



Policy Name: U.S. Figure Skating Background Check Policy

Date of Issuance: August 29, 2024

Applies To: U.S. Figure Skating and Learn to Skate USA members and non-member participants

Purpose:

U.S. Figure Skating is committed to the safety of athletes and participants involved in sport. The USOPC requires U.S. Figure Skating (“USFS”) to conduct regular background checks to foster a safe environment at competitions and during training, and to create a safe environment for all individuals associated with U.S. Figure Skating while striving to protect persons at risk, including, but not limited to, minors and vulnerable adults.

All provisions of this policy are mandatory in substance and must be followed as applicable. The USOPC has set forth the minimum standards and basic requirements that USFS is required to follow. In addition, the USOPC has authorized USFS to adopt background check standards that are more demanding than the USOPC policy.

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:

I. Application

This policy applies to U.S. Figure Skating and Learn to Skate USA® members and other identified non-members as outlined below that are 18 years of age or older (all individuals falling under this policy shall have a successful USFS background check on record prior to participation in the role unless another timeframe is indicated below):

- A. USFS employees and individuals that USFS or a member club or program formally authorizes, approves or appoints to (a) serve in a position of authority over or (b) have regular contact with athletes.¹ This shall include, but is not limited to, USFS staff, officials, coaches, instructors, program directors and assistant directors, board members, committee members and chairs, club board members, team personnel, trainers, independent contractors/vendors with athlete involvement, volunteers² medical personnel, and other individuals authorized or nominated by USFS to work with athletes or other sport participants while at USFS, Learn to Skate USA® or Compete USA® sanctioned event or activity.
- B. Assistants, or personal care assistants who are funded, have a contractual obligation with, or are credentialed by USFS, or otherwise have regular contact with USFS or Learn to Skate USA® athletes.
- C. All athletes and alternates, training partners, and guides 18 years of age or older who are selected by USFS to participate in national or international team, or Delegation Events. Individuals referenced in this subsection shall have 45 days after reaching the age of majority (18 years of age), to come into compliance with this background check policy.

¹ Non-U.S. Citizen athletes, coaches, and personnel staying less than 14 days will be exempt from process if other safeguards to minimize risk can be put in place.

² This policy may not apply to volunteers and others who only have incidental and observable contact with athletes at events.

- D. All athletes, alternates, training partners,⁴ and guides 18 years of age or older that are selected by USFS to train at any Olympic & Paralympic Training Center or the USOPC High Performance Training Center.
- E. Other individuals who have regular contact with athletes as determined by USFS in their discretion.

II. Background Check Search Components

- A. **Full Background Checks.** All full background check screens will include at least the following search components:
 - 1. Social Security Number validation;⁵
 - 2. Name and address history records;
 - 3. Two 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 seven years, going back the length of time records are available and reportable;
 - 5. County Criminal Records for each name used and 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;
 - 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;⁶
 - 9. Comprehensive International Records search for U.S. citizens who have lived outside of the United States for six consecutive months in any one country, during the past seven years;⁷
 - 10. Motor Vehicle Records of at least a 3-year history in the state of licensure; (if driving is required for position).
- B. **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.

III. Timeframe

- A. Full background checks will be completed prior to the commencement of a new role or prior to having interactions with minor athletes for all applicable individuals.
- B. At minimum, full background checks will be conducted on all applicable individuals every two seasons (each season is July 1 to June 30) using at least the background check search components referenced in Section II.A.
- C. A supplemental, partial, background check will be conducted every other season using at least the background check search components referenced in Section III.B.

⁴ Non-U.S. Citizen training partners staying less than 14 days are exempt from this process.

⁵ Social Security number is required for verification purposes. Background checks based on name, date of birth, address history and Social Security number are standard throughout the background screening industry. These are key identifiers used to search national and country criminal databases. No background check will be submitted or completed without a social security number.

⁶ Until the process is automated, this component will not be enforced.

⁷ International record checks vary from country to country. NCSI will provide comparable search components depending on the laws of that specific country.

IV. Media

Individuals affiliated with the media, who are authorized or credentialed by USFS, an event organizer, a USFS club, or a LTS USA® program to attend a USFS sanctioned event or activity are required to undergo a criminal background check if they have unsupervised one-on-one interactions with the athletes.

