

12.0 RISK MANAGEMENT PROGRAM

12.1 PURPOSE

To protect and provide a safe and healthful environment for children participating in OSYSA's sanctioned soccer clubs, associations, leagues, programs, and tournaments.

Ohio Revised Code 109.575 provides the minimum standard for volunteers having access to children. At the time of a person's initial application to an organization or entity to be a volunteer in a position in which the person on a regular basis will have unsupervised access to a child, the organization or entity shall inform the person that, at any time, the person might be required to provide a set of impressions of the person's fingerprints and a criminal records check might be conducted with respect to the person. Not later than thirty days after the effective date of this section, each organization or entity shall notify each current volunteer who is in a position in which the person on a regular basis has unsupervised access to a child that, at any time, the volunteer might be required to provide a set of impressions of the volunteer's fingerprints and a criminal records check might be conducted with respect to the volunteer.

Ohio South Youth Soccer Association not only supports the minimum standard required by the State of Ohio, but has gone beyond those standard requirements to provide for a safe environment for the participants in our sanctioned programs.

12.2 BACKGROUND

As our society's 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 of 1994 the United States Youth Soccer Association approved the Kidsafe Program and placed it into effect immediately. As a part of this program, each State organization is to develop a written program outlining safety guidelines and procedures.

12.3 APPLICABILITY

This program is applicable to all OSYSA Board members, as well as all directors of coaching, coaches, assistant coaches, trainers, adult referees who officiate youth games, and any other individual who is in a position in which the person on a regular basis has unsupervised access to a child participating in OSYSA sanctioned events, as identified by the President of each club, association, or league and verified by the OSYSA Board.

Each of the aforementioned individuals must apply to the OSYSA Risk Management Program and receive qualification from OSYSA before they may participate in any function with OSYSA, OSYSA member leagues and/or at any OSYSA sanctioned event. All coaches must be OSYSA Risk Management qualified within 30 days of becoming registered and receiving a coach's card. This does not apply to club linesmen or substitute coaches if they are in the presence of another adult.

The United States Soccer Federation has determined that each member association must comply with USSF organizational rules, however, each member, including OSYSA, has the right to establish their own membership requirements. In addition, the United States Federal court has ruled that a private non-profit educational organization, such as OSYSA, has the right to set eligibility requirements for their membership. Consistent with the above, OSYSA shall restrict its membership in accordance with this risk management program.

This Risk Management Program shall only be applicable to those individuals as defined in the first paragraph of this Section 12.3, who are either currently in a position as defined above or who have applied to be in a position as defined above. If after being notified that they are subject to disqualification, an individual for whom this Risk Management Program is applicable may withdraw their registration or application for registration for a position within OSYSA. Upon withdrawing their registration or application for registration, no further action shall be taken against said individual regarding this Risk Management Program, except that the organization for whom the individual was associated with shall be notified of the withdrawal of individual's registration for service within OSYSA.

12.4 RESPONSIBILITIES

12.4.1 Local Club/Association/League President will:

- a) designate a local Risk Management Coordinator (RMC) and an alternate to serve as a liaison to the OSYSA Risk Management Coordinator.
- b) ensure all affected individuals, as identified in Section 12.3, who are associated with their organization, comply with this program.
- c) ensure complaints of abuse are investigated and reported to the OSYSA RMC.
- d) ensure that the Club/Association/League complies with all provisions of this OSYSA Risk Management Program.

12.4.2 Local Risk Management Coordinator will:

- a) serve as a liaison to the OSYSA RMC.
- b) refer for investigation all complaints of abuse and report findings to their Club/Association President and to the OSYSA RMC, if action is needed.
- c) ensure that the Club/Association/League complies with all provisions of this OSYSA Risk Management Program.

12.4.3 OSYSA President and the OSYSA Board of Directors will:

- a) ensure that all OSYSA Clubs/Associations/Leagues comply with all provisions of this OSYSA Risk Management Program.
- b) appoint the OSYSA RMC and the alternate OSYSA RMC.

