

## Requirements & Frequently Asked Questions

### *Rowan’s Law (Concussion Safety), 2018*

#### Act and Regulation

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***The following information is not a substitute for legal advice, and we encourage all sport organizations to seek independent legal counsel to better understand their obligations under Rowan’s Law (Concussion Safety), 2018, (referred to as “Rowan’s Law” in this document) and determine how to implement these requirements.***

FOR EXTERNAL DISTRIBUTION

## About Rowan's Law:

*Rowan's Law* honours the memory of Rowan Stringer - a 17-year-old rugby player from Ottawa. Rowan died tragically in 2013 after experiencing three concussions over the course of six days while playing rugby. She had a concussion but didn't know her brain needed time to heal. Neither did her parents, teachers or coaches.

The goal of *Rowan's Law* is to protect amateur athletes by improving concussion safety on the field of play to help prevent similar tragedies from happening in the future. The legislation includes a number of requirements for sport organizations, athletes, parents, coaches, team trainers and officials to help mitigate concussions in sport; including:

- 1) annual mandatory concussion education for athletes, parents/guardians, coaches, team trainers and officials;
- 2) concussion codes of conduct for sport organizations;
- 3) removal-from-sport protocols for sport organizations; and
- 4) return-to-sport protocols for sport organizations.

*Rowan's Law* will affect amateur competitive athletes under 26 years of age and their parents, as well as coaches and officials who register with a sport organization (as defined under the Act) that offers training, practice or competition in any one of the 65 amateur competitive sports listed in the regulation. The requirements of the Act apply to all athletes participating in amateur competitive sport in post secondary institutions, irrespective of age.

## Timing of Implementation:

*Rowan's Law* is being implemented in phases.

Phase 1, which includes requirements for the annual review of concussion awareness resources and concussion codes of conduct came into force on July 1, 2019.

This means that sport organizations must establish a concussion code of conduct and that athletes and parents/guardians of athletes under 18 years of age will not be permitted to register with a sport organization unless they have confirmed their review of the concussion awareness resources and the sport organization's concussion code of conduct within 12 months before registration.

Likewise, a coach, team trainer, or official will not be permitted to serve in these positions with a sport organization unless they have confirmed their annual review of the concussion awareness resources and, if applicable, the concussion code of conduct, at the necessary time.

Phase 2, which includes the requirement for sport organizations to establish removal-from-sport and return-to-sport protocols for their athletes will come into force on July 1, 2020.

The [legislation](#) and its associated [regulation](#) (O. Reg. 161/19) are available on [e-laws](#). It is recommended that sport organizations refer to both for a comprehensive list of obligations and exemptions under the Act.

The Ministry of Heritage, Sport, Tourism and Culture Industries will be hosting information webinar sessions in the coming months to support further sector implementation of the Act.

Please note that as we continue to move forward with implementing *Rowan's Law*, the government is also monitoring how implementation is going across Ontario. We welcome your feedback.

## Requirements at a Glance

As of July 1, 2019, sport organizations are required to comply with the following provisions of the Act:

### Concussion Awareness Resources

This means:

- Sport organizations are required to receive confirmation of review of the concussion awareness resources within the past 12 months by their athletes, parents/guardians (if the athlete is under 18 years of age), coaches, team trainers and officials before registering or serving with the sport organization and on an annual basis thereafter.
- Where registration is not annual, confirmation of the concussion awareness resources must be received annually on or before the anniversary date of the individual's most recent registration.

#### RESOURCES:

The government approved concussion awareness resources are currently available in an e-Booklet format, for three different age groups, in 14 languages and can be found at the link above (or at: [www.ontario.ca/concussions](http://www.ontario.ca/concussions)).

Additional formats, including videos and an interactive e-Module will be available in the coming months.

### Concussion Codes of Conduct

This means:

- Sport organizations are required to establish a concussion code of conduct which provides for “commitments and acknowledgements” that have to be made by various persons. The concussion code of conduct must include, at a minimum, the requirements that are set out in the regulation.
- Sport organizations must ensure that every individual listed in the regulation, make the commitment or give the acknowledgement set out in the regulation.
- Sport organizations are required to review their concussion codes of conduct at least annually and update them to ensure they continue to meet the minimum content requirements outlined in the regulation.
- Sport organizations are required to receive confirmation of review of the concussion code of conduct in the past 12 months from
  - their athletes, parents/guardians (if the athlete is under 18 years of age) before registration, and on an annual basis thereafter
  - coaches and team trainers every calendar year before first serving with the sport organization in the year, and on an annual basis thereafter.
  - “Officials” are not required to confirm review of a sport organization’s Concussion Codes of Conduct
- Where registration is not annual, confirmation of the concussion code of conduct must be received annually on or before the anniversary date of the individual's most recent registration.

