



Background Check Policy The United Soccer League

Purpose:

The United Soccer League (“USL”) is committed to the safety of its athletes and participants. Accordingly, in accordance with the USL Safeguarding Policy, the USL requires its Clubs to conduct background checks to:

- Foster a safe environment and create a safe living, training, and competition environment for athletes and Club staff.
- Create a safe training and competition environment for athletes and other individuals associated with the USL Clubs.
- Protect persons at risk including, but not limited to, minors and vulnerable adults.

This USL policy sets forth the minimum standards and outlines basic requirements for Clubs to incorporate into their respective employment policies. Clubs may adopt background check standards that are more demanding than this policy. While some provisions of this policy must be incorporated without substantive change by each Club in its own background check policy, other provisions of the policy establish mandatory principles that allow flexibility in the formulation of definitions by each Club.

NOTE: Due to reporting and other limitations, information from a background check should not be relied upon as the sole basis for selection, but rather, as an important indicator in the overall selection process.

Policy Statement:

1. Application

This policy applies to all Clubs, which must ensure that their respective background policies cover, at a minimum, the following groups, and individuals:

- A. The Club’s employees and individuals the Club formally authorizes, approves, or appoints to
 1. *Serve in a position of authority over or*
 2. *Have regular contact with athletes or*
 3. *All Club Representatives who have regular contact with Minors or who travel with the Club.*

This shall include, but is not limited to, the Club’s staff, officials, coaches, board members, coordinators, local affiliated administrator / directors, trainers,



independent contractors, volunteers, medical personnel, and other individuals authorized or nominated by the Club to work with athletes or other sport participants while at a Club or competition event.

(Note: These entities shall be considered "Covered Parties" henceforth)

- B. Other individuals who have regular contact with athletes as determined by the Club, in its discretion.

2. Background Check Search Components

- A. **Background Checks** - Clubs are required to use SportsEngine, who utilizes the National Center for Safety Initiatives (NCSI) as the background check vendor.
- B.
- C. All USOPC background check screens will include at least the following search components:
 - 1. Social Security Number
 - 2. Name and address history records
 - 3. 2 Independent Multi-Jurisdictional Criminal Database searches covering 50 states plus DC, Guam, and Puerto Rico
 - 4. Federal District Courts search for each name used and district where the individual currently lives or has lived during the past 7 years, going back the length of time records are available and reportable.
 - 5. County Criminal Records or each name used and county where the individual currently lives or has lived during the past 7 years, going back the length of time records are available and reportable for each county searched.
 - 6. National Sex Offender Registry database search of all available states, plus DC, Guam, and Puerto Rico.
 - 7. Multiple National Watch Lists
 - 8. SafeSport Disciplinary Records



9. Comprehensive International Records search U.S. citizens who have lived outside of the United States for 6 consecutive months in any one country, during the past 7 years.
10. Motor Vehicles Records of at least a 3-year history in the state of licensure (if driving is required for the position)

D. **Supplemental Background Checks** – All supplemental off-year background check screens will be conducted using at least the following search components:

1. Multi-Jurisdictional criminal database covering 50 states plus DC, Guam, and Puerto Rico.
2. Sex Offender Registry database searches of all available states, plus DC, Guam, and Puerto Rico; and
3. SafeSport Disciplinary Records

3. Timeline

- A. A USOPC background check should be completed **prior** to the commencement of a new role or competition for all applicable individuals.
 - B. At a minimum, background checks will be conducted on all applicable individuals every 2 years using at least the background check search components referenced in Section 2.b.
 - C. A supplemental, partial, background check will be conducted in the off years using at least the background check search components referenced in Section 2c of the Background Procedures.
4. **Club** – Each Club shall require criminal background checks in compliance with the background search components in Section 2a, for those individuals it formally authorizes, approves, or appoints:
- A. To serve in a position of authority over athletes, or
 - B. To have regular contact with athletes
 - C. All Club Representatives who have regular contact with Minors or who travel with the Club.



