



## NEBRASKA STATE SOCCER RISK MANAGEMENT POLICY

Any Non-paid members of the Board of Directors; Education Staff; Coaching Education Staff; ODP Coaches and Scouts; Affiliate Member's Officers and Board Members; and Program Directors, Team Managers, Athletic Trainers, Coaches, Assistant Coaches and Substitute Coaches, and any other individual over the age of 18 seeking affiliation with NSSA who has direct or indirect contact or influence on a youth player shall be known collectively as "Adult Participant" for the purposes of this policy. An Adult Participant is any adult (18 years of age or older) who is:

1. A member or license holder of an NGB, PSO, LAO, or USOPC;
2. An employee or board member of an NGB, PSO, LAO, or USOPC;
3. Within the governance or disciplinary jurisdiction of an NGB, PSO, LAO, or USOPC;
4. Authorized, approved, or appointed by an NGB, PSO, LAO, or USOPC to have regular contact with or authority over Minor Athletes.

Any NSSA player registered for the current season with an affiliated NSSA member will be known as "Minor Athlete" or "Player" for the purposes of this Policy. A Minor Athlete is an amateur athlete under 18 years of age who participates in, or participated within the previous 12 months in, an event, program, activity, or competition that is part of, or partially or fully under the jurisdiction of, an NGB, PSO, USOPC, or LAO

### **A. Background Screening**

#### **1. Overview**

Pursuant to U.S. Soccer Policy 212-3, Nebraska State Soccer's Background Check Policy is in place to set forth requirements pertaining to appropriate background screening. This Background Check Policy does not apply to individuals under 18 years of age.

Every Adult Applicant is required to apply for a background check every two (2) years by using the NSS digital compliance platform prior to regular contact with Minor Athletes. A comprehensive background Check, including a national search, national sex offender search (50 states plus U.S. territories) and 7-year county of residence criminal record search will be conducted on every Adult Applicant submitted every two (2) seasonal years. In addition, all Adult Applicants should be vetted against SA's suspension database, U.S. Soccer's disqualification list and the SafeSport Centralized Disciplinary Database.

Each Risk Management Application is subject to a processing fee. The Nebraska State Soccer Board will determine the costs and billing each yearly registration cycle no later than the AGM. Any applicant who has been disqualified or declared by another sport organization to be temporarily or permanently ineligible is required to self-disclose this information at the time of application. Failure to disclose is a basis for discipline/disqualification.

#### **2. Disqualification Criteria**

Any criminal background check that is obtained pursuant to the terms of this policy that results in a report of a disposition or resolution of a criminal proceeding, other than an adjudication of not guilty, for any of the below criminal offenses will be subject to NSS's policies and procedures to determine eligibility:

1. Any felony.

2. Any misdemeanor involving:

a. Any conviction or adjudication of guilt for all sexual crimes, criminal offenses of a sexual nature to include but not limited to; rape, child molestation, sexual battery, lewd conduct, possession and distribution of child pornography, possession and distribution of obscene material, prostitution, indecent exposure, public indecency, and any sex offender registrant.

b. Any conviction or adjudication of guilt for a crime against a person (including domestic violence and crimes involving firearms).

c. Any conviction or adjudication of guilt for Harm to a minor and vulnerable person, including, but not limited to, offenses such as child abandonment, child endangerment/neglect/abuse, contributing to the delinquency of a minor, and DUI with a minor.

d. Any conviction or adjudication of guilt for stalking, harassment, blackmail, violation of a protection order and/or threats.

e. Any conviction or adjudication of guilt for animal abuse or neglect.

f. Any conviction or adjudication of guilt for sale, manufacture, or intent to deliver drugs.

g. Any conviction or adjudication of guilt for crimes involving controlled substances (not paraphernalia or alcohol).

3. Any conduct which discriminates against any individual on the basis of race, color, ancestry, national origin, religion, age, marital status, sex, and sexual orientation which includes sexual harassment, which may consist of a request for sexual favors, unwanted or illegal sexual advances or propositions, verbal, physical and visual harassment, stalking, and unwanted or illegal sexual contact.

4. Any person who becomes involved as a defendant in litigation detrimental to the welfare of youth players, or litigation based on activities or conduct that reasonably may be deemed to be detrimental to the welfare of youth players shall be suspended by NSS from all soccer-related activities until completion of the litigation. Upon written request of the suspended person, the status of such person shall be reviewed by NSS. Matters detrimental to the welfare of youth players shall include but not be limited to crimes of moral turpitude, felonies and any of the crimes or activities referred to above. The person has a right to appeal whether the matter that is the substance of the accusation, if true, is detrimental to the welfare of youth players. Privileges may be reinstated at the conclusion of the litigation process.

