



## **300 – Risk Management**

Updated August 2020

### **301- Times Two Policy**

All SAY Areas will require no less than two adults (preferably unrelated), per team, to be present at all team functions such as games, practices, picnics, etc. No Exceptions! The adults assigned can be a combination of coaches, parents, board members or other persons over the age of 18. While the focus of this policy is the child it also provides protection for the volunteers.

### **302– Background Screens**

1. Safeguards in the process of selecting coaches, contracting with independent contractors (referees) or the solicitation of volunteers will be used to eliminate from consideration any candidates who display characteristics that could classify them as high risk for violating this policy.
2. The Minimum Acceptable standard is for all coaches and assistant coaches to fill out a SAY Volunteer Application annually.
3. All candidates who check “yes” to any felony or misdemeanor conviction MUST be screened by SAY National’s current preferred provider,
  - 3.1. Criminal background checks in any and all states where the candidate has lived in the past seven years
  - 3.2. Sexual offender registry checks in any and all states where the candidate has lived for the last seven years
  - 3.3. or a non-SAY National provider as defined in section 6 of the Risk Management section of this policy manual
4. Candidates for positions will be screened and selected using the following:
  - 4.1. Standard SAY volunteer screening application for any adult having unsupervised access to a youth member of SAY. Unsupervised access is defined as a 50-yard radius around a youth member of SAY without another adult within that same radius. At the very least this will include all coaches, both head and assistant coaches.
5. The Volunteer screening application will include an authorized signature to perform any and all necessary background checks.

6. It is not mandatory to use SAY Soccer's preferred background screening company however, if you choose an alternative provider the background check performed must include:
  - 6.1. Criminal background checks in any and all states where the candidate has lived in the past seven years
  - 6.2. Sexual offender registry checks in any and all states where the candidate has lived for the last several years
7. All information collected about a candidate will be reviewed and used to determine if they are appropriate for the respective position. If there are sufficient mitigating circumstances, the SAY National Office may offer consulting regarding the final decision, regarding the acceptance of the volunteer, with the SAYArea. If retained, all information collected during the screening process will be included in the Area/District administrative files.
8. SAY Soccer uses the disqualification offenses list derived from Ohio Senate Bill 187 as a minimum baseline in determining eligibility to volunteer or work in the SAY Soccer organization in any capacity.
9. SAY Soccer uses Safesport Centralized Disciplinary Database to identify volunteers or employees that may have been sanctioned and rendered ineligible for participation due to sexual misconduct offenses.
  - 9.1. To search by individual name visit <https://safesport.org/userviolations/search>

### **303- General Conduct**

1. In an effort to provide a safe and healthy environment for both mind and body, the following guidelines are meant to guide SAY members during their interactions with children. These guidelines do not and cannot outline every situation that may be encountered requiring SAY members to act with a certain degree of personal discretion. Because a certain action is not prohibited in this section does not mean it is acceptable behavior. SAY reserves the right to take disciplinary action against any SAY member whose actions are found to be inappropriate regardless of whether they appear in this section.
  - 1.1. While representing SAY, SAY members must not possess, distribute, use or allow others to use any alcohol or drugs.
  - 1.2. SAY members must not use harsh or inappropriate language, degrading punishment or any type of restraining device in the name of behavior management.
  - 1.3. SAY members must not participate in or allow others to engage in any form of hazing.
  - 1.4. SAY members must not have sexual contact with children.

- 1.5. SAY members must not dress, undress, shower or bathe with or in the presence of children or youth.
- 1.6. SAY members must not use physical punishment in any form. The only time physical force is allowed to be used against a child or youth is when their actions are placing others at an immediate risk for serious harm.
- 1.7. SAY members are prohibited from sharing sleeping locations with children. This includes beds, tents, hotel rooms and other similar areas. SAY members can sleep in open areas near children as long as the area is large enough for the SAY member to have their own defined sleeping areas and other SAY members are present.
- 1.8. SAY members must not discuss their own sexual history, preferences or fantasies nor their use of illicit or pornographic materials while in the company of children.
- 1.9. SAY members are not allowed to possess any sexually oriented materials (books, magazines, videos, clothing) when conducting business in the name of SAY.
- 1.10. When one-on-one discussion or counseling is warranted, SAY member interaction with a child will take place in an area that allows for private conversation while in the presence of another SAY member.

