



State Association

## Risk Management Policy

- A. Consistent with the recommendations of the United States Youth Soccer Kidsafe Program, Eastern New York Youth Soccer Association's (ENYYSA) 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 United States Youth Soccer activity through its affiliated member organizations.
    - b. The goal of initiating risk management registration and background checks including but not limited to 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, certified referees, trainers (whether volunteer or paid), and volunteers/persons who 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. ENYYSA lacks the resources to do full security background checks of all such numerous individuals and that ENYYSA cannot insure or assure the accuracy of the information that is provided to ENYYSA through either the Volunteer Disclosure Form or the results in the background check from the consumer reporting agency.
    - b. The ENYYSA Volunteer Disclosure Form and the background check procedure is intended as a rule-out procedure and as a deterrent. *ENYYSA does not represent that any given applicant is "fit" or "safe" on the basis of having been granted certification privileges during any applicable two year period.*



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B. Although all components of ENYISA'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 ENYISA youth players and members in jeopardy.

1. To that end, the following constitutes an outline of ENYISA'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, certified referees, trainers (whether volunteer or paid), and volunteer/persons who have regular control and authority over players.

Every adult applicant (18 years and older) wishing to obtain approval and certification by ENYISA 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, certified referee, trainer (whether volunteer or paid), volunteer or any other person performing duties are required to have a background check every two years *either by using ENYISA Volunteer Disclosure Form or by independently obtaining a background check from the FBI.*

ENYISA offers a convenient, low-cost background check option for individuals that complete all the information on the Volunteer Disclosure Form.

Any individual electing the FBI background check option shall bear ALL COSTS AND RESPONSIBILITY for the process. No soccer privileges shall be granted until the final FBI report is received, reviewed and approved by the Risk Management Committee.



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The individual election the FBI background check option shall notify ENYSA in advance by completing the designated form.

It is important to note that ENYSA requires that applicants HAVE A BACKGROUND CHECK and requires private/personal information (for example: social security number), ONLY if the applicant uses the Volunteer Disclosure Form.

- a. The Disclosure Form will include (at a minimum): legal first and last name, middle name, date of birth, social security number, state issuing current valid driver's license, residence address, telephone number, former residence address, citizenship, length of time living in the United States, e-mail 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, or a crime involving the welfare of a minor. Applicant understands that



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the information furnished on the disclosure statement is subject to verification, which will include a criminal history check.

- c. An applicant submitting false information in any manner, including on the Volunteer Disclosure Form will be subject to disqualification.
- d. The Volunteer Disclosure Form is an important document that contains sensitive information. Volunteer Disclosure Form information will be handled with confidentiality, securely stored, and accessible only to authorized personnel.
- e. Reports on negative background/criminal checks will be viewed only by members of the Risk Management Committee and/or their designated representative.
- f. Reports on negative background/criminal checks will be reviewed by the sitting Risk Management Committee and decisions rendered and actions effected in accordance with ENYSA Risk Management Policy.
- g. All applicants applying for privileges with ENYSA (or affiliate League/Club) who receive a negative background/criminal report will be notified in writing 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 ENYSA's Risk Management Appeal Process. The League Risk Management Coordinator will be notified of the disqualification. Notification will be provided to the United States Soccer Federation and United States Youth Soccer in accordance with their established policies.
- h. Except as provided for in paragraph B(1)(i).; 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



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employed, appointed, elected or certified by ENYISA or ENYISA affiliate leagues or clubs as a coach, assistant coach, manager, certified referee, trainer (whether volunteer or paid), administrator (including but not limited to individuals who decide policy; or have control or authority over currency), officer, board member 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 within ENYISA, involvement with practices, games, training, scheduling, meeting, or any other soccer-related interaction or official communication with club and league officials.

- i. Any person who is disqualified from membership pursuant to paragraph B(1)(h)., may, ten 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 ENYISA Risk Management Committee for an exemption from the limitations of paragraph h.

The current ENYISA Risk Management Committee shall have the authority to determine the manner of the exemption process and guidelines to be used to determine all exemptions. Any person applying for an exemption shall, as part of their written application, agree to waive all Association appeals and legal rights as to exemption procedures and determinations.

The current ENYISA Risk Management Committee shall have the sole discretion to accept and consider, for possible recommendation to the



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ENYISA Board of Directors, exception applications under this paragraph after five years of disqualification for convictions deemed by the Committee to be non-violent white collar in nature. White collar convictions shall be defined as those illegal acts which are characterized by deceit, concealment, or violation of trust and which are not dependent upon the application or threat of physical force or violence.

The ENYISA Risk Management Committee has the sole authority to recommend an exemption to the ENYISA Board of Directors. The ENYISA Board of Directors will approve or reject the exemption.

- j. A person convicted of any crime or offense not listed in B(1)(h), or who, the ENYISA Risk Management Committee determines may be a threat to ENYISA 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.
  - k. The terms in B(1), shall be defined as those terms are defined in the New York Penal Law and Criminal Procedure Law. All other terms shall be defined by their generally accepted meaning. Offenses committed outside New York State shall have the same effect as if they had been committed within the state.
2. The President of ENYISA will appoint a Risk Management Director and/or Administrator and Assistant Director for the State Association, and each member League President is required to appoint a League Risk Management Coordinator for the League subject to the approval of the ENYISA Board of Directors.



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- a. As to the state level personnel, the President of ENYYSA will be responsible for collecting the Volunteer Disclosure Form and reviewing the background check for the State Association Risk Management Director/Administrator. The State Association Risk Management Director/Administrator will be responsible for the collection and tracking of Volunteer Disclosure Forms for all persons applying for positions at the state level.
  - b. The league Risk Management Coordinator will be responsible for the collection and tracking of Volunteer Disclosure Forms for member clubs. The League may also collect and retain appropriate fees related to the cost of conducting background/criminal checks.
  - c. All paper Volunteer Disclosure Forms will be submitted to the ENYYSA State Risk Management Director/Administrator. Leagues will not accept or retain paper copies of Volunteer Disclosure Forms.
3. All complaints of child abuse against a person involved in ENYYSA, 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  
Eastern New York Youth Soccer Association  
PO Box 862, Rockville Centre, NY 11571-0862
4. ENYYSA has established this policy in accordance with United States 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 ENYYSA. Therefore, the ENYYSA 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 Volunteer Disclosure Form shall contain the following language: "In consideration of ENYYSA



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and its affiliate members evaluating my application, I hereby save and hold harmless from any and all liability ENYYSA 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 Disclosure Form shall become a business record of ENYYSA and that submitting false, inaccurate, or incomplete information may subject me to criminal prosecution. I also AGREE to FULLY COOPERATE with ENYYSA should there be questions about my application and that failure to do so will result in disqualification". False statements made herein are punishable as a class A misdemeanor pursuant to section 210.45 of the New York State Penal Law.