2026-2027 MLS NEXT ACADEMY DIVISION

SAFETY AND WELLBEING POLICY

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I. INTRODUCTION: PROMOTING PLAYER PROTECTION

MLS NEXT Academy Division is an elite youth soccer competition platform with the mission of providing training, development, education, and competition opportunities for select soccer players between the age groups U13 to U19 across the United States. MLS NEXT Academy Division values sportsmanship, fair play, skill development, and mutual respect among all Players, Coaches, Match Officials, and spectators.

In order to pursue this mission in a manner that prioritizes the safety, wellbeing, and healthy development of all Participants,[1] particularly those who are under the age of 18 (which includes, but is not limited to, Minor Players and Minor Match Officials), MLS NEXT Academy Division has adopted this Safety and Wellbeing Policy (the "Policy"). This Policy sets forth rules, minimum standards, and procedures for MLS NEXT Academy Division and for its Members regarding the safety and wellbeing of Participants. **Any soccer club participating as a Member of MLS NEXT Academy Division ("Club"), any grouping of Players by age and by a Club to play in MLS NEXT Academy Division Competitions ("Team"), and all Participants must comply with the requirements of this Policy.** The Policy incorporates the Safe Soccer Framework of the United States Soccer Federation ("U.S. Soccer"). The Safe Soccer Framework is a comprehensive program of policies and processes for screening, training and education, reporting, monitoring, and enforcement designed to help participants detect and report abuse, respond to it, and prevent future occurrences. This Policy incorporates each of those elements and, in some cases, may incorporate additional protections or adapt (in an equally or more protective manner) those procedures to suit the needs of MLS NEXT Academy Division and its Members.

The Policy was created in accordance with Public Law 115-126, *Protecting Young Victims from Sexual Abuse and SafeSport Authorization Act of 2017* (the "SafeSport Act"), as incorporated into the *Ted Stevens Olympic and Amateur Sports Act* (the "Ted Stevens Act"). Furthermore, this Policy is implemented in accordance with U.S. Soccer's Bylaw 212 and Policy 212-3, which require Operators to, among other things, establish a risk management program to promote the safety and protect the welfare of Minor Participants, and adopt policies prohibiting sexual abuse. Therefore, all Clubs must comply with the substance of this Policy, regardless of whether a Club is a member of U.S. Soccer, or subject to the jurisdiction of the U.S. Center for SafeSport (the "Center"), which was established pursuant to the SafeSport Act to assist in the regulation and enforcement of the SafeSport Act.

The goal of this Policy includes preventing Child Abuse[2]—which is the physical or mental injury, sexual abuse or exploitation, or negligent treatment of a child —from occurring through the screening of Adults, ongoing trainings, increased awareness, and mandatory reporting of any

[1] As defined in the MLS NEXT Academy Division Rules and Regulations. Capitalized terms not defined in this Policy shall have the meaning ascribed to them in the MLS NEXT Academy Division Rules and Regulations and MLS NEXT Academy Division Disciplinary Code.

[2] The term "Child Abuse" has the meaning set forth in Section 203 of the Victims of Child Abuse Act of 1990 (34 U.S.C. § 20341), or any applicable state law.

abuse. This Policy also seeks to create a safe and positive working and competition environment for all Participants.

Operator and PDev reserve the right to modify, amend, restate, or supplement this Policy at any time, and will use best efforts to provide Clubs with reasonable advance notice of any such change. Clubs must comply with this Policy and all such changes to it.

A. REPORTING

MLS NEXT Academy Division supports a culture of compliance, safety, and respect. It encourages open communication in which all Participants feel comfortable reporting concerns involving suspected abuse or any other misconduct. Participants are encouraged to raise concerns in the manner that is suitable to them, whether it be to Coaches, Match Officials, Team administrators and Program Staff, or to the Center. As explained in further detail below in Section III, there are certain scenarios that **require** reporting to the Center and law enforcement. However, even in scenarios that do not trigger that obligation, we encourage you to use the Operator email addresses below to report any concerns involving suspected abuse or any other misconduct/violation of this Policy or other Rules and Policies.

The Operator email addresses are as follows:

(i) reporting@east.mlsnextacademydivision.com (Carolinas, Garden State, Great Lakes North, Great Lakes South, Mid-Atlantic, New England, North, Tri-State, South, Sunshine North, Sunshine South, Virginia);

(ii) reporting@heartland.mlsnextacademydivision.com (Heartland);

(iii) reporting@west.mlsnextacademydivision.com (Mountain, Pacific Northwest, Southern California);

(iv) reporting@calnorth.mlsnextacademydivision.com (Northern California Redwood, Northern California Coast);

(v) reporting@southwest.mlsnextacademydivision.com (Desert, Pioneer).

Additionally, the U.S. Soccer Integrity Hotline is available at (312) 528-7004, as well as via its website at https://ussoccer.i-sight.com/portal. For more information, see https://www.ussoccer.com/safeguarding/report-a-concern.

When using the Operator email addresses above, the identity of any individual submitting a report in good faith will be handled discreetly and kept confidential to the fullest extent possible, unless doing so does not comply with applicable law or prevents a full and effective investigation of the report.

MLS NEXT Academy Division encourages those individuals reporting any concerns to provide their identity so that Operator may have the best opportunity to follow up and to ensure it has addressed the concern raised. However, individuals may report anonymously, if they so choose. If a report concerns facts giving reason to suspect a child has suffered an incident of Child

Abuse ("Reporting Obligation") (*see* "Reporting Suspected Child Abuse" on Page 8), MLS NEXT Academy Division will make the report directly and/or work with the reporting individual to make the report to law enforcement.

In addition, the Center has exclusive jurisdiction over certain claims of suspected Child Abuse and other misconduct involving Players who are Minors.[3] **All reports of such Sexual Misconduct or abuse must be reported to the Center**, which can be done on an anonymous basis, by visiting https://uscenterforsafesport.org/report-a-concern/ or by calling the Center at (720) 531-0340 during business hours (Monday-Friday, 8:00 AM MT – 4:00 PM MT) or toll-free at 1-833-5US-SAFE (24-hours per day, 7-days per week).

MLS NEXT Academy Division does not tolerate retaliation of any kind. Clubs shall ensure that no individual who makes a good faith report shall be subject to any type of retaliation, including harassment, any adverse employment action, or any competitive consequences, as a result of making such a report. Any retaliatory act is a violation of this Policy and will be subject to discipline in accordance with the MLS NEXT Academy Division Disciplinary Code.