1. This shall include, but is not limited to, the Club's staff, officials, coaches, board members, coordinators, local affiliated administrator / directors, trainers, independent contractors, volunteers, medical personnel, and other individuals authorized or nominated by the Club to work with athletes or other sport participants while at a Club or competition event.
- D. Other individuals who have regular contact with athletes as determined by the Club, in its discretion.

5. Background Check Report Review

A. **USL Background Checks:** Any Club initiated background check that results in a report of a disposition or resolution of a criminal proceeding, other than an adjudication of not guilty, for any of the below criminal offenses will be subject the USL policies and procedures and possibly referred to U.S. Center for SafeSport to determine the individual's level of access and involvement. For the avoidance of doubt, any conviction relating to an offense against a minor, regardless of when the event occurred, must be referred to the U.S. Center for SafeSport.

1. Any felony

2. Any Misdemeanor involving:

- A. All sexual crimes, criminal offenses of a sexual nature to include but not limited to:

Rape

1. Child Molestation
2. Sexual Battery
3. Lewd Conduct
4. Possession and Distribution of
 - i. Child Pornography
 - ii. Obscene material
5. Prostitution
6. Indecent Exposure
7. Public Indecency
8. Any sex offender registrant

- B. Any drug related offenses

- C. Harm to minor and vulnerable person(s), including, but not limited to:



1. Child Abandonment
 2. Child Endangerment / Neglect / Abuse
 3. Contributing to the delinquency of a minor
 4. Driving Under the Influence with a minor
- D. Violence against a person (including crimes involving firearms and domestic violence)
- E. Stalking
- F. Harassment
- G. Blackmail
- H. Violation of a Protection Order
- I. Destruction of Property
- J. Arson
- K. Criminal Mischief / Vandalism
- L. Animal Abuse or Neglect
- M. Motor Vehicle Offenses
1. Being under 21 years of age
 2. Suspended license, revoked license, or the absence of a valid driver's license.
 3. More than 2 moving violations and/or accidents in the past 2 years.
 4. Any major conviction within the past 2 years, including, but not necessarily limited to:
 - i. DUI / DWI
 - ii. Possession of an open container
 - iii. Any drug related motor vehicle incident
 - iv. Leaving the scene of an accident
 - v. Assault (in any form) by use of a motor vehicle



- vi. Reckless driving (willful or wanton disregard for safety of persons or property in any form)

3. **Mandatory Self-Disclosure** – All covered persons have a mandatory self-disclosure obligation, which means that if at any point during their association with the USL and/or a Club a covered person has been disqualified or declared by another sport organization or league to be temporarily or permanently ineligible, the Covered Person is required to self-disclose this information immediately. Failure to disclose is a basis for discipline/disqualification.

In addition, all Covered Persons must likewise self-disclose to their Club any arrests or citations for a felony, gross misdemeanor, or alcohol / drug related driving offense (example: Driving Under the Influence, Impaired Driving).

- B. **Background Screening Results** – NCSI will report the findings of its search based on a “Red Light / Yellow Light / Green Light” system.

1. **Green Light** – “meets the criteria” finding indicates that the background check did not identify criteria that would indicate that the individual is unsuitable for the intended role or activity. A Green Light finding, however, is not a certification of safety or permission to bypass / ignore other screening efforts. Other disqualifying factors may exist and can be revealed through other means.
2. **Yellow Light** – finding indicates that an application contains certain errors or omissions that must be resolved. A Yellow Light finding requires that an applicant review his / her / their application and contact NCSI to fix the error and resubmit necessary application materials.
3. **Red Light** – “Does not meet the criteria” finding indicates that one or more of the above listed criteria was flagged during the background screening process, and that the individual likely is not suitable.

- C. **Background Screening Appeal** – Individuals are directed to communicate directly with NCSI concerning any correction(s) to disclosures or dispute of accuracy of the sourced recorded.



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- D. Unfavorable or Problematic Background Check Result** – If an applicant receives an unfavorable or problematic result during a background check or as result of an individual disclosure, the individual will be notified and will have an opportunity to review their background check report. Based upon the information in the background check and any additional information provided by the applicant, each Club will make a hiring decision subject to USL approval.
- E. Documentation** – The i-Sight reporting system shall be used to document the decision process regarding any background check that was flagged or referred for review.