

**USSF POLICY AMENDMENT PASSED AT
AUGUST 2021 BOARD OF DIRECTORS MEETING**

Policy 212-3

► **REDLINED VERSION**

Policy 212-3. U.S. SOCCER ATHELETE AND PARTICIPANT SAFETY POLICY

Policy Statement:

Each Organization Member that is an “**Applicable Entity**” under Title II of the Sports Act as amended by the SafeSport Act¹ ~~or otherwise has or other~~ Organization²); Member with non-professional soccer programs (collectively, “Amateur Organization Members”) in which adult members have regular contact with Minor Athletes must maintain, as part of that risk management program, an athlete and participant safety program that includes the six components listed below. In addition, any *other Amateur* Organization Member that ~~qualifies as an amateur sports organization under 36 U.S.C. § 220501(b)(3) but~~ does not have adult participants who are in regular contact with amateur athletes who are minors must nonetheless maintain, as part of the risk management program required under Bylaw 212, ~~an athlete and participant safety program policies~~ that ~~includes~~include at least a Prohibited Conduct Policy consistent with Paragraph 1, below; an Education and Training Policy consistent with Paragraph 3, below, and prevention policies that comply with the Center’s MAAPP and contain all the requirements and provisions of the model policies included in Appendix A of the Safe Soccer Framework.

To allow *Amateur* Organization Members adequate opportunity to ensure policy changes and compliance, the required policies must be issued by ~~February 14, 2019~~January 1, 2022, and procedures and communications regarding these requirements must be issued in a manner calculated to effect compliance on or ~~before September~~January 1, 20192022, but are nonetheless urged to complete compliance as early as practicable.² ¹ Effective ~~September~~January 1, 20192022, any *Amateur* Organization Member not in compliance with this Policy 212-3 will be subject to enforcement as provided in Section 6, below.

1. Prohibited Conduct Policy

~~Covered Organizations and other~~*Amateur* Organization Members ~~that qualify as an amateur sports organization under 36 U.S.C. § 220501(b)(3)~~ must implement and enforce a policy or code of conduct that prohibits misconduct including bullying, hazing, harassment (including sexual harassment), emotional misconduct, physical misconduct, and sexual misconduct, as those terms are defined by the U.S. Center for SafeSport’s SafeSport Code for the U.S. Olympic and Paralympic Movements (the “**SafeSport Code**”).³²

¹ These dates are applicable to U.S. Soccer’s Policy 212-3 and provide the date by which U.S. Soccer will enforce compliance with Policy 212-3. Organization Members are advised that the SafeSport Act became effective February 14, 2018.

² The SafeSport Code is available at: <https://www.safesport.org/policies-procedures>.

This policy must apply to all activities under the Amateur Organization Member’s jurisdiction and at least to (1) Amateur Organization Member employees and board members; (2) the members of such Amateur Organization Member; (3) amateur athletes who are minors or referees who are minors (collectively, “~~Youth Participants~~Minor Athletes”); and (4) *any* adult individuals the Amateur Organization Member authorizes, approves or appoints to have ~~regular contact~~Regular Contact (as defined in the Safe Soccer Framework) with ~~Youth~~authority over Minor Athletes (collectively, “Adult Participants (“Participating Adults”).”). This policy must also prohibit retaliation against individuals making good faith reports of misconduct.

2. Appropriate Background Screening

~~Covered Organizations~~All Amateur Organization Members with Minor Athletes must implement and enforce a policy that requires appropriate background screening of at least ~~Participating Adults~~adult individuals authorized to have regular contact with or authority over Minor Athletes by the earlier of 1) ~~prior to regular contact~~Regular Contact with a ~~Youth Participant~~Minor Athlete; or 2) within the first 45 days of the ~~Participating Adult~~individual taking on the role giving them access to ~~Youth Participants~~Minor Athletes.

