

USA WRESTLING BACKGROUND SCREENING PROGRAM

(12/18/07)

Background Information

As most are aware, USA Wrestling (“USAW”) implemented a voluntary background screening procedure in 2003, and will implement a mandatory background screening program in the 2008-09 membership year for all member coaches, officials and state association national or regional team volunteer members. Those individuals involved with this process are very familiar with the reasons background screening was implemented. For others the question might be asked is “why does USAW do background screening in the first place”? There are two primary reasons:

The first relates to responsibility. USAW and its clubs not only have a professional and moral responsibility to provide a “safe” environment for its members during sanctioned activities, but also a legal responsibility. As parents we all want to know that when our children are under the supervision of another adult, the organization has taken reasonable steps to determine that those individuals are worthy of the responsibility to coach, officiate or chaperone minors. State and Federal courts have determined that associations and clubs can be held legally liable for sexual misconduct or abuse that can be connected to their sanctioned events.

In the past, this has not been an issue as USAW has enjoyed “full limits” of insurance coverage for acts of sexual abuse and molestation, but this could change if USAW were not to implement a mandatory background check program under their insurance policy. Therefore, the second reason for background screening is brought on by insurance, or the possible lack thereof. According to a recent report, sexual abuse claims have increased over 200% in the past seven years. There are many theories as to the reasons but the fact of this increase has caused **all** insurance carriers to **reduce or eliminate sexual abuse/molestation coverage from their policies**, especially the policies covering activities where there is close interaction between minors and adults. In an effort to continue to provide this most important coverage, insurance companies turned to the process of background screening as a “risk management tool” to help reduce potential sexual abuse/molestation claims by identifying and eliminating individuals that might pose a threat from the group they are insuring. So it could become the case that without mandatory background screening in place, the insurance carriers may not offer any coverage to USAW for sexual abuse/molestation claims.

In 2007, the USA Wrestling Board of Directors approved a resolution endorsing a requirement for mandatory background screening on all USAW member coaches, officials, and the volunteers of state association national and regional teams. Presently, USAW has a policy on abuse and harassment in place, and mandatory background screening in an extension of that policy.

Purpose

USAW is requiring the implementation of a background screening program for the purpose of determining eligibility for USAW member coaches, officials and state association national or regional team volunteer members. Background screening has been implemented by USAW to promote a safe and supportive environment in which youth athletes can pursue their athletic goals. These background checks are also designed to provide an environment where parents of children can feel good about allowing their child to participate in wrestling activities. Please note that the screening is not intended to serve as a pre-employment

background screening program, nor can screening guarantee that incidents of abuse or molestation will not occur. Background screening is designed as a preventative risk management tool, but does not insure inappropriate behavior will not occur.

Program Guidelines

The background screening performed on the members is based on the members' name, date of birth, address history and social security number.

The program is designed to:

- 1) Protect the confidentiality of information and the privacy of USAW members.
- 2) Review members and prospective members screening on the screening criteria established by USAW.
- 3) Provide those members who have been screened with an opportunity to challenge incorrect information found in the screening process before a result is forwarded to USAW.
- 4) Allow individuals in the case of a failed result, based on the USAW screening criteria and any action in those instances where the screening results produce disqualifiers to membership, to have the negative results forwarded to USAW's Director of State for additional investigation.

Persons Required to be Screened

The following persons are required to undergo background screening:

- 1) All coach and referee/judge, pairings official members and prospective coach and officials members seeking to become a member of USA Wrestling.
- 2) All non-athletes on State Association national and regional team staffs or who work with such teams at events, camps, club practices or other activities.

Screening Criteria for Membership Eligibility

The screening criteria that will be utilized to evaluate background screens are as follows:

Conviction of, imposition of a deferred sentence for, or any plea of guilty or no contest at any time, past or present, or the existence of any pending charges, for (i) any crime involving sexual misconduct, (ii) any crimes of abuse against children, (iii) any crimes involving firearms, and (iv) any offense involving distribution or intent to distribute illegal drugs or substances, (v) felonious assaults or batteries.

