



Louisiana Soccer Association Risk Management Policy January 2020

Policy 105 LSA Risk Management Policy

This Risk Management Policy is intended to comply with both federal and state law and by doing so promote the safety and welfare of youth players and to join with LSA affiliated clubs in protecting youth players from unsafe conditions. In the event there exists any conflict between this Policy and any federal or state law, such law shall be controlling.

105.1 Application of Risk Management Procedures

105.1.1 Any and all individuals age 18 and older acting within an official capacity and who may have the opportunity to have direct and unmonitored access to children who are involved with any approved or sponsored program of US Youth Soccer, LSA and/or any LSA affiliated club including, but not limited to, coaches, referees, administrators, team manager, trainer and volunteers, older players and other covered individuals as defined herein (hereinafter referred to as "RM individuals") must complete all LSA risk management procedures each year. These Risk Management Policies and Procedures shall apply to any and all such RM individuals regardless of whether such individuals receive compensation, whether they work full or part-time, and regardless of the age groups and levels of play in which they are involved.

105.1.1.1 "Coach" shall include all coaches, including assistant coaches, of all teams.

105.1.1.2 "Referee" shall include any person involved in any manner with officiating any scrimmage or game.

105.1.1.3 "Administrator" shall include any person involved to any degree with the organization, management, supervision or governance of any youth soccer club or program. "Administrator" shall include, but not be limited to, all club directors, board members, officers, registrars and employees, whether full-time or part-time.

105.1.1.4 "Team Manager" shall include any person involved in any manner with organizing, administering and managing team affairs and events.

105.1.1.5 "Athletic Trainer" shall include any person involved on a regular basis in the prevention, diagnosis, and intervention of emergency, acute and chronic medical conditions and injuries in youth players.

105.1.1.6 "Volunteers" shall include any person who for any duration of time shall volunteer his or her time to perform a function necessary to the operation of a club and/or a club event associated with youth soccer during which prolonged contact with youth soccer players can reasonably be expected.

105.1.1.7 "LSA" shall include all members of the LSA Executive Committee, LSA Instructional Coaching Staff, ODP Coaching staff, Office Staff and any person employed by LSA who may have prolonged contact

- with youth soccer players.
- 105.1.1.8 "Older player" shall include any person who will turn 18 during the season or is over the age of 18 at the beginning of the season and is on a team with any player not yet 18 at the beginning of the season.
- 105.1.1.9 Other 'covered individual'. The term 'covered individual' means an adult who is authorized by a national governing body, a member of a national governing body, or an amateur youth sport organization that participates in interstate or international amateur athletic competition, to interact with a minor or amateur athlete at an amateur sports organization facility or at an event sanctioned by a national governing body, a member of a national governing body, or such an amateur sports organization
- 105.1.2 No RM Individual shall be permitted to participate in any way in any LSA-sanctioned youth soccer program or event and/or in any capacity with or for any LSA affiliated member or club at any time unless and until they have completed all LSA risk management procedures.
- 105.1.2.1 Any individual who participates in any way in any LSA sanctioned youth soccer program or event without having first completed all LSA risk management procedures as herein required shall be subject to a fine not to exceed \$1,000.00 and to a lifetime suspension from all LSA sanctioned programs or events.
- 105.1.2.2 Any LSA affiliated member or club that permits any individual to participate in any capacity or in any way in any LSA sanctioned Youth soccer program or event without having first completing the LSA risk management procedures as herein required shall be subject to a fine not to exceed \$1,000.00. Further, the LSA affiliated member or club may not be covered under insurance provided by LSA if this procedure is not adhered to in full.
- 105.2 Risk Management Procedures
LSA shall establish on-line questionnaires, testing and programs to be completed each year by all RM Individuals including:
- 105.2.1 Criminal Background Check
All RM Individuals must submit to an on-line criminal background check and must cooperate with their Club Risk Management Director and the LSA Risk Management Committee to insure a complete and proper criminal background check has been accomplished. For RM Individuals who have not spent 22 of the last 24 months in the United States an acceptable international background check must be submitted to LSA.
- 105.2.2 Concussion Awareness
LSA has adopted the US Soccer Comprehensive Player Health and Safety Program. In particular, LSA requires all RM Individuals to complete an on-line Concussion Awareness course and test.
- 105.2.3 Prohibited Conduct
In accordance with Federal and state law, LSA adopts and incorporates herein the Prohibited Conduct Policy of US Soccer as the same may be amended from time to time. The US Soccer Policy defines conduct which shall be prohibited in all US Soccer operations and such prohibited conduct includes, but not by way of limitation:
- 105.2.3.1 Sexual contact with a child regardless of whether there is

