



# Michigan State Youth Soccer Association

## MSYSA Risk Management Program - Athlete and Participant Safety Program

- [Statement on Athlete and Participant Safety Program](#)
- [Background Screening Policy](#)
- [Minor Coach Policy](#)
- [Mandatory Reporting Policy](#)
- [Training and Education Policy](#)
- [Prohibited Conduct Policy](#)
- [Policy to Limit One-on-One Interactions](#)
- [Policy on Monitoring and Enforcement](#)
- [Definitions for terms included in Program](#)



# Michigan State Youth Soccer Association

## Statement on Athlete and Participant Safety Program

Michigan State Youth Soccer Association has developed this Athlete and Participant Safety Program as part of the MSYSA Risk Management Program. The Athlete and Participant Safety Program was developed in order to meet requirements set forth by Public Law 115-126 *Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017* (the "SafeSport Act") as well as U.S. Soccer Federation Policy 212-3.

Michigan State Youth Soccer Association has zero tolerance for abuse or misconduct. All participants in the soccer community must play an active role in creating an environment that is free from emotional, physical, or sexual abuse. This program was developed to implement policies and processes to help participants detect and report abuse, respond to it, and prevent future occurrences. In order to maintain compliance with USSF Policy 212-3, MSYSA's Athlete and Participant Safety Program includes six key components: Background Screening Policy, Mandatory Reporting Policy, Training and Education Policy, Prohibited Conduct Policy, Policy to Limit One-on-One Interactions, and Policy on Monitoring and Enforcement. Also included is a list of definitions for key terms mentioned within these six policies.

This program uses the term "Covered Adults" to refer to those adults (aged 18 and older) to whom these policies apply. Covered Adults are required to follow all policies included in MSYSA's Athlete and Participant Safety Program. Covered Adults include adult individuals (aged 18 and over) who are authorized directly by MSYSA or indirectly by a member organization that is directly affiliated with MSYSA to have:

- a) Routine and/or regular contact with an amateur athlete who is a minor;
- b) Authority over an amateur athlete who is a minor; or
- c) Authority over those adults who have routine and/or regular contact with an amateur athlete who is a minor.

"Routine and/or regular contact" with an amateur athlete who is a minor is defined as recurring, repeated, or periodic contact between an adult and a minor.

"Authority over those adults who have routine and/or regular contact with an amateur athlete who is a minor" is defined as supervisory or decision-making authority over an adult who has recurring, repeated, or periodic contact with minors.

Examples of Covered Adults may include but are not limited to:

- (1) MSYSA board members;
- (2) MSYSA committee members;
- (3) MSYSA employees and independent contractors;
- (4) Club and League Presidents, Club and League Delegates, Club and League Officials, Club and League Representatives, Club and League Administrators, and Club and League Volunteers;
- (5) Coaches, Assistant Coaches, Team Managers, Assistant Team Managers, Team Officials, and Team Trainers;
- (6) Adult Athletes
- (7) Referees\*



# Michigan State Youth Soccer Association

\*While Referees, Referee Coaches, Referee Mentors, Referee Assignors, and other Referee Program-Affiliated Personnel are expected to adhere to these policies due to referee involvement in MSYSA sanctioned activities and competitions, it is understood that these individuals are also subject to any policies set forth by the Michigan Referee Committee and/or U.S. Soccer Policy.

Many aspects of this policy are issued in order to protect Minor Participants in the sport of soccer who participate in MSYSA sanctioned activities and competitions. This policy uses the term “Minor Participants” to refer to athletes, referees, coaches, or otherwise, who are under the lesser of (1) the age of 18; or (2) the age of majority in the applicable state, and who are participating in MSYSA sanctioned activities and competitions. Additionally, although this Athlete and Participant Safety Program focuses in many areas on concerns unique to Minor Participants, these policies may be applicable to and are designed to protect participants of all ages.

Should circumstances arise in which an activity or competition sanctioned by MSYSA requires the use of adult volunteers and/or other adult individuals who 1) do not have routine and/or regular contact with an amateur athlete who is a minor, and 2) are authorized by MSYSA and/or MSYSA member organization(s) to act on the behalf of MSYSA and/or MSYSA member organization(s), the following shall apply:

- a) Adult individuals that do not meet the definition of Covered Adults as described above shall be prohibited from having one-on-one contact with Minor Participants.
- b) If such adult individuals that do not meet the definition of Covered Adults as described above have any contact with any Minor Participants, at least one Covered Adult (who is compliant with all policies included in MSYSA’s Athlete and Participant Safety Program) shall be present and will supervise the MSYSA sanctioned activity or competition to help ensure the safety of Minor Participants around such adult individuals that do not meet the definition of Covered Adults as described above.

As part of MSYSA’s Athlete and Participant Safety Program, MSYSA encourages a culture of respect and open communication in which all participants feel comfortable reporting concerns, whether the concerns involve suspected abuse or any other misconduct. Participants are encouraged to raise concerns to coaches, referees, team administrators, and MSYSA employees and board members.

In the event MSYSA receives a report or complaint that implicates a reporting obligation to law enforcement authorities (see “Mandatory Reporting Policy”), MSYSA will make the report directly to law enforcement and/or will work with the individual who submitted the report or complaint to make the report directly to law enforcement. MSYSA does not tolerate retaliation of any kind. No individual who makes a good faith report of misconduct will be subject to retaliation, including harassment, as a result of making a report.

The MSYSA Athlete and Participant Safety Program is not an exclusive statement of all policies and processes pertaining to MSYSA and its affiliated leagues and programming. MSYSA affiliated leagues and programs may implement additional policies and procedures specific to their operations. Furthermore, the MSYSA Employee Handbook provides further guidance applicable to MSYSA Employees on other matters to address conduct that may not be covered by the MSYSA Athlete and Participant Safety Program.

