lose his scholarship based on a decrease in athletic related performance. A cut or decrease in athletic related aid would only take place if he did not follow protocol written on the athletic award documentation.**

- (vii) (John seems to have recovered from his injury and the coach keeps John on the team and offers an athletic scholarship for his senior year. However, in the second pre-season practice, John falls, and aggravates the prior injury, and although further treatment is not required, John's performance declines. Can the coach cut John from the team?

**[ECSU] No**

If so, does John keep his scholarship for the year?

**[ECSU] Only for the semester if applicable.**

Can the coach keep John on the roster, but remove his scholarship?

**[ECSU] No. Coach cannot remove aid based on injury unless during the decline of athletic performance, John breaks team/institutional conduct protocol.**

1. What mental health and medical services are provided to student-athletes beyond what is accessible to the general student population? We have team physicians that are accessible for all students, athletes are able to be seen quicker when scheduled by the staff.

2. What processes or requirements are currently in place to prevent athletic injuries? For the purposes of this response, items that meet NCAA minimum requirements, such as time limits on athletics-related activity or conditioning, or athletic personnel certification, do not need to be included in the response. The athletic training staff utilizes various modalities and techniques to aid with injury prevent to include but not limited to stretching, ice baths, taping and bracing. Each sport also provides the appropriate protective equipment for their particular sport.

3. What is the process for identification, diagnosis, and treatment when an athlete first presents symptoms of an injury? The athlete is evaluated by the athletic training staff, based on the findings the athlete would either be treated in the athletic training room or referred to one of the team physicians pending the type of injury, I.e. Injuries to the knee would be referred to the orthopedic.

4. Who is responsible for insurance, and who is responsible for any costs not covered by insurance for a student with an athletic scholarship who is injured or has other medical issues arising from participation in an athletic program in the following instances? All students are required to have some form of insurance which serves as primary. The athletic department has a secondary athletic policy that serves as an excess policy to the student-athletes primary insurance.

(i) Treatment for injury during the season. Most treatments are provided within the athletic training room which is no cost to the student. Treatment outside the institution would be first paid by the primary insurance and followed-up by the secondary insurance.

(ii) Follow-up treatment after the season ends, but during the same school year. Most treatments are provided within the athletic training room which is no cost to the student. Treatment outside the institution would be first paid by the primary insurance and followed-up by the secondary insurance.

(iii) Follow-up treatment in the next year, while the student remains enrolled in school. Most treatments are provided within the athletic training room which is no cost to the student. Treatment outside the institution would be first paid by the primary insurance and followed-up by the secondary insurance.

(iv) Follow-up treatment after the student graduates. Most treatments are provided within the athletic training room which is no cost to the student. Treatment outside the institution would be first paid by the primary insurance and followed-up by the secondary insurance. Once a student graduates, they are able to obtain treatment in the Athletic Training room, if they so choose. They also have the ability to seek treatment at outside resources such as a physical therapy clinic. In such cases, the bill would be first paid by the students' primary insurance, followed by the secondary athletic insurance.

(v) For questions (i) through (iv), are there any differences in coverage if the student has a partial athletic scholarship or no scholarship? No

(vi) For questions (ii) through (iv), are there any differences in coverage if the student is no longer a member of the athletic team? **No**, treatment is still permitted until the student athlete is released/cleared by the physician. The secondary insurance policy through FSU provides benefits for up to three years from the date of onset of the condition.

5. Can a student-athlete be cut from a team due to injury in the academic year in which the injury occurs? **No** Can a student-athlete be cut from the team due to that injury in a future academic year? **No** Who makes this decision, is it appealable, and if so, on what grounds? **N/A**

6. If a student seeks a medical opinion on sports-related injuries that results in a different diagnosis and treatment plan than recommended by medical personnel for the team (if any), what impact does choosing to follow an alternate treatment plan have on the student's eligibility or standing with the team? **There is no impact in regards to eligibility or standing.**

7. How can injuries impact a student's scholarship status? **If a student receives a career ending injury and still has eligibility left, he/she will continue to receive the athletic scholarship until eligibility is exhausted or the student becomes academically ineligible.**

(i) Can a student lose or have an athletic scholarship reduced for the academic year due to an injury? **No**

(ii) Can a student lose or have an athletic scholarship reduced for future academic years due to an injury? **No**

(iii) Are there any differences in response to questions (i) and (ii) if the student has been awarded a single-year or multi-year athletic scholarship? **No**

(iv) If a student on an athletic scholarship is no longer able to play due to injury and the student no longer receives an athletic scholarship, does your school have a policy on offering additional financial aid or scholarships in lieu of the athletic scholarship? **N/A**

**Legislative Commission on Fair Treatment of College Student-Athletes  
September 19 Case Study for Meeting Presentation**

John is a junior who was awarded a one-year scholarship to play basketball. In pre-season practice, John had a serious fall, resulting in an injury.

- (i) At the time of John's injury in practice, he is able to walk following the fall, but complains of significant pain when doing so. What actions would be taken by coaches and athletic trainers to assess and respond to the injury?

The athletic trainer would conduct an evaluation of the injury, and based on the findings would treat appropriately.

- (ii) John is assessed by university medical personnel, who recommend a conservative approach and do not recommend immediate surgery, and clear John to continue practicing. John continues to experience pain, and sees a medical expert in his home town, who advises immediate surgery and no further play until a two month recovery period has passed. If John seeks immediate surgery, rather than following the advice of the university medical personnel, can John be cut from the team and can John's scholarship be reduced or revoked?

John will not be cut from the team if he seeks advice from this personal physician vs the university's medical personnel.

- (iii) After further review, the team doctors also conclude John needs immediate surgery. John undergoes a surgery the next week, with out of pocket costs of \$2,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? Would it matter if John is no longer on the team roster?

John's personal insurance would be primary and the institution athletic insurance policy would be secondary to cover the cost. It would not matter that John is no longer on the roster because it is an athletic related injury.

- (iv) In the spring semester following his injury, after the season is concluded, John continues to struggle with the injury and has to have a follow-up surgery, with out of pocket costs of \$5,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? Would it matter if John is no longer on the team roster?

John's personal insurance would be primary and the institution athletic insurance policy would be secondary to cover the cost. It would not matter that John is no longer on the roster because it is an athletic related injury.

- (v) John is able to take extra courses over the summer while recovering from surgery and graduates early, but continues to have complications from the injury and needs an additional surgery two months after graduating, with out of pocket costs of \$1,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs?

John's personal insurance would be primary and the institution athletic insurance policy would be secondary to cover the cost.

- (vi) Assume John does not graduate and plans to return for his senior year. The coach is uncertain if John will be able to play at the same level as the result of his injury. Can the coach cut John from the team? Can the coach keep John on the team, but not renew his athletic scholarship for his senior year? If John had a multi-year scholarship instead on a single year scholarship, would he be able to keep the scholarship if he were cut?

Division II has single year scholarships. FSU would not reduce or eliminate a student's scholarship based solely on an athletic injury. He/she would remain on the team until he/she graduates, exhausts eligibility, voluntarily quits the team or transfers out of the university.

- (vii) John seems to have recovered from his injury and the coach keeps John on the team and offers an athletic scholarship for his senior year. However, in the second pre-season practice, John falls, and aggravates the prior injury, and although further treatment is not required, John's performance declines. Can the coach cut John from the team? If so, does John keep his scholarship for the year? Can the coach keep John on the roster, but remove his scholarship?

John would keep his scholarship for the rest of the year and remain on the roster.

## North Carolina A&T State University

### Legislative Commission on Fair Treatment of College Student-Athletes September 19 Meeting Written Questions

Please provide the following information related to student athletes attending your university in written form no later than September 17. Responses will be provided to members of the Commission prior to the September 19 meeting.

1. What mental health and medical services are provided to student-athletes beyond what is accessible to the general student population? **Access to certified athletic trainers and team physicians.**
2. What processes or requirements are currently in place to prevent athletic injuries? For the purposes of this response, items that meet NCAA minimum requirements, such as time limits on athletics-related activity or conditioning, or athletic personnel certification, do not need to be included in the response. **Pre-participation exams, sickle cell screening, presence of a certified athletic trainer at competitions, conditioning sessions, and contact/collision practices; protective equipment.**
3. What is the process for identification, diagnosis, and treatment when an athlete first presents symptoms of an injury? **Athlete is evaluated by a certified athletic trainer. After assessing the injury the athletic trainer will provide the appropriate treatment and/or rehabilitation. Activation of emergency action plan or referral to team physician when necessary.**
4. Who is responsible for insurance, and who is responsible for any costs not covered by insurance for a student with an athletic scholarship who is injured or has other medical issues arising from participation in an athletic program in the following instances? **All student-athletes are required to have primary medical insurance. The athletics department carries a secondary insurance policy with a \$3000 deductible. For all instances, the SA must have reported the athletic-related injury and submitted any related medical bills within one year of occurrence.**
  - (i) Treatment for injury during the season.  
**Filed to SA primary insurance and athletics secondary insurance. Copays and deductibles paid by athletics department.**
  - (ii) Follow-up treatment after the season ends, but during the same school year.  
**Filed to SA primary insurance and athletics secondary insurance. Copays and deductibles paid by athletics department.**
  - (iii) Follow-up treatment in the next year, while the student remains enrolled in school.  
**Filed to SA primary insurance and athletics secondary insurance. Copays and deductibles paid by athletics department.**
  - (iv) Follow-up treatment after the student graduates.  
**Filed to SA primary insurance and athletics secondary insurance. Copays and deductibles paid by athletics department.**
  - (v) For questions (i) through (iv), are there any differences in coverage if the student has a partial athletic scholarship or no scholarship? **No**

## North Carolina A&T State University

(vi) For questions (ii) through (iv), are there any differences in coverage is the student is no longer a member of the athletic team? **No**

5. Can a student-athlete be cut from a team due to injury in the academic year in which the injury occurs? **At the head coach's discretion, and consistent with NCAA rules, a student-athlete can be cut from a team at any time, for the head coach is the steward of student-athlete personnel. If the student-athlete, who suffered an injury and was on athletically related financial aid, is cut from the team, the student-athlete's aid would continue for the period of the award, and there could potentially be an impact on the scholarship limitations placed on that particular team.**

Can a student-athlete be cut from the team due to that injury in a future academic year? **If a student-athlete suffers an injury that incapacitates them from competing in athletics in future academic years (a "career-ending injury"), they will most likely be cut from the team because they will be unable to participate in athletics but they will be considered a medical non-counter and financial aid may be continued without counting against the team's scholarship limits. As examples, in the recent past N.C. A&T had one student-athlete who suffered a career-ending injury, and another student-athlete who was diagnosed with cancer. In both cases, N.C. A&T continued the student-athletes' athletics financial aid for the remainder of their enrollment.**

Who makes this decision, is it appealable, and if so, on what grounds? **The head coach makes decisions regarding student-athlete personnel. The decision to be dismissed from a team is not appealable; however, NCAA rules provide that any reduction or cancellation of aid based in whole or in part on athletics ability can be appealed to the University's financial aid appeal committee to ensure fairness.**

6. If a student seeks a medical opinion on sports-related injuries that results in a different diagnosis and treatment plan than recommended by medical personnel for the team (if any), what impact does choosing to follow an alternate treatment plan have on the student's eligibility or standing with the team? **There is no impact on a student-athlete's eligibility or standing with the team should they seek an outside medical opinion and choose to follow an alternate treatment plan.**
7. How can injuries impact a student's scholarship status? **If a student's athletics ability is considered in any degree in awarding financial aid, such aid shall neither be awarded for a period less than one academic year nor for a period that would exceed the student's five-year period of eligibility. One-year grants-in-aid shall be awarded in equal amounts for each term of the academic year. An institution may award athletically related financial aid to a student-athlete for a period of less than one academic year only under the following circumstances: Mid-year enrollment, Final Semester/Quarter, Graduated During Previous Academic Year and Will Exhaust Eligibility During the Following Fall Term, a One-Time Exception, Non-Recruited Student-Athlete Exception, and Eligibility Exhausted/Medical Non-Counter. Institutional financial aid based in any degree on athletics ability may be reduced or canceled during the period of the award if the recipient: Renders himself or herself ineligible for intercollegiate competition; Fraudulently misrepresents any information on an application, letter of intent or financial aid agreement; Engages in serious misconduct warranting substantial disciplinary penalty; or Voluntarily (on his or her own initiative) withdraws from a sport at any time for personal reasons.**



## North Carolina A&T State University

- (i) Can a student lose or have an athletic scholarship reduced for the academic year due to an injury? Institutional financial aid based in any degree on athletics ability may not be reduced or canceled during the period of its award: On the basis of a student-athlete's athletics ability, performance or contribution to a team's success; because of an injury, illness, or physical or mental medical condition; or for any other athletics reason.
- (ii) Can a student lose or have an athletic scholarship reduced for future academic years due to an injury? North Carolina A&T State University (NCAT) Athletic Scholarships are awarded on an annual basis and for a one-year period; therefore, there aren't scholarships for future academic years, unless a multi-year award is offered. Over the past 5 years, NCAT has had 1 student-athlete cut from teams due to injury and 1 due to cancer, and in both cases, the Program continued to issue the same aid annually to them.
- (iii) Are there any differences in response to questions (i) and (ii) if the student has been awarded a single-year or multi-year athletic scholarship? NCAT does not currently offer multi-year awards.
- (iv) If a student on an athletic scholarship is no longer able to play due to injury and the student no longer receives an athletic scholarship, does your school have a policy on offering additional financial aid or scholarships in lieu of the athletic scholarship? We do not currently have a policy to offer athletic scholarships to students who cannot participate in athletics. The student would need to apply for non-athletically related financial aid. There is no special fund of money to use as a supplement to athletically related financial aid.

## North Carolina A&T State University

### Legislative Commission on Fair Treatment of College Student-Athletes September 19 Case Study for Meeting Presentation North Carolina A&T State University

John is a junior who was awarded a one-year scholarship to play basketball. In pre-season practice, John had a serious fall, resulting in an injury.

- (i) At the time of John's injury in practice, he is able to walk following the fall, but complains of significant pain when doing so. What actions would be taken by coaches and athletic trainers to assess and respond to the injury? **The athletic training staff would perform an evaluation of the student-athlete's injury to determine the severity of it and if any emergency medical response is necessary. If the athlete has significant pain with walking he would likely be removed from practice. The athletic training staff would communicate this to the coach. The athletic training staff would provide any necessary treatment to the injured athlete and refer to the team physician, if necessary.**
- (ii) John is assessed by university medical personnel, who recommend a conservative approach and do not recommend immediate surgery, and clear John to continue practicing. John continues to experience pain, and sees a medical expert in his home town, who advises immediate surgery and no further play until a two month recovery period has passed. If John seeks immediate surgery, rather than following the advice of the university medical personnel, can John be cut from the team and can John's scholarship be reduced or revoked? **A student-athlete would not be cut from a team or have a reduction in scholarship based solely on a decision to seek an outside medical opinion and follow an alternate treatment plan.**
- (iii) After further review, the team doctors also conclude John needs immediate surgery. John undergoes a surgery the next week, with out of pocket costs of \$2,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? Would it matter if John is no longer on the team roster? **Medical expenses incurred from the surgery would first be filed to the student-athlete's primary insurance and then the athletics secondary insurance policy. Any out of pocket costs, such as copays and deductibles, would be covered by the athletics department. The student-athlete's status on the team would not matter as long as the injury occurred while they were on the team roster and it was athletically related.**
- (iv) In the spring semester following his injury, after the season is concluded, John continues to struggle with the injury and has to have a follow-up surgery, with out of pocket costs of \$5,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? Would it matter if John is no longer on the team roster? **Medical expenses incurred from the second surgery would still be filed to the student-athlete's primary insurance first and then filed with the athletics secondary insurance. Any out of pocket costs, such as copays and deductibles, would be covered by the athletics department. The student-athlete's status on the team would not matter as long as the injury occurred while they were on the team roster and it was athletically related.**
- (v) John is able to take extra courses over the summer while recovering from surgery and graduates early, but continues to have complications from the injury and needs an additional surgery two months after graduating, with out of pocket costs of \$1,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? **Medical expenses incurred from the third surgery would still be filed to the student-athlete's primary insurance first and then filed with the athletics secondary insurance. Any out of pocket costs, such as copays and deductibles, would be covered by**

## North Carolina A&T State University

the athletics department. The student-athlete's status on the team would not matter as long as the injury occurred while they were on the team roster and it was athletically related.

