



# KANSAS STATE YOUTH SOCCER

[www.kansasyouthsoccer.org](http://www.kansasyouthsoccer.org)

*"The purpose of the Kansas Youth Soccer Association is to promote, foster, and perpetuate the game of soccer throughout the State of Kansas."*

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## RISK MANAGEMENT/BACKGROUND CHECK POLICY

The Kansas State Youth Soccer Association (hereinafter referred to as KSUSA) establishes this policy to protect youth soccer players in the State of Kansas. Any coach, assistant coach, team trainer, team manager, referee, League President, League Delegate, League official, League representative, KSUSA administrator, KSUSA Board of Directors member, contract labor employee, or any other individual over the age of 18 seeking affiliation with KSUSA or KSUSA affiliated leagues who has direct or indirect contact or influence on a youth player shall be known collectively as "Adult Applicant" for the purposes of this policy. Any KSUSA player registered for the current season with an affiliated KSUSA league will be known as "Youth Player" or "Player" for the purposes of this Policy.

### I. APPLICATION PROCESS

Every Adult Applicant is required by KSUSA to apply for a KSUSA Background Check every two years by using the Online Risk Management system prior to being registered with KSUSA, its affiliate leagues or as a KSUSA referee.

A nation-wide criminal history background check is performed on every Adult Applicant submitted every two years. Each application is subject to a processing fee set by the KSUSA Board of Directors (payable by the club or individual). Honesty and full disclosure are expected of Adult Applicants when filling out the online application. Should an Adult Applicant not properly disclose his/her criminal history it may impact the approval or denial of the application. Every Adult Applicant must provide his or her Social Security Number, which will be kept confidential. Those applicants who do not have a Social Security Number (International Applicants) may be required to have an additional background check (with an additional processing fee) and provide additional documentation.

### II. RISK MANAGEMENT DISQUALIFICATION CRITERIA

The Risk Management Committee (hereinafter referred to as RM Committee) will make all initial decisions pertaining to an individual's eligibility to participate with KSUSA. The RM Committee has the authority to immediately disqualify an individual based on the results of any criminal history background check(s). The RM Committee also has the authority to obtain more information on questionable or serious offenses and convictions based on the results of any criminal history background check(s).

The RM Committee consists of:

- KSUSA Executive Director
- KSUSA Risk Management Chairperson
- KSUSA Board President

KSUSA reserves the right to modify or change the make up of the RM Committee with or without notice and for any reason it deems appropriate and/or sees fit.

Upon reviewing the results of any background check conducted, criminal offenses and/or convictions listed below, in whole or in part, may cause the Risk Management Applicant to be immediately disqualified from participation with KSUSA, all KSUSA related activities and events, all KSUSA affiliated league activities and events, and all US Youth Soccer related activities and events. KSUSA reserves the right to contact the applicant regarding their criminal history in an attempt to gather more information. Information provided by the applicant is taken into consideration by the RM Committee in determining the

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eligibility of the applicant to participate with KSUSA.

Offenses not listed here are still susceptible to Disqualification at the RM Committee's discretion.

Abduction	Having a weapon while under a disability
Aggravated assault	Illegal administration or distribution of anabolic steroids
Aggravated burglary	Illegal use of minor in nudity oriented material or performance
Aggravated menacing	Importuning
Aggravated Murder	Improperly discharging a weapon at or near a school or dwelling
Aggravated robbery	Involuntary manslaughter
Assault and Battery	Kidnapping
Burglary	Pandering sexually oriented matter involving a minor
Carrying concealed weapons	Patient abuse/neglect
Child enticement	Placing harmful objects in food or confection
Child stealing	Possession of drugs
Compelling prostitution	Procuring
Contributing to the delinquency of a minor	Promoting prostitution
Corrupting another with drugs	Property Theft
Corruption of a minor	Prostitution
Custodial interference (Interference with custody)	Public indecency
Criminal Sexual Conduct	Rape
Disseminating matter harmful to juvenile	Robbery
Domestic violence	Sexual Battery
Drunk Driving (DUI)	Sexual imposition
Embezzlement	Theft
Endangering children	Trafficking
Failing to provide for functionally impaired person	Voluntary manslaughter
Felonious assault	Voyeurism
Felonious sexual penetration	
Funding of drug or marijuana trafficking	
Gross sexual imposition	

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

The RM Committee analyzes criminal offenses and/or convictions acquired from criminal history background check(s) with a general incident date seven (7) years prior to the application date. The RM Committee also reserves the right to review incidents that date back further than seven (7) years and disqualify the individual, if that individual's criminal history indicates a possible threat to the well being and safety of children.