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3



# Michigan State Youth Soccer Association

MSYSA recognizes that social norms continue to develop, as does the legal framework under which we operate. Accordingly, the MSYSA Athlete and Participant Safety Program will always be subject to modification, amendment and further development by MSYSA, in its discretion. The MSYSA Athlete and Participant Safety Program and all policies herein may be amended from time to time by vote of the MSYSA Board of Directors. Limited exceptions to these policies may be granted by MSYSA on a case-by-case basis where appropriate, provided that such exceptions do not materially impact the safety of Minor Participants.

MSYSA does not control the day-to-day operations of our direct member organizations or of those organizations that are indirectly affiliated with MSYSA via membership or participation with any MSYSA direct member organization. MSYSA recognizes that individual club and league organizations range in size, structure, resources, operations, and stakeholder needs. Additionally, each organization may have different levels of risk based on very different programs. Accordingly, each organization is encouraged to conduct an independent assessment of its own practices and evaluate how best to implement its own risk management program that maintains compliance with MSYSA's Athlete and Participant Safety Program, USSF Policy 212-3, and the SafeSport Act.

The MSYSA Athlete and Participant Safety Program and these six policies are hereby issued as of February 14, 2019. To allow adequate opportunity to ensure policy changes and compliance, MSYSA direct member organizations, and those organizations that are indirectly affiliated with MSYSA via membership or participation with any MSYSA direct member organization, are expected to maintain compliance with these requirements on or before September 1, 2019 (but are nonetheless urged to complete compliance as early as practicable). Effective September 1, 2019, any MSYSA direct member organization, or any organization that is indirectly affiliated with MSYSA via membership or participation with any MSYSA direct member organization, not in compliance with the requirements set forth by the MSYSA Athlete and Participant Safety Program will be subject to enforcement as provided the "Policy on Monitoring and Enforcement" of this program.



# Michigan State Youth Soccer Association

## Background Screening Policy

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

Any individual aged 18 or older who is a coach, assistant coach, team manager, assistant team manager, team trainer, team official, MSYSA employee, MSYSA board member, MSYSA committee member, MSYSA independent contractor, Club or League President, Club or League Delegate, Club or League Official, Club or League Representative, Club or League Administrator, Club or League Volunteer, or Referee, or any other individual aged 18 or older seeking affiliation with MSYSA or MSYSA affiliated member organizations, who has regular contact with or authority over an amateur athlete who is a minor, shall be known collectively as "Adult Applicant" for the purposes of this Background Screening Policy. Any athlete, referee, coach, or otherwise, who is under the lesser of (1) the age of 18; or (2) the age of majority in the applicable state, and who is participating in MSYSA sanctioned activities and competitions, will be known as "Minor Participant" for the purposes of this Background Screening Policy.

### I. APPLICATION PROCESS

Every Adult Applicant is required by MSYSA to apply for Risk Management (RM) annually by using the Online Risk Management system or by sending in a paper application to the MSYSA State Office by the earlier of 1) prior to regular contact with a Minor Participant; or 2) within the first 45 days of the Adult Applicant taking on the role giving them access to Minor Participants. Paper applications are available by contacting the MSYSA State Office.

Since 2021, MSYSA has used JD Palatine (JDP) as its designated background screening vendor. A private, family-owned organization, JDP is a fullservice screening organization that services youth sports organizations across the country. JDP uses the information provided on the Risk Management Application to check an applicant across the following databases: National Criminal Database, National Sex Offender Registry, Michigan Statewide Criminal Database, Michigan Sex Offender Registry, US Soccer DARM, and US Center for SafeSport Centralized Disciplinary Database. JDP may also perform Michigan County checks on applicants as needed.

A nation-wide criminal history background check is performed on every Risk Management Adult Applicant submitted every year. Each Risk Management Application is subject to a processing fee. Every Adult Applicant must provide his or her Social Security Number, which will be kept confidential by the Risk Management Committee. Those Adult Applicants who do not have a Social Security Number may be required to have an additional background check with an additional processing fee.

### II. RISK MANAGEMENT DISQUALIFICATION CRITERIA

*Any Adult 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. Additionally, any Adult Applicant who appears within the U.S. Center for*



# Michigan State Youth Soccer Association

*SafeSport's disciplinary records as temporarily or permanently ineligible shall be recognized by MSYSA in accordance with U.S. Soccer policies.*

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 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:

Tom Faro, Risk Management Committee Chairman  
 Ryan Theisen, Director of Operations  
 Elizabeth Satterley, Member Services Manager  
 Duane Johnson, Legal Counsel  
 Mike Poulos, Ex-Officio Member

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 check conducted, the RM offenses and/or convictions listed below, in whole or in part, may cause the Risk Management Adult 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 and Battery
- 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)
- Criminal Sexual Conduct
- Disseminating matter harmful to juvenile
- Domestic violence
- Embezzlement
- Endangering children
- Failing to provide for functionally impaired person



# Michigan State Youth Soccer Association

- 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
- Murder
- 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
- 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, contact, or contact with children or other individuals even if not charged, convicted, or tried in a court of law. MSYSA also reserves the right to disqualify an individual if that individual's behavior and/or conduct are considered detrimental to MSYSA, the MSYSA membership, or MSYSA member leagues.

The RM Committee analyzes RM offenses and/or convictions acquired from criminal history background check(s) with a general incident date ten (10) years prior to the application date. The RM Committee also reserves the right to review incidents that date back further than ten (10) years and disqualify the individual, if that individual's criminal history indicates a possible 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 Applicant 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 ten (10) calendar days from the receipt of the notice of disqualification to submit an appeal in writing to the MSYSA State Office.



# Michigan State Youth Soccer Association

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). The MSYSA RM Committee may request additional information if it becomes aware of information about an individual that could have a negative impact on MSYSA. If the Adult Applicant fails to respond to the MSYSA RM Committee within 10 calendar days of the receipt of the written notification for more information, then the individual will be considered disqualified from participation with the MSYSA. A reversal of the disqualification will not be considered until the requested information is received from the applicant.

- (a) If an Adult Applicant has any pending charge 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 and/or the MSYSA 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 MSYSA within the allotted time period.

## 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. The written notice of appeal must be received by the MSYSA State Office within ten (10) calendar days from the receipt of the disqualification letter. In the event an Adult Applicant fails to appeal within the 10 calendar day period, the Adult Applicant may re-apply for risk management after one (1) full year from the initial application date.

