

# NEVADA YOUTH SOCCER ASSOCIATION

## SECTION 17

### RISK MANAGEMENT

#### 17:01:00 NYSA RISK MANAGEMENT POLICY STATEMENT:

17:01:01 The risk management procedures shall govern the administration and implementation of the NYSA Risk Management Program, consistent with USYS and USSF bylaws and requirements.

#### 17:02:00 NYSA RESPONSIBILITIES:

17:02:01 NYSA will not discriminate against any individual on the basis of race, color, religion, age, gender or national origin.

17:02:02 NYSA is responsible for establishing and monitoring a Risk Management Program within its assigned territory. At a minimum this program must include:

- A. Use of an employment/volunteer disclosure statement for all volunteers, employees, coaches and program administrators who are involved with any sanctioned or sponsored program of the affiliated organization; and
- B. Identification of a Risk Management Coordinator (“RMCoord”) and an alternate for the position. For NYSA, the RMCoord is the Second Vice-President, and the alternate is the President.

#### 17:03:00 RISK MANAGEMENT COMMITTEE:

17:03:01 The overall responsibility for the administration of the NYSA Risk Management Program shall rest with the Risk Management Committee (RMC), chaired by the Second Vice-President. The Committee shall consist of not less than three (3) and no more than five (5) persons. Each member of the Committee will sign confidentiality agreements and disclosure forms. Committee members will be selected by the Second Vice-President and ratified by the NYSA BOD. Committee members must adhere to the policies set forth by USSF, USYS, and NYSA.

#### 17:04:00 SAFE SOCCER FRAMEWORK:

17:04:01 NYSA has adopted the USSF Policy 212-3 that requires its organizational members, including NYSA, to adopt policies to protect participants that are in line with the Federation’s Safe Soccer Framework. The required policies are in six areas:

- A. Prohibited Conduct
- B. Background Screening
- C. Education and Training
- D. Reporting
- E. Limiting One-on-One Interactions
- F. Enforcement

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- 17:04:02 USSF and NYSA have placed as a condition of participation, the requirement of all adult members who are in regular contact with minor athletes to complete the Safe Sport Training, effective September 1, 2019. Only persons who comply with this condition shall be granted permission by NYSA to continue in their duties as coach, referee, administrator, etc.
- 17:04:03 Program Administrators/adult members are defined as all individuals age 18 (eighteen) and above who are in regular contact with minor athletes. This includes: BOD members, educational staff, ODP coaches, ODP administrators, league board members, club BOD members, administrators, coaches, assistant coaches, team managers, athletic trainers, SYRA's, referee evaluators, referees, and all other adult members of NYSA which are in regular contact with minor athletes.
- 17:04:04 It is the policy of NYSA that every reasonable effort will be taken under the Safe Soccer Framework to exclude from the program responsibilities (not to be confused with parental responsibilities affecting their own children) any adult or minor with a documented history of child molestation, e.g., a criminal record that would bring any unnecessary risk to the health and safety of NYSA's youth soccer program participants.
- 17:04:05 All adult members shall agree to be subject to a legally sensitive criminal history check (which may require fingerprinting) before or during their participation in the NYSA youth soccer program.
- 17:05:00 **PROHIBITED CONDUCT:**
- 17:05:01 Harassment:
- A. Harassment consists of unwelcome conduct, whether verbal, physical or visual, that is based upon a person's protected status. U.S. Soccer will not tolerate harassing conduct that affects tangible job benefits, that unreasonably interferes with an individual's work performance, or safety, or that creates an intimidating, hostile, or offensive working environment. Among the types of conduct prohibited by this policy are epithets, slurs, negative stereotyping or intimidating acts based on an individual's protected status and the circulation or posting of written or graphic materials that show hostility toward an individual because of his or her protected status. Prohibited conduct can also include jokes, kidding, or teasing about another person's protected status. While harassing conduct is unlawful only if it affects tangible job benefits and/or interferes unreasonably with work performance and creates an abusive or hostile work environment, this Policy forbids harassing conduct even when it does not rise to the level of a violation of law.

