

OREGON YOUTH SOCCER ASSOCIATION POLICIES

POLICY 201-1 REQUIREMENTS OF MEMBER CLUBS

Section 1.

- A. A club seeking membership must provide all of the information requested in the Association's Club Membership Manual
- B. Minimum Requirements:
 - 1. Establish and maintain a functioning board of directors of at least five (5) members with no more than one-third comprised of club coaches
 - 2. Provide a copy of the member club's bylaws and policies for review by OYSA annually
 - 3. Affirm compliance with OYSA's bylaws, policies and other requirements
 - 4. Establish and maintain effective grievance, protest and appeal processes for club members and participants in club activities
 - 5. Establish and maintain coaching education policies to include standards at least as strict as those established by OYSA
 - 6. Establish and maintain effective risk management policies and practices
 - 7. Establish and maintain effective financial and internal control policies
 - 8. Provide fields for its teams in competition suitable for play for the age level of the teams in the club.
- C. Member clubs established after July, 2008 shall (except as approved by the Executive Director):
 - 1. Have a minimum of 200 players
 - 2. Be comprised of recreational teams only their first two seasonal years
 - 3. Be comprised of any category/level of team their third seasonal year and beyond
- D. Member clubs must be registered with the State of Oregon as a non-profit corporation. It is recommend that member clubs also become 501(c)3 organizations.

Section 2. Approval

- A. New club membership will be determined by the OYSA Board of Directors following review and recommendation by staff. Factors to be considered include but are not necessarily limited to the following:
 - 1. Membership will further the interests and purposes of OYSA
 - 2. Membership will provide access to OYSA programs to a new population of players.
 - 3. Membership will further the development and growth of players, coaches, administrators and referees.
 - 4. Membership will further the development or availability of fields and facilities for youth players.

POLICY 301-1

BOARD MEMBER CODE OF ETHICS

- Section 1.** Board Members will:
- A. Listen carefully to fellow board members and member clubs.
 - B. Respect the opinion of fellow board and staff members.
 - C. Respect and support the decisions of the board.
 - D. Recognize that all authority is vested in the board when it meets in legal session and not with individual board members.
 - E. Keep well informed of developments that are relevant to issues that may come before the board.
 - F. Participate actively in board meetings and actions.
 - G. Call to the attention of the board any issues that will have an adverse effect on the Association or our constituents.
 - H. Attempt to interpret the needs of constituents to the Association and interpret the action of the Association that impact constituents.
 - I. Refer constituent or staff complaints to the proper level on the chain of command.
 - J. Recognize that a board member's job is to ensure that the Association is well managed, not to manage the Association.
 - K. Vote to hire the best possible person to manage the Association.
 - L. Represent all constituents of the Association and not particular geographical or special interest groups.
 - M. Act as a "trustee" of the Association and ensure that the Association is well maintained, financially secure, growing and always operating in the best interest of the Association and its constituents.
 - N. Always work to learn more about a board member's job and how to do the job better.
 - O. Declare any conflicts of interest and avoid voting on issues that appear to be a conflict of interest.
 - P. Not be critical, in or outside of the board meeting, of fellow board members.
 - Q. Not use the Association or any part of the organization for personal advantage or the personal advantage of my friends or relatives.
 - R. Not discuss the confidential proceedings of the board outside the board meeting.
 - S. Not promise to anybody prior to a meeting how they will vote on any issue in the meeting.
 - T. Not interfere with the duties of the Executive Director or undermine the Executive Director's authority.
 - U. Not accept, or give, any cash, gifts, special accommodations or favors from or to a person with whom Oregon Youth Soccer transacts or expects to transact business. Occasional meals, mementos or entertainment of nominal value when given or received in the course of accepted social and/or business practice will not generally be considered violation of this policy.

POLICY 302-1 CONFLICTS OF INTEREST POLICY

Section 1. Purpose

The Board of Directors shall monitor the transactions between OYSA and insiders to ensure that any transaction between OYSA and an insider is fair to OYSA and does not grant excessive benefit to the insider. The purposes of this policy are to ensure that directors and officers act loyally to OYSA and that directors, officers and those who exercise substantial influence over OYSA do not use their influence to obtain benefits in excess of fair market value in transactions with OYSA. This policy seeks to ensure that OYSA observes both state and federal laws concerning conflicts and excess benefits transactions.

Section 2: Definition of Insider

For purposes of this policy, "insider" has the same meaning as "disqualified person" under the Internal Revenue Code, 26 USC §4958. The current IRS definition is explained in A through C below and will need to be updated if the IRS definition changes. In addition, the entities described in D and E below are also considered insiders.

- A. An insider is any person who exerts substantial influence over OYSA, including directors, officers, the Executive Director, other key employees, and major donors.
- B. Family members of insiders are also insiders. Family members include the spouse or partner in a civil union recognized by state law; children, grandchildren, great-grandchildren, whole and half-blooded brothers and sisters, and spouses of any of these people; and any ancestors (parents, grandparents, etc.)
- C. An insider who becomes an insider by virtue of A & B above remains an insider for five years after his or her influence over OYSA ends.
- D. An entity in which a director has a material interest or is a general partner is an insider.
- E. An insider is any other for-profit or nonprofit entity in which a director of OYSA is a director or officer and the entity and OYSA are parties to a transaction that is or should be considered by the boards of both corporations.

Section 3: Identification of Insiders

In order to identify insiders:

- A. On an annual basis, the Secretary of OYSA or the Secretary's designee shall develop and maintain a list of insiders who engage in or are reasonably likely to engage in transactions with OYSA during the year.
- B. The officers, directors and key employees shall each year disclose interests that could give rise to a conflict of interest under this policy. Such disclosure shall be made on a Disclosure and Acknowledgement form shall be filed with the Secretary or the Secretary's designee.
- C. The Secretary or the Secretary's designee shall monitor and enforce compliance with this policy by reviewing the list of insiders and the Disclosure and Acknowledgement forms each year and by bringing potential or actual conflicts to the attention of the President of the Board. The President shall disclose conflicts to the Board as they arise and ensure that the procedures in this policy are followed.
- D. The Secretary or the Secretary's designee shall convey the list of insiders identified above to the Executive Director and shall instruct the Executive Director to notify the Board if the Executive Director or any employee plans to engage in a transaction with an

insider, including payment or reimbursement for business or travel expenses of the insider and/or members of the insider's family. If so, the Board shall monitor the transaction to ensure that it complies with the procedure in Section 4 below.

Section 4: Procedure

When OYSA engages in a transaction with an insider, the Board shall monitor the transaction as follows:

- A. If the Board determines that a director is an insider with respect to a transaction, the Board shall appoint a committee, consisting of all directors who are not insiders, to consider the transaction.
- B. The Board shall gather appropriate data to ensure that the compensation for each insider is reasonable.
- C. The Board shall document its decision by keeping written records that state the terms of the transaction and date approved, the directors present and who voted on it, the comparability data and how the data was obtained, and any actions taken with respect to directors who had a conflict of interest with respect to the transaction. The records must be prepared before the latter of the next Board meeting or 60 days after the final action is taken. Once prepared, the records must be reviewed and approved by the Board within a reasonable time.

When employee compensation packages are established each year, the Board shall identify those employees who are insiders. The Board shall monitor the compensation packages of insiders in accordance with the procedure in A above.

The Board may delegate its responsibilities under this policy to a committee of the Board. The committee shall report to the Board in timely fashion the results of all monitoring of insiders that the committee is required to do under this policy.

POLICY 302-2 WHISTLEBLOWER POLICY

OYSA seeks to conduct all of its activities in a responsible, legal and ethical manner. All officers, directors, employees and volunteers of this corporation must practice integrity and honesty in fulfilling their responsibilities and must comply with all applicable laws and regulations. The purpose of this Whistleblower Policy is to provide a mechanism to report irresponsible, illegal or unethical behavior.

Section1: Whistleblowing Complaints

If an officer, director, employee or volunteer should discover information leading him or her to believe that a serious wrongdoing or illegal or unethical behavior has occurred in OYSA, he or she shall report this information to the President of the Board. If the President of the Board is not available or is implicated in the wrongdoing, he or she shall report the information to another Board officer.

The President of Board officer shall conduct an investigation. Reports of violations will be kept confidential to the extent possible, consistent with the need to conduct an investigation. Appropriate corrective action will be taken if warranted by the investigation.

Section2: No Retaliation

- A. An officer, director, employee or volunteer of this corporation shall not, with intent to retaliate, take any action harmful to any person, including interference with the lawful employment or livelihood of any person, for providing to a law enforcement officer any truthful information relating to the commission or possible commission of any federal, state or local offense or for reporting a compliant pursuant to this Policy.
- B. In the event that an officer, director, employee or volunteer intends, for any reason, to take any action harmful to any person who has provided information to a law enforcement officer relating to the commission or possible commission of a federal, state or local offense or for reporting a complain pursuant to this Policy, the officer, director, employee, or volunteer must obtain the approval for such action from the President of the Board prior to taking action. If the President of the Board intends to take such action, the President must obtain the approval of the board of directors prior to taking action. Such approvals must be obtained even if the officer, director, employee, or volunteer believes that the person who provided information to the law enforcement officer provided untruthful information.