The appeal hearing date will be established and scheduled at the discretion of the MSYSA Board of Directors. Should the need arise for the Adult Applicant to reschedule the appeal hearing after it has been established and scheduled, a new appeal hearing date will be established and scheduled at the discretion of the MSYSA Board of Directors. Nevertheless, the appeal shall be heard by the MSYSA Board of Directors within 60 calendar days of the initially scheduled appeal hearing date.

No members of the MSYSA Board of Directors, except the MSYSA President, who serves as an ex-officio member, will serve on the MSYSA Risk Management Committee. A disqualified Adult Applicant may send materials to the MSYSA State Office to be reviewed by the MSYSA Board of Directors before his or her hearing date. All materials must be received 5 (five) business days before his or her hearing date. All MSYSA Board of Directors present at the meeting may vote. A vote will be taken by the MSYSA Board of Directors 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 MSYSA Board of Directors may rule in the following ways:





# Michigan State Youth Soccer Association

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

\*The MSYSA 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 (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 of Directors. 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.

The MSYSA Board of Directors reserves the right to update, modify, or change this policy at any time without notice. MSYSA anticipates further policy development from U.S. Youth Soccer and/or U.S. Soccer in the future which may govern changes to the MSYSA Background Screening Policy.



# Michigan State Youth Soccer Association

## Minor Coach Policy

Any Minor Participant who intends to participate in MSYSA affiliated activities as a Coach are required to work with their respective Club Administrator to complete the 'Minor Coach Application' process in order to be rostered. The Minor Coach Application can be found at [www.michiganyouthsoccer.org](http://www.michiganyouthsoccer.org) and must be completed by a Covered Adult.

### Minor Coach Qualifications:

- The Minor Coach must be at least 15 years of age at the time of the Minor Coach Application submission.
- An MSYSA risk management cleared Covered Adult must be present with the Minor Coach at all times around Minor Participants.

Upon review and approval by MSYSA, the Minor Coach will be issued a "temporary risk management card" in order to be rostered. The risk management card for this minor coach will be set to expire 1 month after their 18th birthday. If the coach does not turn 18 for more than a year, the RM card will expire on the next seasonal year's tryout date. A new Minor Coach Application must be submitted on behalf of this coach if they are still active at that time (in order to have a new temporary risk management card issued). However, if the Minor Coach's next birthday is their 18th birthday, they will be required to follow the Background Screening Policy for Covered Adults.



# Michigan State Youth Soccer Association

## Mandatory Reporting Policy

On February 14, 2017, President Trump signed into law the *Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017* (the “SafeSport Act”). Among other things, this comprehensive law amends the *Victims of Child Abuse Act of 1990*, 34 U.S.C. § 20341, *et seq.*, and clarifies who is a mandatory reporter for cases of suspected child abuse. Specifically, the definition of mandatory reporter now includes any “adult who is authorized, by a national governing body, a member of a national governing body, or an amateur sports 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 any event sanctioned by a national governing body, a member of a national governing body, or such an amateur sports organization.” Consequently, MSYSA urges all participants to understand their reporting obligations under this important federal law.

In accordance with federal legislation, it is MSYSA’s Mandatory Reporting Policy that all Covered Adults shall be considered mandatory reporters for cases of suspected child abuse. Individuals who may not be considered “Covered Adults” under MSYSA’s Athlete and Participant Safety Program may nonetheless have an obligation to report suspected child abuse under applicable federal or state law. Therefore, MSYSA urges all individuals to act to report suspected child abuse.

Under the SafeSport Act, the reporting obligation is triggered when a mandatory reporter becomes aware of “facts that give reason to suspect” a child has suffered an incident of child abuse. Child abuse includes physical or mental injury, sexual abuse or exploitation, or negligent treatment of a child. Sexual Abuse is defined to include the employment, use, persuasion, inducement, enticement, or coercion of a child to engage in, or assist another person to engage in, sexually explicit conduct or the rape, molestation, prostitution, or other form of sexual exploitation of children or incest with children. Mental Injury means harm to a child’s psychological or intellectual functioning which may be exhibited by severe anxiety, depression, withdrawal or outward aggressive behavior, or a combination of those behaviors, which may be demonstrated by a change in behavior, emotional response or cognition.

In the event that the reporting obligation is triggered, a report must be made, within 24 hours, to appropriate law enforcement authorities, as governed by applicable federal and state law. Should the mandatory reporter require assistance making a report to the appropriate law enforcement authority, he or she should consult with the MSYSA State Office.

The U.S. Department of Health & Human Services has information available online regarding State Child Abuse and Neglect Reporting Numbers:

[https://www.childwelfare.gov/organizations/?CWIGFunctionsaction=rols:main.dspList&rolType=Custom&RS\\_ID=5&rList=ROL](https://www.childwelfare.gov/organizations/?CWIGFunctionsaction=rols:main.dspList&rolType=Custom&RS_ID=5&rList=ROL)

The State of Michigan Department of Health & Human Services also has relevant information online specific to Mandatory Reporters in the state of Michigan: [https://www.michigan.gov/mdhhs/0,5885,7-339-73971\\_7119\\_50648\\_44443---,00.html](https://www.michigan.gov/mdhhs/0,5885,7-339-73971_7119_50648_44443---,00.html)



# Michigan State Youth Soccer Association

A report to law enforcement may be made anonymously. There is no fee or cost associated with making a report.

MSYSA does not tolerate retaliation of any kind. No individual who makes such a good faith report will be subject to retaliation, including harassment, as a result of making a report. The SafeSport Act also includes qualified immunity for good faith reports. MSYSA urges all mandatory reporters to refrain from judging or evaluating the credibility of such allegations— leave that to law enforcement.

The obligation to report is not always satisfied by making an initial report. A Covered Adult is required to report supplemental information of which he or she becomes aware that may be relevant to a pending investigation.

