

NCYSA Risk Management Policy

and

Risk Management Manual



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Risk Management Policy



Adopted 2005 - AGM

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Risk Management Policy

The risk management program of NCYSA shall operate under the following policy:

Part 1.

Each of the following persons shall be a “Covered Person” required to comply with this Section 6.

- a. Each coach, assistant coach, substitute coach, staff coach, skills trainer, director of coaching, associate director of coaching, assistant director of coaching, referee assignor, athletic trainer, program administrator, and association officer employed, serving as a volunteer of, serving as an independent contractor of, or endorsed by a member association or a team of a member association (each such person being “associated” and having an “association” with such member association). (This includes team managers)
- b. Referees, referee assistants, fourth officials, instructors, assessors and administrators who are members of the North Carolina Soccer Referees Association (“NCSRA”), who are 18 or more years of age, and who officiate, instruct, observe or participate in administering matches sponsored by member associations or NCYSA (each such person being “associated” and having an “association” with NCSRA);
- c. any person of 18 or more years of age having a status or engaging in activities with a member association or with the Olympic Development Program of the NCYSA (“ODP”) who, as a result, can reasonably be expected to be alone with a registered player of any member association or NCYSA who is a minor in a non-public setting for any period of time by reason of such status or activities (each a person “associated” and having an “association” with the relevant entity); provided, however, that each member association shall be responsible for determining the persons associated with it who are within this category; and provided further, that NCYSA shall be responsible for determining the persons associated with it who are within this category.

Part 2.

All member associations, the NCSRA and NCYSA shall maintain a current list of all their respective Covered Persons.

Part 3.

Each Covered Person shall apply for registration through the Risk Management On-Line System maintained by NCYSA through its website (the “System”) as follows:

- a. Each person who becomes a Covered Person during the period beginning on the first Monday following the conclusion of the NCYSA state championship series conducted in the Spring and

ending August 1st of a calendar year (the “Registration Period”) shall apply for registration through the System as described herein during the Registration Period. Each person who becomes a Covered Person after August 1st of a calendar year and before the beginning of the next occurring Registration Period shall apply for registration through the System as described herein within ten (10) days of attaining such status (“Interim Period”). Each of the registrations described in the foregoing sentences is an “Initial Registration.”

- b. Each Covered Person of a member association or NCYSA who is registered under the System shall apply to renew his or her registration through the System as described herein during the second Registration Period following the later of the date of the acceptance of his or her Initial Registration or the date of the acceptance of his or her current Renewal Registration (each, a “Renewal Registration”). For example, a Covered Person of a member association whose Initial Registration was accepted in July of 2005 would apply for his or her Renewal Registration during the Registration Period ending August 1, 2007, a Covered Person of a member association whose Initial Registration was accepted in January of 2007 would apply for his or her Renewal Registration during the Registration Period ending August 1, 2008, and a Covered Person of NCYSA whose Renewal Registration was accepted in July of 2007 would apply for his or her next Renewal Registration during the Registration Period ending August 1, 2009.
- c. Each Covered Person of NCSRA who is registered under the System shall apply to renew his or her registration through the System as described herein during the thirty (30) day period (the “Referee Renewal Period”) ending on the second anniversary of the later of the date of the acceptance of his or her Initial Registration or the date of the acceptance of his or her current Renewal Registration (each, also a “Renewal Registration”). For example, a Covered Person of NCSRA whose Initial Registration was accepted on January 31, 2006 would apply for his or her Renewal Registration during the period from January 2, 2008 through January 31, 2008.

Part 4.

The following registration fees must be received by NCYSA to complete an Initial Registration or a Renewal Registration, as applicable.

- a. The fee for an Initial Registration shall be \$7.00 (“Registration Fee”); provided, however, that the Registration Fee may be increased by a vote of the Executive Board of NCYSA to cover increases in “Expenses” (any such Registration Fee increase shall be rounded up to the next \$.25 increment (e.g. an increase in Expenses of \$.38 would be rounded up to \$.50)). The fee for a Renewal Registration (a “Renewal Fee”) shall be the same as the then existing Registration Fee. “Expenses” shall mean charges of third-party service providers who provide services for the operation of the System.
- b. A Covered Person who applies for an Initial Registration or a Renewal Registration after the expiration of the applicable Registration Period, Interim Period or Referee Renewal Period shall be charged a late fee of \$5.00 (“Late Fee”) in addition to the Registration Fee or Renewal Fee, as applicable, due.