- (vi) Assume John does not graduate and plans to return for his senior year. The coach is uncertain if John will be able to play at the same level as the result of his injury. Can the coach cut John from the team? At North Carolina A&T State University (NCAT), John's scholarship would be offered for a one-year period that would be renewable or non-renewable for the ensuing academic year. If John suffers an incapacitating injury resulting in his inability to compete athletically, his athletics scholarship would most likely not be renewed for the ensuing academic year. Based on NCAA legislation, John does retain the right to request a hearing opportunity with a committee consisting of university staff outside of the athletics department in an attempt to appeal this decision if his scholarship is not renewed for the ensuing academic year. If John's scholarship is renewed, financial aid awarded to a student-athlete may not be conditioned on the recipient reporting in satisfactory physical condition. If a student-athlete has been awarded financial aid for the ensuing academic year, NCAT shall be committed for the term of the award, even if the student-athlete's physical condition prevents him or her from participating in intercollegiate athletics. Can the coach keep John on the team, but not renew his athletic scholarship for his senior year? John's involvement with the team for the following academic year would be determined by the head coach, whether John's scholarship was renewed or not renewed. If John had a multi-year scholarship instead on a single year scholarship, would he be able to keep the scholarship if he were cut? Yes, NCAT would have to honor John's scholarship for the period of the award, however NCAT does not offer multi-year scholarships. If a student's athletics ability is considered in any degree in awarding financial aid, such aid shall neither be awarded for a period less than one academic year nor for a period that would exceed the student's five-year period of eligibility. Institutional financial aid based in any degree on athletics ability may not be reduced or canceled during the period of its award: On the basis of a student-athlete's athletics ability, performance or contribution to a team's success; Because of an injury, illness, or physical or mental medical condition; or for any other athletics reason. John would be able to keep his scholarship for the period of award if he were cut.
- (vii) John seems to have recovered from his injury and the coach keeps John on the team and offers an athletic scholarship for his senior year. However, in the second pre-season practice, John falls, and aggravates the prior injury, and although further treatment is not required, John's performance declines. Can the coach cut John from the team? At the head coach's discretion, a student-athlete can be cut from a team at any time, for the head coach is the steward of student-athlete personnel. If so, does John keep his scholarship for the year? Institutional financial aid based in any degree on athletics ability may not be reduced or canceled during the period of its award: On the basis of a student-athlete's athletics ability, performance or contribution to a team's success; Because of an injury, illness, or physical or mental medical condition; or for any other athletics reason. John would be able to keep his scholarship for the period of award if he were cut. John would keep his scholarship for the year. Can the coach keep John on the roster, but remove his scholarship? John's involvement with the team for the academic year would be determined by the head coach; however, in this scenario, John would keep his scholarship for the remainder of period.

Legislative Commission on Fair Treatment of College Student-Athletes September 19 Meeting  
Written Questions

Please provide the following information related to student athletes attending your university in written form no later than September 17. Responses will be provided to members of the Commission prior to the September 19 meeting.

1. What mental health and medical services are provided to student-athletes beyond what is accessible to the general student population?

- **Licensed therapist (psychologist) for student-athletes who participate in summer bridge program;**
- **Strategy Tutors/Interns from NCCU Social Work Graduate Program;**
- **Sports psychiatrist on contract from UNC for services offered during academic year;**
- **Sports medical services provided by Duke Sports Medicine and UNC Sports Medicine;**
- **Team Physician is assigned to all athletics program as per NCAA Bylaws;**
- **Learning Specialist with sports psychology background on staff full time through Academic Support Services**

2. What processes or requirements are currently in place to prevent athletic injuries? For the purposes of this response, items that meet NCAA minimum requirements, such as time limits on athletics-related activity or conditioning, or athletic personnel certification, do not need to be included in the response.

- **In addition to the National Association of Athletics Trainers (NATA) standards of preventative care, we have hired a Director of Sports Nutrition to educate student-athletes, coaches, food serve providers of the proper nutrition needs and protocols necessary to ensure quick recovery from injury and preventative care which leads to a decrease in injury rates.**
- **We monitor sleep activities of our student-athletes which is vital to injury prevention and maximizes performance.**
- **Student-athletes and coaches are educated on proper skills, techniques, and overall health and wellness to emphasize the total development of the student which is vital in understanding how to prevent injury and maximize sports performance.**

3. What is the process for identification, diagnosis, and treatment when an athlete first presents symptoms of an injury?

- **Athlete is evaluated by an athletic trainer at the onset of injury or when injury is reported**
- **Injury is diagnosed by the assigned certified athletic trainer**
- **The athletic trainer will provide treatment for the injury**
- **Team Physician will be kept informed of injury and of the rehabilitation process**

4. Who is responsible for insurance, and who is responsible for any costs not covered by insurance for a student with an athletic scholarship who is injured or has other medical issues arising from participation in an athletic program in the following instances? (i) Treatment for injury during the season. (ii) Follow-up treatment after the season ends, but during the same school year. (iii) Follow-up treatment in the next year, while the student remains enrolled in school. (iv) Follow-up treatment after the student graduates. (v) For questions (i) through (iv), are there any differences in coverage if the student has a partial athletic scholarship or no scholarship? (vi) For questions (ii) through (iv), are

## NCCU Responses

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there any differences in coverage is the student is no longer a member of the athletic team? 5. Can a student-athlete be cut from a team due to injury in the academic year in which the injury occurs? Can a student-athlete be cut from the team due to that injury in a future academic year? Who makes this decision, is it appealable, and if so, on what grounds?

(i) Treatment for injury during the season.

- **Student Health Insurance, if not waived**
- **Parental Health Insurance, if applicable**
- **Athletics Excess Health Insurance**

(ii) Follow-up treatment after the season ends, but during the same school year.

- **Student Health Insurance, if not waived**
- **Parental Health Insurance, if applicable**
- **Athletics Excess Health Insurance**

(iii) Follow-up treatment in the next year, while the student remains enrolled in school.

- **Student Health Insurance, if not waived**
- **Parental Health Insurance, if applicable**
- **Athletics Excess Health Insurance**

(iv) Follow-up treatment after the student graduates.

- **Student Health Insurance, if not waived**
- **Parental Health Insurance, if applicable**
- **Athletics Excess Health Insurance**

(v) For questions (i) through (iv), are there any differences in coverage if the student has a partial athletic scholarship or no scholarship?

- **No difference in the coverage for full, partial or no scholarship, they are all covered the same way**

(vi) For questions (ii) through (iv), are there any differences in coverage is the student is no longer a member of the athletic team?

- **If there is an existing injury/illness due to athletics participation (previous), then:**
- **Student Health Insurance, if not waived**
- **Parental Health Insurance, if applicable**
- **Athletics Excess Health Insurance**

Can a student-athlete be cut from a team due to injury in the academic year in which the injury occurs?

- **No**

Can a student-athlete be cut from the team due to that injury in a future academic year?

- **Unless the student-athlete does not comply with all rehabilitation requirements, injury/illness is not a reason for non-renewal or to be dismissed from the team**

Who makes this decision, is it appealable, and if so, on what grounds?

- **It is a collaborative decision based on dialogue between Head Coach, Head Athletics Trainer and Team Physician**

- **It is appealable if the student-athlete wishes to contest any dismissal or non-renewal of grant-in-aid**

6. If a student seeks a medical opinion on sports-related injuries that results in a different diagnosis and treatment plan than recommended by medical personnel for the team (if any), what impact does choosing to follow an alternate treatment plan have on the student's eligibility or standing with the team?

- **It does not have an impact**

7. How can injuries impact a student's scholarship status? (i) Can a student lose or have an athletic scholarship reduced for the academic year due to an injury? (ii) Can a student lose or have an athletic scholarship reduced for future academic years due to an injury? (iii) Are there any differences in response to questions (i) and (ii) if the student has been awarded a single-year or multi-year athletic scholarship? (iv) If a student on an athletic scholarship is no longer able to play due to injury and the student no longer receives an athletic scholarship, does your school have a policy on offering additional financial aid or scholarships in lieu of the athletic scholarship?

- (i) Can a student lose or have an athletic scholarship reduced for the academic year due to an injury?
  - **No**
- (ii) Can a student lose or have an athletic scholarship reduced for future academic years due to an injury?
  - **No, Unless the student-athlete does not adhere to the rehabilitation program established for them to follow. This is reviewed by the Team Physician, Head Athletic Trainer, Head Coach, Compliance Director and the Director of Athletics**
- (iii) Are there any differences in response to questions (i) and (ii) if the student has been awarded a single-year or multi-year athletic scholarship?
  - **No difference, we only offer a single-year (FCS)**
- (iv) If a student on an athletic scholarship is no longer able to play due to injury and the student no longer receives an athletic scholarship, does your school have a policy on offering additional financial aid or scholarships in lieu of the athletic scholarship?
  - **For a student-athlete who is no longer able to participate due to injury, we use the NCAA Medical Non Counter legislation and will honor their scholarship for subsequent years**
  - **There are other funds through the university if athletics needs assistance with funding this student-athlete, however academic and/or other criteria may need to be met by the student**

Legislative Commission on Fair Treatment of College Student-Athletes September 19 Case Study for Meeting Presentation

John is a junior who was awarded a one-year scholarship to play basketball. In pre-season practice, John had a serious fall, resulting in an injury.

- (i) At the time of John's injury in practice, he is able to walk following the fall, but complains of significant pain when doing so. What actions would be taken by coaches and athletic trainers to assess and respond to the injury?
  - **Athlete is evaluated by an athletic trainer at the onset of injury or when injury is reported**
  - **Injury is diagnosed by the assigned certified athletic trainer**
  - **The athletic trainer will provide treatment for the injury**
  - **Team Physician will be kept informed of injury and of the rehabilitation process**
- (ii) John is assessed by university medical personnel, who recommend a conservative approach and do not recommend immediate surgery, and clear John to continue practicing. John continues to experience pain, and sees a medical expert in his home town, who advises immediate surgery and no further play until a two month recovery period has passed. If John seeks immediate surgery, rather than following the advice of the university medical personnel, can John be cut from the team and can John's scholarship be reduced or revoked?
  - **John's scholarship would not be reduced or revoked**
- (iii) After further review, the team doctors also conclude John needs immediate surgery. John undergoes a surgery the next week, with out of pocket costs of \$2,000. Who provides the insurance for the surgery and who covers the out-of pocket costs? Would it matter if John is no longer on the team roster?
  - **All insurance processes include:**
  - **Athletics Insurance**
  - **Student Health Insurance, if not waived**
  - **Parental Health Insurance**
  - **It would not matter as the injury occurred while a member of the team**
  - **We pay any additional costs not covered by insurances**
- (iv) In the spring semester following his injury, after the season is concluded, John continues to struggle with the injury and has to have a follow-up surgery, with out of pocket costs of \$5,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? Would it matter if John is no longer on the team roster?
  - **All insurance processes include:**
  - **Athletics Insurance**
  - **Student Health Insurance, if not waived**
  - **Parental Health Insurance**
  - **It would not matter as the injury occurred while a member of the team**
  - **We pay any additional costs not covered by insurances**
- (v) John is able to take extra courses over the summer while recovering from surgery and

graduates early, but continues to have complications from the injury and needs an additional surgery two months after graduating, with out of pocket costs of \$1,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs?

- **All insurance processes include:**
- **Athletics Insurance**
- **Student Health Insurance, if not waived**
- **Parental Health Insurance**
- **It would not matter as the injury occurred while a member of the team**
- **We pay any additional costs not covered by insurances**

(vi) Assume John does not graduate and plans to return for his senior year. The coach is uncertain if John will be able to play at the same level as the result of his injury. Can the coach cut John from the team? Can the coach keep John on the team, but not renew his athletic scholarship for his senior year? If John had a multi-year scholarship instead on a single year scholarship, would he be able to keep the scholarship if he were cut?

- **As an NCAA non-autonomy member institution, athletics grant-in-aids are only offered for one year and they are reviewed on an annual basis and thus, by NCAA rules 15.3.4.3, the coach could cut “John” from the team.**
- **Yes, the coach could keep “John” on the team as a non-scholarship student-athlete**
- **Cannot respond as we do not offer multi-year grant-in-aids**

(vii) John seems to have recovered from his injury and the coach keeps John on the team and offers an athletic scholarship for his senior year. However, in the second pre-season practice, John falls, and aggravates the prior injury, and although further treatment is not required, John's performance declines. Can the coach cut John from the team? If so, does John keep his scholarship for the year? Can the coach keep John on the roster, but remove his scholarship?

- **As per NCAA rules, a student-athlete's grant-in-aid cannot be reduced or cancelled during the period of award.**



**Legislative Commission on Fair Treatment of College Student-Athletes  
September 19 Meeting Written Questions**

**1. What mental health and medical services are provided to student-athletes beyond what is accessible to the general student population?**

NC State Sports Medicine Staffing & Services Overview

- 21 Athletic Trainers (ATs) on staff, all are Certified and Licensed
- 3 Psychologists on staff, 1 Certified and Licensed Psychologist and 2 Post-Doctoral Fellows in Sport Psychology
- 3 Administrative Assistants/Insurance Coordinators
- 8 ATs are dual credentialed as EMTs: 6 EMT-Basic and 2 EMT-Intermediate
- An Athletic Trainer is required at all high risk sessions – a minimum of 2 ATs available at all hosted game/events
- Provider Network includes 24 community partnerships with various medical professional organizations to provide comprehensive healthcare to our student-athletes
- Massage Therapists and Chiropractors hold weekly clinics on site within the athletic training facilities
- Physical Therapist holds 8 weekly clinics on site within the athletic training facilities
- Team Physicians (5 Family Practice, 6 Orthopaedics, 1 Emergency Medicine, 1 Psychiatrist) hold 14 clinics per week within the athletic training facilities and are available for consult and/or evaluation at all times.
- Home Football Games staffing: 4 Team Physicians (1 Family Practice, 2 Orthopaedics, & 1 Neurosurgeon) 7 ATs (3 EMT-B/2 EMT-I), Medical Observer, 2 Paramedics on-site
- Team Physicians are present at home games/events for Men's Basketball, Women's Basketball, Men's Soccer, Women's Soccer, Cross Country, Wrestling, and Gymnastics, as well as special events such as NCAA Host Sites and Raleigh Relays
- Team Physicians travel with Football and Men's Basketball for all away games
- Paramedics on site for home games at Men's Basketball, Women's Basketball, Wrestling, and Gymnastics as well as special events such as NCAA Host Sites and Raleigh Relays
- Sports Medicine works seamlessly with Nutrition, S&C, and Sport Psych to provide a holistic healthcare model

**2. What processes or requirements are currently in place to prevent athletic injuries? For the purposes of this response, items that meet NCAA minimum requirements, such as time limits on athletics-related activity or conditioning, or athletic personnel certification, do not need to be included in the response.**

NC State Sports Medicine maintains compliance with the most recent Best Practices, Position Statements, Consensus Statements, Recommendations, and governing body guidelines listed below:

- *NCAA Interassociation Consensus: Independent Medical Care for College Student-Athletes Best Practices 2016*
- *NCAA Interassociation Consensus: Diagnosis and Management of Sport-Related Concussion Best Practices 2016*
- *NCAA Interassociation Consensus: Year-Round Football Practice Contact for College Student-Athletes Recommendations 2016*
- *NCAA Interassociation Consensus: Best Practices for Understanding and Supporting Student-Athletes Mental Wellness 2016*
- *NCAA Interassociation Consensus Statement on Cardiovascular Care of College Student-Athletes 2016*
- *NCAA Sports Medicine Handbook 2015*
- *NATA Position Statement: Exertional Heat Illness 2015*
- *NATA Position Statement: Pre-participation Physical Examinations and Disqualifying Conditions 2014*
- *Team Physician Consensus Statement: 2013 Update*
- *NATA Position Statement: Preventing Sudden Death in Sports 2012*
- *Inter-Association Task Force for Preventing Sudden Death in Collegiate Conditioning Sessions: Best Practices Recommendations 2012*
- *NATA Official Statement on Athletic Health Care Provider "Time Outs" Before Athletic Events 2012*
- *Inter-Association Task Force Recommendations on Emergency Preparedness and Management of Sudden Cardiac Arrest in High School and College Athletic Programs: A Consensus Statement 2007*
- *Consensus Statement: Sick Cell Trait and the Athlete 2007*

Additionally, NC State Sports Medicine conducts annual and periodic reviews and practice of the following:

- Comprehensive Preparticipation Physical Examination for all new/incoming student-athletes - (in addition to standard physical evaluation, includes EKG, blood tests, and multiple concussion tests)

- Cyclical re-certification medical evaluations & bi-annual physical evaluations with a physician for all current student-athletes
- Pre-planning for venue specific Emergency Action Plans (EAP)
- Regular training/practice with Wake EMS on EAPs and emergency procedures
- Emergency equipment available at practice/game sessions - AED, Oxygen, Splints, Trauma Bag (EAP specific)
- Annual review of Emergency Rescue Medications and Administration (EpiPen & Albuterol)
- Annual authorizations and releases for Treatment, Assumption of Risk, Concussion Awareness, HIPAA/FERPA
- Annual Coaching Staff Education & Acknowledgment: Sickle Cell, Concussion, Heat and Hydration/Acclimatization, Lightning, Drug Testing, Emergency Action Plans, HIPAA/FERPA, Injury Reports, Other Predispositions (diabetes, allergies)

### **3. What is the process for identification, diagnosis, and treatment when an athlete first presents symptoms of an injury?**

Athletic Trainers (AT) are on-site for all high risk activities/conditioning/sporting events/practices and readily available for all low-risk activities. All ATs are specifically trained to evaluate/identify, diagnose, and treat sport specific injuries, conditions, and emergency situations. If the case/condition is beyond the scope of practice for the Athletic Trainer, the student-athlete is referred to team physicians and/or the emergency room as appropriate.