12.4.4 OSYSA Risk Management Coordinator will:

- a) ensure background checks are completed for all individuals to whom this Risk Management Program is applicable.
- c) periodically review and make recommendations to the OSYSA Board of Directors to update this program as needed.
- d) provide an executive summary, as needed, of the Risk Management Program at the OSYSA Annual General Meeting.
- e) ensure that the completed applications are kept on file for a minimum of three (3) years and a maximum of four (4) years. All matters involving a disqualification shall be kept on file for a minimum of twenty (20) years and a maximum of 99 years.
- f) distribute on a periodic basis appropriate educational material regarding the OSYSA Risk Management Program.
- g) be responsible for any media contacts involving the OSYSA Risk Management Program.

12.4.5 The State Youth Referee Administrator will oversee the registration of all adult referees who work within the territory of OSYSA in the OSYSA Risk Management program and shall:

- a) serve as a liaison to the OSYSA RMC for the referees.

- b) perform the functions as listed as the responsibilities of the Local RMC.

In addition, the State Youth Referee Administrator or his/her designee(s) shall ensure risk management applications are completed by all adult referees who are associated with youth soccer in compliance with the OSYSA risk management program.

12.4.6 The OSYSA Director of Coaching will:

- a) serve as a liaison to the OSYSA RMC for the ODP coaches and administrators.
b) perform the functions as listed as the responsibilities of the local RMC.

12.5 GENERAL PROCEDURES

12.5.1 All individuals identified in Section 12.3 must comply with the risk management program upon initial appointment and renewed as outlined in 12.5.2.1. The completion of the application shall be considered part of the appointment process. OSYSA member leagues may require volunteers or staff members in their own leagues to complete the application more frequently.

The OSYSA RMC shall be authorized to designate members of the OSYSA office staff to review each application for completeness and to report to the OSYSA RMC if an applicant has not completed the application or has indicated that they have been involved in a disqualifying event.

12.5.1.1 If the information on the RM application is incomplete, the individual submitting said application is disqualified from all OSYSA and any of its member's activities. This disqualification will be in effect until a properly completed RM application has been received and a background check on the individual has been completed.

If the information on the RM application has not been completed truthfully, either knowingly or not, the individual submitting said application is disqualified from all OSYSA and member activities for a period of not less than 1 year.

12.5.2 Persons holding the following positions within OSYSA shall complete an OSYSA Risk Management application upon their initial appointment to one or more of the following described positions and during July of each year:

- OSYSA Board Members,
- OSYSA Executive Director,
- OSYSA Director of Coaching,
- all State and local RMC's and their respective alternates,
- and all individuals who would travel outside the State of Ohio with OSYSA players as representatives of OSYSA, (i.e. coaches and administrators attending ODP Regional Camp).

12.5.2.1 All persons required to submit an OSYSA Risk Management application per section 12.3 shall submit an application upon initial registration with:

- any OSYSA Member League or Association
- any club or team participating in an OSYSA function
- the Ohio South State Referee Committee if they will be officiating youth games

Persons wishing to continue as a coach within an OSYSA competitive or recreational member league or association shall complete an OSYSA Risk Management application at not more than three year

intervals. The approval to participate shall expire on the 30th of June of the third year following their initial or subsequent submission of a Risk Management application.

Adult Referees registering as a USSF referee through the Ohio South State Referee Committee shall, if they will be officiating youth games, complete an OSYSA risk management application every three years as part of their registration or re-registration as a USSF referee. The approval granted to adult referees shall expire on December 31st following the three year submission of the application.

12.5.2.2 Background checks will be made on all of those individuals who have submitted an application.

12.5.3 All information provided to OSYSA on an application, complaint, investigation, or background check will be held in strict confidence. Persons who violate this confidence shall be removed from their position as either OSYSA RMC, local RMC, or their respective alternates. The information gathered as part of this program shall not be disseminated, for any purpose, except:

- a) pursuant to an order from a court of law.
- b) upon a specific written request from a public law enforcement agency.
- c) upon a specific written request from a youth sports organization.