- c. The Registration Fee, Renewal Fee and, if applicable, Late Fee of a Covered Person shall be paid:
 - (i) At the time an application for registration is made, by the Covered Person through the credit card payment function available on the System;
 - (ii) At the time an application for registration is made, by the member association of NCYSA with which the Covered Person is associated through the aforesaid credit card function;
 - (iii) At the time an application for registration is made, if the Covered Person is associated with the NCSRA, by the NCSRA through the aforesaid credit card function; or
 - (iv) At least five (5) days in advance of the time an application for registration is made, by a check or negotiable order of withdrawal on the account of the Covered Person, his or her member association. NCYSA or the NCSRA, as applicable.
- d. A Covered Person may apply for Initial Registration and Renewal Registration through the System or may provide the relevant information to the member association with whom the Covered Person is associated or the NCSRA, as applicable. A member association or NCSRA may apply to register Covered Persons associated with it through the System.
- e. In the event that the payment of a Registration Fee, a Renewal Fee or a Late Fee is made by check or a negotiable order of withdrawal and such instrument is returned for insufficient funds or otherwise not honored by the payor financial institution, all applications for registration and all registrations of Covered Persons under the System for which such payment was tendered will be suspended until payment in good funds is received by NCYSA.

Part 5.

A person who is a Covered Person in more than one capacity or as the result of more than one association (e.g. he is a coach of a member association and a member of the NCSRA or is a coach of a member association and an ODP coach) need only apply for one registration under the System but must indicate all such capacities and associations in such registration.

Part 6.

A Covered Person who fails to complete and have accepted an Initial Registration or a Renewal Registration during the applicable Registration Period, Interim Period or Referee Renewal Period shall be suspended (1) by the NCYSA, if he or she is a Covered Person of NCYSA, upon its determination of such failure, or (2) by the NCSRA or the relevant member association, as applicable, upon its determination of such failure, from participation in programs and activities of the NCSRA or the member association, as applicable. With respect to its Covered Persons, the NCSRA or the member organization, as applicable, shall notify NCYSA of such failure in writing, and such Covered Person shall be suspended by NCYSA on the next business day following its receipt of such written notice. Such a suspension shall be rescinded upon acceptance of an application by such Covered Person for Initial Registration or Renewal Registration, as applicable.

No Covered Person of NCYSA or a member association who has failed to complete and have accepted an application for Initial Registration or Renewal Registration during the applicable Registration Period or

Interim Period shall be “carded” by NCYSA during such period of failure. In the event the Covered Person subsequently completes an application for Initial Registration or Renewal Registration which is accepted, such Covered Person may be “carded” by NCYSA no sooner than the third (3rd) business day following the acceptance of the application for Initial Registration or Renewal Registration, as applicable.

Part 7.

NCYSA shall periodically communicate or make available to the NCSRA a list of all Covered Persons whose Initial Registrations or Renewal Registrations have been accepted by NCYSA and who have stated therein that they are associated with NCSRA. NCYSA shall periodically communicate or make available to each member association a list of all Covered Persons whose Initial Registrations or Renewal Registrations have been accepted by NCYSA and who have stated therein that they are associated with that member association. It shall be the responsibility of NCYSA, the NCSRA and each member association to confirm that each of their respective Covered Persons has a current accepted registration in the System.

A registration application shall not be deemed “complete” until all required information has been provided and all applicable fees have been received. A registration shall not be deemed “accepted” until placed into the No Action category under the provisions of Part 9 or Part 10.b.

Part 8.

NCYSA will provide the information submitted by each Covered Person in his or her application for Initial Registration or Renewal Registration to one or more third-party service providers for its (their) use in conducting searches of criminal history and sexual offender data bases and registries (a “Search”) with respect to that Covered Person. NCYSA’s agreement(s) with such service provider(s) will contain provisions satisfactory to NCYSA concerning the maintenance of the confidentiality of the information submitted and relevant Search results. NCYSA will maintain, and require its website service provider to maintain, reasonable protocols and systems to maintain the confidentiality of registration applications received by the System.

Part 9.

The information submitted as part of the application and the results of each Search shall be reviewed by the Risk Management Coordinator designated by the President of NCYSA as the Risk Management Coordinator. The President will also designate Risk Management Administrator/s (NCYSA Staff) to assist and take direction from the Coordinator. The results of a Search (which for this purpose shall also include the information submitted by the Covered Person as part of his or her application) shall be placed by the reviewing Coordinator into one of the following categories:

- a. No Action - the Search reports no criminal history, Objectionable Behavior, or listing in a sexual offender registry or data base.
- b. Additional Inquiry - the Search contains a report of a criminal history, Objectionable Behavior (includes but not limited to continuous history of illegal activity), or a listing in a sexual offender registry or data base, but insufficient information is contained in the report to attribute such history or listing to the Covered Person with a reasonable degree of confidence in the validity of the attribution.

