



New Jersey Youth Soccer
Risk Management Program & Athlete and Participant Safety Program

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Statement on Athlete and Participant Safety Program

NJ Youth Soccer Association has developed this Athlete and Participant Safety Program as part of the NJYS 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.

NJ Youth Soccer Association has zero tolerance for abuse or misconduct. All participants in the soccer community should 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, NJYS'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 NJYS's Athlete and Participant Safety Program. Covered Adults include adult individuals (aged 18 and over) who are authorized directly by NJYS or indirectly by a member organization that is directly affiliated with NJYS 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 and repeated 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:

- a) NJYS board members;
- b) NJYS committee members;
- c) NJYS employees and independent contractors;
- d) Club and League Presidents, Club and League Officials, Club and League Administrators, and Club and League Volunteers;
- e) Coaches, Assistant Coaches, Team Managers, Asst Team Managers, Team Officials, and Team Trainers; and
- f) 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 NJYS sanctioned activities and competitions, it is understood that these individuals are also subject to any policies set forth by the NJ State 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 NJYS 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 NJYS 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 NJYS 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 NJYS and/or NJYS member organization(s) to act on the behalf of NJYS and/or NJYS member organization(s), the following will apply:

- a) Adult individuals that do not meet the definition of Covered Adults as described above should 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 NJYS’s Athlete and Participant Safety Program) should hall be present and will supervise the NJYS 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 NJYS’s Athlete and Participant Safety Program, NJYS 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 NJYS employees and board members.

In the event NJYS receives a report or complaint that implicates a reporting obligation to law enforcement authorities (see “Mandatory Reporting Policy”), NJYS 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. NJYS 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 NJYS Athlete and Participant Safety Program is not an exclusive statement of all policies and processes pertaining to NJYS and its affiliated leagues and programming. NJYS affiliated leagues and programs may implement additional policies and procedures specific to their operations. Furthermore, the NJYS Employee Handbook provides further guidance applicable to NJYS Employees on other matters to address conduct that may not be covered by the NJYS Athlete and Participant Safety Program.

NJYS recognizes that social norms continue to develop, as does the legal framework under which we operate. Accordingly, the NJYS Athlete and Participant Safety Program will always be subject to modification, amendment and further development by NJYS, in its discretion. The NJYS Athlete



and Participant Safety Program and all policies herein may be amended from time to time by vote of the NJYS Board of Directors. Limited exceptions to these policies may be granted by NJYS on a case-by-case basis where appropriate, provided that such exceptions do not materially impact the safety of Minor Participants.

NJYS does not control the day-to-day operations of our direct member organizations or of those organizations that are indirectly affiliated with NJYS via membership or participation with any NJYS direct member organization. NJYS 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 NJYS's Athlete and Participant Safety Program, USSF Policy 212-3, and the SafeSport Act.

The NJYS Athlete and Participant Safety Program and these six policies are hereby issued. NJYS direct member organizations, and those organizations that are indirectly affiliated with NJYS via membership or participation with any NJYS direct member organization, are expected to maintain compliance with these requirements Any NJYS direct member organization, or any organization that is indirectly affiliated with NJYS via membership or participation with any NJYS direct member organization, not in compliance with the requirements set forth by the NJYS Athlete and Participant Safety Program may be subject to enforcement as provided the "Policy on Monitoring and Enforcement" of this program.



Background Screening Policy

Pursuant to U.S. Soccer Policy 212-3, NJYS'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, NJYS employee, NJYS board member, NJYS committee member, NJYS 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 NJYS or NJYS 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 NJYS sanctioned activities and competitions, will be known as "Minor Participant" for the purposes of this Background Screening Policy.

I. APPLICATION PROCESS

Adult Applicants required by NJYS to apply for Risk Management (RM) annually will do so by using the Online Risk Management system or by submitting the appropriate paper certification to the NJYS 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 regular access to Minor Participants. Paper applications are available by contacting the NJYS State Office.

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 will provide his or her Social Security Number, which will be kept confidential. 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 SafeSport's disciplinary records as temporarily or permanently ineligible shall be recognized by NJYS in accordance with U.S. Soccer policies.

