

NORTH DAKOTA SOCCER ASSOCIATION

RISK MANAGEMENT ADULT/PLAYER PROTECTION PROGRAM

August 2000

Purpose:

To protect and provide a safe and healthful environment to the players participating in NDSA's sanctioned Affiliate Members, programs, and tournaments.

Background:

As awareness increases about the risks associated with individuals working with children who abuse their authority by committing sexual, physical, mental and emotional abuse, there is a need to provide a means of protection. In August 1994, the United States Youth Soccer Association (USYSA) approved the KidSafe Program and placed it into effect immediately. As a part of this program, the USYSA charged each state organization with the responsibility of developing a written program outlining safety guidelines and procedures.

Position Statement:

NDSA and its Affiliate Members shall not knowingly permit any person convicted of a crime against persons, a crime of violence, or the sale of illegal substances within the last 15 years to become or remain in any volunteer position for the organization. If background checks reveal convictions of any crimes within the past 15 years from the date of application, the person's application shall be rejected or s/he will be dismissed from any position s/he holds in the organization. Any convictions occurring more than 15 years ago may be considered by the Risk Manager in the determining of the applicant's suitability for the position, but will not automatically disqualify the application. (See NDSA Player Protection Policies)

Applicability:

The policy applies to any of the following that have regular contact with those defined as "Players," as stated in the Player/Adult Protection Guidelines (included in this document):

- A. Coaches, assistant coaches and coaching-related positions
- B. Trainers
- C. Team Managers/Responsible Adults affiliated with the team
- D. Board of Directors or managers of all Affiliate Members, leagues and organizations associated with NDSA, including those serving on the NDSA Executive Board and Operating Committee Members
- E. All employees of NDSA
- F. All independent contractors who enter into contracts with NDSA, if they have contact with those identified as "Players" Responsibilities:

Note: The NDSA Board of Directors has identified the State Coach as the Statewide Risk Manager to assist and advise Affiliate Members in this endeavor.

1. Affiliate Member Board of Directors or Presidents will:

Designate a local Risk Manager and alternate to serve as the liaison to the NDSA State Risk Manager (SRM).

Ensure that all affected volunteers comply with this policy.

Ensure complaints of abuse are investigated and reported to the NDSA-SRM.

1. Affiliate Member Club Risk Managers will:

- a) Serve as liaison to the NDSA-SRM.
- b) Distribute and collect Disclosure Statements completed by those positions as defined.
- c) Forward all Disclosure Statements to the State Risk Manager for potential background checks and administration of any necessary discipline.
- d) Receive and forward to the SRM, complaints of violations of the guidelines and policies, including complaints of physical or sexual abuse of a player. Complaints of such abuse should be reported immediately to the local law enforcement authorities.
- e) Advise the local Board of Directors on modifications, additions and enforcement of guidelines and policies.

2. State Risk Manager will:

- a) Ensure that all Affiliate Members comply with the guidelines and policies.
- b) Serve as liaison to the Affiliate Member Risk Managers and will be responsible for sharing information, publications, materials and ideas to better prepare Affiliate Member RM's for this duty. In addition, the State Risk Manager shall conduct training for Affiliate Member Risk Managers on how to handle complaints and determine appropriate discipline for guideline violations.
- c) Contract with a reliable agency to perform background checks on persons designated by these policies.

Determine if a person should be excluded from participation or involvement in NDYSA programs, based on the information received through the disclosure statements or background checks.

Notify applicants or existing members in writing by certified mail of their rejection or expulsion. Notify the State Coaching Director and the NDSA Board of Directors of the unacceptability of an applicant or member.

- f) Receive and investigate (from the affiliate member's Risk Manager) and complaints of violations of the guidelines and policies, except complaints of physical or sexual abuse of a player. Complaints of such abuse should be reported immediately to the local enforcement authorities.
- g) Compile a written report of each non-abuse violation investigated, including steps taken, persons spoken to, and findings regarding the allegation.
- h) Upon investigation, impose discipline on persons found to have violated the guidelines and policies.
- i) Notify the complainant and the accused of the findings regarding alleged violations and discipline imposed.
- j) Provide information regarding the right to appeal with the notification of findings.
- k) If decision is appealed, submit written report to Appeals

- Committee and appear at hearing.
- l) Advise the affiliate Board of Directors on modifications, additions and enforcement of guidelines and policies.
 - m) Collect disclosure statements and have background checks performed insofar as the State staff, Board Members, volunteers for State tournaments or other persons involved with State-run events are concerned.
 - n) Periodically review and update this policy as needed.
 - o) Receive copies of all written reports of Affiliate Member Risk Managers regarding alleged player physical or sexual abuse and harassment. The State Risk Manager shall maintain confidential files of all abuse and harassment reports made against persons involved with the sport. Copies received shall be forwarded as required by USYSA.
 - p) Upon request by an Affiliate Member Risk Manager, or in the event a complaint is made against a Risk Manager or a member of his/her immediate family, investigate the complaint, make findings and determine the appropriate discipline, if necessary.

