

IDAHO AMATEUR HOCKEY ASSOCIATION

Sexual and Physical Abuse Screening Rules

Section I: Intent of Rules

The intent of these rules is to reduce the risk to Idaho Amateur Hockey Association (IAHA) youth players from becoming victims of sexual or physical abuse. These rules are further established to conform to the policies of the IAHA Policies, Rules and Procedures, adopted September 11, 1999 and USA Hockey policies on background screening.

Section II: Applicability of Rules

- A. The **personnel** of all IAHA associated organizations shall be screened pursuant to these screening rules.
- B. For purposes of these screening rules, IAHA associated organizations shall include, but not necessarily be limited to, the officers and directors of IAHA, affiliated hockey associations, teams of affiliates, affiliated girl's programs, all teams or organizations registered with IAHA, Team Idaho, USA Hockey, Inc./IAHA festivals and development camps.
- C. For purposes of these screening rules, **personnel** shall be defined as officers, members of boards of directors, coaches, team managers, on ice officials, and coaching or referee instructors, whether or not they receive compensation for their services. Other **personnel** may be included at the discretion of the IAHA Screening Committee.
- D. For purposes of these screening rules only, adult on-ice officials (individuals over the age of eighteen (18)) who officiate any games for IAHA teams shall be considered **personnel** of an IAHA associated organization.
- E. For purposes of these screening rules, the **personnel** required to be screened under these screening rules shall collectively be referred to as "**members.**" **Members** are defined as anyone who will have or who will probably have access to IAHA youth hockey players. IAHA associated organizations shall identify at the association level, the **personnel** to be screened. At a minimum, registered coaches and registered on-ice officials must be screened.
- F. IAHA affiliates or associated organizations may, in their discretion, apply the requirements of these screening rules to other volunteer **personnel** not carried on rosters or registered by means of a USA Hockey Individual Member Registration form and not specifically mentioned herein.
- G. All persons subject to these screening rules shall be screened at a minimum of every three (3) years, absent special circumstances requiring more frequent screening. Such circumstances requiring discretionary screening would include, but would not be limited to, a situation in which IAHA or an IAHA associated organization becomes aware that a person subject to these rules has recently been convicted of a crime which may render that person ineligible to participate in activities of IAHA and its associated organizations.
- H. A **member** who does not consent to be subject to the application of these screening rules shall not be allowed to participate in the activities of IAHA or organizations associated with IAHA.

Section III: Standard for Participation

- A. A **member shall be** disqualified and prohibited from participating in the activities of IAHA or organizations associated with IAHA, if he/she has been convicted of any “**Background Check Crime**” or its current statutory equivalent, as follows:

Background Check Crimes

Murder in the first, second or third degree;
Manslaughter in the first or second degree;
Assault in the first, second, third or fourth degree;
Arson in the first or second degree;
Criminal sexual conduct in the first, second, third, fourth or fifth degree;
Controlled substance crime which constitutes a felony, or which involves distribution to persons under the age of eighteen;
Great bodily harm caused by distribution of drugs;
Kidnapping;
Abduction;
Solicitation of children to engage in sexual conduct;
Malicious punishment of a child; or
Neglect or endangerment of a child.

- B. A person **may be** disqualified and prohibited from participating in the activities of IAHA or organizations associated with IAHA if:
- i. The **member** has been convicted (including crimes the record of which has been expunged and pleas of “no contest”) of any crime of violence against minors not described above, or any crime which indicates the person may pose a risk to the safety and well-being of players under his/her discretion or stewardship, including but not limited to all felonies not described in A. above, domestic assault, indecent exposure, and multiple convictions for operating motor vehicles or watercraft while under the influence of alcohol or controlled substances; or
 - ii. It is determined that he/she has been adjudged liable for civil penalties or damages involving sexual or physical abuse of children, is subject to any court order involving sexual abuse or physical abuse of a minor, including, but not limited to, domestic orders of protection, has had his/her parental rights terminated for reasons involving sexual or physical abuse of children; or
 - iii. IAHA or any of its affiliates comes into possession of verified information that he/she has a history with another organization (as a volunteer, employee or otherwise) of complaints of physical or sexual abuse of minors, resigned, been terminated or been asked to resign from a position, whether paid or unpaid, due to complaint(s) of sexual or physical abuse of minors.

Section IV: Screening Procedure

Each **member** to be screened as provided by these screening rules shall sign a consent form provided by IAHA. Such form shall be signed each year, and it shall authorize IAHA or its designee to perform a background check to determine whether the signer is the subject of any reported criminal conviction.

- A. The IAHA Screening Committee shall provide the consent forms and any related materials to the IAHA associated organizations for distribution prior to registration. IAHA and its associated organizations shall each collect the signed consent forms from all members.

The President of IAHA and the president or director of each IAHA associated organization shall also compile a list of names of all **members** from such organization to be screened and certify in writing that the list of names is complete. The certified list of names and signed consent forms for **members** other than coaches and team officials shall be delivered to the IAHA Screening Committee on or before December 1 of each year. IAHA and its associated organizations may provide partial lists and groups, taken together, shall be a complete list of the names of all **members** to be screened, and the certification shall state that the lists taken together comprise a complete list of the names of all **members** to be screened.