At a minimum, the policy should include screening against applicable sex offender registries in the relevant state and a check against the Amateur Organization Member’s suspension database, U.S. Soccer’s disqualification list, and the SafeSport disciplinary records available at: www.safesport.org⁴; www.safesport.org³.

An Organization Member may decide that its background check requirements will not apply to certain or all people under 18 years of age, provided that it clearly publishes that fact in its policy documentation.

3. Education ~~&~~ Training

~~Covered Organizations~~ must implement and enforce a policy (1) requiring education and training designed to meet the Amateur Organization Member’s obligations under the this Policy, the SafeSport Act~~to~~

, and the MAAPP for (a) Amateur Organization Member employees and board members and (b) ~~Participating Adults~~Adult Participants who have Regular Contact with or authority over Minor Athletes, in each case as a condition to participation, and (2) subject to parental consent, offer and provide training to ~~Youth Participants~~Minor Athletes. The Policy should require the following:

A. Initial Training for Adults: Core Center for SafeSport Training

The following Adult Participants must complete the SafeSport Trained Core either through the Center’s online training or Equivalent~~the Center’s approved, in-person training:~~

³ Please note that many, if not all, of these references and resources for background screening are publicly available at no cost.

~~Pursuant to USOC and U.S. Center for SafeSport Policy, and as contemplated by the SafeSport Act, Covered Organization~~ i. Adult Participants who have Regular Contact with any amateur athlete(s) who is a minor;

ii. Adult Participants who have authority over any amateur athlete(s) who is a minor;

iii. Adult Participants who are employees, or board members and Participating Adults must be required to complete consistent training concerning child abuse prevention of an Amateur Organization Member.

Adult Participants who are medical providers required to take training under Section (a) can take the Health Professionals Course in lieu of the SafeSport Trained Core.

These policies must require ~~Participating Adults~~ Adult Participants to complete ~~either (1) the U.S. Center for SafeSport's Core SafeSport Training (i.e., the Center's online training or the Center's approved in-person training), and as applicable, follow-up refresher course training; or (2) similar training designed to meet the Organization Member's obligations under the SafeSport Act, with all continuing Adult Participants to receive initial training no later than September 1, 2019, and any new Adult Participants, effective no later than September 1, 2019, with any new Adult Participants~~ to receive initial training upon the earlier of:

- Before ~~regular contact~~ Regular Contact with an amateur athlete who is a minor begins, and
- Within the first 45 days of taking on the either initial membership or upon beginning a new role giving them access subjecting the adult to Youth this policy.

Each Amateur Organization Member must track whether its Adult Participants have completed the training required by Section 3.

~~A Covered Organization may provide alternative training to the Core SafeSport Training, but it is strongly encouraged to use the Core SafeSport Training, and any alternative training is at the risk and responsibility of the Organization Member to ensure compliance with applicable law. If an Organization Member provides alternative training, it must not refer to such training as "SafeSport" Training.~~

B. Refresher Course(s) for Adults

~~In addition to the initial training, The above listed Adult Participants must complete a refresher course is required on an annual basis effective, beginning the calendar year following after completing the SafeSport Trained Core. Every four years, Adult Participants will complete the completion SafeSport Trained Core training. Adult Participants who are medical providers can take the Health Professionals Course in lieu of the initial training. The U.S. Center for SafeSport's official SafeSport Trained Core and are required to take the refresher course is available as of October 1, 2018, courses on an annual basis.~~

C. Training for ~~Youth Participants~~Minor Athletes

~~Covered Organizations~~Amateur Organization Members with Minor Athletes must – subject to parental consent – offer and provide the U.S. Center for SafeSport’s minor athlete training annually to Youth Participants regarding the prevention of child abuse. ~~Covered Organizations to any Minor Athletes on an annual basis. The Center’s minor athlete training can be found at www.athletesafety.org.~~ Amateur Organization Members with Minor Athletes must track:

- A description of the training(s);
- The date the training(s) was offered and given, and
- A description of how the training(s) was offered and given.