NJYS, in consultation with the NJYS Risk Management (RM) Advisory Board Chair when appropriate, will make all initial decisions pertaining to an individual's eligibility to participate with the NJYS. NJYS has the authority to immediately disqualify an individual based on the results of any criminal history background check(s). NJYS 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).

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 NJYS, all NJYS related activities and events, all NJYS affiliated league activities and events, and all US Youth Soccer related activities and events. NJYS 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 NJYS in determining the eligibility of the applicant to participate with NJYS.

NJYS 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. NJYS also reserves the right to disqualify an individual if that individual's behavior and/or conduct are considered detrimental to NJYS, the NJYS membership, or NJYS member leagues.

NJYS 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. NJYS 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.

NJYS 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

NJYS will send written (e.g. electronic) notification to every Adult Applicant who has been disqualified by NJYS with instructions on how to appeal the decision. The disqualified individual has ten (10) calendar days from the receipt of the notice of disqualification to submit an appeal in writing to the NJYS State Office.

NJYS will send written notification to every Adult Applicant who is asked to provide more information pertaining to offenses and/or convictions found as a result of criminal history background check(s). NJYS may request additional information if it becomes aware of information about an individual that could have a negative impact on NJYS. If the Adult Applicant fails to respond to NJYS within 10 calendar days of the receipt of the written notification for more information, then the individual will be considered not eligible or disqualified from participation with the NJYS. A reversal of the disqualification will not be considered until the requested information is received from the applicant.

If an Adult Applicant has any pending charge in matters stated in this policy, NJYS 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 NJYS 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 NJYS within the allotted time period.

IV. APPEAL PROCESS

Any Adult Applicant who has been disqualified from participation with NJYS has the right to appeal the initial decision made by NJYS. Once the written notification of the disqualification is received



by the individual, that individual must submit a written notice of appeal to the NJYS Executive Committee addressed to the NJYS State Office. The written notice of appeal must be received by the NJYS 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. To re-apply, the Adult Applicant must submit a letter to the NJYS Executive Committee seeking consideration of their request.

The appeal hearing date will be established and scheduled at the discretion of the NJYS Executive Committee. 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 NJYS Executive Committee. Nevertheless, the appeal shall be heard by the NJYS Executive Committee within 60 calendar days of the initially scheduled appeal hearing date.

A disqualified Adult Applicant may send materials to the NJYS State Office to be reviewed by the NJYS Executive Committee before his or her hearing date. All materials must be received 5 (five) business days before his or her hearing date. All NJYS Executive Committee present at the meeting may vote. A vote will be taken by the NJYS Executive Committee 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 NJYS Executive Committee may rule in the following ways:

- Reinstate the Adult Applicant*
- Amend the initial decision reached by NJYS *
- Uphold the initial decision reached by NJYS *

*The NJYS Executive Committee 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 Executive Committee. Determinations by the court of 'Not Guilty', 'Dismissed', (or similar) will not automatically reinstate the individual for full participation within NJYS; an appeal hearing will still take place unless overruled by the NJYS Executive Committee.

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



Mandatory Reporting Policy

On February 14, 2017, the President of the United States 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.

New Jersey is a mandatory reporting State. This means that any person with reasonable cause to believe that a child has been abused or neglected must report those concerns immediately.

Under the SafeSport Act, the reporting obligation is triggered when a mandatory reporter becomes aware of information 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. 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 NJYS State Office. Should the mandatory reporter require assistance making a report to the appropriate law enforcement authority, he or she should consult with the NJYS State Office.

I. MECHANISM FOR REPORTING

The list below outlines the appropriate contacts for reporting when physical, emotional or sexual abuse is suspected. The report should include whatever information may be helpful, such as alleged perpetrator, the names and addresses of the child and his/her parent or other guardian or caretaker, the child's age and nature of the extent of the injury, abuse or mistreatment if known. The person receiving the disclosure of abuse, neglect or mistreatment is required to make a report and may report through the NJYS website ([click here](#)). Below are additional resources:

- Local Law Enforcement Number: May be posted on club website and given to athletes and parents.
- Division of Child Protection & Permanency (formerly Division of Youth & Family Services): Report if suspicious activity is applicable, 1-877-NJ-ABUSE may be on club website and given to athletes and parents
- Club Risk Manager Contact Information (every club should have a point person for reporting)
- US Soccer Integrity Hotline Number: (312) 528- 7004
- US Soccer: <https://www.ussoccer.com/integrity-hotline>



- US Center for SafeSport: <https://www.safesport.org/report-a-concern>

For details on Mandatory Reporting Requirements: Children New Jersey [click here](#).

