**OYHA ADOPTS THE**

**WISCONSIN AMATEUR HOCKEY ASSOCIATION**

**BACKGROUND SCREENING PROCEDURE**

**Adopted October, 2010**

USA Hockey and the Wisconsin Amateur Hockey Association are committed to promoting a safe environment in which our youth can develop. OYHA is similarly committed to the safety of its youth participants. As a result, OYHA has adopted and complies with USA Hockey’s and WAHA’s background screening procedures.

**FROM USA HOCKEY AND WAHA:**

The following Procedure is an abridged adaptation of USA Hockey’s ABUSE AND SCREENING POLICIES, and WAHA Bylaw Article 12(P). It is essential that local associations, clubs, league officers and board members review the aforementioned policies and bylaws in order to thoroughly comprehend their responsibility for risk prevention through responsible governance. All WAHA associations need to develop a policy addressing preventative measures necessary to protect youth and limit its liability. USA Hockey has developed the ABUSE AND SCREENING POLICY Manual to assist associations in the development of its local policy. This guideline for administrators is available from USA Hockey.

Beginning with the 2010-2011 season, all associations will be required to screen coaches, team managers, employees of the association, association board members through Protect Youth Sports, a national criminal background search service. The screen will consist of a National Criminal Database and National Sex Offender Search. WAHA will cover the cost of screens for the 2010 season. Beginning in 2011, the local association will need to cover the screening cost, (approximately $7.50 per person screened every 3 years). Each association will need to appoint one individual to shoulder the role of “Point Person”. The Point Person should be a board member who can be trusted to maintain confidentiality while implementing the screening process fairly and diligently. OYHA has its Board Secretary as the “Point Person” for purposes of these Procedures.

The results of the background search will only be available to the Board Secretary and President. Protect Youth Sports will keep all information on file so that the association does not need to maintain a confidential file. The association is **required** to keep a file of the **consent forms** only.

**Screening Process**

OYHA will establish an account with Protect Youth Sports which will conduct the background screening process. A “Consent to Screen” form (WAHA Form 9-10-2010) is available from WAHA and will be used for this purpose.

**Getting an Alert or Hit**

USA Hockey defines a “Hit” as a screen that comes up with a conviction. If and when OYHA receives a hit on a candidate who has been screened, it will appear on the report as an Alert. OYHA will need to review this with the individual and inform them that they are not eligible based on the background screen. OYHA will provide them a copy of the screen results. If the screened candidate wishes to appeal, OYHA has appointed a committee consisting of the Board Secretary (as committee chair), the OYHA WAHA Representative and the OYHA Off Ice Director to carefully review the record. This committee will comply with the USA Hockey appeal process contained in the “Abuse and Screening Policies: Guidelines for Administrators” Manual provided by USA Hockey which is hereby adopted by OYHA. The committee members will maintain confidentiality and professional discretion.

**Evaluating Alerts or “Hits”**

OYHA may receive information back from Protect Youth Sports that may disqualifying the individual from participating in OYHA’s youth programs. The following is the USA Hockey recommended guidelines that OYHA has adopted.

Screening is not an exact science with absolute rules and guaranteed results. Successful screening requires gathering, analyzing, and interpreting objective and subjective information about a person. However, if an employee or volunteer applicant is found to have been convicted of any of the following offenses, no matter in what timeframe, USA Hockey recommends, and OYHA has adopted as its procedure, that such and individual will be prohibited from working with children or youth. Additionally, pending convictions of or arrests for the following offenses should be considered disqualifiers until an organization decides otherwise:

* Any offense of abuse or assault/battery – physical or sexual
* Any crime of a sexual nature, including possession or dissemination of pornography
* Homicide or manslaughter in any degree
* Attempted murder
* Domestic violence
* Child neglect
* Felony drug crimes
* Animal cruelty
* Theft/robbery
* Forgery/fraud
* Kidnapping
* Arson
* Weapons violations
* Any crime, misdemeanor or felony, involving children as either an accomplice or victim

The following additional potential disqualifiers will be considered by OYHA on a case by case basis:

* Driving Under the Influence/Driving While Intoxicated within last 15 years. This should be considered if there is a possibility the person will be driving a child at any time.
* Vehicular manslaughter within any timeframe. This should be considered if there is a possibility the person will be driving a child at any time.
* Multiple driving citations/accidents within last 15 years. This should also be considered if the person will be driving children.
* Misdemeanor drug charges within last 15 years. This potentially shows the presence of amoral beliefs or possible drug possession, and the person should be closely evaluated before being allowed to have a leadership position among children.
* Petty theft within last 15 years. This should be a disqualifier if the person will be handling finances in any way within the organization.