The RM Committee also reserves the right to perform criminal history background check(s) at random time periods during an

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Adult Applicant's two-year approval window that may or may not have a criminal history.

### III. DISQUALIFICATION PROCEDURE

The KSUSA RM Committee will send official notification to every Adult Applicant who has been disqualified by the RM Committee with instructions on how to appeal the decision made by the KSUSA RM Committee. The disqualified individual has ten (10) business days from the receipt of the notice of disqualification to submit an appeal in writing to the KSUSA State Office.

The KSUSA RM Committee will send written notification to every Adult Applicant who is asked to provide more information by the RM Committee pertaining to offenses and/or convictions found as a result of criminal history background check(s). The KSUSA RM Committee may request additional information if it becomes aware of information about an individual that could have a negative impact on KSUSA. If the Adult Applicant fails to respond to the KSUSA RM Committee within ten (10) business days of the receipt of the notification for more information then the individual will be considered disqualified from participation with the KSUSA. A reversal of the disqualification will not be considered until the requested information is received from the applicant.

If an Adult Applicant has any pending criminal charge(s), the Risk Management Committee may disqualify the individual after a preliminary review. The individual will receive a letter of disqualification, which will stand until a determination has been made by the appropriate legal court system and/or the KSUSA RM committee determines that the matter has been resolved. After this determination is made, the individual has the right to appeal his/her disqualification within 30 calendar days. The individual forfeits all rights to appeal if a written request of appeal is not received by KSUSA within the allotted time period.

### IV. APPEAL PROCESS

Any Adult Applicant who has been disqualified from participation with KSUSA has the right to appeal the initial decision made by the RM Committee. Once the individual receives the written notification of the disqualification, that individual must submit a notice of appeal to the KSUSA State Office. The KSUSA State Office must receive the notice of appeal within ten (10) business days from the receipt of the disqualification notice. In the event an Adult Applicant fails to appeal within the 10 business day period, the Adult Applicant may re-apply for a background check after one (1) full year from the initial application date. To re-apply, the Adult Applicant must submit a letter to the KSUSA RM Committee seeking consideration of their request.

When the notice of appeal is received in a timely manner, the appeal hearing date will be established at the discretion of KSUSA Board of Directors. Any three members of the KSUSA Board of Directors currently elected to office having no conflict of interest in the matter and having no association with the disqualified Adult Applicant shall hear the appeal. No members of the KSUSA Board of Directors, except the KSUSA President, will serve on the KSUSA Risk Management Committee. A disqualified Adult Applicant may send materials to the KSUSA State Office to be reviewed by the KSUSA Board of Directors before the hearing date. All materials must be received 5 (five) business days before the hearing date. All elected KSUSA Board of Directors present at the appeal may vote on an Adult Applicant's status. The KSUSA Board of Directors present for the appeal will take a vote in a private session and the decision will be relayed in written form to the individual no later than 10 business days from the date of the meeting. The KSUSA Board of Directors present at the appeal may rule in the following ways:

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- Reinstatement of the Adult Applicant\*
- Amend the initial decision reached by the KSYSO Risk Management Committee\*
- Uphold the initial decision reached by the KSYSO Risk Management Committee\*

\*The KSYSO Board of Directors determines the terms of reinstatements and the terms of disqualifications.

Recognizing that State Associations can differ greatly, U.S. Soccer has allowed each State Association to establish its own criteria for prevention of abuse based upon applicable laws in each state, each State Association's insurance program, and what each State Association believes is best for its membership. The USSF Appeals Committee does not review risk management decisions by Organization Members. USSF Policy 601-10 sets out the procedures for recognition of risk management actions and does not provide for an appeal of this type of disqualification to the USSF Appeals Committee.

This section only applies to individuals disqualified as described in *DISQUALIFICATION PROCEDURE*.

Normal appeals process applies as described above. The determination by the legal court system will not necessarily imply that the same decision will be reached by the KSYSO Board of Directors. Determinations by the court of 'Not Guilty', 'Dismissed', (or similar) will not automatically reinstate the individual for full participation within KSYSO; an appeal hearing will still take place unless overruled by the KSYSO Board of Directors.

The KSYSO Board of Directors reserves the right to update, modify, or change this policy at any time without notice.