

Adopted July 28, 2007, Effective September 1, 2007



US YOUTH SOCCER/REGION II

RISK MANAGEMENT POLICY

I. APPLICATION PROCESS

US Youth Soccer's Region II will also be stated as 'Region II' throughout this document. Any coach, assistant coach, team trainer, team manager, or any other individual over the age of 18 seeking participation with Region II events who has direct or indirect contact or influence on a youth player shall be known collectively as "Adult Applicant" for the purposes of this policy. Any US Youth Soccer player registered for the current season with any State Association within Region II will be known as "Youth Player" or "Player" for the purposes of this Policy.

Every Adult Applicant is required by Region II to apply for Risk Management Clearance through their respective home State Association OR by completing a Region II's Risk Management Application prior to participation in any Region II events.

Region II State Associations will conduct criminal history background checks on every Risk Management Applicant who has a driver's license or state identification card issued by the state the Applicant currently resides in. Criminal history background checks are performed on every Risk Management Applicant who wishes to recertify because their current Risk Management Clearance is expired, lost, damaged, or reflects inaccurate information.

For Adult Applicants seeking Risk Management Clearance directly from Region II, a national criminal history background check will be performed on any Risk Management Applicant. Adult Applicants using the Region II system, are responsible for a nominal fee made payable to 'Region II' for the cost of running this type of background check.

II. RISK MANAGEMENT DISQUALIFICATION CRITERIA

The Region II Risk Management (RM) Committee will make all initial decisions pertaining to an individual's eligibility to participate in Region II events. The Region II RM Committee has the authority to immediately disqualify an individual based on the results of any criminal history background check(s). The Region II RM Committee also has the authority to attain more information on questionable or serious offenses & convictions based on the results of any criminal history background check(s).

The Region II RM Committee consists of:

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Region II RM Chairman
Deputy Director (East)
Deputy Director (West)

Region II, with approval from the Region II State Association Presidents, reserve the right to modify or change the make up of the Region II RM Committee with or without notice and for any reason it deems appropriate and/or sees fit.

Upon reviewing the results of the background checks conducted, the following convictions or behaviors (in whole or in part) or other substantially similar convictions, (as deemed by the Region II RM Committee) may cause the Risk Management Applicant to be immediately disqualified from participation with Region II and all US Youth Soccer related activities and events and will cause the Risk Management Applicant to be contacted about their criminal history by legal counsel on behalf of Region II.

Sexual Assault
Sexual Harassment
Sexual Battery
Assault
Felonious Assault
Aggravated Assault
Rape
Kidnapping
Gross Sexual Imposition
Sexual Imposition
Importuning
Felonious sexual penetration
Aggravated Robbery
Robbery
Aggravated Burglary
Burglary
Battery
Indecent Exposure
Domestic Violence
Spousal Abuse
Drug Manufacturing
Drug Distribution (Trafficking in drugs)
Funding of Drug or marijuana trafficking
Drug Abuse
Possession of Drugs
Corrupting another with drugs
Illegal administration or distribution of anabolic steroids
Abduction
Child stealing
Child Abuse
Child Endangerment
Child Enticement
Contributing to the delinquency of a minor

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Corruption of a minor
Controlled Substance Crimes against a Minor Victim
Disseminating matter harmful to a juvenile
Pandering sexually oriented matter involving a minor
Illegal use of minor in nudity oriented material or performance
Inappropriate conversation, communication, or email contact with minors
Custodial interference (interference with custody)
Promoting prostitution
Compelling prostitution
Prostitution: after HIV test
Kidnapping
Violation of a Restraining Order
Failing to provide for functionally impaired person
Patient abuse/neglect
Aggravated menacing
Carrying a concealed weapon
Having a weapon while under a disability
Improperly discharging a weapon at or near a school or dwelling
Placing harmful objects in food or confection
Aggravated Murder
Attempted Murder
Murder
Manslaughter
Voluntary manslaughter
Involuntary manslaughter
Voyeurism

Region II, the Region II RM Committee and Region II Legal Counsel reserves the right, at any time, to add additional offenses, behaviors and/or convictions to the list as outlined above, with or without notice.