POLICY 303-1 FINANCE AND BUDGET COMMITTEE

- Section 1.** The Committee will consist of five members. The OYSA Secretary/Treasurer will serve as Chair. The President shall appoint, and the Board of Directors shall approve, one Director at Large, and three District Directors.
- Section 2.** The term of the members of the Committee is for one year. Members of this Committee may be appointed to successive terms.
- Section 3.** Meetings of this Committee will require a quorum of three members and decisions of the Committee will be made by majority vote. The Chair, any two members, or the Board of Directors may call meetings of the Committee.
- Section 4.** The Committee will review the financial operations of OYSA; will develop the annual budget with the Executive Director; will meet at least quarterly to review financial statements and report any deviations in revenues and expenses; will assist the Executive Director and the Board with the annual financial audit; and will assist the board and Executive Director in communicating financial matters to the affiliated Clubs.

POLICY 303-2 BOARD DEVELOPMENT COMMITTEE

- Section 1.** The Board Development Committee will consist of five members. The OYSA Vice President will serve as Chair. The President shall appoint, and the Board of Directors shall approve one Director at Large and three District Directors.
- Section 2.** The term of the members of the Committee is for one year. Members of this Committee may be appointed to successive terms.

- Section 3.** Meetings of this Committee will require a quorum of three members and decisions of the Committee will be made by majority vote. The Chair, any two members, or the Board of Directors may call meetings of the Committee.
- Section 4.** The Committee will seek out and receive nominees to the positions of officers and directors; request a background profile (resume style) from nominees; interview nominees to seek interests in youth soccer and what they might bring to the Association by their service; ask all nominees to submit to and have processed completed background checks; present nominees with documents and expectations that outline the duties of the position they may serve in if elected; gain nominee's signature on the conflict of interest statement adopted by the board; and present a slate of nominees for elections prior to an AGM.
- Section 5.** In addition, the Committee will seek out and receive candidates who are interested in serving on the advisory committees and will make this list of candidates from the districts available to the Board of Directors.
- Section 6.** The Committee will not serve as a screening out process.

POLICY 303-3 ADVISORY COMMITTEES

Advisory Committees are formed to help staff identify opportunities and design methodologies to improve the operations and governance of Oregon Youth Soccer's programs, priorities and services. Except as provided for below, the individuals assigned to represent a club shall be determined by the club president. In addition, the President of OYSA shall have the authority to appoint people to the committees.

A. The Premier Advisory Committee shall be called the Premier Council and shall be comprised of individuals from clubs with a majority of their competitive teams participating in OYSA sponsored competitive leagues within the previous 12 months and the State Technical Director, who shall serve as Chair of the Committee.

1. The State Technical Director shall appoint no more than one individual from each eligible club to serve on the Premier Council, giving due regard to having representation of both the geographic and size diversity of the clubs participating in OYSA sponsored leagues.
2. All representatives shall be approved by the representative's Club President, the OYSA Executive Director and the OYSA President.

B. The Classic Advisory Committee shall be comprised of one representative from any club with at least one team participating within the previous 12 months in a sanctioned or sponsored OYSA league in which players were selected for teams on the basis of tryouts.

C. The Recreational Advisory Committee shall be comprised of one representative from any club with at least one team participating within the previous 12 months in a sanctioned or sponsored OYSA league in which teams were formed without use of tryouts, invitations, recruiting or any like process to roster players on the basis of talent or ability.

POLICY 404-1 MEETINGS

Section 1. OYSA Officers and directors are required to attend the AGM, plus all meetings of the board and assigned committees, unless excused by the President for board meetings or Committee Chair for committee meetings. The maximum number of allowable excused meetings is one-fourth annually for either the board meetings or committee meetings.

(Policy 404-1, Section 2 has been revised & incorporated into Policy 501-1, Section 3

POLICY 501-1 BOARD MEMBER NOMINATION, ELECTION AND ELIGIBILITY

Section 1. Nomination Process

- A. The work of the Board Development Committee will begin within 45 days following the AGM and generally follow the guidelines as stated in Policy 303-2, Section 4. The Committee will seek to have more than one candidate per position for the election. The Committee will present its slate of nominees to the member clubs 30 days prior to the upcoming AGM. This deadline is for making candidates known prior to the AGM so that interested parties may contact candidates in preparation for the elections.
- B. If between the 30 days prior to an AGM and the AGM date should a person want to be placed in nomination from the floor at an AGM; the interested candidate must complete a nominee packet consisting of a) a signed affidavit of completed and approved background check (which will be verified with the list of completed checks maintained in the OYSA office), b) a signed consent form stating willingness to serve if elected, and c) a signed conflict of interest statement (as approved by the board). This completed nominee packet must be delivered to and received by the Vice President, or designee appointed by the President, before 9:00 PM the day prior to an AGM. The Committee will meet prior to the AGM to review any of these nominee packets received. This information will be available at the AGM election so that these candidates may be nominated from the floor. If time allows the Committee will also work with these candidates to complete as much of the other aspects of the nominating process as outlined in Policy 303-2, Section 4 above.

- Section 2.**
- A. A person may be nominated from the floor for the positions on Board of Directors provided the potential candidate has completed the documentation as provided for in Policy 303-2, Section 4 and Policy 501-1, Section 1.
 - B. A person, having completed the nominating process as outlined in Policy 303-2 but not elected to the position for which they were initially nominated, may be nominated from the floor (with the individual's consent) for another position.

Section 3. After the election of officers and Directors at Large, the next order of business is for the districts to elect their District Directors.

Procedures for the election of District Directors:

- A. The room will be divided to allow the representative from the member clubs to assemble by district.
- B. A District Director from a district not up for election, or a designee, will be assigned by the presiding officer of the AGM as a facilitator to facilitate the election by the district,
- C. The presiding officer shall determine a quorum for each district by roll call of the represented member clubs by district, then give any instructions on the nomination and election of District Director to the facilitator.
- D. The Board Development Committee will provide a list of candidates to be considered to the facilitator.
- E. Candidates will be allowed to talk briefly (2-3 minutes) to the member club's representatives.
- F. Candidates must be nominated and elected in accordance with Roberts Rules of Order. The facilitator will report the results of the election back to the presiding officer and the report will be read to the assembly before the next order of business.

Section 4. In the election for any position at an AGM, if three or more candidates are running for a position and one candidate has not obtained the required majority of votes after two ballots, only the top two candidates with the highest number of votes will appear on ballot three.

Section 5. No person who has been employed by OYSA may serve as a member of the Board of Directors until more than three (3) years have elapsed from their last day of employment with OYSA (Adopted October 1, 2007)

Policy 701-1: GRIEVANCES, PROTESTS AND APPEALS

Section 2. Purpose

- A. The purpose of this policy is to provide fair and uniform procedures for conducting hearings and any appeals that arise from such hearings.
- B. Association staff will maintain a Grievance, Protest, and Appeal Manual (GPA Manual) that provides detailed procedures for initiating and adjudicating grievances, protests, administrative claims, disciplinary matters, and any appeals from hearing decisions.
- C. The procedures specified in this policy and in the GPA Manual will apply to all proceedings conducted by the Association, except as specified.
- D. The procedures established in this policy for notice, impartiality, and opportunity to appear shall be considered minimum standards for hearings and appeals conducted by member clubs of Oregon Youth Soccer.
- E. This Policy and the GPA Manual do not apply to Risk Management decisions nor to any appeals allowed under the provisions of Policy 801-1.
- F. Disciplinary hearings involving claims of Referee Assault or Referee Abuse shall only be heard by the Association.

Section 3. Definitions.

Administrative Claim: a claim by a member of an organization that the organization has failed to apply, misinterpreted, or otherwise improperly applied a specific bylaw, policy, or other rule of the organization resulting in specific harm to the member making the claim. Administrative claims against the Association may only be made on behalf of an OYSA member club in good standing by a duly elected official representative of such member club.

Appeal: a review of an official decision made by a hearing committee. Only the parties to the hearing, who are adversely affected by the decision, may appeal. An appeal shall not have the effect of "staying" a previous ruling. Previous decisions remain in force, pending the result of the appeal.

Association or OYSA: Oregon Youth Soccer Association

Disciplinary Hearing: a hearing to adjudicate an allegation of misconduct against an individual or entity within the jurisdiction of the convening authority. Only elected and/or appointed officials of duly constituted clubs, leagues, tournament committees, or OYSA staff may bring charges of misconduct. Referees are recognized as officials of such organizations in matters regarding game misconduct.

Event Participants: are the teams entered in a particular competition. Any notices sent to participants shall be sent to the team coach, manager, or other person designated by the team upon entering the competition in the manner specified in the rules of the competition.

Federation: the US Soccer Federation

Grievance: a complaint of a general nature, which is not based upon a specific rule violation, or upon a specific administrative decision (or lack of decision). Grievances may be heard on an informal basis by the appropriate authority.

Hearing Committee: an adjudicating body established for the purpose of hearing an administrative claim, protest, or disciplinary matter, including a panel convened to hear an appeal. The chairperson of a hearing committee shall be familiar with the policies and procedures which apply to the subject matter of the hearing.

OYSA Hearing Committee Pool: a group of potential committee members composed of one representative from each OYSA member club. The club's representative shall be the club president or designee.

Protest: a claim related to a specific competition, filed by a rostered official of one of the teams entered in the competition. Only a duly rostered official of a team playing a match may protest the results of a match. Third parties, such as coaches from other teams or club, league, or state administrators, cannot file protests concerning any specific game.