#### RESOURCES:

Sample templates for concussion codes of conduct are attached and are also available on the government’s concussion webpages at [www.ontario.ca/concussions](http://www.ontario.ca/concussions)

### Exceptions:

- Athletes, parent/guardians (if the athlete is under 18 years of age), coaches, team trainers and officials who are not ordinarily residents in Ontario would not have to confirm review of the concussion awareness resources when they register for an amateur sport competition organized by an Ontario sport organization.

**NOTE:** There is no age requirement for an athlete participating in competitive sport at the post-secondary institution level. All competitive athletes will be affected by these requirements if they participate in training, practice or competition in one of the 65 amateur competitive sports listed in the regulation under *Rowan’s Law*.

**On July 1, 2020, the final sections of Rowan’s Law related to establishing mandatory protocols for removal-from-sport and return-to-sport will come into force.**

- Effective July 1, 2020, a “sport organization” under the Act that carries out prescribed activities identified under the Act is required to establish removal-from-sport and return-to-sport protocols that include mandatory requirements which are outlined in the Act and the regulation.

#### RESOURCES/TOOLS/EDUCATION:

- Sample templates for removal-from-sport and return-to-sport protocols will be available in the coming months on the government’s webpages at: [www.ontario.ca/concussions](http://www.ontario.ca/concussions)

## Frequently Asked Questions

### Scope & Applicability of Rowan's Law

#### Sport Organizations

##### **(1) What is the definition of a sport organization?**

A sport organization is a person or entity that, for profit or otherwise, trains athletes, conducts practices among athletes, or organizes or holds one or more tournaments, contests, or other competitions among athletes, in connection with any of the 65 amateur competitive sports listed in the regulation or their parasport equivalent.

Sport organizations could include a:

- Municipality;
- Post-secondary institution, such as a university or college of applied arts;
- Community centre;
- Private sport club or gym; and/or
- Other person or entity.

A person or entity is only a sport organization for the purposes of the Act if it has at least one individual under 26 years old participating in the sport competitions/tournaments/contests, practices, or training. A post-secondary institution that trains athletes, conducts practices, or organizes or holds competitions/tournaments/contents in connection with any of the 65 listed amateur competitive sports, is always a sport organization for the purposes of the Act, regardless of the age of the participants.

A school or private school is not a sport organization for the purposes of the Act or regulation.

##### **(2) How do I know if my sport or sport organization is caught under the Law?**

In order for a person or entity to determine whether it is subject to the legislation, it should determine whether it carries out an activity or activities in connection with one of the 65 amateur competitive sports listed in the regulation or the parasport equivalent. If so, the sport organization would then need to determine if it carries out any of the following activities prescribed under the regulation:

- Training athletes; and/or
- Conducting practices among athletes; and/or
- Organizing or holding one or more tournaments, contests or other competitions among athletes;

and

- The activities are not excluded by regulation
- Has at least one individual under 26 years of age participating in the prescribed activities in connection with any one of the 65 prescribed amateur competitive sports. (Note that the age criteria does not apply to a University, College of Applied Arts and Technology or other Post-Secondary Institution, as these institutions must comply with the Act regardless of the age of the athletes).

Potential sport organizations could include: municipalities, universities, colleges of applied arts and technology and other post-secondary institutions, as well as other persons or entities, when any of these organizations/individuals carry out activities as noted above.

A sport organization is required to comply with the requirements that apply to a sport organization under the Act only in relation to its activities that meet the above requirements.

A list of 65 amateur competitive sports is included in the regulation; however, if your sport is not included, you may still choose to comply with the legislation voluntarily. For more information about *Rowan's Law* and concussion safety in sport, please visit [www.Ontario.ca/concussions](http://www.Ontario.ca/concussions).

### **(3) How does Rowan Law apply to individual clubs in a sports league?**

The legislation and regulation do not provide details on how a sport organization or local sports club would implement the requirements of *Rowan's Law* or arrangements that may be made between a league and its member clubs (from an administrative standpoint). A sport organization is best suited to determine how to meet the obligations under the Act based on its organizational structure.