### **4. Who is responsible for insurance, and who is responsible for any costs not covered by insurance for a student with an athletic scholarship who is injured or has other medical issues arising from participation in an athletic program in the following instances?**

NC State provides secondary insurance for all athletic related injuries/conditions. The UNC system requires all students to provide proof of primary insurance. In the event a student-athlete does not have a comparable primary insurance, the Athletics Department may choose to purchase a policy on their behalf. All co-pays, co-insurance, and deductibles are accounted for by the Athletics Department. There is no expense to student-athletes or parents/guardians for injuries/conditions incurred during athletic participation. The policy does not change for any of the parameters noted below.

#### **(i) Treatment for injury during the season.**

See comments above.

**(ii) Follow-up treatment after the season ends, but during the same school year.**

See comments above.

**(iii) Follow-up treatment in the next year, while the student remains enrolled in school.**

See comments above.

**(iv) Follow-up treatment after the student graduates.**

See comments above.

**(v) For questions (i) through (iv), are there any differences in coverage if the student has a partial athletic scholarship or no scholarship?**

See comments above.

**(vi) For questions (ii) through (iv), are there any differences in coverage if the student is no longer a member of the athletic team?**

See comments above.

**5. Can a student-athlete be cut from a team due to injury in the academic year in which the injury occurs? Can a student-athlete be cut from the team due to that injury in a future academic year? Who makes this decision, is it appealable, and if so, on what grounds?**

No. Current NCAA rules do not allow decreasing, cancelling or not renewing athletics aid for an athletics reason, which would include a student-athlete's injury or health status.

NC State does not remove student-athletes from teams as a result of injuries. As a general matter, student-athletes are only removed from teams if they (1) quit, (2) withdraw from school, or (3) engage in behaviors that violate applicable laws or University policies, including the NC State Student Conduct of Conduct, NC State Athletics Student-Athlete Code of Conduct or written Team Rules. In such instances, head coaches make recommendations for student-athletes to be removed from their team rosters, subject to the approval of their respective sport supervisor and the Director of Athletics.

In accordance with NCAA rules, NC State has an appeal process for student-athletes who have had their athletically-related financial aid reduced, cancelled or not

renewed. This appeal process exists outside of the Athletics Department and involves the Faculty Athletics Representative and other faculty members.

**6. If a student seeks a medical opinion on sports-related injuries that results in a different diagnosis and treatment plan than recommended by medical personnel for the team (if any), what impact does choosing to follow an alternate treatment plan have on the student's eligibility or standing with the team?**

Student-athletes can always seek medical opinions and assistance outside of athletics medical providers. It has no impact on the student-athlete's standing with the team.

All student-athletes are required to be cleared by an NC State team physician prior to engaging in or returning to athletic activity. No outside medical authority can override the decision of NC State's team physicians with respect to a student-athlete being clear for athletic activity, in the best interest of the health and wellbeing of our student-athletes.

**7. How can injuries impact a student's scholarship status?**

**(i) Can a student lose or have an athletic scholarship reduced for the academic year due to an injury?**

No. Current NCAA rules do not allow decreasing, cancelling or not renewing athletics aid for an athletics reason, which would include a student-athlete's injury or health status. As a general practice, if an NC State student-athlete sustains an athletically-related injury, we maintain their scholarship through their graduation, even if they are unable to resume their athletic participation.

**(ii) Can a student lose or have an athletic scholarship reduced for future academic years due to an injury?**

No. Current NCAA rules do not allow decreasing, cancelling or not renewing athletics aid for an athletics reason, which would include a student-athlete's injury or health status. As a general practice, if an NC State student-athlete sustains an athletically-related injury, we maintain their scholarship through their graduation, even if they are unable to resume their athletic participation.

**(iii) Are there any differences in response to questions (i) and (ii) if the student has been awarded a single-year or multi-year athletic scholarship?**

No. Current NCAA rules do not allow decreasing, cancelling or not renewing athletics aid for an athletics reason, which would include a student-athlete's injury or health status. As a general practice, if an NC State student-athlete sustains an athletically-related injury, we maintain their scholarship through their graduation, even if they are unable to resume their athletic participation.

**(iv) If a student on an athletic scholarship is no longer able to play due to injury and the student no longer receives an athletic scholarship, does your school have a policy on offering additional financial aid or scholarships in lieu of the athletic scholarship?**

Student-athletes who are injured and are declared by an NC State team physician to be medically unable to participate for the remainder of their athletics career are deemed 'medical non-counters' under NCAA rules and continue to receive their athletic scholarship to provide them the best opportunity to continue their education and complete their undergraduate degree.

Further, in accordance with NCAA rules, student-athletes who are no longer enrolled at NC State are provided medical coverage for two years after leaving the institution.

Finally, NC State student-athletes who leave the institution prior to graduating and desire to return to complete their undergraduate degree may do so through the 'Reconnect Program', a degree-completion program that pays for student-athletes to return to finish their degrees. This program is operated by NC State's Academic Support Unit for Student-Athletes, which reports outside of the Athletics Department to the Division of Academic and Student Affairs.

**Legislative Commission on Fair Treatment of College Student-Athletes  
September 19 Case Study for Meeting Presentation**

**John is a junior who was awarded a one-year scholarship to play basketball. In pre-season practice, John had a serious fall, resulting in an injury.**

**(i) At the time of John's injury in practice, he is able to walk following the fall, but complains of significant pain when doing so. What actions would be taken by coaches and athletic trainers to assess and respond to the injury?**

John would initially be evaluated by the men's basketball team's Athletic Trainer. If the condition warrants, John would then be referred to an NC State team physician for further evaluation.

John would generally return to the Athletic Training room several times a day for re-evaluation, to receive treatment, and begin physical therapy, as warranted.

Beyond John's athletic participation, NC State would also make accommodations to provide John with transportation to and from his residence, dining hall, tutors, classes and other activities as needed.

**(ii) John is assessed by university medical personnel, who recommend a conservative approach and do not recommend immediate surgery, and clear John to continue practicing. John continues to experience pain, and sees a medical expert in his hometown, who advises immediate surgery and no further play until a two month recovery period has passed. If John seeks immediate surgery, rather than following the advice of the university medical personnel, can John be cut from the team and can John's scholarship be reduced or revoked?**

No. John would not be removed from the team or have his athletic scholarship reduced or cancelled as a result of his injury or his choice to pursue alternative medical opinions and therapies.

Current NCAA rules do not allow decreasing, cancelling or not renewing athletics aid for an athletics reason, which would include a student-athlete's injury or health status.

**(iii) After further review, the team doctors also conclude John needs immediate surgery. John undergoes a surgery the next week, with out of pocket costs of \$2,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? Would it matter if John is no longer on the team roster?**

NC State provides secondary insurance for all athletic related injuries/conditions. The UNC System requires all students to provide proof of primary insurance.

In the event John did not have a comparable primary insurance, the Athletics Department may choose to purchase a policy on his behalf. All co-pays, co-insurance, and deductibles are accounted for by NC State Athletics. There is no expense to John or his parents/guardians for his leg injury incurred during athletic participation. This would not change if John was no longer on the team.

**(iv) In the spring semester following his injury, after the season is concluded, John continues to struggle with the injury and has to have a follow-up surgery, with out of pocket costs of \$5,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? Would it matter if John is no longer on the team roster?**

NC State provides secondary insurance for all athletic related injuries/conditions. The UNC System requires all students to provide proof a primary insurance.

In the event John did not have a comparable primary insurance, the Athletics Department may choose to purchase a policy on his behalf. All co-pays, co-insurance, and deductibles are accounted for by NC State Athletics. There is no expense to John or his parents/guardians for leg injury incurred during athletic participation. This would not change if John was no longer on the team.

**(v) John is able to take extra courses over the summer while recovering from surgery and graduates early, but continues to have complications from the injury and needs an additional surgery two months after graduating, with out of pocket costs of \$1,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs?**



NC State provides secondary insurance for all athletic related injuries/conditions. The UNC System requires all students to provide proof a primary insurance.

In the event John did not have a comparable primary insurance, the Athletics Department may choose to purchase a policy on his behalf. All co-pays, co-insurance, and deductibles are accounted for by NC State Athletics. There is no expense to John or his parents/guardians for leg injury incurred during athletic participation. This would not change if John was no longer on the team.

**(vi) Assume John does not graduate and plans to return for his senior year. The coach is uncertain if John will be able to play at the same level as the result of his injury. Can the coach cut John from the team? Can the coach keep John on the team, but not renew his athletic scholarship for his senior year? If John had a multi-year scholarship instead on a single year scholarship, would he be able to keep the scholarship if he were cut?**

John would not be cut from the team due to his injury, and John's athletics scholarship would remain unaffected, regardless of whether it was a single year or multi-year scholarship.

**(vii) John seems to have recovered from his injury and the coach keeps John on the team and offers an athletic scholarship for his senior year. However, in the second pre-season practice, John falls, and aggravates the prior injury, and although further treatment is not required, John's performance declines. Can the coach cut John from the team? If so, does John keep his scholarship for the year? Can the coach keep John on the roster, but remove his scholarship?**

NCAA rules do not allow any Division I member institution to reduce, cancel or not renew athletics aid for an athletics reason, which includes injuries. At NC State, John would remain on the team and continue to receive his athletics aid.

**Legislative Commission on Fair Treatment of College Student-Athletes**  
**September 19 Meeting Written Questions**



**University of North Carolina Asheville Athletics**

Prepared by: Janet R. Cone, Director of Athletics  
Rebecca Nelms, Assistant Director of Athletics for Student-Athlete Success  
Erin Spence, Assistant Director of Compliance  
Tim White, Head Athletic Trainer  
Dr. Aaron Vaughn, Mission Sports Medicine Primary Care Sports Medicine Director

Please provide the following information related to student athletes attending your university in written form no later than September 17. Responses will be provided to members of the Commission prior to the September 19 meeting.

1. What mental health and medical services are provided to student-athletes beyond what is accessible to the general student population?

The UNC Asheville Athletic Training Room is fully outsourced to Mission Sports Medicine, a division of Mission Health Services. In addition to the four certified Athletic Trainers assigned full-time to the University additional trainers are available in times of sports competition overlap or as needed. Under the supervision of our certified professionals, we also partner with Western Carolina University to offer internships to undergraduates aspiring to careers in athletic training.

We have three team physicians who hold injury clinics in the sports training room three days a week. Our physicians are on call 24/7 with an emphasis on being physically present for all home games and choice road competitions. Mission Health also provides an on-site physical therapist with priority scheduling for student-athletes.

Our staff of physicians consists of two board-certified sports medicine fellowship trained orthopedic surgeons, as well as a fellowship trained primary care sports medicine physician who acts in the role of the Sports Medicine Director and Primary Care Sports Medicine Fellowship Director for MAHEC. Through this relationship, we annually host two primary care sports medicine fellows who assist in providing care of student-athletes with Head Team Physician oversight.

Based on interest from our Student-Athlete Advisory Council, UNC Asheville Athletics formed a Student-Athlete Mental Health Task Force this summer. Task force members include Laura Jones, PhD, Assistant Professor of Health & Wellness; Jay Cutspec, Director Student Health & Counseling; Aaron Vaughn, M.D., Sports Medicine Director; Martha McKay, M.D., Medical Director of Student Health; Rebecca Nelms, Assistant AD for Student-Athlete Success; Elizabeth Conte, Student-Athlete and President of Student-Athlete Advisory Committee. This task force is examining a variety of ways to destigmatize mental health services, support and educate student-athletes. Additionally, sports continue to have the opportunity to affiliate individually with the services of a licensed clinical psychologist with specialties in sport and health psychology.

2. What processes or requirements are currently in place to prevent athletic injuries? For the purposes of this response, items that meet NCAA minimum requirements, such as time limits on athletics-related activity or conditioning, or athletic personnel certification, do not need to be included in the response.

Our process starts out with annual pre-participation exams of all student-athletes. We also have a certified strength and conditioning coach that develops individualized pre-season, in-season, and post-season programs designed for injury prevention for our student-athletes that better prepare them for practice and competition. Certain sports have specific screening protocols based on current evidence-based medical literature to prevent injuries. Sports Medicine also conducts concussion baseline testing prior to student participation. In addition, our team doctors, sport medicine experts, and strength and conditioning coaches collaborate on proper protocols for injury prevention.

3. What is the process for identification, diagnosis, and treatment when an athlete first presents symptoms of an injury?

Following injury, the certified athletic trainer first evaluates the athlete and then notifies the Head Coach concerning any restrictions for practice and/or competition. All athletics whose participation is limited by their injury warrants medical attention and is referred to one of the team physicians. The physician will then work with the athletic trainer to plan treatment protocols. They will determine at this time if the athlete requires emergent evaluation, therapy, bracing or splinting, medication management, procedural intervention or further diagnostic evaluation. All treatment protocols are under the direct supervision of the team physician. The sports medicine staff also sends out a weekly report to all coaches about the athletes. This report not only describes the injuries but also determines participation status. Our medical staff will determine whether and when a student-athlete can practice and/or play.

4. Who is responsible for insurance, and who is responsible for any costs not covered by insurance for a student with an athletic scholarship who is injured or has other medical issues arising from participation in an athletic program in the following instances?

(i) Treatment for injury during the season.

Student/Family Insurance is primary and UNC Asheville Athletics serves as the secondary policy. Cost not covered is covered first by deductible/co-pay from the primary insurance policy holder and then the deductible/co-pay from the secondary insurance policy. If the parent/guardian does not have the financial means to cover the deductible/co-pay of the primary insurance policy, then UNC Asheville Athletics Department will cover the cost.

(ii) Follow-up treatment after the season ends, but during the same school year.

After the season ends, the protocols are the same as stated above.

(iii) Follow-up treatment in the next year, while the student remains enrolled in school.

The protocols are the same as stated above under Section 4(i.).

(iv) Follow-up treatment after the student graduates.

UNC Asheville Athletics secondary insurance remains active up to 3 years after the day of the injury.