It is the duty of all Participants to attempt to make MLS NEXT Academy Division a safe place for all other Participants; therefore, every Participant is responsible for reporting any concerns or suspected violations of any MLS NEXT Academy Division Rule or Policy as outlined below.

B. HOW TO USE THIS POLICY

This Policy is incorporated by reference into the MLS NEXT Academy Division Rules and Regulations. This Policy provides the guiding safety and wellbeing policies applicable to all Clubs and Participants that take part in any MLS NEXT Academy Division Event.

This Policy is not an exclusive statement of all policies applicable to Clubs. In addition, Clubs shall implement additional policies and procedures specific to their operations (provided they do not conflict with and are no less protective of Minors than this Policy), to the extent required to effectively implement the terms of this Policy or as required by the jurisdiction in which the Club operates.

C. WHO IS COVERED UNDER THIS POLICY

All Participants must comply with the requirements of this Policy; however, certain "Covered Persons" (as defined below) are required to comply with the SafeSport section of this Policy that is specifically directed at Child Abuse.

[3] For purposes of this Policy, any Participant, whether Player, Game Official, or otherwise, under the lesser of (1) the age of 18, or (2) the age of majority in the applicable state or province, is considered a "Minor."

1. Covered Persons

"Covered Persons" means any individual aged eighteen or older ("Adult") that is a Participant who has Regular Contact (defined below) with any Player or Match Official, who is a Minor, in connection with Covered Programs (defined below).

- "Regular Contact" is defined as recurring, repeated, or periodic contact between an Adult and Minor, or a person with supervisory or decision-making authority over an Adult who has recurring, repeated, or periodic contact with Minors, including, but not limited to, overseeing, supervising, chaperoning, or otherwise interacting with Minors.

Even if a Club or individual is deemed by an applicable legal authority to not be subject to the jurisdiction of the Center or U.S. Soccer, the content of this Policy and all references to obligations and prohibitions of the Center's code shall be fully applicable to such persons (who are deemed Covered Persons under this Policy) and entities, through their incorporation into this document.

2. Covered Programs

For the purposes of this Policy, a "Covered Program" is any sporting event, program, or academy program operated or organized in whole or in significant part by Operator and/or its licensor Player Development, L.L.C. ("PDev"), or any Club (if the event is sanctioned by Operator or PDev)), including MLS NEXT Academy Division Competitions and Events. This definition includes, but is not limited to, travel, tournaments, Showcases, Pre-Season, Regular Season, Post-Season, Invitational Events,[4] coaching clinics, and camps run by Operator, PDev or Clubs, including local affiliate organizations.

Note that while Operator may not have authority or control over non-sanctioned events operated or organized by Clubs (i.e., non-Covered Programs), any act or omission prohibited by this Policy may serve as an independent basis for MLS NEXT Academy Division disciplinary action if it calls into question a Covered Person's fitness to participate in Covered Programs.

D. NOTE ON MINOR MATCH OFFICIAL SAFETY

The abuse and assault of Match Officials is expressly prohibited by U.S. Soccer Policy 531-9, but a particular note is required regarding Match Officials who are also Minors. Minor Match Officials are trained match officials, and many are experienced players, but they are Minor participants nonetheless and are therefore entitled to all the protections extended to Minor Players by this Policy. Without limiting the foregoing, wherever this Policy includes protections for Minor Players or other Participants, it should also be read as protecting any Minor Match Official, even if not expressly stated.

[4] In an attempt to recruit the highest quality talent, MLS NEXT Academy Division hosts invitation-only identification events, known as MLS NEXT Academy Division Invitational Events.

II. TRAINING AND EDUCATION

The SafeSport Act requires amateur sports organizations to offer consistent training to Adult Participants who are in Regular Contact with amateur athletes/Players who are Minors, and subject to parental consent, to Players who are Minors, regarding the prevention of Child Abuse. The "Core SafeSport Training" offered by the Center meets the requirements of this Policy. It consists of three modules: (i) Sexual Misconduct Awareness Education; (ii) Mandatory Reporting; and (iii) Emotional & Physical Misconduct.[5] It can be accessed at https://uscenterforsafesport.org/training-and-education/training-and-education- services/.

A. TRAINING FOR ADULTS

All Covered Persons **must** successfully complete the required SafeSport training (either the Core Training or Refresher Course, as appropriate) every year in order to participate in MLS NEXT Academy Division.[6]

Training provides Participants the necessary tools, vocabulary, and information to monitor our sport, minimize the opportunities for child physical or sexual abuse and other types of misconduct, and respond to concerns more effectively.

For the avoidance of doubt, MLS NEXT Academy Division requires at least the following persons to complete the Core SafeSport Training prior to the commencement of their association with MLS NEXT Academy Division or a Club, or within 45 days of being hired, appointed, approved, or retained by Operator or a Club, but in all events before commencing any contact with Minors:

- MLS NEXT Academy Division employees who will have Regular Contact with Minors;
- Club Representatives (Coaches; Club technical staff and administrators; ATCs, sport scientists, physicians, massage therapists, or other medical personnel);
- Contractors and vendors with access to Minors (e.g., security, other medical personnel not employed directly by Club);

[5] Emotional Misconduct – any conduct that is objectively and reasonably deemed to have caused harm to another person's psychological or intellectual functioning, which may be exhibited by emotional damage such as severe anxiety, depression, withdrawal, or aggression.

Physical Misconduct – any interaction with another person that inflicts physical injury upon another person or reasonably threatens to cause physical injury to another person.

[6] To the extent a Covered Person is a survivor of Child Abuse and feels that taking the Core SafeSport Training may be triggering, the Covered Person may request an exemption from the Club or Operator, as applicable, on a confidential basis. The party granting the exemption should account for the Covered Person as in good standing with regard to the training requirement.

- Adult Match Officials;
- Adult Players, including players who turn 18-years old during the Season; and
- Chaperones, volunteers, and individuals who have access to Minor Players.

In connection with the annual registration process, all Covered Persons required to register with MLS NEXT Academy Division will have to certify that they have completed the required SafeSport training, and the Club will need to certify that all others that are affiliated with the Club have also completed the required training.