12.5.4 Background checks may include one or more of the following; a statewide or multi-state arrest and/or criminal conviction record check; a sexual offender registry check in the county or state in which the individual resides, a check of a clerk of courts records and/or by using the services of a third party provider. In order that a background check be properly completed, all individuals who are covered under this program may be required to provide a set of impressions of their fingerprints.

12.5.5 An internet based process that would allow the application, qualification and disqualification of coaches, referees, administrators, and other covered persons, for the OSYSA Risk Management program shall serve as the primary means of application to the OSYSA Risk Management Program. The use of the internet based process for registering for the OSYSA Risk Management Program shall be voluntary. Individuals shall have the right to continue to use the paper application and envelope process as described above. Applicants desiring to use the paper application will be charged a \$10 fee per application beginning June 1st 2013 and will increase to \$20 beginning June 1st 2014 and thereafter. All coaching applicants using this method will not receive a coaching card from their respective OSYSA league unless and/or until the applicant receives a qualified risk management status from OSYSA.

12.5.5.1 OSYSA RM Applicants as well as OSYSA Leagues will also have the right to continue to use the electronic submission of fingerprints through the Ohio Attorney General's office of the Bureau of Criminal Identification and Investigation. Individuals desiring to use this option shall be responsible for paying the entire cost of the electronic submission of their fingerprints. When using this option, an individual shall not be required to provide his/her social security number to OSYSA. All OSYSA risk management applicants using this method will not receive a coaching card from their respective league unless and/or until the applicant receives a qualified risk management status from OSYSA. All other information required by the OSYSA RM program shall be submitted to OSYSA. (This includes a full spreadsheet or electronic data file of all OSYSA RM applicants from any OSYSA league utilizing this method. The spreadsheet or electronic data file must reflect the same data as required in the online submission process). When the individual submits his/her fingerprints, they shall direct that a copy of the results be sent directly to the OSYSA office at the following address:

Ohio South Youth Soccer Association
25 Whitney Drive, Suite 104
Milford, Ohio 45150

12.6 BACKGROUND CHECKS

12.6.1 When required by the OSYSA RM program or when otherwise prudent to do so in the best interest of the youth players and referees of OSYSA, the OSYSA RMC may conduct or cause to be conducted, background checks on those individuals as described in Section 12.3.

All costs of background checks will be paid by OSYSA.

The following types of background checks may be conducted as necessary to fulfill the requirements of the OSYSA RM program:

12.6.1.1 Check for criminal convictions

12.6.1.2 Check of sexual offender registries.

12.6.2 If while conducting a background check, information is obtained that an individual for whom this Risk Management program is applicable was convicted of a misdemeanor crime that would lead to their disqualification under this program and that conviction was subsequently expunged or sealed by a court of law, then for the purposes of this Risk Management Program, that conviction shall be considered as to have not occurred.

12.7 DISQUALIFICATIONS

12.7.1 In the event the RMC has a reasonable belief either through the results of a background check or otherwise, that an individual to whom this Risk Management Program is applicable is being investigated by or has been arrested, charged, plead no contest to and/or convicted of, by an appropriate legal authority of a crime including, without limitation, those listed in Section 12.7.2 below, then the RMC shall immediately issue a disqualification of said individual from service with or involvement in OSYSA as described below in Sections 12.7.1.1, 12.7.1.2 and 12.7.1.3.

The following types of disqualifications are applicable to those individuals for whom the OSYSA Risk Management program applies.

12.7.1.1 State mandated disqualifications are those disqualifications that are required of OSYSA pursuant to Ohio Revised Code 109.572, 109.574, 109.575 and 109.576. Those specific crimes are listed in Section 12.7.2.1.