NSS and NSS Legal Counsel have the right at any time to add additional offenses and convictions to the list as outlined above. NSS reserves the right to disqualify an individual when presented with evidence of inappropriate communication, contact, or contact with children or other individuals even if not charged, convicted, or tried in a court of law. NSS also reserves the right to disqualify an individual if that individual's behavior and/or conduct are considered detrimental to NSS, the NSS membership, or NSS member leagues.

### **3. Disqualification Procedure**

NSS will send written notification to every Adult Applicant who has been disqualified with instructions on how to appeal their disqualification. The disqualified individual has ten (10) calendar days from the receipt of the notice of disqualification to submit an appeal in writing to the Director of Member Services.

NSS may request additional information if it becomes aware of information about an individual that could have a negative impact on NSS. If the Adult Applicant fails to respond to the request within 10 calendar days of the receipt of the written notification for more information, then the individual will be considered disqualified from

participation with NSS. A reversal of the disqualification will not be considered until the requested information is received from the applicant.

#### 4. Appeal Process

The Board of Directors shall hear appeals arising from Risk Management suspensions or revocations. The decisions of Board of Directors shall be appealed to USSF pursuant to USSF Rule 705. The appeal process will be as follows:

1. All appeals shall be subject to normal appeal fees.

2. Upon receipt of the notice of suspension, or revocation the applicant has ten (10) business days to notify the NSS of intent to appeal such action. This notification shall be in writing and sent to the Director of Member Services.

3. The applicant will be notified, via email, of the time, date, and place of the appeal hearing. At the time of the hearing, all evidence on behalf of Nebraska State Soccer shall be presented to the appeal board by the RMC and/or Director of Member Services. The appellant may present any supporting documentation for the appeal.

## B. Education & Training

Amateur Organization Members must implement and enforce a policy (1) requiring education and training designed to meet the Amateur Organization Member’s obligations under the this Policy, the SafeSport Act, and the MAAPP for (a) Amateur Organization Member employees and board members and (b) Adult Participants who have Regular Contact with or authority over amateur athletes who are minors, in each case as a condition to participation, and (2) subject to parental consent, offer and provide training to Minor Athletes.

Nebraska State Soccer Mandates the minimum training requirements provided in the chart below:

### SafeSport Training Minimum Requirements

	<u>Core SafeSport Training</u>	<u>Refresher Course</u>
<b>Employees of Nebraska State Soccer and any of its Programs and Affiliate Member's</b>	Before Regular Contact with a Minor Athlete begins; and Within the first 45 days of initial membership or upon beginning a new role subjecting the adult to this policy	<b>Effective 1/1/2019:</b> Refresher course every year
<b>Non-paid members of the Board of Directors; Education Staff; Coaching Education Staff; ODP Coaches and Scouts</b>	Before Regular Contact with a Minor Athlete begins; and Within the first 45 days of initial membership or upon beginning a new role subjecting the adult to this policy	<b>Effective 1/1/2019:</b> Refresher course every year
<b>Affiliate Member's Officers and Board Members; and Program Directors, Team Managers, Athletic Trainers, Coaches, Assistant Coaches and Substitute Coaches</b>	Before Regular Contact with a Minor Athlete begins; and Within the first 45 days of initial membership or upon beginning a new role subjecting the adult to this policy	<b>Effective 1/1/2019:</b> Refresher course every year
<b>Minor Athletes who become Adult Athletes</b>	Prior to contact with minor athletes	<b>Effective 1/1/2022:</b> Refresher course every year

<b>Parent Training</b>	Will be offered annually to all members. The U.S. Center for SafeSport's parent course is located at <a href="http://www.athletesafety.org">www.athletesafety.org</a> .	
<b>Minor Athletes participating with NSS</b>	All minor athletes will be offered access to SafeSport training on an annual basis, with parental consent. The applicable program will track the training by description, date and how it was offered.	

### **C. Reporting**

Nebraska State Soccer requires all representatives, members and participants to immediately report any violations or suspected violations of the Nebraska State Soccer Risk Management Policy during any sanctioned programs, events, activities and competitions to a team official, sanctioned program, event, activity or competition official or Nebraska State Soccer representative. The following chart can be used as a guide for reporting.

