



# NH Soccer Referee Committee

## *Abuse and Molestation Policy*

### **STATEMENT OF POLICY:**

Members, volunteers, employees, and independent contractors of the New Hampshire State Referee Committee (NH SRC), including, but not limited to, the Board of Directors (SRA, SYRA, Vice President of Education, Secretary, Treasurer, and Area Representatives) and Associate Members (Referees, Instructors, Assessors, Coaches, Assignors, Emeritus Referees and US Soccer Life members) shall not engage in sexual abuse, sexual harassment, sexual misconduct, physical abuse, and/or emotional mistreatment of children, youth and adults.

Persons in the role of leadership with children, youth, and adults shall include all members, volunteers, employees, and independent contractors who have direct or indirect contact with any and all who participate in any activities or events associated with the NH SRC.

### **DEFINITIONS:**

1. **Sexual Abuse:** Sexual abuse means unwanted physical contact of a sexual nature, sexual contact or sexualized behavior and may include, by example, touching, fondling, other physical contact and sexual relations. Child/youth/adult sexual abuse is the sexual exploitation or use of same for satisfaction of sexual drives. It includes, but is not limited to: (1) incest, (2) rape, (3) prostitution, (4) any sexual intercourse, or (5) deviant sexual conduct such as fondling of a child, youth, or adult in the program or at sponsored activities.
2. **Sexual Harassment:** Sexual harassment is any unwanted sexual advance or demand, either verbal or physical that is reasonably perceived by the recipient as demeaning, intimidating or coercive. Sexual harassment must be understood as an exploitation of a power relationship rather than as an exclusively sexual issue. Sexual harassment includes, but is not limited to, the creation of a hostile or abusive working environment resulting from discrimination on the basis of gender.
3. **Sexual Misconduct:** Sexual misconduct means a chargeable offense.
4. **Physical Abuse:** Any act of omission or an act that endangers a person's physical or mental health. This definition includes any non accidental physical injury caused by a caretaker. Physical abuse may result from punishment that is overly punitive or inappropriate to the individual's age or condition. In addition, physical abuse may result from purposeful acts that pose serious danger to the physical health of a child, youth or adult.
5. **Emotional Mistreatment:** Persistent or extreme thwarting of a child's, youth's, or vulnerable person's basic emotional needs (such as the need to feel safe and accepted).

### **Implementation:**

Members, volunteers, employees and independent contractors shall be provided a copy of this policy and shall receive training information to assist in the implementation of this policy.

### **Making a Complaint:**

Persons who have knowledge of possible violations of this policy by members, volunteers, employees or independent contractors should report to the State Referee Administrator (SRA). The SRA will take action in investigation, reporting and due process, and take action to seek justice. In the event the SRA is the individual against whom an accusation is being made, violations should be reported to another member of the Executive Board, who will designate another individual who will have the authority to take action in investigation, reporting and due process, and take action to seek justice.

### **Introduction:**

It shall be the policy and covenant of the NH SRC to do everything in its power to prevent physical, emotional or sexual abuse against children, youth and adults involved in its operations and with any event sponsored by the NH SRC. The NH SRC is aware of its legal responsibilities and the need to comply with those responsibilities. The NH SRC will go beyond those responsibilities when necessary to act justly in the best interest of those who have been abused or those who are most vulnerable to abuse.

### **Scope:**

This policy and its provisions shall apply to all members, volunteers, employees and independent contractors who have any direct or indirect contact with children and/or youth and/or adults who participate in any activities or events sponsored by the NH SRC.

### **Screening for Members, Volunteers, Employees and Independent contractors:**

- Careful screening is one way to prevent the abuse of children, youths and adults. Screening calls for careful gathering and review of information in search of persons who can and will provide safe and caring supervision in a safe environment.
- Prior to acceptance as a member, volunteer, employee or independent contractor, each applicant aged 18 or older at the time of application or registration shall be required to agree to a background check as determined by the NHSRC. By agreeing to a background check, the applicant gives the NH SRC permission to contact references, conduct criminal background checks, search official records, and perform any other investigation necessary to enable a complete review and evaluation of the application.
- Each member, volunteer, employee, or independent contractor shall be required to undergo a background check at a minimum of every two years.
- In all cases where an event or activity sponsored by the NH SRC involves members, volunteers, employees or independent contractors associating at an event sponsored by another organization (including, but not limited to US Soccer, US Youth Soccer, Development Academy, US Club Soccer, US Adult Soccer Association, the New Hampshire Soccer Association, leagues and tournaments), the sponsoring organization may require additional screening that must be met for attendance. The NH SRC is not responsible for screening other individuals associated with events by other organizations and any members, volunteer, employee or independent contractor attending assumes the intrinsic risks associated with screening, or lack thereof, of other individuals at the these events.
- Incidents occurring at an event or activity sponsored the NH SRC which involve another organization are considered extensions of that organization's guidelines and policies, making the resolution of any such incident the primary responsibility of such organization.