12.7.1.2 Conditional disqualifications are those disqualifications that are for an individual who have been arrested for and/or charged with a crime in a court of law or who the RMC has a reasonable belief is being investigated by a law enforcement agency and that if found guilty of that crime would be cause for a state mandated disqualification. If the criminal charge is subsequently dropped or if the RMC has a reasonable belief that the investigation is closed or lacked merit, the conditional disqualification shall be promptly rescinded and the individual shall be allowed to return to service with OSYSA. In such situations, a decision by the RMC to not allow the individual to return to service may be appealed to the OSYSA Conduct Committee.

12.7.1.3 Supplemental disqualifications are those disqualifications that are for an individual who has been convicted of a crime other than a crime listed in Ohio Revised Code 109.572 but nevertheless was a crime that that is contrary to the effective and proper management of OSYSA. Those crimes are listed in Section 12.7.2.2.

12.7.1.3.1 In addition to, but not necessarily in conjunction with, any of the above listed causes for supplemental disqualification, a person may be disqualified pursuant to this section if by any act of omission or commission, a reasonable person would conclude, based upon available evidence, that serious physical and/or emotional harm was caused to any person which shocks the conscience of a reasonable, knowledgeable, and otherwise disinterested person. The supplemental disqualified individual or OSYSA shall have the right to appeal that disqualification to the conduct committee, and subsequently to the appeals committee, and ultimately to the Board of Directors. The appeals process applies as stated in Section 12.8, et seq.

12.7.1.4 - Any person who is disqualified under 12.7, et seq., shall not be eligible to participate in any Ohio South sanctioned event in any official capacity whatsoever, including, but not limited to, a coach, administrator, club representative, player, official, field marshal, or any other volunteer position. If any member of Ohio South knowingly allows any person disqualified under the Ohio South Risk Management program to be involved in any official capacity at any Ohio South sanctioned event shall be subject to discipline, up to and including disqualification.

12.7.2 The following list of specific crimes shall be grounds for disqualification under this Risk Management Program. Crimes may be added to or deleted from these lists only upon approval of the OSYSA Board of Directors.

12.7.2.1 A conviction for any of the following offenses shall be sufficient cause to permanently disqualify a person from service within OSYSA as a state mandated disqualification:

- aggravated murder,
- murder,
- voluntary manslaughter,
- involuntary manslaughter,
- felonious assault,
- aggravated assault,
- assault,
- failing to provide for functionally impaired person,
- aggravated menacing,
- patient abuse or neglect,
- kidnapping,
- abduction,
- criminal child enticement,
- rape,
- sexual battery,
- corruption of a minor,
- gross sexual imposition,
- importuning,
- voyeurism,
- public indecency,
- compelling prostitution,
- promoting prostitution,
- procuring prostitution,
- disseminating matter harmful to juveniles,
- pandering obscenity,

- pandering obscenity involving a minor,
- pandering sexually oriented matter involving a minor,
- illegal use of a minor in nudity-oriented material or performance,
- aggravated robbery,
- robbery,
- aggravated burglary,
- burglary,
- abortion without informed consent,
- endangering children,
- contributing to unruliness or delinquency,
- domestic violence,
- carrying concealed weapons,
- having weapons while under disability,
- improperly discharging firearms at or into habitation or school,
- corrupting another with drugs,
- trafficking offenses,
- illegal manufacturing of drugs or cultivation of marijuana,
- funding of drug or marijuana trafficking,
- illegal administration or distribution of anabolic steroids,
- adulteration of food, felonious sexual penetration,
- child stealing,
- drug possession offenses that are not minor offenses.

12.7.2.2 A conviction for any of the following offenses shall be sufficient cause to disqualify a person from service with OSYSA as a supplemental disqualification:

- theft of an amount that would constitute a felony
- embezzlement of an amount that would constitute a felony
- Felony Operating Vehicle under the Influence of alcohol or drugs – OVI
- Forgery that would constitute a felony

12.7.3 A conviction of a crime that occurred outside the State of Ohio, similar in nature to those crimes listed in Section 12.7.2, shall be considered as if the crime had occurred in Ohio under a comparable Ohio statute. In addition, a conviction of a crime pursuant to a federal statute, similar in nature to those crimes listed in Section 12.7.2, shall be considered as if the crime had occurred under a comparable Ohio statute.