<b>Type of Abuse:</b>	<b>Report To:</b>
Sexual Abuse & Misconduct	Local Law Enforcement U.S. Center for SafeSport U.S. Soccer Integrity Hotline NSSA Risk Management Coordinator
Physical Abuse	Local Law Enforcement U.S. Center for SafeSport U.S. Soccer Integrity Hotline NSSA Risk Management Coordinator
Bullying/Hazing	Report to your club NSSA Risk Management Coordinator

### **D. Monitoring & Enforcement: No Retaliation**

(a) Nebraska State Soccer prohibits reprisal or retaliation against a representative, member or participant for filing a good faith complaint of misconduct, for supporting or assisting, in good faith, another member in pursuing a complaint or in assisting in the investigation of a complaint.

(b) Members must report incidents of retaliation on the same basis as they are to report incidents of harassment. Nebraska State Soccer will not retaliate or discriminate against any member for exercising, in good faith, any rights under this Policy. Retaliation is a violation of this Policy.

## **E. Minor Athlete Abuse Prevention Policies**

This policy shall apply to all In-Program Contact between Adult Participants and Minor Athletes.

All athletes turning 18 who still meet the threshold for Regular Contact or authority must complete the SafeSport Core training, and must comply with the Prevention Policies herein, absent the Close-In-Age exception which may apply to the enforcement of Prevention Policies only.

### **I. One-on-One Interactions**

#### **1. Observable and interruptible**

- a. One-on-one In-Program Contact between an Adult Participant and a Minor Athlete must be observable and interruptible.
- b. The exceptions below may apply to specific policies, and if the exceptions apply, they are listed in the policy. These exceptions also apply to all one-on-one In Program Contact not specifically addressed in other policies:
  - A Dual Relationship Exists; or
  - The Close-in-Age Exception applies; or
  - A Minor Athlete needs an Adult Participant Personal Care Assistant (“PCA”), and:
    - The Minor Athlete’s parent/guardian has provided written consent to the Amateur Organization Member for the Adult Participant PCA to work with the Minor Athlete; and
    - The Adult Participant PCA has complied with the education and training policy; and
    - The Adult Participant PCA has complied with the Amateur Organization’s screening policy; or
    - In other circumstances specifically addressed in this policy that allow for certain one-on-one interactions if the Organization receives parent/ guardian consent.

### **Meetings and training sessions**

#### **1. Observable and Interruptible**

- Adult Participants must follow the one-on-one interaction policy in all meetings and training sessions where Minor Athletes are present.

#### **2. Individual Training Sessions**

- a. One-on-one, In-Program, individual training sessions must be observable and interruptible except if:
  - A Dual Relationship exists; or
  - The Close-in-Age Exception applies; or
  - A Minor Athlete needs an Adult Participant Personal Care Assistant, and:
    - The Minor Athlete’s parent/guardian has provided written consent to the Amateur Organization Member for the Adult Participant PCA to work with the Minor Athlete; and
    - The Adult Participant PCA has complied with the education and training policy; and
    - The Adult Participant PCA has complied with the Organization’s screening policy.

- b. The Adult Participant providing the individual training session must receive advance, written consent from the Minor Athlete’s parent/guardian at least annually, which can be withdrawn at any time; and
- c. Parents/guardians must be allowed to observe the individual training session.

#### **3. Meetings with mental health care professionals and health care providers (other than athletic trainers)**

If a licensed mental health care professional or licensed health care provider meets one-on-one with a Minor Athlete at a sanctioned event or a facility, which is partially or fully under our jurisdiction, the meeting must be observable and interruptible except if:

- the door remains unlocked,
- another adult is present at the facility,
- the other adult is advised that a closed-door meeting is occurring, although the minor's identity need not be disclosed;
- the organization is notified that the provider will be meeting with a Minor Athlete, and
- the provider obtains consent consistent with applicable laws and ethical standards, which can be withdrawn at any time.

#### 4. Monitoring

If a permitted meeting or training session takes place between an Adult Participant(s) and a Minor Athlete(s) at a facility partially or fully under the organization's jurisdiction, another Adult Participant will monitor each meeting or training session. Monitoring includes reviewing the parent/guardian consent form, knowing that the meeting or training session is occurring, knowing the approximate planned duration of the interaction, and dropping in on the meeting or training session.

#### 5. Parent Training

Parents/guardians receive the U.S. Center for SafeSport's education and training on child abuse prevention before providing consent for their Minor Athlete to have a meeting or training session with an Adult Participant subject to these policies.