Section 4. Minimum Standards

- A. Hearings upon any grievance, administrative claim, protest, disciplinary hearing, or appeal from the results of a hearing will be conducted only on the basis of a written document submitted in compliance with the GPA Manual.
- B. The Association shall maintain records of all matters submitted to it under this policy, including copies of all documents submitted as a part of the record for a hearing or appeal.
- C. Association staff will ensure compliance with the requirements of the GPA Manual for matters submitted to the Association. Member clubs are responsible for compliance with the GPA manual for matters initiated with the club.
- D. Hearing procedures at all levels (club, league, and state association) must provide a fair process and shall include:
 1. Proper notification to the opposing party that clearly states:
 - a. The conduct that is the subject of the hearing
 - b. The possible sanctions that may be imposed as a result of the hearing
 - c. The rule or policy that is involved
 - d. If a hearing has been set, a clear statement of the date, time, and location of the hearing
 2. A reasonable opportunity to respond. In order to meet this standard, the original notice must state

- a. The time within which a response is required
 - b. Information regarding the type of response that is required and
 - c. Directions regarding where to submit any response
3. At the original hearing level, a party has the right to an open hearing at which the principal parties and witnesses are present either in person or telephonically, evidence is presented, and persons are asked and able to answer questions.
- E. A Hearing Committee for original proceedings shall create a written record which will be the official record of the proceedings.
1. At a minimum, the official record shall contain:
 - a. The original document that initiated the hearing
 - b. Any written response to the original claim
 - c. Any documents submitted by any of the parties in the course of the proceedings
 - d. A statement of the facts determined by the committee in reaching its decision
 - e. A statement of the decision
 2. If there is an appeal of the decision, the official record will be delivered to the hearing committee convened for the appeal.
- F. Whenever a Disciplinary Hearing may result in a sanction that will have the effect of denying a person's right to participate in the activities of the Association or a member club, the organization conducting the hearing shall also comply with the requirements of US Soccer Federation Bylaw 701. Section 1. Those requirements include:
1. Notice of the specific charges or alleged violations in writing and possible consequences if the charges are found to be true;
 2. Reasonable time between receipt of the notice of charges and the hearing within which to prepare a defense;
 3. The right to have the hearing conducted at a time and place so as to make it practicable for the person charged to attend;
 4. A hearing before a disinterested and impartial body of fact-finders;
 5. The right to be assisted in the presentation of one's case at the hearing;
 6. The right to call witnesses and present oral and written evidence and argument;
 7. The right to confront witnesses, including the right to be provided the identity of witnesses in advance of the hearing;

8. The right to have a record made of the hearing if desired;
 9. A written decision, with reasons for the decision, based solely on the evidence of record, issued in a timely fashion;
 10. Notice of any substantive and material action of the hearing panel in the course of the proceedings; and
 11. Quality concerning communications, and no ex parte communication is permitted between a party and any person involved in making its decision or procedural determination except to provide explanations involving procedures to be followed.
- G. Appeals will be determined on the basis of the facts stated in the official record of proceedings at the hearing being appealed. An appeal panel will not take additional evidence from the participants in the prior proceeding unless the appeal committee makes a specific finding that the record is inadequate and the interests of a fair determination of the issues require an immediate hearing to determine the facts that affect the subject of the hearing.
- H. Original hearings shall take place not more than 30 days after the submission of the document initiating proceedings, unless the hearing committee and all parties to the hearing agree on a later date.
- I. The hearing committee shall deliver its written decision to all parties not later than 7 days following the completion of the hearing.

Section 5. OYSA Hearing Committee Pool

- A. Every Oregon Youth Soccer Association member club shall provide one representative to serve in the OYSA Hearing Committee Pool. That representative shall be the club's president unless the club designates another person.
- B. A member of the Hearing Committee Pool shall not be required to serve on more than one Hearing Committee during a seasonal year, unless no other qualified person is available to serve on a particular committee.

Section 6. OYSA Hearing Committees

- A. Any hearing conducted by OYSA shall be heard by a committee drawn from the OYSA Hearing Committee Pool by the OYSA Vice-president for the purpose of adjudicating that particular matter.
- B. Members of an OYSA Hearing Committee must be impartial. To maintain that impartiality, a person may not be a member of a committee if:
 1. A party to the hearing is the person's current or former club or a member of the person's current or former club
 2. A party to the hearing has a family, business, or personal relationship to the person

- C. OYSA Hearing Committee members may participate in hearings by conference call and will be offered the opportunity to participate by conference call when attendance at a hearing would require one-way travel of more than 50 miles. Committee members who attend a hearing in person will be reimbursed for their mileage expense at the same rate used by OYSA for its staff coaches.
- D. The Vice President will chair hearings of an OYSA Hearing Committee and may participate in deliberations, but will not vote in the committee's decisions.

Section 7. Jurisdiction

A. LEVEL 1: Sanctioned Tournaments, Sanctioned Leagues, and Member Clubs

1. Sanctioned Tournaments and Leagues.

- a. As used in this section, the term “event director” refers to the individual who has final authority to manage the operations of a sanctioned tournament or league.
- b. Rules of Competition (Rules) must be in writing and must be distributed to event participants not later than the date of registration.
- c. The event director specified in the Rules shall have authority to hear original protests, administrative claims, and allegations of misconduct arising from the event.
- d. The procedures for filing protests and conducting hearings shall be specified in the Rules for the event.
- e. Unless the Rules specifically provide a different procedure for hearings, the event director will hear all claims arising from the event, and the decision of the event director will be final.
- f. There shall be no right to appeal from the decision of the event director unless the Rules specifically state a right to appeal and provide procedures for an appeal.
- g. The event director’s authority to impose sanctions is limited to the operations and duration of the event.
- h. The event director may not impose any sanction that bars participation in the event that extends beyond the current session or season for the event unless the Rules provide for a right to appeal.
- i. If the event director believes that a claim of misconduct involves actions that merit discipline beyond the end of the event, the director shall refer the claim to the appropriate authority:

- (1) In the case of an individual or team, to the club of which the individual or team is a member.

- (2) In the case of a club, to the Association.
 - (3) If the claim involves a member of a State Association other than Oregon Youth Soccer Association, the claim shall be referred to the Association for transmittal to the appropriate State Association of which the offending party is a member.
- j. Any claim that a player, coach, manager, club official, or game official has assaulted or abused a referee shall be promptly referred to the Association.
 - (1) If the alleged offender is not a member of Oregon Youth Soccer Association, the event director for a tournament may conduct an immediate fact finding hearing as specified in USSF Policy 531-9. Section 4.(B)
 - (2) The findings of any such hearing shall be promptly provided to the president of the offender's home State Association, both orally and in writing, as well as to OYSA.
- k. Any claim that a spectator has abused or assaulted a referee may be heard by the event director.
 - (1) Sanctions imposed by the event director on a spectator may not extend beyond barring the person from attendance at the remainder of the current session or season of the event.
 - (2) The tournament director shall refer the matter to the Association for possible additional sanctions.
 - (3) The tournament director may also refer claims of referee assault to appropriate legal authorities for further proceedings.

2. Member Clubs

- a. Member clubs shall have sole authority to hear general grievances against the club brought by members of the club.
- b. Member clubs shall have authority to hear original protests for leagues and competitions that it sponsors, administrative claims brought by an individual against the club or an official representative of the club, and disciplinary matters involving members of the club.
- c. Member clubs may hear appeals of decisions made by directors or officers of their organizations.
- d. Member clubs shall establish their own protest, appeal, and disciplinary hearing procedures.
 - (1) Such procedures must be in a written policy that has been formally adopted by the club in accordance with its bylaws.
 - (2) These procedures must be published by the beginning of the seasonal year (September 1) in which they become effective.
 - (3) Club procedures must include a right to appeal to higher authorities and the procedure for doing so.
 - (a) A member club need not provide for appeal of protests arising from

club sponsored leagues or tournaments if those competitions are sanctioned by OYSA and the club has written league and or tournament rules that give authority to a league director or tournament director to make final decisions about protests as specified in Policy 701-1. Section 6.A.1. Any appeal provided by the club is limited to a final determination within the club.

- (b) The club is not required to provide for an appeal within the club of a hearing on a general grievance so long as the hearing is conducted by the club's Board of Directors or a committee made up of Board members established in accordance with the club's bylaws and policies. Decisions on a general grievance made by a club's Board of Directors are final.
 - (c) Decisions on administrative claims involving compliance with a club's bylaws, policies, or written rules are subject to appeal to OYSA.
 - (d) Decisions in disciplinary hearings that involve termination or suspension of an individual club member's right to participate in the activities of the club beyond a specific competition are subject to appeal to OYSA.
- e. Hearings conducted by the club:
- (1) Shall be in compliance with the minimum standards provided in Policy 701-1. Section 3.
 - (2) Shall apply the rules of procedure provided in Policy 701-1 and the OYSA GPA Manual.
 - (3) May apply additional procedures only where those procedures are specified in a written policy that has been formally adopted by the club in accordance with its bylaws.
- f. Any claim that a player, coach, manager, club official, or game official has assaulted or abused a referee shall be referred to the Association.
- g. Any claim that a spectator at an event under the direction of the club has abused or assaulted a referee may be heard by the member club.
- (1) If the spectator is not a member of the club
 - (a) Sanctions imposed on a spectator may not extend beyond barring the person from attendance at matches hosted by the club during the remainder of the current competition, unless written club policy allows additional sanctions.
 - (b) Any sanction imposed beyond barring the spectator from attendance at matches hosted by the club during the remainder of the current competition is subject to appeal to OYSA.
 - (c) If the club believes that the spectator's actions warrant further discipline, the club may refer the matter to the club at which the spectator is a member.
 - (d) The club may refer the matter to the Association for possible additional sanctions.
 - (2) If the spectator is a member of the club
 - (a) Sanctions may be imposed up to and including termination of the person's membership in the club.