General Procedures:

1. A per player/coach fee will be collected to cover the expense of an external vendor or additional staff person performing the background checks.
2. Informational gathering:
 - A. Disclosure forms will be distributed annually and as needed.
 - B. Volunteers/Staff must complete a disclosure form upon initial appointment and every two years thereafter.
 - C. Background checks will be conducted under the auspices of the State Risk Manager.
 - D. All information provided to the Affiliate Member and forwarded to the State Risk Manager is to be held in strictest confidentiality.
3. Notification:
 - A. All notification must be conducted in writing and delivered by certified mail. If the State Risk Manager determines that a person should be excluded from participation in NDSA programs, a request for their resignation (within ten days of receipt of the letter) shall be included.
 - B. Both complainant and accused must be notified of any findings.
 - C. Information regarding the appeals process must be made available, in writing, at the time of notification of decision.
4. Appeals Process:
 - A. Either party in a complaint may appeal the decision rendered by the State Risk Manager.
 - B. Appeals will follow the NDSA/USYSA guidelines. Please refer to the USYSA Administrative Rulebook for appeals procedures.
5. Failure to Comply:

- A. If an Affiliate Member does not identify a Risk Manager, the roles and responsibilities of that position will fall to the President or Executive Officer.
- B. If an Affiliate Member allows a person to continue to participate after information indicates that individual should be excluded, that Affiliate Member will be in violation of the stated policies and guidelines and liable to disciplinary action from NDYSA. The penalties for failing to comply are as follows:
 - 1. First Violation – The Affiliate Member may be assessed up to a \$500 penalty.
 - 2. Second Violation – The Affiliate Member may be assessed up to a \$500 penalty and the Affiliate Member and its teams will not be allowed to compete in or host any NDYSA sponsored events or tournaments.
 - 3. Third Violation – The Affiliate Member may have its NDSA affiliation revoked for up to two years.
- C. If an applicant or existing volunteer refuses to provide information for a Disclosure Statement, they will automatically be excluded from further participation in the organization.

PLAYER PROTECTION POLICIES

NDSA has adopted the following Player Protection policies:

- 1. The Affiliate Member shall distribute to all members of the organization copies of the Player/Adult Safety Guidelines.
- 2. All applicants for positions as coaches, assistant coaches, athletic trainers, team managers/responsible adults, and Board Members shall return a completed Disclosure Statement to the Affiliate Member's Risk Manager prior to beginning their work with the organization's youth. The Risk Manager shall also have Informed Consent/Disclosure Statements signed by any other volunteer s/he deems necessary due to the volunteer's access to the youth of the organization.
- 3. The Affiliate Member will forward the Informed Consent/Disclosure Statements to the State Risk Manager to have background checks performed on 10% of all applicants for positions as coaches, assistant coaches, athletic trainers and board members. Background checks will not be repeated on an applicant more than once every four years. Background checks on volunteers not holding the positions specified above will be discretionary, not mandatory.
- 4. NDSA and its Affiliate Members shall not knowingly permit any person convicted of a crime against persons, a crime of violence, or the sale of illegal substances within the last 15 years to become or remain in any volunteer position for the organization. If background checks reveal convictions of any crimes within the past 15 years from the date of application, the person's application shall be rejected or s/he will be dismissed from any position s/he holds in the organization. Any convictions occurring more than

15 years ago may be considered by the State Risk Manager in the determining of the applicant's suitability for the position, but will not automatically disqualify the applicant.

5. The Affiliate Member shall appoint a local Risk Manager to distribute and collect the Informed Consent/Disclosure Statements and to act as a liaison between the Affiliate Member and the State Risk Manager.
6. The Affiliate Member, and/or NDSA, shall discipline persons found to have violated its Guidelines and Policies.
7. The State Risk Manager shall share information found in performing background checks with the Affiliate Member Risk Manager.
8. In the event the Affiliate Member receives a complaint of physical or sexual abuse of a player, the Risk Manager shall report the abuse to the local law enforcement authorities.
9. After a physical or sexual abuse complaint has been formally lodged with the local law enforcement authority, the Risk Manager shall inform the alleged offender, in writing, by registered mail, that s/he is suspended immediately from all activities within the organization until the complaint is dismissed.
10. If any complaint is filed with NDSA regarding a violation of Player/Adult Protection Guidelines or the organization's Harassment Policies, other than physical or sexual abuse, the State Risk Manager shall speak to all parties involved, make a written report of the complaint and his/her findings, and shall make a decision regarding discipline (if appropriate). If either party, the complainant or the accused, wishes to appeal the decision or discipline rendered by the State Risk Manager, they may do so to the NDSA Appeals Committee.
11. The Appeals committee shall hear the complaint in person or in writing. After hearing the complaint and any response, and reviewing the report of the State Risk Manager, the committee shall make its findings and determination.
12. The affiliate Member shall send copies of such reports regarding alleged physical or sexual abuse of a player to the State Risk Manager. The State Risk Manager shall maintain confidential files of all abuse complaints made against persons involved in the organization.