## II. Athletic Training Modalities, Massages and Rubdowns

### 1. Athletic training modality, massage, or rubdown

All In-Program athletic training modalities, massages, or rubdowns of a Minor Athlete must:

- Be observable and interruptible; and
- Have another Adult Participant physically present for the athletic training modality, massage, or rubdown; and
- Have documented consent as explained in subsection (2) below; and
- Be performed with the Minor Athlete fully or partially clothed, ensuring that the breasts, buttocks, groin, or genitals are always covered; and
- Allow parents/guardians in the room as an observer, except for competition or training venues that limit credentialing.
- Coaches, regardless of whether they are licensed massage therapists, should not massage Minor Athletes.
- The provider should narrate the steps in the massage, rubdown, or athletic training modality before taking them, seeking assent of the Minor Athlete throughout the process.

### 2. Consent

Providers of athletic training modalities, massages, and rubdowns or the NGB or USOPC, when applicable, must obtain consent at least annually from Minor Athletes' parents/guardians before providing any athletic training modalities, massages, or rubdowns.

Minor Athletes or their parents/guardians can withdraw consent at any time.

### 3. Parent Training

Parents/guardians receive the U.S. Center for SafeSport's education and training on child abuse prevention before providing consent for their Minor Athlete to receive an athletic training modality, massage, or rubdown.

### III. Locker Rooms and Changing Areas

#### 1. Observable and interruptible

Adult Participants must ensure that all one-on-one In-Program Contact with Minor Athlete(s) in a locker room, changing area, or similar space where Minor Athlete(s) are present is observable and interruptible, except if:

- A Dual Relationship Exists; or
- The Close-in-Age Exception applies; or
- A Minor Athlete needs an Adult Participant Personal Care Assistant (“PCA”), and:
  - The Minor Athlete’s parent/guardian has provided written consent to the Amateur Organization Member for the Adult Participant PCA to work with the Minor Athlete; and
  - The Adult Participant PCA has complied with the education and training policy; and
  - The Adult Participant PCA has complied with the Organization’s screening policy.

#### 2. Conduct in Locker Rooms, Changing Areas, and Similar Spaces

- No Adult Participant or Minor Athlete can use the photographic or recording capabilities of any device in locker rooms, changing areas, or any other area designated as a place for changing clothes or undressing.
- Adult Participants must not change clothes or behave in a manner that intentionally or recklessly exposes their breasts, buttocks, groins, or genitals to a Minor Athlete.
- Adult Participants must not shower with Minor Athletes unless:
  - The Adult Participant meets the Close-in-Age Exception; or
  - The shower is part of a pre- or post-activity rinse while wearing swimwear.
- Parents/guardians may request in writing that their Minor Athlete(s) not change or shower with Adult Participant(s) during In-Program Contact. The Organization and the Adult Participant(s) must abide by this request.

#### 3. Media and Championship Celebrations in Locker Rooms

The Organization may permit recording or photography in locker rooms for the purpose of highlighting a sport or athletic accomplishment if:

- Parent/legal guardian consent has been obtained; and
- The Organization approves the specific instance of recording or photography; and
- Two or more Adult Participants are present; and
- Everyone is fully clothed.

#### 4. Personal Care Assistants

Adult Participant Personal Care Assistants are permitted to be with and assist Minor Athlete(s) in locker rooms, changing areas, and similar spaces where other Minor Athletes are present, if they meet the requirements in subsection (1)(a)(iii) above.

#### 5. Availability and Monitoring of Locker Rooms, Changing Areas, and Similar Spaces

- The Organization must provide a private or semi-private place for Minor Athletes that need to change clothes or undress at sanctioned events or facilities partially or fully under the Organization’s jurisdiction.
- The Organization must monitor the use of locker rooms, changing areas, and similar spaces to ensure compliance with these policies at sanctioned events or facilities partially or fully under the Organization’s jurisdiction.

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### IV. Electronic Communications

#### 1. Open and Transparent

a. All one-on-one electronic communications between an Adult Participant and a Minor Athlete must be Open and Transparent except.

- A Dual Relationship Exists; or
- The Close-in-Age Exception applies; or

- A Minor Athlete needs an Adult Participant Personal Care Assistant (“PCA”), and:
  - The Minor Athlete’s parent/guardian has provided written consent to the Amateur Organization Member for the Adult Participant PCA to work with the Minor Athlete; and
  - The Adult Participant PCA has complied with the Amateur Organization Member’s education and training policy; and
  - The Adult Participant PCA has complied with the Amateur Organization’s Member’s screening policy.
- b. Open and Transparent means that the Adult Participant copies or includes the Minor Athlete’s parent/guardian, another adult family member of the Minor Athlete, or another Adult Participant.
  - If a Minor Athlete communicates with the Adult Participant first, the Adult Participant must follow this policy if the Adult Participant responds.
- c. Only platforms that allow for Open and Transparent communication may be used to communicate with Minor Athletes.