Once a Covered Person has successfully taken and certified completion of all three "Core Training" modules (including Sexual Misconduct Awareness Education, Mandatory Reporting, and Emotional & Physical Misconduct), they have met the "SafeSport Trained" requirement. For the next three years thereafter, the Covered Person will only need to take the SafeSport Refresher Course until the fifth year, when the "Core Training" must be taken again. The following is the training cadence:

- Year 1: *SafeSport® Trained* ("Core Training")
- Year 2: Refresher 1: *Recognizing and Reporting Misconduct*
- Year 3: Refresher 2: *Preventing Misconduct*
- Year 4: Refresher 3: *Creating a Positive Sport Environment*
- Year 5: Restart the training cycle beginning with *SafeSport® Trained* ("Core Training")

B. MINOR PLAYERS AND PARENTS

Minor Players and their parents who participate in MLS NEXT Academy Division will be offered training from the Center every year and should take the training (subject to parental consent for Minor Players). Age-appropriate training can be accessed at: https://athletesafety.org/training/index. Clubs will keep track of which Minor Players have taken the SafeSport training and when they did so. Such information will be made available to MLS NEXT Academy Division on request. Clubs should encourage participation in this training and recommend that parents take the SafeSport training.

C. NON-SAFESPORT TRAINING

1. Equity and Inclusion Training

MLS NEXT Academy Division is an inclusive and non-discriminatory platform. MLS NEXT Academy Division will not tolerate racism or any form of discrimination based on age, gender, race, national origin, sexual orientation, or any other social identity category and/or defining characteristic. Each Club is required to create an inclusive environment and promote inclusive behaviors through proactive communication, engagement, and programming. MLS

NEXT Academy Division also encourages each Participant to report any behavior that violates this Policy.

Each Club should provide comprehensive equity and inclusion training for its Players and Club Representatives to explain the bounds of acceptable behavior. Such training should be provided on an annual basis, and Clubs should ensure that its Players and Club Representatives complete such training, including, where possible, prior to the beginning of the Regular Season (and more frequently if needed).

2. Head Injury Education

Education plays a critical role in concussion identification and management. Prior to the commencement of each season, all technical staff and all medical contractors or staff are required to complete the Centers for Disease Control and Prevention's "Heads Up to Youth Sports" online training program (available at https://www.cdc.gov/heads-up/training/youth-sports.html), and submit proof of completion in accordance with MLS NEXT Academy Division registration instructions. Additionally, such parties should review the U.S. Soccer "Fact Sheet" for their respective groups (Players, Coaches, or parents) located at the U.S. Soccer site (https://www.recognizetorecover.org/head-and-brain).

Each Club shall implement a procedure to ensure that Players, parents, and Coaches are aware of such documents and encouraged to read them, such as posting the applicable version in locker rooms, technical staff offices, or emailing the link or a copy to parents, Players, and technical staff, as appropriate.

Further, each Club shall ensure that its technical and medical staff and contractors have reviewed the Concussion Protocol in Section VIII.D, and the U.S. Soccer Protocol, located at the following site (or a replacement link): https://static1.squarespace.com/static/57125d942eeb814000fb1ca5/t/601c7ed96f42587aa4c6e408/1612480224226/SOC_4266+R2R+Concussion+Management+v3.pdf.

As directed by U.S. Soccer's 2016 Concussion Initiative, players aged 13 and younger are subject to restrictions with regard to heading soccer balls. Players aged 10 and younger are prohibited from heading the ball regardless of the age group in which they play. Players who are 11, 12, and 13, regardless of the age group in which they play, may head the ball during matches; however, these players must limit heading practice to a maximum of 30 minutes per week with no more than 15–20 headers per player, per week. Clubs are responsible for providing Coach education and support to parents to ensure appropriate instruction to Players in accordance with this Policy.

3. CPR and AED Training

Prior to the start of each Season, all Coaches required to register with MLS NEXT Academy Division are required to have valid, up to date certifications for cardiopulmonary resuscitation techniques ("CPR").

III. REPORTING SUSPECTED CHILD ABUSE

A. REPORTS TO LAW ENFORCEMENT

On February 14, 2018, President Donald Trump signed into law the *Protecting Young Victims from Sexual Abuse and SafeSport Authorization Act of 2017* (the "SafeSport Act"). Among other things, this comprehensive law amends the *Victims of Child Abuse Act of 1990*, 34 U.S.C. § 20341, *et seq*., and clarifies who is a **mandatory reporter** for cases of suspected Child Abuse. Specifically, the definition of mandatory reporter now includes any "adult who is authorized, by a national governing body, a member of a national governing body, or an amateur sports organization that participates in interstate or international amateur athletic competition, to interact with a minor or amateur athlete at an amateur sports organization facility or at any event sanctioned by a national governing body, a member of a national governing body, or such an amateur sports organization." § 20341(c)(9). By doing this, the law increases the standard of care and makes it a crime for an individual involved in a national governing body sports organization, including MLS NEXT Academy Division, to ignore, or not report to law enforcement, any reasonable suspicion of an act of Child Abuse, including sexual abuse, within **24 hours**. Consequently, MLS NEXT Academy Division urges all Clubs and their employees and all other Participants to understand their Reporting Obligations under this important federal law.

Under the SafeSport Act, the Reporting Obligation is triggered when a mandatory reporter becomes aware of "facts that give reason to suspect" a child has suffered an incident of Child Abuse. § 20341(a)(2). Under the Act, Child Abuse includes physical or mental injury, sexual abuse or exploitation, or negligent treatment of a child. "Sexual Child Abuse" includes, but is not limited to, the employment, use, persuasion, inducement, enticement, or coercion of a child to engage in, or assist another person to engage in, sexually explicit conduct, or the rape, molestation, prostitution, or other form of sexual exploitation of children or incest with children. "Mental Injury" means harm to a child's psychological or intellectual functioning, which may be exhibited by severe anxiety, depression, withdrawal, or outward aggressive behavior, or a combination of those behaviors, which may be demonstrated by a change in behavior, emotional response, or cognition.

The SafeSport Act also includes qualified immunity for good faith reports. MLS NEXT Academy Division urges all mandatory reporters to refrain from judging or evaluating the credibility of such allegations and to leave such assessments to law enforcement.

Failure to promptly report suspected Child Abuse to law enforcement authorities may constitute a violation of federal law and will also be deemed a violation of this Policy.

The message is clear: if you suspect Child Abuse, report it to law enforcement immediately.