PLAYER/ADULT PROTECTION GUIDELINES

DEFINITIONS

For the purpose of this document, we will define **ADULT** as those persons in their roles as coach, assistant coach, board member, team manager or volunteer who works with, for or around **PLAYERS**. This would include anyone older than the age group they are interacting with; for example, a 15-year old assistant coach of a U-11 team would be considered an **ADULT** for the purposes of these guidelines.

PLAYER defines all persons who are members of or play on a soccer team. This definition does include those **PLAYERS** who participate at the U-19 level, even though they may be of legal age.

In the example of the 15-year old assistant coach: if s/he is also a rostered participant on a U-16 or higher team, that person is also subject to the guidelines applicable to a **PLAYER**.

GUIDELINES

These guidelines recognize that the lines of authority and separation between adults and players must be recognized and respected. Generally, players are children and as such, deserve special protection. These guidelines provide that protection while setting levels of acceptable conduct for adults.

Physical Contact

- A. **ADULTS** must be aware that any physical contact with **PLAYERS** can be misinterpreted. Physical contact should be limited to that necessary and appropriate to teach a skill, treat an injury, or console or congratulate a **PLAYER**. In the instance of teaching a skill, minimal contact should be involved and none which places the **ADULT** in a position of power and/or intimidation; for example, taking a **PLAYER** by the shoulders and physically moving them to another field or body position.
- B. Sexual contact of any kind or type is prohibited between **ADULTS** and **PLAYERS**, whether or not contact is consensual. [The exemption to this guideline would be in the event of player/coach spouses or legally-declared domestic partners.]

Social Contact

- A. **ADULTS** should not socialize or spend time alone with **PLAYERS** except at games, practices or team functions. An **ADULT** in a one-on-one situation with a **PLAYER** is generally inappropriate.
 - 1. **ADULTS** should avoid instances such as driving alone with a non -family **PLAYER**. However, in the event that a **PLAYER** remains on a field waiting for transportation, the **ADULT** should wait with the **PLAYER on the field** to guarantee the **PLAYER'S** safety and well being. (**ADULTS** should stress with their **PLAYERS'** parents the responsibility for safe and timely transportation to and from the field.)
 - 2. During out-of-town tournaments, a non-parent/custodian **ADULT** shall not share any sleeping arrangements with a **PLAYER** or **PLAYERS**.
 - 3. **ADULTS** should respect the privacy of **PLAYERS**. If shower or changing room facilities are available, schedules should be arranged so that **ADULTS** and **PLAYERS** have separate use. If using a changing room, **ADULTS** should provide privacy for **PLAYERS** to make necessary preparations before entering for pre/post-game discussions. In additions, **ADULTS** should not allow others to enter except by the expressed wish of

the **PLAYERS** still present.

Health and Well-being

- A. **ADULTS** share the responsibility for the **PLAYERS'** health while at practices, scrimmages and games. **ADULTS** should have **PLAYERS'** release forms and medical kits with them at all times. **ADULTS** are also responsible for seeing that the field conditions are safe for the **PLAYERS** and that the field equipment is in good, safe condition prior to the start of any activity.
- B. Head injuries resulting in disorientation should result in a **PLAYER** remaining out of the game.
- C. **ADULTS** transporting **PLAYERS** must model safe driving techniques and enforce seat belt use with **PLAYERS** and other vehicle occupants.
- D. **ADULTS** need to be aware of signs of neglect and abuse (physical, emotional or sexual) of the **PLAYERS**. Observations should be reported to the local law enforcement agency.

Language

- A. Offensive and insulting language by **ADULTS** or **PLAYERS** is unacceptable. **ADULTS** should model good communication skills.
- B. Language that is denigrating in nature, content or tone or refers to one's gender, race, national origin, disability, sexual orientation or religion is unacceptable.
- C. Inappropriate language targeting officials, opponents or spectators may be grounds for **PLAYER** penalties or **ADULTS'** removal from the game and/ or the premises.

VIOLATIONS

- A. Violations of these guidelines by **ADULTS** or **PLAYERS** will subject them to disciplinary actions, including but not limited to, warning, sanctions, suspensions or release by the Affiliate Member and/or NDSA.
- B. Appropriate legal authorities may be called upon based on the nature of the violation.
- C. Anyone witnessing a violation of these guidelines should report the violation to the State Risk Manager/President Elect of NDSA.