

Colorado Referee Committee

Policy Number: 001

Effective Date: USSF Registration Year 2016

Revised: N/A



USSF Registration Review Process

Purpose and Scope: This policy describes the procedure used when an individual's United States Soccer Federation (USSF) registration application is flagged for review during a routine background check, or whose conduct or actions may constitute just cause for denial of registration. The application is reviewed and subsequently approved or rejected. The policy applies to any person required to register with USSF, including any referee, assessor, assignor, or instructor.

Additional Authority: USSF Bylaws, Federation Policy 531-10, Federation Policy 531-11, and Colorado Referee Committee (CRC) Bylaws.

Responsible Parties: CRC Disciplinary Matters Committee and State Referee Administrator (SRA).

Policy Statement

When an individual (hereafter "applicant") applies to register through the Federation as a referee, assessor, assignor, or instructor, an annual background check is conducted and a report is provided to the CRC through GameOfficials. This procedure ensures the safety of participants in USSF activities, and protects the integrity of the soccer refereeing profession. The report contains activity from law enforcement databases, including arrests and case dispositions. When a report is created, registration for the applicant is automatically held by GameOfficials pending review. This policy describes the process that must be used for each such review.

All background check records may be considered during a review, even if an offense was dismissed or the applicant was found not guilty. However, reviewers may give less weight to such offenses. Additionally, reviewers may give less weight to older offenses, especially in cases where the applicant's recent history is free from serious offenses. Brief guidance on each category of offenses follows:

Non Sex-Offense Felonies - Any felony conviction is presumed to be a disqualifying offense. However, reviewers may permit registration under either or both of two circumstances. First, if the offense does not represent conduct likely to endanger USSF activity participants; and second, if the offense occurred sufficiently in the past and the applicant's recent history is free from subsequent offenses that the reviewers conclude the applicant's behavior is unlikely to be repeated. Crimes of violence or crimes against a person are given serious consideration in any assessment. Given the large number of youth participants in USSF activities, crimes against children shall receive the greatest consideration.

Sex-Offense Felonies - No person convicted of a felony, the underlying factual basis of which involves a sex offense, shall be permitted to register without unanimous approval of the Disciplinary Matters Committee, the SRA, and the CRC Board of Directors (in that order). This is an exception to the standard procedure described herein.

Misdemeanors - Misdemeanors are not presumed to be a disqualifying offense, unless they are for a crime of violence, a crime against a person, or a crime the underlying factual basis of which involves a sex offense. If the misdemeanor conviction is for a crime of violence, a crime against a person, or a

crime the underlying factual basis of which involves a sex offense, they are treated the same as felony procedures described above for non sex-offense felonies. For remaining misdemeanors, reviewers shall conduct a careful analysis of the record before deciding to approve or reject the registration. Reviewers shall give the most serious consideration to offenses that represent a potential threat to the safety of participants in USSF activities, followed by offenses which represent moral turpitude.

Special Rule for Marijuana Offenses - Due to the legalization of marijuana in Colorado, no applicant shall be rejected solely for a misdemeanor criminal conviction involving marijuana if such conduct would likely have been legal in Colorado if it had occurred at the time of registration. The purpose of this special rule is to avoid rejecting applicants for conduct that is now legal, and does not apply to instances where a conviction involving marijuana occurred in conjunction with one or more other offenses. In such cases, the marijuana conviction shall be considered with the other offenses based on the standard procedure, but may be given less weight by reviewers than a comparable non-marijuana offense.

Traffic and Petty Offenses - Traffic and petty offenses are presumed to be irrelevant for purposes of the review process unless the reviewers conclude they represent a pattern of misconduct or moral turpitude sufficient to cast doubt upon the applicant's suitability for registration. Rejection of an applicant for solely traffic or petty offenses requires a unanimous vote of the Disciplinary Matters Committee prior to submission to the SRA. This is an exception to the standard procedure described herein.

Violations of the Code of Ethics or Conduct Unbecoming the Profession - An applicant's registration may be rejected for incidents which violate the Code of Ethics for the registration category or that represent conduct unbecoming the profession, regardless of whether that incident was reported on a background check. The following represent examples of such incidents:

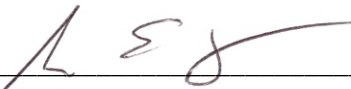
- Violation of USSF Policy 531-10, Section 2, Paragraph A - *Misconduct at a Match*, or Section 2, Paragraph B - *Misconduct Away from a Match*.
- Violation of USSF Policy 531-11, Section 3 - *Standards of Conduct*, or Section 4 - *Code of Ethics for the Federation Referee Program*.
- Conduct that brings discredit or disrepute upon the applicant, the Federation, any of its member associations, or the soccer officiating profession.
- Activities or actions that are contrary to the best interests of the Federation or any of its member associations, except that no applicant's registration shall be rejected solely for exercising his or her rights under the First Amendment of the United States Constitution while not performing Federation activities.
- Sexual harassment of any kind shall be given serious consideration in any review, and substantiated allegations of sexual harassment shall be presumed a disqualifying offense in the same fashion as non sex-offense felonies. For purposes of this section, sexual harassment includes harassment based on sexual orientation or identity.

Process

1. Any applicant whose registration is held for review because of an irregularity revealed by a background check shall have their case referred to the Disciplinary Matters Committee.
2. The SRA may also refer any applicant to the Disciplinary Matters Committee if the SRA has reason to believe the applicant's registration should not be approved for reasons not contained in a background check, and may order an applicant's registration held pending this review. The Committee shall then consider the matter in the same fashion as an application that was referred due to a background check irregularity.
3. The Disciplinary Matters Committee shall review the matter and vote whether to approve or reject the applicant. Other than the exceptions described above, a majority vote to approve to disapprove shall be sufficient. The Committee shall report the outcome of its review to the SRA. In the event of a non-unanimous vote, the dissenting member shall also have the right to submit a report to the SRA.

4. Upon receipt of the recommendation of the Committee, the SRA may approve or reject the applicant registration, except where the special exception for sex-based felonies applies to such approvals. The SRA may not approve a registration when the Committee voted unanimously to reject it, or reject a registration when the Committee voted unanimously to approve, it without a vote of the majority of the CRC Board of Directors in favor of approval or disapproval. Any member of the Committee may request a review by the Board of a decision by the SRA to approve an application in any case not addressed above, but the Board is not obligated to conduct such a review. If the Board chooses to conduct a review, the Board may approve or reject the application with a majority vote for either option.
5. Rejection is presumed to apply to all registrations by the applicant for all USSF activities (e.g. referee, assessor, assignor, and instructor) unless the decision specifically states the rejection applies to only certain registrations.
6. Any applicant whose registration is rejected shall be notified in writing by First Class Postal Mail to the address on the registration by the Disciplinary Matters Committee within thirty (30) calendar days of the rejection becoming final. Such notification shall include the reason for the rejection, a copy of this policy, and a copy of the policy on disciplinary matters which shall include instructions on how to submit an appeal.
7. An applicant shall have the right to appeal the decision in the same fashion as any other imposition of discipline (to the independent Hearings Panel) by requesting a hearing within thirty (30) days of the mailing of the decision. If an applicant waives the right to a hearing either explicitly by notifying the Committee in writing, or implicitly by not appealing within the 30-day limitation, the applicant may not appeal rejection in any future registration year for any issue addressed in the decision.

Approved by:



Neal E. Fausset
State Referee Administrator

2/9/2016

Date