12.7.4 Lesser included offenses of the crimes listed in 12.7.2 and 12.7.3 shall not be cause to disqualify an individual under this Risk Management Program.

12.7.5 Individuals who are listed on any sexual offender registry shall be permanently disqualified from service with OSYSA.

12.7.6 The OSYSA RMC shall notify any individual of a potential disqualification from service under this Risk Management program in writing via certified mail with a backup copy being also sent via U.S. Regular mail. Contained within the letter advising of the disqualification and/or through attachments to that letter, the RMC shall include the following:

- The reason for the potential disqualification.
- The manner by which the decision to potentially disqualify the individual can be appealed.

- Notice that if the individual does not contact the RMC to dispute the potential disqualification within 14 calendar days from the date of the notification letter was mailed, then pursuant to Section 12.7.8 the RMC shall contact the team, club, association, league or referee association that registered the individual and to advise that team, club, association league or referee association of the individual's disqualification.
- A complete copy of the OSYSA Bylaws that establishes the Risk Management Program.
- A copy of any report of a background check or other source of information upon which the potential disqualification is based.
- An Authorization to Communicate via E-mail application, as described in Section 12.8.1.10.
- List of rights under the Fair Credit Reporting Act
- Name and contact information for the company conducting the background check

In addition to sending all of the above described information to the individual via certified and regular mail, the RMC is also authorized to send the same information via electronic mail, if the electronic address of the individual who is disqualified is known to the RMC.

12.7.7 If after 14 calendar days following the mailing of the information described in 12.7.6 via certified mail, the individual does not contact the OSYSA RMC to dispute the potential disqualification then the OSYSA RMC shall notify the local President and the local RMC for the individual of the disqualification, in writing, by means of the following statement;

"Pursuant to the Ohio South Youth Soccer Association Risk Management Program, (name of individual) is disqualified from any and all service with your organization that would allow (name of individual) to have contact with OSYSA players or youth referees."

No other information shall be given to the local President or to the local RMC regarding the disqualification of the individual.

12.7.8 Should the individual notify the OSYSA RMC within the 14 calendar days as described in Section 12.7.7 that the potential disqualification is being disputed, the individual shall within those 14 calendar days provide adequate information to the sole satisfaction of the OSYSA RMC that there is no basis within this Risk Management Program to support the disqualification. If the individual does not provide the requisite information to the satisfaction of the OSYSA RMC within 10 business days of the date the notification was sent, the individual may be disqualified pursuant to this Risk Management Program.

12.8 APPEAL OF DISQUALIFICATION FROM SERVICE WITH OSYSA

12.8.1 Any individual who is disqualified from service under the OSYSA Risk Management program shall have the right to a hearing before the OSYSA Conduct Committee. Such a request must be submitted in writing and sent to the OSYSA Executive Director, via certified mail with a return receipt requested, within 14 calendar days of the date that the notification of disqualification was sent to the individual who was disqualified. When a request for a hearing is made, a hearing shall be held within 30 calendar days of the date the request was sent to the OSYSA Executive Director. The individual who was disqualified from service shall remain disqualified from service until such time as the appeal has been resolved in the favor of the disqualified individual.

12.8.1.1 If the disqualification is a state mandated disqualification and if the conviction was a felony, the OSYSA Conduct Committee in hearing the appeal of the disqualification pursuant to this OSYSA RM Program shall only consider whether or not the individual who was disqualified had in fact:

- been convicted of one or more of the crimes listed in Section 12.7.2.1, or
- been convicted of a crime outside the State of Ohio or of a federal crime that is similar to the crimes listed in Section 12.7.2, or
- is listed on any sexual offender registry, or
- provided information that was not truthful on his / her Risk Management application.