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### 17:05:02 Sexual Harassment:

- A. Sexual harassment deserves special mention. Unwelcome sexual advances, requests for sexual favors, and other verbal, written, or physical conduct of a sexual nature constitute sexual harassment when:
  - i. submission to such conduct is made either explicitly or implicitly a term or condition of the individual's employment;
  - ii. submission to or rejection of such conduct by an individual is used as the basis for an employment decision affecting that individual; or
  - iii. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance and creating an intimidating, hostile, or offensive working environment.
- B. Sexual harassment may involve individuals of the same or different gender. It may also occur between individuals of any employment status.
- C. Examples of conduct which may constitute sexual harassment and are prohibited by this Policy include, but are not limited to:
  - i. unnecessary touching, patting, hugging, pinching, or brushing against a person's body;
  - ii. staring, ogling, leering, or whistling at a person;
  - iii. continued or repeated verbal abuse of a sexual nature;
  - iv. sexually explicit statements, sexual flirtations, advances, propositions, subtle pressure for sexual activity, comments, questions, jokes, or anecdotes;
  - v. graphic or degrading comments about a person's clothing, body or sexual activity;
  - vi. sexually suggestive objects, cartoons, posters, calendars, or pictures in the workplace;
  - vii. suggestive or obscene letters, notes or invitations;
  - viii. harassing use of electronic mail, electronic or instant messaging, or telephone communication systems; or
  - ix. other physical or verbal conduct of a sexual nature.
- D. U.S. Soccer prohibits managers and supervisors from threatening or insinuating, either explicitly or implicitly, that an employee's submission to or rejection of sexual advances will in any way influence any personnel decision regarding that employee's wages, assigned duties, advancement, evaluation, shifts, career development, or any other condition of employment.

### 17:05:03 Racial, Religious, or National Origin Harassment:

- A. Racial, religious, or national origin harassment deserves special mention as well, and is expressly prohibited by U.S. Soccer. Racial, religious, or national origin harassment includes any verbal, written, or physical act in which race, religion, or national origin is used or implied in a manner which would make a reasonable person uncomfortable in the work environment or which would interfere with the person's ability to perform the job. Examples of race, religious or national origin harassment may include, but are not limited to:
  - i. jokes, which include reference to race, religion, or national origin;
  - ii. the display or use of objects or pictures which adversely reflect on a person's race, religion, or national origin; or
  - iii. use of pejorative or demeaning language regarding a person's race,

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religion, or national origin.

### 17:05:04 Child Sexual Abuse

- A. Any sexual activity with a child is prohibited. This includes sexual contact with a child that is accomplished by deception, manipulation, force or threat of force, regardless of the age of the participants, and all sexual interactions between an adult and a child, regardless of whether there is deception, or the child understands the sexual nature of the activity.

### 17:05:05 Sexual Misconduct

- A. Any sexual interaction between an athlete and an individual with evaluative, direct or indirect authority is prohibited. Such relationships involve an imbalance of power and are likely to impair judgment or be exploitative. This section does not apply to a pre-existing relationship between two spouses or life partners.

### 17:05:06 Emotional Misconduct

- A. Emotional misconduct in all forms is prohibited. Emotional misconduct is a pattern of deliberate, non-contact behavior that has the potential to cause emotional or psychological harm to another person. Non-contact behaviors include verbal acts, physical acts, or acts that deny attention or support; or any act or conduct described as emotional abuse or misconduct under federal or state law (e.g. child abuse, child neglect). Emotional misconduct does not include professionally-accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline or improving athletic performance.

### 17:05:07 Physical Misconduct

- A. Physical misconduct in all forms is prohibited. Physical misconduct is defined as contact or non-contact conduct that results in, or reasonably threatens to, cause physical harm to another person; or any act or conduct described as physical abuse or misconduct under federal or state law (e.g. child abuse, child neglect, assault). Physical misconduct does not include professionally-accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline or improving athletic performance. For example, hitting and punching are well-regulated forms of contact in combat sports, but have no place in soccer.