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

NJYS 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. NJYS 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 NJYS's Athlete and Participant Safety Program and this Mandatory Reporting Policy.

Without limiting the foregoing, it is also NJYS's Mandatory Reporting Policy that Covered Adults must report any suspected violation of the NJYS Athlete and Participant Safety Program to the NJYS State Office. A report can be made through the NJYS website ([click here](#)). Furthermore, NJYS prohibits retaliation against individuals making good faith reports of any suspected violation of the NJYS Athlete and Participant Safety Program.

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



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 NJYS'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. All continuing Covered Adults are required to complete the "Core SafeSport Training" no later than December 1, 2019. Any new Covered Adults, effective December 1, 2019, 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.

In addition, the U.S. Center for SafeSport offers a "SafeSport Refresher Course." All Covered Adults are required to complete the "SafeSport Refresher Course" on an annual basis effective the calendar year following the completion of the initial "Core SafeSport Training." 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 NJYS Covered Adults at no additional cost. For more information on accessing these trainings, visit NJYS's website at www.njyouthsoccer.com or contact the NJYS 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. Regarding training for Minor Participants, NJYS will track a description of the training(s), the date each training was offered and given, and a description of how each training was offered and given.

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://resources.safesport.org/toolkits/library.html>

Refresher Course(s) for Adults

In addition to the initial training, a refresher course is required on an annual basis effective the calendar year following the completion of the initial training. The U.S. Center for SafeSport's official refresher course is available as of October 1, 2018.



Annual Refresher NJ Youth Soccer Abuse Prevention Training for Adults

NJ Youth Soccer currently requires all Adults who are required to take the initial U.S. Center for SafeSport course to take the U.S. Center for SafeSport's official refresher course.

The refresher course is required on an annual basis to be completed by December 31 of the year following the year the initial course and subsequent refresher course was taken. Set aside up to 30 minutes to take the refresher course.

Example: If an Adult takes their initial course during 2019 they must complete their annual refresher no later than December 31, 2020. He/she may take the refresher anytime between January 1 and December 31 of 2020, and there is no need to wait until a year expires.



Prohibited Conduct Policy

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

Harassment

Harassment consists of unwelcome conduct, whether verbal, physical or visual, that is based upon a person's protected status. NJYS will not tolerate harassing conduct that creates an intimidating, hostile, or offensive environment during NJYS sanctioned activities and competitions. This Prohibited Conduct Policy forbids harassing conduct even when it does not rise to the level of a violation of law.

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.

Sexual Harassment

Sexual harassment deserves special mention. Sexual harassment may involve individuals of the same or different gender. Unwelcome sexual advances, requests for sexual favors, and other verbal, written, or physical conduct of a sexual nature may constitute sexual harassment.

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 NJYS. 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 environment within NJYS sanctioned activities and competitions. 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.

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.

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.

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 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.

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.



All Covered Adults are responsible to help ensure that we avoid misconduct.

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. NJYS prohibits retaliation against individuals making good faith reports of misconduct, including potential violations of this Prohibited Conduct Policy by Covered Adults or Minor Participants.

NJYS 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.

NJYS 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 and hazing.



Policy to Limit One-on-One Interactions

The majority of child sexual abuse is perpetrated in isolated, one-on-one situations. By reducing such interactions between children and adults, the risk of child sexual abuse is reduced. However, one-on-one time with trusted adults is also healthy and valuable for a child. NJYS's Policy to Limit One-on-One Interactions Between Adults and Minors ("Policy to Limit One-on-One Interactions") protects children while allowing for these beneficial relationships. These policies are intended to limit one-on-one interactions between Minor Participants and any Covered Adult who is not their legal guardian during NJYS sanctioned activities and competitions.