- (b) Any sanction imposed beyond barring the person from attendance at matches during the remainder of the current competition is subject to appeal to OYSA.
- (3) The club may also refer claims of referee assault to appropriate legal authorities for further proceedings.

B. LEVEL 2: Oregon Youth Soccer Association.

1. An OYSA Hearing Committee shall hear any claims of referee assault or abuse that arise from a match involving OYSA member teams regardless of the state where the offense occurs.
 - a. Referee Assault and Abuse have the meaning defined in USSF Policy 531-9, Section 3.
 - b. If the committee finds that any player, coach, manager, club official, or game official has committed Referee Assault or Referee Abuse, the committee shall impose the sanctions specified in USSF Policy 531-9, Section 5. and may impose additional sanctions if it finds such additional sanctions to be warranted
 - c. If the assault or abuse was committed by a spectator, the committee shall prohibit the person from attendance at any event involving OYSA member teams for a period not less than is specified in USSF Policy 531-9, Section 5. and may impose additional sanctions if it finds such additional sanctions to be warranted.
 - d. A person who is found to have committed Referee Assault or Abuse may appeal to the US Soccer Federation as provided in USSF Bylaw 705.
2. An OYSA Hearing Committee shall hear any Administrative Claims in which a member club alleges that the Association or its staff has violated specific provisions of OYSA bylaws, policies, or procedural manuals.
 - a. Administrative Claims against the Association or its staff may only be submitted by a duly elected officer of a member club in good standing.
 - b. Decisions by the committee on administrative claims are final.
3. An OYSA Hearing Committee may hear initial protests arising from a match in an OYSA sponsored league or tournament unless the rules of competition for the event in question grant that authority to the league director or tournament director.
 - a. If the rules of competition grant the event director authority to decide protests, the decision of the event director shall be final and shall not be considered by an OYSA hearing committee
 - b. If the rules of competition give authority to hear protests to an OYSA hearing committee, the decision of the committee is final and not subject to appeal.
 - c. Protests regarding matches in the Oregon State Cup that are part of the US Youth Soccer National Championships competition

- (1) May be heard by a hearing committee unless the rules of competition give the tournament director authority to decide protests
 - (2) Decisions on protests of State Cup matches are final and not subject to appeal, as provided in US Youth Soccer Policy on US Youth Soccer National Championships 2008-2009 Rule 226. Section 6.
4. An OYSA Hearing Committee shall conduct initial disciplinary hearings upon any claim of misconduct involving an individual member of the Association Board, staff, coaching staff, ODP coaches, players, managers, team officials, or game officials.
 - a. Claims of misconduct against any of the persons identified in the preceding Section 6.B.4. must be originated by Association staff, although the complaint of misconduct may be presented to the Association by a representative of a member club or by an individual.
 - b. The detailed procedures for initiating disciplinary proceedings are provided in the GPA Manual.
 - c. A hearing committee may impose sanctions that include suspension from participation in the activities of the Association or its teams.
 - (1) A hearing committee may not impose a sanction of removal from elective office in the Association, although it may report to the Board on its findings and recommend that the Board take action to remove an officer or director.
 - (2) A hearing committee may not impose a sanction that terminates an individual's employment status with the Association, but it may report its findings to the Association with a recommendation that the Association take personnel action involving the individual.
 - d. Sanctions that suspend a person's right to participate in the activities of the Association as a player, coach, manager, or other team official may be appealed to the appropriate authority.
5. An OYSA Hearing Committee shall hear disciplinary matters concerning individual club members referred to the Association by the event director of a sanctioned tournament or league when the referring agency alleges that the misconduct requires a sanction that exceeds the authority of the event director to impose.
 - a. Any hearing conducted on such a referral will be conducted as an initial hearing
 - b. The Hearing Committee shall make its own determination of the facts based on the evidence presented to it
 - c. The referring event director may be allowed to present arguments supporting sanctions that exceed the referring agent's authority
 - d. If the Hearing Committee imposes a sanction that causes a suspension or denial of the defendant's right to participate in the programs of Oregon Youth Soccer or any of its member clubs for a period longer than the duration of the tournament or

league season in which the misconduct occurred, the decision is subject to appeal to the Federation in accordance with USSF Bylaw 705.

6. An OYSA Hearing Committee shall hear appeals from decisions by Level 1 authorities when such appeals are allowed.
 - a. Appeals will be decided on the record submitted to the Hearing Committee.
 - b. A Hearing Committee that is considering an appeal shall not accept new evidence unless
 - (1) The committee specifically finds that the record on appeal is inadequate to determine the issues on appeal and
 - (2) The committee specifically finds that the interests of justice require a prompt resolution that cannot be met by remanding the matter to the original hearing body.
 - c. Any appeal filed with the Association must comply with the specific procedures contained in the GPA Manual
7. An OYSA Hearing Committee may hear disciplinary matters brought by the Association alleging that a club is in violation of its obligations as a member club of the Association.
 - a. Any such hearing shall be charged with determining whether the allegations are true
 - b. The hearing committee shall report its findings to the Association Board
 - c. Any sanctions imposed on a club found to be in violation of its membership obligations shall be determined by the Association Board.
8. An OYSA Hearing Committee may hear a complaint by a member club alleging that:
 - a. Another club is in violation of its obligations as a member club of the Association.
 - b. Detailed procedures for the handling of such a complaint are in the GPA manual.
 - c. The decision of a Hearing Committee in such a proceeding may be appealed to the Association Board, which may overturn or amend the decision only upon a two-thirds vote of the Board.
9. The Association Board has the sole authority to hear general grievances against the Association.
 - a. Procedures for submitting and determining grievances are provided in the GPA Manual.
 - b. The decision of the Board is final and not subject to appeal.

C. Level 3: US Soccer Federation

1. The US Soccer Federation has the authority to hear appeals from final decisions of OYSA or its member clubs regarding the denial of a right to participate in any competition involving Organization Members [e.g., OYSA] or its members. (See USSF Policy 601-7(C).)

The US Soccer Federation will not accept an appeal of a "...decision of an Organization Member that arises out the application of the rules of competition which is made in the course of the competition, and has no consequence beyond the competition...."

POLICY 801-1 RISK MANAGEMENT

Section 1. Purpose

- A. The purpose of this risk management policy is to provide a program to evaluate whether the participation of individuals in the programs of the Association or its member clubs poses a risk:
 1. to the safety of other participants as required by Federation Bylaw 212.Section 1.(7), or
 2. to the security of the Association or any of its member clubs.
- B. This policy provides procedures and guidelines to administer the risk management program of the Association in a manner that:
 1. Provides a fair process to all persons involved in risk management decisions
 2. Provides reasonable standards for making risk management decisions
 3. Provides an opportunity to appeal an adverse risk management decision.
- C. No adult may actively participate in the activities of the Association or any of its member clubs until that person has registered with the Association as an Administrator and has a risk status of Approved.

Section 2. Definitions

- A. **Administrator** - any adult participant in the activities of the Association or its member clubs who acts in an official capacity for the Association or club, including:
 1. Board members
 2. Employees
 3. Coaches
 4. Assistant coaches
 5. Team Managers
 6. Trainers
 7. Other adult Volunteers
 8. Referees officiating matches in any league, tournament, or other competition sponsored or sanctioned by OYSA
 9. Youth age 16 or older who serve in any of the positions listed in Section 2.A.1-8

10. Any applicant for any of the positions listed in Section 2.A.1-7
11. Section 2.A.8. applies only to referees in OYSA sponsored competition from 7/1/2010.
Section 2.A.8. applies to referees in both sponsored and sanction competition from 7/1/2011.

- B. **Association (or OYSA)** - the Oregon Youth Soccer Association
- C. **Background Check** - the process of determining whether a person has a criminal history.
- D. **Background Report** - a report provided to the RMC containing details of an individual's criminal history.
- E. **Conditional Approval Agreement (CAA)** - an agreement between an Administrator, the RMC, and an Administrator's club which grants an Administrator a risk status of Approved, subject to the Administrator's compliance with conditions. The Administrator's club must also agree to any conditions which require supervision of the Administrator's activities.
- F. **Conviction** - an official entry in the records of a duly constituted court stating that an individual has been found guilty of a violation of a particular criminal statute of the jurisdiction for which the court is responsible. A conviction includes a finding of guilt based upon the entry of a plea of guilty or no contest, in addition to any finding of guilt after a trial.
- G. **Crime** - any offense defined by applicable law which has a potential sentence of confinement in jail or prison for a period of 30 days or longer, regardless of the actual sentence imposed.
- H. **Criminal History Disclosure** - the answers given by an applicant for a position as an Administrator to questions regarding the applicant's criminal record.
- I. **Disqualification** - a risk management decision which determines after a review of a person's background report that the participation of that individual in the programs of the Association and its member clubs poses an unacceptable risk to the Association, its member clubs, or the other participants.
- J. **Federation (or USSF)** - the United States Soccer Federation.
- K. **Felony** - an offense which is defined by applicable law as having a maximum sentence of confinement in jail or prison greater than one year.
- L. **Misdemeanor** - an offense which is defined by applicable law as having a maximum sentence of confinement in jail or prison for not more than one year.
- M. **Moral Turpitude** - refers to crimes that include elements of fraud and deception or intentional or reckless actions that cause harm to person or property. Whether a particular crime involves moral turpitude shall be determined by the elements stated in the law defining the crime.
- N. **Risk Management Coordinator (RMC)** - an individual employee of the Association who has been designated by the Executive Director to be responsible for reviewing background reports and making initial risk management decisions.