#### 1. Team Communication

When an Adult Participant communicates electronically to the entire team or any number of Minor Athletes on the team, the Adult Participant must copy or include another Adult Participant or the Minor Athletes’ parents/guardians.

#### 3. Content

All electronic communication originating from Adult Participant(s) to a Minor athlete(s) must be professional in nature unless an exception in (1)(a) exists.

#### 4. Requests to Discontinue

Parents/guardians may request in writing that the Organization or Adult Participant subject to this policy not contact their Minor Athlete through any form of electronic communication. The organization and Adult Participant must abide by any request to discontinue, absent emergency circumstances.

#### 5. Hours

Electronic communications will only be sent between the hours of 8:00 a.m. and 8:00 p.m. local time for the location of the Minor Athlete.

#### 6. Social Media Connections

Adult Participants, except those with a Dual Relationship or who meet the Close-in-Age Exception, are not permitted to maintain private social media connections with Minor Athletes and should discontinue existing social media connections with Minor Athletes.

## V. Transportation

### 1. Transportation

- a. An Adult Participant cannot transport a Minor Athlete on-on-one during In-Program travel, except if:
  - A Dual Relationship Exists; or
  - The Close-in-Age Exception applies; or
  - A Minor Athlete needs an Adult Participant Personal Care Assistant (“PCA”), and:
    - The Minor Athlete’s parent/guardian has provided written consent to the Amateur Organization Member for the Adult Participant PCA to work with the Minor Athlete; and
    - The Adult Participant PCA has complied with the Organization’s education and training policy; and
    - The Adult Participant PCA has complied with the Organization’s screening policy.
  - The Adult Participant has advanced, written consent to transport the Minor Athlete one-on-one obtained at least annually from the Minor Athlete’s parent/guardian.



b. Minor Athlete(s) or their parent/guardian can withdraw consent at any time.

c. An Adult Participant meets the In-Program transportation requirements if accompanied by at least one other Adult Participant or at least two minors.

d. Written consent from a Minor Athlete's parent/guardian is required for all transportation sanctioned by an NGB, PSO, USOPC, or LAO at least annually.

e. Shared or Carpool Travel Arrangement

We encourage parents/legal guardians to pick up their Minor Athlete first and drop off their Minor Athlete last in any shared or carpool travel arrangement.

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## VI. Lodging

1. Hotel Rooms and Other Sleeping Arrangements:

a. All In-Program Contact at a hotel or lodging site between an Adult Participant and a Minor Athlete must be observable and interruptible, and an Adult Participant cannot share a hotel room or otherwise sleep in the same room with a Minor Athlete(s), except if:

- A Dual Relationship Exists; and the Minor Athlete's parent/guardian has provided the Organization with advance, written consent for the lodging arrangement,
- The Close-in-Age Exception applies,
- and the Minor Athlete's parent/guardian has provided the Organization with advance, written consent for the lodging arrangement; or
- A Minor Athlete needs an Adult Participant Personal Care Assistant ("PCA"), and:
  - The Minor Athlete's parent/guardian has provided written consent to the Amateur Organization Member for the Adult Participant PCA to work with the Minor Athlete and for the lodging arrangement; and
  - The Adult Participant PCA has complied with the education and training policy; and
  - The Adult Participant PCA has complied with the Organization screening policy.

b. Written consent from a Minor Athlete's parent/guardian must be obtained for all In-Program lodging at least annually.

c. Monitoring or Room Checks During In-Program Travel

If the Organization or team performs room checks during In-Program lodging, the one-on-one interaction policy must be followed and at least two adults must be present for the room checks.

d. Additional Requirements for Lodging Authorized or Funded by the Amateur Organization Member

- Any Participating Adult traveling with the organization must agree to and sign the organization's Lodging policy at least annually.
- Adult Participants that travel overnight with Minor Athlete(s) are assumed to have authority of over Minor Athlete(s) and thus must comply with the center's education and training policy.

e. Parents/guardians should receive the U.S. Center for SafeSport's education and training on child abuse prevention before providing consent for lodging under this policy.

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## VII OUT-OF-PROGRAM CONTACT

Adult Participants, who do not meet the Close-in-Age Exception nor have a Dual Relationship with a Minor Athlete, should not have out-of-program contact with Minor Athlete(s) without legal/parent guardian consent, even if the out-of-program contact is not one-on-one.