- (v) For questions (i) through (iv), are there any differences in coverage if the student has a partial athletic scholarship or no scholarship?

All athletes are covered the same way regardless of full, partial, or no athletic scholarship.

- (vi) For questions (ii) through (iv), are there any differences in coverage if the student is no longer a member of the athletic team?

Insurance coverage is still available up to 3 years after the day of the injury with the secondary insurance policy.

5. Can a student-athlete be cut from a team due to injury in the academic year in which the injury occurs? Can a student-athlete be cut from the team due to that injury in a future academic year? Who makes this decision, is it appealable, and if so, on what grounds?

Per our Departmental Policies, a student-athlete will not be cut from the team due to injury during the current year or future academic years. A decision maker is not required.

6. If a student seeks a medical opinion on sports-related injuries that results in a different diagnosis and treatment plan than recommended by medical personnel for the team (if any), what impact does choosing to follow an alternate treatment plan have on the student's eligibility or standing with the team?

Per our Departmental Policies, a student-athlete can get a second opinion; however, final determination for practice or game participation must be approved by UNC Asheville's team physician before the athlete can return to competition.

7. How can injuries impact a student's scholarship status?

- (i) Can a student lose or have an athletic scholarship reduced for the academic year due to an injury?

Per our Departmental Policies, No.

- (ii) Can a student lose or have an athletic scholarship reduced for future academic years due to an injury?

Per our Departmental Policies, No.

- (iii) Are there any differences in response to questions (i) and (ii) if the student has been awarded a single-year or multi-year athletic scholarship?

UNC Asheville does not award multi-year scholarships. Scholarships are awarded on an annual basis.

- (iv) If a student on an athletic scholarship is no longer able to play due to injury and the student no longer receives an athletic scholarship, does your school have a policy on offering additional financial aid or scholarships in lieu of the athletic scholarship?

No specific policy. However, all students at UNC Asheville including former student-athletes would have access to our normal financial aid and other funds. There are no reserve scholarship funds available to these students from UNC Asheville Athletics Department. We would make every effort to help a former student-athlete identify possible financial assistance including working on campus.

**Legislative Commission on Fair Treatment of College Student-Athletes**  
**September 19 Case Study for Meeting Presentation**

**University of North Carolina Asheville Athletics**

John is a junior who was awarded a one-year scholarship to play basketball. In pre-season practice, John had a serious fall, resulting in an injury.

- (i) At the time of John's injury in practice, he is able to walk following the fall, but complains of significant pain when doing so. What actions would be taken by coaches and athletic trainers to assess and respond to the injury?  
**Evaluation with Athletic trainer is first followed by a referral to a team physician. Coach would be notified at time of first observation along with weekly injury reports.**
- (ii) John is assessed by university medical personnel, who recommend a conservative approach and do not recommend immediate surgery, and clear John to continue practicing. John continues to experience pain, and sees a medical expert in his home town, who advises immediate surgery and no further play until a two month recovery period has passed. If John seeks immediate surgery, rather than following the advice of the university medical personnel, can John be cut from the team and can John's scholarship be reduced or revoked?  
**John cannot be cut from the team and the scholarship would not be reduced or revoked.**
- (iii) After further review, the team doctors also conclude John needs immediate surgery. John undergoes a surgery the next week, with out of pocket costs of \$2,000. Who provides the insurance for the surgery and who covers the out-of- pocket costs? Would it matter if John is no longer on the team roster?  
**The primary insurance would be provided first with deductible/co-pay covered by the primary insurance holder followed by the secondary insurance policy.**
- (iv) In the spring semester following his injury, after the season is concluded, John continues to struggle with the injury and has to have a follow-up surgery, with out of pocket costs of \$5,000. Who provides the insurance for the surgery and who covers the out-of- pocket costs? Would it matter if John is no longer on the team roster?  
**The primary insurance would be provided first with the deductible/co-pay covered by the primary insurance holder followed by the secondary insurance policy.**
- (v) John is able to take extra courses over the summer while recovering from surgery and graduates early, but continues to have complications from the injury and needs an additional surgery two months after graduating, with out of pocket costs of \$1,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs?  
**The insurance would be the same as above up to 3 years' coverage from the date of injury.**

- (vi) Assume John does not graduate and plans to return for his senior year. The coach is uncertain if John will be able to play at the same level as the result of his injury. Can the coach cut John from the team? Can the coach keep John on the team, but not renew his athletic scholarship for his senior year? If John had a multi-year scholarship instead on a single year scholarship, would he be able to keep the scholarship if he were cut?  
John would not be cut from the team. If we find that the athlete cannot play, we will try to find a way to cover his scholarship. Our ultimate goal is that all student-athletes graduate from UNC Asheville. Thus, our high graduation success rate.
- (vii) John seems to have recovered from his injury and the coach keeps John on the team and offers an athletic scholarship for his senior year. However, in the second pre-season practice, John falls, and aggravates the prior injury, and although further treatment is not required, John's performance declines. Can the coach cut John from the team? If so, does John keep his scholarship for the year? Can the coach keep John on the roster, but remove his scholarship?  
If John aggravates a prior injury during his senior year and his performance declines, the coach would not be allowed to cut John from the team. Our goal is to graduate our student-athletes.  
Since John was not cut from the team, he still has his scholarship.  
Since John aggravates his previous injury in the second pre-season practice and the coach has him on scholarship, John would keep his scholarship and be on the team.

**Legislative Commission on Fair Treatment of College Student-Athletes  
September 19 Meeting Written Questions**

**1. What mental health and medical services are provided to student-athletes beyond what is accessible to the general student population?**

Carolina utilizes an independent medical model for student-athletes – meaning medical services are housed and provided by Campus Health, not the Department of Athletics. All students have access to athletic trainers, physicians, nutritionists, orthopedists and counselors. CAPS – Counseling and Psychological Services – also is available to all students.

Sixteen athletic trainers and 19 graduate assistant athletic trainers are also specifically assigned to teams, allowing student-athletes 24-hour access to health services. A full-time sports psychologist and two part-time sports psychologists also are available to student-athletes separate of the University system.

**2. What processes or requirements are currently in place to prevent athletic injuries? For the purposes of this response, items that meet NCAA minimum requirements, such as time limits on athletics-related activity or conditioning, or athletic personnel certification, do not need to be included in the response.**

When student-athletes first arrive on campus, they undergo an array of pre-participation physical exams including a cardiac screening, necessary lab work, and a review medical of treatment including previous orthopedic injuries. Student-athletes also undergo baseline testing, including movement screening, functional assessments, screenings for anemia, iron deficiency, Vitamin D deficiency, and concussion testing. Student-athletes also complete a yearly mental health screening questionnaire.

Carolina also has a strong strength and conditioning program. Strength and conditioning coaches collaborate with certified athletic trainers and are constantly assessing readiness and preparation to try to minimize injuries and stress. Certified athletic trainers are either on-site or on-call for every practice for every team. Athletic trainers are on-site for every competition, and physicians are also on-site for competitions for contact sports and on site or on-call for other events.

Many of our policies and procedures can be found at: <https://goheels.com/sports/2017/5/5/211584599.aspx> and in the Student-Athlete handbook at: <https://goheels.com/sports/2015/11/4/210471589.aspx> . For more information about our concussion policy, please visit: <https://goheels.com/news/2017/5/5/211586214.aspx> and [https://unc\\_ftp.sidearmsports.com/custompages/pdf/riskmanage/concussionpolicy.pdf](https://unc_ftp.sidearmsports.com/custompages/pdf/riskmanage/concussionpolicy.pdf).

For the policy on Financial Coverage of Injuries, Surgeries and Post-Operative Rehabilitation, see: [https://goheels.com/documents/2018/8/2/Department\\_of\\_Athletics\\_Policy\\_on\\_Financial\\_Coverage\\_of\\_Injuries\\_Surgeries\\_and\\_Post\\_Operative\\_Rehabilitation.pdf](https://goheels.com/documents/2018/8/2/Department_of_Athletics_Policy_on_Financial_Coverage_of_Injuries_Surgeries_and_Post_Operative_Rehabilitation.pdf). For the Sports Medicine Policy, please visit: [https://goheels.com/documents/2018/8/2/Sports\\_Medicine.pdf](https://goheels.com/documents/2018/8/2/Sports_Medicine.pdf). For policies and procedures regarding Sickle

Cell: <https://goheels.com/news/2017/5/5/211586211.aspx> [https://goheels.com/documents/2018/1/6/Department of Athletics and Department of Sports Medicine Sickle Cell Trait Policy.pdf](https://goheels.com/documents/2018/1/6/Department_of_Athletics_and_Department_of_Sports_Medicine_Sickle_Cell_Trait_Policy.pdf).

Upon request, we can provide more information regarding emergency action plans, policies and procedures for asthma, mental health, AED, exertional heat illness, and spinal injuries.

**3. What is the process for identification, diagnosis, and treatment when an athlete first presents symptoms of an injury?**

Student-athletes have 24-hour access to health services. If a student-athlete shows or experiences symptoms of an injury during practice or competition, he or she is removed from practice, examined by an athletic trainer or physician immediately and managed, treated or referred appropriately based on the diagnosis following evaluation. If he or she experiences symptoms outside of practice or competition, they have 24-hour access to health services – so they can contact an athletic trainer or physician immediately.

**4. Who is responsible for insurance, and who is responsible for any costs not covered by insurance for a student with an athletic scholarship who is injured or has other medical issues arising from participation in an athletic program in the following instances:**

**i. Treatment for injury during the season.**

All students are required to have primary insurance. Per NCAA Bylaw 3.2.4.8, we must certify coverage for medical expenses resulting from athletically-related injuries – meaning the Department of Athletics is responsible for paying for any injuries or illness related to participation. Therefore, the Department picks up what the student's insurance does not pay for an injury or illness related to participation.

**ii. Follow-up treatment after the season ends, but during the same school year.**

All students are required to have primary insurance. Per NCAA Bylaw 3.2.4.8, we must certify coverage for medical expenses resulting from athletically-related injuries – meaning the Department of Athletics is responsible for paying for any injuries or illness related to participation. Therefore, the Department picks up what the student's insurance does not pay for an injury or illness related to participation.

**iii. Follow-up treatment in the next year, while the student remains enrolled in school**

All students are required to have primary insurance. Per NCAA Bylaw 3.2.4.8, we must certify coverage for medical expenses resulting from athletically-related injuries – meaning the Department of Athletics is responsible for paying for any injuries or illness related to



participation. Therefore, the Department picks up what the student's insurance does not pay for an injury or illness related to participation.

**iv. Follow-up treatment after the student graduates**

Per NCAA Bylaw 16.4.1, we must provide care for athletically-related injuries for at least two years after graduation or separation from the University. Before graduation at Carolina, student-athletes undergo an exit physical and fill out a questionnaire related to their health, so the Department and University are aware of any injuries or illnesses related to participation. If any injuries or illnesses linger beyond the additional two years, they are evaluated on a case-by-case basis.

**v. For questions (i) through (iv), are there any difference in coverage if the student has a partial athletic scholarship or no scholarship?**

No, there is no difference in coverage.

**vi. For questions (ii) through (iv), are there any differences in coverage if the student is no longer a member of the athletic team?**

No, there is no difference in coverage. The Department of Athletics is responsible for paying for any injuries or illness related to participation. Therefore, the Department picks up what the student's insurance does not pay for an injury or illness related to participation.

**5. Can a student-athlete be cut from a team due to injury in the academic year in which the injury occurs? Can a student-athlete be cut from the team due to that injury in a future academic year? Who makes this decision, and is it appealable, and if so, on what grounds?**

Per NCAA Bylaw 15.3.4.3, institutional financial aid based in any degree on athletics ability may not be reduced or canceled during the period of its award because of an injury, illness or physical or mental condition.

There is no requirement for a coach to keep a student-athlete on a team roster; however the student-athlete's financial aid would be protected.

**6. If a student seeks a medical opinion on sports-related injuries that results in a different diagnosis and treatment plan than recommended by medical personnel for the team (if any), what impact does choosing to follow an alternate treatment plan have on the student's eligibility or standing with the team?**

At Carolina, student-athletes may get second opinions. If another doctor comes to a different conclusion, Carolina's medical staff will consult with the other doctor and discuss options with the student-athlete and his/her family. Carolina does its best to come to consensus with the

other doctor, always looking for the best interest of the student-athlete. Per the NCAA Bylaw 15.3.4.3, institutional financial aid based in any degree on athletics ability may not be reduced or canceled during the period of its award because of an injury, illness or physical or mental condition.

**7. How can injuries impact a student's scholarship status?**

**i. Can a student lose or have an athletic scholarship reduced for the academic year due to an injury?**

Per NCAA Bylaw 15.3.4.3, institutional financial aid based in any degree on athletics ability may not be reduced or canceled during the period of its award because of an injury, illness or physical or mental condition.

**ii. Can a student lose or have an athletic scholarship reduced for future academic years due to an injury?**

No. However, student-athletes who suffer an injury or illness that ends their career can be granted a medical exception, which ensures that they receive all the financial aid they would have received before the medical problem for their remaining eligibility. A medical exemption does not count against the program's scholarship limit.

**iii. Are there any differences in response to questions (i) and (ii) if the student has been awarded a single-year or multi-year athletic scholarship?**

No. An additional note: Under NCAA Bylaw 15.5.1.2.1, if a student who receives athletics aid as a '4-counter' (for four years) becomes ill or injured to the point where they will never again be able to participate in athletics, they will no longer be considered a 'counter' (meaning their scholarship does not count toward team limits).

**iv. If a student on an athletic scholarship is no longer able to play due to injury and the student no longer receives an athletic scholarship, does your school have a policy on offering additional financial aid or scholarship in lieu of the athletic scholarship?**

Student-athletes who suffer an injury or illness that ends their career can be granted a medical exception, which ensures that they receive all the financial aid they would have received before the medical problem for their remaining eligibility. A medical exemption does not count against the program's scholarship limit. Per NCAA rules, Athletics may not offer some additional form of financial aid that is somehow exempt from the provisions of Bylaw 15:

**NCAA Bylaw 15.02.5.1 *Athletically Related Financial Aid*** defines athletically related financial aid as financial aid that is awarded on any basis that is related to athletics ability, participation or achievement.

If an application process specifically requests athletics participation or achievements as criteria for consideration in determining whether an applicant receives financial aid, aid received pursuant to such a process is athletically related financial aid.

**NCAA Bylaw 15.02.5.2 *Institutional Financial Aid***. The following sources of financial aid are considered to be institutional financial aid:

(a) All funds administered by the institution, which include but are not limited to the following:

- (1) Scholarships;
- (2) Grants;
- (3) Tuition waivers;
- (4) Employee dependent tuition benefits, unless the employee has been employed as a full-time faculty/staff member for a minimum of five years; and
- (5) Loans.

(b) Aid from government or private sources for which the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient.

Such aid above is considered countable against individual and team limitations.

**NCAA Bylaw 15.02.5.4 *Exempted Institutional Financial Aid*** defines the sources of institutional financial aid which are exempt and not counted in determining the institution's financial aid limitations:

(a) An honorary award for outstanding academic achievement or an established institutional research grant that meets the criteria set forth in Bylaw 15.02.7 (and must be included in determining if the student-athlete's cost of attendance has been met);

(b) A postgraduate scholarship awarded by an institution in accordance with Bylaw 16.1.4.1.1;

(c) Federal government grants awarded based on a student's demonstrated financial need [e.g., Supplemental Educational Opportunities Grant (SEOG)], regardless of whether the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient;

(d) State government grants awarded based on a student's demonstrated financial need, regardless of whether the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient, provided the aid is administered in accordance with the federal methodology for determining a student's financial need and has no relationship to athletics ability. However, such aid is not exempt for purposes of determining a football or basketball student-athlete's counter status pursuant to Bylaw 15.5.1.1;

(e) State government merit-based grants, regardless of whether the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient, provided the aid is awarded consistent with the criteria of Bylaws 15.5.3.2.2.1, 15.5.3.2.2.2 or 15.5.3.2.2.3 and has no relationship to athletics ability. However, such aid is not exempt for purposes of determining a football or basketball student-athlete's counter status pursuant to Bylaw 15.5.1.1; and

(f) Contributions made by the institution and matching payments made by the Department of Veterans Affairs pursuant to the Yellow Ribbon G.I. Education Enhancement Program [see Bylaw 15.2.5.1-(e)].