B. OBLIGATIONS OF COVERED PERSONS TO REPORT SEXUAL ABUSE

In addition to the obligation to report to law enforcement pursuant to the SafeSport Act (as detailed above), **Covered Persons are also charged with reporting suspected incidents of sexual abuse to the Center and to MLS NEXT Academy Division** (regardless of whether the suspected victim is an Adult or Minor**)**. Additionally, any Participant or any other concerned

individual may report an incident of alleged sexual abuse to law enforcement, the Center, MLS NEXT Academy Division, or to the U.S. Soccer Integrity Hotline, which is available at (312) 528-7004, as well as via its website at https://www.ussoccer.com/safeguarding/report-a-concern For more information, see https://www.ussoccer.com/safeguarding/report-a-concern. For further details, see the Section titled, "How to Report to the Center" and "How to Report to the MLS NEXT Academy Division Operators" below.

Without limiting the foregoing Reporting Obligations of Covered Persons, Clubs are obligated to report any suspected violation of this Policy involving Club Representatives or Players ***of any age*** to the MLS NEXT Academy Division Operators (more details below). Reports made to MLS NEXT Academy Division involving the Center's jurisdiction will be promptly forwarded to the Center.

The MLS NEXT Academy Division Disciplinary Code, including its jurisdictional scope, is incorporated into this Policy. ***A Club's failure to report a potential violation of this Policy is grounds for remedial action up to and including termination of the Club's Membership in MLS NEXT Academy Division.***

The obligation to report is not always satisfied by making an initial report. Covered Persons are required to report supplemental information that they become aware of that may be relevant to a pending investigation. Importantly, the passage of time, including civil or criminal statutes of limitations, do not affect or negate the obligation of a Covered Person to report possible Sexual Misconduct to either the Center or the MLS NEXT Academy Division Operators. Misconduct should always be reported, regardless of when it occurred or when it was discovered.

C. HOW TO REPORT TO THE CENTER

In addition to the MLS NEXT Academy Division Operators, reports may be made directly to the Center, including on an anonymous basis, by visiting https://uscenterforsafesport.org/report-a-concern/, or by calling (720) 531-0340 during business hours (Monday-Friday, 8:00 AM MT – 4:00 PM MT) or toll-free at 1-833-5US-SAFE (24-hours per day, 7-days per week).

You may always report to the MLS NEXT Academy Division Operators or to the Center anonymously. If you do make a report of suspected Child Abuse to law enforcement or to the Center, please be aware that an anonymous report may not provide you with evidence that you discharged your mandatory Reporting Obligation.

D. HOW TO REPORT TO THE MLS NEXT ACADEMY DIVISION OPERATORS

In addition to Covered Persons being required to report certain violations, any Participant may always raise a concern to Coaches, Match Officials, Team administrators, Program Staff, or a Club's Safety Lead. They may also report a concern to the MLS NEXT Academy Division Operators:

(i) reporting@east.mlsnextacademydivision.com (Carolinas, Garden State, Great Lakes North, Great Lakes South, Mid-Atlantic, New England, North, Tri-State, South, Sunshine North, Sunshine South, Virginia);

(ii) reporting@heartland.mlsnextacademydivision.com (Heartland);

(iii) reporting@west.mlsnextacademydivision.com (Mountain, Pacific Northwest, Southern California);

(iv) reporting@calnorth.mlsnextacademydivision.com (Northern California Redwood, Northern California Coast);

(v) reporting@southwest.mlsnextacademydivision.com (Desert, Pioneer).

Notably, any violations of this Policy involving suspected Child Abuse must be submitted to the MLS Integrity Hotline. Reports submitted to the MLS NEXT Academy Division Operators will be handled as promptly and discreetly as possible, with facts made available only to those needed to investigate and resolve the matter. MLS NEXT Academy Division is committed to safeguarding the confidentiality of individuals who submit reports. If MLS NEXT Academy Division receives a report of suspected Child Abuse triggering a Reporting Obligation under this Policy and applicable federal law, MLS NEXT Academy Division will make the report directly and/or work with the reporter to make the report to law enforcement.

Nothing in this Policy should discourage any reporter from using the U.S. Soccer Integrity Hotline, which is available at (312) 528-7004, as well as via its website at https://ussoccer-reporting.caseiq.app/portal. For more information, see https://www.ussoccer.com/safeguarding/report-a-concern Further, you can always contact the Police, Social Services, a doctor, parent, etc.

E. MISCONDUCT RELATED TO REPORTING

1. Failure to Report

A Covered Person who fails to report actual or reasonably suspected Sexual Misconduct or Child Abuse to MLS NEXT Academy Division, the Center and, when required, to law enforcement, has violated this Policy and may be subject to disciplinary action.

a) The obligation to report is broader than reporting a pending charge or criminal arrest of a Participant; it requires reporting to MLS NEXT Academy Division and to the Center any conduct which, if true, would constitute Sexual Misconduct and/or Child Abuse. The obligation to report to the Center is an ongoing one and is not satisfied simply by making an initial report. The obligation includes reporting, on a timely basis, all information of which a Covered Person becomes aware, including, but not limited to, the names of witnesses, third-party reporters, and victims.

b) The obligation to report includes personally identifying information of a potential victim to the extent known at the time of the report, as well as a duty to reasonably supplement the report as to identifying information learned at a later time.

c) Covered Persons should not investigate or attempt to evaluate the credibility or validity of allegations involving Sexual Misconduct and/or Child Abuse. A

Covered Person making a good faith report is not required to prove the report is true before reporting.

2. Intentionally Filing a False Report

Filing a knowingly false allegation that an individual engaged in Prohibited Conduct is a violation of this Policy and may also violate state criminal law. Any person making such a knowingly false allegation shall be subject to disciplinary action under the MLS NEXT Academy Division Disciplinary Code.

a) An allegation is false if the events reported did not occur, and the person making the report knows or has reason to know that the events did not occur.

b) A false allegation is different from an unsubstantiated allegation; an unsubstantiated allegation means there is insufficient supporting evidence to determine whether an allegation is true or false. Absent demonstrable misconduct, an unsubstantiated allegation alone is not grounds to find a violation of this Policy.

3. Retaliation

Retaliation or attempt to do the same by a Participant, someone acting on behalf of a Participant, or a Club, is prohibited.

