



## RISK MANAGEMENT POLICY

The Kentucky Youth Soccer Association will also be stated as 'KYSA' throughout this document. Any coach, assistant coach, team trainer, team manager, referee, League President, League Delegate, League official, League representative, Club President, Club Delegate, Club official, Club representative, KYSA administrator, KYSA Board of Directors member, contract labor employee, or any other individual over the age of 18 seeking affiliation with KYSA or KYSA affiliated leagues 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 KYSA player registered for the current season with an affiliated KYSA club will be known as "Youth Player" or "Player" for the purposes of this Policy.

## APPLICATION PROCESS

Every Adult Applicant is required by KYSA to apply for Risk Management (RM) qualification upon initial acceptance to a position with a renewal every two years. Referees utilize the Game Officials system to complete this requirement. All other Adult Applicants use the Stack Sports system or can mail a paper application to the KYSA State Office prior to being registered with KYSA or its affiliate clubs or leagues. Paper applications are available on the KYSA website or at the KYSA State Office. A nation-wide criminal history background check is performed bi-annually for every Risk Management Applicant. Each Risk Management Application is subject to a processing fee.

Note: All background checks MUST be performed through Game Officials or Stack Sports. KYSA cannot accept checks completed through other organizations.

## DISQUALIFICATION CRITERIA

The Risk Management (RM) Committee will make all decisions pertaining to an individual's eligibility to participate with KYSA. The Risk Management Committee has the authority to immediately disqualify an individual based on the results of any criminal history background check(s). The RM Committee also has the authority to obtain more information on questionable or serious offenses and convictions based on the results of any criminal history background check(s).

The RM Committee consists of:

- Executive Director,
- Risk Management Analyst,
- Kentucky State Referee Administrator or appointee,
- One additional member appointed by President
- KYSA President, ex-officio

KYSA reserves the right to modify or change the makeup of the RM Committee with or without notice and for any reason it deems appropriate and/or sees fit.

Upon reviewing the results of any background checks conducted, any felony conviction and/or a conviction of any crime listed below may cause the Risk Management Applicant to be immediately disqualified from participation with KYSA, all KYSA related activities and events, all KYSA affiliated league activities and events, and all US Youth Soccer related activities and events. KYSA reserves the right to contact the applicant regarding their criminal history in an attempt to gather more information.



## RISK MANAGEMENT POLICY

Information provided by the applicant is taken into consideration by the RM Committee in determining the eligibility of the applicant to participate with KYSA.

Offenses not listed here are still susceptible to Disqualification at the RM Committee's discretion.

### Automatic Disqualification

- Arson
- Assault - Felony
- Bribery - Felony
- Burglary
- Burning Personal Property to Defraud Insurer
- Carrying Concealed Deadly Weapon
- Criminal Abuse - Felony
- Criminal Mischief - Felony
- Criminal Trespass - Felony
- Custodial Interference
- Distribution of Obscene Material / Use of a Minor / Advertising / Promoting Sale
- Endangering Welfare of Minor or Incompetent Person
- Forgery - Felony
- Homicide
- Human Trafficking or Promotion
- Indecent Exposure
- Kidnapping
- Manslaughter
- Murder (cap)
- Possession / Receiving Stolen Property - Felony
- Possession / Trafficking in Controlled Substance
- Possession / Trafficking in Marijuana / Synthetic Drugs / Salvia - Felony
- Possession of Forged Instrument - Felony
- Prostitution or Promoting / Permitting / Loitering Prostitution
- Rape
- Receiving Sports Bribe
- Robbery
- Sexual Abuse
- Sexual Misconduct
- Sodomy
- Stalking - Felony
- Tampering with Rigging Sports Contest
- Terroristic Threatening - Felony
- Theft - Felony
- Unlawful Imprisonment - Felony
- Unlawful Possession of Weapon on School Property
- Unlawful Transaction with Minor
- Use / Promotion and Promotion of Sale / Possession / Distribution of Minor is Sexual Performance
- Use of Weapon of Mass Destruction
- Voyeurism
- Wanton Endangerment - Felony

### Requires Review

- Assault - Misdemeanor
- Bribery - Misdemeanor
- Criminal Abuse - Misdemeanor
- Criminal Coercion
- Criminal Mischief - Misdemeanor
- Criminal Trespass - Misdemeanor
- Disorderly Conduct
- Forgery - Misdemeanor
- Harassment / Harassing Communications
- Menacing
- Possession / Receiving Stolen Property - Misdemeanor
- Possession / Trafficking in Marijuana / Synthetic Drugs / Salvia - Misdemeanor
- Possession of Forged Instrument - Misdemeanor
- Stalking - Misdemeanor
- Terroristic Threatening - Misdemeanor



