



2.1 (b) A coach or official shall remove a youth athlete from participating in any youth  
2.2 athletic activity when the youth athlete:

2.3 (1) exhibits signs, symptoms, or behaviors consistent with a concussion; or

2.4 (2) is suspected of sustaining a concussion.

2.5 (c) When a coach or official removes a youth athlete from participating in a youth  
2.6 athletic activity because of a concussion, the youth athlete may not again participate in the  
2.7 activity until the youth athlete:

2.8 (1) no longer exhibits signs, symptoms, or behaviors consistent with a concussion;  
2.9 and

2.10 (2) is evaluated by a provider trained and experienced in evaluating and managing  
2.11 concussions and the provider gives the youth athlete written permission to again  
2.12 participate in the activity.

2.13 (d) Failing to remove a youth athlete from an activity under this section does not  
2.14 violate section 604A.11, subdivision 2, clause (6), consistent with paragraph (e).

2.15 (e) This section does not create any additional liability for, or create any new cause  
2.16 of legal action against, a municipality, business, or nonprofit organization or any officer,  
2.17 employee, or volunteer of a municipality, business, or nonprofit organization.

2.18 (f) For the purposes of this section, a municipality means a home rule charter city, a  
2.19 statutory city or a town.

2.20 **EFFECTIVE DATE.** This section is effective beginning September 1, 2011.

2.21 **Sec. 2. [121A.323] CONCUSSION PROCEDURES.**

2.22 Subdivision 1. **Definitions.** (a) For purposes of this section and section 121A.045,  
2.23 the following terms have the meanings given them.

2.24 (b) "Concussion" means a complex pathophysiological process affecting the brain,  
2.25 induced by traumatic biokinetic forces caused by a direct blow to either the head, face, or  
2.26 neck, or elsewhere on the body with an impulsive force transmitted to the head that may  
2.27 involve the rapid onset of short-lived impairment of neurological function and clinical  
2.28 symptoms, loss of consciousness, or prolonged postconcussive symptoms.

2.29 (c) "Provider" means a health care provider who is:

2.30 (1) registered, licensed, certified, or otherwise statutorily authorized by the state to  
2.31 provide medical treatment;

2.32 (2) trained and experienced in evaluating and managing pediatric concussions; and

2.33 (3) practicing within the person's medical training and scope of practice.

2.34 (d) "Youth athlete" means a young person through age 18 who actively participates  
2.35 in an athletic activity, including a sport.

3.1 (e) "Youth athletic activity" means any sport or other athletic activity related to  
3.2 competition, practice, or training exercises which is intended for youth athletes and  
3.3 at which a coach or official is present in an official capacity as a coach or official. For  
3.4 purposes of school-sponsored sports under this section, youth athletic activities are  
3.5 extracurricular athletic activities.

3.6 Subd. 2. **School-sponsored sports.** (a) The appropriate sports governing body,  
3.7 including the high school league under chapter 128C, among other sports governing  
3.8 bodies, shall work with public and nonpublic school coaches, officials, and youth athletes  
3.9 and their parents or guardians to make information available about the nature and risks  
3.10 of concussions, including the effects of continuing to play after receiving a concussion.  
3.11 The information shall include protocols and content, consistent with current medical  
3.12 knowledge from the Centers for Disease Control and Prevention, related to:

3.13 (1) the nature and risks of concussions associated with athletic activity;

3.14 (2) the signs, symptoms, and behaviors consistent with a concussion;

3.15 (3) the need to alert appropriate medical professionals for urgent diagnosis and  
3.16 treatment when a youth athlete is suspected or observed to have received a concussion; and

3.17 (4) the need for a youth athlete who sustains a concussion to follow proper medical  
3.18 direction and protocols for treatment and returning to play.

3.19 A sports governing body that posts or provides appropriate links to the information  
3.20 indicated in this paragraph has complied with the requirements of this paragraph.

3.21 (b) Consistent with paragraph (a), the appropriate sports governing body shall  
3.22 provide access to the Concussion in Youth Sports online training program available on  
3.23 the Centers for Disease Control and Prevention Web site. Each school coach and official  
3.24 involved in youth athletic activities must receive initial online training and online training  
3.25 at least once every three school years thereafter.

3.26 (c) At the start of each school year, school officials shall make information available  
3.27 about the nature and risks of concussions to youth athletes and their parents or guardians.  
3.28 If a parent of a youth athlete must sign a consent form to allow the youth athlete to  
3.29 participate in a school-sponsored athletic activity, the form must include information  
3.30 about the nature and risk of concussions.

3.31 (d) A coach or official shall remove a youth athlete from participating in any youth  
3.32 athletic activity when the youth athlete:

3.33 (1) exhibits signs, symptoms, or behaviors consistent with a concussion; or

3.34 (2) is suspected of sustaining a concussion.