- c. Further Review - the Search contains a report of a criminal history, Objectionable Behavior (includes but not limited to continuous history of illegal activity), not involving a Termination Act or the registration is subject to Part 14.
- f. Termination Act - the Search contains a report of a criminal history involving a Termination Act or a listing in a sexual offender registry or data base, which history or listing is attributable to the Covered Person with a reasonable degree of confidence in the validity of the attribution.

A "Termination Act" is either (i) a conviction of or plea of no contest (or the equivalent) to a criminal charge of

- (A) a felony physical assault upon another person,
- (B) a misdemeanor physical assault upon a sports official (including match officials, coaches, assistant coaches and persons acting in similar capacities) in connection with a sports event,
- (C) a felony involving fraud, embezzlement, robbery or other similar act,
- (D) a felony resulting in death,
- (E) a misdemeanor physical assault upon a spouse or other individual with whom you were living, including domestic partners, children or other relatives,
- (F) a felony involving the possession and/or distribution of a controlled substance,
- (G) a felony or misdemeanor for conduct with respect to a minor (including physical assault, sexual misconduct, reckless endangerment or other similar acts),
- (H) two (2) or more convictions of operating a motor vehicle while impaired (or equivalent charges) within the three (3) year period ended the date of the review of the applicable Search by an Administrator; or, three (3) or more convictions within a five (5) year period ended such date, with at least one (1) such conviction occurring within the twelve (12) months preceding such date,
- (I) two (2) or more convictions of drug possession and/or distribution or drug paraphernalia possession (or equivalent charges) within the three (3) year period ended the date of the review of the applicable Search by an Administrator; or, three (3) or more convictions within a five (5) year period ended such date, with at least one (1) such conviction occurring within the twelve (12) months preceding such date, or

(ii) the listing of such Covered Person in a sexual offender registry or data base of any governmental body.

Part 10.

The applicable Administrator shall promptly report a Search of a Covered Person placed in the Further Review, Additional Inquiry or Termination Act categories to the President of NCYSA (or such other member of

the Executive Board as the President has appointed as NCYSA's Risk Management Coordinator in the place of the President).

Further Review and/or Additional Inquiry may be implemented when the results of the report indicates objectionable behavior.

"Objectionable Behavior" (includes but not limited to continuous history of illegal activity) includes one or more charges, which did not result in a conviction for any of the matters listed as a Termination Act, or other behavior or pattern of behavior on the part of the Covered Person that is deemed potentially objectionable by the Risk Management Coordinator.

The Risk Management Coordinator shall take the following applicable action:

- a. A Further Review matter shall be submitted to a Review Committee composed of the Risk Management Coordinator and two members of the Executive Board appointed by the President. The Committee shall advise the appropriate official of the member association or the NCSRA, as applicable (or, if the Covered Person is associated with a member association and the NCSRA, both), of the Search results, shall review the Search results and may conduct additional relevant inquiries, including communications with the applicable Covered Person and/or persons reasonably believed to have information relevant to the Committee's review.

The Review Committee may suspend the Covered Person's current registration under the System, if any, during the period of its investigation and shall notify in writing the Covered Person and, as applicable, the NCSRA or the member association with whom the Covered Person is associated of such suspension (or, if the Covered Person is associated with the NCSRA and a member association, both). Upon completion of its review, the Review Committee may, in its discretion, (i) reject the registration application of the Covered Person, (ii) suspend the current registration, if any, of the Covered Person for a period of up to three seasonal years, (iii) terminate the Covered Person's current registration (with or without leave to seek registration at a later time certain), or (iv) determine to accept such Covered Person's registration application and approve his or her registration for the applicable period under these Rules. The Review Committee has the express right, in its discretion, to reject any registration application for acts or matters related to the Covered Person that might not otherwise give rise to a Termination Act.

- b. An Additional Inquiry matter shall be further investigated by the Risk Management Coordinator and/or one or both of the Administrators. They may conduct additional inquiries, including communications with the applicable Covered Person and/or persons reasonably believed to have information relevant to the matter. If the Risk Management Coordinator determines sufficient information has been obtained to attribute such history to the Covered Person with a reasonable degree of confidence in the validity of the attribution, the matter shall be categorized as a matter for Further Review or as a Termination Act, as applicable, and it shall be administered as provided in these Rules. If sufficient information has been obtained showing with a reasonable degree of confidence that the history is not attributable to such Covered Person, the matter shall be characterized as No Action.