- deception or the child understands the sexual nature of the activity.
- 105.2.3.2 Harassment, discrimination or intimidation against by any individual against any other individual based upon race, color, age, religion, marital status, sex, ancestry, national origin, citizenship, veteran's status, pregnancy, disability, sexual orientation or any other characteristic protected by federal, state or local law
- 105.2.3.3 Sexual harassment involving unwelcome sexual advances, requests for sexual favors, and other verbal, written, or physical conduct of a sexual nature.
- 105.2.3.4 Sexual misconduct involving any sexual interaction between an athlete and an individual with evaluative, direct or indirect authority is prohibited.
- 105.2.3.5 Bullying involving the 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 individual(s), as a condition of membership are prohibited.
- 105.2.3.6 Hazing involving the coercing, requiring, forcing or willfully tolerating any humiliating, unwelcome or dangerous activity that serves as a condition for (a) joining a group or (b) being socially accepted by a group's members are prohibited.
- 105.2.4 US Center for SafeSport Training
LSA has adopted the US Center for SafeSport Training which covers topics including mandatory reporting laws, sexual misconduct awareness education and emotional and physical misconduct education. LSA requires all RM Individuals to complete the on-line SafeSport training course.
- 105.2.4.1 LSA maintains a zero tolerance regarding abuse.
- 105.2.4.2 The LSA Zero Tolerance for abuse extends to all representatives, members and participants in any and all LSA sanctioned programs, events, activities and competitions.
- 105.2.4.3 LSA requires every representative, coach and volunteer to assist in creating a safe environment for participants at and during any and all sanctioned programs, events, activities and competitions.
- 105.3 Club Risk Management Director
- 105.3.1 Each member organization must designate a Risk Management Director (RMD) on their LSA Annual Report form.
- 105.3.2 The RMD is responsible for insuring that every club officer, coach, assistant coach, manager, referee, assistant referee, trainer and any volunteer who have regular contact with any youth players complete the LSA online risk management disclosure questionnaire annually and reviews the online video approved by the LSA regarding required reporting of suspicions regarding child welfare.
- 105.3.3 The RMD shall develop and maintain relevant Risk Management Policy for his/her member organization and communicate risk management

information to their members as appropriate. Risk management policies should include, but are not limited to:

- 105.3.3.1 the required background checks;
 - 105.3.3.2 severe weather safety guidelines;
 - 105.3.3.3 first aid education and guidelines;
 - 105.3.3.4 CPR education and guidelines;
 - 105.3.3.5 field and facility safety, including goals and field conditions and lost child procedures;
 - 105.3.3.6 proper use of social media and electronic communications;
 - 105.3.3.7 safety procedures for team tournament travel; and
 - 105.3.3.8 compliance with the mandatory reporting requirements provided for in federal and state law before attempting to conduct any investigation of their own.
- 105.3.4 Unless the Applicant chooses to withdraw his/her application, LSA shall notify the RMD of a member Club of the disqualification hereunder of any Applicant who has indicated the intention of volunteering or working with that member Club. Such notification shall be given to the member Club immediately upon the final determination of disqualification whether by acceptance of the Applicant, real or implied, or following the process of appeal as set forth hereafter. Should an Applicant chose to withdraw his/her application the LSA shall inform the member Club's RMD that the Applicant is not allowed to have unsupervised contact with youth members of the member Club.
- 105.3.5 Any LSA affiliated club that fails to appoint or to name an RMD on their Annual Report shall be placed immediately into "Not in Good Standing" status and shall remain in "Not in Good Standing" status until and unless LSA is satisfied that an individual has been duly named RMD and that such individual understands his or her role and responsibilities as such. Further, if such deficiency is not remedied then the LSA Risk Management Committee may suspend the club's insurance coverage.
- 105.4 LSA Risk Management Committee ("RMC")
The Risk Management Committee (RMC) shall have full authority to make all decisions pertaining to an individual's eligibility to participate with LSA and to disqualify an individual based on the results of any criminal history background check(s). The RMC also has the authority to attain more information on questionable or serious offenses and convictions based on the results of any criminal history background check(s).
- 105.4.1 The RMC shall be composed of those persons so designated in the LSA Bylaws.
 - 105.4.2 LSA shall have the authority to modify the composition of the RMC without notice and for whatever reason it deems appropriate for the proper and expeditious administration of the duties of the RMC.
 - 105.4.3 LSA shall have the authority to contact any risk management applicant regarding their criminal history in an attempt to gather more information. Information provided by the applicant may be taken into consideration by the RMC in determining the eligibility of the applicant to participate with LSA.
 - 105.4.4 The RMC shall review those risk management disclosure questionnaires that indicate the existence of any potential disqualification criteria.
 - 105.4.5 The RMC shall analyze convictions produced from criminal history background check(s) with an incident date between the application date and ten (10) years previous from the application date. The RMC shall have the authority to review and analyze incidents that date back farther than 10