If, for any reason, a SAY member feels there is a need to make an exception to these guidelines, they must submit to the Area/District President a written description of the incident and why their actions were necessary. Their report will be reviewed for wrongdoing. A copy of the original report along with any additional findings will be retained by SAY pending further investigation.

### **304 – Participant Safety Training Policy**

1. SAY Soccer members that have contact with athletes must successfully complete the USOPC SafeSport training or other comparable training/education program approved by the SAY National Board of Directors every two (2) years. The USOPC SafeSport training can be accessed at <https://bit.ly/2HzhMsb>
2. Who needs this training?
  - 2.1. Organization member employees
  - 2.2. Organization National Board Members
  - 2.3. Participating adults
  - 2.4. Subject to parental consent, youth participants
3. When does training need to be completed?
  - 3.1. Prior to regular contact with the youth participants OR
  - 3.2. Within the first 45 days of the participating adult taking on the role giving them access to youth participants.

4. The SAY Soccer members must track this training and submit a SAYArea signed compliance document annually including:
  - 4.1. A description of the training(s)
  - 4.2. The date training(s) was offered and given
  - 4.3. A description of how the training(s) was offered and given

### **305 – Reporting Policy**

1. SAY Soccer’s reporting policy is designed to prevent the abuse, including emotional, physical, and sexual abuse, of amateur athletes participating in amateur athletic activities.
2. Suspected Child Abuse Reporting Procedures.
  - 2.1. In the course of operating a SAY program any SAY member who knows or has reasonable cause to suspect based on facts that would cause a reasonable person in a similar position to suspect, that a child under the age of eighteen years of age, intellectually disabled, developmentally disabled, or physically impaired child under the age of twenty-one years of age has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of a child, MUST report this to the child services agency or the local police The report can be made either by telephone or in person and shall be followed by a written report, if requested, by the receiving agency or officer.
  - 2.2. The report must be made within 24 hours of witnessing abuse or gaining knowledge that leads one to believe there may be abuse. SAY Soccer recommends NOT making anonymous reports if possible. This is done in an effort to protect yourself from possible liability in state, city or municipality’s mandatory reporting laws.
  - 2.3. Safesport.org is SAY Soccer’ recommended resource for athlete well-being as all athletes deserve to participate in sports free from bullying, hazing, sexual misconduct or any form of emotional or physical abuse. SAY members can also report abuse at Safesport.org.
  - 2.4. The report must be made by the person having knowledge or reason to believe that the condition exists. In the process of providing the information for the report, be sure to note to whom you talked with the date, time and their contact information. After the incident is reported please contact the Area/District President providing the details as reported. A follow up call is recommended with the agency or officer to ensure that an investigation is ongoing and that there is movement towards the resolution of any issues. The information provided in the report is confidential as is the name of the person making the report and shall not be released for use and shall not be used as evidence in any civil action or proceeding brought against the person making the report. In other words, in any case where a good faith report was made and there ended up being no abuse, the person who made the report is immune from any criminal or civil damages. The public policy in Ohio, for example, as it is in other states, is to protect children, even if it means that there may be good faith false allegations

from time to time. It is better to over-protect children than to under-protect them by failing to make and follow up on good faith reports.

### **306 – Prohibited Conduct Policy**

1. This policy establishes how SAY Soccer intends to prevent the physical, emotional and sexual abuse of children by the coaches, referees, players, administrators, and parents. SAY seeks to create a welcoming and nurturing environment for those in attendance and has zero tolerance for those whose actions may jeopardize the safety, health or innocence of a minor.
2. Definitions
  - 2.1. SAY Soccer is committed to maintaining an environment for our members that is free from all forms of discrimination, including harassment, on the basis of any legally protected status. Accordingly, SAY Soccer does not permit any form of unlawful harassment, discrimination or intimidation against its employees by anyone, including managers, supervisors, coworkers, executives, directors, officers, other employees, vendors, clients, customers or third parties.
  - 2.2. 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.
  - 2.3. SAY Soccer is also committed to maintaining an environment for our members that is free from all forms of child sexual abuse, sexual misconduct, bullying and hazing.
  - 2.4. Any violation of this Policy by a member may subject themselves to disciplinary action. Appropriate action also will be taken against any subcontractor, supplier, or customer found in violation of this Policy.
  - 2.5. Prohibited Conduct
    - 2.5.1. Harassment: consists of unwelcome conduct, whether verbal, physical or visual, that is based upon a person's protected status. SAY Soccer 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 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 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.