- b. A Termination Act matter shall result in the following actions. The application for registration of the Covered Person shall be rejected, any current registration of the Covered Person under the System shall be terminated, and the Covered Person and the NCSRA or the member association (or, if the Covered Person is associated with the NCSRA and a member association, both) with whom he or she associated shall be promptly notified in writing of such termination.

Part 11.

A Covered Person whose application for registration is rejected and/or whose current registration under the System is suspended or terminated as provided in Part 10 shall be advised by an Administrator that he or she may appeal such rejection, suspension or termination to the Executive Board of NCYSA and shall be provided with a copy of this Section 6 of the Rules. Neither the Risk Management Coordinator nor any member of the Review Committee on such matter, if any, shall vote on such appeal. The Risk Management Coordinator shall act as the proponent of the rejection, suspension or termination (i.e. the appellee on the appeal) and may be assisted by employees of NCYSA and/or legal counsel engaged by NCYSA. In the event that legal counsel for NCYSA participates in any hearing of the appeal by the Executive Board, the appellant may have legal counsel who may participate in the hearing to the same extent as the legal counsel for NCYSA (e.g. if legal counsel for NCYSA questions witnesses, so may legal counsel for the appellant). The Risk Management Coordinator and the appellant may call such witnesses and submit such information and written evidentiary material as is deemed by the Executive Board to be relevant to the matter appealed.

Copies of all written evidentiary material shall be provided by the party desiring to submit such material to the Executive Board and the opposing party in advance of the hearing. In the event the relevant conduct was directed (or alleged to have been directed) at a registered player of NCYSA, the registered player and/or his or her parents or, if applicable, guardians may attend the hearing. The Executive Board may, in its discretion, permit officers, directors, agents and advisors of the NCSRA or the member association with whom the Covered Person is associated (or both, if applicable), and members of such member association, to attend any hearing on such appeal.

Part 12.

A Covered Person who desires to appeal as provided in Part 11 must:

- a. File a written notice of appeal with an Administrator within thirty (30) days of the date of issuance of the written notice of rejection, suspension or termination;
- b. Deliver to NCYSA with the written notice of appeal the amount of \$250.00 in the form of a cashier's check or a certified check; and,
- c. File the following in written and executed form with an Administrator: "I acknowledge and agree that in the course of my appeal (1) some or all of the information about conduct in which I have engaged or information indicating that I have engaged in conduct addressed by Section 6 of the NCYSA Rules will become available to officers, directors, employees, agents and advisors of NCYSA and to persons testifying at the hearing, (2) the information described in clause (1) may become available to the officers, directors, employees, agents and advisors of the NCSRA or the member association with whom I am associated (or both, if applicable), and (3) the information described in clause (1) will become available to others in attendance at any such hearing.

Accordingly, I have no expectation that any such information will remain confidential and not generally available.”

On appeal, the Executive Board of NCYSA, by a majority vote of the members hearing the appeal, may affirm, reverse and/or modify the rejection of an application for registration and/or the suspension or termination of the registration of a Covered Person.

Part 13.

No person whose application for registration has been rejected or whose registration as a Covered Person is suspended or terminated may be associated with NCYSA, any member association or the NCSRA during the period he or she does not have a currently effective registration under the System.

Part 14.

The application for registration of any Covered Person who submits false or misleading information in his or her application shall be deemed to constitute a matter for Further Review under Part 10.

Part 15.

In the event that NCYSA is advised in a writing containing the name, address and telephone number of the advising person that a Covered Person or a person who is seeking to register as a Covered Person is (i) the subject of a pending criminal complaint (or similar legal process) alleging conduct on the part of the Covered Person that, if found by a court or jury to have occurred, would constitute a Termination Act, or (ii) engaging in conduct that could constitute Objectionable Behavior, an Administrator shall seek to obtain a copy of the criminal complaint (or similar legal process) and such other relevant information as is reasonably available. The Administrator shall provide all such information to the Risk Management Coordinator.

If such a criminal complaint (or similar legal process) is in fact pending, or sufficient evidence of Objectionable Behavior is provided, the Risk Management Coordinator shall cause the Administrator to notify the Covered Person in writing that his or her application to register and/or his or her current registration under the System is suspended until such time as the criminal proceedings are completed and/or that, Further Review under this policy may be warranted. Such notice shall also advise the Defendant of his or her right of appeal under Part 11 and Part 12.