## CASE STUDY

John is a junior who was awarded a one-year scholarship to play basketball. In pre-season practice, John had a serious fall, resulting in an injury.

- (i) At the time of John's injury in practice, he is able to walk following the fall, but complains of significant pain when doing so. What actions would be taken by coaches and athletic trainers to assess and respond to the injury?**

The team athletic trainer would evaluate the injury and refer John to a physician, as necessary. Per department and NCAA policy, coaches defer to athletic trainers and medical personnel when it comes to the health of student-athletes.

- (ii) John is assessed by university medical personnel, who recommend a conservative approach and do not recommend surgery, and clear John to continue practicing. John continues to experience pain, and sees a medical expert in his home town, who advises immediate surgery and no further play until a two-month recovery period has passed. If John seeks immediate surgery, rather than following the advice of the university medical personnel, can John be cut from the team and can John's scholarship be reduced or revoked?**

No. Per NCAA Bylaw 15.3.4.3, institutional financial aid based in any degree on athletics ability may not be reduced or canceled during the period of its award because of an injury, illness or physical or mental condition.

- (iii) After further review, the team doctors also conclude John needs immediate surgery. John undergoes a surgery the next week, with out of pocket costs of \$2000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? Would it matter if John is no longer on the team roster?**

All students are required to have primary insurance. Per NCAA Bylaw 3.2.4.8, we must certify coverage for medical expenses resulting from athletically-related injuries – meaning the Department of Athletics is responsible for paying for any injuries or illness related to participation. Therefore, the Department picks up what the student's insurance does not pay for an injury or illness related to participation.

In this case, the amount John's insurance does not pay (\$2,000) would be paid by the Department. It does not matter if he is no longer on the team roster.

- (iv) In the spring semester following his injury, after the season is concluded, John continues to struggle with the injury and has to have a follow-up surgery, with out of pocket costs of \$5,000. Who provides the insurance for the surgery and who**

**covers the out-of-pocket costs? Would it matter if John is no longer on the team roster?**

All students are required to have primary insurance. Per NCAA Bylaw 3.2.4.8, we must certify coverage for medical expenses resulting from athletically-related injuries – meaning the Department of Athletics is responsible for paying for any injuries or illness related to participation. Therefore, the Department picks up what the student's insurance does not pay for an injury or illness related to participation.

In this case, the amount John's insurance does not pay (\$5,000) would be paid by the Department. It does not matter if he is no longer on the team roster.

- (v) John is able to take extra courses over the summer while recovering from surgery and graduates early, but continues to have complications from the injury and needs an additional surgery two months after graduating, with out of pocket costs of \$1,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs?**

Per NCAA Bylaw 16.4.1, we must provide care for athletically-related injuries for at least two years after graduation or separation from the University. Before graduation at Carolina, student-athletes undergo an exit physical and fill out a questionnaire related to their health, so the Department and University are aware of any injuries or illnesses related to participation. If any injuries or illnesses linger beyond the additional two years, they are evaluated on a case-by-case basis.

Therefore, in this case, the Department would pick up the \$1,000 out-of-pocket cost that John's insurance does not pay.

- (vi) Assume John does not graduate and plans to return for his senior year. The coach is uncertain if John will be able to play at the same level as the result of his injury. Can the coach cut John from the team? Can the coach keep John on the team, but not renew his athletic scholarship for his senior year? If John had a multi-year scholarship instead of a single-year scholarship, would he be able to keep the scholarship if he were cut?**

Per NCAA Bylaw 15.3.4.3, institutional financial aid based in any degree on athletics ability may not be reduced or canceled during the period of its award because of an injury, illness or physical or mental condition. Student-athletes who suffer an injury or illness that ends their career can be granted a medical exception, which ensures that they receive all the financial aid they would have received before the medical problem for their remaining eligibility. A medical exemption does not count against the program's scholarship limit.

In this case, John likely would be evaluated for a medical exception. There is no requirement for a coach to keep a student-athlete on a team roster; however his financial aid would be protected.

- (vii) John seems to have recovered from his injury and the coach keeps John on the team and offers an athletic scholarship for his senior year. However, in the second pre-season practice, John falls and aggravates the priory injury, and although further treatment is not required, John's performance declines. Can the coach cut John from the team? If so, does John keep his scholarship for the year? Can the coach keep John on the roster, but remove his scholarship?**

Per NCAA Bylaw 15.3.4.3, institutional financial aid based in any degree on athletics ability may not be reduced or canceled during the period of its award because of an injury, illness or physical or mental condition.

There is no requirement for a coach to keep a student-athlete on a team roster; however his financial aid would be protected.

**Legislative Commission on Fair Treatment of College Student-Athletes**  
**September 19 Meeting Written Questions**

Please provide the following information related to student athletes attending your university in written form no later than September 17. Responses will be provided to members of the Commission prior to the September 19 meeting.

1. What mental health and medical services are provided to student-athletes beyond what is accessible to the general student population?

UNC Charlotte provides additional medical coverage for each student-athlete. Upon arrival at the university, each student-athlete will have a full general medical pre-participation physical, performed by our Primary Care Sports Medicine physicians; a complete orthopedic evaluation performed by our team orthopedic group; an electrocardiogram reviewed and cleared by a cardiologist; sickle cell testing; and baseline concussion testing (IMPact, SCAT5, BESS Testing & VOMS). Each student-athlete will have full access to their assigned Certified Athletic Trainer and athletic training facility, as well as team physicians that have regular schedules in the athletic training rooms for the convenience of our student-athletes. Prevention, assessment and rehabilitation of injuries will occur throughout the day around the athlete's schedule. Our care also includes expedited doctor's visits and diagnostic testing for all student-athletes, as well as expedited care at the Student Health Center and Counseling and Psychological Services (CAPS). Student-athletes also have 24/7 access to a Certified Athletic Trainer should an emergency arise at any time. From a mental health perspective, UNC Charlotte employs mental health professionals at CAPS, including one specifically assigned to athletics that is trained for our subset population. Additionally, UNC Charlotte Athletics directly employs sports psychologists as well, so that mental health access can also be afforded in an expedited manner when appropriate.

2. What processes or requirements are currently in place to prevent athletic injuries? For the purposes of this response, items that meet NCAA minimum requirements, such as time limits on athletics-related activity or conditioning, or athletic personnel certification, do not need to be included in the response.

Prevention is the key to combating athletic injuries. At UNC Charlotte we have set protocols in a number of high-risk areas (heat-related illness, concise emergency action plans, and a thorough concussion protocol reviewed and approved by the NCAA). Each team practice, weight-lifting activity and conditioning activity is staffed by a Certified Athletic Trainer and/or a Certified Strength Coach at all times. Injury prevention is at the forefront of these workouts and practices. UNC Charlotte also provides appropriate recovery supplements and body refuel foods/drinks to help the athlete maintain peak fitness and replenish his/her body. Availability to athletic training facilities with prevention equipment (i.e. foam rollers, hydrotherapy tubs, compression units) are also readily available for student-athletes throughout the day. Educational sessions and literature on injury prevention and body care are also promoted to the student-athletes by these certified professionals.

3. What is the process for identification, diagnosis, and treatment when an athlete first presents symptoms of an injury?

Each Athletic Trainer working with the teams is certified and licensed to practice in North Carolina. Identification comes from observation of the specific incident either by the Athletic Trainer or a coach. Student-athletes know to report all injuries to the Athletic Training staff, either on-site or in the athletic training room, and are encouraged to provide as much information about the incident as soon as possible. When an injury occurs, the Athletic Trainer onsite will perform a thorough evaluation. If the

injury is elevated and found to be mild/minor, it will usually be managed by the athletic trainer, in consultation with a team physician. More significant injuries will be referred to one of Charlotte's Team or affiliated physicians for further evaluation and diagnosis. Treatment will be conducted by either a team physician, certified athletic trainer, or licensed physical therapist. Care will be continued until the injury is resolved, and the student athlete is cleared by a team physician to resume all physical activity. If the injury is determined to be serious or life threatening, the Emergency Action Plan will be invoked. For purposes of concussions, illness and general medical issues, clearance to return to play is determined by our team physician, who also serves as the Medical Director of Student Health Center. For orthopedic clearance, the attending surgeons of OrthoCarolina determine the return, and for all other issues (ex: cardiology), the decision to return falls to those attending external specialists. Determinations are made completely independent of input from the coaching staff. All of UNC Charlotte's core Team Physicians are Board certified and licensed.

4. Who is responsible for insurance, and who is responsible for any costs not covered by insurance for a student with an athletic scholarship who is injured or has other medical issues arising from participation in an athletic program in the following instances?

- (i) Treatment for injury during the season. The SA's health insurance is primary. UNC Charlotte is secondary and pays up to \$1000 of the SA's deductible. As with all students in the UNC system, the student-athlete must present primary medical insurance during the waiver period. If the student does not have primary medical insurance, they must purchase the University's Student Blue BC/BS plan. This coverage acts as their primary insurance for any injury or illness, athletic related or not. For athletic injuries, the primary insurance must first pay on any medical claims before the Athletic Department's secondary Basic Athletic Accident policy kicks in. This coverage is for "athletic injuries" only. For UNC Charlotte Athletics, we carry a \$7,500 deductible (this deductible varies by school) which must first be met. The deductible can be met from payments made by the primary medical insurance, athletic department payments, the student-athlete themselves or a combination thereof. Should the injury be more extensive, or "catastrophic", the NCAA carries a policy for all student-athletes. UNC Charlotte pays an annually-defined premium for the secondary plan through Mutual of Omaha. Full-scholarship student-athletes in the sports of men's and women's basketball, football and women's volleyball, who need primary medical insurance or have a plan which is inadequate for the Charlotte area, are enrolled in the Student Blue Plan by the department at no cost to the student.
- (ii) Follow-up treatment after the season ends, but during the same school year. The SA's health insurance remains primary. UNC Charlotte is secondary and pays up to \$1000 of the SA's deductible.
- (iii) Follow-up treatment in the next year, while the student remains enrolled in school. The SA's health insurance remains primary. UNC Charlotte is secondary and pays up to \$1000 of the SA's deductible.
- (iv) Follow-up treatment after the student graduates. Athletic injuries will be covered for two years from date of injury. Treatment can continue after a season ends, or after graduation.
- (v) For questions (i) through (iv), are there any differences in coverage if the student has a partial athletic scholarship or no scholarship? No differences in coverage or care.
- (vi) For questions (ii) through (iv), are there any differences in coverage if the student is no longer a member of the athletic team? No differences in coverage or care.



5. Can a student-athlete be cut from a team due to injury in the academic year in which the injury occurs? Can a student-athlete be cut from the team due to that injury in a future academic year? Who makes this decision, is it appealable, and if so, on what grounds?

UNC Charlotte does not cut student-athletes for injury related reasons. They can be moved to a "medical" non-participatory designation if their athletic career is cut short by injury, but UNC Charlotte honors the financial aid commitment to that student-athlete through the duration of their athletic eligibility.

6. If a student seeks a medical opinion on sports-related injuries that results in a different diagnosis and treatment plan than recommended by medical personnel for the team (if any), what impact does choosing to follow an alternate treatment plan have on the student's eligibility or standing with the team?

Seeking a 2nd or alternate opinion does not affect a student-athletes eligibility or standing on the team.

7. How can injuries impact a student's scholarship status?

- (i) Can a student lose or have an athletic scholarship reduced for the academic year due to an injury? **No.**
- (ii) Can a student lose or have an athletic scholarship reduced for future academic years due to an injury? **No.**
- (iii) Are there any differences in response to questions (i) and (ii) if the student has been awarded a single- year or multi-year athletic scholarship? **No.**
- (iv) If a student on an athletic scholarship is no longer able to play due to injury and the student no longer receives an athletic scholarship, does your school have a policy on offering additional financial aid or scholarships in lieu of the athletic scholarship? **Since UNC Charlotte doesn't eliminate or reduce aid, this question isn't applicable.**

**Legislative Commission on Fair Treatment of College Student-Athletes**  
**September 19 Case Study for Meeting Presentation**

John is a junior who was awarded a one-year scholarship to play basketball. In pre-season practice, John had a serious fall, resulting in an injury.

- (i) At the time of John's injury in practice, he is able to walk following the fall, but complains of significant pain when doing so. What actions would be taken by coaches and athletic trainers to assess and respond to the injury?

John would be removed from practice and a thorough injury evaluation would be conducted by the Athletic Trainer on-site. Depending on the pain level and the findings from the evaluation, a course of action would be determined. The coaching staff would be notified of the assessment by the Athletic Trainer and immediate treatment would be conducted to reduce discomfort. An appointment would be made with the team orthopedic physician as soon as practical, typically within 24 hours. Any additional diagnostic testing would be conducted at the physician's discretion, including X-rays, MRI or CT scans, and/or diagnostic ultrasounds. In John's case, he would have x-rays ordered upon arrival at the doctor's office (or at the football stadium if a FB student-athlete was injured during a game), followed by a full evaluation by the team orthopedist - who might also order an MRI for further evaluation. The MRI is normally scheduled within 48 hours of the doctor's evaluation, with results being read, as soon as available, by the radiologist and physician. After the results are confirmed, a long-term treatment and rehabilitation plan will be developed by the team physician and athletic training staff. John would begin treatment immediately and would have continued care throughout the healing process until injury resolution. John would be placed on a daily injury report at the time of the injury that is provided to the respective coaching staff, team doctors and select administrative personnel. Any and all changes to his status, capabilities and treatments are captured in this living document. John would remain on the report until he was clear to participate fully with the team. It is important to provide these daily reports so that an accurate record can be maintained and consulted if follow up is needed.

- (ii) John is assessed by university medical personnel, who recommend a conservative approach and do not recommend immediate surgery, and clear John to continue practicing. John continues to experience pain, and sees a medical expert in his home town, who advises immediate surgery and no further play until a two month recovery period has passed. If John seeks immediate surgery, rather than following the advice of the university medical personnel, can John be cut from the team and can John's scholarship be reduced or revoked?

At UNC Charlotte, an inability to continue to practice or compete are NOT grounds to reduce or revoke athletic financial aid.

- (iii) After further review, the team doctors also conclude John needs immediate surgery. John undergoes a surgery the next week, with out of pocket costs of \$2,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? Would it matter if John is no longer on the team roster?

John's primary insurance would cover the cost of the surgery, and UNC Charlotte would provide

secondary coverage for costs not covered by the primary. UNC Charlotte provides \$1000 against the deductible of a student-athlete's primary insurance. UNC Charlotte covers all co-pays and co-insurance costs. If that out-of-pocket of \$2000 is applied by the primary insurance as part of the deductible, the student-athlete's responsibility would be the remaining \$1000.

- (iv) In the spring semester following his injury, after the season is concluded, John continues to struggle with the injury and has to have a follow-up surgery, with out of pocket costs of \$5,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? Would it matter if John is no longer on the team roster?

The surgery would be treated similarly to the original injury (see: iii). UNC Charlotte would cover, on a secondary basis, the surgery for the spring as it was an extension of his original injury, regardless of his team status in the subsequent spring semester. UNC Charlotte would cover all co-pay and co-insurance costs, and the same \$1000 of deductible coverage would be applied.

- (v) John is able to take extra courses over the summer while recovering from surgery and graduates early, but continues to have complications from the injury and needs an additional surgery two months after graduating, with out of pocket costs of \$1,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs?

UNC Charlotte would cover these expenses, on a secondary basis, to a student-athlete that was two months removed from competition. Same rules apply from (iii) and (iv).

- (vi) Assume John does not graduate and plans to return for his senior year. The coach is uncertain if John will be able to play at the same level as the result of his injury. Can the coach cut John from the team? Can the coach keep John on the team, but not renew his athletic scholarship for his senior year? If John had a multi-year scholarship instead on a single year scholarship, would he be able to keep the scholarship if he were cut?

