



## US LACROSSE MEMBERSHIP SUSPENSION AND TERMINATION POLICY

*(revised 10/10/2019)*

### **I. INTRODUCTION**

Membership with US Lacrosse is considered to be a privilege that represents a commitment to serving as a leader within the lacrosse community and upholding integrity within the sport. US Lacrosse Members are responsible for familiarizing themselves with US Lacrosse Policies and Codes, and are expected to conduct themselves in a manner that is representative of US Lacrosse's values and mission. Failure to do so will result in the suspension or termination of US Lacrosse membership and all associated benefits.

It is the intent of this Policy to generally define when US Lacrosse Membership may be suspended or terminated. This policy also describes the US Lacrosse Membership Appeals Process, which is the only basis for which US Lacrosse will reassess a membership determination.

### **II. DEFINITIONS**

The following terms are used in the US Lacrosse Membership Suspension and Termination Policy.

#### **Criterion Offenses**

Reflect those recommended by the National Council for Youth Sports (NCYS) Guidelines, the FBI PROTECT Act, and the National Center for Missing and Exploited Children. A list of the Criterion Offenses that US Lacrosse utilizes the NCSI background screening to screen for can be found at the [US Lacrosse Background Screening Policy](#).

#### **Red Light Determination**

Indicates that an individual "does not meet the initial screening criteria", and is issued when an individual has been found to have one or multiple criterion offenses on their background screening.

#### **Suspension of Membership**

The temporary loss of membership and all associated benefits, including US Lacrosse Insurance coverage.

#### **Termination of Membership**

The permanent loss of membership and all the associated benefits, including US Lacrosse Insurance coverage.



### **III. CONDITIONS FOR MEMBERSHIP SUSPENSION/TERMINATION**

#### **(A) GENERALLY**

Section 6.9 of the By-Laws of US Lacrosse provides that any member who violates any of the provisions of the US Lacrosse By-Laws or any operating policy of US Lacrosse, may, after due notice be suspended or removed by the Chief Executive Officer. In connection with the adoption of this policy, the authority to suspend or terminate membership, or report a member to the appropriate authorities, can be made by the Safe Sport Program Manager and the US Lacrosse Membership Appeals Committee.

In addition, membership can also be suspended or terminated if it is determined that there is a violation of Safe Sport Policy and Codes or as a result of a Red Light Determination. Specific facts and circumstances that will be examined in connection with any such determination regarding membership status can include actions or statements that are deemed to have harmed or have the potential to harm to others, US Lacrosse Policy or Code violations, or any other conduct that may be deemed to be contradictory to US Lacrosse's mission and values. US Lacrosse reserves the right to determine whether any particular facts or circumstances justify the suspension and, ultimately, termination of membership.

#### **(B) REQUIRED CRIMINAL BACKGROUND SCREENING**

Individuals holding certain membership types or positions at US Lacrosse, as designated in the [US Lacrosse Background Screening and Training Policy](#), are required to submit for a confidential criminal background screening through the National Center for Safety Initiatives, LLC (NCSI). A list of screening criterion offenses can be found in the Background Screening Policy. A background screening that results in one or multiple sourced criterion offenses will be issued a "Red Light Determination". Those who receive a "Red Light" Determination will have their membership immediately suspended, and in order to have their membership status reconsidered, are required to complete the US Lacrosse Membership Appeals Process.

Please be aware that additional background screening criteria may be utilized dependent upon the position being filled.

### **IV. NOTIFICATION OF MEMBER**

#### **(A) MEMBERSHIP SUSPENDED DUE TO A SAFESPORT REPORT OR US LACROSSE POLICY/CODE VIOLATION**

US Lacrosse will provide notification directly to members who are suspended as a result of USL's receipt of a Safe Sport Report or the finding the of a US Lacrosse policy/code violation. Notification will be provided by e-mail and mail to the addresses listed in the member's US Lacrosse Membership Account.

#### **(B) MEMBERSHIP SUSPENDED DUE TO A "RED LIGHT DETERMINATION" RESULTING FROM BACKGROUND SCREENING**



If a “Red Light Determination” is issued as a result of a background screening, the following will occur:

- (1) NCSI will notify the member through a **Pre-Adverse Action letter** (See Appendix A) that one or more criterion offenses were found during their background screening. The Pre-Adverse Action letter will also notify a member of their FCRA rights and information about how to dispute findings with NCSI if a member feels an error has occurred. If a member does not dispute any findings from their background screening, NCSI will then notify US Lacrosse of the Red Light Determination.
- (2) Upon notification to US Lacrosse, a member will be issued an **Adverse Action Letter** (See Appendix B) by NCSI on behalf of US Lacrosse. The Adverse Action Letter provides notification that an individual’s membership has been suspended and instructions for how to complete the US Lacrosse Membership Appeals Process. An Adverse Action letter will be e-mailed to the member at the address listed in their US Lacrosse My Account.

## **V. MEMBERSHIP APPEALS PROCESS**

The Membership Appeals Process is the only basis upon which US Lacrosse will consider the reinstatement of a membership that is suspended due to a Red Light Determination, Safe Sport Report, or US Lacrosse Policy/Code violation.

Please note that the appeals process is intended to serve those with indiscretions that do not pose an imminent threat to the safety and well being of youth athletes or others. US Lacrosse reserves the right to determine the severity of any indiscretion and terminate membership immediately.