Part 15A. Reference: US Youth Soccer Bylaw 252. Suspension Because of Litigation

Section 1. Any person participating in a USYSA program, or in a program of a State Association or a program of a member of a State Association, who becomes a defendant in litigation detrimental to the welfare of youth players or litigation based on activities detrimental to the welfare of youth players, shall be suspended from all soccer-related activities. Suspensions under this bylaw shall be determined by the appropriate State Association or the Board of Directors. Matters detrimental to the welfare of the youth players shall include crimes of moral turpitude and felonies. The person has a right appeal the suspension only over whether the matter which is the substance of the accusation, if true, is detrimental to the welfare of youth players.

Section 2. On completion of the litigation, the suspended person may inform the body suspending the person under Section 1 of this bylaw that the litigation has been completed and request that the suspension be terminated and the person reinstated. The suspending body may grant the request of the person or, if the decision of the litigation was adverse to the person, may continue the suspension for a period specified by the suspending body, fine the person, terminate all membership of that person with the suspending body and its members, or any combination of those authorized penalties.

NOTE: *N.C. Youth Soccer will impose USYS Bylaw 252 when and where applicable.*

Part 16.

In the event NCYSA reasonably believes that a Covered Person has been convicted of criminal conduct since the date of his or her last accepted registration which would be reported in criminal history or sexual offender registries or data bases, an Administrator may conduct a Search with regard to such Covered Person. The results of such Search shall be categorized as provided in Part 9. If the applicable category is Additional Inquiry, Further Review or Termination Act, the provisions of Parts 10 through 14 and Part 18 of this Section 6 shall be implemented.

Part 17.

Any member association which (1) has a material number of its Covered Persons fail to maintain effective registrations under the System by reason of the member association's intentional act, recklessness or negligence or (2) which, after receipt of notice of a lack of effective registration of a Covered Person, does not promptly cause such Covered Person to cease to be associated with it during an applicable period of suspension or cease to be associated with it (if no registration has been accepted or if termination of registration has occurred) may be declared in bad standing and will be subject to sanctions.

Part 18.

Upon the first to occur of the expiration of the thirty (30) day period set forth in Part 12.a. and the conclusion of an appeal under Part 11, NCYSA shall notify the United States Youth Soccer Association, Inc. ("USYS") of the identity of a Covered Person whose registration under the System have been suspended or terminated.

Part 19.

It shall be the responsibility of the NCSRA and each member association to review the section of the web site of the USYS listing persons whose privileges of association with one or more member organizations of USYS have been suspended or terminated.

Part 20.

The NCSRA or any member association may request that a Search of any of their respective Covered Persons who are registered under the System be conducted at any time. Upon NCYSA's receipt from such member association or the NCSRA, as applicable, of an amount equal to the fee then charged by NCYSA's

third-party services provider to conduct a Search, NCYSA shall conduct such Search and Parts 9 through 15 and Part 18 shall be implemented, as applicable.

Part 21.

Any member association and the NCSRA may cause persons involved in their respective activities who are not Covered Persons to be entered into the System through the methods described herein solely for purposes of utilizing the data base management capabilities of the System. No Search will be made with respect to any such person. A fee equal to the then applicable Registration Fee shall be paid as and when provided in Part 4.c. with respect to each such person. No further fee will be due; provided, however, that the name and relevant data on such a person may be removed from the System following the third anniversary of the date such person was entered into the System.

Risk Management Manual



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Risk Management Overview

US Youth Soccer Mission

The US Youth Soccer Kidsafe program is a program required by the Bylaws of US Youth Soccer.

US Youth Soccer Bylaw 214. Section 2. - State Association Responsibilities

USYSA and each State Association are responsible for establishing and monitoring a risk management program within its jurisdiction.

US Youth Soccer adopted the Kidsafe Program in November of 1994. The primary purpose of the Program is to protect youth players by allowing them to participate in youth soccer in a safe environment.

US Soccer Federation Requirements-

Bylaw 212. Section 1.7- General Responsibilities

If the Organization Member is responsible for recruiting, training, fielding or funding soccer players, it must establish a risk management program that evaluates potential registrants to determine whether their participation poses a risk to the safety of other participants in the Organization Members' activities.

History of NC Youth Soccer's Risk Management Program-

NCYSA adopted a Risk Management Program in 1996 in accordance with USYSA and USSF requirements.

From 1996 to 2006, Disclosure Forms were distributed to our member associations for completion by coaches and other adult participants. The completed forms were reviewed by the NCYSA State Risk Management Coordinator. Background checks were performed on individuals that answered 'yes' to any question and random checks were also performed.

In 2006 NCYSA introduced an online risk management registration process and background checks were required on all NCYSA employees, the NCYSA executive board, member association's directors and officers, members of the NC State Referee Association and all challenge and classic volunteers.

By the fall of 2007 recreation volunteers and coaches were included.