### 17:05:08 Bullying

- A. Intentional, persistent and repeated pattern of committing or willfully tolerating physical and non-physical behaviors that are intended, or have the reasonable potential, to cause fear, humiliation or physical harm in an attempt to socially exclude, diminish or isolate the targeted athlete(s), as a condition of membership are prohibited. Bullying does not include group or team behaviors that (a) are meant to establish normative team behaviors, or (b) promote team cohesion.

### 17:05:09 Hazing

- A. Coercing, requiring, forcing or willfully tolerating any humiliating, unwelcome or dangerous activity that serves as a condition for (a) joining a

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group or (b) being socially accepted by a group's members are prohibited.

Hazing does not include group or team activities that (a) are meant to establish normative team behaviors or (b) promote team cohesion.

17:05:10

### Procedures for Complaints, Investigations and Corrective Action

- A. All Covered Personnel are responsible to help ensure that we avoid misconduct. U.S. Soccer cannot act to eliminate misconduct unless it has notice of the conduct. Covered Personnel are thus charged with reporting any concerns regarding compliance with the Safe Soccer Framework in the manner provided in the Safe Soccer Framework Handbook. For the avoidance of doubt, in some instances, Covered Personnel will be required to report to law enforcement and/or the U.S. Center for SafeSport.
- B. Furthermore, U.S. Soccer employees are responsible to help assure that the work environment, on or off-premises, is free from harassment. All employees have an obligation to promptly report any and all allegedly harassing conduct they are the subject of, that they learn of, or that they witness. Our Policy provides for immediate notice of problems to the persons designated in this Policy so that we may address and resolve any problems as quickly as possible.
- C. An employee must report the harassing conduct to either:
  - i. The person to whom you report (supervisor or manager);
  - ii. Department Head;
  - iii. The Human Resources Department;
  - iv. The Legal Department;
  - v. The Chief Executive Officer; or
  - vi. The Integrity Hotline.
- D. If the employee feels uncomfortable going to his or her supervisor with the complaint, he/she must report the matter to any other member of management as designated above.
- E. This Policy does not require reporting the misconduct to any individual who is creating the harassment or discrimination.
- F. All Covered Personnel have an obligation to cooperate in any investigation of a complaint of misconduct, including providing any and all information concerning the complaint. Failure to do so may be a violation of this Policy.
- G. U.S. Soccer's Prohibited Conduct Policy offers its employees greater protection from harassment than does the law. Consequently, Covered Personnel who are found to have violated U.S. Soccer's Prohibited Conduct Policy shall be subject to corrective action, discipline or termination, even in cases where applicable laws may not have been violated and without regard to whether the conduct constitutes a violation of the law.
- H. An employee wishing to file a complaint outside the Federation may also contact either the Equal Employment Opportunity Commission or the fair employment agency in his or her state.

17:05:11 Training and Education

- A. Employees and other Covered Personnel that have contact with athletes must successfully complete the U.S. Center for SafeSport training every year. The U.S. Center for SafeSport training can be accessed at <http://training.safesport.org/>.

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- 17:05:12 Exclusive Jurisdiction Over Investigation/Adjudication of Sexual Abuse or Misconduct [applicable only to U.S. Soccer Covered Personnel]
- A. The investigation and adjudication of matters involving allegations or reports of sexual abuse or misconduct by or against Covered Personnel, or other violations of this Prohibited Conduct Policy that involve prohibited conduct that is reasonably related to and accompanies an alleged violation involving sexualized behavior by Covered Personnel are subject to the exclusive jurisdiction of the United States Center for Safe Sport in accordance with the requirements of the USOC and as set forth in the Center's Bylaws or other Center's governing documents.
- 17:06:00 LIMITING ONE-ON-ONE INTERACTIONS BETWEEN ADULTS AND YOUTH DURING TRAININGS AND MEETINGS**
- 17:06:01 Application
- A. This policy shall apply to:
    - i. Adults at a facility under the jurisdiction of a Covered Organization
    - ii. Adult members who have regular contact with amateur athletes who are minors
    - iii. An adult authorized by a Covered Organization to have regular contact with or authority over an amateur athlete who is a minor
    - iv. Staff and board members of a Covered Organization (collectively, Adults).
- 17:06:02 Observable and interruptible
- A. One-on-one interactions between minors and an Adult (who is not the minor's legal guardian) at our facilities are permitted, if they occur at an observable and interruptible distance from another adult.
  - B. Isolated, one-on-one interactions between minors and an Adult (who is not the minor's legal guardian) at our facilities are prohibited, except under emergency circumstances.
- 17:06:03 Meetings
- A. Meetings between Adults and minors at our facilities may only occur if another adult is present, except under emergency circumstances. Such meetings must occur where interactions can be easily observed at an interruptible distance from another adult.
  - B. If a one-on-one meeting takes place in an office, the door to the office must remain unlocked and open. If available, it will occur in an office that (if available) has windows, with the windows, blinds, and/or curtains remaining open during the meeting.
- 17:06:04 Meetings with mental health care professionals
- A. If a mental health care professional meets with minors at our facilities, a closed-door meeting may be permitted to protect patient privacy – provided that (1) the door remains unlocked, (2) another adult is present at the facility, (3) the other adult is advised that a closed-door meeting is occurring, and (4) written legal guardian consent is obtained by the mental health care professional, with a copy provided to our organization.
- 17:06:05 Individual training sessions