Importantly, civil or criminal statutes of limitations do not affect or negate the obligation of a Covered Adult to report possible sexual misconduct. Misconduct should be reported, regardless of when it occurred. Failure to promptly report suspected child abuse to law enforcement authorities may constitute a violation of federal law and, in any event, will be deemed a violation of MSYSA's Athlete and Participant Safety Program and this Mandatory Reporting Policy.

In addition to the obligation to report cases of suspected child abuse to law enforcement pursuant to the SafeSport Act, Covered Adults must also make a report to the MSYSA State Office.

Without limiting the foregoing, it is also MSYSA's Mandatory Reporting Policy that **Covered Adults** must report *any* suspected violation of the MSYSA Athlete and Participant Safety Program to the MSYSA State Office. A report can be made online at [www.michiganyouthsoccer.org](http://www.michiganyouthsoccer.org). Furthermore, MSYSA prohibits retaliation against individuals making good faith reports of any suspected violation of the MSYSA Athlete and Participant Safety Program.

Violations of MSYSA's Athlete and Participant Safety Program will be handled as described by this program's Policy on Monitoring and Enforcement.



# Michigan State Youth Soccer Association

## Training and Education Policy

The *Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017* requires amateur sports organizations to offer consistent training to adult members who are in regular contact with amateur athletes who are minors, and subject to parental consent, to members who are minors, regarding prevention of child abuse. The “Core SafeSport Training” offered by the U.S. Center for SafeSport meets the requirements of MSYSA’s Athlete & Participant Safety Policy. It consists of three modules: (1) Sexual Misconduct Awareness Education; (2) Mandatory Reporting; and (3) Emotional & Physical Misconduct. Training provides individuals the necessary tools, vocabulary and information to more effectively monitor our sport, minimize the opportunities for child physical or sexual abuse and other types of misconduct, and respond to concerns. Upon initial completion of these three online modules, the individual will have met the “SafeSport Trained” requirement.

All Covered Adults must complete the “Core SafeSport Training” (three modules) in order to meet the “SafeSport Trained” requirement. Any new Covered Adults are required to complete the “Core SafeSport Training” by the earlier of 1) prior to regular contact with a Minor Participant; or 2) within the first 45 days of the Covered Adult taking on the role giving them access to Minor Participants. The “SafeSport Trained” requirement is considered valid for one year.

After the initial Core SafeSport Training is completed, three 30-minute ‘Refresher’ trainings will become available during the three subsequent years. Covered Adults should take the *SafeSport Trained Core Training* for the first year, *Refresher 1: Recognizing and Reporting Misconduct* for the second year, *Refresher 2: Preventing Misconduct* for the third year, and *Refresher 3: Creating a Positive Sport Environment* for the fourth year. Only one Refresher course should be taken each year. Once a person has completed the full training series (Core training followed by 3 Refresher trainings), the cycle restarts again with the Core training (for the fifth year). Any individual who has NOT completed the “Core SafeSport Training” requirement should complete those three modules and NOT the “SafeSport Refresher Course.”

The “Core SafeSport Training” and “SafeSport Refresher Course” offered by the U.S. Center for SafeSport are available to MSYSA Covered Adults at *no additional cost*. For more information on accessing these trainings, visit MSYSA’s website at [www.michiganyouthsoccer.org](http://www.michiganyouthsoccer.org) or contact the MSYSA State Office.

In order to maintain compliance with USSF Policy 212-3, Minor Participants will also be offered access to training regarding the prevention of child abuse provided by the U.S. Center for SafeSport on an annual basis, with parental consent.

In addition to training regarding the prevention of child abuse for Covered Adults and Minor Participants, the U.S. Center for SafeSport has made Parent Toolkits available on its website:

<https://www.ussoccer.com/participant-safety-hub/training-resources>



# Michigan State Youth Soccer Association

## Prohibited Conduct Policy

MSYSA's Prohibited Conduct Policy is a policy that applies to all MSYSA Covered Adults and Minor Participants as defined in this Athlete and Participant Safety Program, as well as to conduct by any subcontractor, supplier, customer or third party and their employees in their dealings with MSYSA employees. This policy is applicable to all MSYSA sanctioned activities and competitions.

All Covered Adults are responsible to help ensure that we avoid misconduct. MSYSA cannot act to eliminate misconduct unless it has notice of the conduct.

All Covered Adults 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.

Any violation of this Prohibited Conduct Policy by Covered Adults or Minor Participants may subject the individual(s) to disciplinary action. MSYSA prohibits retaliation against individuals making good faith reports of misconduct, including potential violations of this Prohibited Conduct Policy by Covered Adults or Minor Participants.

MSYSA is committed to maintaining an environment within its sanctioned activities and competitions that is free from all forms of discrimination, including harassment, on the basis of any legally protected status. Protected status includes race, color, age, religion, marital status, sex, ancestry, national origin, citizenship, veteran's status, pregnancy, disability, sexual orientation, protected activity, or any other characteristic protected by federal, state or local law. The policy also prohibits harassment on the basis of the protected status of an individual's relatives, friends or associates.

MSYSA is also committed to maintaining an environment within its sanctioned activities and competitions that is free from all forms of sexual abuse, sexual misconduct, emotional misconduct, physical misconduct, bullying, hazing, aiding and abetting, and other inappropriate conduct.

### Harassment

Harassment consists of unwelcome conduct, whether verbal, physical or visual, that is based upon a person's protected status. MSYSA 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



# Michigan State Youth Soccer Association

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.

## **Sexual Harassment**

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:

- submission to such conduct is either explicitly or implicitly a term or condition of the individual's employment,
- submission to or rejection of such conduct by an individual serves as the basis for an employment decision affecting that individual, or
- 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.

Sexual harassment may involve individuals of the same or different gender. It may also occur between individuals of any employment status.

Examples of conduct which may constitute sexual harassment and are prohibited by this Policy include, but are not limited to:

- unnecessary touching, patting, hugging, pinching, or brushing against a person's body,
- staring, ogling, leering, or whistling at a person,
- continued or repeated verbal abuse of a sexual nature,
- sexually explicit statements, sexual flirtations, advances, propositions, subtle pressure for sexual activity, comments, questions, jokes, or anecdotes,
- graphic or degrading comments about a person's clothing, body or sexual activity,
- sexually suggestive objects, cartoons, posters, calendars, or pictures in the workplace,
- suggestive or obscene letters, notes or invitations,
- harassing use of electronic mail, electronic or instant messaging, or telephone communication systems, or
- other physical or verbal conduct of a sexual nature.

