



USGA SAFEGUARDING PROGRAM

Background Check Policy

Effective August 2, 2024

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Introduction

This USGA Safeguarding Program defines the framework that the United States Golf Association (USGA) will follow to ensure the protection of Minor Athletes participating on a USGA Team or in the U.S. National Development Program in connection with In-Program events and activities.

Capitalized terms used in this Policy are defined in the Glossary.

Background Check Policy

A. Application

All adult USGA employees and individuals that USGA formally authorizes, approves or appoints to (a) serve in a position of Authority Over, or (b) have regular contact with a Minor Athlete shall undergo a background check in accordance with this Background Check Policy (the "Policy"). Through this background screening, the USGA will utilize reasonable efforts to ascertain criminal history and motor vehicle violations (if applicable). The Background Check Policy assists the USGA in promoting the safety and welfare of athletes.

The following groups and individuals that are 18 years of age or older are subject to this Policy and required to go through the background checks set forth herein:

- USGA staff who are designated as having regular contact or Authority Over Minor Athletes
- USGA Executive Committee members
- USGA Team and USNDP coaches
- USGA Team and USNDP caddies
- USGA Team and USNDP captains
- USGA Team and USNDP team managers
- USGA Team and USNDP chaperones
- USGA Team and USNDP transportation drivers
- USGA Team and USNDP consultants/independent contractors
- USGA Team and USNDP medical personnel
- USGA Team and USNDP trainers
- Officials of any USGA Team and USNDP sanctioned competition
- Directors of any USGA Team or USNDP sanctioned competition or training who are designated by USGA as having regular contact or Authority Over Minor Athletes
- Event coordinators of any USGA Team or USNDP sanctioned competition or training who are designated by USGA as having regular contact or Authority Over Minor Athletes
- Volunteers of any USGA Team or USNDP sanctioned competition or training who are designated by USGA as having regular contact or Authority Over Minor Athletes
- Adult athletes participating on any USGA Team or in any USGA sanctioned competition or training in connection with USGA Team or the USNDP
- Assistant or personal care assistants of a Minor Athlete who are funded, have a contractual obligation with, or are credentialed by the USGA

- Any other individuals who are authorized, approved, or appointed by the USGA in connection with a USGA Team or the USNDP to (a) serve in a position of Authority Over, or (b) have regular contact with a Minor Athlete

The background check must be completed before Regular Contact with any Minor Athlete. Background checks must be refreshed every two years.

B. Screening Provider

The USGA uses the National Center for Safety Initiatives (“NCSI”) as its provider to conduct background checks. NCSI is a full-service screening organization that works in accordance with the recommended guidelines established by the National Council of Youth Sports (“NCYS”) and the provider recommended to National Governing Bodies by the USOPC.

C. Search Components

1. **Full Background Checks.** All full background checks will include at least the following search components:
 - a. Social Security Number validation;
 - b. Name and address history records;
 - c. Two independent Multi-Jurisdictional Criminal Database searches covering 50 states plus DC, Guam, and Puerto Rico;
 - d. 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;
 - e. 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;
 - f. National Sex Offender Registry database search of all available states, plus DC, Guam, and Puerto Rico;
 - g. Multiple National Watch Lists;
 - h. SafeSport Disciplinary Records;
 - i. 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;
 - j. Motor Vehicle Records of at least a 3-year history in the state of licensure; (if driving is required for position);
2. **Supplemental Background Checks.** All supplemental off-year background checks will be conducted using at least the following search components:

- a. Multi-Jurisdictional criminal database covering 50 states plus DC, Guam, and Puerto Rico;
- b. Sex Offender Registry database searches of all available states, plus DC, Guam, and Puerto Rico; and,
- c. SafeSport Disciplinary Records.

D. Timing and Frequency of Background Checks

1. Full background checks will be completed prior to the commencement of a new role for all applicable individuals.
2. At a minimum, full background checks will be conducted on all applicable individuals every two (2) years using at least the background check search components referenced in Section C(1) and Section F(1) of this Policy.
3. A supplemental, partial, background check will be conducted in each off-year using at least the background check search components referenced in Section C(2) of this Policy. This supplemental re-screening will be conducted automatically by our vendor at or about one year from the individual's initial background check registration date.
4. Additional Background Checks. The USGA retains the right to require additional background checks at any time.

E. Applicant Registration

Individuals required to go through background checks under this Policy will be provided a link to register an account with USGA's third-party background check vendor, NCSI. NCSI has developed a background screening registration process, including a Consent and Authorization Form, for USGA applicants via a secure website. Individuals undergoing background screening must complete the online background screening Consent and Authorization Form and registration information. As part of its background check, NCSI will run a full background screen that includes at least the search components detailed in Section F(1) of this Policy.