12.8.1.2 If the disqualification is a state mandated disqualification and if the conviction was for a felony and if any of the conditions as shown in Section 12.8.1.1 exists, the OSYSA Conduct Committee shall determine that the individual who is appealing the disqualification shall be permanently disqualified from service within OSYSA. The OSYSA Conduct Committee shall not consider any other factors, such as the nature of the crime, the length of time since the crime occurred, testimonials of good character, length of service in the community, etc. in determining whether or not the individual should be disqualified from service with OSYSA.

12.8.1.3 If the disqualification is a conditional disqualification and if the OSYSA Conduct Committee determines that the individual who is appealing the disqualification has a current criminal charge pending in a court of law or if the RMC has a reasonable belief that an investigation by a law enforcement agency is pending and that if found guilty of that crime would lead to a state mandated disqualification, the OSYSA Conduct Committee shall uphold the disqualification, pending disposition of the matter. See Section 12.7.1.2.

12.8.1.4 If the disqualification is a supplemental disqualification or if the disqualification was due to a misdemeanor crime as listed in Section 12.7.2.1 then the OSYSA Conduct Committee may modify the disqualification as follows:

12.8.1.4.1 If the individual was convicted of a crime listed in 12.7.2.1 that was a Misdemeanor of the First or Second Degree, or if the individual was convicted of a crime listed in 12.7.2.2 that was a felony, the period of disqualification may be modified to be for not less than seven, (7), years from the date of conviction of the crime in question. The period of disqualification shall not be modified if the individual has been convicted of any other felony or misdemeanor since the date of their origination conviction.

12.8.1.4.2 If the individual was convicted of a crime listed in 12.7.2.1 that was a Misdemeanor of the Third Degree, a Misdemeanor of the Fourth Degree, or a Minor Misdemeanor, or if the individual was convicted of a crime listed in 12.7.2.2 that was not a felony, the period of disqualification may be modified to be not for less than three, (3), years from the date of conviction of the crime in question. The period of disqualification shall not be modified if the individual has been convicted of any other felony or misdemeanor since the date of their original conviction.

In making a modification of a disqualification pursuant to this Section 12.8.1.4, the OSYSA Conduct Committee shall impose the following minimum condition on the individual's continued service within OSYSA.

12.8.1.4.3 The organization, (team, club, member league, member association and/or referee association) that chooses to register the otherwise disqualified individual with OSYSA must certify, in writing, that they shall take responsibility for the individual and that the organization will ensure that

the disqualified individual shall never have on a regular basis unsupervised access to a child as long as the individual is associated with their organization.

The OSYSA Conduct Committee may choose to impose additional conditions and/or restrictions, not inconsistent with the above, prior to allowing the disqualified individual to return to service within OSYSA.

12.8.1.5 In considering, whether or not to modify a disqualification described in Section 12.8.1.4, the OSYSA Conduct Committee may consider the nature of the crime, the passage of time since the conviction, any proven mitigating or aggravating factors and whether the courts have expunged and/or sealed or otherwise cleared the conviction from the individual's criminal record. In addition, the OSYSA Conduct Committee may consider that if the crime involved a person who by legal definition for that particular crime was a minor but at the time of the offense was over the age of 18.

If an individual has been convicted of more than one crime listed in either Section 12.7.2.1 or 12.7.2.2, then that person shall not be eligible for a modification of their disqualification until at least ten (10) years after the date of their most recent conviction of one of the crimes listed in Sections 12.7.2.1 or 12.7.2.2.

It shall be the responsibility of the individual who is attempting to have his/her disqualification modified to provide in the form of court documents and/or other tangible evidence to the satisfaction of the members of the OSYSA Conduct Committee that there is adequate basis to modify the disqualification as provided above.

If the person who is attempting to have his/her disqualification modified, as provided above, knowingly provides false information to the OSYSA Conduct Committee then that person's Risk Management disqualification shall not be modified and that person shall not be eligible to have a modification of his/her Risk Management for a period that extends the 7 year period, as shown in 12.8.1.4.1, to 15 years and the 3 year period, as shown in 12.8.1.4.2, to 10 years.