Topics detailed within this policy include:

- One-on-One Interactions, including meetings and individual training sessions
- Massages and rubdowns
- Locker rooms, rest rooms, and changing areas
- Social media and electronic communications
- Local travel
- Team travel

A Minor Participant that reaches the age of majority may not be subject to this policy in their capacity as an athlete, and when interacting with Minor Participants who are aged 16 or older. The Policy to Limit One-on-One Interactions is in effect when this now age of majority athlete interacts with Minor Participants aged 15 or younger. Should a Minor Participant reach the age of majority and then obtain a position that presents a potential power imbalance, such as becoming a coach, the individual is subject to the Policy to Limit One-on-One Interactions.

One-on-One Interactions

Mandatory Components

- a) Application: This policy applies to all Covered Adults.
- b) Observable and interruptible
 - One-on-one interactions between a Minor Participant and a Covered Adult (who is not the minor's legal guardian) during NJYS sanctioned activities and competitions are permitted, if they occur at an observable and interruptible distance by another adult.
 - Isolated, one-on-one interactions between a Minor Participant and a Covered Adult (who is not the minor's legal guardian) during NJYS sanctioned activities and competitions are prohibited, except under emergency circumstances.
- c) Meetings
 - Meetings between a Covered Adult and a Minor Participant during NJYS sanctioned activities and competitions should only occur if another adult is present, except under emergency circumstances. Such meetings should occur where interactions can be easily observed and at an interruptible distance from another adult.
 - If a one-on-one meeting takes place in an office, the door to the office should remain unlocked and open. If available, it should occur in an office that (if available) has windows, with the windows, blinds, and/or curtains remaining open during the meeting.
- d) Meetings with mental health care professionals: If a mental health care professional meets with a Minor Participant during NJYS sanctioned activities and competitions, a



closed-door meeting may be permitted to protect patient privacy – provided that (1) the door remains unlocked, (2) another adult is present at the NJYS sanctioned activity or competition, (3) the other adult is advised that a closed-door meeting is occurring, and (4) written legal guardian consent is obtained by the mental health care professional, with a copy provided to NJYS.

- e) Individual training session: Individual training sessions between Covered Adults and Minor Participants are permitted during NJYS sanctioned activities and competitions if the training session is observable and interruptible by another adult. The Covered Adult should obtain the written permission of the Minor Participant's legal guardian in advance of the individual training session. Parents, guardians, and other caretakers should be allowed to observe the training session. Permission for individual training sessions should be obtained at least every six months.

Recommended Components

- a) Monitoring: When one-on-one interactions between Covered Adults and Minor Participants occur during NJYS sanctioned activities and competitions, adults should monitor these interactions. Monitoring includes: knowing that the one-on-one interaction is occurring, the approximate planned duration of the interaction, and randomly dropping in on the one-on-one.
- b) Out-of-program contacts: Covered Adults are prohibited from interacting one-on-one with unrelated Minor Participants in settings outside of the program (including, but not limited to, one's home, restaurants, and individual transportation), unless parent/legal guardian consent is provided for each out-of-program contact. Such arrangements are nonetheless strongly discouraged.

Massages and Rubdowns

Mandatory components

- a) Application: This policy applies to all Covered Adults.
- b) Licensed, certified professional
- Any massage or rubdown performed by a Covered Adult on a Minor Participant during NJYS sanctioned activities and competitions is prohibited unless such Covered Adult is a licensed massage therapist.
 - Any massage or rubdown performed during NJYS sanctioned activities and competitions by a licensed professional should be conducted in open and interruptible locations. Any massage of a Minor Participant should be done with at least one other adult present and should never be done with only the Minor Participant and licensed massage therapist in the room.
 - Even if a coach is a licensed massage therapist, the coach should not perform a rubdown or massage of a Minor Participant under any circumstances.

Recommended components

- a) Written consent: Written consent by a legal guardian should be provided before providing each massage or rubdown on a Minor Participant. Parents should be permitted to be in the room as an observer.