The legislation and regulation do not provide details on how a sport organization or local sports club would implement the requirements of *Rowan's Law* or arrangements that may be made between a league and its member clubs (from an administrative standpoint). A sport organization is best suited to determine how to meet the obligations under the Act based on its organizational structure.

Sport organizations are encouraged to seek legal advice if they have questions about how to meet their obligations under *Rowan's Law*. It is up to all persons or entities to ensure that they comply with the applicable laws of Ontario. This includes seeking legal advice on how to ensure that the sport organization's policies comply with *Rowan's Law* requirements.

### **(4) Are privately run sport organizations (such as private gyms) required to comply with Rowan's Law?**

Under *Rowan's Law*, a sport organization may include a private or not-for-profit person or entity, provided that it carries out the following activities with athletes under 26 years of age in connection with any one of the 65 amateur competitive sports listed in the regulation:

- training athletes; and/or
- conducting practices among athletes; and/or
- organizing or holding one or more tournaments, contests or other competitions among athletes.

If a privately-owned sport organization falls within the above noted criteria and offers one of the sports listed in the regulation, and meets the other requirements, then the entity would be required to comply with the Act with respect to those activities. This includes the sections of the legislation and regulation that came into effect this past July 1, 2019 related to concussion awareness resources and concussion codes of conduct.

Starting July 1, 2020, sections of the legislation and regulation related to Removal-from-Sport and Return-to-Sport Protocols also will come into effect.

## (5) What requirements do municipalities have?

Municipalities that offer competitive sport programs/activities where athletes are training, practicing or where municipalities are organizing or holding one or more tournaments, contests or other competitions among athletes in one of the 65 listed amateur competitive sports under the regulation, and have at least one participant under 26 years of age, are required to comply with the requirements of *Rowan's Law* in relation to those activities which are not otherwise excluded.

If a municipality rents space out to a sport organization, it may want to ensure that sport facility rental agreements reflect the obligation to comply with all applicable laws of Ontario, including *Rowan's Law*. The organization handling the registration of athletes or the hiring of coaches and officials, would be required to comply with the requirements of the Act.

## Exclusions

### (6) Do “learn-to” or “drop-in” sport programs fall under the requirements of the Act?

Despite the requirements of *Rowan's Law*, there are exclusions provided for in the regulation and organizations should consider how these apply to the programs they offer. The following activities are **excluded** from the requirements under the Act:

- those which focus primarily on the development of fundamental movement or sport skills and that are not focused on competition or,
- those that meet all the following criteria:
  - Individuals of various skills, experience or who are of various ages ordinarily practise or play together;
  - The activity does not involve coaches or “officials”;
  - The composition of team members may change between games; and
  - The activity does not involve keeping track of an individual's or a team's standing between games or practices.

### (7) What is the definition of fundamental movement skills?

Rowan's Law and its associated regulation do not include any definition of fundamental movement skills.

The Canada Sport for Life Long-Term Athlete Development describes fundamental movement skills as the period when individuals develop the physical literacy, including overall movement skills development, the ABCs of athleticism: agility, balance, coordination and speed in multiple environments (indoor, outdoor, snow/ice, in/on water, and in the air), and the introduction of simple rules of fair play and ethics of sport.

**(8) Are sport organizations which offer recreational drop-in programs or offer lessons, but do not organize competitions, required to comply with Rowan's Law with respect to these activities?**

Despite the requirements of *Rowan's Law*, there are exclusions within the regulation and organizations should consider how these apply to the programs they offer. The regulation stipulates that sport organizations that offer:

- Activities focused primarily on the development of fundamental movement or sport skills and that are not focused on competition are exempt from the requirements under *Rowan's Law*; and,
- Activities that meet the following criteria are exempt from the requirements under *Rowan's Law*:
  - Individuals of various skills, experience or ages ordinarily practise or play together;
  - The activity does not involve coaches or officials;
  - The composition of team members may change between games; and (?)
  - The activity does not involve keeping track of an individual's or a team's standing between games or practices.

If these criteria apply to an activity offered by a sport organization, then the organization is not required to comply with the Act for that activity.