Conviction of driving offenses listed above, at a minimum, will require that the individual agree not to drive any youth players to and/or from practices, games or other team functions, unless specific approval has been provided by the parents, with notification of the conviction.

OYHA may consult with legal and/or psychological experts before accepting an applicant with a “hit” so that the organization will know what risks it is undertaking if the applicant is accepted. Also, OYHA is aware that some states prohibit discrimination on the basis of conviction record unless the conviction record relates to the job duties

**Confirmation of Compliance**

Once all association coaches, employees, managers and board members are screened and comply with the standard, OYHA will submit a “Verification of Association Compliance with Abuse Screening Policy Form” (WAHA Form 9-15-2010) to the appropriate WAHA Secretary. The form will need to be completed and signed by the local association president and secretary and sent to WAHA Secretary, P.O. Box 728, Superior, WI 54880. The deadline to complete the screening process for the 2010-2011 season is November 15, 2010.

**OYHA YOUTH ABUSE PREVENTION POLICY**

**Adopted October 2010**

1. **Overview**

Ozaukee Youth Hockey Association is committed to creating and maintaining the safest possible environment for all participants in its activities. When any member, participant, coach, official, volunteer or staff member is subjected to abuse, whether physical or sexual, it undermines the mission of OYHA and is inconsistent with the best interests of the sport of hockey and of the athletes OYHA serves. It is the duty of all members, participants, coaches, officials, volunteers and staff members to safeguard to the best of their ability the welfare of and to prevent the physical, sexual, or emotional abuse of children and young people with whom they come in contact. All members, participants, coaches, officials, volunteers and staff members of OYHA are expected to support and comply with this Policy.

1. **Prohibited Behavior**

For purposes of this Policy, prohibited behavior includes physical injury, sexual abuse, or emotional abuse inflicted on a youth, other than by accidental means, by those responsible for the youth's care, custody and control or from persons who are employees or volunteers of OYHA]. More specifically, "Prohibited Behavior" includes, but is not limited to, the following:

* Threatening or inflicting physical injury to a child or youth (other than by accidental means as part of the sport or otherwise).
* Committing any sexual offense against a child or youth or engaging in any sexual contact with a child or youth.
* Indecent exposure or displaying sexually suggestive objects, pictures, or drawings.
* Making any kind of sexual advance, making a request for sexual favors, or engaging in verbal, visual, or physical conduct of a sexual nature.
* Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, and comments about an individual s sexual activity, deficiencies, or prowess.
* Sexual leering or whistling, any inappropriate physical contact, such as brushing or touching, obscene language or gestures, and suggestive or insulting comments making threatening reprisals after a negative response to sexual advances.
* The presence or possession of obscene or pornographic materials at any function of OYHA, on-site or off-site.
* Prohibited conduct may occur not only through personal contact, comments, visual displays, or observation, but also through exposure to media such as e-mail or display of Internet sites or other material or information on computer monitors.
1. **Persons Covered**

Prohibited Behavior is forbidden whether it is committed by members, participants, coaches, officials, volunteers, staff or anyone else connected with OYHA. In other words, everyone is covered and all are expected to ensure the safety of all of our youth participants.

