

2019

Athlete and Participant Safety Policy



**Maryland State Youth Soccer
Association**

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Purpose

Consistent with US Soccer Bylaw 212, Organization members are required to, among other obligations, 1) comply with applicable law and, in particular, the Ted Stevens Olympic and Amateur Sports Act (the “Sports Act”); 2) if the member recruits, trains, fields or funds soccer players, establish a risk management program to promote the safety and protect the welfare of participants; and 3) adopt policies prohibiting sexual abuse. Effective February 14, 2018, Public Law 115-126, the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017 (the “SafeSport Act”, amends the Sports Act, and required applicable amateur sports organizations (as such term is defined in the SafeSport Act, 36 U.S.C. 220530(b)) to:

- Comply with the SafeSport Act’s reporting requirements and prohibit retaliation by the applicable amateur sports organization against any individual who makes a report (36 U.S.C. 220530(a)(1));
- Establish reasonable procedures to limit one on one interactions between an amateur athlete who is a minor and an adult (who is not the minor’s legal guardian) at a facility under the jurisdiction of the applicable amateur sports organization (36 U.S.C. 220530(a)(2));
- Offer and provide consistent training to adult members in regular contact with minor and amateur athletes and, subject to parental consent, to members who are minors, regarding prevention and reporting of child abuse (36 U.S.C. 220530(a)(3)).

U.S. Soccer and its members (i.e. State Association, Youth Council Member) are considered an Applicable Entity and Covered Organizations. As a result, all clubs, town organizations, leagues and other affiliated adults of State Associations and Youth Council Members (USYS, US Club, AYSO, SAY, USSSA, etc.) are also considered an Applicable Entity and Covered Organization.

For the purposes of Maryland State Youth Soccer and our member organizations (all Covered Organizations) a Covered Individual is defined as “an adult who is authorized, by a national governing body, a member of a national governing body, or an amateur sports organization that participates in interstate or international 3 amateur athletic competition, to interact with a minor or amateur athlete at an amateur sports organization facility or at any event sanctioned by a national governing body, a member of a national governing body, or such an amateur sports organization”. Maryland Youth Soccer Association has identified an “Adult” to be “every adult (persons 18 years old and older) associated with all organizations who may have the opportunity to have direct and unmonitored access to children”. Matching this definition with the requirements of the SafeSport Act, all Adults as defined above are now considered Covered Individual under SafeSport are required to comply with the forthcoming policies, rules, procedures and compliance. The term “Participating Adults”, for the purpose of Maryland State Youth Soccer Association, applies to all Adults as defined in the paragraph above.

Using the above requirement of all adults who may have the opportunity to have direct and unmonitored access to children, the following individuals are required to register as Adults, satisfy Background Screening, complete all SafeSport and U.S. Soccer Abuse Prevention training, and are now considered Mandatory Reporters. This includes, but is not limited to:

- Coaches (all types)
- Team Managers, including designated team parents assign team management responsibilities
- Board members (Officers, Directors, Administrators, Committee Chairs, Appointees, etc.)
- Trainers (Permanent or Temporary)
- Volunteers
- Organization Employees

- Concession Workers
- Tournament Organizers, Employees, Volunteers
- And, any other person age 18 or older who may have the opportunity to have direct and unmonitored access to children

SafeSport Policy Statement

Per the SafeSport Act, each Organization Member that is an “Applicable Entity” or otherwise has adult members who are in regular contact with amateur athletes who are minors (in each case, a “Covered Organization”), must maintain, as part of that risk management program, an athlete and participant safety program that includes the six components listed below.

Prohibited Conduct Policy

Covered Organizations and other Organization Members that qualify as an amateur sports organization under 36 U.S.C. 220501(b)(3) must implement and enforce a policy or code of conduct that prohibits misconduct including bullying, hazing, harassment (including Sexual harassment), emotional misconduct, 4 physical misconduct, and sexual misconduct, as those terms are defined by the U.S. Center for SafeSport Code for the U.S. Olympic and Paralympic Movements (“the SafeSport Code”). See www.safesport.org for more details on the code.

This policy must apply to all activities under the Organization member’s jurisdiction and at least to (1) Organization member employees and board members; (2) the members of such Organization Member; (3) amateur athletes who are minors (collectively, “Youth participants”); and (4) any adult individuals the Organization Member authorizes, approves or appoints to have regular contact with Youth Participants (“Participating Adults”). This policy must also prohibit retaliation against individuals making good faith reports of misconduct.

MSYSA’s Code of Conduct includes the above categories in addition to our broader group of all adults who may have the opportunity to have direct and unmonitored access to children of Youth Participants as covered individuals who must comply with our policy.

Note: Youth Participants expressly includes referees who are minors. In addition, Participating Adults includes, but is not limited to, coaches and SYRAs and any referee program-affiliated personnel, including without limitations assigners, having regular contact with Youth Participants.

