

**Maryland State Board of Education
August 27, 2013 Meeting
Public Comment Testimony of
Parent Tom Hearn**

- Sports Concussion Initiative

- MSBE a Leader: Not aware of any other State Board of Education that has responded the way you have.
- Much accomplished. Follow through in local school systems will be important.

- Football Contact Limits

- MSDE staff has recommended local school systems limit full contact football practices to two per week.
- Assumes safe tackling is taught. If dangerous “facemask on football” tackling, even one practice is not safe.
- Oklahoma tackling drills such as those alleged to be involved in death of Derek Sheely at Frostburg State University two years ago cannot be permitted.

- Heat Illness

- Best practices is to measure heat index at field before each practice/game when temperature over 80 degrees. Some local systems include this in policy. Some don't.
- Four years ago, an MCPS high school student, Edwin “Dek” Miller, died of heat stroke at a no-pads football practice. This should never happen again.

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Death of Frostburg State player Derek Sheely due to 'egregious misconduct,' lawsuit says

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By Nathan Fenno - The Washington Times

Thursday, August 22, 2013

Two years to the day after Frostburg State University football player Derek Sheely sustained a fatal head injury during practice, his family filed a wrongful death lawsuit Thursday against the NCAA, coach Tom Rogish and several others.

Sheely collapsed following a preseason drill at the Division III school in western Maryland and died six days later on Aug. 28, 2011.

"Utter incompetence, egregious misconduct, false hope and a reckless disregard for player health and safety led to the tragic death of Derek Sheely," the 63-page complaint obtained by The Washington Times said.

Also named in the lawsuit filed in Montgomery County Circuit Court are Frostburg running backs coach Jamie Schumacher, assistant athletic trainer Michael Sweitzer Jr. and helmet manufacturer Schutt Sports.

Sheely's parents, Kenneth and Kristin, and sister, Keyton, live in Germantown. They're all plaintiffs in the lawsuit.

"It is inconceivable to us how, with all the attention on concussions, there is still no unified enforcement to prevent dangerous drills, stop false safety claims or ensure proper medical attention to concussed athletes," the family said in a statement released to The Times. "We are haunted by the knowledge that Derek's death was preventable and we feel an obligation to share lessons that could prevent other children from suffering Derek's fate."

The complaint lays out a detailed series of events that led to the death it asserts was preventable.

A senior fullback and team captain who majored in history and political science, Sheely hoped to work for the Central Intelligence Agency one day. But four times in a three-day span that August, Sheely started bleeding "profusely" from his forehead after sustaining hits in full-contact exercises similar to Oklahoma drills where the fullback and linebacker collide at full speed. Two players were concussed during the drill earlier in the preseason.

The tempo wasn't unusual; Frostburg's first full day of practice in 2011 included four hours of contact.

we can do about this because this is not fair to the student athletes who put their all into something and can't even get the proper treatment needed." You are currently viewing the printable version of this article. To return to the normal page, please click here.

The NCAA requires each member school to have a concussion management plan on file, but Klossner admitted in a deposition earlier this year that the plans aren't reviewed or enforced.

"The Plaintiffs," the lawsuit said, "have endured and they will continue to endure an unbearable amount of emotional pain each time they walk past Derek's empty bedroom, touch his clothing or a photograph or paper which relates to Derek, watch a football game, see a commercial produced by the NCAA, see the NCAA's insignia, see the number '40' [Derek's jersey number], among multiple other pain-staking moments."

Heat Index Calculation and Chart Temperature (In Fahrenheit)