- O. **Risk Management Decision** - a decision regarding an individual's eligibility to participate in the activities of the Association or any of its member clubs which is made following a review of that individual's background report.
- P. **Risk Status** - the results of risk management decisions that are displayed in OYSA's Affinity database and are viewable by league and Association users of that database. The risk status for an individual administrator will be one of the following:
 - 1. Approved - a background check has been completed and no disqualifying criminal record is present.
 - 2. Under Review - a background check has been performed, but the information discovered must be reviewed before a final risk management decision is made regarding eligibility.
 - 3. Failed - a background check has been completed and a risk management decision has been made that the individual is disqualified from participating in the programs of the Association or any of its member clubs.
 - 4. Expired - more than 12 months has elapsed since the last background check was completed for an individual.
 - 5. None - no background check has yet been completed because the application is missing required information.

Section 3. Authority and Administration

- A. The Executive Director of the Association shall appoint an individual staff member to serve as the Risk Management Coordinator (RMC) of the Association.
- B. The Vice President shall be the OYSA Board's liaison with the RMC and shall manage appeals of risk management decisions as provided in this policy.
- C. The RMC's authority and duties shall include the following :
 - 1. Investigating reported violations of Risk Management policies.
 - 2. Reviewing background reports regarding Administrators.
 - 3. Making Risk Management Decisions regarding Administrators based on a review of background reports or other information received.
 - 4. Creating and maintaining records of background reports and risk management decisions.
 - a. All such records are considered confidential and will be maintained in a secure manner.
 - (1) Paper records will be maintained in locked storage with only the RMC having access.
 - (2) Electronic records will be maintained in secure storage with access limited to the RMC.
 - b. Records may be shared with the Risk Management Coordinator of a member club to assist in enforcing risk management decisions.
 - c. Records may be shared with the members of an appeal panel in the course of handling an appeal.
 - 5. Preparing and maintaining in consultation with the Vice President written guidelines indicating which specific crimes and classifications of crimes will be considered to cause a person to be ineligible. guidelines for evaluating background reports.

6. Entering into agreements with individual Administrators to grant a risk status of Approved subject to the individual's meeting specific requirements which may include, but are not limited to:
 - a. Enrolling in and successfully completing a drug or alcohol treatment program;
 - b. Enrolling in and successfully completing an anger management program;
 - c. Not driving a vehicle providing transportation to any club member other than the person's own family; or
 - d. Not being involved in any financial activities of a member club.
 7. Reporting the results of risk management decisions to US Youth Soccer or to the Federation as required by their bylaws and policies.
 8. Taking such other actions as may be reasonably necessary to carry out the purposes of this risk management policy.
- D. The RMC may request additional information from an individual and/or the risk management coordinator of the club to which an individual has applied during the course of evaluating a background report.

Section 4. Background Checks

- A. All Administrators of the Association and its member clubs are required to have a background check prior to beginning any activities as an Administrator and annually thereafter.
1. The information necessary to complete a background check shall be collected in an individual's application to serve as an Administrator.
 2. The application shall require the applicant's:
 - a. Full legal name;
 - b. Date of birth;
 - c. Contact information;
 - d. Driver's license details;
 - e. Criminal History Disclosure;
 - f. Permission to submit information for a criminal background check; and
 - g. Acknowledgment of the requirement to promptly notify the Association's Risk Management Coordinator upon being charged with, or convicted of, any crime.
 3. The application may contain other information required by the Association or the club to which the application is submitted.
 4. Association staff shall provide necessary forms to collect required information.
 5. Information collection may be done entirely electronically as part of the Association's procedures for registering individuals as Administrators.
- B. Association staff shall arrange with a qualified provider
1. to perform background checks for each Administrator using the information collected in the Administrator's registration, and
 2. to provide Background Reports to the RMC for any Administrator who is found to have pending criminal charges or a record of conviction(s).

Section 5. Obligation to Disclose Criminal Record

- A. Every individual who applies for a position as an Administrator shall fully disclose their criminal history as a part of the initial application.
 - 1. Failure to fully answer the Criminal History Disclosure in an application for a position as an Administrator may result in disqualification.
 - 2. Failure to disclose a conviction for a felony will result in disqualification.
 - 3. Failure to disclose a conviction for a misdemeanor may result in disqualification if:
 - a. Less than 7 years have elapsed since the conviction; or
 - b. Less than 10 years have elapsed since the conviction and the crime involved
 - (1) intentional injury to a person,
 - (2) the victim was a minor, or
 - (3) the crime was a sexual offense.
 - 4. There shall be no disqualification for failure to disclose a conviction if the conviction:
 - a. Has been set aside under the provisions of applicable law, or
 - b. Has been reduced to a violation or dismissed by court order following an individual's compliance with conditions set by the court.
- B. Any club official preparing an Administrator application for another person shall have written permission from the applicant to complete the Criminal History Disclosure and to grant permission to conduct a background check. The club shall retain a copy of the written permission in its records for a period of not less than 3 years.
- C. Once submitted, the Criminal History Disclosure will remain a permanent part of the individual's data record with the Association, visible only to that Administrator and Association users of the Affinity database with risk management clearance. An Administrator's Criminal History Disclosure does not need to be resubmitted unless there is a change in that Administrator's criminal record.
- D. Every registered Administrator shall promptly notify the Association's RMC, as well as the risk management coordinator of the club of which that person is an individual member, upon the occurrence of any of the following:
 - 1. The individual is formally charged with a crime;
 - 2. The individual is convicted of a crime upon entry of a plea of guilty or no contest;
 - 3. The individual is convicted of a crime following a trial; or
 - 4. The individual enters into a diversion agreement or other agreement that suspends entry of a sentence pending the individual's compliance with the conditions set in such agreement.
- E. The notice required by Section 5.D. must be delivered to the RMC not later than 30 days after any of the events stated in Section 5.D.
- F. Any Administrator who willfully fails to provide the notice required by Section 5.D. and Section 5.E. shall be suspended from all activities with the Association or any of its member clubs as soon as the RMC receives confirmation of the pending charge(s) or conviction(s) for a period of not less than one year. The disqualification provided in this section shall be in addition to any other period of suspension or disqualification that may result from the charge(s) or conviction(s).

Section 6. Guidelines for Eligibility

- A. The RMC shall review the eligibility of an Administrator for participation in the programs of the Association or any of its member clubs:
 - 1. When the RMC receives a background report for an Administrator or applicant to be an Administrator;
 - 2. When the RMC receives information indicating that an Administrator has been charged with a crime; or
 - 3. When the RMC receives information indicating that an Administrator has engaged in conduct that is detrimental to youth players, whether or not any criminal charges have been filed as a result of such conduct.

- B. The Association and its member clubs will not knowingly allow any person to become, or continue as, an Administrator when that person's history of criminal convictions, pending criminal charges, or other actions involves activities detrimental to youth players.

- C. Activities detrimental to youth players include:
 - 1. Felonies and crimes of moral turpitude;
 - 2. Offenses in which a child is a victim or in which a child is caused to participate in the offense;
 - 3. Offenses in which sexual activity is an element;
 - 4. Sexual activity between an adult and a minor, regardless of whether the activity is consensual or whether any criminal charges are ever filed against the adult.
 - 5. Offenses involving illegal use, possession, or distribution of controlled substances or alcohol, including DUII;
 - 6. Offenses that indicate a pattern of disregard for authority; and
 - 7. Any other offenses which indicate a lack of regard for the property or rights of others.

- D. The RMC shall have the authority to determine whether an individual's criminal history or other actions are detrimental to youth players.
 - 1. In evaluating whether an individual's criminal history or other actions are detrimental to youth players, the RMC shall consider:
 - a. The nature and severity of the crime for which an individual has been convicted or charged.
 - (1) All elements of a crime as defined by applicable law are presumed to have been proven.
 - (2) The severity of a crime will be measured by the maximum possible sentence that could have been applied as defined by applicable law.
 - (3) The actual sentence imposed does not affect an evaluation of the severity of a crime unless the judgment of the court specifically reduced the classification level of the offense as a part of the judgment—e.g., reducing a felony to a misdemeanor, or a misdemeanor to a violation.
 - b. The period of time that has elapsed since the conviction.
 - c. Whether the individual is currently under parole or probation supervision for the crime, and when such supervision is scheduled to be completed.
 - d. Whether the individual has successfully completed an appropriate treatment program, either voluntarily or as required by the court.
 - e. Whether the conviction is a single event or there is a history of other offenses.
 - 2. The RMC may request information from the risk management coordinator of the

individual's club to determine whether:

- a. The club has been informed of the individual's criminal record
- b. The club supports the individual's serving as an Administrator despite the criminal record
- c. The club is willing and able to provide any additional supervision that may be required to enforce the terms of a conditional Approval Agreement
- d. The individual has demonstrated remorse and provided restitution to victims as appropriate.
- e. The individual is at risk to commit another crime.

E. The RMC shall have the authority to disqualify any Administrator from serving in such capacity when the RMC finds that the person does not meet risk management eligibility guidelines.

F. Special situations

1. An individual who has entered into a diversion agreement with a court to avoid entry of a conviction for DUII may be considered ineligible until the court officially dismisses the charge.
2. An individual who, following a conviction, is under supervision on probation or parole may be considered ineligible until such supervision has ended.
3. Any conviction for an offense in which a minor is a victim or is caused to participate in the offense may be considered as a reason for disqualification for a longer period than a conviction for the same offense when no minor is involved.
4. Convictions for offenses based on sexual conduct may be considered as a reason for disqualification for a longer period than the same classification of offense that does not involve sexual conduct.