D. Training for Parents

Amateur Organization Members with Minor Athletes must offer and provide the U.S. Center for SafeSport’s parent training to parents of Minor Athletes on an annual basis. The U.S. Center for SafeSport’s parent course is located at www.athletesafety.org.

4. Reporting

~~Covered Organizations~~Amateur Organization Members must maintain a procedure for reporting misconduct, including violation of the SafeSport Code or the MAAPP, to the ~~Covered~~Amateur Organization Member and, to the extent required by the SafeSport Act, mandate reporting to appropriate law enforcement authorities. and/or the Center for SafeSport. The procedure should be clear that reporting may be made anonymously, and that no direct fees or other cost is involved in making a report. Each Covered Amateur Organization Member must also maintain a policy prohibiting retaliation against individuals making good faith reports of misconduct.

5. Limiting One-on-One Interactions – Required Policies

~~Covered Organizations~~All Amateur Organization Members are required to establish reasonable procedures-policies to limit one-on-one interactions between individual Youth ParticipantsMinor Athletes and any Adult Participant who is not their legal guardian (“Prevention Policies”). These procedures-policies must include athlete prevention policies covering comply with all requirements of the Center’s MAAPP and must contain all the required elements of the model policies included as Appendix A to the Safe Soccer Framework. The policies must address the topics below by February 14, 2019January 1, 2022, and require full compliance with MAAPP policy requirements by September 1, 2019the same date:

- One-on-One Interactions, including meetings and individual training sessions

- ~~Massages~~Athletic training modalities, massages and rubdowns
- Locker rooms,~~rest rooms,~~ and changing areas
- ~~Social media and electronic~~Electronic communications
- ~~Local travel~~
- ~~Team travel~~
- Transportation and Lodging

A. ~~Minor athletes~~Athletes who become adult athletes

~~A minor athlete that reaches the age of majority may not be subject to Prevention Policies in their capacity as an athlete, and when interacting with Youth Participants who are 16 or older.⁵ Prevention Policies must be in effect when this now age of majority athlete interacts with minor athletes 15 or younger. Should a minor athlete 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 athlete prevention policies.~~

All athletes turning 18 who still meet the threshold for Regular Contact or authority must complete the SafeSport Core training, and must comply with the Prevention Policies herein, absent the Close-In-Age exception which may apply to the enforcement of Prevention Policies only.

B. Implementation

The mandatory components set forth in the model policies contained in Appendix A of the Safe Soccer Framework set a minimum standard: and comply with the Center's MAAPP requirements. In implementing the required policies, ~~a Covered~~an Amateur Organization Members may choose to implement a policy that is stricter than the ~~Model Policy~~model policy, if it includes or is stricter than the mandatory component. ~~If, in implementing the required policies identified here, Covered Organizations are not in compliance with federal requirements, the organization must implement policies and proceduressufficient to meet such requirements.~~

6. Enforcement

A. By Organization Members

Each ~~Covered Organization and Amateur~~ Organization Member ~~that qualifies as an amateur sports organization under 36 U.S.C. § 220501(b)(3)~~ must enforce its Athlete & Participant Safety Policy and Prevention Policies, consistent with the SafeSport Act: and the Center's MAAPP. Specifically, violations of the policy must be subject to an appropriate grievance process that is materially free of bias and conflicts of interest, to address allegations of misconduct following the report or complaint of misconduct. This grievance process must include the opportunity for

review by a disinterested individual or body and a right to appeal a final decision rendered by an Amateur Organization Member's process pursuant to U.S. Soccer Bylaw 704.

~~U.S. Soccer Bylaw 704.~~

B. By U.S. Soccer

Pursuant to Bylaw 212, U.S. Soccer reserves the right to, either directly or through a contracted third-party service provider, survey, audit, require certifications of compliance with, and otherwise review compliance by its Amateur Organization Members with this policy. Failure of any Amateur Organization Member to issue and implement the policies required by this Policy 212-3 will constitute a violation of Bylaw 212 Section 1.