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- A. Individual training sessions between Adults and minors are permitted at our facilities if the training session is observable and interruptible by another adult.
- B. The Adult conducting the training must obtain the written permission of the minor's legal guardian in advance of the individual training session.
- C. Parents, guardians, and other caretakers must be allowed to observe the training session(s).
- D. Permission for individual training session(s) must be obtained at least every six (6) months.

### 17:06:06 Monitoring

- A. When one-on-one interactions between Adults and minors occur at our facility, adults will monitor these interactions. Monitoring includes:
  - i. Knowing that the one-on-one interaction is occurring,
  - ii. The approximate planned duration of the interaction, and
  - iii. Randomly dropping in on the one-on-one session.

### 17:06:07 Out of program contacts

- A. Adults are prohibited from interacting one-on-one with unrelated minor athletes in settings outside of the program (including, but not limited to, one's home, restaurants, and individual transportation), unless parent/legal guardian consent is provided for each out-of-program contact. Such arrangements are nonetheless strongly discouraged.

## 17:07:00 MESSAGES AND RUBDOWNS

### 17:07:01 Application

- A. Adults at a facility under the jurisdiction of a Covered Organization
- B. Adult members who have regular contact with amateur athletes who are minors
- C. An adult authorized by a Covered Organization to have regular contact with or authority over an amateur athlete who is a minor
- D. Staff and board members of a Covered Organization
- E. (collectively, Adults).

### 17:07:02 Licensed, certified professional

- A. Any massage or rubdown performed by an Adult on a minor athlete at our facilities or a training or competition venue is prohibited unless such Adult is a licensed massage therapist.
- B. Any massage or rubdown performed at our facilities or a training or competition venue by a licensed professional must be conducted in open and interruptible locations. Any massage of a minor athlete must be done with at least one other adult present and must never be done with only the minor athlete and licensed massage therapist in the room.
- C. Even if a coach is a licensed massage therapist, the coach shall not perform a rubdown or massage of an athlete under any circumstances.

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### 17:07:03 Written consent

- A. Written consent by a legal guardian shall be provided before providing each massage or rubdown on a minor athlete. Parents must be permitted to be in the room as an observer.

### 17:08:00 LOCKER ROOMS, REST ROOMS, AND CHANGING AREAS

#### 17:08:01 Application

- A. Adults at a facility under the jurisdiction of a Covered Organization
- B. Adult members who have regular contact with amateur athletes who are minors
- C. An adult authorized by a Covered Organization to have regular contact with or authority over an amateur athlete who is a minor
- D. Staff and board members of a Covered Organization
- E. (collectively, Adults).

#### 17:08:02 Use of recording devices

- A. Use of any device's (including a cell phone's) recording capabilities, including voice recording, still cameras, and video cameras in locker rooms, rest rooms, changing areas, or similar spaces at a facility under our organization's jurisdiction is prohibited. Exceptions may be made for media and championship celebrations, provided that such exceptions are approved by the Covered Organization and two or more adults are present.