Locker Rooms, Rest Rooms and Changing Areas

Mandatory Components

- a) Application: This policy applies to all Covered Adults.
- b) Use of recording devices: Use of any device's (including a cell phone's) recording capabilities, including voice recording, still cameras, and video cameras in locker rooms, rest rooms, changing areas, or similar spaces during NJYS sanctioned activities and competitions is prohibited. Exceptions may be made for media and championship celebrations, provided that such exceptions are approved by NJYS and two or more adults are present.
- c) Undress: Under no circumstances should an unrelated Covered Adult during NJYS sanctioned activities and competitions be undressed (disrobed or partial or full nudity where private body parts are exposed) in front of Minor Participants.
- d) Isolated one-on-one interactions
 - At no time are unrelated Covered Adults permitted to be alone with a Minor Participant in a locker room, rest room, or changing area during NJYS sanctioned activities and competitions, except under emergency circumstances.
 - If any NJYS sanctioned activities and competitions require the use of a facility that has access to a single set of such facilities, the NJYS, where applicable, and/or NJYS member organizations, where applicable, should designate times for use by Covered Adults, if any.
- e) Monitoring: The NJYS, where applicable, and/or NJYS member organizations, where applicable, regularly and randomly monitor the use of locker rooms, rest rooms, and changing areas at facilities at which NJYS sanctioned activities and competitions are taking place to ensure compliance with these policies.
- f) Non-exclusive facility: If the NJYS and/or NJYS member organizations use a facility for NJYS sanctioned activities and competitions and that facility is used by multiple constituents, Covered Adults are nonetheless required to adhere to the rules set forth here.

Recommended Components

- a) To minimize the risk of bullying and hazing, the NJYS, where applicable, and/or NJYS member organizations, where applicable, use locker room monitors to ensure that minors are not left unattended in locker rooms, rest rooms, and changing areas.
- b) Adults make every effort to recognize when an athlete goes to the locker room or changing area during practice and competition and, if they do not return in a timely fashion, the NJYS, where applicable, and/or NJYS member organizations, where applicable, should check on the athlete's whereabouts.
- c) The NJYS and NJYS member organizations discourage parents from entering locker rooms and changing areas unless it is truly necessary. In those instances, it should only be a same-sex parent. If this is necessary, parents should let a coach or administrator know about this in advance.



Social Media & Electronic Communications

Mandatory components

- a) Application: This policy applies to all Covered Adults
- b) Content: All electronic communication originating from Covered Adults to Minor Participants should be professional in nature.
- c) Open and transparent
 - If a Covered Adult needs to communicate directly with a Minor Participant via electronic communications, another Covered Adult or the minor's legal guardian should be copied.
 - If a Minor Participant communicates to the Covered Adult privately first, the Covered Adult should respond to the Minor Participant with a copy to another Covered Adult or the minor's legal guardian.
 - A Covered Adult communicating electronically to the entire team should copy another Covered Adult.
 - Minor Participants may "friend" the NJYS or NJYS member organizations' official page(s).
- d) Prohibited electronic communications
 - Covered Adults are not permitted to communicate privately via electronic communications with Minor Participants, except under emergency circumstances.
 - Covered Adults are not permitted to "private message," "instant message," "direct message", or send photos via Snapchat or Instagram to a Minor Participant privately.
 - Covered Adults are not permitted to maintain social media connections with Minor Participants; such Covered Adults are not permitted to accept new personal page requests on social media platforms from Minor Participants and existing social media connections with Minor Participants should be discontinued.
- e) Requests to discontinue: Legal guardians may request in writing that their child, a Minor Participant, not be contacted through any form of electronic communication by the NJYS, NJYS member organizations, or by specific Covered Adult(s). The respective organization(s) and/or Covered Adult(s) should abide by any such request that their child, a Minor Participant, not be contacted via electronic communication, absent emergency circumstances.

Recommended components

- a) Hours: Electronic communications should only be sent between the hours of 8:00 a.m. and 8:00 p.m.
- b) Monitoring
 - The NJYS, where applicable, and/or NJYS member organizations, where applicable, should monitor their respective social media pages and remove any posts that violate the organization's policies and practices for appropriate behavior.
 - The NJYS, where applicable, and/or NJYS member organizations, where applicable, should inform the legal guardian of a Minor Participant of any prohibited posts, as well as the organization's administrator(s).

Local Travel

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



Mandatory Components

- a) Application: This policy applies to all Covered Adults
- b) Transportation
 - The NJYS and/or NJYS member organizations do not arrange for local travel
 - Covered Adults who are not also acting as a legal guardian, should not ride in a vehicle alone with an unrelated Minor Participant, absent emergency circumstances, and may only drive with at least two other Minor Participants or another adult at all times, unless otherwise agreed to in writing by the Minor Participant's parent/legal guardian in advance of each local travel.