G. The Risk Management Coordinator shall have authority to enter into a Conditional Approval Agreement (CAA) with an Administrator and the Administrator's club in situations where the RMC has determined that the risk posed by the Administrator is modest, there will be a significant benefit to the club and its players by utilizing the services of the Administrator, and supervision by the Administrator's club will mitigate the risks to the Association, the club and its players.

1. Any CAA must include full disclosure of the Administrator's background report to the club's risk management coordinator.
2. The agreement must be in writing.
3. If the CAA requires supervision by the club, the club must specifically agree to provide supervision.
4. The club must agree to notify the RMC if the club learns that the Administrator has violated the conditions of the agreement.
5. The agreement must be signed by the RMC, the Administrator, and the club's president.
6. If the RMC finds that the Administrator has failed to comply with the terms of the CAA, the RMC may revoke the CAA and disqualify the Administrator. In such a case, the provisions of this Policy regarding disqualification will apply.
7. An administrator who enters into a CAA may not appeal the decision of the RMC that a CAA is required to grant Approval.

8. An Administrator whose CAA has been revoked may only appeal any subsequent

disqualification on the issue of whether the Administrator has failed to comply with the conditions of the CAA.

- H. An Administrator who is disqualified under any of the provisions of this Section 6. shall be sent a notice as provided in Policy 801-1, Section 8.A.

Section 7. Suspension During Litigation

- A. The RMC shall suspend any Administrator who becomes a defendant in litigation detrimental to the welfare of youth players or litigation based on activities detrimental to the welfare of youth players from all activities in the Association or any of its member clubs.
 - 1. Matters detrimental to the welfare of youth players include crimes of moral turpitude, felonies, and other offenses as stated in Policy 801-1, Section 6.C.
 - 2. An individual who is suspended under the provisions of this section shall be sent notice of the suspension as provided in Policy 801-1, Section 8.A.
 - 3. The suspension shall remain in effect until there is a final resolution of the litigation.
- B. A person who has been suspended under this Section may appeal, but the scope of the appeal is limited to whether the actions stated in the charges fall within the definition of activities detrimental to the welfare of youth players as defined in Policy 801-1, Section 6.C.
- C. When the litigation is completed, the suspended individual may apply for reinstatement.
 - 1. The request for reinstatement must be sent in writing to the RMC.
 - 2. The request must include a certified copy of the judgment of the court.
- D. Upon receipt of a request for reinstatement, the RMC will review the court's decision and will make a risk management decision whether to reinstate the individual.
 - 1. If charges are dismissed based on a civil compromise, the RMC may consider the terms of the compromise in making the decision.
 - 2. If the individual has been convicted of a crime, the RMC will consider the criminal record in accordance with Policy 801-1, Section 6.D.
 - 3. If the individual did not provide notice of the charges as required by Policy 801-1, Section 5.D., the RMC shall impose the suspension required by Policy 801-1, Section 5.F.
 - 4. If the individual is disqualified or suspended, the individual may appeal the decision as provided in Policy 801-1, Section 9.

Section 8. Notice of Disqualification or Suspension

- A. When a risk management decision has been made that a person is not eligible to serve as an Administrator under any of the provisions of this policy, the RMC shall provide written notice to the person who is disqualified or suspended.
 - 1. The notice shall inform the individual of
 - a. the details of the disqualification or suspension,
 - b. the right to appeal, and
 - c. provide information regarding when and where to submit a notice of appeal

2. The notice shall be sent both by certified mail, return receipt requested, and by first class postal mail to the address provided by the individual in their registration record.
 3. A copy of the notice shall be sent to the risk management coordinator of the member club(s) where the individual has applied to be an administrator, or where the individual is already serving as an Administrator.
- B. The disqualification or suspension is effective when the individual's risk status is set to Failed in the registration database.
1. A disqualification or suspension shall remain in effect during any appeal.
 2. If an appeal is successful, the risk status will be changed as directed by the Appeal committee.
- C. A disqualification or suspension will remain in effect until a risk management decision is made to change the person's risk status to Approved.
- D. A new application will not be accepted from an individual in the same seasonal year that the notice of disqualification was sent, unless the disqualified individual provides the RMC with information showing a change in the person's criminal history or the individual's circumstances that affect eligibility.

Section 9. Risk Management Appeals.

- A. Any individual who has been sent a notice of disqualification or suspension in accordance with Policy 801-1, Section 8.A. shall have a right to appeal.
- B. An individual who wishes to appeal a disqualification or suspension must file a notice of appeal with the RMC as follows:
1. The RMC may publish a form of Notice of Appeal, but the form is not required as long as required information is included.
 2. The notice must be in writing and be signed by the individual who has been disqualified or suspended.
 3. The notice must include the following information:
 - a. The name of the person appealing
 - b. A statement that the person is appealing from a disqualification or suspension
 - c. The postmark date shown on the notice
 - d. The date the individual received the notice
 - e. A statement of the grounds for appeal.
- C. The Notice of Appeal will be accepted only if it includes the required filing fee in the amount of \$100.00
- D. Time of Appeal
1. The Notice of Appeal must be delivered to the RMC not later than 14 days following the date the notice of disqualification is received, or 21 days after the notice of disqualification was mailed, whichever comes first.
 2. The Notice of Appeal must be received in the office of the Association by the close of business on the date stated in the Notice of Disqualification or Suspension.

3. The RMC may extend the date for filing the Notice of Appeal for good cause.
4. Failure to receive a notice of disqualification because the individual has moved and has not updated the mailing address shown in the individual's registration account in OYSA's Affinity database shall not be considered good cause to extend the time to file a Notice of Appeal.
5. If the Notice of Appeal is not received within the required time and no good cause is shown for an extension of the filing date, the RMC shall notify the appellant that the appeal has been dismissed.

E. Grounds for Appeal

1. The notice of appeal must state a specific reason why the decision of the RMC should be set aside.
2. Grounds for appeal include:
 - a. Factual errors that affect the risk management decision, such as:
 - (1) Incorrectly identifying the person disqualified;
 - (2) The background report does not show a court's reduction in the level of an offense at sentencing;
 - (3) A conviction has been set aside;
 - (4) Parole or probation supervision has been terminated by the supervising authority;
 - (5) An order of dismissal has been entered upon completion of diversion; or
 - (6) Other factual matters which may have affected the decision to disqualify.
 - b. The activities that are the basis of the disqualification are not detrimental to youth players as defined in Policy 801-1, Section 6.B.; or
 - c. The appellant does not present a risk to players or member clubs despite the criminal history.
3. A claim that the disqualification or suspension will have an adverse effect on the appellant is not a ground for appeal.
4. The RMC shall dismiss an appeal if the Notice of Appeal does not state any grounds for appeal.

F. Reconsideration by RMC

1. If the stated ground for appeal is a factual error, the RMC will reconsider the disqualification.
2. If the RMC determines that the disqualification was based on a factual error, the RMC shall take one of the following steps:
 - a. Reinstate the individual and change the person's risk status to Approved;
 - b. Enter into a CAA with the individual; or
 - c. Leave the disqualification in effect despite the factual error and forward the appeal to the Vice President for presentation to a Risk Management Appeal Committee.
3. If the RMC determines that no factual error occurred, the appeal shall be forwarded to the Vice President for presentation to a Risk Management Appeal Committee.

G. The RMC shall forward the Notice of Appeal to the Vice President as soon as practical after it has been received.

H. The RMC shall send the Risk Management Record of the appellant to the Vice President along with the Notice of Appeal. The Risk Management Record shall include:

1. A copy of the appellant's Administrator Application, including the Criminal History

- Disclosure;
2. A copy of the background report for the individual;
 3. A copy of the relevant statutes defining the crime(s) appearing in the background report; and
 4. Copies of all written communications between the RMC and the appellant regarding the subject matter of the disqualification or suspension.

I. Appeal Committee

1. The Association Board of Directors shall appoint a panel of 5-7 persons who agree to hear risk management appeals.
 - a. The persons appointed to the panel will serve for a term of one year.
 - b. The panel shall consist of persons who are not currently Administrators of the Association or any of its member clubs.
 - c. The panel may include individuals who have children actively participating in the programs of the Association or its member clubs.
2. Upon receipt of an appeal forwarded by the RMC, the Vice President shall appoint a committee of 3 persons drawn from the panel to hear the appeal.
3. The Vice President shall select persons who are impartial to the outcome of the hearing. The committee members shall not:
 - a. Have a business or personal relationship with the appellant; or
 - b. Be members, or former members, of a club at which the appellant is a member.
4. The members of an appeal committee shall keep confidential all information received during the course of a hearing and all deliberations of the committee.