#### 17:08:03 Undress

- A. Under no circumstances shall an unrelated Adult at a facility under our organization's jurisdiction be undressed (disrobed or partial or full nudity where private body parts are exposed) in front of minor athletes.

#### 17:08:04 Isolated one-on-one interactions

- A. At no time are unrelated Adults permitted to be alone with a minor in a locker room, rest room, or changing area when at a facility under our jurisdiction, except under emergency circumstances.
- B. If our organization is using a facility that has access to a single set of such facilities, we will designate times for use by Adults, if any.

#### 17:08:05 Monitoring

- A. Our organization regularly and randomly monitors the use of locker rooms, rest rooms, and changing areas at facilities under our jurisdiction to ensure compliance with these policies.

#### 17:08:06 Non-exclusive facility

- A. If our organization uses a facility not under its jurisdiction (for, e.g., training or competition or similar events) and the facility is used by multiple constituents, Adults in categories 2 through 4 are nonetheless required to adhere to the rules set forth here.



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### 17:09:00 SOCIAL MEDIA AND ELECTRONIC COMMUNICATIONS

#### 17:09:01 Application

- A. This policy shall apply to:
  - i. Adult members who have regular contact with amateur athletes who are minors
  - ii. An adult authorized by a Covered Organization to have regular contact with or authority over an amateur athlete who is a minor
  - iii. Staff and board members at a Covered Organization
  - iv. (collectively, Participating Adults).

#### 17:09:02 Content

- A. All electronic communication originating from Participating Adults to amateur athletes who are minors must be professional in nature.

#### 17:09:03 Open and Transparent

- A. If a Participating Adult needs to communicate directly with an amateur athlete who is a minor via electronic communications, another Participating Adult or the minor's legal guardian will be copied.
- B. If a minor athlete communicates to the Participating Adult privately first, the Participating Adult should respond to the minor athlete with a copy to another Participating Adult or the minor's legal guardian.
- C. A Participating Adult communicating electronically to the entire team will copy another Participating Adult.
- D. Amateur athletes who are minors may "friend" the organization's official page.

#### 17:09:04 Prohibited Electronic Communications

- A. Participating Adults are not permitted to communicate privately via electronic communications with amateur athletes who are minors, except under emergency circumstances.
- B. Participating Adults are not permitted to "private message," "instant message," "direct message", or send photos via Snapchat or Instagram to a minor athlete privately.
- C. Participating Adults are not permitted to maintain social media connections with minors; such adults are not permitted to accept new personal page requests on social media platforms from amateur athletes who are minors and existing social media connections with amateur athletes who are minors shall be discontinued

#### 17:09:05 Requests to Discontinue

- A. Legal guardians may request in writing that their child not be contacted through any form of electronic communication by the organization or by the organization's Participating Adults. The organization will abide by any such

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request that their child not be contacted via electronic communication, absent emergency circumstances.

### 17:09:06 Hours

- A. Electronic communications will only be sent between the hours of 8:100 a.m. and 8:00 p.m.

### 17:09:07 Monitoring

- A. The organization monitors its social media pages and removes any posts that violate the organization's policies and practices for appropriate behavior.
- B. The organization will inform the legal guardian of a minor athlete of any prohibited posts, as well as the organization's administrator.

## 17:10:00 LOCAL TRAVEL

### 17:10:01 Application

- A. This policy shall apply to:
  - i. Adult members who have regular contact with amateur athletes who are minors
  - ii. An adult authorized by a Covered Organization to have regular contact with or authority over an amateur athlete who is a minor
  - iii. Staff and board members at a Covered Organization
  - iv. (collectively, Participating Adults).

### 17:10:02 Transportation

- A. The organization does not arrange for local travel.
- B. Participating Adults who are not also acting as a legal guardian, shall not ride in a vehicle alone with an unrelated athlete who is a minor, absent emergency circumstances, and may only drive with at least two other minor athletes or another adult at all times, unless otherwise agreed to in writing by the minor athlete's parent/legal guardian in advance of each local travel.

### 17:10:03 Shared or Carpool Travel Arrangement

- A. 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.

