



## United Soccer League Background Screening Policy

### **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 “**Club**”(s) to conduct background checks to:

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

### **Policy Statement:**

This USL policy sets forth the minimum standards and outlines basic requirements for Clubs to incorporate into their background screening policies. Clubs may adopt background screening standards that are more demanding than this policy. The USL may decide that its background check requirements will not apply to certain or all people under 18 years of age if it clearly publishes that fact in its policy documentation.

**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.<sup>1</sup>*

### **A. Application**

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

1. All “**League**”(s) and Professional Team personnel must be checked against U.S. Soccer’s Risk Management list, and the League and/or team must perform reasonable diligence regarding any individual being vetted on U.S. Soccer’s Risk Management list.
2. All professional head “**Coach**”(es) are mandated to get have a “USOPC” background screening.
3. All Organization Members with adult individuals authorized to have Regular Contact with or “**Authority**” over Minor Athletes must implement, in the least, and enforce a policy

---

<sup>1</sup> Clubs should know applicable state laws.

that requires USOPC “Gold Standard,” a check against the U.S. Soccer’s disqualification list, and the SafeSport disciplinary records<sup>2</sup>.

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

## **B. Background Screening Search Components**

The first year is a “full screening,” while year two, is a supplemental, pared down standard. Risk management databases are mandated components for background screenings for all League and professional team personnel, and any organization member that has contact or authority over minor athletes.

**NOTE:** *The first two components are completed by the Club and the League, respectively.*

1. **SafeSport Centralized Disciplinary Database** - Clubs must review SafeSport’s Centralized Disciplinary Database for any potential Coaching staff/ancillary team staff hire, **prior** to commencing employment or registration. This is free to access by using this link, <https://uscenterforsafesport.org/response-and-resolution/centralized-disciplinary-database/>
2. **USSF Risk Management Disqualification List** – The Club is responsible for forwarding all candidates that meet the Section 1. A. criteria, to the USL Safeguarding department to ensure each candidate does not appear on The Federation Disqualification List. This step must be completed **prior** to initiating Candidate Background Screening.
3. **Background Checks** – All Head Coaches are mandated to complete a USOPC “Gold Standard” background screening, **prior**, to being hired. If an offer is extended **prior** to the screening being completed, it is incumbent of each club to add verbiage notifying the candidate’s employment is conditional on passing a background check.

## **C. Background Screening**

The USL mandates that all USOPC Gold Standard background screenings are completed by NCSI.

### **1. Personnel needing a USOPC “Gold Standard”**

This level is mandatory if a club has U-18 “**Player**”(s). (“MAAPP”) **and** for all Head Coaches regardless of U18 players or not. “**Covered Persons**” that do not have regular contact with U18 players are not mandated to receive a screening. Clubs may choose for risk management purposes, to screen all their staff and potentially their players.

*Please NOTE that player contracts cannot be terminated due to a flagged background screening.*

---

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

## 2. Screening Standards

- a. All Professional Clubs will use the National Center for Safety Initiatives (NCSI) for covered persons that require a USOPC Gold Standard screening. The first year is a “full screening,” while year two, is a supplemental, pared down standard. Risk management databases are mandated components for background screenings for all League and professional team personnel, and any organization member that has contact or authority over minor athletes.
- b. Flagged reports come directly into the Safeguarding Department for additional vetting.

### 1) Year One Background Screenings - Prior to Hiring

All background screens will include at least the following search components based on the US Soccer’s mandate standards, the “USOPC” Gold standard.

- a) Social Security Number
- b) Name and address history records
- c) Two Independent Multi-Jurisdictional Criminal Database searches covering 50 states plus DC, Guam, and Puerto Rico
- d) 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.
- e) County Criminal Records or each name used and the county where the individual currently lives or has lived during the past seven years, going back the length of time records are available and reportable for each county searched.
- f) Two National Sex Offender Registry database searches of all available states, plus DC, Guam, and Puerto Rico.
- g) Multiple National Watch Lists
- h) Comprehensive International Records search U.S. citizens who have lived outside of the United States for six consecutive months in any one country, during the past seven years.
- i) Motor Vehicles Records of at least a 3-year history in the state of licensure (if driving is required for the position)

### 2) Supplemental Background Screenings

Supplemental off-year background screens will be conducted using at least the following search components:

- a) Multi-Jurisdictional criminal database covering 50 states plus DC, Guam, and Puerto Rico.
- b) Sex Offender Registry database searches of all available states, plus DC, Guam, and Puerto Rico. (Automatically initiated by NCSI, if they are your chosen vendor.)

#### D. Timeline

1. League Presidents must be notified of ALL candidates in consideration for positions of authority to include Club Executives, Owners, Head Coaches and Leadership ***prior*** to the hiring process.
2. All Disciplinary and Risk Management lists MUST be reviewed for any candidate in consideration for positions of authority to include Club Executives, Owners, Head Coaches and Leadership ***prior*** to the hiring process.
3. A USOPC background check should be completed ***prior*** to the commencement of a new role or competition for all applicable individuals.
4. Adult individuals authorized to have Regular Contact with or authority over Minor Athletes must have their background check completed by the earlier of 1) prior to Regular Contact with a Minor Athlete; or 2) within the first 45 days of the individual taking on the role giving them access to Minor Athletes.
5. Background checks will be conducted on all applicable individuals every two years using at least the background check search components referenced in Section 3A.
6. A supplemental, partial, background check will be conducted in the off years using at least the background check search components referenced in Section 3B of the Background Procedures. (Automatically initiated by NCSI, if they are your chosen vendor.)