4.1 (e) When a coach or official removes a youth athlete from participating in a youth  
4.2 athletic activity because of a concussion, the youth athlete may not return to the activity  
4.3 until the youth athlete:

4.4 (1) no longer exhibits signs, symptoms, or behaviors consistent with a concussion;  
4.5 and

4.6 (2) is evaluated by a provider trained and experienced in evaluating and managing  
4.7 concussions and the provider gives the youth athlete written permission to again  
4.8 participate in the activity.

4.9 (f) Failing to remove a youth athlete from an activity as required under this section  
4.10 does not violate section 604A.11, subdivision 2, clause (6), consistent with paragraph (g).

4.11 (g) This section does not create any additional liability for, or create any new cause  
4.12 of legal action against, a school or school district or any officer, employee, or volunteer of  
4.13 a school or school district.

4.14 **EFFECTIVE DATE.** This section is effective for the 2011-2012 school year and  
4.15 later.

4.16 Sec. 3. Minnesota Statutes 2010, section 124D.10, subdivision 8, is amended to read:

4.17 Subd. 8. **Federal, state, and local requirements.** (a) A charter school shall meet all  
4.18 federal, state, and local health and safety requirements applicable to school districts.

4.19 (b) A school must comply with statewide accountability requirements governing  
4.20 standards and assessments in chapter 120B.

4.21 (c) A school authorized by a school board may be located in any district, unless the  
4.22 school board of the district of the proposed location disapproves by written resolution.

4.23 (d) A charter school must be nonsectarian in its programs, admission policies,  
4.24 employment practices, and all other operations. An authorizer may not authorize a charter  
4.25 school or program that is affiliated with a nonpublic sectarian school or a religious  
4.26 institution. A charter school student must be released for religious instruction, consistent  
4.27 with section 120A.22, subdivision 12, clause (3).

4.28 (e) Charter schools must not be used as a method of providing education or  
4.29 generating revenue for students who are being home-schooled.

4.30 (f) The primary focus of a charter school must be to provide a comprehensive  
4.31 program of instruction for at least one grade or age group from five through 18 years  
4.32 of age. Instruction may be provided to people younger than five years and older than  
4.33 18 years of age.

4.34 (g) A charter school may not charge tuition.

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5.1 (h) A charter school is subject to and must comply with chapter 363A and section  
5.2 121A.04.

5.3 (i) A charter school is subject to and must comply with the Pupil Fair Dismissal  
5.4 Act, sections 121A.40 to 121A.56, and the Minnesota Public School Fee Law, sections  
5.5 123B.34 to 123B.39.

5.6 (j) A charter school is subject to the same financial audits, audit procedures, and  
5.7 audit requirements as a district. Audits must be conducted in compliance with generally  
5.8 accepted governmental auditing standards, the federal Single Audit Act, if applicable,  
5.9 and section 6.65. A charter school is subject to and must comply with sections 15.054;  
5.10 118A.01; 118A.02; 118A.03; 118A.04; 118A.05; 118A.06; 471.38; 471.391; 471.392; and  
5.11 471.425. The audit must comply with the requirements of sections 123B.75 to 123B.83,  
5.12 except to the extent deviations are necessary because of the program at the school.  
5.13 Deviations must be approved by the commissioner and authorizer. The Department of  
5.14 Education, state auditor, legislative auditor, or authorizer may conduct financial, program,  
5.15 or compliance audits. A charter school determined to be in statutory operating debt under  
5.16 sections 123B.81 to 123B.83 must submit a plan under section 123B.81, subdivision 4.

5.17 (k) A charter school is a district for the purposes of tort liability under chapter 466.

5.18 (l) A charter school must comply with chapters 13 and 13D; and sections 120A.22,  
5.19 subdivision 7; 121A.75; and 260B.171, subdivisions 3 and 5.

5.20 (m) A charter school is subject to the Pledge of Allegiance requirement under  
5.21 section 121A.11, subdivision 3.

5.22 (n) A charter school offering online courses or programs must comply with section  
5.23 124D.095.

5.24 (o) A charter school and charter school board of directors are subject to chapter 181.

5.25 (p) A charter school must comply with section 120A.22, subdivision 7, governing  
5.26 the transfer of students' educational records and sections 138.163 and 138.17 governing  
5.27 the management of local records.

5.28 (q) A charter school that provides early childhood health and developmental  
5.29 screening must comply with sections 121A.16 to 121A.19.

5.30 (r) A charter school that provides school-sponsored youth athletic activities must  
5.31 comply with section 121A.323.

5.32 Sec. 4. Minnesota Statutes 2010, section 128C.02, is amended by adding a subdivision  
5.33 to read:

**S.F. No. 612, 2nd Engrossment - 87th Legislative Session (2011-2012) [S0612-2]**

6.1            Subd. 3b. Concussion awareness, safety, and protection. The league may adopt  
6.2            a concussion awareness, safety, and protection policy that exceeds the requirements of  
6.3            section 121A.323.

6.4            **EFFECTIVE DATE.** This section is effective for the 2011-2012 school year and  
6.5            later.