## RISK MANAGEMENT POLICY

- Theft - Misdemeanor
- Unlawful Imprisonment - Misdemeanor
- Wanton Endangerment - Misdemeanor

KYSA, the KYSA RM Committee and KYSA Legal Counsel have the right at any time to add additional offenses and convictions to the list as outlined above. KYSA reserves the right to disqualify an individual when presented with evidence of inappropriate communication or contact with children or other individuals even if not convicted or tried in a court of law. KYSA also reserves the right to disqualify an individual if viewed that the individual's behavior and/or conduct is detrimental to KYSA, the KYSA membership, or KYSA member leagues.

The RM Committee analyzes RM offenses 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 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 indicates a possible serious threat to the well being and safety of children.

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

## DISQUALIFICATION PROCEDURE

The KYSA RM Committee will send written notification to every Adult Applicant who has been disqualified by the RM Committee with instructions on how to appeal the decision made by the KYSA RM Committee. The disqualified individual has ten (10) calendar days from the receipt of the notice of disqualification to submit an appeal in writing to the KYSA State Office.

The KYSA RM Committee will send written notification to every Adult Applicant who is asked to provide more information by the RM Committee pertaining to offenses and/or convictions found as a result of criminal history background check(s). The KYSA RM Committee may request additional information if it becomes aware of information about an individual that could have a negative impact on KYSA. If the Adult Applicant fails to respond to the KYSA RM Committee within 10 calendar days of the receipt of the written notification for more information, the individual will be considered disqualified from participation with KYSA. A reversal of the disqualification will not be considered until the requested information is received from the applicant.

If an Adult Applicant has any pending charge in matters stated in this policy, the Risk Management Committee may disqualify the individual after a preliminary review. The individual will receive a letter of disqualification which will stand until a determination has been made by the appropriate legal court system and/or the KYSA RM committee determines that the matter has been resolved. After this determination is made, the individual has the right to appeal his/her disqualification within 30 calendar days. The individual forfeits all rights to appeal if a written request of appeal is not received by KYSA within the allotted time period.



## RISK MANAGEMENT POLICY

### APPEAL PROCESS

Any Adult Applicant who has been disqualified from participation with the KYSA has the right to appeal the initial decision made by the RM Committee. Once the written notification of the disqualification is received by the individual, that individual must submit a written notice of appeal to the Appeals Committee addressed to the KYSA State Office. The written notice of appeal must be received by the KYSA State Office within ten (10) calendar days from the receipt of the disqualification letter. In the event an Adult Applicant fails to appeal within the 10 calendar day period, the Adult Applicant may re-apply for risk management after one (1) full calendar year from the initial application date. To re-apply, the Adult Applicant must submit a letter to the KYSA Board of Directors seeking consideration of their request.

The appeal hearing date will be established at the discretion of the Appeals Committee. No members of the KYSA Board of Directors, except the KYSA President, who serves as an ex-officio member, will serve on the KYSA Risk Management Committee. A disqualified Adult Applicant may send materials to the KYSA State Office to be reviewed by the Appeals Committee prior to the hearing date. All materials must be received within twenty (20) calendar days from the receipt of the disqualification letter. The Appeals Committee's decision will be relayed in written form to the individual no later than 10 business days from the date of the hearing. The Appeals Committee may rule in the following ways:

- Reinstate the Adult Applicant\*
- Amend the initial decision reached by the KYSA Risk Management Committee\*
- Uphold the initial decision reached by the KYSA Risk Management Committee\*

\*The Appeals Committee determines the terms of reinstatements and the terms of disqualifications. Recognizing that State Associations can differ greatly, U.S. Soccer has allowed each State Association to establish its own criteria for prevention of abuse based upon applicable laws in each state, each State Association's insurance program, and what each State Association believes is best for its membership. The USSF Appeals Committee does not review risk management decisions by Organization Members. USSF Policy 601-10 sets out the procedures for recognition of risk management actions and does not provide for an appeal of this type of disqualification to the USSF Appeals Committee.

This section only applies to individuals disqualified as described in *DISQUALIFICATION PROCEDURE (a)*. (a) Normal appeals process applies as described above. The determination by the legal court system will not necessarily imply that the same decision will be reached by the Appeals Committee. Determinations by the court of 'Not Guilty', 'Dismissed', (or similar) will not automatically reinstate the individual for full participation within KYSA; an appeal hearing will still take place unless overruled by the KYSA Board of Directors.