F. Screening Criteria

1. **Background Check Elements.** Any background check that results in a report of a disposition or resolution of a criminal proceeding, other than an

adjudication of not guilty,¹ for any of the below criminal offenses will be subject to the USGA's policies and procedures to determine the individual's level of access and involvement:

a. Disqualifiers. (Red Light/Flagged)

1. Any felony (any crime punishable by confinement of greater than one year)
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 child pornography, possession and distribution of obscene material, prostitution, indecent exposure, public indecency, and any sex offender registrant;²
 - 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.

b. Automatic Disqualifiers (If Accurate, Not Subject to Appeal)

1. Any sex offense (felonies and misdemeanors), criminal offense of a sexual nature to include but not limited to; rape, child molestation, sexual battery, lewd conduct, possession and distribution of child pornography, possession and distribution of obscene material, prostitution, indecent exposure, public indecency, and any sex offender registrant;

¹ 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.

² 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.

2. Murder and Homicide regardless of time limit;
3. Felony Violence and Felony Drug offenses in the past 10 years;
4. Any misdemeanor violence offenses in the past 7 years;
5. Any multiple misdemeanor drug and/or alcohol offenses within the past 7 years;
6. Any other crimes against children in the past 7 years

If the findings involve any of the above Automatic Disqualifiers, such findings are not appealable, and such individual will be deemed ineligible to participate.

Note: The time frames associated with the categories of crime listed above are calculated based on the date of the offense. Individuals that are disqualified must wait at least one (1) year before reapplying for affiliation with the USGA.

2. **Motor Vehicle Reports**

In limited instances, the USGA may require an Adult Participant to be subject to a motor vehicle report check. Prior to any review of motor vehicle reports, the USGA will procure the Adult Participant's permission. For purposes of being authorized to transport people in any motor vehicle for business purposes, a record that contains the following information will be flagged and will prevent the individual from providing transportation services related to any Event:

- a. No valid driver's license (expired or lack of license);
- b. Suspended or revoked driver's license;
- c. More than two moving violations and/or accidents in the prior two years;
- d. A conviction for a major moving violation including, but not limited to: DUI/DWI, possession of an open container, any drug-related motor vehicle incident, leaving the scene of an accident, assault (in any form) by use of a motor vehicle, and reckless driving (willful or wanton disregard for safety of persons or property in any form);
- e. Pending traffic offenses; and
- f. An individual being under 25 years of age.

3. **Full Disclosure & Ongoing Obligation.** In addition to the background check, each applicable individual who is subject to a background check under this Policy has the affirmative and ongoing duty to disclose any disqualifiers listed above in Section C(1). Failing to disclose or intentionally misrepresenting any of the above disqualifiers is grounds for USGA disqualification from participation, regardless of when the offense is discovered. Participants must make disclosures by emailing Safeguarding@usga.org.

4. **Findings.** The USGA's criminal background check report will return a Red Light/Flagged or Green Light/Cleared finding.
- A Green Light/Cleared or "meets the screening criteria" finding indicates an individual meets the background- screening requirement for USGA participants. The background check vendor located no records that would disqualify the individual. A green light score, however, is not a certification of safety or permission to bypass/ ignore other screening efforts. Other disqualifying factors may exist and can be revealed through other means.

- A Red Light/Flagged finding means criminal history has been sourced that “does not meet the screening criteria.” A Red Light finding means the criminal background check revealed criminal records that suggest the individual does not meet the criteria and is not suitable for USGA participation.
5. **Results.** When the criminal background check vendor (NCSI) sources criminal history information as outlined above and attributable to the applicant, NCSI will send that information directly to the applicant. NCSI will inform USGA of all Red Light/Flagged findings, including Automatic Disqualifiers, and Green Light Findings.

G. APPEALS PROCESS

Once USGA is informed of an applicant’s accurate Red Light finding, the USGA Safeguarding Review Panel will appraise the Red Light status.

1. **Disputes of Findings.** Individuals subject to disqualification under a Red Light finding may challenge the accuracy of the information reported by the criminal background check vendor, NCSI. That individual will be provided with an opportunity to correct potential errors in their record or to provide additional information. NCSI will research issues that are raised and revise the report if any inaccuracies are found. The applicant will be notified accordingly.
2. **Appeals of Disqualifications.** Individuals subject to disqualification under an accurate Red Light/Flagged findings have the right to request an appeal of their disqualification, except for findings of Automatic Disqualifiers which are not subject to appeal. The individual must file a written request for appeal within thirty (30) days from the date of notification of the final disqualification determination. Individuals who do not request an appeal, or fail to request an appeal within the thirty (30) day time period, are deemed to have waived their right to an appeal and will not be permitted to re-apply for participation in the USGA for a period of one (1) year.

All appeals for Red Light determinations shall be made to the USGA Review Panel. Participants will receive an Adverse Action Letter with instructions on how to initiate an appeal.