J. Appeal Hearing

1. The Vice President shall schedule the date and time for the appeal hearing within 10 days following the Association's receipt of a Notice of Appeal.
2. The hearing shall take place within 30 days following the Association's receipt of the Notice of Appeal, unless the appellant agrees to a later date.
3. Unless otherwise arranged by the Vice President, Appeal Hearings will take place at the office of the Association, 4840 SW Western Ave, Suite 800, Beaverton, OR 97005.
4. The appellant and all witnesses are required to attend in person, unless an arrangement has been made with the Vice President for attendance by conference call.
5. The appellant may submit written documentation in support of the appeal. All such documentation shall be sent to the RMC who will forward the materials to the Vice President. The Vice President shall be responsible for providing copies of all written materials to the Appeal Committee
6. The RMC may submit a written report to the Appeal Committee regarding the appeal.
7. The Vice President will chair the Appeal hearing and participate in deliberation, but will not participate in the committee's decision.
8. The appellant may call witnesses in support of the appeal.
 - a. The committee will question the witnesses.
 - b. The appellant may question the witnesses after the committee has done so.
9. The committee may call the RMC as a witness to discuss the Risk Management Record or the RMC's report.
10. After hearing from witnesses and receiving any oral statement from the appellant, the Appeal Committee shall deliberate in private to reach a decision on the appeal. Only the members of the committee and the Vice President may be present during deliberations.

- a. The committee may make notes of its deliberations and shall make a written record of its decisions.
- b. The committee shall make specific written findings in support of its decision.

K. Scope of Review

1. The committee will not accept any evidence that is offered to show that the appellant is not guilty of a conviction appearing on the appellant's background report or that any such conviction was improperly obtained. All elements required by the statute defining the crime of which the person was convicted are conclusively presumed to have been proven or admitted as the basis for the conviction.
2. The committee will not accept any evidence regarding the legal process that resulted in any conviction appearing on the appellant's background report.
3. The committee will accept evidence that bears on the grounds for appeal stated in the Notice of Appeal.
4. The appellant has the burden of establishing the basis for the appeal.
 - a. If the basis of the appeal is a disputed question of fact, the appellant must provide clear and convincing evidence that the facts are as stated by the appellant.
 - (1) Issues regarding the judgment of a court may only be controverted by certified copies of court records
 - (2) Issues of identity must be established by appropriate documentary evidence.
 - b. If the basis of the appeal is a disagreement with the RMC's decisions regarding matters within the authority of the RMC, the committee shall uphold the RMC's decision unless the appellant establishes by clear and convincing evidence that the decision of the RMC is based on bias against the appellant, the RMC has abused his or her discretion, or there is not a reasonable basis to support the RMC's decision. Matters within the RMC's authority include:
 - (1) Determining whether an Administrator's criminal history or other actions are detrimental to youth players as defined in Policy 801-1, Section 6.C.
 - (2) Determining whether an Administrator poses a risk to youth players, the Administrator's club, or to the Association based on the individual's background report.
5. In evaluating the appellant's claims on appeal, the committee shall consider that serving as an Administrator for the Association or any of its member clubs is a privilege, not a right. The programs of the Association and its member clubs are not intended to operate as a means of rehabilitating individuals who have encountered legal problems. They are intended to provide programs where youth players can participate in an environment of reasonable safety.

L. Decision on Appeal

1. The committee shall make specific findings regarding all issues in dispute on the appeal.
2. The committee shall make one of the following decisions:
 - a. Deny the appeal leaving the disqualification or suspension in effect;
 - b. Uphold the appeal and direct the RMC to change the appellant's risk status to Approved; or
 - c. Return the matter to the RMC with directions to enter into a CAA with the appellant and the appellant's club under the conditions set by the committee.
3. The Vice President shall prepare a memorandum which states the specific findings of the committee on the issues in dispute and the decision of the committee.

4. The Vice President will send the committee's decision to the appellant not later than 10 days following the hearing. The decision will be sent by both regular postal mail and certified mail, return receipt requested.
5. If the committee has directed that the parties enter into a CAA, the RMC shall prepare a CAA incorporating the conditions imposed by the committee and shall arrange to obtain signatures of the parties to the agreement.
6. The RMC shall maintain a database containing a record of the decisions of the committee.
 - a. Records of prior decisions, with names redacted, shall be made available to the committee.
 - b. Decisions in prior appeals that address the same or similar issues may be considered as a guide, but are not binding on the committee.

POLICY 801-2 EXTREME WEATHER SAFETY

Section 1. OYSA has adopted an Extreme Weather Safety Guideline to enhance the safety of players participating in OYSA sanctioned and sponsored activities. The guideline offers information to league, tournament and event administrators. Listed are precautions during hot and cold weather, when lightning is present and on proper hydration for the athletes. League and tournament directors, coaches and event administrators should be aware of these guidelines.

POLICY 802-1 TEAM FORMATION

Section 1. Purpose

In order to promote the orderly formation of teams, the member clubs will be responsible for the certification of registration for teams sponsored by clubs.

Section 2. Definitions

- A. Registration – The signing of intent to play the sport of soccer and the paying of fees to become a member of Oregon Youth Soccer Association (OYSA) through a member club.
- B. Rostering – Assignment of a registered player to a team.
- C. Recreation Team – The use of tryouts, invitations, recruiting or any like process to roster players on the basis of talent or ability is prohibited.
- D. Classic or Competitive Team – A team formed on the basis of player ability or talent as determined through the use of a tryout that is publicly advertised and open to any eligible player who wishes to participate.
- E. Select Team – A team which players are selectively chosen without the use of a tryout.
- F. Guest Player – A registered player participating in a competition for a team to which the player is not rostered for the purpose of league play.
- G. Olympic Development Program (ODP) Team – The official team of OYSA.
- H. Sponsored League or Tournament – A league or tournament that is directly administered by OYSA.
- I. Sanctioned League or Tournament – A league or tournament that is directly administered by a member club and has been approved by OYSA.

- J. Member – Clubs that have met the minimum membership requirements as described in the bylaws, policies and Club Membership Manual and have been approved for membership by the OYSA Board of Directors.
- K. Participant – An individual player, generally a member of an Member Club and registered with OYSA, US Youth Soccer and the US Soccer Federation.
- L. Affiliate – A youth soccer organization that conducts OYSA sanctioned competitions.

Section 3. General Policies

- A. Member clubs shall establish policies and regulations regarding the formation of teams entering into affiliated leagues.
- B. Unregistered players are strictly prohibited from playing in matches or practicing with member club teams.
- C. Players and/or their families that have unpaid financial obligations to OYSA or a member club may have their membership privilege suspended until such obligations have been satisfactorily resolved.
- D. All leagues must be sanctioned by OYSA. A member club, group of clubs or other affiliated entity must complete OYSA's "Permission to Host" paperwork and pay all appropriate fees.
- E. Member clubs shall submit their team formation policy and bylaws to OYSA annually on or before the club registration deadline.
- F. Small Sided Games Policy
 - 1. U11 – Sponsored (administered directly by OYSA) leagues and tournaments will be 8v8 beginning in the fall of 2008.
 - 2. U11 – Sanctioned (administered directly by member clubs) leagues and tournaments are encouraged to play 8v8 in the fall of 2008 and will be required to play 8v8 by the fall of 2009.
 - 3. U6 through U10 - By the fall of 2007, all sponsored and sanctioned leagues and tournaments in Oregon will conform to the following formats:
 - i. U6 - 3v3 - recommended without a goal keeper
 - ii. U7 & U8 4v4 - recommended without a goal keeper
 - iii. U9 6v6 - recommended with a goal keeper
 - iv. U10 8v8 - recommended with a goal keeper
- G. Clubs may not require a player to play above his/her nominal age group.

Section 4. Interplay

- A. Tournaments:
 - 1. Restricted and Unrestricted Tournaments – A tournament sanctioned by OYSA may be "Restricted" – open only to teams from a single US Soccer Federation organizational member or a subset thereof, or "Unrestricted" – open to teams from all US Soccer Federation member organizations.
 - 2. Member clubs and/or other OYSA affiliated organizations seeking sanctioning for an unrestricted tournament must purchase and provide evidence of a One Million Dollar (\$1,000,000) CSL comprehensive general liability policy including coverage for participant/spectator medical payments. In lieu of medical payments, a sports accident policy with a One Hundred Thousand dollar (\$100,000) limit of liability per injury is acceptable. OYSA and the hosting US Soccer Federation Member Organization will be listed as an additional insured and a hold harmless

and indemnification agreement in favor of OYSA must be executed. Before OYSA will sanction any tournament required to provide the above-described insurance, the insurance policy (ies) must be approved by OYSA.

3. OYSA member teams may participate in unrestricted tournaments sanctioned by another US Soccer Federation Member Organization provided they request and receive written approval from OYSA. Member clubs and/or other OYSA affiliated organizations that do not comply with the tournament policies on interplay described above will not be covered by OYSA general liability and other insurance provided through membership in OYSA.

B. Leagues:

1. All participants in OYSA sanctioned leagues must be registered members of OYSA. Teams from other US Soccer Federation member organizations may participate in OYSA sanctioned leagues; however all participating players and coaches must also register with OYSA.

Section 5. OYSA Sponsored League and Tournament Policies

- A. These policies apply specifically to teams formed for entry into OYSA sponsored competition.
1. Select teams are not eligible to participate in State Cup or OYSA sponsored leagues.
 2. Any team comprised of any players that have been informed by an agent of a club that they need not attend tryouts to make the team shall be considered a select team.
 3. A club may allow a maximum of 4 U10 players to play up on a U11 team. This includes U10 players playing in OYSA sponsored U11 league and tournament play. A club should only do this when it is in the best interest of the player.
 4. U10 players may not play up more than one age bracket in OYSA sponsored competitive/classic competitions without the express written permission from the player's parent(s) and/or legal guardian(s) and the State Head coach and/or Technical Director.
 5. Players younger than U10 may not participate in OYSA sponsored competitive/classic leagues or tournaments.
 6. There are no playing up restrictions for U11 or older players. However, OYSA recommends that all players play in age groups most appropriate for their psycho-social, psycho-motor and cognitive abilities.
 7. A team that changes clubs, shall be considered a new team for the purpose of placement into OYSA Classic events except when the change is a result of merging clubs, club dissolution or when teams are displaced from a club as following a club organizational change resulting in team ineligibility (i.e., as when a club decides to quit offering a competitive/classic program).
 8. The Oregon Youth Soccer Executive Director, in coordination with the member clubs, shall establish beginning tryout dates for the formation of fall and winter Classic teams. All OYSA clubs will hold their tryout for these teams only after the established dates. These dates must be

established no later than April 1st each seasonal year. The dates shall not be earlier than:

- a. U-14 and under (Fall Season): The Sunday following State Cup Finals.
- b. U-15 and over (Winter Season): August 1st.