The Region II RM Committee analyzes behaviors and/or convictions produced from criminal history background check(s) with an incident date between the application date and ten (10) years previous from the application date. The Region II RM Committee also reserves the right to review and analyze incidents that date back farther than ten (10) years if it is deemed that a person's criminal history beyond ten (10) years possesses a serious threat to the well being and safety of children.

The Region II RM Committee also reserves the right to perform criminal history background check(s) at random time periods on any Adult Member who previously applied for Risk Management and who may or may not have a criminal history.

III. DISQUALIFICATION PROCEDURE

The Region II Administrator will send written notification to every Adult Applicant who has been disqualified or if more info is needed from the applicant by the Region II RM Committee with instructions on how to appeal the decision made by the Region II RM Committee. The disqualification remains in effect up to the time an appeal is heard by the

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Region II Director or their Designee. The disqualified individual has ten (10) days from the receipt of the notice of disqualification to submit an appeal in writing to the Region II Administrator. If written notification from the disqualified Adult Member is not received by Region II Administrator within ten (10) days, then the disqualification will be final and the Adult Applicant will lose all rights to appeal the decision and forfeits their eligibility to participate in Region II events and US Youth Soccer.

The Region II Administrator will send written notification to every Adult Applicant who is asked to provide more information by the Region II RM Committee pertaining to offenses and/or convictions found as a result of criminal history background check(s). If the Adult Applicant fails to respond within ten (10) days of the receipt of the written notification for more information then the Region II RM Committee is within its right to disqualify the individual from participation with Region II and US Youth Soccer indefinitely or disqualify the individual from participation with the Region II and US Youth Soccer until the individual responds. The Region II RM Committee can still disqualify the individual after contact was made based on the information reported. The decision will be final and the Adult Applicant will lose all rights to appeal the decision and forfeits their eligibility to participate in Region II and US Youth Soccer.

IV. APPEAL PROCESS

Any Adult Applicant who has been disqualified from participation with Region II has the right to appeal the initial decision made by the Region II RM Committee if the Adult Applicant believes the decision was made in error or if they believe the Region II RM Committee was missing pertinent information or materials at the time their decision was reached. Once written notification of the disqualification is received by the individual, that individual must submit a written notice of appeal to the Region II Administrator addressed and sent directly to the Region II Office. If the written notice of appeal is not received by the Region II Office within seven (7) days, the individual forfeits their current ability for an appeal as well as any time in the future.

The appeal will occur at a time and place as determined by the Region II Director or their Designee. The decision made by the Region II RM Committee is final and will take effect immediately following the notification by the Region II Administrator.

V. OTHER:

- Changes to this Policy may be made by the Region II State Association Presidents with or without notice and at any time.
- Risk Management Disqualifications may not be appealed to the United States Soccer Federation or to US Youth Soccer. The United States Soccer Federation and US Youth Soccer defer risk management programs and decisions on risk management eligibility to the State Associations. (E.g., USSF Bylaw 213, USYS Bylaw 214.)
- US Youth Soccer Bylaw 252. SUSPENSION BECAUSE OF LITIGATION:

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Section 1. Any person participating in a USYSA program, or in a program of a State Association or a program of a member of a State Association, who becomes a defendant in litigation detrimental to the welfare of youth players or litigation based on activities detrimental to the welfare of youth players, shall be suspended from all soccer-related activities. Suspensions under this bylaw shall be determined by the appropriate State Association or the Board of Directors. Matters detrimental to the welfare of youth players shall include crimes of moral turpitude and felonies. The person has a right to appeal the suspension only over whether the matter which is the substance of the accusation, if true, is detrimental to the welfare of youth players.

Section 2. On completion of the litigation, the suspended person may inform the body suspending the person under section 1 of this bylaw that the litigation has been completed and request that the suspension be terminated and the person reinstated. The suspending body may grant the request of the person or, if the decision of the litigation was adverse to the person, may continue the suspension for a period specified by the suspending body, fine the person, terminate all membership of that person with the suspending body and its members, or any combination of those authorized penalties.