As of the 2008-09 seasonal year, approximately 13,000 individuals registered with the NCYSA Risk Management Program.

Risk Management Administrative Duties

1. NCYSA

Risk Management Coordinator Responsibilities

Currently NCYSA has co-coordinators who are appointed by the NCYSA President. The co-coordinators are not members of the NCYSA staff. Their duties involve, reviewing each background report that shows prior criminal activity or allegations of criminal activity and analyzing whether the report reveals conduct potentially requiring sanctions under the NCYSA Risk Management Requirements and Procedures.

Risk Management Administrative Duties

The NCYSA risk management administrators are members of the NCYSA staff. They take direction from the risk management coordinators. Their duties can include communications with a registrant, administering the online risk management program, sending the names for the actual background checks and assisting the risk management liaisons. The administrator/s act as liaisons for the NCYSA Staff, the NCYSA Executive Board and the Olympic Development Program (ODP).

2. Local Association's Responsibilities

Risk Management Liaison

Each NCYSA member association and the North Carolina Referee Association are required to have a risk management liaison. This individual is the direct contact with the NCYSA Risk Management Administrators. Each liaison is issued an ID and PW to access the risk management database. Association presidents are also issued an ID and PW to the database and can assume the same responsibilities as the liaison if need be. The liaison and president only have access to their own association's data. Once they are in the risk management database, they are responsible for the following:

a. Deposits money for background checks-

Each background check is \$7.00 and payment can be submitted by check or credit card. The liaison works with the association's treasurer as to which payment method is the preferred choice and the liaison creates an invoice in the system for the amount of the payment. Once payment is received, the liaison receives an email informing him or her that the money is available in their association's risk management account. This account works just like a checking account with a decreasing balance. At the end of each year (April 1), any money that is in the account is rolled over to the new seasonal year. Payments made by credit card are instantly deposited in the association's account and checks are credited to the account, once the state office receives and records the payment.

b. Submits names for background checks

The liaison should frequently view who has registered and is due for a background check. It is important for the liaison to review the list of names as sometimes registrants select the wrong association. Since each association is financially responsible for paying for the reports, it is very important that it not submit someone that does not belong to it. NCYSA does not refund money for this error.

c. Communication- Liaison/Registrar and NCYSA

It has proven to be helpful for the liaison and the registrar/s of an association to communicate with each other. Often times the registrar wants to place a coach on a roster, but is unable to do so. The liaison can check the database to see if someone has or has not registered and can also see if that person is in need of a background check.

The liaison contacts one of the NCYSA Risk Management Administrators anytime he or she has a question or needs assistance with the online program.

d. Attends an annual NCYSA workshop

Once a year NCYSA conducts a risk management workshop. This is usually held in January or February and is a required workshop.

Procedure for Registrants

Registration Process/Requirements

1. Who must register?

Every coach, volunteer, team manager, administrator, director, officers, tournament director volunteer, and employee of each member association and of NCYSA. Referees are also required to register.

Only risk management approved individuals may participate with a member association or the referee association. Only approved individuals may be present on the team's side of the field.

Individuals under the age of 18 involved with youth soccer players must register with the risk management program.

*NOTE- only individuals 18 and older will be subject to a background check.

2. When to register?

EVERY year you intend to participate with a NCYSA soccer program, or the referee association. This informs your organization and NCYSA of your desire to volunteer or serve.

PLEASE NOTE: Registering in the system DOES NOT grant immediate approval. A background check must be performed and the resulting report reviewed (if there is a reviewable matter) before approval is granted. Background checks are performed every other year.

Your risk management liaison will know when it is time to conduct a background check once you have registered in the system.

Registration for the next seasonal year begins in April of each year for the following fall and spring seasons.

3. What information to provide when registering

The following information is *REQUIRED*:

First and Last Name, Date of Birth, the last 4 digits of your SS#, Gender, Address, City and County of Residence, State, Zip Code, Home phone number, and email address.

Previous addresses are required if you have lived less than 5 years at your current address.

YOU MUST ASSIGN YOURSELF TO THE MEMBER ASSOCIATION OR REFEREE ASSOCIATION YOU WILL BE PARTICIPATING WITH.

This follows the initial registration where you provide your name, date of birth, address, etc. Many people neglect to assign themselves to their association or the referee association. When this happens your sponsoring organization cannot see that you have registered. Make sure you continue to the 2nd part of the registration to perform this duty.

Other information:

NCYSA strongly recommends that each registrant provide his or her full SS# in order to receive the most accurate background check. When a full SS # is not provided, many registrants encounter incorrect background checks. Although there is a dispute process where an individual can work with the background check company to correct the report, this can take up to 4 weeks to resolve.