Section 6. Player Development and Movement

- A. Oregon Youth Soccer strives to provide avenues for the development of soccer players throughout the state. We believe it is generally not in the best interest of players or of the sport for players to be recruited from one club/team at the detriment of another club/team. Efforts to legislate against this activity have proven to be complex and problematic. Further, there are clearly circumstances in which it is beneficial to a player's development to move from one club/team to another.
- B. Therefore, Oregon Youth Soccer does not have a policy on recruitment. We do, however, have procedures that must be followed for a player transfer to be properly executed. The procedure and form for player transfer is described and available in the Oregon Youth Soccer Registrar's Manual. The central principle in the procedure is full and complete communication between the interested parties.
- C. An equally and perhaps more important principle is the expectation that the player who may be asked to leave one club/team to join another is encouraged to do so because it is truly in the best interest of the player; rather than a potential benefit to another club or team. There is an expectation of courtesy, integrity and professionalism that should apply in any situation where representatives of one club/team invite the interest of a member of another club/team. If a coach of one organization believes that a player would be better served by another organization, then the preferred approach would be for the player's existing club/team coach to be contacted prior to contacting the player in order to discuss the situation. In this way, the player's current coach is engaged in the consideration of what is best for the player and is aware of the potential loss of the player. This is especially true for competitive teams and players
- D. Often parents or other adults are heavily engaged in promoting a player to other clubs and teams. Club leadership and coaches have an obligation to honestly assess and evaluate where a player will receive the best opportunity for development. At times, adults seek opportunities for players that do not fit the level of development best suited for the player. This can lead to a level of pressure that is counter productive or even damaging to a player.
- E. At no time shall a player be transferred against his or her will.
- F. At no time shall a player be offered or receive an economic incentive for participation.
- G. Further, players should not be enticed by promises of playing time or starting positions.

POLICY 802-2 SPECIFIC COMPETITION

Section 1. Competitive League Program

While the Competitive League is available to any team registered in accordance with OYSA Rules and Regulations, it is intended for higher skilled players.

- A. A Competitive League program will be made available; seasons and age groups will be determined annually by staff.

Section 2. State Tournament (s)

- A. A State Cup will be held annually for the following age groups:

Under 19 Girls	Under 19 Boys
Under 18 Girls	Under 18 Boys
Under 17 Girls	Under 17 Boys
Under 16 Girls	Under 16 Boys
Under 15 Girls	Under 15 Boys
Under 14 Girls	Under 14 Boys
Under 13 Girls	Under 13 Boys
Under 12 Girls	Under 12 Boys
Under 11 Girls	Under 11 Boys

1. Any team playing in OYSA sponsored Premier Leagues is eligible to enter the Oregon State Cup.
2. Generally the winners of the U-19, U-18, U-17, U-16, U-15, U-14, U-13 and U-12 ranges will represent OYSA at the USYS National Championship Series Regional Competition, however OYSA reserves the right to determine its state representative (s) based on other criteria at its sole and absolute discretion.
3. The Director of Leagues and Tournaments is the State Cup Tournament Director.

- B. A President's Cup will be held annually for the following age groups:

Under 19 Girls	Under 19 Boys
Under 18 Girls	Under 18 Boys
Under 17 Girls	Under 17 Boys
Under 16 Girls	Under 16 Boys
Under 15 Girls	Under 15 Boys
Under 14 Girls	Under 14 Boys
Under 13 Girls	Under 13 Boys
Under 12 Girls	Under 12 Boys
Under 11 Girls	Under 11 Boys

1. Any team playing in OYSA sponsored or sanctioned league is eligible to participate in the OYSA President's Cup tournament.
2. Generally the winners of the U-17, U-16, U-15, U-14, and U-13 age groups will represent OYSA at the USYS Presidents Cup Regional Competition, however OYSA reserves the right to determine its state representative (s) based on other criteria at its sole and absolute discretion.
3. The Director of Leagues and Tournaments is the President's Cup Tournament Director.

Note: Changes made to Policy 802-2, Section 2 on March 8, 2010 become effective September 1, 2010. Contact the OYSA office for specifics.

POLICY 802-3 DISCIPLINE

Section 1. Purpose

In order to be consistent with discipline throughout the State of Oregon, this policy applies to all Classic, Select, and U-15 and above players, all coaches, and members of OYSA. This policy is suggested to be a guideline for the recreational players U-14 and below, except the section on game officials which also applies to all recreational players.

Section 2. Discipline

- A. A league or club Disciplinary Committee shall act on all disciplinary matters under its jurisdiction, and shall have discretionary powers in determining disciplinary action applied to team personnel and players. Game suspensions listed below are to be regarded as minimums for the charged offenses, depending on the findings of the disciplinary committee. Penalties may be increased according to the gravity of the infringements, or decreased in the case of recreational small-sided play.
- B. When sent off the field of play and shown the red card for infringement of the "Laws of the Game", players and substitutes shall be disciplined by further game suspensions as follows:
 - 1. Serious Foul Play:
Suspend for a minimum of one (1) game.
 - 2. Violent Conduct
 - a. Striking or attempting to strike another player, team official or spectator, or unlawfully entering the field of play during an altercation. Suspend for a minimum of two (2) games.
 - b. Aggression toward an opponent when they are not contesting for the ball. Suspend for a minimum of one (1) game.
 - 3. Spitting at an opponent or any other person. Suspend for a minimum of two (2) games.
 - 4. Denying the opposing team a goal or an obvious goal-scoring opportunity by deliberately handling the ball (this does not apply to a goalkeeper within his own penalty area). Suspend for a minimum of one (1) game.
 - 5. Denying an obvious goal-scoring opportunity to an opponent moving towards the player's goal by an offense punishable by a free kick or penalty kick. Suspend for a minimum of one (1) game.
 - 6. Offensive or abusive language:
 - a. Using offensive, or insulting or abusive language and/or gestures. Examples include, but are not necessarily limited to, words uttered in frustration and, in the referee's opinion, loud enough to be heard outside the field of play. Suspend for a minimum of one (1) game.
 - b. Using offensive, or insulting or abusive language and/or gestures which, in the referee's opinion, are directed towards any person. Suspend for a minimum of two (2) games.
 - 7. Second Caution:

A second caution-able offense after having received a caution in the same match. Suspend for a minimum of one (1) game.

- C. Any player, substitute or coach who refuse the referee's request for their name, or gives a false name, while the referee is gathering data to report an infringement of the "Laws of the Game" involving them, shall have one game added to the suspension that would normally be levied by the disciplinary Committee.
- D. Disciplinary actions listed above are to be regarded as minimum game suspensions, depending on the findings of the Disciplinary Committee. The Disciplinary Committee has discretionary powers to increase / decrease penalties befitting the infractions.
- E. Coaches and assistant coaches sent off the field of play for infringement of the "Laws of the Game" shall have one (1) game added to the suspension that would normally be levied against a player for a similar infringement.
- F. Misconduct towards game officials will follow USSF Policy 531-9. The minimum suspension for Assault is one (1) year (three (3) years in the case of the referee being a minor) and review by the OYSA Executive Board regarding further disciplinary action. The minimum suspension for Abuse is three (3) games and review by the OYSA Executive Board regarding further disciplinary action. These minimums are established by USSF and may not be reduced by OYSA.
 - 1. Assault. This is an intentional act of physical violence at or upon a referee. It includes, but is not limited to, hitting, punching choking spitting at , or on, grabbing or bodily running into, head butting, kicking or throwing any object at a referee that could inflict injury and damaging the referee's uniform or personal property.
 - 2. Abuse. This is a verbal statement or physical act not resulting in bodily contact which implies or threatens physical harm to a referee or the referee's property or equipment. It includes, but is not limited to, using foul or abusive language or gestures toward a referee, spewing any beverage on a referee's personal property, or verbally threatening a referee. Verbal threats are remarks that carry the implied or direct threat of physical harm.

Section 3. Hearings

- A. All hearings will follow procedures outlined in OYSA Policy 701-1.
- B. No Club, League, District Administrator, coach, player, parent of player, or any other person or entity who or which can be identified as a member or associate member of OYSA, may invoke the aid of an Attorney and/or the aid of the Courts in the United States without first exhausting all available avenues of appeal within OYSA and USYSA.
- C. For violation of this Policy, offending party shall be subject to sanctioning as outlined in USSF Bylaw 707, and shall be liable to OYSA for all expenses incurred by OYSA and its officers in defending against each court action, including but not limited to the following:
 - 1. Court costs.
 - 2. Attorney's fees.
 - 3. Reasonable compensation for time spent by OYSA officials and employees in responding to and defending against allegations.
 - 4. Travel expenses.

5. Expenses for holding special board meetings necessitated by the court action.