UNC Charlotte would not cut the player, but could elect to move him to a "medical" designation. This designation would NOT result in any reduction in athletic financial aid. Had this happened earlier than his senior year, UNC Charlotte would not reduce his aid for any reason related to the injury and would honor the financial commitment made to him and his family for the duration of his athletic eligibility, regardless of multi-year agreement or not. From a strict regulatory aspect, the NCAA prohibits cancellation or reduction of aid for all multi-year awardees.

- (vii) John seems to have recovered from his injury and the coach keeps John on the team and offers an athletic scholarship for his senior year. However, in the second pre-season practice, John falls, and aggravates the prior injury, and although further treatment is not required, John's performance declines. Can the coach cut John from the team? If so, does John keep his scholarship for the year? Can the coach keep John on the roster, but remove his scholarship?

In all scenarios, John would keep his athletic aid for the duration of his senior season. Student-athletes that are injured are not cut from athletic teams at UNC Charlotte.

**Legislative Commission on Fair Treatment of College Student-Athletes**  
**September 19 Questions for Meeting Presentation**  
**UNC Greensboro Responses 9.10.18**

**1. What mental health and medical services are provided to student-athletes beyond what is accessible to the general student population?**

Starting this Fall 2018, we have hired a Sport Psychologist who will be splitting time with the Kinesiology Department to provide counseling services and oversight of performance based mental skills training for our Student-Athletes (SA). Our goal is to provide unrestricted access to our in-house counseling services which is not an option for the general student population due to the volume seen at our Counseling Center within Student Health Services. We are developing a comprehensive mental health screening for all of our SAs which we hope to have up and running prior to the beginning of the 2019-20 academic year. We also provide mental health education for our Student-Athletes and staff.

We provide injury evaluation, treatment and rehabilitations for injuries by the Department of Athletics Athletic Trainers (ATs), Orthopedics, Chiropractors and General Medical Physicians. We facilitate care for general medical conditions with team physicians and Student Health Services. We provide MD coverage on campus to assist with SA time demands during the academic year. In addition, we provide nutrition counseling, prophylactic taping and bracing, environmental condition monitoring, hydration during practice, games and conditioning, emergency medicine as necessary, sickle cell testing, x-rays, flu shots, assistance with dental care and eye care as needed and secondary insurance to pay for sports related injuries and illnesses.

**2. What processes or requirements are currently in place to prevent athletic injuries? For the purposes of this response, items that meet NCAA minimum requirements, such as time limits on athletics-related activity or conditioning, or athletic personnel certification, do not need to be included in the response.**

All of our teams work with our Strength & Conditioning (S&C) Staff to build strength. Our S&C staff performs movement screening with each SA and based on the results will add prevention exercises to their weight room warm up. We see the work in the weight room as the first line of defense in injury prevention. Our jumping sports have requirements for taping and/or bracing of the ankle to prevent ankle sprains. We utilize dynamic warm ups for all of our team activities which is written by our S&C staff and lead by either the S&C coach or AT. Our Pre-Participation Physical Exam uses an extensive orthopedic screening performed by our ATs to identify areas of improvement, which include but are not limited to, flexibility, strength and joint laxity. The AT and S&C staffs encourage and perform a variety of recovery modalities throughout the week in addition to consulting with the Sports Nutritionist.

**3. What is the process for identification, diagnosis, and treatment when an athlete first presents symptoms of an injury?**

The AT will evaluate and develop differential diagnoses for a SA when he/she presents with an injury. We encourage our SAs to report injuries as they happen and no later than 24 hours post injury. The AT will at times supervise as an AT student from our Athletic Training Education Program performs an evaluation prior to or after the AT doing his/her

own evaluation. Rehab plans are also developed by the ATs. Depending on the severity, differential diagnosis, or lack of progression, the AT will refer to a team physician for further review.

**4. Who is responsible for insurance, and who is responsible for any costs not covered by insurance for a student with an athletic scholarship who is injured or has other medical issues arising from participation in an athletic program in the following instances?**

**(i) Treatment for injury during the season.**

**(ii) Follow-up treatment after the season ends, but during the same school year.**

**(iii) Follow-up treatment in the next year, while the student remains enrolled in school.**

**(iv) Follow-up treatment after the student graduates.**

**(v) For questions (i) through (iv), are there any differences in coverage if the student has a partial athletic scholarship or no scholarship?**

**(vi) For questions (ii) through (iv), are there any differences in coverage if the student is no longer a member of the athletic team?**

i-iv. At this time, the Assistant AD for Health and Sports Performance is the Primary contact for all Secondary Insurance matters. Per UNC System Office requirements, each student, including SAs, are required to have primary health insurance. The Department of Intercollegiate Athletics purchases a Secondary Policy, which has a \$0 deductible, currently through Mutual of Omaha. This covers all athletic-related illnesses and injuries that occur in an UNCG athletic related event. This policy will cover all bills after the SA's primary insurance has been exhausted. This Secondary Insurance is for all SAs (both scholarship and non-scholarship) within the Department of Intercollegiate Athletics. We do not include club or recreational sports in this policy as they are overseen by Recreation and Wellness.

i-iv. We do not guarantee the coverage of general medical conditions, dental issues or injuries sustained outside of athletic-related activities. These may be covered by the Department of Intercollegiate Athletics on a financial need basis and are decided case-by-case. These can be paid by the NCAA Student Assistance Fund or Sport Budgets. While we may assist with some pre-existing general medical conditions, we do not cover pre-existing orthopedic conditions.

i-iv. The AT for each sport will treat or set up treatment for all injuries that occur during and after the season. The AT will continue to follow up until the injury is healed or until the SA discontinues care against medical advice. This includes successive years while the student is enrolled. Once the student graduates and leaves the Greensboro area, the AT can make suggestions for practitioners to use, but many times the SA will have a practitioner they have used in the past and return to. Upon separation from the team, we require SAs to complete an exit questionnaire/physical to identify conditions which need further care. If a SA who is graduating or leaving a team does not report an injury during this time, it is impossible to prove it occurred while at UNCG and thus new injuries will not be covered. This is the only way for us to identify unhealed injuries which we

take financial responsibility for. Our Secondary Insurance has a three-year benefit window, which means it will only pay bills for three years from the time of injury.

v. For sports-related injuries, there is no difference between the treatment of scholarship and non-scholarship student-athletes. Our Secondary Insurance Policy covers them all the same. As for other medical conditions, this is decided on a financial need basis. If there is not a financial need, it will be up to the coach to cover this from his sport budget on a case-by-case basis.

vi. For student-athletes no longer on a team, we only cover athletic-related injuries which are still being treated. If nothing is reported on their exit questionnaire/physical, we usually do not cover the expenses of a newly reported injury because it is too difficult to determine whether it was due to their athletic participation while a member of said team.

**5. Can a student-athlete be cut from a team due to injury in the academic year in which the injury occurs? Can a student-athlete be cut from the team due to that injury in a future academic year? Who makes this decision, is it appealable, and if so, on what grounds?**

A student-athlete cannot be removed from a team due to an injury in the academic year in which the injury occurs as long as he/she is abiding by all team rules and responsibilities as an UNCG student-athlete (e.g., code of conduct, academics, etc.). If a Head Coach wishes to remove an injured student-athlete in future academic years, he/she must discuss with his/her Sport Oversight who will review with the Athletic Trainer, Compliance and Director of Athletics. These are reviewed on a case-by-case basis taking into account the injury, the SA's adherence to his/her rehabilitation, academic responsibilities and team responsibilities.

If a SA would like to appeal this decision, they can either contact our Faculty Athletics Representative or Sport Oversight who will hear the reasons for the appeal and review with the Director of Athletics. It is important to note that although a student-athlete may be removed from the team, he/she still is treated for the injury as stated in the above questions.

**6. If a student seeks a medical opinion on sports-related injuries that results in a different diagnosis and treatment plan than recommended by medical personnel for the team (if any), what impact does choosing to follow an alternate treatment plan have on the student's eligibility or standing with the team?**

None. We allow second opinions and try to education the SA on all possibilities. Our Secondary Insurance can be used for second opinions as long as the SA informs the medical staff of their intentions.

**7. How can injuries impact a student's scholarship status?**

**(i) Can a student lose or have an athletic scholarship reduced for the academic year due to an injury?**

**(ii) Can a student lose or have an athletic scholarship reduced for future academic years due to an injury?**

**(iii) Are there any differences in response to questions (i) and (ii) if the student has been awarded a single-year or multi-year athletic scholarship?**

**(iv) If a student on an athletic scholarship is no longer able to play due to injury and the student no longer receives an athletic scholarship, does your school have a policy on offering additional financial aid or scholarships in lieu of the athletic scholarship?**

i-iii. At UNCG, we predominantly award single-year athletic scholarships (which the period of the award would be that academic year). If a student-athlete is awarded a multi-year athletic scholarship, the period of the award would be the entire timeframe of that award (e.g., 4 academic years). At UNCG, a Head Coach would not be permitted to reduce or cancel a student-athlete's athletic scholarship during the academic year of when the injury occurred. In addition, per NCAA rules, an institution is not permitted to reduce/cancel athletics aid due to an injury during the period of the award. As stated above with a student-athlete who does not receive athletics aid, he/she must abide by all team rules and responsibilities as an UNCG student-athlete (e.g., code of conduct, academics, etc.). If he/she does not do so, this may be grounds to reduce or cancel his/her athletic scholarship.

Although it is permissible under NCAA rules for those student-athletes who receive a single-year athletic scholarship to have their aid reduced or cancelled for any reason after the period of the award, it is very unlikely this would occur for a student-athlete who was injured. If a Head Coach wishes to do so, he/she must discuss with his/her Sport Oversight who will review with the Athletic Trainer, Compliance and Director of Athletics. These are reviewed on a case-by-case taking into account the injury, the SA's adherence to his/her rehabilitation, academic responsibilities and team responsibilities. In addition, as a reminder, we inform our student-athletes that it is a privilege to be a member of an athletic team not a right. So there could come a time where a SA could be removed from the team, but still be permitted to receive his/her athletic scholarship.

If a SA would like to appeal the decision of the reduction/cancellation of his/her athletic scholarship, there is an appeal process in place with the University's Enrollment Services Appeals Committee. This Committee hears from both parties and makes the final decision if the athletic scholarship can be reduced/cancelled. This appeals process is the same process for any student who may lose a University scholarship. In addition, the SA could contact either our Faculty Athletics Representative or Sport Oversight to discuss the reasons for the decision.

It is important to note that although a student-athlete may be removed from the team, he/she will continue to be treated for any injury sustained while being a member of their team as stated in the above questions.

iv. If a student-athlete is no longer able to play due to the injury, he/she's athletic scholarship would still be honored. He/she would be considered a "medical noncounter" the subsequent academic terms where the equivalency amount of athletic aid does not count towards the sport's specific NCAA equivalencies. As mentioned above, though, the athletic scholarship could be reduced/cancelled for other reasons besides the injury (e.g., conduct, academics, team responsibilities). If this occurred, the SA would be able to appeal with the processes mentioned in "i-iii". UNCG does not offer any other aid for these type of student-athletes. However, they could qualify for University grants and scholarships.



**Legislative Commission on Fair Treatment of College Student-Athletes**  
**September 19 Case Study for Meeting Presentation**  
**UNC Greensboro Responses 9.10.18**

**John is a junior who was awarded a one-year scholarship to play basketball. In pre-season practice, John had a serious fall, resulting in an injury.**

**(i) At the time of John's injury in practice, he is able to walk following the fall, but complains of significant pain when doing so. What actions would be taken by coaches and athletic trainers to assess and respond to the injury?**

The Athletic Trainer (AT) would evaluate the injury and begin treatment according to best practice standards. According to Independent Medical Care Guidelines, the coach should refer to the AT and should not be making medical decisions

**(ii) John is assessed by university medical personnel, who recommend a conservative approach and do not recommend immediate surgery, and clear John to continue practicing. John continues to experience pain, and sees a medical expert in his hometown, who advises immediate surgery and no further play until a two month recovery period has passed. If John seeks immediate surgery, rather than following the advice of the university medical personnel, can John be cut from the team and can John's scholarship be reduced or revoked?**

At UNCG, John is entitled to seek a second opinion but must inform the medical staff. In addition, John's athletic scholarship would not be reduced or revoked, as well as he would not be removed from the team.

**(iii) After further review, the team doctors also conclude John needs immediate surgery. John undergoes a surgery the next week, with out of pocket costs of \$2,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? Would it matter if John is no longer on the team roster?**

If proper procedures to have a second opinion were followed and John informed the medical staff he was seeking a second opinion, the Secondary Insurance Policy would pay all outstanding bills as UNCG carries a \$0 deductible. It would not matter if John was on the team or receiving athletics aid. The only limit our Secondary Insurance Policy has is a three-year benefit window. Treatment after three years from the date of injury would not be covered by the Secondary Policy.

**(iv) In the spring semester following his injury, after the season is concluded, John continues to struggle with the injury and has to have a follow-up surgery, with out-of-pocket costs of \$5,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? Would it matter if John is no longer on the team roster?**

See response iii.

**(v) John is able to take extra courses over the summer while recovering from surgery and graduates early, but continues to have complications from the injury and needs an additional surgery two months after graduating, with out of pocket costs of \$1,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs?**

See response iii.

**(vi) Assume John does not graduate and plans to return for his senior year. The coach is uncertain if John will be able to play at the same level as the result of his injury. Can the coach cut John from the team? Can the coach keep John on the team, but not renew his athletic scholarship for his senior year? If John had a multi-year scholarship instead of a single year scholarship, would he be able to keep the scholarship if he were cut?**

The Head Coach could remove or not remove John from the team and either have his athletic scholarship renewed, reduced or cancelled. These decisions would be reviewed with the Sport Oversight, Compliance, AT and Director of Athletics. Factors that would be taken into consideration are his year in school, his adherence to his/her rehabilitation, academic responsibilities and team responsibilities.

If John had a multi-year scholarship, he could not have his athletic scholarship reduced/cancelled due to his injury per NCAA rules. However, he could still be removed from the team as we remind our student-athletes that it is a privilege to be a member of an athletic team not a right. In addition, he could have his aid reduced/cancelled if he does not adhere to his/her rehabilitation, academic responsibilities and team responsibilities. With any of these decisions, it is reviewed by the Sport Oversight, Compliance, AT and Director of Athletics.

**(vii) John seems to have recovered from his injury and the coach keeps John on the team and offers an athletic scholarship for his senior year. However, in the second pre-season practice, John falls, and aggravates the prior injury, and although further treatment is not required, John's performance declines. Can the coach cut John from the team? If so, does John keep his scholarship for the year? Can the coach keep John on the roster, but remove his scholarship?**

The Head Coach cannot remove John from the team nor reduce or cancel his athletic scholarship due to the injury. However, if John does not adhere to his/her rehabilitation, academic responsibilities and team responsibilities, he could be removed from the team and/or have his athletic scholarship reduced/cancelled. As we do remind our student-athletes that it is a privilege to be a member of an athletic team not a right. So there could come a time where John would be removed from the team, but still be permitted to receive his athletic scholarship. Any of these decisions would be reviewed with the Sport Oversight, Compliance, AT and Director of Athletics. As well as, he would still be treated for the injury.