The USGA Safeguarding Review Panel (“Review Panel”) will consist of no less than 3 persons which shall include at least our Chief Security Advisor, one member of the USGA Legal Department, and one member of the Player Relations Department.

To initiate an appeal, the individual must provide the following:

- a. Provide an email to Safeguarding@usga.org with the subject line "Background Screen Appeal".
- b. Within the email, include the individual's first and last name, email, phone number and a brief description of the position or role sought with the USGA.
- c. Provide a reasonable description of the grounds for disqualification and any information that might be useful for the Review Panel to know, including justification for the appeal and the individual's contributions to the game of golf.

3. Review and Considerations. In rendering its finding, the Review Panel will consider the following.

- a. The legitimate interests of the USGA in providing a safe environment for athletes and other individuals who may participate in USGA programs and events;
- b. Any information produced by the individual, or produced on behalf of the individual, concerning the disqualifying matter;
- c. Any other information, which in the determination of USGA, would bear on whether or not the individual should be denied or granted approval to participate.

In making a final determination, the Review Panel will evaluate the circumstances surrounding the disqualifying matter, the dates in which the matter occurred and the overall impact of the matter on the relevant USGA program, event or position sought.

4. Final Determination. The Review Panel may take up to thirty (30) business days to process the appeal once it is received. An individual will be issued a final determination in writing regarding the Review Panel's decisions.

Glossary of Terms

Adult Participant is any adult (18 years of age or older) who is:

1. An employee or Executive Committee member of the USGA.
2. Authorized, approved, or appointed by the USGA in connection with a USGA Team or the USNDP or related Event to have Regular Contact with or Authority Over Minor Athletes, including adult athletes, caddies, Coaches, captains, team managers, chaperones, USGA staff, including interns, USGA Executive Committee members, medical professionals, trainers, transportation drivers, contract personnel, and volunteers.
3. Within the governance or disciplinary jurisdiction of the USGA in connection with a USGA Team or USNDP.

Authority Over is defined as one person's position over another person is such that, based on the totality of the circumstances, they have the power or right to direct, control, give orders to, or make decisions for that person.

Coach is a person who is authorized to instruct or train athletes, based on supervisory, evaluative or other authority over that athlete. Once a Coach-Athlete relationship is established, a Power Imbalance is presumed to exist throughout the relationship, regardless of age.

Event includes any of the following In-Program activities relating to a USGA Team or the USNDP which are sanctioned by the USGA:

1. Competitions;
2. Training, including practices, camps, and clinics;
3. Travel and transportation;
4. Lodging;
5. Pre/post competition meals or outings sponsored by USGA;
6. Off-site outings for teambuilding, socialization, or fundraising sponsored by USGA;
7. Awards banquets; and
8. Mental health or medical treatment.

In-Program. Activities related to participation in golf. Examples include, but are not limited to: competition, practices, meetings, camps/clinics, training/instructional sessions, pre/post event meals or outings, team travel, video review, team- or golf-related team building activities, celebrations, award ceremonies, banquets, team- or

golf-related fundraising or community services, golf education, competition site visits, conventions, conferences, summits and/or workshops.

In-Program Contact constitutes any contact (including communications, interactions, or activities) between an Adult Participant and any Minor Athlete(s) related to participation in golf. The USGA does not allow any other interactions except for In-Program Contact.

Examples of In-Program Contact include, but are not limited to: competition, practices, camps/clinics, training/instructional sessions, pre/post-game meals or outings, team travel, review of video, team- or sport-related relationship building activities, celebrations, award ceremonies, banquets, team- or sport-related fundraising or community service, sport education, or competition site visits.

Minor Athlete is an athlete under 18 years of age who participates in, or participated within the previous 12 months in, a USGA Team or USNDP event, program, activity, or competition that is part of, or partially or fully under the Jurisdiction of the USGA.

Power Imbalance exists where, based on the totality of the circumstances, one person has supervisory, evaluative, or other authority over another. A Power Imbalance is presumed to exist through the duration of a Coach-Athlete relationship.

Regular Contact is defined as ongoing interactions during a 12-month period wherein an Adult Participant is in a role of direct and active engagement with any Minor Athlete.

SafeSport refers to any designation when the two words “Safe” and “Sport” are combined, the reference is to the U.S. Center for SafeSport.

USGA Teams refers to any national or international team in which members are selected by the USGA to represent the USGA or the United States of America in any national or international competition. This includes any National Team of the U.S. National Development Program, the Walker Cup Team, the Curtis Cup Team, and the World Amateur Team.

USNDP refers to the U.S. National Development Program of the USGA, which includes the National Teams, camps, clinics and other events, programs or activities sanctioned by the USGA in connection with the U.S. National Development Program.