Relative Humidity at Site

	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99
100	84	87	91	95	99	103	107	112	116	121	126	132	137	143	149	155	161	168	174	181	188
99	84	87	91	94	98	102	106	111	116	120	125	131	136	142	147	153	160	166	172	179	186
98	84	87	90	94	98	102	106	110	115	120	124	130	135	140	146	152	158	164	171	177	184
97	84	87	90	94	97	101	105	110	114	119	124	129	134	139	145	151	157	163	169	176	182
96	83	87	90	93	97	101	105	109	113	118	123	128	133	138	144	149	155	161	167	174	180
95	83	86	90	93	97	100	104	108	113	117	122	127	132	137	142	148	154	160	166	172	179
94	83	86	89	93	96	100	104	108	112	116	121	126	131	136	141	147	152	158	164	170	177
93	83	86	89	92	96	99	103	107	111	116	120	125	130	135	140	145	151	157	162	169	175
92	83	86	89	92	95	99	103	106	111	115	119	124	129	133	139	144	149	155	161	167	173
91	83	86	89	92	95	98	102	106	110	114	118	123	127	132	137	143	148	154	159	165	171
90	83	86	88	91	95	98	102	105	109	113	117	122	126	131	136	141	147	152	158	164	170
89	83	85	88	91	94	98	101	105	109	113	117	121	125	130	135	140	145	151	156	162	168
88	83	85	88	91	94	97	101	104	108	112	116	120	125	129	134	139	144	149	155	160	166
87	83	85	88	91	94	97	100	104	107	111	115	119	124	128	133	138	143	148	153	159	164
86	83	85	88	90	93	96	100	103	107	110	114	118	123	127	132	136	141	146	152	157	163
85	83	85	87	90	93	96	99	102	106	110	113	117	122	126	130	135	140	145	150	155	161
84	82	85	87	90	93	96	99	102	105	109	113	117	121	125	129	134	139	144	149	154	159
83	82	85	87	90	92	95	98	101	105	108	112	116	120	124	128	133	137	142	147	152	158
82	82	85	87	89	92	95	98	101	104	108	111	115	119	123	127	132	135	141	146	151	156
81	82	84	87	89	92	94	97	100	104	107	110	114	118	122	126	131	135	140	144	149	155
80	82	84	86	89	91	94	97	100	103	106	110	113	117	121	125	129	134	138	143	148	153
79	82	84	86	89	91	94	96	99	102	105	109	113	116	120	124	128	133	137	142	146	151
78	82	84	86	88	91	93	96	99	102	105	108	112	115	119	123	127	131	136	140	145	150
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66	81	82	84	86	87	89	91	93	96	98	101	103	106	109	112	115	119	122	125	129	133
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64	81	82	84	85	87	89	91	93	95	97	99	102	105	108	110	114	117	120	123	127	131
63	81	82	84	85	87	88	90	92	94	97	99	101	104	107	110	113	116	119	122	126	130
62	81	82	83	85	86	88	90	92	94	96	98	101	103	106	109	112	115	118	121	125	128
61	81	82	83	85	86	88	90	91	93	95	98	100	103	105	108	111	114	117	120	124	127
60	81	82	83	84	86	88	89	91	93	95	97	100	102	105	107	110	113	116	119	123	126
59	81	82	83	84	86	87	89	91	93	95	97	99	102	104	107	109	112	115	118	122	125
58	81	82	83	84	85	87	89	90	92	94	96	99	101	103	106	109	111	114	117	120	124
57	80	81	83	84	85	87	88	90	92	94	96	98	100	103	105	108	111	113	116	119	123
56	80	81	83	84	85	86	88	90	92	93	95	98	100	102	105	107	110	113	115	118	122
55	80	81	82	84	85	86	88	89	91	93	95	97	99	101	104	106	109	112	114	117	120
54	80	81	82	83	85	86	87	89	91	93	94	96	99	101	103	106	108	111	114	116	119
53	80	81	82	83	84	86	87	89	90	92	94	96	98	100	103	105	107	110	113	116	118
52	80	81	82	83	84	86	87	88	90	92	94	96	98	100	102	104	107	109	112	115	117
51	80	81	82	83	84	85	87	88	90	91	93	95	97	99	101	104	106	108	111	114	116
50	80	81	82	83	84	85	86	88	89	91	93	95	97	99	101	103	105	108	110	113	115
49	80	81	82	83	84	85	86	88	89	91	92	94	96	98	100	102	105	107	109	112	115
48	80	81	81	82	84	85	86	87	89	90	92	94	96	97	100	102	104	106	109	111	114
47	80	81	81	82	83	85	86	87	88	90	92	93	95	97	99	101	103	105	108	110	113
46	80	80	81	82	83	84	86	87	88	90	91	93	95	96	98	100	103	105	107	109	112
45	80	80	81	82	83	84	85	87	88	89	91	92	94	96	98	100	102	104	106	109	111
44	80	80	81	82	83	84	85	86	88	89	91	92	94	96	97	99	101	103	106	108	110
43	79	80	81	82	83	84	85	86	87	89	90	92	93	95	97	99	101	103	105	107	109
42	79	80	81	82	83	84	85	86	87	88	90	91	93	95	96	98	100	102	104	106	109
41	79	80	81	82	82	83	85	86	87	88	90	91	93	94	96	98	100	101	104	106	108
40	79	80	81	81	82	83	84	85	87	88	89	91	92	94	95	97	99	101	103	105	107

Heat Index Under 96°

Provide ample water. Water is always available and athletes have unrestricted access. Optional water breaks every 30 minutes for 10 minute time frames. Ice-down towels are available. Athletes should be monitored carefully. Re-check heat index every 30 minutes.

95° - 99° Heat Index

Provide ample water. Water is always available and athletes have unrestricted access. Mandatory water breaks every 30 minutes for 10 minute time frames. Ice-down towels are available. Reduce time outside or move indoors to air conditioning if possible. Postpone practice to later in the day if possible. Contact sports should remove helmets or extra equipment when in non-contact practice. Re-check heat index every 30 minutes.

100° - 104° Heat Index

Provide ample water. Water is always available and athletes have unrestricted access. Mandatory water breaks every 30 minutes for 10 minute time frames. Ice-down towels are available. Alter uniforms by removing items/layers if possible. Allow changes to dry shirts and shorts if possible. Reduce time outside or move indoors to air conditioning if possible. Postpone practice to later in the day if possible. Contact sports should remove helmets or extra equipment when in non-contact practice. Re-check heat index every 30 minutes.

Heat Index 105° and Above

Stop all outside activity including practice or play. Stop all indoor activity if air conditioning is not available and the heat index indoors is 105° or greater. Re-check heat index every 30 minutes.