

Risk Management Recommended Policy

The policies below were approved by the KYSA State Board as recommended policies. They are a guide for the Local Risk Management Coordinators, You can use these policies as a template to set your own, If you do not have any in place. You can modify them to fit you local needs.

Applicability: This policy is applicable to all KYSA Board members, as well as all coaches, assistant coaches, trainers, adult referees, and any other individual who is expected to have regular contact with children, as identified by the President of each club, association, or league.

Responsibilities:

1. Local Club/Association/League President will:
 - a) designate a local Risk Management Coordinator (RMC) and an alternate to serve as a local Risk Management Coordinator.
 - b) ensure all affected individuals, as identified in **applicability above** who are associated with their organization, comply with this policy.
 - c) ensure complaints of abuse are investigated and reported to the local RMC.
 - d) ensure county Sexual Offender Registry checks are completed as requested by the local RMC.

2. KYSA Board will:
 - a) promote this policy to all clubs, leagues and associations.
 - b) appoint the State KYSA RMC and the alternate State KYSA RMC.

3. Local Risk Management Coordinator will:
 - a) ensure all disclosure forms are received from each program, filed, and kept confidential.
 - b) ensure all background checks are completed.
 - c) ensure all individuals chosen to have a background check are selected randomly. If you are as a Club/Association going to do random background checks
 - d) investigate any complaints of abuse and report any findings to their Club/Association President. If action is needed.
 - e) ensure that the completed disclosure forms are kept on file for a minimum of two (2) years and a maximum of three (3) years. All matters involving a disqualification shall be kept on file for a minimum of three (3) years and a maximum of 10 years.
 - f) distribute on a periodic basis appropriate educational material regarding the KYSA Risk Management Program.

4. The Local RMC Office will:
 - a) maintain a secure filing system and a separate computer database of all current disclosure forms.
 - b) maintain a stock of blank disclosure forms and other forms as needed.

5. The Local Youth Referee Administrator will:
 - a) ensure disclosure forms are distributed and completed by all adult referees registered in KYSA and returned to the Local RMC office.

- b) serve as a liaison to the local RMC for the referees.
 - c) perform the functions as listed as the responsibilities of the Local RMC.
6. The KYSA Director of Coaching will:
- a) ensure disclosure forms are distributed and completed by all KYSA ODP coaches and administrators and returned to the State KYSA RMC office.
 - b) serve as a liaison to the State KYSA RMC for the ODP coaches and administrators.
 - c) perform the functions as listed as the responsibilities of the local RMC.

General Recommended Procedures for Local Clubs/Associations:

1. Disclosure forms will be distributed annually and as needed.
2. Volunteers/staff, as defined in **applicability above**, must complete a disclosure form upon initial appointment and every two years thereafter. The completion of the disclosure form shall be considered part of the appointment process.
3. Background checks will be made randomly or totally depending on the policy of the Club/Association on an annual basis of those individuals required to complete a disclosure form.
4. Where individuals indicate they have been convicted of a violent crime or a crime against a person, a background check will be conducted.
5. All information provided to the local RMC on a disclosure form, complaint, investigation, or background check will be held in strict confidence. Persons who violate this confidence shall be removed from their position as either Local RMC or their respective alternates. The information gathered as part of this program shall not be disseminated, for any purpose, inconsistent with the intent of this program except:
 - a) in pursuant to an order from a court of law.
 - b) upon a specific written request from a public law enforcement agency.
 - c) upon a specific written request from a youth sports organization. The response to the request from the youth sports organization shall indicate only whether the individual left the program voluntarily or was disqualified from service.
6. Background checks will include a statewide or multi-state arrest and/or criminal conviction record check and a Sexual Offender Registry check in the county in which the individual resides.
7. When the list of randomly or totally selected individuals is sent by the Local RMC for submission to the County Sheriff's office to be checked against the Sexual Offender Registry;
 - a) The list is to remain in the sealed envelope until it is delivered to the County Sheriff's office.
 - b) the local RMC will include a cover letter explaining to the county agency the purpose of the request and that the completed request should be returned directly to the local RMC office.
 - c) The local RMC will also include a return envelope, with the local RMC office address preprinted on it.

Background Checks:

1. An arrest and/or criminal conviction record check.
 - a) An arrest record check will be conducted by the local RMC and will be paid for by the local Club/Association.
2. Sexual Offender Registry
 - a) Inquiries may be made in person at each County Sheriff's office or by mail to each County Sheriff's office, depending upon local regulations. Call ahead for instructions.
 - b) Requests are at no charge.
 - c) In person inquiries will need to be made by the local RMC in the county in which the subject resides and the local RMC shall be responsible to make inquiries in those counties where mail inquiries are accepted.
3. Individuals, as defined in **applicability above**, who do not reside in Kentucky, shall have similar background checks conducted, if called for under this policy, in their state of residence.
4. Individuals with an arrest record or appearing on one of the registries will be subject to the following:
 - a) Arrest and/or Criminal Conviction Record: Each entry will be reviewed by the local RMC to determine the individual's fitness to serve. A conviction for a crime of violence or a crime against a person during the preceding ten (10) years may be sufficient cause to disqualify a person from service with KYSA.
 - b) Sexual Offender Registry-Individuals appearing on this registry shall be disqualified from service.
5. The local RMC shall notify any individual disqualified from service under this Risk Management program in writing via certified mail. In addition, the local RMC shall notify the local President of the disqualification, in writing, by means of the following statement; "Pursuant to the policy established by the Local Risk Management Program, (name of individual) is disqualified from any and all service with your organization that would allow (name of individual) to have contact with KYSA players or youth referees."

Appeal of Disqualification of Service

1. Any individual who is disqualified from service under the Local Risk Management program shall have the right to a hearing before the Local Club. The hearing will be governed by the Local clubs policies and procedures. The individual who was disqualified from service shall remain disqualified from service until such time as the hearing has been resolved in the favor of the disqualified individual.

Abuse Complaint Procedures:

1. Complaints against individuals who are alleged to have abused their authority by committing sexual, physical, mental or emotional abuse are to be reported to the local Club/Association/League President and/or the local RMC. If complaints are substantiated the complainant should also report the matter to the appropriate law enforcement agency and/or child protection agency. The local RMC shall follow up within 10 days to ascertain if a police report or other appropriate report has been filed.
2. Upon receipt of a complaint, the local RMC will conduct a background check if there has not been one obtained within the last 12 months.

3. If an abuse charge is formally lodged against an individual, as defined in **applicability above**, with the Police, a criminal background check shall also be conducted. In such a case, the said individual may be suspended until the case is resolved (USSF/USYSA Rule 4043). At this point, the local RMC must inform the individual of their status and rights in writing.

4. Each complaint will be reviewed by the local RMC to determine the appropriate action. Upon reaching a decision, the individual must be informed and provided information on the appeal process in writing.