

RISK MANAGEMENT POLICY

- A. Consistent with the recommendations of the US Youth Soccer Kidsafe Program, Vermont Soccer Association's (VSA) Risk Management Program through its affiliated members:
1. Will include:
 - a. The goal of developing and communicating guidelines and related materials intended to foster safe experiences, with emphasis upon the youth that participate in any US Youth Soccer activity through its affiliated member organizations.
 - b. The goal of initiating risk management registration and background checks for all persons (as set forth below) who decide policy, have control or authority over currency, or who, paid or unpaid, have regular control and authority over players.
 - c. The goal of promoting on-going educational activities to reduce real and inherent risks of the game of soccer and its related activities.
 2. It is expressly recognized, however, that:
 - a. VSA lacks the resources to do full security background checks of all such individuals and that VSA cannot insure or assure the accuracy of the information that is provided to VSA through the background check from the consumer reporting agency.
 - b. The VSA background check procedure is intended as a rule-out procedure and as a deterrent. *VSA does not represent that any given applicant is "fit" or "safe" on the basis of having been granted certification privileges during any applicable one year period.*
- B. Although all components of VSA's Risk Management Program are important to the safety and security of its youth players and members, it has become clear that significant resources should be directed toward protecting our youth players and members to the greatest extent possible against adults with a history of criminal activity that might place VSA youth players and members in jeopardy.
1. To that end, the following constitutes an outline of VSA's Policy and Procedures for the registration and initiation of background checks to be conducted of coaches, assistant coaches, managers, program administrators (including but not limited to individuals who decide policy; or have control or authority over currency), officers, board members, referees, trainers (whether volunteer or paid), and

volunteer/persons who have regular control and authority over players. Nothing in this policy shall be seen in any way as superseding rule 107 of the U.S. Youth Soccer Bylaws, which is incorporated herein.

Every adult application (18 years and older) wishing to obtain approval and certification by VSA or by an affiliated league or club for the privilege of a soccer position as coach, assistant coach, manager, program administrator (including but not limited to individuals who decide policy; or have control or authority over currency), officer, board member, referee, trainer (whether volunteer or paid), volunteer or any other person performing duties are required to have a background check annually via GotSoccer and backgroundchecks.com.

- a. The background check procedure will include (at a minimum): legal first and last name, middle initial, date of birth, state issuing current valid drivers' license, residence address, telephone number, former residence address, citizenship, length of time living in the United States, email address, telephone numbers and information about club affiliation.

It shall require (at a minimum) answers to the following questions: (1) whether the applicant has been convicted of a felony, a misdemeanor, a crime of violence against a person, or a crime that involved the welfare of a minor; (2) whether the applicant has ever failed to be re-employed, been involuntarily discharged, or been asked to resign from any position involving the supervision of minors. Additionally, applicants will be asked to report other crimes or arrests that may be reported by the background check company; (3) whether the applicant is currently a defendant in litigation detrimental to the welfare of minors or youth players or litigation based on activities detrimental to the welfare of minors or youth players; and (4) whether the applicant is currently on probation or on court-ordered supervision.

- b. A line for signature (including electronic) and date with the following language: Applicant understands that US Youth Soccer, or its affiliated organizations, may deny certification to any applicant convicted of a felony, crime of violence, a crime against a person, a crime involving the welfare of a minor, or other behavior VSA considers detrimental to the welfare of youth soccer players. Applicant understands that the information furnished on the application is subject to verification, which will include a criminal history check.
- c. Applicant submitting false information in any manner, including on the background check application, will be subject to disqualification.

- d. Reports on negative background/criminal checks will be reviewed by the members of the sitting Risk Management Committee who will render their decisions in accordance with the VSA Risk Management Policy. The Reports will not be viewed by other persons unless such a review is required in the course of the appeals process or there is a request by the affected person for a review by other persons.
- e. All applicants applying for privileges with VSA (or affiliated League/Club) who receive a negative background /criminal report will be notified in writing or by email and given an opportunity to provide additional information within a specified period of time of said notification. Should the applicant ultimately be disqualified, the applicant will be provided with the VSA Risk Management Appeal Process. That process will require the applicant to request an appeal in writing, addressed to the VSA Executive Director. The Executive Director and the VSA President will assign the appeal to a standing committee, composed of at least two Directors in addition to the Risk Management Director. That committee will review any written material proffered by the appellant and hold a hearing at which the appellant can address the committee and present witnesses, although the number of witnesses and the length of the hearing are in the exclusive discretion of the committee. If the appeal is approved, the applicant will be approved through the GotSoccer process. If the appeal is denied, the applicant's Club will be notified by email or writing to the Club Risk management Director, if any, or the Club President if there is no Risk Management Director. Notification will be provided to the United States Soccer Federation and US Youth Soccer in accordance with their established policies.
- f. Except as provided for in paragraph B(1)(g), no person convicted of a felony, sex crime, or crime involving endangering the welfare of a minor, or who is registered as a sex offender, shall be employed, appointed, elected or certified by VSA or VSA affiliate leagues or clubs as a coach, assistant coach, manager, referee, trainer (whether volunteer or paid), administrator (including but not limited to individuals who decide policy or have control or authority over currency), or volunteer/person with regular control or authority over players.