## Age

**(9) What ages of athletes will be affected under the Act?**

*Rowan's Law* affects amateur competitive athletes under 26 years of age. A sport organization with at least one athlete under 26 years of age participating in a non-excluded activity in one of the 65 amateur competitive sports listed in the regulation is required to comply with *Rowan's Law* for that activity.

There is no age requirement, however, for athletes participating in the 65 listed amateur competitive sports in University, College of Applied Arts and Technology, or other Post-Secondary Institutions. The Act will affect athletes of all ages participating in prescribed activities in a listed sport (subject to exclusions) at a post-secondary institution.

Nuances:

- sport organizations that are not universities, colleges of applied arts and technology and other post-secondary institutions are not required to receive confirmation of review of concussion awareness resources and the concussion code of conduct from athletes who are 26 years of age or older, even when they are registered in the same activities as those athletes under 26 years of age;
- sport organizations must meet removal and return-to-sport protocol requirements when they have registered at least one athlete under 26 years of age in an amateur competitive sport and activity covered by the Act. Protocols would then apply to all athletes (irrespective of age) registered in that activity, when this requirement comes into effect on July 1, 2020.

**(10) Some sport organizations offer programs for athletes as young as 3 or 4 years of age. Is the expectation that these very young athletes confirm their review of the concussion awareness resources and the sport organization's concussion code of conduct by signature, or can a parent sign on their behalf?**

The legislation and regulation do not prescribe a minimum age. The Act does not exempt children of any age from the requirement to provide confirmation (in writing or electronically) to their sport organization about their review of the concussion awareness resource and the concussion code of conduct. The legislation is intended to protect all competitive amateur athletes who are most vulnerable to concussions. Parents of athletes under 18 are required to confirm their review of the concussion awareness resources in addition to the young athlete themselves. Having reviewed the resources, the parent may assist their child in understanding them.

Despite the requirements of Rowan's Law, there are some exclusions within the regulation and organizations should consider how these apply to the programs they offer. The following activities are excluded from the requirements under the Act:

- those which focus primarily on the development of fundamental movement or sport skills and that are not focused on competition, or
- those that meet all the following criteria:
  - Individuals of various skills, experience or ages ordinarily practise or play together;
  - The activity does not involve coaches or officials;
  - The composition of team members may change between games; and
  - The activity does not involve keeping track of an individual's or team's standing between games or practices.

In the coming months, the Government's Concussion website will include additional age appropriate concussion awareness resources, including a video for children ages 10 and under, which will help younger athletes learn about concussion safety in sports.



## Amateur Competitive Sports Captured Under Rowan's Law

There are 65 amateur competitive sports (including the parasport version of the sport) covered by *Rowan's Law*. They include:

- ❖ Alpine Skiing
- ❖ Artistic Swimming
- ❖ Ball Hockey
- ❖ Baseball
- ❖ Basketball
- ❖ Biathlon
- ❖ BMX Freestyle
- ❖ Bobsleigh
- ❖ Boxing
- ❖ Broomball
- ❖ Canoe & Kayak
- ❖ Cheerleading
- ❖ Cricket
- ❖ Cross Country Skiing
- ❖ Curling
- ❖ Cycling
- ❖ Diving
- ❖ Equestrian
- ❖ Field Hockey
- ❖ Figure Skating
- ❖ Football
- ❖ Freestyle Skiing
- ❖ Goalball
- ❖ Grappling
- ❖ Gymnastics
- ❖ Handball
- ❖ Ice Hockey
- ❖ Jiu-Jitsu
- ❖ Judo
- ❖ Karate
- ❖ Kickboxing
- ❖ Lacrosse
- ❖ Luge
- ❖ Marathon Swimming
- ❖ Modern Pentathlon
- ❖ Muaythai
- ❖ Pankration
- ❖ Racquetball
- ❖ Ringette
- ❖ Rowing
- ❖ Rugby
- ❖ Sailing
- ❖ Skateboarding
- ❖ Skeleton
- ❖ Ski Jumping
- ❖ Snowboard
- ❖ Soccer
- ❖ Softball
- ❖ Special Olympic Floor Hockey
- ❖ Speedskating
- ❖ Sport Climbing
- ❖ Squash
- ❖ Surfing
- ❖ Swimming
- ❖ Taekwondo
- ❖ Track & Field
- ❖ Triathlon
- ❖ Ultimate
- ❖ Volleyball
- ❖ Water Polo
- ❖ Water Ski & Wakeboard
- ❖ Wheelchair Basketball
- ❖ Wheelchair Rugby
- ❖ Wrestling
- ❖ Wushu