## **Racial, Religious, or National Origin Harassment**

Racial, religious, or national origin harassment deserves special mention as well, and is expressly prohibited by MSYSA. 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:

- jokes, which include reference to race, religion, or national origin,
- the display or use of objects or pictures which adversely reflect on a person's race, religion, or national origin, or



# Michigan State Youth Soccer Association

- use of pejorative or demeaning language regarding a person’s race, religion, or national origin.

## **Child Abuse, Including Child Sexual Abuse**

Child abuse is prohibited. Child abuse is defined as the physical or mental injury, sexual abuse or exploitation, or negligent treatment of a child. Specifically, child sexual abuse 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 whether the child understands the sexual nature of the activity.

## **Sexual Misconduct and Power Imbalance**

Sexual misconduct is prohibited. Sexual misconduct includes:

- Sexual Harassment as defined in Section B.2. of this policy,
- non-consensual touching of a sexual nature, however slight,
- watching, recording, or disseminating images of private sexual activity without the consent of all parties, and
- engaging in solicitation of prostitution or prostituting or trafficking another person.

Any sexual interaction between an athlete and an individual where there is a power imbalance is prohibited. A power imbalance exists when one person has evaluative, direct, or indirect authority over another. 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.

## **Emotional Misconduct**

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.

## **Physical Misconduct**

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.

## **Bullying**

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 to socially exclude, diminish or isolate the targeted athlete(s), as a condition of membership are prohibited.





# Michigan State Youth Soccer Association

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

## **Hazing**

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. Purported consent by the person subject to hazing is not a defense, regardless of the person's willingness to cooperate or participate. Hazing does not include group or team activities that (a) are meant to establish normative team behaviors or (b) promote team cohesion.

## **Retaliation**

Retaliation against a person for reporting prohibited conduct or for participating in an investigation of a report of misconduct under this policy, is prohibited. Retaliation means any adverse action, or threat to take an adverse action including, but not limited to threatening, intimidating, harassing, coercing, or any other action or conduct with the potential effect of dissuading a reasonable person from reporting under this policy or participating in the investigation of a report.

## **Aiding and Abetting**

Aiding and Abetting is any act taken with the purpose of facilitating, promoting, or encouraging the commission of Prohibited Conduct by a Covered Adult or Minor Participant. Examples of Aiding and Abetting include, but are not limited to:

1. Knowingly assisting, in any way, the commission of prohibited conduct under this policy.
2. Allowing any person who has been identified as suspended or otherwise ineligible by the U.S. Center for SafeSport or MSYSA to be in any way associated with or employed by an organization affiliated with or holding itself out as affiliated with MSYSA, US Youth Soccer, US Soccer, the USOC, or the Olympic Movements.
3. Allowing any person who has been identified as suspended or otherwise ineligible by the U.S. Center for SafeSport or MSYSA to coach or instruct Minor Participants;
4. Allowing any person who has been identified as ineligible by the Center to have ownership interest in a facility, an organization, or its related entities, if that facility/organization/related entity is affiliated with or holds itself out as affiliated with an NGB, LAO, USOC or the Olympic Movements.
5. Providing any coaching-related advice or service to an Athlete who has been identified as suspended or otherwise ineligible by the Center.
6. Allowing any person to violate the terms of their suspension or any other sanctions imposed by the Center.

In addition, a Covered Adult also violates the Code if someone acts on behalf of the Covered Adult to engage in Aiding or Abetting, or if the guardian, family member, or Advisor of a Covered Adult, or the guardian, family member, or Advisor of a Minor Participant, engages in Aiding or Abetting.

## **Abuse of Process**

Abuse of process is prohibited. Abuse of process is defined as interfering with the U.S. Center for SafeSport's ("the Center's") process by:



# Michigan State Youth Soccer Association

- falsifying, misrepresenting, concealing, or destroying information,
- attempting to discourage a person's participation in the Center's process,
- publicly disclosing a claimant (or victim's) information,
- failing to comply with a temporary measure or other sanction,
- distributing or publicizing materials created or produced by the Center except as expressly permitted by the Center, or
- having another person complete any Center required training for them.

## **Misconduct Related to Reporting**

Misconduct related to reporting is prohibited. Misconduct related to reporting is defined as:

- Failing to report allegations to the Center or to law enforcement or
- Filing a knowingly false allegation that someone engaged in prohibited conduct.

## *Other Inappropriate Conduct*

Other inappropriate conduct includes other types of conduct of an intimate/sexual nature, as described here.

1. **Intimate Relationship.** A Covered Adult violates this Program by engaging in an intimate or romantic relationship where a Power Imbalance exists. An Intimate or Romantic relationship is a close personal relationship—other than a familial relationship—that exists independently and outside of the sport relationship. Whether a relationship is intimate is based on the totality of the circumstances, including: regular contact and/or interactions outside of or unrelated to the sport relationship (electronically or in person), the parties' emotional connectedness, the exchange of gifts, ongoing physical and/or intimate contact and/or sexual activity, identity as a couple, the sharing of sensitive personal information, and/or intimate knowledge about each other's lives outside the sport relationship.
2. **Exposing a Minor to Imagery.** A Covered Adult violates this Program by intentionally exposing a Minor to imagery of a sexual nature. This provision does not exclude the possibility that similar behavior between Adults could constitute Sexual Harassment, as defined in the Code.
3. **Intentional Exposure of Private Areas.** A Covered Adult violates this Program by intentionally exposing breasts, buttocks, groin, or genitals, or induces another to do so, to another Covered Adult where there is a Power Imbalance, or to a Minor Participant.
4. **Inappropriate Physical Contact.** A Covered Adult violates this Program by engaging inappropriate physical contact with a Covered Adult where there is a Power Imbalance. Such inappropriate contact includes, but is not limited to, intentionally:
  - a. Touching, slapping, or otherwise contacting the buttocks or genitals of a Covered Adult;
  - b. Excessively touching or hugging a Participants;
  - c. Kissing a Participant



# Michigan State Youth Soccer Association

## Policy to Limit One-on-One Interactions

MSYSA recognizes that youth-adult relationships can be healthy and valuable for development. Policies on one-on-one interactions protect children while allowing for these beneficial relationships. As child sexual abuse is often perpetrated in isolated, one-on-one situations, it is critical that organizations limit such interactions between youth and adults and implement programs that reduce the risk of sexual abuse.