- years if it is deemed that a person's criminal history beyond 10 years possesses a serious threat to the well-being and safety of children.
- 105.4.6 After reviewing an applicant's disclosure statement and criminal background check, the RMC may request additional information or data from the applicant. Should the applicant fail or refuse to provide such additional information or data within ten (10) days of the RMC request, the RMC shall deny the applicant's application.
- 105.4.7 The RMC also reserves the right to perform criminal history background check(s) at random time periods on any adult who has previously applied for Risk Management and who may or may not have a criminal history.
- 105.5 Risk Management Disqualification Criteria
Upon reviewing the results of any background check, the convictions listed below, in whole or in part, may cause the Risk Management Applicant to be immediately disqualified from participation with LSA, all LSA related activities and events, all LSA affiliated club activities and events, and all US Youth Soccer related activities and events.
- 105.5.1 Individuals found to be guilty of the following crimes will be disqualified from participation as outlined below. The term "guilty" be defined as a judicial finding of guilt
- 105.5.1.1 after the entrance of a plea of "guilty";
- 105.5.1.2 after the entrance of a plea of "no contest" accompanied by the court's finding of guilty;
- 105.5.1.3 after the entrance into any pre-trial probation agreement or program.
- 105.5.1.4 following a trial regardless of whether there was an adjudication of guilt (conviction) or a withholding of a finding of guilt. This policy does not apply if criminal charges resulted in acquittal, dismissal or in an entry of "nolle prosequi":
- 105.5.2 Ever Found To Be Guilty Of:
- 105.5.2.1 Any sex offense including, but not limited to, child molestation, rape, sexual assault, sexual battery, sodomy, prostitution, solicitation, or indecent exposure.
- 105.5.2.2 Any felony of violence including, but not limited to, murder, manslaughter, aggravated assault, kidnapping, robbery, and aggravated burglary.
- 105.5.3 Found to be guilty within the past 10 years of any felony offense other than violence or sex related offenses set forth above, including, but not limited to, drug related offenses, theft, embezzlement, fraud, and child endangerment.
- 105.5.4 Found to be guilty within the past 7 years of any misdemeanor offense involving violence including, but not limited to, simple assault, battery, domestic violence, and hit and run.
- 105.5.5 Found to be guilty within the past 5 years or guilty of multiple offenses in the past 10 years of misdemeanor drug offenses including, but not limited to simple possession of any drug.
- 105.5.6 Found to be guilty within the past 2 years or guilty of 3 or more offenses in the past 10 years of misdemeanor alcohol or drug offenses including, but not limited to, driving under the influence, drunk and disorderly, public intoxication, and possession of drug paraphernalia.
- 105.5.7 Any other misdemeanor within the past 5 years that, in the opinion of the RMC could reflect or be considered a potential danger to children or is directly related to the functions associated with working with youth soccer players including, but not limited to, contributing to the delinquency

