

*The Game for **All** Kids!*®



# **US Youth Soccer Risk Management *Kidsafe and Beyond***

An overview

US Youth Soccer Risk Management Committee

# Purpose

To inform and educate.

To keep our children safe.

To protect assets.



# US Youth Soccer Kidsafe Program

*To promote the health, safety, and protection of  
players in the game of soccer.*

US Youth Soccer/Wyoming Youth Soccer adopted the KidSafe Program in order to exclude from participation in its activities all persons who have been convicted of a felony, crimes of violence, crimes against persons, drug offenses, or DUI.

# ***The KidSafe Program...***

- intends to provide safe conditions for every player who participates in US Youth Soccer affiliated programs and activities.
- intends to inform coaches, administrators, volunteers, and employees of the risks associated with youth sports programs.

# An Effective KidSafe Program should include...

- Written policies and procedures governing hiring, training, supervision, investigation, and dismissal.
- A Risk Management Coordinator.
- An effective way to identify all coaches, volunteers, and program administrators.
- Communication of KidSafe guidelines to all coaches, administrators, volunteers, and employees.
- Monitoring of the implementation of these objectives.

# WYS Minimum Requirements

- All club officers, team managers, trainers, coaches, assistant coaches are to:
  - submit a volunteer disclosure statement a minimum of every 2 years.
  - agree to a background check.
- Each club is to appoint a risk manager

# Denial, Suspension, and Revocation of Privileges

- Each club has the authority to deny, suspend, or revoke the right of any employee, volunteer, coach, or administrator to participate in leagues, with teams, or during events.
- WYS has determined automatic exclusions, such as crimes of violence, crimes against a person or child, crimes against property, felonies, drug crimes, or DUI.

# What Is Risk Management?

- **Risk** is the possibility of suffering loss.
- **Risk** is anything that threatens the ability of an association or club to accomplish its mission.
- **Risk Management** is the process of analyzing exposure to risk and determining how to best handle such exposure.
- **Risk Management** provides a framework and strategies for recognizing and confronting threats to an association's ability to achieve its purpose.
- **Risk management** requires an association to be proactive by accepting the possibility that some future event may cause harm.

# What is the Purpose of a Risk Management Program?

The goal of a risk management program is the protection of an organization's critical assets:

- **People** – Board members, players, coaches, referees, patrons
- **Property** – Fields, buildings, facilities
- **Income** – Revenue and assets
- **Reputation** – Overall quality or character as seen or judged by people in general within a community

# Determining the Needs of a Risk Management Program

Consider the following questions and analyze the responses.

- What can go wrong?
- What can be done to prevent it from occurring?
- If something goes wrong, how do we respond?
- How do we ensure the effectiveness of our program?
- How do we keep it current?

*A risk management program must be nimble enough to continually evade threats of harm to all participants.*

# Who and What Are at Risk

- **People:** board members, coaches, referees, players, volunteers, spectators, others.
- **Property:** the complex, fields, equipment, buildings.
- **Websites:** Club or team sites.
- **Revenue:** registration fees, donations, team funds, tournament fees.
- **Reputation:** association, club, community standing, players, volunteers.

*A program must define how to address risks and to make appropriate choices in dealing with those risks.*

# People Risk

## Board Members

- *Fiduciary responsibility* - one in a position of authority obligates him/her self to act on behalf of another (as in managing money or property) and assumes a duty to act in good faith and with care, candor, and loyalty in fulfilling the obligation.
  - Use defined and published processes, reviews, and audits/inspections to verify the maintenance of the organizations assets, both tangible and intangible.

