

CJSA RISK MANAGEMENT POLICY

Adopted January, 2004

Amended April 12, 2005

Amended July 9, 2007

Amended February 9, 2009

CJSA has established a risk management program to communicate to its members, clubs and districts methods of minimizing risk to CJSA players, coaches, administrators and other volunteers.

CJSA's policies and procedures were formed after reviewing the present policies for USYS and other state and regional programs. The purpose of developing these policies is to protect and provide a safe and healthy environment for the members of CJSA.

Risk Management involves many different aspects of the game of soccer. From equipment to field and goal conditions to child abuse and safety issues. CJSA believes that it should make every attempt to control risk exposure.

The following procedures and policies will apply to coaches, assistant coaches, administrators (including paid employees of CJSA and its affiliates) other volunteers (team helpers, team managers) and referees.

POLICY:

It is the intent of CJSA to deny any person who has been convicted of a crime of violence or a crime against a person, or a felony involving the welfare of a child, the opportunity to be involved in any capacity (such as a coach, volunteer, player, administrator, employee or referee) with CJSA youth soccer players.

It is the intent of CJSA to suspend immediately any person who has become involved as a defendant in litigation detrimental to the welfare of any child or litigation based on activity detrimental to the welfare of any child until the completion of the litigation.

STRUCTURE:

1. CLUBS/LEAGUES:

A) Local Clubs/Leagues will designate a Local Risk Management Coordinator (LRMC). The Club President will serve as the LRMC by default.

B) The LRMC will be responsible for club compliance with this policy.

C) Investigate and report all complaints of abuse to the CJSA Risk Management Chairperson (RMC).

D) Distribute and collect Disclosure forms for all individuals associated with their club or league. Submit completed disclosure forms to the state office.

2. STATE:

A) Enforce compliance of this policy by all clubs, leagues and associates.

B) Appoint the CJSA RMC.

3. RISK MANAGEMENT COORDINATOR:

- A) Collect disclosure forms and keep them filed and confidential.
- B) Complete all background checks.
- C) Investigate and report any findings from a background check or complaint to the CJSA President.
- D) Provide reports to the CJSA Board of Directors as needed.
- E) Periodically review this policy and make recommendations to update it as needed.
- F) Keep completed disclosure forms on file for three years. All forms that lead to a suspension shall be kept on file permanently.
- G) Distribute appropriate educational material regarding CJSA Risk Management program to Clubs, Districts, Leagues or any individual who requests them.
- H) Be responsible for media and legislative contacts involving the CJSA Risk Management program.

4. CJSA OFFICE:

- A) Maintain a secure filing system for all disclosure forms.
- B) Appoint one staff member to be the Risk Management Assistant (RMA).
- C) Maintain a separate, secure computer database for all risk management data.

5. STATE REFEREE ADMINISTRATOR:

- A) Distribute and return all disclosure forms.
- B) Serve as a liaison to the CJSA RMC.

6. CJSA DIRECTOR OF COACHING:

- A) Distribute and return all disclosure forms from CJSA ODP coaches and administrators.
- B) Serve as a liaison to the CJSA RMC for ODP administrators and coaches.

GENERAL PROCEDURES:

Disclosure forms will be made available through the Club Presidents, the District Vice President, the CJSA office, or downloaded from the CJSA website.

Volunteers/Staff must complete a disclosure form upon initial appointment and every three years afterwards. The completion of the disclosure form shall be considered part of the appointment process. The disclosure statement must be updated any time the information supplied as to criminal history becomes inaccurate or incomplete in any respect. Individuals will be permitted to begin participation pending completion of a satisfactory background check. Failure to complete the Employee/Volunteer Disclosure Form, or failure to update said form in a timely manner, shall disqualify the individual from participating in any CJSA activity and any activity of a CJSA member organization.

Background checks will be made at the discretion of the RMC. These checks may be random or they may include every registered adult, volunteer, player, employee, administrator or referee in the organization. Additionally, background checks will be performed during February of each year for all new CJSA Board Members, Officers, Committee chairs, Committee members, Cup Directors, Coaching Director and any other personnel selected by the RMC. No Board member in office shall go longer than three years without being rechecked.

Individuals that have indicated they have been convicted of a violent crime or a crime against a person will have a background check conducted. All information provided to CJSA on disclosure forms or background checks will be held in strict confidence. CJSA recognizes the information obtained is highly sensitive and will take special care to ensure the information is protected. Any person violating this confidence shall be removed from their position. The information shall not be released for any purpose except:

- A) Pursuant to an order from a court of law.
- B) Upon a specific request from a public law enforcement agency.
- C) Responses to requests from other youth sports organizations will only indicate whether the individual left the program voluntarily or was disqualified from service.