Appropriate Background Screening

Covered Organizations must implement and enforce a policy that requires appropriate background screening of at least Participating Adults by the earlier of 1) prior to regular contact with a Youth Participant; or 2) within the first 45 days of the Participating Adult taking on the role giving them access to Youth Participants.

At a minimum, the policy should include screening against applicable sex offender registries in the relevant state and a check against the Organizations Member’s suspension database, U.S. Soccer’s disqualification list and the SafeSport disciplinary records available at: www.safesport.org.

Education and Training

Covered organizations must implement and enforce a policy (1) requiring education and training designed to meet the Organization Member’s obligations under the SafeSport Act to (a) Organization Member employees

and board members and (b) Participating Adults, in each case as a condition to participation, and (2) subject to parental consent, offer and provide training to Youth Participants. The Policy should require the following:

A. Initial Training for Adults: Core Center for SafeSport Training or Equivalent
Pursuant to USOC and US Center for SafeSport Policy, and as contemplated by the SafeSport Act, Covered Organization employees, board members and Participating Adults must be required to complete consistent training concerning child abuse prevention. These policies must require Participating Adults to complete either (1) the U.S. Center for SafeSport’s Core SafeSport Training (i.e., the Center’s online training or the Center’s approved in-person training), and as applicable, follow-up refresher course training; or (2) similar training 5 designed to meet the Organization Member’s obligations under the SafeSport Act, with all continuing Adult Participants to receive initial training no later than September 1, 2019, and any new Adult Participants, effective no later than September 1, 2019, to receive initial training upon the earlier of:

- Before regular contact with an amateur athlete who is a minor begins, and
- Within the first 45 days of taking on the role giving them access to Youth Participants

A covered Organization may provide alternative training to the Core SafeSport Training, but it is strongly encouraged to use the Core SafeSport Training and any alternative training is at the risk and responsibility of the Organization member to ensure compliance with applicable law. If an Organization Member provides alternative training, it must not refer to such training as “SafeSport” Training.

B. Refresher Course(s) for Adults

In addition to the initial training, a refresher course is required on an annual basis effective the calendar year following the completion of the initial training. MSYSA requires all adults to complete the refresher course before December 31 of the following year after the initial training was completed. For example, if the initial training was completed in March 2019, the refresher must be completed before December 31, 2020.

C. Training for Youth Participants

Covered Organizations must-subject to parental consent-offer and provide training annually to Youth Participants regarding the prevention of child abuse. Covered Organizations must track:

- A description of the training(s)
- The date of the training(s) was offered and given
- A description of how the training(s) was offered and given

Covered Organizations must maintain a procedure for reporting misconduct to the Covered Organization and, to the extent required by the SafeSport Act, mandate reporting to appropriate law enforcement authorities. The procedure should be clear that reporting may be made anonymously, and that no direct fees of other cost 6 is involved in making a report. Each Covered Organization must also maintain a policy prohibiting retaliation against individuals making good faith reports of misconduct.

Limiting One-on-One Interactions – Required Policies

Covered Organizations are required to establish reasonable procedures to limit one-to-one interactions between individual Youth Participants and any Adult Participant who is not their legal guardian (“Prevention Policies”). These procedures must include athlete prevention policies covering the topics below:

- One-to-One Interactions, including meetings and individual training sessions

- Massages and rubdowns
- Locker rooms, rest rooms, and changing areas
- Social media and electronic communications
- Local travel
- Team travel

A. Minor Athletes that Become Adult Athletes

A minor athlete that reaches the age of majority is not subject to Prevention Policies in their capacity as an athlete, and when interacting with Youth Participants who are 16 years old or older. When this now age of majority athlete interacts with minor athletes 15 or younger all Prevention Policies will be in effect. Should a minor athlete reach the age of majority and then obtain a position that presents a potential power imbalance, such as becoming a coach, the individual is subject to athlete prevention policies.

B. Implementation

The mandatory components set forth in the model policies set a minimum standard. In implementing the required policies, a Covered Organization may choose to implement a policy that is stricter than the Model Policy, if it includes or is stricter than the mandatory component. If, in implementing the required policies identified here, Covered Organizations are not in compliance with federal requirements, the organization must implement policies and procedures sufficient to meet such requirements.

Enforcement

A. By Organization Members

Each covered Organization and Organization Member that qualifies as an amateur sports organization under 36 U.S.C. 220501(b)(3) must enforce its Athlete & Participant Safety Policy, consistent with the SafeSport Act. Specifically, violations of the policy must be subject to an appropriate grievance process that is materially free of bias and conflicts of interest, to address allegations of misconduct following the report or complaint of misconduct. This grievance process must include the opportunity for review by a disinterested individual or body and a right to appeal a final decision rendered by an Organization Member's process pursuant to US Soccer Bylaw 704.

B. By US Soccer

Pursuant to Bylaw 212, US Soccer reserves the right to, either directly or through a contracted third-party service provider, survey, audit, require certifications of compliance with, and otherwise review compliance by its Organization Members with this policy. Failure of any Organization Member to issue and implement the policies required by this Policy 212-3 will constitute a violation of Bylaw 212 Section1.