#### E. Background Check Report Review

1. **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.
  - a. Any felony
  - b. Any Misdemeanor involving:
    - 1) All sexual crimes, criminal offenses of a sexual nature to include but not limited to:
      - Rape
      - a) Child Molestation
      - b) Sexual Battery
      - c) Lewd Conduct
      - d) Possession and Distribution of
        - i. Child Pornography
        - ii. Obscene material
      - e) Prostitution

- f) Indecent Exposure
- g) Public Indecency
- h) Any sex offender registrant
- 2) Any drug related offenses
- 3) Harm to minor and vulnerable person(s), including, but not limited to:
  - a) Child Abandonment
  - b) Child Endangerment / Neglect / Abuse
  - c) Contributing to the delinquency of a minor
  - d) Driving Under the Influence with a Minor
- 4) Violence against a person (including crimes involving firearms and domestic violence)
- 5) Stalking
- 6) Harassment
- 7) Blackmail
- 8) Violation of a Protection Order
- 9) Destruction of Property
- 10) Arson
- 11) Criminal Mischief / Vandalism
- 12) Animal Abuse or Neglect
- 13) Motor Vehicle Offenses
  - a) Being under 21 years of age
  - b) Suspended license, revoked license, or the absence of a valid driver's license.
  - c) More than two moving violations and/or accidents in the past two years.
  - d) Any major conviction within the past two 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)

## **F. Mandatory Self-Disclosure**

### **1. Mandatory Self-Disclosure Candidates**

- a. Mandatory Self-Disclosure Legal Proceedings – All candidates have a self-disclosure obligation, to inform the prospective club of any arrests or citations for a felony, gross misdemeanor, or alcohol / drug related driving offense (example: Driving Under the Influence, Impaired Driving) even if the criminal charges did not lead to a conviction or plea. Failure to disclose is a basis for discipline/disqualification.
- b. All candidates have a mandatory self-disclosure obligation, which means that if at

any point that person was disqualified or declared by another sport organization or League to be temporarily or permanently ineligible, the candidate is required to self-disclose this information immediately. Failure to disclose is a basis for discipline/disqualification.

## **2. Mandatory Self-Disclosure Covered Persons**

- a. 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.
- b. 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).

**G. Background Screening Results** – NCSI will report the findings of its search based on a “Red Light / Yellow Light / Green Light” system. If NCSI is not your chosen vendor, then Clubs must ensure a version of this process is being followed.

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 your vendor (NCSI if they are your chosen vendor) 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 triggers the Problematic Background Screening Review Process. (See D.2 below.)
4. **Background Screening Appeal** – Individuals are directed to communicate directly with NCSI/S2Verify concerning any correction(s) to disclosures or dispute of accuracy of the sourced recorded.
5. **Unfavorable or Problematic Background Screening Review Process** – 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. (If your vendor is not NCSI, please forward all Unfavorable or Problematic results to the USL Safeguarding Department for review.)

- 6. 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.

## **APPENDIX 1**

### **DEFINITIONS**

1. **“Affiliates”** means any individual or entity directly or indirectly controlled, controlled by or under common control with the Club or the League, as applicable.
- 2.
3. **“Club”** means, collectively, the entity entitled to operate a team in the League, its Affiliates, and their respective successors and assigns.
4. **“Covered Persons”** All persons in the USL Ecosystem, including but not limited to all Club employees, staff, coaches, volunteers, interns/externs, independent contractors, referees, security, athletic trainers, and health care professionals.
5. **“Coach”** means an individual employed in a soccer-specific occupation by a member Club, including assistant, position, or other ancillary staff whose:
  - a. Has the responsibility and authority to determine, among other things, Player recruitment, selection, evaluation, and retention; playing time for individual Players; substitutions; Player positions; offensive and defensive strategy and tactics; Player development; practice formats and goals; physical and mental fitness and conditioning of Players; determining benching, trades and waivers for Players; Team administration, travel, and logistics for Players and related employees; and selection, supervision, and evaluation of assistant Coaches, technical staff and volunteers
  - b. Employment duties consist of one or more of the following: training and Coaching of Players, selecting Players for matches and competitions, making tactical choices during matches and competitions; and/or
  - c. Employment requires holding a Coaching license or specification in accordance with domestic or continental licensing regulations.
6. **“League”** means, collectively, the entities entitled to operate the Leagues currently known as the USL Championship, USL League One, their Affiliates, and their respective successors and assigns. Where appropriate, such a term shall be deemed to include a reference to the USL Championship or USL League One (and their successors), as applicable.
7. **“Player”** means an individual who participates in soccer within a Club.
8. **“Authority”** When one person’s position over another person is such that, based on the totality of the circumstances, they have the power or right to direct, control, give orders to, or make decisions for that person. See also the Power Imbalance definition in the SafeSport Code.