Frequency of Screening

The Screening data and results will be in conformity with the screening criteria of USAW at time of screening. Any individual's background check shall only be valid for two consecutive USAW recognized membership years, beginning with the membership year in which the individual successfully completes a background check. However, USAW reserves the right to require additional background screenings at any time.

Screening Provider

TC logiQ will provide background screening services for the members and individuals mentioned above. TC logiQ is a specialty consulting firm that provides professional services in the area of pre-employment and volunteer screening. More information about this Colorado Springs based company is available on their website at www.TClogiQ.com.

Cost

The cost for the background screen required by USAW is presently \$17. This fee will be paid to TC logiQ by the applicant at the time that he/she goes online to initiate a background screen. All transactions will be completed through one of the more popular credit card security providers.

Process To Initial Screening

- 1) **Screen 1** - An individual subject to screening must go online to USAW's website (www.themat.com) to initiate and pay for a USAW Background Screen. They must use Internet Explorer (version 6.0 or higher). The individual will initiate their USAW membership application and pay the appropriate membership fees by credit card. USAW will use Authorize.Net as a third-party vendor to transfer electronic payments securely. At the end of the membership application, for the members in question, they will be directed to the Background Screening window to complete the membership process. A window will pop up for them to begin the screening process. This is the first step out of five steps (hereinafter the steps will be referred to as screens) where the applicant will enter his/her payment information and execute the payment. The applicant will create a username and password, and input his/her email address. After the applicant clicks on the save and continue button an email will be generated to the applicant and the email will include his/her username and password in case the applicant is unable to complete the screening application for some reason. Then, he/she can log back-in and return to the screen where he/she left-off. Please note, there is a non-online process to complete a background screening but the cost is higher and the time frame in which it is completed is greater.
- 2) **Screen 2** - On the second screen the applicant will be directed to the USA Wrestling Screening Application. They will be asked to provide the following information

Legal First Name	Email Address
Preferred First Name	Association Name
Middle name	USAW Membership ID# if applicable
Last Name	Birthdate
Social Security Number	U.S. Citizen (Yes/No)
Maiden Name	Gender
Street Address	Height
City, State, Zip	Eye Color
Home Phone	Race
Cell Phone	Countries/State lived in since age 18

The applicant will also be asked to disclose any previous arrests or convictions. They will also receive an automatic email notification from TC logiQ. In this email, it will describe the process and other relative information about the background screening.

- 3) **Screen 3** - On the third screen, the applicant will be asked to verify the accuracy of the information he/she just inputted on the second screen. If the information was inputted incorrectly, then the applicant can edit this information by clicking on the "make change button" located at the bottom on the screen.
- 4) **Screen 4** - On this screen, the applicant will enter his/her payment information. TC logiQ uses Authorize.net as a third-party vendor to transfer electronic payments securely. After the applicant submits his/her credit card information, the applicant is asked to verify the information before proceeding to the next page.

5) **Screen 5** - On the fifth screen, the applicant will be asked to execute the credit card payment and initiate the background screening search by clicking the button below the page. This page will also display the applicant credit card information along with his/her personal information. There are instructions listed on this page describing the timeline for the background screening process. After the applicant clicks on the button to execute his/her payment and initiate the background screening he/she will be directed to a thank you page.

Actual Background Screening Process

Step One

TC logiQ will review the search report to determine if the applicant meets USAW background screening criteria. Generally, this takes 3 to 5 business days. However, if additional research is required it may take 14 business days from the date of the applicant submitting his background screening information.

Step Two

After TC logiQ reviews the search report and it has been determined that the applicant meets USAW background screening criteria, the applicant will receive an email from TC logiQ notifying him/her of the approval and the member will be directed to print off his/her USAW Membership card. Also, USAW's Executive Director or designee can check the status of each screening either through a web-based interface on TC logiQ website or an XML gateway.

Step Three

If the applicant does not meet USAW background screening criteria, the applicant will receive an email notification from TC logiQ indicating that he/she does not meet the criteria and the reason. USAW's Executive Director or designee will also receive a copy of this email. The email will state that the applicant has 5 business days to respond to the email and if he/she fails to respond TC logiQ will consider it as an automatic withdraw and will update USAW web-based interface to reflect as such. USAW's Executive Director or designee will be provided with a reason for this withdrawal.