2.5.1.1. Sexual Harassment: 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 made either explicitly or implicitly during a term or condition of the individual's membership with SAY Soccer; submission to or rejection of such conduct by an individual is used as the basis for a membership 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 membership 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. SAY Soccer prohibits members from threatening or insinuating, either explicitly or implicitly, that an member's submission to or rejection of sexual advances will in any way influence any personnel decision regarding that member's wages (if employed), assigned duties, advancement, evaluation, shifts, career development, or any other condition of employment or involvement.

2.5.1.2. Racial, Religious, or National Origin Harassment: is prohibited by SAY Soccer. 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 member uncomfortable in a SAY Soccer sanctioned activity or which would interfere with the member'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 use of pejorative or demeaning language regarding a person's race, religion, or national origin.

2.5.2. Child Sexual Abuse: any sexual activity with a child is prohibited. This 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 the child understands the sexual nature of the activity.

2.5.3. Sexual Misconduct: any sexual interaction between an athlete and an individual with evaluative, direct or indirect authority is prohibited. 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.

2.5.4. 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 in an attempt to socially exclude, diminish or isolate the targeted athlete(s), as a condition of membership are prohibited. Bullying does not include group or team behaviors that (a) are meant to establish normative team behaviors, or (b) promote team cohesion.

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

## 2.6. Procedures for Complaints, Investigations and Corrective Action

2.6.1. All SAY members are responsible to help ensure that we avoid misconduct. No one is exempt from this Policy. SAY Soccer cannot act to eliminate misconduct unless it has notice of the conduct. Furthermore, SAY Soccer members are responsible to help assure that the work environment, on or off-premises, is free from harassment. SAY members have an obligation to promptly report any and all conduct they believe to be harassment whether they are the subject of, that they learn of, or that they witness. Our Policy provides for immediate notice of problems to the persons designated in this Policy so that we may address and resolve any problems as quickly as possible.

2.6.1.1. A member must report the harassing conduct to either: The person to any position of trust apart from the offender who should then take to their SAY Area or District representative. If the member feels uncomfortable coming forward with the complaint, he/she must report the matter to the SAY Soccer National office in writing. This Policy does not require reporting the misconduct to any individual who is creating the harassment or discrimination.

2.6.1.2. All complaints and reports will be promptly investigated. All members 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. In determining whether an individual's alleged conduct constitutes a violation of the Policy, the investigator will impartially look at the totality of the circumstances, which includes the nature of the misconduct and the context in which it is alleged.

- 2.6.1.3. If an investigation confirms that a violation of the Policy has occurred, SAY Soccer will take prompt corrective measures. These measures may include, but are not limited to, an oral or written warning or reprimand, counseling, suspension, or discharge of the employee engaging in such misconduct. Such disciplinary actions will be noted in the SAY members file.
- 2.6.1.4. SAY Soccer's Non-Harassment Policy offers its members greater protection from harassment than does the law. Consequently, SAY members who are found to have violated SAY Soccer's Non-Harassment Policy shall be subject to corrective action, discipline or removal, even in cases where applicable laws may not have been violated and without regard to whether the conduct constitutes a violation of the law.
- 2.6.1.5. A SAY Soccer member wishing to file a complaint against the National Office Staff may contact the President of the National Board of Directors.
- 2.6.1.6. A SAY Soccer member wishing to file a complaint against a SAY National Board Member may contact the SAY National Executive Director.
- 2.7. Confidentiality: complaints of harassment, investigation of complaints of harassment, and any corrective action taken in response will be kept confidential, except as disclosure is necessary to perform SAY Soccer's investigation, and to inform the alleged victim of harassment of the outcome of any investigation.
- 2.8. No Retaliation: SAY Soccer prohibits reprisal or retaliation against a SAY member for filing a good faith complaint of harassment, for supporting or assisting, in good faith, another member in pursuing a complaint or in assisting in the investigation of a complaint. Members must report incidents of retaliation on the same basis as they are to report incidents of harassment. SAY Soccer will not retaliate or discriminate against any employee for exercising, in good faith, any rights under this Policy. Retaliation is a violation of this policy.
- 2.9. False Claims: investigations of good faith claims may properly result in findings that include violations of the policy, no violation of the Policy, or inconclusive findings. However, any member who falsely claims sexual misconduct or provides false information in an investigation will be subject to disciplinary action, up to and including discharge.

