



Michigan State Youth Soccer Association RISK MANAGEMENT PROGRAM



RISK MANAGEMENT POLICY

The Michigan State Youth Soccer Association will also be stated as ‘MSYSA’ throughout this document. Any coach, assistant coach, team trainer, team manager, League President, League Delegate, League official, League representative, MSYSA administrator, MSYSA Board of Directors member, contract labor employee, or any other individual over the age of 18 seeking affiliation with MSYSA or MSYSA 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 MSYSA player registered for the current season with an affiliated MSYSA league will be known as “Youth Player” or “Player” for the purposes of this Policy.

I. APPLICATION PROCESS

Every Adult Applicant is required by MSYSA to apply for Risk Management using the Online Risk Management system or by sending in a paper application to the MSYSA State Office prior to being registered with MSYSA or its affiliate leagues. Paper applications are available on the MSYSA website or at the MSYSA State Office.

A nation-wide criminal history background check is performed on every Risk Management Applicant. Each Risk Management Application is subject to a processing fee.

II. RISK MANAGEMENT DISQUALIFICATION CRITERIA

The Risk Management (RM) Committee will make all initial decisions pertaining to an individual’s eligibility to participate with the MSYSA. The Risk Management 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 attain more information on questionable or serious offenses and convictions based on the results of any criminal history background check(s).

As of November 2nd, 2011, the RM Committee consists of:

Sohail Qureshi, MSYSA President
Tom Faro, MSYSA Executive Director
Joel Dragan, MSYSA RM Administrator
Duane Johnson, Legal Counsel
Steve Wilson, MSYSA Discipline and Appeals Chairperson

MSYSA 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 checks conducted, the convictions listed below, in whole or in part, may cause the Risk Management Applicant to be immediately disqualified from participation with the MSYSA, all MSYSA related activities and events, all MSYSA affiliated league activities and events, and all US Youth Soccer related activities and

events. MSYSA 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 eligibility of the applicant to participate with MSYSA.

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

Abduction

Aggravated assault

Aggravated burglary

Aggravated menacing

Aggravated Murder

Aggravated robbery

Assault

Burglary

Carrying concealed weapons

Child enticement

Child stealing

Compelling prostitution

Contributing to the delinquency of a minor

Corrupting another with drugs

Corruption of a minor

Custodial interference (Interference with custody)

Disseminating matter harmful to juvenile

Domestic violence

Embezzlement

Endangering children

Failing to provide for functionally impaired person

Felonious assault

Felonious sexual penetration

Funding of drug or marijuana trafficking

Gross sexual imposition

Having a weapon while under a disability

Illegal administration or distribution of anabolic steroids

Illegal use of minor in nudity oriented material or performance

Importuning

Improperly discharging a weapon at or near a school or dwelling

Involuntary manslaughter

Kidnapping

Pandering sexually oriented matter involving a minor

Patient abuse/neglect

Placing harmful objects in food or confection
Possession of drugs
Procuring
Promoting prostitution
Property Theft
Prostitution
Public indecency
Rape
Robbery
Sexual Battery
Sexual imposition
Theft
Trafficking in drugs
Unlawful abortion
Voluntary manslaughter
Voyeurism

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

The RM Committee analyzes 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 RM Committee also reserves the right to review and analyze incidents that date back farther than ten (10) years if it is deemed that a person's criminal history beyond ten (10) years possesses a serious 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 on any Adult Member who has previously applied for Risk Management and who may or may not have a criminal history.

III. DISQUALIFICATION PROCEDURE

The MSYSA RM Committee will send written notification to every Adult Applicant who has been disqualified by the RM Committee with instructions on how to appeal the decision made by the MSYSA RM Committee. The disqualified individual has seven (7) days from the receipt of the notice of disqualification to submit an appeal in writing to the MSYSA Board of Directors. If written notification from the disqualified Adult Member is not received by MSYSA State Office within seven (7) days then the disqualification will be final and the Adult Applicant will lose all rights to appeal the decision and forfeits their eligibility to participate with the MSYSA, MSYSA affiliates, and US Youth Soccer.

The MSYSA 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). If the Adult Applicant fails to respond to the MSYSA RM Committee within 10 days of the receipt of the written notification for more information then the individual will be disqualified from participation with the MSYSA. The decision will be final and the Adult Applicant will lose all rights to appeal the decision and forfeits their eligibility to participate with the MSYSA, MSYSA affiliates, and US Youth Soccer.

- (a) If an Adult Applicant is accused, allegedly involved, tried, or convicted in matters stated in this policy, 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 or the MSYSA RM committee that the matter has been resolved. After this determination is made, the individual has the right to appeal his/her disqualification within 30 days. The individual forfeits all rights to appeal if a written request of appeal is not received by MSYSA within the allotted time period (*see APPEAL PROCESS (a)*).

IV. APPEAL PROCESS

Any Adult Applicant who has been disqualified from participation with the MSYSA has the right to appeal the initial decision made by the RM Committee. Once the written notification of the disqualification is received by the individual, that individual must submit a written notice of appeal to the MSYSA Board of Directors addressed to the MSYSA State Office. If the written notice of appeal is not received by the MSYSA State Office within seven (7) days from the receipt of the disqualification letter, the individual forfeits their current ability for an appeal as well as any time in the future.

The appeal date will be established at the discretion of MSYSA Board of Directors. All Board of Directors members present at the meeting may vote with the exception of the MSYSA President (he/she serves on the RM Committee). A vote will be taken by the MSYSA Board of Directors in executive 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 decision made by the MSYSA Board of Directors is final and will take effect immediately unless otherwise stated in the decision.

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

- (a) 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 MSYSA Board. Determinations by the court of 'Not Guilty', 'Dismissed', (or similar) will not automatically reinstate the individual for full participation within MSYSA; an appeal hearing will still take place unless overruled by the MSYSA Board of Directors.

MSYSA reserves the right to update, modify, or change this policy at any time without notice.