## People Risk - *continued*

### Coaches, referees, players, volunteers, spectators and others

- Define and communicate expectations
- Determine appropriate and acceptable behavior
- Required or minimum training
  - *Responsibility of Enforcement*
    - Volunteers such as board members, parents
    - City, county, parks and rec officials
    - Hired Security

# Specific Risks

- Player's safety
  - Shin guards and protective equipment
  - Concussion and other injuries
- Complex and fields
  - Installation and anchoring of goals
  - Condition of grounds; benches and stands; sprinklers; parking; restrooms; lighting
- Assigning of referees
  - Age level
  - Experience
  - Anticipated difficulty



<b>Cause:</b>	<b>Unauthorized Equipment, Disregard for Goal Safety and Poor Judgment!</b>
<b>Description:</b>	<b>A ten-year-old boy, was instructed by his coach to move an extremely heavy “home made” soccer goal. The goal tipped over and landed on the boy’s neck. He sustained a fracture to his neck and was paralyzed. He is a quadriplegic and is dependant on a respirator to breathe. The City (the field owner) had commissioned the goal to be made by a local welder, and was named as an additional insured at the time of the loss. The Plaintiff’s attorney named numerous organizations and individuals in the suit and it was apparent from the early stages that the carrier would most likely pay policy limits on the claim. The Claimant’s medical treatments were well over a half million dollars. The claim settled for \$2,000,000 (which included policy limits on the GL policy plus payment from the umbrella policy).</b>
<b>Claim Cost</b>	
<b>Indemnity:</b>	<b>\$2,000,000.00 paid to claimant</b>
<b>Expense:</b>	<b>\$9,677.75 cost to defend claim</b>
<b>Total Paid:</b>	<b>\$2,009,677.75</b>



**Description:** A 15-year-old female alleged that her coach got her intoxicated and sexually molested her. Authorities said the coach took the girl to dinner while they were both away for a soccer tournament, got her "extremely intoxicated," and had sex with her at the hotel. The coach pleaded guilty to six counts of lewd and lascivious conduct with a child and was sentenced to 52 months in prison. A liability suit was filed against the league and the state association. Defense of the suit was hindered since the league had done a background check on the coach that showed a prior history of drug and alcohol abuse, as well as a history of domestic violence. Despite that, the league allowed him to coach. The claim settled for policy limits. The insurance company paid \$1,000,000 dollars, an additional \$300,000 was paid by the umbrella carrier.

**Claim Cost**  
**Indemnity:** \$1,300,000.00 paid to claimant  
**Expense:** \$74,849.00 cost to defend claim

**Total Paid:** \$1,374,849.00



**Cause:** Over-Matched Participants in Contact Situations

**Description:** A 13 year old female player suffered a severe leg injury after colliding with the goalkeeper as they both went for the ball. This occurred during a scrimmage game. The goalkeeper, however, was an adult male assistant coach who outweighed her by about 75 pounds.

The Claimant suffered a **SALTER IV** fractured femur. This is a unique pediatric injury involving two fractures, one of which is at the growth plate. The Claimant also has a leg length discrepancy that will likely worsen over time and will require special shoes throughout her life. The screws in her leg are permanent and will likely lead to arthritis. She will require multiple future surgeries, one of which is a total knee replacement. The mediator indicated that this is one of the worst knee cases he has seen. The Claimant also has a prominent keloid scar, which, after scar revision, it likely will be unsightly. The Claimant's medicals were in excess of \$46,000 and future medicals are anticipated to be approximately \$285,000. This does not include pain and suffering. The insurer was able to settle the claim at mediation for \$537,500.

**Claim Cost**

**Indemnity:** \$537,500 paid to claimant  
**Expense:** \$10,500 cost to defend claim

**Total Paid:** \$548,000



**Cause:** Attractive Nuisances that Lead to Liability from Spectators

**Description:** During a soccer game, a player's little sister wandered over to a nearby baseball field and climbed up the backstop. Her mother, a spectator at the game, climbed the backstop to get the little girl down. The backstop toppled over and landed on the mother causing severe back injuries. Suit was filed against the school district that owned the backstop and the soccer league. While the school district settled the claim against them for \$1.25 million, the soccer league was able to settle for \$100,000.