A signed consent form for each coach and team official listed on the Official Team Roster shall be submitted to the IAHA screening committee by December 31. Those associations not submitting signed consent forms by December 31 will be assessed One Hundred Dollars (\$100.00) for each application submitted on or after January 1. IAHA associated organizations which run spring or summer programs must comply with the above provisions on a timely basis. The IAHA Screening Committee will confer with the Associate Registrar to confirm the identity of those coaches and team officials listed on the official USA hockey team roster on an ongoing basis. If it is determined that any coach or team official whose name appears on the roster for which there is not a signed consent form presented to or on file with the IAHA Screening Committee, the coach or team official shall be stricken from the team roster and prohibited from participating in his capacity as coach or team official for the season in question.

Those individuals subject to screening under Section II(D) must also be screened by December 31. They are otherwise subject to a One Hundred Dollar (\$100.00) assessment for any application submitted on or after January 1 if they wish to officiate.

A **member** who refuses to sign such a consent form shall not be registered, and shall not be allowed to participate in any activity of IAHA or any of its associated organizations.

- B. Screening Committee. The Screening Committee shall consist of a chairperson and two other individuals nominated by the IAHA President and ratified by IAHA. The Screening Committee shall:
- i. Collect all verified lists of **members** to be screened and signed consent forms, and construct a computer data base of all **members**;
 - ii. Promptly forward to the Idaho Bureau of Criminal Identification (BCI) or applicable vendor all information and fees required to obtain criminal background checks;

- iii. Receive and review the information provided by the BCI or applicable vendor;
- iv. If relevant information, as referenced in Section III of these rules is received concerning a **member**, promptly review and discuss the information, and determine whether the **member** is eligible to participate in activities of IAHA or its associated organizations;
- v. If the Screening Committee unanimously determines that the member is disqualified and prohibited from participating in the activities of IAHA or its associated organizations, its Chair shall notify in writing the **member**, the member's affiliate and the Associate Registrar that the **member** is not eligible to participate in the activities of IAHA or its associated organizations;
- vi. Maintain and update the data base to indicate when the criminal background check was made on each member, and all information received;
- vii. Safeguard all information, so as to comply with all statutory data privacy requirements and the member's rights to privacy;
- viii. Seek better methods of implementation of these rules, and with the approval of the IAHA Board of Directors, audit affiliates to gather data in compliance with these rules;
- ix. The screening committee may employ persons or companies to assist it in the review of the information received, but such persons or companies shall observe standards of strict confidentiality concerning his, her or its work, and shall reveal the screening information only to the Screening Committee;
- x. The screening committee will provide each associated organization with a list of approved coaches and/or officials on a periodic basis, including those coaches and/or officials who have been successfully screened for that organization in the past three years.

Section V: Appeals

- A. **Members** who are determined to be ineligible to participate in the screened activities may petition in writing for a hearing of the Screening Committee within 10 days of receipt of the notice of ineligibility. The petition shall be in writing addressed to the Chair of the Screening Committee, at the address given in notice of ineligibility.
- B. The Screening Committee, or its designees, shall hear all such petitions within 30 days of receipt of the written petition. The petition shall be heard at a place and time determined by the Screening Committee, and shall be conducted in accordance with the practices of IAHA and USA Hockey as set forth in Article 10 of the USA Hockey By-Laws. The petitioning **member** shall be given reasonable notice of the time and place of the hearing, and shall be invited to attend. A decision on the petition of the Committee's majority ruling shall be given in writing, signed by the Chair of the Screening Committee (or his designee), and shall be rendered within 10 days of the hearing.
- C. A **member** whose petition to the Screening Committee results in an adverse ruling may appeal to the Screening Appeals Committee of IAHA within 10 days of the receipt of the adverse ruling by the Screening Committee. The Screening Appeals Committee shall consist of 3 persons, who shall be the IAHA President and two individuals appointed by the IAHA President. The appeal shall be in writing addressed to the IAHA President.

The Screening Appeals Committee shall hear such appeal within 30 days of the receipt of the written appeal. The appeal shall be heard at a place and time determined by the Screening Appeals Committee, and shall be in accordance with the rules and practices of IAHA and USA Hockey, as set forth in Article 10 of the USA Hockey By-Laws. A decision on the appeal shall be given in writing, signed by the President of IAHA, and shall be rendered within 10 days of the hearing.

Section VI: Complaints of Sexual and/or Physical Abuse

- A. Complaints concerning violations of the provisions of these rules and/or of IAHA's Sexual and Physical Abuse Policies shall be in writing addressed to the President of IAHA, and shall be signed by the complainant. The complaint shall state in full and complete detail the basis of the complaint concerning the alleged violations.
- B. Upon receipt of such written complaint, the President shall refer the matter to the Screening Committee for its review. All credible complaints of sexual and/or physical abuse shall be referred to the appropriate law enforcement officials by the President after the Screening Committee review.
- C. The Screening Committee or its designee, in its discretion, initiate administrative action against the member against whom the complaint was made pursuant to the applicable sections of the By-Laws and policies of IAHA, including these rules.
- D. The **member** may appeal any adverse decision or other action of the Screening Committee in writing within ten days of the receipt of the decision to the Screening Appeals Committee. Such appeal shall be processed in accordance with Section V.C. of these rules. A written decision signed by the Chair of the Screening Committee (or his designee) shall be considered *prima facie* evidence of the facts stated therein, and the burden of proof as to why the **member** should become eligible for participation in the activities of IAHA or its associated organizations shall be upon the appealing **member** in any hearing before the Screening Appeals Committee.

Section VII: Awareness Program

IAHA shall incorporate into its various literature and programs education/awareness information as developed by the Screening Committee or by USA Hockey, or other authoritative sources as pertinent information on the subject matter of these rules becomes available.