Note: unsupervised one-on-one interactions with minor athletes are prohibited, and unsupervised one-on-one interactions with adult athletes are not recommended.

V. Third-Party Vendors/Contractors

Contracts with third-party vendors/contractors that are (a) in a position of authority over or (b) in regular contact with athletes must include the background check requirements set forth in this policy.

VI. Partner Programs

When partnering with community organizations for events, USFS shall ensure that the partnership agreement includes language regarding background check requirements. The agreements shall also specify that certification must be provided by the community organization upon request by USFS to establish that the mandated background checks were conducted.

VII. Background Check Report Review

A. USFS Background Checks: Any USFS background check that results in a report of a disposition or resolution of a criminal proceedings, other than an adjudication of not guilty,⁸ for any of the below criminal offenses, will result in a “red light” finding. In these cases, the applicant will be provided with steps to appeal a “red light” finding.

1. Any felony;⁹
2. Any misdemeanor involving:
 - a. All sexual crimes, criminal offenses of a sexual nature to include but not limited to; rape, child molestation, sexual battery, lewd conduct, possession and distribution of obscene material, prostitution, indecent exposure, public indecency, and any sex offender registrant;¹⁰
 - b. Any drug related offenses;
 - c. Harm to a minor and vulnerable person, including, but not limited to, offenses such as child abandonment, child endangerment/neglect/abuse, contributing to the delinquency of a minor, and DUI with a minor;
 - d. Violence against a person (including crimes involving firearms and domestic violence);
 - e. Stalking, harassment, blackmail, violation of a protection order and/or threats;
 - f. Destruction of property, including arson, vandalism, and criminal mischief; and
 - g. Animal abuse or neglect.

⁸ A “disposition or resolution of a criminal proceeding, other than an adjudication of not guilty” shall include, but is not limited to: an adjudication of guilt or admission to a criminal violation, a plea to the charge or a lesser included offense, a plea of no contest, any plea analogous to an Alford or Kennedy plea, the disposition of the proceeding through a diversionary program, deferred adjudication, deferred prosecution, disposition of supervision, conditional dismissal, juvenile delinquency adjudication, or similar arrangement, or the existence of an ongoing criminal investigation, a warrant for arrest, or any pending charges.

⁹ For purposes of these procedures, the term “felony” shall refer to any criminal offense punishable by imprisonment for than one year.

¹⁰ Any participant that has been convicted of, received an imposition of a deferred sentence for, or any plea of guilty or no contest for any sexual crime, criminal offense of a sexual nature, and/or is a sex offender registrant must be reported.

- B. Secondary Review of NGB Determinations: USFS must comply with the USOPC Background Check Policy and Procedures as it relates to situations under which a secondary review of a USFS determination will be conducted by the USOPC.

VIII. Authorized Background Check Organization

- A. USFS utilizes the National Center for Safety Initiatives (NCSI) as its background check vendor. NCSI is a full-service screening organization that works in accordance with the e *Recommended Guidelines*® established by the National Council of Youth Sports (“NCYS”).
- B. USFS will accept background checks completed for other National Governing Bodies (NGBs) so long as the search criteria meets the minimum requirements of the USOPC. Contact skatesafe@usfigureskating.org for additional information about this.

IX. Background Check Disputes and Appeals.

- A. Disputes of Findings: Individuals who receive an adverse finding on their background check may dispute what they consider to be erroneous findings directly with NCSI.
- B. Appeals of Adverse Findings: All individuals who receive an adverse finding on their background check have the right to request an appeal of the “red light” finding by filing a written request for review with USFS General Counsel. Instructions will be provided to impacted individuals within two business days of receiving the adverse finding.
 - 1. USFS Review Panel: In certain circumstances, the USFS General Counsel may refer the appeal to a panel comprised of SkateSafe® Committee members. The Review Panel will determine if and to what degree the individual will be permitted to participate.
 - 2. Considerations: The USFS Review Panel has the discretion to deny overturning the adverse finding to a “green light”. This review will take into consideration the applicant’s statement and any other information available regarding the cause of the “red light” finding. A determination will be made based on a majority vote of the Review Panel.