Topics detailed within this policy include:

- One-on-One Interactions
- Meetings and Training Sessions
- Athletic Training Modalities, Massages and Rubdowns
- Locker Rooms and Changing Areas
- Electronic Communications
- Transportation
- Lodging

## One-on-One Interactions

### A. Mandatory Components

#### 1. Observable and Interruptible

- a. All one-on-one In-Program Contact between an Adult Participant and a Minor Athlete must be observable and interruptible, except in emergency circumstances.
- 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:
  - i. When a Dual Relationship exists; or
  - ii. When the Close-in-Age Exception applies; or
  - iii. If a Minor Athlete needs an Adult Participant Personal Care Assistant, and:
    - (1) the Minor Athlete's parent/guardian has provided written consent to the Organization for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
    - (2) the Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
    - (3) the Adult Participant Personal Care Assistant has complied with the Organization's screening policy; or
  - iv. In other circumstances specifically addressed in this policy that allow for certain one on one interactions if the Organization receives parent/ guardian consent.



# Michigan State Youth Soccer Association

## Meetings and Training Sessions

### A. Mandatory Components

1. Observable and Interruptible

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

2. Individual Training Sessions

- a. One-on-one, In-Program, individual training sessions must be observable and interruptible except if:
  - i. A Dual Relationship exists; or
  - ii. The Close-in-Age Exception applies; or
  - iii. A Minor Athlete needs an Adult Participant Personal Care Assistant, and:
    - (1) the Minor Athlete’s parent/guardian has provided written consent to the Organization for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
    - (2) the Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
    - (3) the Adult Participant Personal Care Assistant 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 licensed mental health care professionals and health care providers (other than athletic trainers<sup>1</sup>)

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 the Organization’s jurisdiction, the meeting must be observable and interruptible except:

- a. If the door remains unlocked; and
- b. Another adult is present at the facility and notified that a meeting is
- c. occurring, although the Minor Athlete’s identity needs not be disclosed; and

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<sup>1</sup> Athletic trainers who are covered under these policies must follow the “Athletic Training Modalities, Massages, and Rubdowns” policy.





# Michigan State Youth Soccer Association

- d. The Organization is notified that the provider will be meeting with a Minor Athlete; and
- e. The provider obtains consent consistent with applicable laws and ethical standards, which can be withdrawn at any time.

## B. Recommended Components

### 1. 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 meeting or training session, and dropping in on the meeting or training session.

### 2. 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.



# Michigan State Youth Soccer Association

## Athletic Training Modalities, Massages, and Rubdowns

### A. Mandatory Components

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

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

- a. Be observable and interruptible; and
- b. Have another Adult Participant physically present for the athletic training modality, massage, or rubdown; and
- c. Have documented consent as explained in subsection (2) below; and
- d. Be performed with the Minor Athlete fully or partially clothed, ensuring that the breasts, buttocks, groin, or genitals are always covered; and
- e. Allow parents/guardians in the room as an observer, except for competition or training venues that limit credentialing.

#### 2. Consent

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

### B. Recommended components

#### 1. Parent Training

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

2. 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.
3. When possible, techniques should be used to reduce physical touch of Minor Athletes.
4. Only licensed providers should administer a massage, rubdown, or athletic training modality.
5. Coaches, regardless of whether they are licensed massage therapists, should not massage Minor Athlete



# Michigan State Youth Soccer Association

## Locker Rooms and Changing Areas

### A. Mandatory Components

#### 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. A Dual Relationship exists; or
- b. The Close-in-Age Exception applies; or
- c. A Minor Athlete needs a Personal Care Assistant and:
  - i. the Minor Athlete's parent/guardian has provided written consent to the Organization for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
  - ii. the Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
  - iii. the Adult Participant Personal Care Assistant has complied with the Organization's screening policy.

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

- a. 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.
- b. 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.
- c. Adult Participants must not shower with Minor Athletes unless:
  - i. The Adult Participant meets the Close-in-Age Exception; or
  - ii. The shower is part of a pre- or post-activity rinse while wearing swimwear.
- d. 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:

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



# Michigan State Youth Soccer Association

#### 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

- a. 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.
- b. 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.





# Michigan State Youth Soccer Association

## Electronic Communications<sup>2</sup>

### A. Mandatory Components

#### 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:
  - i. When a Dual Relationship exists; or
  - ii. When the Close-in-Age Exception applies; or
  - iii. If a Minor Athlete needs a Personal Care Assistant and:
    - (1) the Minor Athlete's parent/guardian has provided written consent to the Organization for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
    - (2) the Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
    - (3) the Adult Participant Personal Care Assistant has complied with the Organization'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.

#### 2. 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 an 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 an Adult Participant subject to this policy not contact their Minor Athlete through any form of electronic communication. The

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<sup>2</sup> Electronic communications include, but are not limited to: phone calls, videoconferencing, video coaching, texting, and social media



# Michigan State Youth Soccer Association

Organization and the Adult Participant must abide by any request to discontinue, absent emergency circumstances.

## **B. Recommended components**

### 1. Hours

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

### 2. 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.



# Michigan State Youth Soccer Association

## Transportation

Local travel consists of travel to training, practice, and competition that occurs locally and does not include coordinated overnight stay(s).

