

Georgia Soccer

SAFESOCCKER MISSION STATEMENT

Revised May 20, 2013

- Georgia Soccer intends to use its reasonable efforts to foster safe and healthful environment for every participant in any activity affiliated with Georgia Soccer
- Georgia Soccer intends to use its reasonable efforts to inform and educate all players, coaches, administrators, volunteers, fans and employees of the risks connected with our game and to provide information about methods, procedures and practices for increasing safety and reducing unnecessary risk in involvement.
- Georgia Soccer intends to use its reasonable efforts to work with member affiliates for the adoption of programs to inform and educate all their members of the risks connected with the game and to provide information about methods, procedures and practices for increasing safety and reducing unnecessary risk in involvement.
- Georgia Soccer intends to use its reasonable efforts to develop standards of operation that reduce risk in administration and promote the welfare of its volunteers and staff.

GEORGIA SOCCER POLICY FOR BACKGROUND SCREENING,
STANDARDS TO PARTICIPATE AND APPEALS

I. GENERAL POLICY STATEMENT AND HISTORY

It shall be the policy of Georgia Soccer (hereafter referred to as “Georgia Soccer” or “the Association”) to protect and provide a safe and healthy environment for all members participating in Georgia Soccer sanctioned clubs, leagues, programs and tournaments. This policy shall be in keeping with, and shall not contradict, United States Soccer Federation (USSF), United States Youth Soccer Association (USYSA), USASA (United States Adult Soccer Association), Georgia Soccer policies and bylaws, as well as all applicable local, state and federal laws and regulations.

In 1994, USYSA approved and implemented the “Kidsafe” program. The Kidsafe program encourages each State Youth Association to develop safety guidelines and procedures. Central to the Kidsafe program is the utilization of the Participant Disclosure Statement (PDS), hereafter referred to as PDS, which is to be completed by each adult applicant, as a primary condition of acceptance for a position within Georgia Soccer. In 1999, GYSA (now Georgia Soccer – Youth) adopted preliminary risk management policies that were instituted as voluntary guidelines. This document is to update and revise the original GYSA risk management policy position.

The Risk Management Committee (RMC) shall be responsible for reviewing risk management issues that may come before the Association and shall make recommendations, as necessary, to the Board of Directors for implementation of policies and procedures that protect the Association and the affiliated membership.

This policy is applicable to all Georgia Soccer board members and committee members, local affiliate officers, directors, coaches (including assistants), trainers, referee assignors, referees, and any other volunteers, paid employees, or contractors that have regular contact with any youth players, as identified by the President of Georgia Soccer or of each local affiliate, and/or stipulated by the Georgia Soccer Board of Directors. For the purpose of this policy an “adult” is considered to be anyone 18 years or older. The Georgia Soccer Board will have final decision on whether a position within Georgia Soccer, either at the state level or with a local affiliate, should fall under this policy.

II. STATE AND AFFILIATE BACKGROUND SCREENING RESPONSIBILITIES

The primary responsibility for managing the Participant Disclosure Statement (PDS) background screening process lies with the local affiliate association. Georgia Soccer will establish the state-wide requirement that all such applicants being considered for a position within Georgia Soccer must meet.

Each local affiliate is responsible for insuring that all such designated adults meet this requirement as established by Georgia Soccer. Each local affiliate may require a more stringent requirement for hiring or appointing an adult to any position within their club but cannot adopt a less strict policy than that as defined by Georgia Soccer.

The Association will coordinate and offer, when available, an electronically managed PDS process and will be responsible for selecting and coordinating the electronic program that each affiliate will utilize for conducting the PDS process. The board will determine the manner in which this electronic PDS program will be funded.

The Association and each local affiliate should maintain strict confidentiality in the handling and storage of all background information collected. Additionally, each local affiliate is required to appoint a Risk Management Coordinator who will be responsible for conducting and managing the local risk management PDS program within their local organization. The local Risk Management Coordinator will understand the importance of maintaining a highly confidential process for acquiring, handling, and storing candidate information associated with this PDS screening program.

It should be underscored that while an effective PDS and criminal background screening process is critical to a sound Kidsafe program, this process in and of itself cannot insure a fail-safe environment for our youth.

III. BACKGROUND SCREENING PROCEDURE

1. State Level Georgia Soccer Positions: All directors, officers, commissioners, committee members, state coaching staff, and people holding other state positions, whether volunteers, employees, or contractors, so identified by the Association President will be required to submit a PDS to the Georgia Soccer Executive Director. The PDS of each state level applicant, 18 years or older, will be submitted for criminal background screening. The Executive Director will serve as the Risk Management Coordinator for all state positions. The PDS of the Executive Director will be submitted to the president of the association.

2. Referee Program: All USSF certified referees, instructors, and assignors 18 years and older who desire to participate in Georgia Soccer sanctioned games must submit a PDS every two years. The referee program PDS will be processed through the Executive Director or an appointed Referee Program risk management representative.

3. Local Affiliate Risk Management Coordinator: Each local affiliate will appoint a local Risk Management Coordinator. Each local affiliate will require each employee/volunteer/contractor to complete a PDS. The local affiliate will conduct a criminal background check on each applicant 18 years of age or older at least every two years.