**Legislative Commission on Fair Treatment of College Student-Athletes  
September 19 Meeting Written Questions**

*Please provide the following information related to student athletes attending your university in written form no later than September 17. Responses will be provided to members of the Commission prior to the September 19 meeting.*

1. What mental health and medical services are provided to student-athletes beyond what is accessible to the general student population?
  - a. Mental Health
    - i. Select coaches & administrators have been trained and certified in mental health first aid.
    - ii. In 2018, all student-athletes attended a pre-season 30-minute session with John Sterling, an expert in mental wellness.
  - b. Medical Services
    - i. Each team has a dedicated athletic trainer who has access to medical providers via our official healthcare partner in Scotland Health.
2. What processes or requirements are currently in place to prevent athletic injuries? For the purposes of this response, items that meet NCAA minimum requirements, such as time limits on athletics-related activity or conditioning, or athletic personnel certification, do not need to be included in the response.
  - a. Athletic Performance evaluation
    - i. Our Athletic Performance team trains our student-athletes to develop athleticism through technique work on how to run, jump, land, change direction and to control their bodies in space. Athletic performance sessions occur at varying intensity throughout the school year depending on when and athlete is in-season and out. We use ground based, multi-plane movements that are specific to each individual's respective sport. We aim to increase maximum strength & power development, improve body composition, and increase flexibility and mobility. All of these principles are aimed at our most important objective, to decrease the incidence of soft tissue injuries.
3. What is the process for identification, diagnosis, and treatment when an athlete first presents symptoms of an injury?
  - a. Our certified athletic training staff attends all championship segment practices (in-season) and contests. Trainers have an independent reporting structure that does not flow through our coaching staffs. An independent medical administrator and academic affairs administration oversee these positions and take the lead in the performance evaluation process.
4. Who is responsible for insurance, and who is responsible for any costs not covered by insurance for a student with an athletic scholarship who is injured or has other medical issues arising from participation in an athletic program in the following instances?
  - a. All students at UNCP are required to carry a primary insurance coverage
    - i. This policy will serve as the first applicable coverage for all athletic and non-athletic injury.
    - ii. All applicable deductible levels associated with the primary insurance apply and are the responsibility of the student.

1. Students sign acknowledgement of the expense process prior to participation each year along with their other insurance documents and waivers.
- b. UNCP via the UNC System carries a secondary insurance coverage that begins covering all student-athletes when expenses reach \$5,000. This policy carries benefits for up to 3 years on each claim filed regardless of the student-athlete's participation status or academic status during that span.
- c. UNCP via the NCAA carries a tertiary catastrophic injury insurance coverage that kicks in at \$75,000.
- (i) Treatment for injury during the season.
  - a. See 4. a-c
- (ii) Follow-up treatment after the season ends, but during the same school year.
  - a. See 4. a-c
- (iii) Follow-up treatment in the next year, while the student remains enrolled in school.
  - a. See 4. a-c
- (iv) Follow-up treatment after the student graduates.
  - a. Student-athletes requiring athletic training rehabilitation from injury have been accommodated via our internal athletic training staff to continue their recovery from injury should the student choose to utilize such rehab in our Pembroke athletic training facility. No services rendered from outside healthcare providers would be covered unless directly associated with the student-athlete's participation and the treatment protocol from team doctors extends beyond their enrollment.
- (v) For questions (i) through (iv), are there any differences in coverage if the student has a partial athletic scholarship or no scholarship?
  - a. No
- (vi) For questions (ii) through (iv), are there any differences in coverage is the student is no longer a member of the athletic team?
  - a. No

5. Can a student-athlete be cut from a team due to injury in the academic year in which the injury occurs? Can a student-athlete be cut from the team due to that injury in a future academic year? Who makes this decision, is it appealable, and if so, on what grounds?

- a. We have no institutional policies that specifically address being cut due to injury. No case studies have presented themselves over the past 5 years so we can confidently say that has not been our practice.
- b. Any reduction or cancellation in student athletics aid is appealable.
- c. NCAA Division II Manual states:
  - i. *15.5.4.3(b) Reduction/cancellation of scholarship aid not permitted because of an injury, illness or physical or mental medical condition*

6. If a student seeks a medical opinion on sports-related injuries that results in a different diagnosis and treatment plan than recommended by medical personnel for the team (if any), what impact does choosing to follow an alternate treatment plan have on the student's eligibility or standing with the team?

a. Their standing with the program would not be impacted. Certified athletic trainers are healthcare professionals working under supervision of a physician. The physician is ultimately who would concur with the treatment plan.

7. How can injuries impact a student's scholarship status?

(i) Can a student lose or have an athletic scholarship reduced for the academic year due to an injury?

a. No

(ii) Can a student lose or have an athletic scholarship reduced for future academic years due to an injury?

a. In NCAA Division II, athletic scholarships are limited to a 1 year award. There are no multi-year scholarships.

(iii) Are there any differences in response to questions (i) and (ii) if the student has been awarded a single-year or multi-year athletic scholarship?

a. In NCAA Division II, athletic scholarships are limited to a 1 year award. There are no multi-year scholarships.

(iv) If a student on an athletic scholarship is no longer able to play due to injury and the student no longer receives an athletic scholarship, does your school have a policy on offering additional financial aid or scholarships in lieu of the athletic scholarship?

a. No

## Legislative Commission on Fair Treatment of College Student-Athletes

### September 19 Case Study for Meeting Presentation

John is a junior who was awarded a one-year scholarship to play basketball. In pre-season practice, John had a serious fall, resulting in an injury.

(i) At the time of John's injury in practice, he is able to walk following the fall, but complains of significant pain when doing so. What actions would be taken by coaches and athletic trainers to assess and respond to the injury?

a. Our coaching staff is not involved in the injury evaluation or treatment protocol. Certified athletic trainers would evaluate the injury and make appropriate specialist recommendations with our healthcare providers should that be deemed necessary beyond internal treatment.

(ii) John is assessed by university medical personnel, who recommend a conservative approach and do not recommend immediate surgery, and clear John to continue practicing. John continues to experience pain, and sees a medical expert in his home town, who advises immediate surgery and no further play until a two month recovery period has passed. If John seeks immediate surgery, rather than following the advice of the university medical personnel, can John be cut from the team and can John's scholarship be reduced or revoked?

a. We have no institutional policies that specifically address this issue; however that would not and has not been our practice.

b. Team physicians recognize that athletes have the right to seek their own medical opinion from a provider of their choosing. Our medical team supports their right to exercise this option. In some cases, due to insurance coverage limitations, it is necessary to seek care or treatment outside of our official healthcare provider (particularly for out-of-state students).

NCAA policy states:

a. *15.5.4.3(b) Reduction/cancellation not permitted because of an injury, illness or physical or mental medical condition*

(iii) After further review, the team doctors also conclude John needs immediate surgery. John undergoes a surgery the next week, with out of pocket costs of \$2,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? Would it matter if John is no longer on the team roster?

a. See 4. a-c

(iv) In the spring semester following his injury, after the season is concluded, John continues to struggle with the injury and has to have a follow-up surgery, with out of pocket costs of \$5,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? Would it matter if John is no longer on the team roster?

a. See 4. a-c

(v) John is able to take extra courses over the summer while recovering from surgery and graduates early, but continues to have complications from the injury and needs an additional surgery two months after graduating, with out of pocket costs of \$1,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs?

a. This would depend on our team doctors' evaluation of the continued complications and if they were associated directly with the injury or with non-compliance in rehabilitation.

(vi) Assume John does not graduate and plans to return for his senior year. The coach is uncertain if John will be able to play at the same level as the result of his injury. Can the coach cut John from the team? Can the coach keep John on the team, but not renew his athletic scholarship for his senior year? If John had a multi-year scholarship instead on a single year scholarship, would he be able to keep the scholarship if he were cut?

a. Yes. In NCAA Division II, athletic scholarships are limited to a 1 year award. There are no multi-year scholarships.

(vii) John seems to have recovered from his injury and the coach keeps John on the team and offers an athletic scholarship for his senior year. However, in the second pre-season practice, John falls, and aggravates the prior injury, and although further treatment is not required, John's performance declines. Can the coach cut John from the team? If so, does John keep his scholarship for the year? Can the coach keep John on the roster, but remove his scholarship.

- a. We have no institutional policies that specifically address being cut due to injury; however based on no case studies over the past 5 years, that has not been our practice.
- b. The NCAA manual for Division II states:
  - a. *15.5.4.3(b) Reduction/cancellation of scholarship aid not permitted because of an injury, illness or physical or mental medical condition.*

**Legislative Commission on Fair Treatment of College Student-Athletes  
September 19 Meeting Written Questions**

1. What mental health and medical services are provided to student-athletes beyond what is accessible to the general student population? **UNCW athletics provides its student athletes with weekly access to a team chiropractor. Treatments take place in a UNCW training room.**
2. What processes or requirements are currently in place to prevent athletic injuries? For the purposes of this response, items that meet NCAA minimum requirements, such as time limits on athletics-related activity or conditioning, or athletic personnel certification, do not need to be included in the response. **UNCW athletic training staff uses preventative exercise programs (specific to individual sport needs) to help avoid common injuries. These preventive plans are based on what sports medicine research reveals those common injuries might be.**
3. What is the process for identification, diagnosis, and treatment when an athlete first presents symptoms of an injury? **UNCW athletic training staff do an initial evaluation on the student-athlete. Based on this evaluation (results of special tests, range of motion, bone fracture tests, etc.) the athletic training staff will assess these clinical findings. A decision to refer immediately to a physician or to begin injury treatment and then refer to a physician if injury persists is made.**
4. Who is responsible for insurance, and who is responsible for any costs not covered by insurance for a student with an athletic scholarship who is injured or has other medical issues arising from participation in an athletic program in the following instances? **UNCW student-athletes' primary insurance is billed for all services. Once the primary insurance is filed, UNCW Athletics pays all copays, deductibles and miscellaneous amounts due. UNCW Athletics pays up to \$5,000 towards a single athletically related injury. UNCW's secondary insurance provider, Mutual of Omaha, has a \$5,000 deductible. The initial \$5,000 payment made by UNCW for a single injury is credited towards the Mutual of Omaha deductible. Once the deductible is met, Mutual of Omaha starts paying the medical bills for the student-athlete. No UNCW student athlete should ever have to pay any medical bills for athletic related injuries while participating in their sport(s) at UNCW. Payments for that single athletically related injury continue for three (3) years from the date of the injury.**
  - (i) Treatment for injury during the season. **UNCW pays for all treatment for athletically related injury during the season.**
  - (ii) Follow-up treatment after the season ends, but during the same school year. **Same as above.**
  - (iii) Follow-up treatment in the next year, while the student remains enrolled in school. **Same as above.**
  - (iv) Follow-up treatment after the student graduates. **Payment(s) will be made for three (3) years from the date of the injury.**
  - (v) For questions (i) through (iv), are there any differences in coverage if the student has a partial athletic scholarship or no scholarship? **No difference in payments or coverage if the student is on full scholarship or partial scholarship.**
  - (vi) For questions (ii) through (iv), are there any differences in coverage if the student is no longer a member of the athletic team? **No difference in payments or coverage if the student is no longer a member of the athletic team. Coverage continues for three (3) years from the date of the injury.**



5. Can a student-athlete be cut from a team due to injury in the academic year in which the injury occurs? **NO**  
Can a student-athlete be cut from the team due to that injury in a future academic year? **NO (however, this could occur in baseball that operates under NCAA mandated roster size limitations).** Who makes this decision, is it appealable, and if so, on what grounds? **The head coach in direct consultation with the director of athletics. Student-athletes can appeal a loss of financial aid.**

6. If a student seeks a medical opinion on sports-related injuries that results in a different diagnosis and treatment plan than recommended by medical personnel for the team (if any), what impact does choosing to follow an alternate treatment plan have on the student's eligibility or standing with the team? **NONE**

7. How can injuries impact a student's scholarship status?

- (i) Can a student lose or have an athletic scholarship reduced for the academic year due to an injury? **NO**
- (ii) Can a student lose or have an athletic scholarship reduced for future academic years due to an injury? **NO (however...UNCW athletics awards/renews athletic financial aid on an annual basis).**
- (iii) Are there any differences in response to questions (i) and (ii) if the student has been awarded a single-year or multi-year athletic scholarship? **UNCW athletics awards/renews financial aid on an annual basis.**
- (iv) If a student on an athletic scholarship is no longer able to play due to injury and the student no longer receives an athletic scholarship, does your school have a policy on offering additional financial aid or scholarships in lieu of the athletic scholarship? **UNCW athletics will work closely with the Office of Financial Aid to establish a financial aid package.**

**Legislative Commission on Fair Treatment of College Student-Athletes September  
19 Case Study for Meeting Presentation**

John is a junior who was awarded a one-year scholarship to play basketball. In pre-season practice, John had a serious fall, resulting in an injury.

- (i) At the time of John's injury in practice, he is able to walk following the fall, but complains of significant pain when doing so. What actions would be taken by coaches and athletic trainers to assess and respond to the injury? **UNCW'S athletic training staff transports injured student-athletes to a campus athletic training facility and conducts an initial evaluation on the student-athlete. Based on this evaluation (special tests, range of motion, bone fracture tests, etc.) the athletic training staff will make an assessment of these clinical findings. Based on these findings, a decision to immediately refer to a physician or to begin treatment is made. If the injury persists, the student-athlete will be referred to an appropriate physician.**
- (ii) John is assessed by university medical personnel, who recommend a conservative approach and do not recommend immediate surgery, and clear John to continue practicing. John continues to experience pain, and sees a medical expert in his home town, who advises immediate surgery and no further play until a two month recovery period has passed. If John seeks immediate surgery, rather than following the advice of the university medical personnel, can John be cut from the team and can John's scholarship be reduced or revoked? **NO**
- (iii) After further review, the team doctors also conclude John needs immediate surgery. John undergoes a surgery the next week, with out of pocket costs of \$2,000. Who provides the insurance for the surgery and who covers the out-of- pocket costs? **UNCW athletics pays up to \$5,000 for all treatments related to the injury. UNCW's secondary insurer (Mutual of Omaha) starts to pay after the initial \$5,000 payment total. Payments continue for three (3) years from the date of the injury. Would it matter if John is no longer on the team roster? NO**
- (iv) In the spring semester following his injury, after the season is concluded, John continues to struggle with the injury and has to have a follow-up surgery, with out of pocket costs of \$5,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? **UNCW athletics pays up to \$5,000 for all treatments related to the injury. UNCW's secondary insurer (Mutual of Omaha) starts to pay after the initial \$5,000 payment total. Payments continue for three (3) years from the date of the injury. Would it matter if John is no longer on the team roster? NO**
- (v) John is able to take extra courses over the summer while recovering from surgery and graduates early, but continues to have complications from the injury and needs an additional surgery two months after graduating, with out of pocket costs of \$1,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? **UNCW athletics pays for all treatments for up to three (3) years from the date of the injury.**
- (vi) Assume John does not graduate and plans to return for his senior year. The coach is uncertain if John will be able to play at the same level as the result of his injury. Can the coach cut John from the team? **The NCAA does allow a head coach to manage their roster. However, at UNCW, we**

will not cut a player because of an injury. Can the coach keep John on the team, but not renew his athletic scholarship for his senior year? YES...UNCW offers single year athletic financial aid agreements, but student athletes would be given an opportunity to appeal if financial aid is not renewed for any reason. If a student athlete has been ruled "medically unable to play" by physicians, UNCW will always work with the UNCW Office of Financial Aid to find institutional financial aid to complete their degree work. If John had a multi-year scholarship instead on a single year scholarship, would he be able to keep the scholarship if he were cut? UNCW does not offer multiyear athletic scholarships.

- (vii) John seems to have recovered from his injury and the coach keeps John on the team and offers an athletic scholarship for his senior year. However, in the second pre-season practice, John falls, and aggravates the prior injury, and although further treatment is not required, John's performance declines. Can the coach cut John from the team? NO If so, does John keep his scholarship for the year? Once financial aid benefits begin UNCW will not cut a scholarship due to performance. Can the coach keep John on the roster, but remove his scholarship? NO

Responses to Legislative Commission on Fair Treatment of College Student-Athletes

1. What mental health and medical services are provided to student-athletes beyond what is accessible to the general student population?
  - a. **University Health Center's Counseling and Psychological Services (CAPS) staff work in the athletic training room a few days a week. This leads to quicker referral to CAPS through athletic department.**
2. What processes or requirements are currently in place to prevent athletic injuries?
  - a. **Screening during physicals and reviewing/assessing workouts by our Athletic Training staff as well as sport specific conditioning by our Sports Performance staff.**
3. What is the process for identification, diagnosis, and treatment when an athlete first presents symptoms of an injury?
  - a. **Certified Athletic Trainers (ATC) performs assessment of symptoms and then makes decision that could be remove from activity as needed, referral to physician as needed, and treatment/rehab for symptoms based on assessment and any diagnosis given my physician.**
4. Who is responsible for insurance, and who is responsible for any costs not covered by insurance for a student with an athletic scholarship who is injured or has other medical issues arising from participation in an athletic program in the following instances?
  - a. **In response to i thru iv below:**

Ultimately, the student-athlete's primary insurance is the first coverage used, then the secondary athletics injury insurance is applied. A medical budget is maintained/used for expenses incurred from the injury that are NOT covered from the insurance policies mentioned. Our secondary policy has an expiration of 2 years coverage post injury.