Only the NCYSA Risk Management Coordinators and NCYSA Risk Management Administrators have access to SS #'s if provided. The local associations DO NOT do not have access to SS #'s nor does the remainder of the NCYSA staff.

4. Minors (Under age 18) Registering

Anyone under the age of 18 who wishes to volunteer, assist with a team or serve as a referee must register with the risk management program.

The registration form requires a parent or guardian to submit information.

A background check is not performed until an individual turns 18 years of age. It is the responsibility of the Risk Management Liaison to submit individuals for a background check when their 18th birthday occurs.

5. Identity Problems

On rare occasions in a background report, a Risk Management Coordinator has discovered the possibility of identity theft. This can be discovered when the coordinator reads the background check and when a full SS# is provided. When identity theft is suspected, the registrant is informed and the background check company can help address the concerns.

Registrants who have experienced this troubling situation have been very appreciative of the findings and the opportunity to resolve the problem.

6. Adding or Changing Information on Your Registration Form

Adding Personal Information:

You can only register ONE time for each seasonal year. However, some of your personal information may change during the seasonal year (your address, phone # or email address). You can access your registration information from the Risk Management link on the NCYSA website by selecting the 3rd option:

“I want to change some of my personal information on file.”

Note- Your name and date of birth CANNOT be changed once you register. If you make a mistake when entering your name or date of birth, please contact your risk management liaison or the state office. The state office can remove your registration so that you can register again with the correct name and date of birth.

Adding a new position (job):

If you take on another role, position or job during the soccer year, it is important that you add that information to your registration. Again, you can access your registration on the NCYSA website, assign yourself to your association or the referee association and then choose the new position you will hold. To ‘add a position’ choose the 4th option:

“I want to add another position.”

This is also the option to use if you have registered but your organization cannot locate you in the database.

7. Assistance with Registering

You should contact your liaison or one of the NCYSA Risk Management Administrators anytime you need assistance with registering or updating your information.

If your last name has a suffix or is hyphenated, it is suggested that you keep a copy of how you entered this information when you register. Many people forget they entered the suffix or hyphen and when they attempt register the next year, the system cannot find them. This can be frustrating when trying to register the next year, but you can always contact the state office for assistance.

Background Check (BGC) Process

Services are provided by LexisNexis-Volunteer Select Plus

1. How often BGC's are performed

Background checks on all individuals are performed once every TWO years. This is sometimes confused with registering with risk management EVERY year you plan to participate.

Example- If a BGC was performed in 2009 and you were approved to participate, then when you register in 2010 the system will recognize that you were approved with a BGC in 2009 and will know you are not due for another BGC until 2011. Your liaison will be able to monitor when you are due for another BGC.

2. What happens once a BGC is performed?

The NCYSA Risk Management Administrator/s submits names for background checks regularly Monday through Friday of each week with the exception of holidays. During busy times, names are submitted several times a day.

How long does it take to run a BGC?

The background check company typically returns reports within 72 hours. It depends on each individual search and whether a full SS # was or was not provided. Many times the reports are returned in less than 72 hours, but some reports have taken up to 6 weeks. Therefore, it is very important that you register as soon as you know you will participate to allow for any delays that could occur.

Reading the Reports

The NCYSA Risk Management Coordinator(s) are responsible for reading the background reports and the information submitted as part of the application process.

If a BGC reveals potentially relevant information, LexisNexis will mail a copy of the findings to the individual. This usually takes about two weeks from the date of the actual search.

Outcome from the background check

i. Approved

No offense or objectionable behavior (***) was reported, or an offense reported did not fall under an NCYSA Termination Act. The individual is marked approved to participate.

ii. Additional Inquiry

When a report contains insufficient information to attribute the results to the individual or objectionable behavior (***) is reported, the Risk Management Coordinator (s) sends a letter to the individual requesting a detailed explanation about what was reported. The individual is required to respond to the RM Coordinator (not the state office) within ten days. The liaison is also notified by mail that a letter was sent along with the required deadline. If a response is not received by the deadline, then the individual's registration will be refused and his or her current registration will be terminated.

iii. Further Review

A Further Review is warranted where (i) a criminal history or other objectionable behavior (***) was reported that is not considered a 'Termination Act'-or (ii) the individual submitted false or misleading information when registering with risk management. For this purpose, the term "objectionable behavior" (includes but not limited to continuous history of illegal activity) includes one or more charges, which did not result in a conviction for any of the matters listed as a Termination Act, or other behavior or pattern of

behavior on the part of an individual that is deemed potentially objectionable by the Risk Management Coordinator. In these situations, a Review Committee composed of the Risk Management Coordinator and two members of the Executive Board appointed by the NCYSA President will be formed. The Review Committee will review the report and may communicate with the individual or persons reasonably believed to have information relevant to the Committee's review.