Retaliation is any adverse action or threat to take any adverse action against any person related to allegations of Prohibited Conduct.

Adverse actions include, but are not limited to: threatening, intimidating, harassing, coercing, or any other action or conduct with the potential effect of dissuading any reasonable person from reporting Prohibited Conduct or engaging in activity related to any reporting or investigative process. Retaliation may take place at any time, including before, during, or after an individual's reporting or engagement in the investigation. Retaliation may be present even where there is a finding that no violation occurred.

Retaliation does not include good-faith actions lawfully pursued in response to a report of a violation of this Policy.

F. PROCEDURES FOR COMPLAINTS, INVESTIGATIONS, CORRECTIVE ACTION, AND APPEALS

All Covered Persons are responsible to help ensure the prevention of any abuse and misconduct. MLS NEXT Academy Division cannot act in an effort to eliminate abuse or misconduct unless it is aware of it. Covered Persons are charged with reporting any concerns regarding compliance with this Policy, including in the manner provided in the Section titled "Obligations of Covered Persons to Report Sexual Abuse." As stated above, in some instances, Covered Persons are also required to report to law enforcement and/or the Center.

The investigation, adjudication, or sanction imposed by the relevant Disciplinary Body and appeal of matters involving allegations or reports of abuse or other Prohibited Conduct will be

performed in accordance with the MLS NEXT Academy Division Disciplinary Code and as outlined below in the Reporting Intake Process Section. All Covered Persons have an obligation to fully cooperate in any investigation, including providing any and all information concerning the complaint. Failure to do so is a violation of this Policy.

IV. REPORTING OF OTHER MLS NEXT RULE VIOLATIONS

It is every Participant's duty to report actual or suspected violations of the Rules and Policies. For any and all Rules and Policies violations or suspected violations, a Participant must file an Incident Report ("IR") through the following Operator email addresses:

(i) reporting@east.mlsnextacademydivision.com (Carolinas, Garden State, Great Lakes North, Great Lakes South, Mid-Atlantic, New England, North, Tri-State, South, Sunshine North, Sunshine South, Virginia);

(ii) reporting@heartland.mlsnextacademydivision.com (Heartland);

(iii) reporting@west.mlsnextacademydivision.com (Mountain, Pacific Northwest, Southern California);

(iv) reporting@calnorth.mlsnextacademydivision.com (Northern California Redwood, Northern California Coast);

(v) reporting@southwest.mlsnextacademydivision.com (Desert, Pioneer).

Alternatively, a Participant may contact their Club's Safety Lead regarding Safety and Wellbeing matters (and other related policies) who will then file an IR through the MLS NEXT Academy Division Operators. As a reminder, and as addressed above in Section III, all reports of suspected Child Abuse must be reported to law enforcement, and reports to MLS NEXT Academy Division do not suffice to satisfy one's obligations under governing law.

The report will be taken in the way that is most comfortable for the person initiating the report, including an anonymous, in-person, verbal, or written report. Regardless of the method of reporting, it is helpful to get the following information: (1) the name of the claimant(s); (2) the type of misconduct alleged; (3) the name(s) of the alleged victim(s); and (4) the name(s) of the individual(s) alleged to have committed the misconduct.

MLS NEXT Academy Division prohibits any form of retaliation against anyone for raising a good faith concern under this Policy or participating in an investigation into any such concern.

V. REPORTING INTAKE PROCESS

Each matter reported to MLS NEXT Academy Division through the MLS NEXT Academy Division Operators as outlined above or otherwise shall generate an IR. As outlined below, MLS NEXT Academy Division uses a five-tier system to assess each IR to: (i) identify those reports that need immediate attention; (ii) allocate investigative resources; and (iii) determine appropriate resolutions.

The tier system is intended to assess the matter for initial response, and reports will be classified based on the information originally submitted to MLS NEXT Academy Division or the Center at the time of referral. Reports, however, may be reclassified to another tier if, upon completion of an investigation and review of findings, the originally assigned tier is no longer appropriate.

MLS NEXT Academy Division will follow all state and federal law when presented with any report of Child Abuse or criminal activity, including immediate referral to appropriate law enforcement agencies and the Center. Such reports will immediately be classified as "Tier 5." Reports yielding Tiers 4, 3, and 2 will be assigned for further assessment by MLS NEXT Program Staff for investigation.

- Tier 1 Reports

Reports of violations of Rules and Policies that are not considered SafeSport matters or otherwise violations of this Safety and Wellbeing Policy (internally designated as "Tier 1 Reports") are referred to Program Staff for resolution, consistent with the policies and procedures outlined in the MLS NEXT Academy Division Disciplinary Code. No further review is required. These reports may include, but are not limited to, reports concerning fees or financial matters, players allegedly playing on high school teams or other clubs/teams, potential player movement protocol violations, disagreements between Adults, certain reports not involving Players, and reports pertaining to the results or fairness of MLS NEXT Academy Division Events and Competitions.

- Tier 2 Reports

"Tier 2 Reports" may include prevention policy reports that do not contain elements of predatory behavior or other serious safety concerns. For example, such reports may include, but are not limited to, one-on-one social media contact where the content does not suggest inappropriate intent, as outlined in Section VII.E. These IRs may also include violations by Adult Participants of Section VI.E, which addresses use of drugs, alcohol, and tobacco.

Tier 2 Reports do not necessarily require a full investigation. They can often be resolved informally based on the report information and discussions with involved parties. This type of violation may be addressed by Program Staff through corrective measures, including the issuance of a warning letter, or mandated additional education.

- Tier 3 Reports

"Tier 3 Reports" may include reports of Prohibited Conduct as defined in Section VI of this Policy, including prevention policy concerns, misconduct, and abuse of process. For example, such reports may include, but are not limited to, certain violations of prevention policies that are without predatory intent but include serious safety concerns (such as denying hydration as punishment or disregarding medical restrictions). This may also include any offensive behavior by a Participant that is Discriminatory or Harassing, or that constitutes Emotional or Physical Misconduct—including but not limited to Bullying Behavior or Hazing. These IRs may also

include violations by Minor Participants of Section VI.E, which addresses use of drugs, alcohol, and tobacco.

Tier 3 Reports are assigned to a Disciplinary Body for investigation and may be assigned to a Discipline Review Panel for resolution consistent with the policies and procedures outlined in the MLS NEXT Academy Division Disciplinary Code. Resolutions for Tier 3 Reports may include, without limitation, mandated additional education, review or revision of Club policies, completion of an action plan to resolve issues, and/or a probationary period, and do not necessarily prohibit the subject from participating in Covered Programs.