## 17:11:00 TEAM TRAVEL

### 17:11:01 Application

- A. This policy shall apply to:
  - i. Adult members who have regular contact with amateur athletes who are minors
  - ii. An adult authorized by a Covered Organization to have regular contact with or authority over an amateur athlete who is a minor
  - iii. Staff and board members at a Covered Organization
  - iv. (collectively, Participating Adults).

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### 17:11:02 Team/Competition Travel

- A. When only one Participating Adult and one minor athlete travel to a competition, the minor athlete must have his/her legal guardian's written permission in advance and for each competition to travel alone with the Participating Adult.

### 17:11:03 Hotel Rooms

- A. Participating Adults shall not share a hotel room or other sleeping arrangement with a minor athlete (unless the Participating Adult is the legal guardian, sibling, or is otherwise related to the minor athlete).

### 17:11:04 Meetings

- A. Meetings shall be conducted consistent with the organization's policy for one-on-one interactions – i.e., any such meeting shall be observable and interruptible.
- B. Meetings shall not be conducted in a hotel room.

## 17:12:00 PROGRAM ADMINISTRATORS AND ADULT MEMBERS

### 17:12:01 Registration for Program Administrators/Adult Members

- A. Registration for program administrators as described in shall be available during office hours on a year-round basis. The required forms and background checks are to be submitted before the administrative position is accepted.
- B. The background check shall be filed once every three (3) years. This can be done through the NYSA website. The applying administrator assumes the cost of the background check.
- C. A background check is required for all volunteers, employees, coaches and program administrators who are involved with any sanctioned or sponsored program of an affiliated organization.
- D. Every administrator must present some form of picture identification (i.e., driver's license or State Identification card).

### 17:13:02 Denial, Suspension and Revocation of Program Administrator Privileges

- A. The Second Vice-president and RMC, with specific BOD approval, have the authority to deny, suspend, or revoke any applicant's privileges as a Program Administrator for risk management concerns as established by the NYSA BOD. Once the BOD has approved the authority of the Second Vice-president and the RMC to deny, suspend or revoke a Program Administrator's privileges, the decision may not be overruled except as set forth in the appeals process in Section 17:04:11
- B. The Second Vice-president and the RMC have the authority to summarily deny or summarily suspend any applicant's privileges of serving as a Program Administrator for risk management concerns, provided the denial or

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summary suspension is submitted to the BOD within sixty (60) days for the date of the denial or summary suspension.

- C. An affiliated league may, upon written request, petition NYSA to deny, suspend or revoke the privileges of a Program Administrator or applicant for risk management concerns. The written request shall be submitted to the RMC and the Second Vice-president in care of the State Office. The RMC shall investigate the validity of the request and reply in writing within thirty (30) days to the requesting league president.
- D. NYSA has adopted the following grounds for exclusion from serving as a Program Administrator:
  - i Any conviction for a crime of violence, a crime against a person, a crime against property, or a felony.
  - ii Any report of child abuse appearing on the Child Abuse Index.
  - iii Any record of sexual offense and/or sexual misconduct.
  - iv Admitted use of/ or conviction for use of illegal drugs.
  - v Documented history of alcohol abuse, including multiple convictions for driving under the influence.
  - vi Intentionally falsifying information on the disclosure form.
  - vii Refusal to fully complete the Risk Management Disclosure Form.
  - viii Refusal to submit to fingerprints when required to under this document.
  - ix Any conduct which discriminates against any individual on the basis of race, color, ancestry, national origin, religion, age, marital status, gender, and sexual orientation, which includes sexual harassment, which may consist of a request for sexual favors, unwanted sexual advances or propositions, verbal, physical and visual harassment, stalking, and unwanted sexual contact.
  - x Any other information that casts serious doubt on the applicant's ability to be entrusted with the supervision, guidance and care of minors.
- E. Any person participating in a sanctioned or sponsored program of NYSA who becomes involved as a defendant in litigation detrimental to the welfare of youth players, or litigation based on activities detrimental to the welfare of youth players, shall be suspended by the RMC or Second Vice-president from all USYS sponsored youth soccer-related activities until completion of the litigation. Upon written request of the suspended person, the RMC shall review the status of such person at the completion of the litigation. Matters detrimental to the welfare of youth players shall include crimes of moral turpitude and felonies. The person has a right to appeal whether the matter, which is the substance of the accusation, if true, is detrimental to the welfare of the youth players. Privileges may be reinstated at the conclusion of the litigation process by the RMC.
- F. Any action pursuant to Section 17:13:02-E is subject to the appeal procedures set forth in Section 17:04:11.
- G. Evidentiary Standard: Determinations made to deny, suspend or revoke administrator privileges shall be based on the preponderance of the

