

**Understanding that, generally, Skill Development only programming is excluded from Rowan's Law. However, some clubs do include age and developmentally appropriate competition and racing in their SDP offerings. So our question is how would the inclusion of competition impact the implementation of Rowan's Law at the club level?**

If some of Cross Country Ski Ontario's skill development programs at the local club level include prescribed activities (training, practice or competition) then yes, you are required to comply with Rowan's Law.

However, the legislation and regulation do not provide details on how a sport organization or local sports club would implement the rules (from an administrative standpoint).

Administratively, a key starting point is knowing who oversees/manages the registration of athletes for these programs/activities and ensuring compliance with the Act as noted below. The sport organization registering the athletes/coaches will need to receive confirmation (for instances where programs/activities are captured under Rowan's Law) that:

- a) athletes under 26 years of age have confirmed (in writing or electronically) that they have reviewed one of the Concussion Awareness Resources and the sport organization's Concussion Code of Conduct before allowing them to register with the Cross Country Ski Ontario/local club delivering the activity. Where an athlete is under 18 years of age, Cross Country Ski Ontario will also need to receive confirmation from the athlete's parent/guardian that they too have reviewed the Concussion Awareness Resources and the sport organization's Concussion Code of Conduct. Both Concussion Awareness Resources and a sample Concussion Codes of Conduct are available on the Governments website at [www.ontario.ca/concussions](http://www.ontario.ca/concussions);
- b) their coaches and team trainers (if applicable) have confirmed (in writing or electronically) that they have reviewed one of the Concussion Awareness Resources available on the Governments website at [www.ontario.ca/concussions](http://www.ontario.ca/concussions) by August 31 prior to allowing them to serve with the organization; and
- c) their coaches and team trainers (if applicable) have confirmed (in writing or electronically) that they have reviewed the sport organization's Concussion Code of Conduct by August 31 prior to allowing them to serve with the organization.

With respect to the Concussion Codes of Conduct, individual sport clubs can adopt the Concussion Code of Conduct of an NSO, PSO, MSO or other higher body if it complies with all the requirements set on in the Rowan's Law regulation.

**The clubs are responsible for compliance for their club members/athletes - correct? As the PSO, we are responsible for ensuring the athletes who are in our programs are compliant – correct?**

In short, the answer to the question is yes. The obligation rests on the sport organization who registers athlete's, coaches, officials, and team trainers for practice, training or competition. According to the legislation, a sport organization must not register an individual unless the individual confirms that they have reviewed the concussion awareness resources and concussion code of conduct. Individual sport clubs can adopt the concussion code of conduct of an NSO, PSO, MSO or other higher body if it complies with all the requirements set out in the Rowan's Law regulation.

For example, a club may register an athlete for a program (and would be required to confirm review of the resources and codes of conduct). If a PSO is registering the same athlete separately for a competition, then they would also be required to confirm review of the resources and (if different), the codes of conduct. For practical purposes, the individual would only be required to review the resources once annually (and confirm this electronically or in writing), but there may be different points at which they would need to confirm or reconfirm their review (similar to if an individual was both an athlete and a coach in the same organization, they would legally have to confirm their review for both roles)

The legislation and regulation do not specify responsibility for whom must inform club level programming about the legislation. It is up to each PSO to determine how best to communicate the requirements of Rowan's Law to its local club level programs with which it has an affiliation.

**Are clubs required to include the Rowan's law concussion resources review for elementary/secondary students attending a one-day event (as opposed to being registered in a XCSO club programs) or would they fall under the rules for schools and be covered in that regard.**

As of July 1, 2019, "Sports organizations" as defined in Rowan's Law (Concussion Safety), 2018, S.O. 2018, c. 1 (the Act) are required to follow their obligations as set out in the Act and its regulation.

Cross-country skiing is an amateur competitive sport listed in the schedule to the regulation made under Rowan's Law. Therefore, if a group of students (from a publicly funded elementary school) participate in a one-day amateur competitive sporting event such as cross-country skiing before January 31, 2020, the sport organization will be required to receive confirmation from each student participating that he/she has reviewed the Concussion Awareness Resources and the sport organization's Concussion Code of Conduct.

Effective January 31, 2020, school boards in Ontario are required, pursuant to the updated Policy/Program Memorandum (PPM) No. 158: School Board Policies on Concussion, released on September 25, 2019, to have a policy on concussion safety for students that meets the

requirements outlined in the PPM. The updated PPM includes new requirements as of January 31, 2020, for students, and parents/guardians of students under 18, to provide confirmation of review of a concussion awareness resource and a concussion code of conduct prior to participating in board-sponsored **interschool sports**, which is consistent with Rowan's Law requirements for sport organizations.

"Sports organizations", as defined in the Act and school boards can work together to ensure student safety and streamline their respective processes to meet their requirements, such as the confirmation of review of a concussion awareness resource and a concussion code of conduct requirements for amateur competitive sports and school board-sponsored interschool sports, as long as they each comply with their own legal obligations.

**Please note that the information above is not legal advice. The information provided is for informational purposes only. Stakeholders should seek independent legal advice to understand their obligations.**