Background checks will include state sexual registry checks and state or national databases for arrest and/or convictions. Individuals with an arrest record or appearing in one of the sexual offender registries will be subject to the following:

- A) Arrest and/or criminal conviction records will be reviewed by the CJSA RMC. A conviction for a crime of violence or a crime against another person will be sufficient cause to disqualify a person for participating in any CJSA activity.
- B) Crimes of a sexual nature or of abuse against a child will automatically disqualify any person from participating in any CJSA activity.
- C) Felony convictions of any nature are serious offenses and should be viewed with extreme caution. Misdemeanor convictions, particularly where remote in time, may be viewed with more leeway where the applicant's conduct since the conviction indicates rehabilitation or lack of risk to youth and the activities of CJSA or the CJSA member.
- D) All other convictions, pending charges and/or arrests revealed through a background check should be considered on a case-by-case basis to determine whether or not the past conduct of the individual is compatible with working with youth. The RMC shall determine whether such information disqualifies the individual. Factors that may be considered in deciding whether an individual should be permitted to participate include the following: the nature and character of the past conduct; how the past conduct relates to the particular functions of the individual's job; the length of time since the offending conduct; rehabilitation of the individual, if applicable; the individual's performance record; and how such conduct affects the integrity of the program. The individual should be given an opportunity to provide evidence of any mitigating circumstances prior to a decision being made concerning the individual's qualifications for service. Any pending charges, felony or misdemeanor, shall render the individual ineligible unless or until such charges are subsequently dismissed or the individual is found not guilty.

The CJSA RMC shall notify any disqualified person of their disqualification by certified mail. Said notice will include the reason for the disqualification. Additionally, the CJSA RMC will notify the appropriate District VP and Club President, as well as all District Registrars, of any disqualification, in writing. No information other than the individual has been disqualified shall be divulged.

If an individual's background check report received by CJSA indicates information that might require an explanation, a "Letter for Request of Explanation" should be sent to that individual by certified mail. The individual whose background check requires an explanation shall not participate in any CJSA activity or any activity of a CJSA member organization until said matter has been resolved in the favor of the individual.

Any individual who is disqualified from service under the CJSA Risk Management Policy shall have the right to appeal before the CJSA Disciplinary Committee. Such a request must be submitted in writing and received by the CJSA President within 14 calendar days of the date that the ratification of disqualification was received by the individual who was disqualified. When a request for a hearing is made, that hearing will be held within 30 calendar days of the date that request was received by the CJSA President. The individual who has been disqualified shall remain disqualified from all CJSA activity until such time as the appeal has been resolved in the favor of the individual.

If the CJSA Disciplinary Committee upholds the disqualification, the individual can follow standard appeal procedures of USYS that are outlined in the CJSA rulebook.

COMPLAINT PROCEDURES:

Complaints against individuals who are alleged to have abused their authority by committing sexual, physical, mental or emotional abuse are to be reported to the local club president or local risk management coordinator. If the complaints are substantiated at the local level and action is required, a written report is to be made to the CJSA RMC within 14 calendar days. The Complainant should also report the matter to the appropriate law enforcement agency and/or child protection agency. The CJSA RMC shall follow up within 10 calendar days to ascertain if a police report or other appropriate report has been filed.

Upon receipt of a complaint, the CJSA RMC will conduct a background search if there has not been one obtained within the last 12 months.

If an abuse charge is formally lodged against an individual with the police, a criminal background check shall also be conducted. In such case, the individual will be suspended until the case is resolved.

Each complaint will be reviewed by the CJSA RMC to determine appropriate action. Upon reaching a decision, the individual must be informed and provided information on the appeal process in writing.

All disclosure forms will be held in the highest level of confidentiality and stored at the CJSA Main Office in a locked confidential file. Access to this file will be limited to the CJSA RMC, the State RMC Assistant and the CJSA President.

Information from background checks will only be known to the CJSA RMC and are not shared with anyone; except if the individual requests an appeal, then the results shall be shared with the CJSA Disciplinary Committee. The CJSA RMC and the CJSA RMC Assistant shall use computers that are password protected and not shared with other office personnel. Confidential information shall not be electronically reproduced or electronically conveyed to any other individual or organization unless it is a law enforcement or court of law that requests the information.