The individual is notified by letter when a Review Committee is formed. Upon completion of the review, the Committee will determine one of the following outcomes:

Termination-	rejected and not allowed to participate
Probation-	typically requires a background check EVERY year instead of every two years and the individual is financially responsible for the background check.
Restricted-	allowed to participate with certain restrictions
Approved-	allowed to participate

** Objectionable Behavior (includes but not limited to continuous history of illegal activity) includes one or more charges, which did not result in a conviction for any of the matters listed as Termination Act, or other behavior or pattern of behavior on the part of the Covered Person that is deemed potentially objectionable by the Risk Management Coordinator.

iv. Termination Act-

The report contains a criminal history involving a Termination Act.

A Termination Act is either:

(i) a conviction of or plea of no contest (or the equivalent) to a criminal charge of:

A. a felony physical assault upon another person

B. a misdemeanor physical assault upon a sports official (including match officials, coaches, assistant coaches and persons acting in similar capacities) in connection with a sports event

C. a felony involving fraud, embezzlement, robbery or other similar act

D. a felony resulting in death

E. a misdemeanor physical assault upon a spouse or other individual with whom you were living, including domestic partners, children or other relatives

F. a felony involving the possession and/or distribution of a controlled substance

G. a felony or misdemeanor for conduct with respect to a minor (including physical assault, sexual misconduct, reckless endangerment or other similar acts)

H. two (2) or more convictions of operating a motor vehicle while impaired (or equivalent charges) within the three (3) year period ended the date of the review of the applicable Search by an Administrator; or, three (3) or more convictions within a five (5) year period ended such date, with at least one (1) such conviction occurring within the twelve (12) months preceding such date

I. two (2) or more convictions of drug possession and/or distribution or drug paraphernalia possession (or equivalent charges) within the three (3) year period ended the date of the review of the applicable Search by an Administrator; or, three (3) or more convictions within a five (5) year period ended such date, with at least one (1) such conviction occurring within the twelve (12) months preceding such date, or

(ii) the listing of a person in a sexual offender registry or database of any governmental body.

Denial Process

1. Notification of Termination-

The individual is immediately notified by letter and a copy is sent to the association president and risk management liaison. This notification also informs the individual of his or her right to appeal to the NCYSA Executive Board and includes a copy of the NCYSA Risk Management Rules.

2. Confirmation-

The president and/or liaison are required to confirm and notify NCYSA that the individual has received the termination letter and will not be participating.

3. Appeal Process-

- a. **Deadline to Appeal-** A request to appeal the decision, must be filed in writing within thirty (30) days of the date of issuance of the notification letter.
- b. Include with the written notice of appeal, a cashier's check or certified check in the amount of \$250.00. This is non-refundable.
- c. File a 'waiver of confidentiality.' This waiver provides that information regarding the termination will become available at the scheduled hearing and that the appellant may not expect any such information to remain confidential.

4. Hearing Procedures

1. Typically the appeal hearings are conducted at the NCYSA State Office at a regularly scheduled NCYSA Executive Board meeting.
2. The President of NCYSA oversees the hearing.
3. In the absence of the NCYSA President, the Executive Vice President oversees the hearing. If either was involved in the decision to terminate the individual, he or she is unable to oversee the hearing and the Executive Board appoints another member to oversee the hearing.
4. Any written documentation relevant to the matter appealed may be submitted to the NCYSA Executive Board and the appellant in advance of the hearing.
5. If legal counsel for NCYSA participates, the appellant may have legal counsel present.
6. Both the State and the appellant are allowed to call witnesses.
7. The State presents first, with a fifteen (15) minute time allowance, which includes time for a closing statement if desired.
8. The appellant will present second, with a fifteen (15) minute allowance, which includes time for a closing statement if desired.
9. If the relevant conduct was directed (or alleged to have been directed) at a registered player of NCYSA, the registered player and/or his or her parents or, if applicable, guardians may attend the hearing.
10. The Executive Board may, in its discretion, permit officers, directors, agents and advisors of the member association with whom the individual is associated, and members of such association, to attend any appeal hearing.
11. At the conclusion of the hearing, the Executive Board, by majority vote of the members hearing the appeal, may affirm, reverse and/or modify the rejection of the appellant and/or the suspension or termination of the appellant.

12. NCYSA notifies the appellant in writing of the outcome of the hearing and also copies this notification to the president and risk management liaison.

NOTES