### **307 – Lindsay’s Law**

1. Effective Immediately all Ohio based SAY Soccer affiliated programs will be required to comply with the following NEW Ohio law. It is important to note that this is not necessarily a SAY Policy. It is an Ohio Law, thus it does not apply to SAY programs operating outside of the state of Ohio.
  - 1.1. Lindsay’s Law, Ohio Revised Codes 3313.5310, 3707.58 and 3707.59 went into effect in 2017.
  - 1.2. In accordance with this law, the Ohio Department of Health, the Ohio Department of Education, the Ohio High School Athletic Association, the Ohio Chapter of the American College of Cardiology and other stakeholders jointly developed guidelines and other relevant materials to inform and educate students and youth athletes participating in or desiring to participate in an athletic activity, their parents, and their coaches about the nature and warning signs of sudden cardiac arrest.

### **308 – Concussion Policy**

1. The SAY National Concussion Policy consists of two very distinct procedures. This policy is required for ALL coaches and officials regardless of their age and/or status (i.e. Head coach, Assistant Coach, Head Referee, Assistant Referee, etc.). These procedures are designed to comply with recently passed legislation concerning concussion in youth sports. It will be necessary to complete a concussion training course every three (3) years.
2. STEP 1: The first portion of the SAY National Concussion policy is the taking of a FREE online training course. ALL coaches and referees MUST complete this training course prior to participating in the any SAY activity whether it be a practice or a game situation. There are two approved options for the FREE online training program consists of two approved options, either of which is acceptable:
  - 2.1. The FIRST APPROVED OPTION is provided by the National Federation of State High School Associations Concussion in Sports – What You Need to Know, which can be found at <http://www.nfhslearn.com/electiveDetail.aspx?courseID=38000>. This online course will require you to click on the "order here" button to begin the training. It will ask you to complete a brief registration form prior to beginning the course, which is solely for the purpose of registering you in their data base as having successfully completed the online material. After you have completed this course you will be given the option to print out a personalized certificate of completion (It is suggested that this certificate be printed out in pdf format, otherwise your name may not appear on this certificate).
  - 2.2. The SECOND APPROVED OPTION is through the Center for Disease Control and their Prevention Heads Up Concussion in Youth Sports Online training program, which is at <http://www.cdc.gov/headsup/youthsports/training/index.html>. Click on the online training course button to begin your training. After successfully completing the on-line training, you will be offered an opportunity to print out a personalized "certificate of completion". FYI - this option does not keep a record of your completing this training.

- 2.3. After completing either the FIRST OR SECOND APPROVED OPTION, you will need to print out your personalized "certificate of completion" and keep a copy with you at ALL SAY related functions (especially referees, as you may be required to show your personalized certificate to the appropriate SAY authorities prior to being allowed to officiate any games).
3. STEP 2: The second portion of the SAY National Concussion policy is the Removal-From and Return-to-Play procedure. Any athlete exhibiting signs and symptoms of concussion either during a practice or during a game MUST be immediately removed. This athlete MAY NOT return to play nor participate in any SAY activity on the same day that he or she has been removed (even if a written medical clearance is provided).
4. In addition, the athlete is not permitted to return to play or participate in any SAY activity until he or she has been assessed and received written clearance by a physician or by another licensed health care provider. A Return-to-Play form must be submitted to the coach prior to allowing the athlete to participate in any activity with the athlete's team, whether it be a practice or a game situation.
5. All of SAY's member Areas and Districts are responsible to monitor and track their coaches and referees with regard to their individual compliance with this policy. For those SAY members playing spring seasons, this policy must be implemented with the coaches and referees having completed their mandated online training prior to April 26, 2013. Those SAY members operating a fall season program must have their coaches and referees complete their individual online training prior to starting practices.
6. Two recommended resources for forms and support materials are [www.saysoccer.org](http://www.saysoccer.org) & [www.recognizetorecover.org](http://www.recognizetorecover.org)