**Commencement of Appeal Process.** To initiate the Membership Appeals Process, an individual must submit a formal Member Appeal letter and two letters of recommendation to the Safe Sport Program Manager. Details of what should be included in the Member Appeal letter and two letters of recommendation are included in the notification of suspension and also can be found at [uslacrosse.org/membership-appeals](http://uslacrosse.org/membership-appeals). ”. If the member fails to submit an appeal within twenty (20) days of the issuance date provided on the suspension notification, the membership, including all associated benefits, will be automatically terminated.”

**US Lacrosse Review.** In the event the member submits a timely appeal, it will be submitted to the US Lacrosse Membership Appeal for review. While the appeal is pending review, the suspension of membership and all associated benefits shall remain in effect.

**Standard for Review and Burden of Proof.** The individual submitting an appeal for the suspension of their membership is responsible for proving, by clear and convincing evidence, that the conduct or behavior in question could not have any harmful effect on the mission and/or reputation of US Lacrosse or pose a threat (immediately or in the future) to youth or others.



**Results of the Appeal.** If the appeal is successful, the suspension of membership will be lifted and all rights and privileges associated with membership will be restored. If the appeal is not successful, the membership and all associated benefits will be terminated. US Lacrosse will provide final determination notification to the individual by e-mail and mail.



Appendix A

## PRE ADVERSE ACTION LETTER

[THIS IS NOT A DENIAL]

Date  
Name  
Address

Dear

As you authorized, a consumer report was obtained in connection with the background screening for membership with US Lacrosse.

US Lacrosse has requested that the National Center for Safety Initiatives, LLC (NSCI) inform you on their behalf that based on the reporting of one or more potentially disqualifying criterion offenses identified in the consumer report, that US Lacrosse may act and temporarily suspend or terminate your US Lacrosse membership. Please be aware that the consumer report has not been sent to US Lacrosse as of this date.

With this letter, we have enclosed a copy of your consumer report along with the copy of the Consumer Financial Protection Bureau's (CFPB) "A Summary of Your Rights Under the Fair Credit Reporting Act" and any applicable state law notices. Please contact the Research Department *immediately* if you have any questions regarding your consumer report, or if you believe any information contained in the report is inaccurate or incomplete, by e-mail at [research@ncsisafe.com](mailto:research@ncsisafe.com) or by phone at 1-866-833-7100 x 8002.

If we do not hear from you within 5 business days, we will presume that all information is correct and will proceed to finalize your screen and make a determination that you do not meet US Lacrosse initial screening criteria, and provide a copy of your screening report to US Lacrosse. With the issuance of NSCI's determination and screening report US Lacrosse may temporarily suspend your membership, including all associated benefits. If your US Lacrosse membership is suspended, you will be required to initiate the US Lacrosse Membership Appeals Process, which is the only basis upon which US Lacrosse will reconsider the suspension of your membership.

Sincerely,

Research Department  
National Center for Safety Initiatives, LLC  
FORM: PRE ADVERSE ACTION LTR DISCLOSURE AND/OR RECORDS  
ENCL: CFPB SUMMARY AND APPLICABLE STATE LAW NOTICES (IF ANY)



## Appendix B

### PERSONAL & CONFIDENTIAL **ADVERSE ACTION LETTER**

Date  
Name  
Address

Dear

US Lacrosse (“USL”) has requested the National Center for Safety Initiatives, LLC to inform you on their behalf that your US Lacrosse Membership and all associated benefits have been temporarily suspended. The decision was made, in whole or in part, based upon information contained in your consumer report. You were previously furnished with a copy of the consumer report, together with a copy of the Bureau of Consumer Financial Protection’s “A Summary of Your Rights Under the Fair Credit Reporting Act” and applicable state law notices (if any) before the adverse action was taken. You are entitled to a free copy of the consumer report within sixty (60) days. You have the right to dispute inaccurate or incomplete information contained in the consumer report with the consumer reporting agency. The consumer report was obtained from the National Center for Safety Initiatives, LLC P.O. Box 39008, Cleveland, OH 44139.

National Center for Safety Initiatives, LLC reviewed your consumer report in accordance with criteria established by USL and provided this review to USL. Any questions related to the decision to temporarily suspend your USL membership should be directed to the US Lacrosse SafeSport Program Manager.

Please contact the Research Department immediately if you have any questions regarding your consumer report, or if you believe any information contained in the report is inaccurate or incomplete, via e-mail at: **research@ncsisafe.com** or by phone at 1 (666) 833-7100 x8002.

The only basis upon which USL will reconsider this determination is through the US Lacrosse Membership Appeals Process. You may initiate the US Lacrosse Membership Appeals Process by submitting the following items to USL: a formal appeal letter that USL recommends includes the context in which your offense occurred and the basis upon which you believe relief from the temporary suspension of your membership is appropriate, and two (2) letters of recommendation from members of



your community. For more information on the USL Membership Appeals Process, please visit <http://www.uslacrosse.org/membership-appeals>.

Failure to initiate the USL Membership Appeals Process within twenty (20) days of the issuance date provided on this notice or failure to provide all requested documentation will automatically become a termination of USL membership and all associated benefits.

Your USL Membership Appeals Process submission, as well as any questions regarding this process, should be directed to the attention of:

SafeSport Program Manager  
US Lacrosse  
2 Loveton Circle  
Sparks, MD 21152  
[safesport@uslacrosse.org](mailto:safesport@uslacrosse.org)

Sincerely,

Research Department  
National Center for Safety Initiatives, LLC