**Claim Cost**

**Indemnity:** \$100,000.00 paid to claimant

**Expense:** \$126,558.00 cost to defend claim

**Total Paid:** \$226,558.00



<b>Cause:</b>	<b>Assuming Risks beyond just Soccer, Be Careful what you Sign</b>
<b>Description:</b>	<b>A 10-year old boy was riding his bike on school property while his younger brother was playing soccer. He rode down a ramp and ran into a chain that was stretched across the bottom of the ramp. The chain cut the Claimant's throat and severed his vocal cords. He also suffered lacerations to his head. The chain was the property of the school. However, because of the lease agreement signed by the soccer league, which made them responsible for the property while their activities were taking place, the school was covered under the association's insurance. The insurance company had to defend the school. It was decided that, since the ramp was in the immediate area of the field and the Claimant was there to watch his brother play, the loss fell within the scope of "operations and conduct of sports activity" as stated in the agreement. The Claimant's medical expenses totaled almost \$70,000; the claim was settled for \$200,000.</b>
<b>Claim Cost</b>	
<b>Indemnity:</b>	<b>\$200,000.00 paid to claimant</b>
<b>Expense:</b>	<b>\$19,740.74 cost to defend claim</b>
<b>Total Paid:</b>	<b>\$219,740.74</b>



**Cause:** Unsecured Goal

**Description:** An unsecured soccer goal tipped over onto a youth player's leg, fracturing her left femur. She sued the field owner (the owner of the goal) who was an additional insured under the policy. The tricky part of this claim was that the coach was also the player's father and was responsible for securing the goal. The player is also suing the state association because of the coach's negligence. The claimant's demand is \$500,000. The carrier has tried unsuccessfully to settle the claim. The insurance company is now trying to mediate a settlement in order to preclude trial.

**Claim Cost**

**Indemnity:** \$0.00

**Paid:** \$16,391.74 cost to defend claim

**Reserves**

**Indemnity:** \$125,000 anticipated settlement

**Expense:** \$8,608.26 anticipated additional defense expenses

**Total Paid/Reserved:** \$150,000

# Club or Team Websites

- Teams can create their own website or social “network”.
  - Create using website design templates or packaged software.
  - Use Facebook or MySpace.
- The Risk
  - Team web sites can be used by those who prey on children to identify, single out, and make contact with a victim – whether at home or during soccer events.

# COPPA

The Children's Online Privacy Protection Act ("COPPA") specifically protects the privacy of children under the age of 13 by requesting parental consent for the collection or **use** of any personal information of the users. The Act took effect on April 21, 2000. The Act was passed in response to a growing awareness of Internet marketing techniques that targeted children and collected their personal information from websites without any parental notification. The Act applies to commercial websites and online services that are directed at children. The main requirements of the Act that a website operator must comply with include:

- Incorporation of a detailed privacy policy that describes the information collected from its users.
- Acquisition of a verifiable parental consent prior to collection of personal information from a child under the age of 13.
- Disclosure to parents of any information collected on their children by the website.
- A right to revoke consent and have information deleted.
- Limited collection of personal information when a child participates in online games and contests.
- A general requirement to protect the confidentiality, security, and integrity of any personal information that is collected online from children.

# COPPA Compliance Resource Web Sites

- [www.ftc.gov/bcp/online/pubs/buspubs/coppa.shtm](http://www.ftc.gov/bcp/online/pubs/buspubs/coppa.shtm)
- [www.coppa.org/coppa.htm](http://www.coppa.org/coppa.htm)
- [www.epic.org/privacy/kids/](http://www.epic.org/privacy/kids/)

# Examples of Risky Web Content

- Unprotected team rosters.
- Players identified in photographs.
- Player “profiles” that could include hobbies, siblings, age, gender, school, etc.
- Contact lists that include each child’s name, parent’s business phone, home phone, e-mail.
- Times, dates, and locations of practices and games.