12.8.1.6 If the OSYSA Conduct Committee and the RMC recommend that a person who the OSYSA Conduct Committee has approved a modification of their disqualification as provided in Section 12.8.1.4.2, the individual who has been otherwise disqualified, may request that the OSYSA Board of Directors consider a reduction or elimination of the period of disqualification by a vote of the OSYSA Board of Directors. In considering whether or not to grant a reduction or elimination of an individual's disqualification, the OSYSA Board of Directors shall have access to all relevant information in order to properly evaluate the request.

12.8.1.7 All persons who are OSYSA board members, OSYSA employees in a position in which the person on a regular basis has unsupervised access to a child or who are independent contractors of OSYSA who travel out of the state of Ohio with OSYSA registered players, (i.e. ODP coaches) shall be ineligible for a modification of their Risk Management disqualification as provided above as long as they hold a position as an OSYSA board members or who is an employee / independent contractor, (i.e. ODP coaches) of OSYSA.

12.8.1.8 By this Section, the OSYSA Board of Directors directs that the sole purpose in establishing a process by which a disqualified individual may request a hearing before the Conduct Committee is to ensure that the disqualified individual has been removed from service within OSYSA by the OSYSA RMC pursuant to this Risk Management Program.

The Conduct Committee shall only consider whether or not the specific Bylaws as outlined in this Risk Management program have been followed. If the Conduct Committee determines that one or more of the conditions listed in Section 12.7 exists for the disqualified individual, the Conduct Committee shall uphold the disqualification and shall determine that the individual shall remain disqualified from service within OSYSA or as otherwise provided by this Risk Management Program.

Only if the Conduct Committee determines that none of the conditions listed in Section 12.7 exists, shall the Conduct Committee determine that the decision to disqualify the individual should be overturned and that the individual is no longer disqualified from service from within OSYSA consistent with section 12.8 of this policy.

12.8.1.9 For the purposes of this Section 12.8 only, all correspondence between the parties in this matter shall be sent via certified mail with a return receipt and the date sent shall be considered as the postmark date of the letter. The individual who is subject to a disqualification may waive his right to be notified via certified mail and may instead request subsequent correspondence regarding the disqualification via electronic mail by submitting a signed and date request to that effect to the OSYSA RMC.

12.8.2 If the OSYSA Conduct Committee upholds the disqualification, the individual who has been disqualified has the right to appeal the disqualification to the OSYSA Appeals Committee.

12.8.3 If the OSYSA Conduct Committee overturns the disqualification of the individual, then the OSYSA RMC shall be authorized to appeal that decision to the OSYSA Appeals Committee as provided in Section 14.0. When the OSYSA RMC submits an appeal of the decision of the OSYSA Conduct Committee to overturn a Risk Management disqualification, the requirement to submit a \$300.00 appeal bond shall be waived.

12.8.4 The members of the OSYSA Conduct Committee and the OSYSA Appeals Committee shall respect the confidentiality of their respective proceedings.

12.8.5 If an individual has been disqualified from service within OSYSA pursuant to this Risk Management Program and if any of the following conditions exist, that individual may apply to the OSYSA Conduct Committee through the OSYSA RMC to have their disqualification rescinded and/or modified as provided in this Risk Management Program:

- The conviction of the crime which was the basis for their disqualification was overturned or reversed upon appeal.
- Due to a change in this OSYSA's Risk Management Program
- Their misdemeanor conviction was sealed or expunged by a court of law and the conviction that was sealed or expunged by the court is authorized under the laws of the state of Ohio or the state that granted the action.

12.8.5.1 The provisions of this risk management program regarding reinstatement of a disqualified individual shall be retroactive in application. Any disqualified individual that meets the requirements for reinstatement may apply for reinstatement upon ratification of the reinstatement provisions.

12.9 ABUSE COMPLAINT PROCEDURES

12.9.1 All complaints against individuals who are alleged to have abused their authority by committing sexual, physical, mental or emotional abuse are to be reported to the local Club/Association/League President and/or local RMC, who are required to make a written report to the OSYSA RMC within 10 days.