    - i. Treatment for injury during the season.
    - ii. Follow-up treatment after the season ends, but during the same school year.
    - iii. Follow-up treatment in the next year, while the student remains enrolled in school.
    - iv. Follow-up treatment after the student graduates.
    - v. For questions (i) through (iv), are there any differences in coverage if the student has a partial athletic scholarship or no scholarship? **NO**
    - vi. For questions (ii) through (iv), are there any differences in coverage is the student is no longer a member of the athletic team? **NO, as long as the injury occurred when they were part of the team.**
5. Can a student-athlete be cut from a team due to injury in the academic year in which the injury occurs?
  - a. Can a student-athlete be cut from the team due to that injury in a future academic year? **If the injury allows them to return to play, they cannot be cut from the team based on the injury.**
  - b. Who makes this decision, is it appealable, and if so, on what grounds? **Coaches, with oversight of Sport Supervisors. Decisions are appealable to the Director of Athletics.**
6. If a student seeks a medical opinion on sports-related injuries that results in a different diagnosis and treatment plan than recommended by medical personnel for the team (if any), what impact does choosing to follow an alternate treatment plan have on the student's eligibility or standing with the team?
  - a. **No impact; however playing time is determined by our staff. Thus, return to play could be extended.**
7. How can injuries impact a student's scholarship status?
  - a. Can a student lose or have an athletic scholarship reduced for the academic year due to an injury?
    - i. **No, the WCU Grant-In-Aid protects this.**

## Responses to Legislative Commission on Fair Treatment of College Student-Athletes

- b. Can a student lose or have an athletic scholarship reduced for future academic years due to an injury?
  - i. **Not due to injury.**
- c. Are there any differences in response to questions (i) and (ii) if the student has been awarded a single-year or multi-year athletic scholarship?
  - i. **No.**
- d. If a student on an athletic scholarship is no longer able to play due to injury and the student no longer receives an athletic scholarship, does your school have a policy on offering additional financial aid or scholarships in lieu of the athletic scholarship?
  - i. **Financial Aid is awarded based on the federal financial aid guidelines. We do not award other types of aid to replace loss of athletic scholarship... but we do not cancel aid due to athletic related injuries. \*\*In the event that the injury is career ending, and the SA is on athletic scholarship, we assign managerial tasks in lieu of athletic participation.**

### Case Study for Meeting Presentation

John is a junior who was awarded a one-year scholarship to play basketball. In pre-season practice, John had a serious fall, resulting in an injury.

- (i) At the time of John's injury in practice, he is able to walk following the fall, but complains of significant pain when doing so. What actions would be taken by coaches and athletic trainers to assess and respond to the injury?
  - a. **ATC would remove from activity, assess, and would make referral to physician or call EMS if pain is severe enough.**
- (ii) John is assessed by university medical personnel, who recommend a conservative approach and do not recommend immediate surgery, and clear John to continue practicing. John continues to experience pain, and sees a medical expert in his home town, who advises immediate surgery and no further play until a two month recovery period has passed. If John seeks immediate surgery, rather than following the advice of the university medical personnel, can John be cut from the team and can John's scholarship be reduced or revoked?
  - a. **No and No**
- (iii) After further review, the team doctors also conclude John needs immediate surgery. John undergoes a surgery the next week, with out of pocket costs of \$2,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? Would it matter if John is no longer on the team roster?
  - a. **Personal Insurance applied, then school athletic injury insurance is applied. Remaining balance is covered via athletic medical budget for athletic related injuries.**
  - b. **It would not matter if John was no longer on the team roster, provided the charges and treatment occur within the 2 year window.**
- (iv) In the spring semester following his injury, after the season is concluded, John continues to struggle with the injury and has to have a follow-up surgery, with out of pocket costs of \$5,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? Would it matter if John is no longer on the team roster?
  - a. **Personal Insurance applied, then school athletic injury insurance is applied. Remaining balance is covered via athletic medical budget for athletic related injuries.**
  - b. **It would not matter if John was no longer on the team roster, provided the charges and treatment occur within the 2 year window.**

## Responses to Legislative Commission on Fair Treatment of College Student-Athletes

- (v) John is able to take extra courses over the summer while recovering from surgery and graduates early, but continues to have complications from the injury and needs an additional surgery two months after graduating, with out of pocket costs of \$1,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs?
- Personal Insurance applied, then school athletic injury insurance is applied.**  
**Remaining balance is covered via athletic medical budget for athletic related injuries.**
  - It would not matter if John was no longer on the team roster, provided the charges and treatment occur within the 2 year window.**
- (vi) Assume John does not graduate and plans to return for his senior year. The coach is uncertain if John will be able to play at the same level as the result of his injury.
- Can the coach cut John from the team?
    - No, if cleared by medical providers to participate in athletic activity.**
  - Can the coach keep John on the team, but not renew his athletic scholarship for his senior year?
    - No, scholarships at WCU cannot be cut based on injuries as a result to athletic participation.**
  - If John had a multi-year scholarship instead on a single year scholarship, would he be able to keep the scholarship if he were cut?
    - In this instance, he would keep his athletic scholarship.**
- (vii) John seems to have recovered from his injury and the coach keeps John on the team and offers an athletic scholarship for his senior year. However, in the second pre-season practice, John falls, and aggravates the prior injury, and although further treatment is not required, John's performance declines.
- Can the coach cut John from the team?
    - No.**
  - If so, does John keep his scholarship for the year?
    - Yes.**
  - Can the coach keep John on the roster, but remove his scholarship?
    - No.**

**Legislative Commission on Fair Treatment of College Student-Athletes**

**September 19 Meeting Written Questions**

1. What mental health and medical services are provided to student-athletes beyond what is accessible to the general student population?

- Free pre-participation physicals
- If flagged for mental health concerns on physical, smaller discussion/individualized plan with student-athlete to make aware of campus resources
- Free baseline concussion testing
- Free sickle cell testing
- Random drug testing
- Yearly meetings with each sports team to include Director of Athletics, Senior Woman Administrator (SWA), Faculty Athletic Representative (FAR), University Wellness Center Counselor "My Time, My Space" session for sports teams to take time away from the day to day space with athletic staff and talk to community supporters outside of the university.

2. What processes or requirements are currently in place to prevent athletic injuries? For the purposes of this response, items that meet NCAA minimum requirements, such as time limits on athletics-related activity or conditioning, or athletic personnel certification, do not need to be included in the response.

- Dependent on individual athletic trainer assigned to sport as to extent of injury prevention preparations. For example, athletic trainer for women's basketball completes preseason testing to assess risk of ACL injury (gait assessment, jump/landing assessments, etc). Also utilizes PEP program (well-researched and documented ACL prevention program) as a warm-up before practices to help prevent knee injuries.
- Also, athletic trainers use education moments during team meetings to help prevent injuries (best examples are: concussion for football with not using helmets as weapons and not spearing other players; limiting skin infections via good personal hygiene habits)

3. What is the process for identification, diagnosis, and treatment when an athlete first presents symptoms of an injury?

- If athletic trainer is present at time of injury (i.e occurs during practice/competition as we do not cover lifts and conditioning), they can evaluate and clinically diagnose at time of injury. Should athlete get injured when no athletic trainer is present, it is on them to report injury to the athletic trainer. When symptoms/injury are identified/reported to the athletic trainer treatment can begin immediately.
- We also have a vast network of physicians/specialists from Wake Forest Baptist Health and have multiple team physicians that hold clinics at the university weekly that are utilized for further evaluation and referrals.
- Treatment can occur during normal operating hours (8AM-5PM) or by appointment with one of the athletic trainers.

4. Who is responsible for insurance, and who is responsible for any costs not covered by insurance for a student with an athletic scholarship who is injured or has other medical issues arising from participation in an athletic program in the following instances?

- The student athlete must have primary insurance. This can be brought in with them or bought through the school. We have an insurance coordinator that helps to ensure all athletes have proper insurance to participate.
- Every athlete regardless of scholarship status is fully covered under the NCAA insurance. This is a secondary insurance.
- NCAA insurance is only used as a secondary policy and financial assistance from the athletic department is only provided for those injuries that occur during an athletic sanctioned event (practice, competition, lifting, not open or open workout times).
- WSSU does have a catastrophic injury policy with the NCAA for costs that exceed \$75,000.

(i) Treatment for injury during the season.

- Treatment during the season is covered by the student athlete's insurance first and then secondarily by the NCAA insurance. Remaining costs after all insurances are filed are then covered by the athletics department.

(ii) Follow-up treatment after the season ends, but during the same school year.

- Treatment during the season is covered by the student athlete's insurance first and then by the NCAA secondary policy. Remaining costs after all insurances are filed are then covered by the athletics department.

(iii) Follow-up treatment in the next year, while the student remains enrolled in school.

- On a case by case basis, those who received surgery with a long-term (>6 months) rehab will continue to be covered by both the NCAA insurance and financial assistance from the athletic department.

(iv) Follow-up treatment after the student graduates.

- Athletes undergo an exit interview when they are leaving the university (graduation or transferring). If exit interview denotes an open injury, then athletics will continue with treatment and care for up to 3 years post-injury date. On a case by case basis, but generally those who have extenuated circumstances will continue to be covered by the NCAA insurance and receive assistance from the athletic department. If exit interview denotes a closed injury, then athletics does not have physical or financial responsibility with treatment and care.



(v) For questions (i) through (iv), are there any differences in coverage if the student has a partial athletic scholarship or no scholarship?

- No difference based on scholarship. Sports medicine department generally isn't even aware of scholarship status.

(vi) For questions (ii) through (iv), are there any differences in coverage if the student is no longer a member of the athletic team?

- No, but if they are no longer a part of an athletic team, they are no longer required to adhere to the athletic department insurance policy that states minimum of coverage by their primary insurance that is required to participate in athletics. Careful consideration and communication must be had if the student is no longer a member of the athletic team.
- All students are required to have a primary insurance per UNC System's policy. WSSU athletics requires additional criteria that the primary insurance must cover athletic related injuries.

5. Can a student-athlete be cut from a team due to injury in the academic year in which the injury occurs? Can a student-athlete be cut from the team due to that injury in a future academic year? Who makes this decision, is it appealable, and if so, on what grounds?

- If a student-athlete is compliant with rehabilitation rules, maintaining good academic status, and adhering to team rules per direction of the coaching staff, then no, the student athlete cannot be cut during the same academic year
- If a student-athlete is non-compliant in any of the above issues, it is grounds to be released from the team per AD and coaching staff directives

6. If a student seeks a medical opinion on sports-related injuries that results in a different diagnosis and treatment plan than recommended by medical personnel for the team (if any), what impact does choosing to follow an alternate treatment plan have on the student's eligibility or standing with the team?

- Once a student-athlete seeks an outside referral or second opinion, that documentation and subsequent medical records must be reported back to the sports medicine staff in order to resume play status. The student-athlete is labeled "out" until all documentation is received. If an outside physician holds the student-athlete from participation ("out"), the athletic trainer cannot override the decision based on credentialing hierarchy. Only the team physician can override the outside physician directives.
- The financial costs associated with secondary opinions are solely the responsibility of the student-athlete regardless of being injured during an NCAA-sanctioned event.

7. How can injuries impact a student's scholarship status?

- Same answer as question 5

(i) Can a student lose or have an athletic scholarship reduced for the academic year due to an injury?

- No, athletic scholarships will not be non-renewed or reduce due athletic injury.

(ii) Can a student lose or have an athletic scholarship reduced for future academic years due to an injury?

- Sport injuries that are being rehabbed and treated usually do not result in a student-athlete being dismissed from program except in the following:
- Not attending required rehab/treatment
- Not in good academic standing not associated with injury
- Violation of university or athletic department policies and guidelines

(iii) Are there any differences in response to questions (i) and (ii) if the student has been awarded a single-year or multi-year athletic scholarship?

- All scholarship are year to year and can be renewed, reduced or cancelled no later than June 30th of each fiscal year.

(iv) If a student on an athletic scholarship is no longer able to play due to injury and the student no longer receives an athletic scholarship, does your school have a policy on offering additional financial aid or scholarships in lieu of the athletic scholarship?

- No, there is not an institutional policy that addresses the aforementioned.

**Legislative Commission on Fair Treatment of College Student-Athletes**

**September 19 Case Study for Meeting Presentation**

John is a junior who was awarded a one-year scholarship to play basketball. In pre-season practice, John had a serious fall, resulting in an injury.

(i) At the time of John's injury in practice, he is able to walk following the fall, but complains of significant pain when doing so. What actions would be taken by coaches and athletic trainers to assess and respond to the injury?

- AT should put him on crutches and perform a thorough evaluation to see the need for a referral for advanced care
- Coach should refer to and support athletic training directives for medical care

(ii) John is assessed by university medical personnel, who recommend a conservative approach and do not recommend immediate surgery, and clear John to continue practicing. John continues to experience pain, and sees a medical expert in his home town, who advises immediate surgery and no further play until a two-month recovery period has passed. If John seeks immediate surgery, rather than following the advice of the university medical personnel, can John be cut from the team and can John's scholarship be reduced or revoked?

- No – but would be financially responsible for outside care not directed by sports medicine staff.

(iii) After further review, the team doctors also conclude John needs immediate surgery. John undergoes a surgery the next week, with out of pocket costs of \$2,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? Would it matter if John is no longer on the team roster?

- John's primary insurance is filed, then secondary insurance, then the athletics department picks up the out of pocket expenses.
- Roster status does not factor in as long as injury occurred during NCAA-sanctioned event

(iv) In the spring semester following his injury, after the season is concluded, John continues to struggle with the injury and has to have a follow-up surgery, with out of pocket costs of \$5,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs? Would it matter if John is no longer on the team roster?

- If the surgery was directed by sports medicine staff then the primary insurance would be filed first, then the secondary insurance would be filed. After all insurance is filed WSSU athletics department pays the remaining balance.
- If the surgery was not directed by sports medicine staff (aka, solely elected by athlete) then athlete is responsible for all out of pocket expenses, but the secondary insurance would be filed on his behalf.

(v) John is able to take extra courses over the summer while recovering from surgery and graduates early, but continues to have complications from the injury and needs an additional surgery two months after graduating, with out of pocket costs of \$1,000. Who provides the insurance for the surgery and who covers the out-of-pocket costs?

- Based solely on the exit interview and who directed care:

- Open injury (ongoing injury still receiving care after they have completed their eligibility/graduation), directed by athlete not directed by the sports medicine staff: It is the athlete's responsibility
- Open injury (ongoing injury still receiving care after they have completed their eligibility/graduation), directed by sports medicine: It is the responsibility of the athletic department.
- Closed injury (an injury no longer actively receiving care that the athlete specifically closed during the exit interview. This means they are no longer having issues with the injury): It is the responsibility of the athlete.

(vi) Assume John does not graduate and plans to return for his senior year. The coach is uncertain if John will be able to play at the same level as the result of his injury. Can the coach cut John from the team? Can the coach keep John on the team, but not renew his athletic scholarship for his senior year? If John had a multi-year scholarship instead on a single year scholarship, would he be able to keep the scholarship if he were cut?

- No, see responses to question 5 and 7 (Refer to "7 questions" above the case study).

(vii) John seems to have recovered from his injury and the coach keeps John on the team and offers an athletic scholarship for his senior year. However, in the second pre-season practice, John falls, and aggravates the prior injury, and although further treatment is not required, John's performance declines. Can the coach cut John from the team? If so, does John keep his scholarship for the year? Can the coach keep John on the roster, but remove his scholarship?

- No, administration would not support a coach dismissing a student-athlete who was injured during an athletically related event. He would keep his athletic aid regardless of being cut from the team.