### **The State Referee Administrator shall be responsible for the conduct of the screening process:**

- He shall receive and review all completed background checks, rejecting those, if any, which are incomplete.
- He shall evaluate each completed background check and determine the need for and extent of any investigation necessary to determine eligibility of the applicant.
- He shall check references and conduct other investigation he feels is necessary to determine the fitness of the applicant.
- He shall consult with and inform US Soccer of any applicants he believes warrant further review.
- He shall approve or disapprove each application and promptly notify each applicant of his decision. If the investigation of any application raises a serious question as to the fitness of the applicant, the application or registration shall be disapproved.

### **Notwithstanding the forgoing, the application or registration must be disapproved by the State Referee Administrator if it is determined from the investigation or otherwise that:**

- The applicant has been involved in any activity in which he abused or exploited children, youths or adults; or
- The applicant has been convicted of a crime against children, youths or adults.

### **Notwithstanding the decision of the State Referee Administrator, the sponsoring organization of any event or activity reserves the right to disapprove any application.**

### **Results of all screening activities shall be kept confidential.**

### **Reporting Incidents:**

1. When the necessity of reporting occurs, the protection of children, youths and adults must be paramount.
2. Reporting:
  - a. Immediately upon receipt of an allegation of violation of policy, the State Referee Administrator or Executive Board shall be notified. At the discretion of the State Referee Administrator, assignors, or other individuals who use the services of the individual against whom a claim is being made, may also be notified.
  - b. The State Referee Administrator, his/her designee, or other Executive Board members, shall notify the insurance carrier.
  - c. The State Referee Administrator, his/her designee or other members of the Executive Board will facilitate reporting to SafeSport, US Soccer and/or law enforcement agencies, as appropriate according to Local, State and Federal reporting guidelines.
3. The person against whom an allegation has been made (Respondent) immediately will be suspended from working or volunteering with children, youth, adults.
4. If a minor is involved, that person's parent(s)/guardian(s) shall be notified of the alleged violation of policy by a person designated by the State Referee Administrator.
5. The Executive Board and others designated by the State Referee Administrator shall assist the investigation of the complaint and the process to work through the complaint. This may include assistance with legal and public relations issues as well as interviews necessary for the investigation of the complaint. Decisions on all complaints shall ultimately rest with the Executive Board of the NHSRC.

6. The State Referee Administrator and/or the Executive Board will determine who needs to be interviewed to determine the nature of the alleged violation and its impact. All conversations shall be documented including such things as (but not exclusive of) date, time, place, and names of person or persons involved. In addition, the substance of the conversation shall be documented, with the person interviewed asked to review notes for accuracy and to sign such notes. In addition, all contacts made and actions taken by the State Referee Administrator and/or Executive Board are to be documented.
7. If a formal complaint is made, the State Referee Administrator and/or Executive Board shall provide the Respondent with a copy of the complaint.
8. Those making the allegations (Complainant), the parent(s)/guardians(s) of any minor involved, the Respondent, and any person who supervises such persons shall be notified of any results of the investigating and final decision of the State Referee Administrator and/or Board of Directors. In all cases, all documentation shall be retained in a confidential, personal file.
9. The State Referee Administrator and/or Executive Board will determine when and with whom information needs to be shared. If investigations or allegations of abuse should come to the attention of the media, a response will come from the State Referee Administrator or his/her designee.
10. It shall be the goal of the NHSRC to provide supportive care to both the Complainant and the Respondent, and to restore such persons to wholeness. Supportive care can include the procedures of the criminal justice system and appropriate counseling referrals.
11. The Complainant or Respondent may appeal the decision of the State Referee Administrator and/or Executive Board to the New Hampshire Soccer Association and ultimately US Soccer, as detailed in US Soccer Policy.
12. If the Complainant should desire to appeal the decision of the State Referee Administrator and/or the Executive Board, legal counselor may be consulted.
13. A representative from the Board of Directors shall represent the voting members of the NHSRC in the event of a hearing by the New Hampshire Soccer Association.
14. The findings of any hearing may be appealed to US Soccer, whose decision will be binding on all parties.