12.9.2 The complainant should also report the matter to the appropriate law enforcement agency and/or child protection agency. The OSYSA RMC and the Club/Association/League President and/or local RMC shall follow up within 10 days to ascertain if a police report or other appropriate report has been filed.

12.9.3 Upon receipt of a complaint, the OSYSA RMC shall then conduct a background check of the individual about whom the complaint was made.

12.9.4 If an abuse charge is formally lodged against an individual, as defined in Section 12.3 with the Police, a criminal background check may also be conducted. If an abuse charge is formally lodged against an individual, the individual may be suspended until the case is resolved (USSF/USYS Rule 4043). At this point, the OSYSA RMC must inform the individual of their status and rights in writing.

12.9.5 Each complaint will be reviewed by the OSYSA RMC to determine the appropriate action in accordance with this Risk Management Program. Upon reaching a decision, the individual must be informed and provided information on the appeal process in writing in accordance with this Risk Management Program.

12.10 DATA AND INFORMATION SECURITY

12.10.1 All paper copies of completed applications and all paper and electronic reports or storage media generated as part of the OSYSA Risk Management program which contains personally identifiable information shall be maintained in locked file cabinets or safes in the OSYSA office. Access to those copies, reports and storage media shall be limited to the OSYSA, RMC, the Alternate RMC, appropriate legal counsel, and those members of the OSYSA staff who have been delegated to assist in the administration of the OSYSA RM program.

12.10.4 If it becomes known to OSYSA, that the integrity of personally identifiable data collected as part of the OSYSA RM program has become compromised, (either the data temporarily stored on the server), OSYSA shall immediately take all available steps to identify the degree by which the data was compromised. OSYSA shall within seven, (7), days notify all persons whose data may have been compromised via e-mail, letter or by contacting the media as deemed appropriate by the RMC, and/or the OSYSA President.

12.10.5 When personally identifiable information is no longer needed to further the aims of the OSYSA RM program, as provided in 12.4.4 (g), that information whether it is in paper form or electronic form shall be destroyed by shredding or by other means as to make the information indecipherable.

12.11 FORMS NEEDED FOR THE OSYSA RISK MANAGEMENT PROGRAM

12.11.1 The OSYSA Risk Management paper application and shall be similar to the online risk management application which serves as the primary method of submission and application. This form

shall cost \$10 per application beginning June 1st 2013 and will increase to \$20 beginning June 1st 2014 and thereafter.

PROCEDURES FOR OBTAINING INDEPENDENT CRIMINAL RECORDS CHECK

The Ohio Attorney General's civilian background check system is known as **WebCheck**. The submission of fingerprints through WebCheck does not require the disclosure of any individual's social security number. However, you will be required to go to a WebCheck company and make a digital impression of your fingerprints. The cost of the WebCheck ranges from \$30.00 to \$65.00. OSYSA applicants who procure their own records check are required to pay for this themselves.

Anyone required to obtain risk management clearance for OSYSA participation may follow these steps to obtain their own criminal records check verification.

1. Locate a company with WebCheck capacity. Current WebCheck companies can be found at the Ohio Attorney General's website. Call the company to obtain information about cost and what identification must be presented in order to obtain a civilian criminal background check.
2. Request that a copy of the criminal records check be sent to you and that **an additional copy be sent to directly to the OSYSA office** at the following address:

Ohio South Youth Soccer Association
25 Whitney Drive – Suite 104
Milford, Ohio 45150

3. Complete the standard OSYSA Application for Risk Management Clearance. On the form, in the space where the social security number is requested, write the phrase; "WebCheck Submitted". Place the form in the standard RM envelope and submit the form inside the sealed envelope to your league or local referee association.
4. When the form from the Attorney General's office is received in the OSYSA office, it will be matched up with the RM Clearance form that has been submitted.

If the results of the WebCheck are not received in the OSYSA office directly from the Attorney General's office, the submission will not be considered to be valid. The OSYSA will not accept the results of the WebCheck except from the WebCheck company selected by the applicant.