Recommended Components

- a) Shared or Carpool Travel Arrangement: NJYS encourages parents/legal guardians to pick up their child, a Minor Participant, first and drop off their child, a Minor Participant, last in any shared or carpool travel arrangement.

Team Travel

Team travel is travel to a competition or other team activity that the NJYS and/or NJYS member organization(s) plan and supervise.

Mandatory Components

- a) Application: This policy applies to all Covered Adults.
- b) Team/competition travel: When only one Covered Adult and one Minor Participant travel to a competition, the Minor Participant should have his/her legal guardian's written permission in advance and for each competition to travel alone with the Covered Adult.
- c) Hotel rooms: Covered Adults should not share a hotel room or other sleeping arrangement with a Minor Participant (unless the Covered Adult is the legal guardian, sibling, or is otherwise related to the Minor Participant).
- d) Meetings
 - Meetings should be conducted consistent with the NJYS's policy for one-on-one interactions – i.e., any such meeting should be observable and interruptible.
 - Meetings should not be conducted in a hotel room.

Recommended Components

- a) Team travel policies should be signed and agreed to by all Minor Participants, parents, and Covered Adults traveling with the NJYS and/or NJYS member organization(s).
- b) Covered Adults who travel with the NJYS and/or NJYS member organizations should successfully pass a criminal background check and other screening requirements consistent with the organization's policies.
- c) During team travel, when doing room checks, attending team meetings and/or other activities, two-deep leadership and observable and interruptible environments should be maintained.



Policy on Monitoring and Enforcement

NJYS's Policy on Monitoring and Enforcement is set forth to establish procedures for monitoring and enforcing the NJYS 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.

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

In order to monitor and enforce the NJYS Athlete and Participant Safety Program, NJYS 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 NJYS via membership or participation with any NJYS direct member organization. Any NJYS direct member organizations, and/or those organizations that are indirectly affiliated with NJYS via membership or participation with any NJYS direct member organization, that fail to maintain compliance with this policy will be subject to review by the NJYS Board of Directors. This failure to maintain compliance with this policy may constitute a violation of the NJYS 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 NJYS and/or U.S. Soccer Bylaws, Rules, and Policies.

Should the NJYS RM committee and/or NJYS Legal Counsel deem that an alleged violation of any provision of the NJYS Athlete and Participant Safety Program is supported, the Covered Adult who is alleged to have violated the NJYS 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, NJYS 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 NJYS Board of Directors. The adverse action letter from the NJYS RM Committee will include instructions on how to appeal the decision made by the NJYS 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 NJYS 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 NJYS Board of Directors addressed to the NJYS State Office. The written notice of appeal must be received by the NJYS 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 NJYS State Office within the allotted time period.



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

As stated in the Background Screening Policy of the NJYS 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 NJYS 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 NJYS's process for violations of the NJYS Athlete and Participant Safety Policy, excluding those decisions rendered pertaining to the Background Screening Policy of the NJYS Athlete and Participant Safety Program.



Definitions for terms included in Program

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

- a) **Adult Applicant:** For the purposes of the Background Screening Policy within NJYS'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, NJYS employee, NJYS board member, NJYS committee member, NJYS 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 NJYS or NJYS affiliated member organizations, who has regular contact with or authority over an amateur athlete who is a minor.
- b) **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.
- c) **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.
- d) **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 NJYS's Athlete and Participant Safety Program. Covered Adults include adult individuals (aged 18 and over) who are authorized directly by NJYS or indirectly by a club/league that is directly affiliated with NJYS 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:
 - NJYS board members;
 - NJYS committee members;
 - NJYS employees and independent contractors;
 - Club and League Presidents, Club and League Delegates, Club and League Representatives, Club and League Administrators, and Club and League Volunteers;
 - Coaches, Assistant Coaches, Team Managers, Assistant Team Managers, Team Officials, and Team Trainers; and
 - 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 NJYS 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.
- e) **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 NJYS sanctioned activities and competitions.
- f) **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.
 - 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.
- g) **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.
- h) **The SafeSport Act:** Public Law 115-126, the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017.
- i) **USOC:** The United States Olympic Committee.