## Concussion Awareness Resources & Concussion Codes of Conduct

### **(11) Do coaches, officials and team trainers have to review the Concussion Awareness Resources for all three age groups?**

Coaches, officials and team trainers should review the version of the concussion awareness resource in the format that is best suited to them. The Concussion Awareness Resource for *Ages 15 and Up* is geared to older athletes and may be most suitable for individuals who serve in a coaching or officiating capacity. Coaches, officials and team trainers are strongly encouraged to also ready any version of the concussion awareness resource for the age group they work with.

### **(12) Are referees required to review the Concussion Awareness Resources or a sport organization's Concussion Code of Conduct?**

The regulation requires that an official - such as an umpire, a referee or a judge - who presides over the field of play must, every year before the first time they serve in that position in the year, give the sport organization confirmation that they have reviewed the concussion awareness resources within the previous 12 months, and must provide the confirmation on an annual basis thereafter.

Officials, as noted above, are not required to confirm review of the sport organization's concussion code of conduct prior to serving in that position.

**(13) Will parents/guardians of officials or coaches under the age of 18 be required to review the Concussion Awareness Resources and the sport organization’s Concussion Code of Conduct?**

The legislation and regulation do not include a provision that requires the parents/guardians of officials or coaches under 18 years of age to review the concussion awareness resources and the sport organizations concussion code of conduct when their child is serving in those positions but is not participating as an athlete themselves.

However, if the same individual plans to register with a sport organization as an athlete - and they are under 18 years of age - then the parent/guardian of the athlete is required to confirm their review of the concussion awareness resources and the sport organization’s concussion code of conduct, with the sport organization.

**(14) Can my sport organization make changes to the Concussion Code of Conduct template?**

In order to meet the concussion code of conduct requirement under the Act and regulation, a sport organization may take any one of the following approaches provided that the minimum requirements set out in regulation are still included:

- adapt or adopt the sample templates provided on the government webpages
- modify an existing concussion code of conduct to ensure mandatory requirements are included
- adopt concussion codes of conduct of a higher governing body in their sport (i.e. National Sport Organization) if it complies with the requirements outlined in Rowan’s Law regulation.

## Confirmation of Review

**(15) Under Rowan’s Law, can sign off for confirmation of the Concussion Awareness Resources and the organization’s Concussion Code of Conduct be done electronically? Or does an organization require paper documentation?**

The confirmation of review for both the Concussion Awareness Resources and the sport organization’s Concussion Code of Conduct may be received in writing or electronically and at different times. However, if the athlete is under the age of 18, a parental/guardian confirmation is also required, and the sport organization must not register the athlete until confirmation of both are received.

Coaches, team trainers and officials must also confirm that they have reviewed the Concussion Awareness Resources and – where applicable – the sport organization’s Concussion Code of Conduct. This confirmation also may be received in writing or electronically.

**(16) Are sport organizations required to confirm review of the Concussion Awareness Resources and Concussion Code of Conduct before “registration” or before “participation”?**

The obligation in the Act and regulation is connected to registration, as sport organizations must not register an athlete before they receive confirmation of review of concussion awareness resources/concussion code of conduct from the athlete and the athlete’s parent (if the athlete is under 18 years of age).

The Act requires 2 confirmations: one from the athlete; and, one from the parent/guardian (if the athlete is under 18 years of age). The confirmation can be received at different times, but the sport organization must not register the athlete until both confirmations are received.

Coaches and team trainers and designated person(s) also must confirm review of both the concussion awareness resources and the sport organization’s concussion code of conduct prior to serving and on an annual basis thereafter. Coaches and team trainers must, every year before the first time they serve in that position in the year, give the sport organization confirmation that they have reviewed the concussion awareness resources and concussion code of conduct within the previous 12 months, and must provide the confirmation on an annual basis thereafter.

Officials are required to confirm review of the concussion awareness resources prior to serving with the sport organization and on an annual basis thereafter. The regulation requires that an official - such as an umpire, a referee or a judge - who presides over the field of play must, every year before the first time they serve in that position in the year, give the sport organization confirmation that they have reviewed the concussion awareness resources within the previous 12 months, and must provide the confirmation on an annual basis thereafter.