### A. Mandatory Components

#### 1. Transportation

- a. An Adult Participant cannot transport a Minor Athlete one-on-one during In-Program travel, except if:
  - i. A Dual Relationship exists; or
  - ii. The Close-in-Age Exception applies; or
  - iii. A Minor Athlete needs a Personal Care Assistant and:
    - (1) the Minor Athlete's parent/guardian has provided written consent to the Organization for the Adult Participant Personal Care Assistant to work with the Minor Athlete; and
    - (2) the Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
    - (3) the Adult Participant Personal Care Assistant has complied with the Organization's screening policy; or
  - iv. The Adult Participant has advance, 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 the Adult Participant is accompanied by another 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.

### B. Recommended Components

#### 1. Shared or Carpool Travel Arrangement

The Organization encourages parents/guardians to pick up their Minor Athlete first and drop off their Minor Athlete last in any shared or carpool travel arrangement.

#### 2. Parent Training

Parents/guardians receive the U.S. Center for SafeSport education and training on child abuse prevention before providing consent for their Minor Athlete to travel one-on-one with an Adult Participant.



# Michigan State Youth Soccer Association

## Lodging

### A. Mandatory Components

#### 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:
  - i. A Dual Relationship Exists, and the Minor Athlete's parent/guardian has provided the Organization with advance, written consent for the lodging arrangement;
  - ii. 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
  - iii. The Minor Athlete needs a Personal Care Assistant, and:
    - (1) The Minor Athlete's parent/guardian has provided advance, written consent to the Organization for the Adult Participant Personal Care Assistant to work with the Minor Athlete and for the lodging arrangement;
    - (2) The Adult Participant Personal Care Assistant has complied with the Education & Training Policy; and
    - (3) The Adult Participant Personal Care Assistant has complied with the Organization's screening policy.
- b. Written consent from a Minor Athlete's parent/guardian must be obtained for all In- Program lodging at least annually.

#### 2. 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.

#### 3. Additional Requirements for Lodging Authorized or Funded by the Organization

- a. Adult Participants traveling with the Organization must agree to and sign the Organization's lodging policy at least annually.
- b. Adult Participants that travel overnight with Minor Athlete(s) are assumed to have Authority over Minor Athlete(s) and thus must comply with the Center's Education & Training Policy.

### B. Recommended Components

#### Parent Training

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



# Michigan State Youth Soccer Association

## Policy on Monitoring and Enforcement

MSYSA's Policy on Monitoring and Enforcement is set forth to establish procedures for monitoring and enforcing the MSYSA Athlete and Participant Safety Program, as well as to establish an appropriate grievance process to address allegations of misconduct following the report or complaint of misconduct.

MSYSA takes all reports of potential violations of this Athlete and Participant Safety Program seriously, and is committed to confidentiality and investigation of allegations. The MSYSA Risk Management (RM) Committee and/or MSYSA Legal Counsel may conduct or manage investigations.

In order to monitor and enforce the MSYSA Athlete and Participant Safety Program, MSYSA reserves the right to, either directly or through a contracted third-party service provider, survey, audit, require certifications of compliance with, or otherwise review compliance with this policy by direct member organizations and/or those organizations that are indirectly affiliated with MSYSA via membership or participation with any MSYSA direct member organization. Any MSYSA direct member organizations, and/or those organizations that are indirectly affiliated with MSYSA via membership or participation with any MSYSA direct member organization, that fail to maintain compliance with this policy will be subject to review by the MSYSA Board of Directors. This failure to maintain compliance with this policy may constitute a violation of the MSYSA Bylaws Article III Section 5.

The grievance process for potential policy violations will be materially free of bias and conflicts of interest. Additionally, the grievance process will include the opportunity for review by disinterested and unbiased fact finders, and a right to appeal pursuant to MSYSA and/or U.S. Soccer Bylaws, Rules, and Policies.

Should the MSYSA RM Committee and/or MSYSA Legal Counsel deem that an alleged violation of any provision of the MSYSA Athlete and Participant Safety Program is supported, the Covered Adult who is alleged to have violated the MSYSA Athlete and Participant Safety Program will receive written notification in the form of an adverse action letter. An adverse action letter may include a temporary or permanent disqualification, a suspension, a removal from future assignments, or other remedial action (e.g., probation) that impacts participation. Notwithstanding the foregoing, MSYSA reserves the right to require additional training (e.g., SafeSport-certified training) on the part of any participant at any time.

The Covered Adult has the right to an appeal hearing before the MSYSA Board of Directors. The adverse action letter from the MSYSA RM Committee will include instructions on how to appeal the decision made by the MSYSA RM Committee. The Covered Adult has ten (10) calendar days from the receipt of the adverse action letter to submit an appeal in writing to the MSYSA State Office.

Once the adverse action letter from the RM Committee is received by the Covered Adult, that individual must submit a written notice of appeal to the MSYSA Board of Directors addressed to the MSYSA State Office. The written notice of appeal must be received by the MSYSA State Office within ten (10) calendar days from the receipt of the adverse action letter. The individual forfeits all rights to appeal if a written request of appeal is not received by the MSYSA State Office within the allotted time period.



# Michigan State Youth Soccer Association

The appeal hearing date will be established at the discretion of MSYSA Board of Directors. No members of the MSYSA Board of Directors, except the MSYSA President, who serves as an ex-officio member, will serve on the MSYSA Risk Management Committee. The Covered Adult may send materials to the MSYSA State Office to be reviewed by the MSYSA Board of Directors before his or her hearing date. All materials must be received 5 (five) business days before his or her hearing date. All MSYSA Board of Directors present at the meeting may vote. A vote will be taken by the MSYSA Board of Directors 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 MSYSA Board of Directors shall have the authority to determine if the individual should be permitted to participate further in MSYSA sanctioned activities and competitions, despite the individual's receipt of an adverse action letter. The MSYSA Board of Directors determines the terms of reinstatements and disqualifications, where applicable.

As stated in the Background Screening Policy of the MSYSA Athlete and Participant Safety Program, U.S. Soccer Policy 601-10 does not provide for the appeal of risk management policy disqualifications to the USSF Appeals Committee, for those disqualifications pertaining to the Background Screening Policy.