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evidence. Preponderance of the evidence means superior evidentiary weight that, though not sufficient to free the mind wholly from all reasonable doubt, is still sufficient to incline a fair and impartial mind to one side of the issue rather than the other.

### **17:04:00 APPEAL PROCEDURES:**

- A. The NYSA BOD shall appoint a Risk Management Appeal Board consisting of three (3) persons to hear appeals arising from risk management denials, suspensions or revocations, by NYSA. Persons involved in the decision to deny, suspend or revoke shall not sit on the three (3)-person appeal board. The decisions of the Appeal Board may be appealed to USSF pursuant to USSF Rule 705.
- B. Upon receipt of the notice of denial, suspension, or revocation the applicant has fifteen (15) business days to notify the RMC that he/she desires to appeal such action. This notification shall be in writing and sent to the RMC in care of the State Office. A person (appellant) suspended pursuant to Section 17:04:09:05 may seek reinstatement any time following the conclusion of the litigation process.
- C. The applicant will be notified, in writing, of the time, date and place of the appeal hearing. Such notification shall be sent by both regular and certified mail or via facsimile transmission.
- D. At the time of the hearing, the RMC or Second Vice-president shall present all evidence on behalf of risk management to the Appeal Board. The appellant may present any supporting documentation for the appeal.

### **17:04:01 Notification Procedures:**

- A. Notification of risk management actions shall be communicated to the principle parties at the same time and method and shall be accomplished by one of the following:
  - i. Certified Mail.
  - ii. Express Mail.
  - iii. Facsimile.
  - iv. Any other carrier that provides receipt notification
  - v. In the case of a minor, the minor's parent, guardian, or other responsible party for the minor.

### **17:05:00 HEALTH AND SAFETY:**

17:05:01 These health and safety guidelines are provided for information purposes only, NYSA is not responsible for the implementation or administration of the following health and safety guidelines.

### **17:05:02 First Aid:**

- A. It is the responsibility of each league/club to ensure that all personnel are adequately trained in first aid procedures. It is recommended that first

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aid and CPR training be a requirement of official involvement in the league/club. Each league/club should institute a first aid/CPR policy for their organization.

- B. In the event of a medical emergency, appropriate action must be taken immediately.
- C. It is recommended that each league/club require each team to have a first aid kit on the field at all times.
- D. All Medical Release forms must be on the field at all times during practices and games. Make sure that emergency phone numbers are listed.

### 17:05:03 Procedures for Injuries Involving Blood:

- A. The first concern is always to make sure the player is not seriously injured. Never move a player that may have internal injuries. If serious injury is suspected, clear the field and summon medical help. It is recommended that standby medical help be present at all tournaments.
- B. If it will not hurt the player more, remove him/her from the field to the sidelines away from spectators.
- C. Carry plastic bags at all times in the coach's bag. These bags should be large enough to carry a uniform and shoes. It is also recommended that rags be carried and a spray bottle containing 1:10 solution of chlorine bleach and water for wiping up surrounding areas. All tainted grass should be sprayed with the solution. A separate bag should include all contaminated articles, including bandages, rags, wipes, etc. This bag should be tied off and placed in a covered container.
- D. Referees will not allow a player on the field with a uniform that has blood on it. It is recommended that extra clothing be carried as a precaution. Many referees will allow a T-shirt of the same color as the jersey to be worn should an accident happen.