**(17) If an individual functions in two separate roles in the same sport organization (i.e. an athlete who also serves as an official/coach), does the organization have to confirm review of the concussion awareness resources or their code of conduct for both roles?**

Confirmation of review of the concussion awareness resource and the sport organization’s concussion code of conduct would be required for each role where applicable.

**(18) Can the parent/guardian of an athlete under the age of 18 register their child for a sport, without having the child present? Can the parent confirm the child’s review of the Concussion Awareness Resources and Concussion Code of Conduct on their behalf?**

Sport organizations must not register an athlete before they receive confirmation of review of the concussion awareness resources/concussion code of conduct from the athlete and the athlete’s parent (if the athlete is under 18 years of age).

The Act requires two confirmations: one from the athlete; and, one from the parent. The confirmation can be received at different times, but the sport organization must not register the athlete until both confirmations are received.

Rowan’s Law and its regulation have the flexibility to allow sport organizations to establish their own processes to comply with the requirements under the Act. Sport organizations are best placed to determine how to meet the needs of their individual organization based on their organizational structure.

**(19) Are sport organizations required to use the confirmation receipt that is on the government webpages for confirming an athlete's or parent's review of the Concussion Awareness Resources?**

No. Use of this confirmation receipt/template is optional and not mandatory.

The government developed a confirmation receipt/template to support the implementation of *Rowan's Law* for organizations or individuals to use to help track the confirmation of review of both the Concussion Awareness Resources and the Concussion Code of Conduct. The document is intended to be a sample template of how an organization may wish to track the required confirmations; however, sport organizations can use other mechanisms to receive confirmations – either written or electronically - depending on what best suits the needs of the organization.

The sample confirmation receipt could also simply be used for individuals to keep on hand, as a record of when they last reviewed the Concussion Awareness Resources or the sport organization's Concussion Code of Conduct.

**(20) If a sport club is affiliated with a Provincial Sport Organization (PSO), whose responsibility is it for collecting the athlete/parent/coach confirmations and establishing a removal-from-sport and return-to-sport protocol? Is it the responsibility of an individual club, or the PSO?**

There are no specific rules for PSOs. Every sport organization within the meaning of the Act must comply with the applicable requirements of the Act.

*Rowan's Law* and its regulation have the flexibility to allow sport organizations to establish their own processes to comply with the requirements under the Act. Subject to the requirements of the Act sport organizations are best suited to determine how best to implement the Act and the regulation within their organizational structure.

The rules requiring sport organizations to establish Removal-from-Sport and Return-to-Sport Protocols will take effect on July 1, 2020. As with review of the concussion awareness resources and concussion codes of conduct, it will be the responsibility of every sport organization to ensure they have the protocols in place and that they are implementing them. Sample templates for these two protocols will become available on the Government's Concussion webpages in the coming months.

**(21) Does a designated person(s) need to confirm review of the Concussion Awareness Resources before serving as a "designated person" under the removal-from-sport or the return-to-sport protocol?**

Yes. As of July 1, 2020, sport organizations will be obligated to receive the necessary confirmation from a designated person or persons before they are allowed to serve in that position. The regulation requires that a designated person, every year before the first time they serve in that position in the year, give the sport organization confirmation that they have reviewed the concussion awareness resources within the previous 12 months, and must provide the confirmation on an annual basis thereafter. Failure to do so would mean the designated person(s) cannot serve as a designated person under the protocols.

## Removal-from & Return-to-Sport Protocols

**[NOTE: These requirements do not come into effect until July 1, 2020, but that does not preclude sport organizations from implementing earlier if possible]**

**(22) What qualifications must an individual meet to be able to serve as a designated person when the Removal-from-Sport and the Return-to-Sport Protocols come into force?**

As of July 1, 2020, sport organizations will be obligated to receive confirmation from designated person(s) that they have reviewed the Concussion Awareness Resources within the previous 12 months, every calendar year before the first time they serve in that position in the year with the sport organization. Failure to do so would mean the designated person(s) cannot serve in that position. *Rowan's Law* and its regulation do not set out other qualifications for individuals who will be identified as designated person(s) under a sport organization's removal and return-to-sport protocol (which will come into effect on July 1, 2020).