- Tier 4 Reports

"Tier 4 Reports" may include any conduct identified by Operator as a severe violation of Rules and Policies based on frequency, intensity, number of independent reports, or a possibility for escalation in any matter not subject to the Center's exclusive jurisdiction. For example, such reports may include, but are not limited to, egregious or severe acts of Prohibited Conduct, including repeated use of demeaning or harmful coaching techniques, policy violations indicating grooming behavior such as social media invitations and activities away from Covered Programs, violations of the Team Travel/Overnight Stays policy outlined in Section VII.H, retaliation against a SafeSport reporter, and abuse of process such as intimidating witnesses, intentionally misleading an investigator, or otherwise interfering with an investigation, or repeated or particularly egregious offensive behavior by a Participant that is Discriminatory or Harassing, or constitutes Emotional or Physical Misconduct, which includes but is not limited to Bullying Behavior or Hazing. These IRs may also involve violations of Emergency Action Plans ("EAPs") or Concussion Protocols.

Tier 4 Reports are assigned to a Disciplinary Body for investigation and are more likely to be assigned to a Discipline Review Panel for resolution consistent with the policies and procedures outlined in the MLS NEXT Academy Division Disciplinary Code. Tier 4 matters will be promptly reviewed for potential interim protective measures, which may include, but are not limited to, suspension (or Bans) from all MLS NEXT Academy Division Events and Club activities, including during the pendency of the investigation, probation from contact with Players, additional education, a request to develop, audit, and/or review relevant Club policies, and any other interim measures Operator determines to be appropriate in its sole discretion. Remedies may include Sanctions that affect a respondent's eligibility to participate in MLS NEXT Academy Division, including, without limitation, permanent ineligibility from participation in Covered Programs (a "Lifetime Ban").

- Tier 5 Reports

"Tier 5 Reports" include any matter subject to the Center's jurisdiction. Such matters include those within the Center's exclusive jurisdiction, as well as any matter where the Center elects to exercise its discretionary jurisdiction. Matters within the Center's exclusive jurisdiction include, but are not limited to, sexual misconduct, criminal allegations involving Child Abuse or sexual misconduct, or "Other Inappropriate Conduct" as defined in the SafeSport Code. Moreover, the Center retains discretionary jurisdiction to investigate and resolve any allegations that a Covered Person violated the SafeSport Code, including matters that do not fall within the Center's

exclusive jurisdiction. Operator will promptly file any Tier 5 Report with law enforcement and/or the Center, as appropriate.

Program Staff may assign Tier 5 status to any case involving sufficiently elevated risk to Players or the organization, even if such a matter does not fall under the Center's exclusive jurisdiction. To that end, Program Staff will refer such a matter to the Center to enable the Center to exercise its discretionary jurisdiction. The Center is responsible for investigating and resolving all cases within its exclusive jurisdiction, as well as any case in which the Center elects to exercise its discretionary jurisdiction.

Matters in which the Center declines to exercise its discretionary jurisdiction will be reclassified as Tier 4 and resolved consistent with the procedures outlined above.

Although Operator may elect not to investigate or resolve Tier 5 matters concurrently with the Center's exercise of jurisdiction, such matters will be promptly reviewed for potential interim protective measures, which may include, but are not limited to, suspension (or Bans) from all MLS NEXT Academy Division Events and Club activities, including during the pendency of the investigation, probation from contact with Players, additional education, a request to develop, audit, and/or review relevant Club policies, and any other interim measures Operator determines to be appropriate in its sole discretion. In addition, Operator reserves all rights to investigate Tier 5 matters following resolution of the Center's investigation, including after administrative closures, informal resolutions, or formal resolutions.

VI. PROHIBITED CONDUCT

MLS NEXT Academy Division is committed to maintaining a work and competition environment that is free from all forms of abuse, misconduct, and other untoward acts. IT IS A VIOLATION OF THIS POLICY FOR ANY COVERED PERSON, MATCH OFFICIAL OR PLAYER TO ENGAGE IN ANY OF THE FOLLOWING FORMS OF MISCONDUCT PROHIBITED BY THIS POLICY REGARDLESS OF WHETHER SUCH CONDUCT OCCURS IN RELATION TO AN MLS NEXT ACADEMY DIVISION EVENT ("PROHIBITED CONDUCT").

A. CHILD ABUSE

It is a violation of this Policy to engage in any form of Child Abuse. Child Abuse includes, but is not limited to, physical, mental, or sexual abuse, as well as neglect, of a Minor. Each of these forms of Child Abuse is addressed in turn:

1. Physical Child Abuse

It is a violation of this Policy to engage in any purposeful attempt to inflict physical injury, meaning an impairment of physical condition or substantial pain ("Physical Injury"), upon a Minor by other than accidental means ("Physical Child Abuse"). Physical Injury may include, but is not limited to, lacerations, fractured bones, burns, internal injuries, severe bruising, or serious bodily harm.

2. Mental Child Abuse

It is a violation of this Policy to engage in any conduct that reasonably causes harm to a Minor's psychological or intellectual functioning ("Mental Injury"). Mental Injury may include, but is not limited to, exhibiting severe anxiety, depression, withdrawal or outward aggressive behavior, or a combination of those behaviors, which may be demonstrated by a change in behavior, emotional response, or cognition ("Mental Child Abuse").

3. Sexual Child Abuse

It is a violation of this Policy to engage in any activity involving a sexual act ("Sexual Interaction") with a Minor. Sexual Interaction includes, but is not limited to: rape; sexual battery; physical sexual contact; molestation; sexually explicit or offensive verbal communication; sexually oriented conversations; verbal sexual harassment; voyeurism; sexual intercourse or sexual touching; sexual exploitation (including creating or disseminating pornographic images); exposing of genitalia; viewing of sexual activity; viewing or disseminating content or imagery of a sexual nature; or permitting, allowing, or encouraging a Minor to engage in prostitution, or other forms of sexual exploitation of children (collectively, "Sexual Child Abuse").

4. Neglect

It is a violation of this Policy to engage in any activity involving the failure, refusal, or inability on the part of a caregiver, for reasons other than poverty, to provide necessary care, food, water, clothing, medical or dental care, or shelter so as to seriously endanger the physical health of a Minor ("Neglect").