### 17:05:04 Coaching Guidelines:

- A. It is the responsibility of the coach to set the standard of behavior on the field. It is also incumbent upon the coach to control the actions of the coaching staff, players and spectators. Some things that are not acceptable are:
  - i Name-calling or harassment of a player, referee, or spectator by anyone.
  - ii Name-calling or harassment of a player by a coach or parent of another player or by another player, especially a teammate.
  - iii Name-calling or harassment of the referee, assistant referee or 4<sup>th</sup> official by anyone.
  - iv Hitting or slapping a player, coach, referee or spectator by anyone.
  - v Failure to control spectators (especially parents).
  - vi Failure to treat injuries.
  - vii Inadequate supervision, e.g. during travel, before practice (late arrival of coach), during practices, after practice (failure to wait for late

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parents). It is recommended that the coach have a procedure for this event and communicate this plan to the parents at the first team meeting.

- viii Leaving player(s) unattended.
- ix Failure to report signs of abuse.
- x Not recognizing and dealing with dangerous field and weather conditions, e.g., heat, cold, lightning, high winds, etc.

B. The coach shall always have medical releases on the field and should carry a fully stocked first aid kit.

C. The coach should have proper pre-game warm-ups and conditioning.

17:05:05:04 The coach should have a standardized travel check-list.

### 17:05:05 League Guidelines for Safety and Players with Special Needs:

A. Develop and use clear rules and procedures regarding game cancellations due to field and weather conditions, including the following:

- i Authority of league and club administrators to cancel games in advance.
- ii Authority of both coaches to override a referee's decision to a play game. They cannot override the referee's decision not to play.
- iii Effective notification process.

B. Develop and follow guidelines for assigning players to teams. Deal with exceptions to age guidelines on a case-by-case basis, including the following:

- i Leagues can use 'special circumstances' to allow participation of players with special needs.
- ii Consult with parents and the physician and obtain a physician's recommendation in writing.
- iii Obtain informed consent and waiver from parents or guardians.
- iv Obtain authorization from insurance carrier.
- v Document decisions in writing.
- vi Do not change The Laws of the Game, unless dictated by NYSA or USYS.

### 17:06:00 STANDARDS OF ETHICAL CONDUCT FOR INDIVIDUALS ASSIGNED RISK MANAGEMENT RESPONSIBILITIES WITHIN NYSA:

17:06:01 The purpose of the attached confidentiality agreement is to inform all Risk Management Coordinators and all others serving on the RMC of the security and confidentiality requirements of the information they will be gathering. It is not meant

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to reflect negatively on the RMC performance; nor does it imply that the RMC is suspected of any wrongdoing.

17:06:02 As a member of the RMC you have an obligation to safeguard the records entrusted to you and the following is to remind you of the security, confidentiality and ethics required for all appointed to the RMC.

17:06:03 As an RMC member you should:

- A. Represent the interests of all people served by this organization and not favor special interests inside or outside of this organization.
- B. Not use your position as risk management coordinator for personal advantage or for the advantage of your friends or associates.
- C. Keep confidential information confidential.
- D. Do nothing to violate the trust of those who elected or appointed you to the position of risk management coordinator or of those you serve.
- E. Never exercise authority as a risk management coordinator except when acting in that capacity, as you are delegated, by the organization which elected/appointed you.
- F. Ensure that all disclosures are made only to those individuals having a legitimate need to know in the course of their official duties.
- G. If you are uncertain whether contemplated action may violate privacy and confidentiality standards, consult with a higher authority, e.g., the NYSA Second Vice-president, others on the committee, or NYSA President.
- H. Disclose personal information about an individual only with the written consent or at the written request of the individual to whom it pertains.
- I. Be responsible for doing all work associated with this position.
- J. Be responsible for taking care of and returning all NYSA issued equipment to the state office when requested to.
- K. Understand your responsibilities, and if unclear seek further clarification regarding any of the requirements.

17:07:00 **CONFIDENTIALITY AGREEMENT:**

17:07:01 NYSA will maintain a copy of all confidentiality agreements, in a secure place. By signing the agreement, risk management coordinators acknowledge that they were counseled about the security and confidentiality pertaining to their responsibilities as a RMC member and that they were afforded the opportunity to obtain clarification regarding any of the requirements of the position, which they did not fully understand.