**(23) What type of confirmation needs to be provided to the designated person to confirm that an athlete has been medically assessed by a physician or nurse practitioner, has not been diagnosed as having a concussion, and has been medically cleared to return to training, practice or competition pursuant to the return-to-sport protocol?**

A return-to-sport protocol required under subsection 4 (2) of the Act and 5(2)(i) of the regulation, must satisfy the following requirements in addition to those set out in those subsections:

1. The protocol may permit an athlete to return to training, practice or competition if the athlete or, if the athlete is under 18 years of age, the athlete's parent or guardian provides confirmation to the designated person that the athlete,
  - ii. has undergone a medical assessment by a physician or nurse practitioner and has not been diagnosed as having a concussion, and
  - iii. has been medically cleared to return to training, practice or competition by the physician or nurse practitioner.

The regulation does not specify the type of confirmation that needs to be provided by the athlete (or their parents if the individual is less than 18 years of age) to the designated person to confirm the athlete has not been diagnosed with a concussion or that they have been medically cleared to return. It is up to individual sport organizations to decide what type of confirmation they require from athletes (or parent/guardian if the athlete is under 18 years of age) during the return-to-sport process.

**(24) Can an organization use the return-to-sport strategy and templates developed by Parachute Canada?**

The ministry will be releasing sample removal and return-to-sport protocol templates on the government's webpages ([www.Ontario.ca/concussions](http://www.Ontario.ca/concussions)) in the coming months to support sport organizations with implementation of these sections of the Act and regulation by July 1, 2020. Parachute Canada was selected through a competitive open-bid to develop the official Government of Ontario concussion sample removal-from-sport protocol, and return-to-sport protocol templates that will be made available on the government's website.

If sport organizations choose to use templates made available on other organization websites, they are free to do so. However, it is up to the sport organization to ensure that they meet their obligations and the minimum requirements set out in *Rowan's Law* legislation and regulation, irrespective of the template they use.

**(25) Can a sport organization use their existing return-to-sport protocol if it is stronger than the requirements set out in the regulation?**

Yes. Sport organizations can use or adapt their existing removal and return-to-sport protocols. However, it is up to the sport organization to ensure they meet their obligations and the minimum requirements set out in *Rowan's Law* legislation and regulation, once these sections come into effect on July 1, 2020.

## Enforcement

**(26) How will the Ministry ensure sport organization compliance with Rowan's Law?**

This legislation is intended to promote culture change and make participation in amateur competitive sport safer. There are no enforcement or monitoring provisions in *Rowan's Law*.

It is up to everyone to ensure that they comply with the applicable laws of Ontario. If a person or entity does not comply with the laws of Ontario applicable to them, then the entity or individual assumes any risk associated with non-compliance.

**(27) What if a sport organization's policies conflict with Rowan's Law?**

It is up to all persons or entities to ensure that they comply with the applicable laws of Ontario. Sport organizations are encouraged to seek legal advice if they have questions about how to meet their obligations under the Act. This includes seeking legal advice on how to ensure that the sport organization's policies comply with RL requirements.

## Definitions

### **(28) What defines a team trainer?**

Under the regulation, a team trainer is an individual who is assigned by a sport organization to respond to athlete injuries.

### **(29) What is the definition of fundamental movement skills?**

Rowan's Law and its associated regulation do not include any definition of fundamental movement skills.

The Canada Sport for Life Long-Term Athlete Development describes fundamental movement skills as the period when individuals develop the physical literacy, including overall movement skills development, the ABCs of athleticism: agility, balance, coordination and speed in multiple environments (indoor, outdoor, snow/ice, in/on water, and in the air), and the introduction of simple rules of fair play and ethics of sport.

### **(30) What is the definition of a designated person?**

A designated person is an individual(s), selected by the sport organization, to have certain responsibilities within the organization's removal-from-sport protocols and return-to-sport protocols. A designated person may be a coach, team trainer, volunteer or anyone else carefully chosen by the sport organization to fulfil this role.

### **(31) What is the definition of a Coach under Rowan's Law?**

A coach includes any type of coach, including a head coach or assistant coach

### **(32) Who is considered an "official" under Rowan's Law?**

An official, such as an umpire, a referee or a judge, presides over the field of play.

### **(33) What is a Concussion Code of Conduct?**

A concussion code of conduct is a document that must be established by a sport organization which carries out prescribed activities and amateur competitive sports covered under *Rowan's Law*. A concussion code of conduct must satisfy the requirements set out the regulation made under *Rowan's Law*.