The decision of the MSYSA Board of Directors shall be final and binding on all parties. Pursuant to U.S. Soccer Bylaw 704, the individual has the right to appeal a final decision rendered by MSYSA's process for violations of the MSYSA Athlete and Participant Safety Policy, excluding those decisions rendered pertaining to the Background Screening Policy of the MSYSA Athlete and Participant Safety Program.



# Michigan State Youth Soccer Association

## Definitions for terms included in Program

For the purposes of MSYSA's Athlete and Participant Safety Program, we recognize the following definitions for terms used:

### Adult Applicant:

For the purposes of the Background Screening Policy within MSYSA's Athlete and Participant Safety Program, an Adult Applicant includes any individual aged 18 or older who is a coach, assistant coach, team manager, assistant team manager, team trainer, team official, MSYSA employee, MSYSA board member, MSYSA committee member, MSYSA independent contractor, Club or League President, Club or League Delegate, Club or League Official, Club or League Representative, Club or League Administrator, Club or League Volunteer, or referee, or any other individual aged 18 or older seeking affiliation with MSYSA or MSYSA affiliated member organizations, who has regular contact with or authority over an amateur athlete who is a minor.

### Adult Athlete:

Adult Athletes are defined as a Covered Adult and are athletes who are 18 years of age or older who have regular contact participating on teams with Minor Participants (this includes, but is not limited to training, scrimmages, games, etc.).

### Authority:

When one person's position over another person is such that, based on the totality of the circumstances, they have the power or right to direct, control, give orders to, or make decisions for that person. Also see the [Power Imbalance definition in the SafeSport Code](#). *NOTE: NGBs, PSOs, and the USOPC must submit/include categories of members/individuals that fall under the definition including specific volunteer designations.*

### Close-in-Age Exception:

An exception applicable to certain policies when an Adult Participant does not have authority over a Minor Athlete *and* is not more than four years older than the Minor Athlete (e.g., a 19-year-old and a 16-year-old). Note: this exception *only* applies within the prevention policies and *not* regarding conduct defined in the SafeSport Code.

### Core SafeSport Training:

The U.S. Center for SafeSport's online training, which consists of three modules: (1) Sexual Misconduct Awareness Education; (2) Mandatory Reporting, and (3) Emotional & Physical Misconduct, or the U.S. Center for SafeSport's in person PPT approved training.

### Covered Adults:

This policy uses the term "Covered Adults" to refer to those adults (aged 18 and older) to whom these policies apply. Covered Adults are required to follow all policies included in MSYSA's Athlete and Participant Safety Program. Covered Adults include adult individuals (aged 18 and over) who are authorized directly by MSYSA or indirectly by a club/league that is directly affiliated with MSYSA to have regular contact with or authority over an amateur athlete who is a minor. Examples of Covered Adults include but are not limited to:

- (1) MSYSA board members;
- (2) MSYSA committee members;



# Michigan State Youth Soccer Association

- (3) MSYSA employees and independent contractors;
- (4) Club and League Presidents, Club and League Delegates, Club and League Officials, Club and League Representatives, Club and League Administrators, and Club and League Volunteers;
- (5) Coaches, Assistant Coaches, Team Managers, Assistant Team Managers, Team Officials, and Team Trainers;
- (6) Adult Athletes
- (7) Referees\*

\*While Referees, Referee Coaches, Referee Mentors, Referee Assignors, and other Referee Program-Affiliated Personnel are expected to adhere to these policies due to referee involvement in MSYSA sanctioned activities and competitions, it is understood that these individuals are also subject to any policies set forth by the Michigan Referee Committee and/or U.S. Soccer Policy.

## **Dual Relationships:**

An exception applicable to certain policies when an Adult Participant has a dual role or relationship with a Minor Athlete and the Minor Athlete's parent/guardian has provided written consent at least annually authorizing the exception.

## **In-Program Contact:**

Any contact (including communications, interactions, or activities) between an Adult Participant and any Minor Athlete(s) related to participation in sport. Examples of In-Program Contact include, but are not limited to: competition, practices, camps/clinics, training/instructional sessions, pre/post game meals or outings, team travel, review of game film, team- or sport-related relationship building activities, celebrations, award ceremonies, banquets, team- or sport-related fundraising or community service, sport education, or competition site visits.

## **Local Affiliated Organization (LAO):**

A regional, state, or local club or organization that is directly affiliated with an NGB or that is affiliated with an NGB by its direct affiliation with a regional or state affiliate of said NGB. LAO does not include a regional, state, or local club or organization that is only a member of a National Member Organization of an NGB.

## **Minor Participants:**

Any participant, whether athlete, referee, or otherwise, who is under the lesser of (1) the age of 18; or (2) the age of majority in the applicable state, and who is participating in MSYSA sanctioned activities and competitions.

## **National Governing Body (NGB):**

A U.S. Olympic National Governing Body, Pan American Sport Organization, or Paralympic Sport Organization recognized by the United States Olympic Committee pursuant to the *Ted Stevens Olympic and Amateur Sports Act*, 36 U.S.C. §§ 220501-220529. U.S. Soccer is a National Governing Body.

## **Routine and/or regular contact with an amateur athlete who is a minor:**

Recurring, repeated or periodic contact between an adult and a minor.





# Michigan State Youth Soccer Association

**Authority over those adults who have routine and/or regular contact with an amateur athlete who is a minor:**  
Supervisory or decision-making authority over an adult who has recurring, repeated, or periodic contact with minors.

**SafeSport Refresher Course:**

The U.S. Center for SafeSport’s online training course(s) designed for those who have completed the initial “Core SafeSport Training” or the Center’s in person PPT approved training designated as “refresher” courses.

**The SafeSport Act:**

Public Law 115-126, the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017.

**U.S. Center for SafeSport:**

The U.S. Center for SafeSport is an independent 501(c)(3) authorized pursuant to the SafeSport Act, with jurisdiction over the USOC and NGBs with regard to safeguarding amateur athletes against abuse, including emotional, physical and sexual abuse, in sports, and which has been further tasked with certain duties in the areas of education and outreach, policy development, and response and resolution.

**USOC:**

The United States Olympic Committee.