Additionally, in this notification email, the applicant is required to log into his/her account at www.tclogiq.com and follow the instruction outlined in his/her account and resolve the issue with his/her screen. The applicant will be offered the following three options to resolve his/her screening results: 1) withdraw his/her application from the screening process; 2) dispute the accuracy of the search report; or 3) request a waiver acknowledging the results of the search and requesting an appeal to USAW's Background Check Review Committee.

Option 1 - if the applicant chooses to withdraw his/her application, TC logiQ will update USAW web-based interface to show that applicant has withdrawn his screening application.

Option 2 – if the applicant chooses to dispute the accuracy of the search report, TC logiQ will research the disputed information. TC logiQ must perform a search of the records in the jurisdiction or agency reporting the disputed information. Depending on the county jurisdiction and state, this search could take as long as 14-30 days. If the verification process proves that the disputed information is incorrect, there is no cost to the applicant, and the applicant shall receive a corresponding email.

If research verifies that the information is correct, the applicant could pay a fee of approximately \$20 per jurisdiction where records were verified. The cost for the re-verification process may vary slightly from jurisdiction to county because of differing procedures and laws.

The applicant will have to pay a deposit of \$50.00 before this research can be conducted. Also, the applicant will be informed in this email that no action will be taken against him/her with regard to his/her membership eligibility until TC logiQ have verified the information in the report.

After performing the research and having TC logiQ verify that the information in the search report is not the applicant, the USAW web-based interface will be updated to reflect this information. The applicant will be immediately refunded any money that was deposited for this process and will be directed to print off his/her membership card.

However, if the research reveals that the applicant does not meet the USAW background screening criteria, the results will be forward to USAW's Executive Director or designee. TC logiQ will send the applicant another email informing the applicant that he/she fails to meet the USAW background screening criteria.

The applicant will have 5 business days to respond to this email and if he/she fails to respond, TC logiQ will consider it an automatic withdraw and will update the USAW web-based interface to reflect as such. Also in this email, the applicant will be asked to log into his/her account at www.tcllogiq.com and follow the instruction outlined in his/her account and resolve the issue with his/her screen.

Additionally, the applicant is offered the following two options in this email to resolve his/her screening results: 1) withdraw his/her application from the screening, in which case TC logiQ will update USAW web-based interface to show that applicant has withdrawn his/her screening application; or 2) request a waiver acknowledging the results of the search and requesting an appeal to a USAW Background Check Review Committee.

The USAW Background Check Review Committee shall be composed of two members selected by the JOWC and approved by the USAW President, two USAW Board members as selected by the USAW President, one active athlete member selected by the USAW President and the USAW Executive Director or designee. The JOWC shall also recommend to the USAW President two alternates, and the President shall also designate 2 alternates, in addition to an active athlete alternate. Alternates shall participate in meetings of the committee when there is a conflict of interest or a scheduling conflict in regards to any hearing of an appeal. The President shall designate the chairperson of the committee and an alternate chairperson.

Option 3 – If the applicant requests a waiver acknowledging the results of the search and requests an appeal to the USAW Background Check Review Committee, this information will be forwarded to USAW's Executive Director who in turn will forward to the Chairperson of the USAW Background Check Review Committee to conduct a review. However, during this process the applicant's status will display as pending on USAW web-based interface because of the applicant's confidentiality. Once USAW's Background Check Review Committee has reached a decision, the applicant will be informed in writing within seven (7) business days, of that decision, and that information will be reflected in USAW web-based interface to display approved or declined.

The Background Check Review Committee shall not know the identity of the individual in question during the appeal process.

The decision rendered by the Background Check Review Committee on any appeal shall be final without further appeal.

Information Management and Exchange

This program places the responsibility for information management and retention on the screening provider, TC logiQ. Except in those few instances where an applicant's background screen returns information that makes him or her ineligible for membership, or provides reason to suspend or terminate his/her membership, and he/she then chooses to appeal the membership decision, USAW will not be privy to or store the information returned in an applicant's background screen.

In all cases above, the information regarding a member's status on the web-based interface shall only be assessable by the USAW Executive Director or his/her designee(s).