B. SEXUAL MISCONDUCT

It is a violation of this Policy to engage in Sexual Misconduct. Sexual Misconduct offenses include, but are not limited to:

- Sexual Harassment;
- Non-consensual Sexual Contact (or attempts to commit the same);
- Non-consensual Sexual Intercourse (or attempts to commit the same);
- Sexual Exploitation;
- Exposing a Minor to sexual content/imagery;
- Sexual bullying behavior[7];

[7] Bullying Behavior – repeated and/or severe physical, verbal, social, sexual, or criminal behaviors that are (i) aggressive; (ii) directed at another; and (iii) intended or likely to hurt, control, or diminish the other person emotionally, physically, or sexually.

- Sexual hazing[8]; and

- Other inappropriate conduct of a sexual nature.

Each of these forms of Sexual Misconduct is described below:

1. Sexual Harassment

"Sexual Harassment" is defined as any unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature. Sexual Harassment also includes harassment related to an individual's or group's actual or perceived sex (including pregnancy, childbirth, breastfeeding, and related circumstances)or sexual orientation, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, written, pictorial, visual communication or otherwise, even if the acts do not involve conduct of a sexual nature, when either of the conditions outlined below are present:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of any person's employment, standing in sport, or participation in events, sports programs, teams, and/or activities; or when submission to or rejection of such conduct is used as the basis for sporting decisions affecting the individual (often referred to as "quid pro quo" harassment); or

- Such conduct creates a Hostile Environment. A Hostile Environment exists when the conduct is sufficiently severe, persistent, and/or pervasive such that it does or is likely to interfere with, limit, or deprive any individual of the opportunity to participate in any Covered Program or activity. Conduct or communication must be deemed a hostile environment from both a subjective and objective perspective. Whether a Hostile Environment exists depends on the totality of known circumstances, including, but not limited to:

    - Frequency of the conduct or communication(s), recognizing that a single incident may rise to the level of harassment;

    - Type or nature of the conduct or communication(s);

    - The duration of the conduct or communication;

    - Context or location where the conduct or communication(s) took place;

    - Whether the conduct or communication(s) was threatening;

[8] Hazing – any conduct that subjects another person, whether physically, mentally, emotionally, or psychologically, to anything that may endanger, abuse, humiliate, degrade, or intimidate the person as a condition of joining or being socially accepted by a group, Club, Team, or other organization.

- Effect of the conduct or communication(s) on the victim's mental or emotional state;

- Whether the conduct or communication(s) was directed by or at more than one person;

- Whether the conduct or communication(s) arose in the context of other discriminatory conduct;

- Whether a Power Imbalance exists between the individual alleged to have engaged in harassment and the victim;

- Any use of epithets, slurs, or other conduct or communication(s) that is humiliating, offensive, or degrading; and

- Whether the conduct or communication(s) reflects stereotypes about an individual or group of similarly situated individuals.

A hostile environment can be created by a single or isolated incident that is severely sufficient.

Purported consent by the victim is not a defense, regardless of the person's perceived willingness to cooperate or participate.

2. Non-Consensual Sexual Contact

It is a violation of this Policy to engage in or attempt to engage in any intentional touching of a sexual nature, however slight, with any object or body part (as described below), by a person upon another person ("Sexual Contact") without his/her/their affirmative consent.[9] Sexual Contact includes, but is not limited to: (i) kissing the mouth or body part of another; (ii) intentional touching of the breasts, buttocks, groin, or genitals, whether clothed or unclothed, or intentionally touching of another with any of these body parts; or (iii) causing another to touch themselves, or someone

[9] Consent is (a) informed (knowing), (b) voluntary (freely given), and (c) active (not passive). Consent must be demonstrated by clear words or actions, indicating that a person who is legally and functionally competent has indicated permission to engage in mutually agreed upon sexual activity.

Consent to any one form of sexual activity does not automatically imply Consent for any other forms of sexual activity. Previous relationships or prior Consent does not imply Consent to future sexual activity. Once given, Consent can be withdrawn through clear words or actions.

Consent cannot be obtained: (a) by force, (b) by taking advantage of the Incapacitation of another, when the person initiating sexual activity knew or reasonably should have known that the other was Incapacitated, (c) from someone who lacks legal capacity, (d) when a Power Imbalance exists.

A close-in-age exception will be applied to any Consent-related policy violation between an Adult and a Minor, or between two Minors, when there is no Power Imbalance and when the age difference is no more than three years. However, even if a close-in-age exception applies, while a Minor may not lack Legal Capacity to Consent, lack of Consent may still be present on other grounds as enumerated herein.

else with or on any of these body parts. **Under no circumstances can a Minor Participant give consent to any Sexual Contact with an Adult.**

3. Non-Consensual Sexual Intercourse

It is a violation of this Policy to engage in or attempt to engage in any penetration, however slight, with any object or body part (as described below), upon another person ("Sexual Intercourse") without his/her/their affirmative consent. Sexual Intercourse includes, but is not limited to: (i) vaginal penetration by a penis, object, tongue, or finger; (ii) anal penetration by a penis, object, tongue, or finger; and (iii) any contact, no matter how slight, between the mouth of one person and the genitalia of another person. **Under no circumstances can a Minor Participant give consent to Sexual Intercourse with an Adult.**

4. Sexual Exploitation

It is a violation of this Policy to engage in any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes ("Sexual Exploitation"). Sexual Exploitation occurs when an individual purposely or knowingly, or attempts or threatens to:

- Allows third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g. video calls or, live-streaming of images) without the consent of all parties involved in the sexual activity;

- Records or photographs private sexual activity and/or a person's real or simulated intimate parts (including genitalia, groin, breasts, or buttocks) without the consent of all parties in the recording or photo;

- Engages in voyeurism (e.g., watching private sexual activity or viewing another person's real or simulated intimate parts when that person would have a reasonable expectation of privacy), without the consent of all parties being viewed;

- Disseminates, shows, or posts content depicting private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts, or buttocks) without prior consent of the person depicted, referenced or involved in the images;

- Intentionally exposes another person to a sexually transmitted infection or virus without that person's knowledge;

- Engages in prostituting or trafficking another person;

- Engage in any actual or attempted abuse of a vulnerability, power differential, or relationship of trust for sexual purposes, including but not limited to profiting monetarily, socially, or politically from the sexual exploitation of another; and/or

- Requires a third party to visually observe or listen to any of the conduct described in the subsections above.