1. **Employee and Volunteer Screening**

An essential element to the protection of youth participating in programs of OYHA is a screening process which will elicit and develop information regarding each employment or volunteer applicant who will be working with youth or in proximity to youth. The following steps are followed for the evaluation of such individuals:

* Applicants for employment and volunteer positions are required to complete an application and background check authorization.
* Background checks for all workers/volunteers will be conducted by a Point Person(s) designated by OYHA with the assistance of a third party company enlisted for the purpose of providing confidential background checks. The written results of the background checks will be reviewed by the Point Person(s) and any other person whom the Point Person(s) seeks assistance in determining the individual's eligibility. The Point Person(s) will maintain a secure location for the results of the background checks.
* Whether disclosed voluntarily or by the results of the background check, any indictment alleging the offense of, or any conviction for, the following offenses will automatically disqualify an individual from participating in the leadership or sponsorship of any OYHA activity or program for youth: murder; aggravated assault; sexual abuse (rape); aggravated sexual assault; injury to a child; incest; indecency with a child; inducing sexual conduct or sexual performance of a child; possession or promotion of child pornography; the sale, distribution, or display of harmful material to a minor; employment harmful to a child; abandonment or endangerment of a child.
* All other convictions or charges for any other crimes not listed above will be reviewed by the Point Person to determine eligibility for that person's employment or volunteer position with OYHA.
* In the event of a background check with negative results, the individual will be notified.
* Following initial screening, active employees and volunteers will be rescreened with background checks on a regular basis.

**E. Reporting Procedure**

* Youth Responsibility - Youth (or their parents) who become aware of Prohibited Conduct or are subject to possible Prohibited Conduct are strongly encouraged to notify the OYHA President, Youth Hockey Board Secretary and/or WAHA Representative immediately. OYHA may ask that complaints be put in writing, to facilitate the investigation process.
* Employee and Volunteer Responsibility - Employees or volunteers who become aware of any incidents or alleged incidents of possible Prohibited Conduct must immediately report them directly to the OYHA President, Youth Hockey Board Secretary and/or WAHA Representative. Employees or volunteers who receive complaints of possible prohibited conduct must consult with OYHA President, Youth Hockey Board Secretary and/or WAHA Representative before undertaking an investigation or other action. Any employee or volunteer who fails to report allegations of prohibited conduct or who

 otherwise fails to deal properly with such allegations may be subject to discipline, up to and including discharge.

* Investigation and Response – OYHA will take prompt action to appropriately investigate allegations of Prohibited Conduct. Based upon its investigation, OYHA will propose appropriate corrective action. Any employee or volunteer found to have engaged in prohibited conduct will be subject to appropriate discipline or other corrective action. Resolution may include actions such as an apology, counseling or training, verbal or written warning, transfer, demotion, suspension, or termination. Depending on the proposed severity of the accusations and resolution, OYHA may provide the opportunity for a hearing prior to a determination being made.
* Confidentiality and Non-retaliation - Reports of Prohibited Conduct will be kept confidential to the extent possible, consistent with the need for a thorough investigation. OYHA will not retaliate or take any form of reprisal against any victim of or witness to prohibited conduct, and any such retaliation or reprisal by an OYHA employee or volunteer is forbidden. Any employee or volunteer who retaliates against another employee, volunteer or witness because of a complaint of Prohibited Conduct, or because of participation in any investigation, will be subject to discipline, up to and including termination of employment or prohibition from participation in OYHAme] programs or activities. **OYHA** **strongly encourages all members, participants, coaches, officials, volunteers or staff members to report any incident of possible Prohibited Conduct.**

Wisconsin Amateur Hockey Association Background Information Disclosure

If an employee or volunteer applicant is found to have been convicted of any of the following offenses, no matter in what timeframe, USA Hockey recommends that the Affiliate and/or the local ice hockey association prohibit the individual from working with children or youth. Additionally, pending convictions of or arrests for the following offenses should be considered disqualifiers until an organization decides otherwise:

* Any offense of abuse or assault/battery – physical or sexual
* Any crime of a sexual nature, including possession or dissemination of pornography
* Homicide or manslaughter in any degree
* Attempted murder
* Domestic violence
* Child neglect
* Felony drug crimes
* Animal cruelty
* Theft/robbery
* Forgery/fraud
* Kidnapping
* Arson
* Weapons violations
* Any crime, misdemeanor or felony, involving children as either an accomplice or victim

The following additional potential disqualifiers should be left up to the Association to decide:

* Driving Under the Influence/Driving While Intoxicated within last 15 years.
* Vehicular manslaughter within any timeframe..
* Multiple driving citations/accidents within last 15 years.
* Misdemeanor drug charges within last 15 years.
* Petty theft within last 15 years.