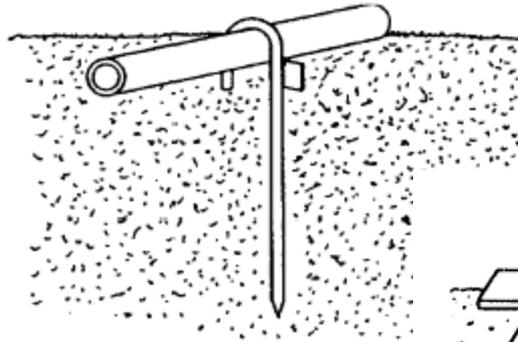
# Website Guidelines

- Risk Management Action
  - Develop guidelines on what is inappropriate content (public versus secured).
- Such as:
  - Do not identify children by name in pictures.
  - Do not post practice schedules, times, and locations.
  - Do not post names, phone numbers and emails.
  - Do communicate by e-mail.
  - Do send albums and video as attachments.
  - Use password protection for pictures, rosters, contact info, directions

# Property Risk

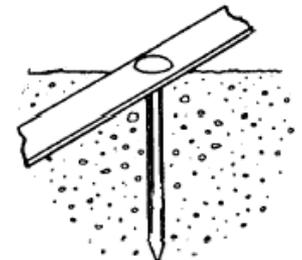
- Complex layout and fields
- Buildings/structures/playground equipment
- Bleachers and benches
- Parking and lighting
- Sanitation
- Equipment

# Goal Post Safety



## **⚠ WARNING**

**Always anchor goal.**  
Unsecured goal can fall over  
causing serious injury or death.



## **⚠ WARNING**



**NEVER CLIMB OR HANG ON GOAL**

**Goal Can Fall Over Causing  
Serious Injury or Death**

# Protecting Revenue

- **Association Budget:** A management tool that must be realistic and accurate with the intent of meeting the associations goals and objectives.
- **Tournaments** – Collect and account for cash often. Leave a receipt whenever cash is taken; compare final balance - cash vs. receipts.
- **Board Financial Mismanagement:** Use an external entity to review financial records; provide a full report to board; make available to membership.
- **Loss/Spoilage:** Verify inventory and audit annually; provide a copy of the audit to the board.
- **Account Abuse/Fraud/Embezzlement:** Require two signatures on checks for over \$250; someone other than the check writer should get the bank statements; the treasurer should be responsible for monthly reconciliations and providing a monthly report to board.
- **NO signature stamps!**

# Taking Action

- Create an Action Plan
- Assess Risks
- Control Risks
- Risk Resolution

# Create an Action Plan

- Develop a list of potential resources to help determine what risks exist and how to deal with them.
- Develop specific actions to help prevent or to respond to identified risks.
- Continually evaluate the risk management program.
- When new issues arise, repeat the process of risk assessment, control, and resolution.
- Expand the risk management plan as programs expand.

# Assess Risk

- Knowingly decide which risks to accept.
- Identify risks by how they may impact the fulfillment of the club's mission.

# Control Risks

- Controls:
  - Policies and Guidelines
  - Reviews and Audits
  - Walk-throughs and Inspections
  - Consistently Published Reports and Finding

# Risk Resolution

- **Avoid:** If the board thinks it is too risky – it probably is!
- **Modify:** Change or modify activities and processes that put the organization or individual(s) at risk.
- **Transfer:** Protect the organization with contracts and insurance.
  - Membership in Wyoming Youth Soccer included D&O (Directors and Officers) liability insurance.
- **Retain:** Some risks are deemed acceptable, and, knowing the consequences, the risk is accepted.

# *US Youth Soccer*

## **Risk Management Publications**

- Kidsafe Program
- Blood borne Pathogens
- Financial Management
- Living through a Lawsuit
- Managing the Ultimate Risk
- Tournament Risks/Direct Kick to Safety
- Risk Management & Disciplinary Action Report  
(distributed monthly to the state office.)

# In Summary...

- Identify the risks
- Evaluate the risks
- Determine risk resolution
  - Eliminate the risk
  - Reduce the risk
  - Accept the risk
  - Transfer the risk
- Design and implement a risk management program
- Maintain the program by evaluating and re-evaluating the results.

**REMEMBER - Risk management is an ongoing process.**