- of a minor, providing alcohol to a minor, and theft.
- 105.5.8 Should any pending charges described above be discovered or should any of the above charges be brought against an applicant during the season, the applicant shall be suspended from serving until such time as the charges have been cleared or dropped and the Club RMD has approved reinstatement.
- 105.5.9 The LSA Executive Committee shall have the authority to add at any time additional offenses and convictions to the list as outlined above.
- 105.6 Disqualification Procedure and Right of Appeal
- 105.6.1 The RMC shall send written Notification of Disqualification to every Applicant who has been disqualified by the RMC. The written notification shall include instructions on how he or she may either withdraw his/her application (if applicable) or appeal the RMC decision.
- 105.6.2 The disqualified individual has 3 days from the receipt of the Notice of Disqualification to either withdraw his or her application if the disqualification was for a misdemeanor offense to submit a written Notice of Appeal to the LSA Executive Director.
- 105.6.3 Withdrawal of Application
The Applicant may withdraw his/her application if the disqualification was for a misdemeanor offense, in which case LSA shall delete the Applicant's application and take no further action.
- 105.6.4 Right of Appeal
- 105.6.4.1 The disqualified individual has 3 days from the receipt of the Notice of Disqualification to submit a written Notice of Appeal to the LSA Executive Committee. If a Notice of Appeal is not received by LSA Office within such 3-day period, the disqualification will be deemed final and the disqualified individual shall have no further right to appeal the RMC decision. The Notice of Appeal must be accompanied by a check in the amount of \$200.00 made payable to LSA.
- 105.6.4.2 An appeal from a disqualified individual shall be heard by the LSA Executive Committee at its next scheduled meeting. All Executive Committee Members present (including by way of telecommunications) at the meeting with the exception of those Executive Committee members who serve on the RMC and those who identify a conflict of interest with the disqualified individual, shall vote.
- 105.6.4.3 The Executive Committee shall consider a report and the Notice of Disqualification of the RMC and the Notice of Appeal and any supporting documentation from the disqualified individual. The disqualified individual shall not have the right to personally appear before the Executive Committee.
- 105.6.4.4 A vote of a simple majority of the Executive Committee members present (including by way of telecommunications) shall be final and binding.
- 105.6.4.5 The decision of the Executive Committee shall be sent to the appealing individual within than 10 days of the decision. The decision of the LSA Executive Committee shall be final and binding and shall take effect immediately.
- 105.6.4.6 The LSA RMC may request that an Applicant provide the RMC with further information pertaining to offenses and/or convictions found as a result of criminal history background check(s). If the Applicant

fails to respond to the RMC within 10 days of the RMC request, the individual will be disqualified.

105.7 Risk Management Disclosure Process for Referees

All referees, instructors, assignors and assessors shall be held to the same Risk Management standards and criteria for disqualification as all other individuals who may have contact with youth soccer players in Louisiana.

105.7.1 All referees, instructors, assignors and assessors must register with U.S. Soccer annually to be eligible to work any LSA-approved game or event in any capacity. U.S. Soccer's registration is valid for a calendar year.

105.7.2 No referee 18 years of age or older, instructor, assignor or assessor shall be permitted to act as such in any capacity until and unless he or she completes an LSA-approved risk management disclosure questionnaire.

105.7.3 The Referee Risk Management Disclosure Process performed in conjunction with the US Soccer Referee Registration Process in Louisiana shall be considered an LSA-approved risk management disclosure questionnaire.

105.7.4 Any risk management disclosure questionnaire submitted by any referee, instructor, assignor or assessor that indicates the existence of any potential disqualification criteria shall be reviewed by the RMC as herein provided.

105.7.5 Any LSA affiliated member or club that permits any individual to act as a referee, instructor, assignor or assessor without having first completing the US Soccer Referee Registration Process and an LSA-approved risk management disclosure questionnaire as herein required shall be subject to a fine not to exceed \$1,000.00.

105.7.6 Any duly registered Referee Assignor who permits any individual to referee or participate capacity in any way in any LSA sanctioned youth soccer program or event without having first completing US Soccer Referee Registration Process and an LSA-approved risk management disclosure questionnaire as herein required shall be subject to a fine not to exceed \$1,000.00. Any Referee registered or approved by US Soccer shall be deemed in compliance with this Policy.