4. PDS Process for determining acceptance of any applicant: New Employee/Volunteers will submit a signed and completed PDS as part of their application process. Returning participant applicants, unless otherwise stipulated in this policy, will resubmit a PDS no longer than once every two years, but can be asked to submit a PDS at any time shorter than this period at the total discretion of the local Affiliate or State Association.

a. It is the policy of Georgia Soccer to deny participation to any applicant with a criminal conviction against the person or property or both of a minor. All other record of convictions by the applicant will be determined by the Local Affiliate as outlined elsewhere in this policy.

b. It is the primary intent of this policy to deny Georgia Soccer participation to persons whose past conduct was particularly egregious or who are otherwise disqualified for their position based upon past conduct. Convictions involving crimes against minors will be automatic grounds for denial. In making all other determinations regarding exceptions granted for other convictions by the applicant not involving crimes against minors the local Affiliate will review the criminal record of the applicant and consider the following three factors: (1) the nature and gravity of the offense(s); (2) the time that has passed since the conviction and/or completion of the sentence; and (3) the nature of the job held or sought. There will not be blanket exclusions. Instead, these factors must be applied to each circumstance. Arrest records will be treated slightly differently from conviction records, since an arrest without a conviction does not establish that a person actually engaged in misconduct. Thus, the local Affiliate must also evaluate whether the applicant actually engaged in the misconduct. It can do this by giving the person the opportunity to explain and by making follow-up inquiries necessary to evaluate his/her credibility.

c. During the application process, should an applicant have a criminal history not involving any minor, the hiring authority will use other determinations including, but not limited to, the following guidelines to determine acceptance to the Affiliate/Association.

- The facts as represented in the cited report are in error; or
- The length of time that has passed since the act that resulted in conviction (the act);
- The conduct of the convicted person during the interval since the act;
- The seriousness of the act;
- The age and circumstances of the person when the act was committed;
- The nature and degree of risk posed to other participants in those Georgia Soccer activities in which the person may participate.

d. Any Affiliate who decides to accept any applicant with a felony conviction will promptly advise the Georgia Soccer Executive Director of their decision and reasons for their decision. The Affiliate shall also immediately notify the Executive Director of Georgia Soccer of any decision to deny an applicant based on their conviction record. The Executive Director will report the findings to the pertinent national bodies per the requirement of those national bodies.

The Executive Director shall inform the Board and the State RMC chair in a quarterly report, to include, by Affiliate, how many felons have been accepted, excluded and, of the excluded, those appealing the decision.

e. This process may be entirely an electronic process. Failure to comply with a request to submit a PDS may be grounds for immediate suspension or termination from Georgia Soccer. This program will be conducted with the following understanding:

- i. Willfully falsifying or omitting information on the signed PDS may subject the applicant to denial, suspension or termination from activities within the Association.
- ii. All completed PDS forms, criminal background reports, and other communication specific to the PDS and criminal background screening process are to be kept confidential and under reasonably secure storage.

5. Process for Rejecting and Notifying an Applicant Failing to Meet Standard: Any person, new or currently enrolled, denied participation based on the results of the PDS and criminal background screening process will be informed, in writing, by the local Affiliate with copy to the Georgia Soccer Executive Director, by a notification method that provides for delivery verification. All information used in reaching the decision to deny participation should be provided to the applicant. The denied applicant will be advised of the source of the information and given the opportunity to dispute the findings with that source and appeals procedure.

6. Process for Disputing/Correcting Background Screening Results: Any applicant denied participation based on the results of the background screening can choose to dispute the results with the source of that disputed background information. It will be incumbent upon the applicant to contact the source of the disputed information, request a correction, and subsequently have the source of the disputed information provide the corrected information to the Association. The local Affiliate and Georgia Soccer assume no responsibility for correcting information provided from a background screening process.

7. Suspension and/or Termination: Any participant currently working within Georgia Soccer in any capacity who is formally indicted on any exclusion crime(s) covered by this policy will be immediately suspended from any further participation pending the final resolution of the appeal proceeding.

IV. APPEAL PROCEDURE

The applicant for whom exclusion to participate has been rendered by the local Affiliate or Association may appeal the decision to the Appeals Committee in accordance with current Georgia Soccer policy and practice.

The Committee may hear an appeal and render a decision based on, but not limited to, the following:

- The facts as represented in the cited report are in error; or
- The length of time that has passed since the act that resulted in conviction (the act);
- The conduct of the convicted person during the interval since the act;
- The seriousness of the act;
- The age and circumstances of the person when the act was committed;

- The nature and degree of risk posed to other participants in those Georgia Soccer activities in which the person may participate.

Once the decision is rendered, Georgia Soccer's appropriate staff will report the findings to the pertinent national bodies per the requirement of those national bodies. The state association, through the Executive Director or other Board of Directors designee, shall generate those documents necessary to implement the actions of the Appeals Committee and the RMC.

For further information or clarification on this policy, please contact the Georgia Soccer Risk Management Committee.