Applicants convicted of a felony, sex crime, crime involving the welfare of a minor or who is a registered sex offender will be disqualified from membership. This disqualification means that the applicant is prohibited from holding any club or league office, coaching, training, refereeing with VSA, involvement with practices, games, training, scheduling, meeting, or any other soccer-related interaction or official communication with club and league officials.

- g. Any person who is disqualified from membership pursuant to paragraph B(1)(f), may, five years after the conclusion of any and all judicially imposed requirements, including but not limited to incarceration, probation, parole, post release supervision, law enforcement reporting requirements and any other judicial imposed supervision, apply in writing to the VSA Risk Management Director for an exemption from the limitations of paragraph g.

The current VSA Risk Management Director shall have the authority to determine a procedure for persons applying for an exemption. Persons applying for an exemption must understand that every exemption will be judged on its own merits and that there is no guarantee that an exemption will be granted. Persons applying for an exemption shall, as part of their written application, agree to waive all appeals and legal rights as to exemption procedures and determinations. Exemptions may, in the discretion of the Risk Management Director, include a probationary period of one year and might include particular restrictions on the applicant's part during that probationary period. Such restrictions will be disclosed to the applicant's Club President or Risk Management Director, one of which will be responsible to VSA for enforcing the restrictions.

The VSA Risk Management Director has the sole authority to recommend an exemption to the VSA Board of Directors unless the VSA Board of Directors appoints a Risk Management Committee for the handling of appeals and exemption requests. The VSA Board of Directors or an appointed Committee will approve or reject the exemption.

- h. A person convicted of any crime or offense not listed in B(1)(f), or who, the VSA Risk Management Committee determines may be a threat to VSA youth players or members or programs, or is under formal investigation by law enforcement authorities for illegal activity or a defendant in litigation for activities detrimental to the welfare of minors or the welfare of youth players shall be subject to suspension or disqualification.
 - i. The terms in B(1), shall be defined as those terms are defined in the VT penal Law and Criminal Procedure Law. All other terms shall be defined by their generally accepted meaning. Offenses committed outside Vermont State shall have the same effect as if they had been committed within the state.
2. Member Clubs will elect the Risk Management Director every two years for the State Association. That person and the Executive Director will be responsible for the collection and tracking of background checks. Each Member Club President is

required to appoint a Club Risk Management Coordinator for the Club subject to the approval of the VSA Board of Directors.

- a. As to the state level personnel, the President of VSA will be responsible for reviewing the background check information for the State Association Risk Management Director/Administrator. The State Association Risk Management Director/Administrator will be responsible for all persons applying for positions at the state level.
3. In addition to being reported to law enforcement, all complaints of child abuse against a person involved in VSA, affiliated league, or club sanctioned, sponsored or approved event/activity or program must be reported immediately to:

Risk Management Director/Administrator
TO BE OPENED BY ADDRESSEE ONLY
Vermont Soccer Association
25 Omega Drive, Suite 220
Williston, Vermont 05495

4. VSA has established this policy in accordance with US Youth Soccer recommendations. Although this policy is intended to be complete, there may be special and unique circumstances that require immediate action to protect the youth players and members of VSA. Therefore, the VSA President and Board of Directors have the complete and absolute right to disqualify an applicant upon the recommendation of the State Risk Management Director/Administrator or Risk Management Committee.
5. Above the signature line, the Background Check application form shall contain the following language: "In consideration of VSA and its affiliate members evaluating my application, I hereby save and hold harmless from any and all liability VSA and its affiliate members from any action or proceeding against them by me. I also understand that submitting false, inaccurate, or incomplete information may subject me to discipline action including but not limited to disqualification, suspension and fines; and that the background check report shall become a business record of VSA and that submitting false, inaccurate, or incomplete information may subject me to criminal prosecution. I also AGREE to FULLY COOPERATE with VSA should there be questions about my application and that failure to do so will result in disqualification."