Under no circumstances can a Minor Participant give consent to any of the above-listed acts with an Adult.

5. Exposing a Minor to Sexual Content/Imagery

It is a violation of this Policy for an adult to intentionally expose a Minor to content or imagery of a sexual nature, including but not limited to, pornography, sexual comment(s), sexual gestures, or sexual situation(s).

This provision does not exclude the possibility that similar behavior between adults could constitute other Sexual Misconduct.

6. Sexual Bullying Behavior

It is a violation of this Policy to engage in repeated or severe behavior(s) of a sexual nature that are (a) aggressive, (b) directed or about at a Minor, and (c) intended or likely to hurt, control, or diminish a Minor emotionally, physically, or sexually. Sexual Bullying-like Behaviors directed at adults are addressed under other forms of misconduct, such as Sexual Hazing or Sexual Harassment.

Sexual Bullying Behavior also includes bullying behavior related to an individual or group of individuals because of that individual's or group's actual or perceived sex (including pregnancy, childbirth, breastfeeding, and related medical conditions)or sexual orientation, even if the acts do not involve conduct of a sexual nature.

Examples of Sexual Bullying Behavior may include, the following when the Respondent's conduct is of a sexual nature or related to an individual or group of individuals because of that individual's or group's actual or perceived sex or sexual orientation , (even if the acts do not involve conduct of a sexual nature), without limitation:

a. Physical

Hitting, pushing, punching, beating, biting, striking, kicking, strangling, slapping, spitting at, or throwing objects (such as sporting equipment) at another person; stealing, hiding, defacing, or interfering with another person's belongings; sexual gestures or actions; inappropriate touching; or persistent unwanted sexual attention.

b. Verbal, Written, or Visual

Ridiculing, taunting, name-calling, or intimidating or threatening to cause someone harm; sexual jokes or innuendos; making fun or belittling someone's actual or perceived sex or sexual orientation; teasing someone about their looks or sexual attractiveness; continually asking for sexual intercourse or sexual acts; demanding or sending unwanted sexually explicit photos or texts; or gestures suggesting or threatening violence, with intention to intimidate, frighten, or force submission.

1. Social, including Cyberbullying

Use of rumors or false statements about someone to diminish that person's reputation; using electronic communications, social media or other technology to harass, frighten, intimidate or humiliate someone; socially excluding someone and asking others to do the same; or posting or sharing comments or images (real or simulated) about a Minor on social media, group chats or text messages, or other public or nonpublic forums.

2. Criminal Conduct

Sexual Bullying Behavior may include conduct described as bullying under federal or state law.

Sexual Bullying-like Behaviors directed at adults are addressed under other forms of misconduct, such as Sexual Hazing or Sexual Harassment.

Conduct may not rise to the level of Sexual Bullying Behavior if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views or positions. Bullying does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Player performance.

7. Sexual Hazing

It is a violation of this Policy to engage in any conduct of a sexual nature that is intended or likely to subject another person, whether physically, mentally, emotionally, or psychologically, to anything that may endanger, abuse, humiliate, degrade, or intimidate the person as a condition of joining of being socially accepted by a group, team, or organization. Sexual Hazing also includes hazing related to actual or perceived sex or sexual orientation, even if the acts do not involve conduct of a sexual nature.

Purported consent by the person subjected to Sexual Hazing is not a defense, regardless of the person's perceived willingness to cooperate or participate.

Conduct may not rise to the level of Sexual Hazing if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful), or arising from conflict or struggle between persons who perceive they have incompatible views or positions. Sexual Hazing does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Player performance.

8. Other Inappropriate Conduct of a Sexual Nature

It is a violation of this Policy to engage in Other Inappropriate Conduct of a sexual nature, as further defined in the corresponding sections below.

C. DISCRIMINATION

MLS NEXT Academy Division is an Anti-Racist, inclusive, and non-discriminatory league. MLS NEXT Academy Division will not tolerate racism or any discrimination based on age, gender identity (including gender expression), race, national origin, sexual orientation, or any other social identity category and/or defining characteristic.

It is a violation of this Policy to engage in any conduct—regardless of whether such conduct occurs in relation to an MLS NEXT Academy Division Event—that amounts to unfair, adverse, or unequal treatment based on an individual's Protected Status (status based on any of the following: race, color, religion, marital status, ancestry, citizenship, veteran's status, sex (including pregnancy, sexual orientation, or gender identity), national origin, age, disability, genetic information, protected activity, or any other characteristic protected by federal, state or local law), i.e., to engage in discriminatory behavior ("Discrimination").

In furtherance of this goal, MLS NEXT Academy Division is committed to maintaining an environment at all MLS NEXT Academy Division Events that is free from all forms of Discrimination by any Participant. Accordingly, MLS NEXT Academy Division does not permit any form of Discrimination by and/or between Participants at MLS NEXT Academy Division Events, and such behavior may be sanctioned.

1. Racism

MLS NEXT Academy Division recognizes that racism consists of principles and practices that cause and justify an inequitable distribution of rights, opportunities, and experiences across racial groups. Because of this reality, MLS NEXT Academy Division is committed to actively address these issues through engagement, reflection, and listening, and is further committed to making attempts to unlearn behaviors and assumptions. MLS NEXT Academy Division does not and will not tolerate any racist or inappropriately exclusive behavior by any Participant, including any Club. It is a violation of this Policy to engage in any form of racism or fail to report instances of racism, and violators may face Sanctions, including, but not limited to, temporary or permanent removal from the program.

2. Inciting Hatred and Violence

It is a violation of this Policy to publicly incite others to hatred or violence, and violators may be sanctioned. MLS NEXT Academy Division prohibits the use of statements that: (1) include a symbol that represents the target and/or includes a visual of an armament or method to represent violence; (2) calls for threats that could lead to serious injury toward private individuals, unnamed individuals, or minor individuals; (3) include photos, videos, or images that show or simulate the end result of serious injury or death; (4) exhibit an intent to commit violence or calls for action of violence; or (5) any content created for the express purpose of outing an individual as a member of a recognizable social identify category and/or defining characteristic, or intentionally misgendering.

3. Offensive Behavior

It is a violation of this Policy to engage in objectively insulting behavior, especially by using offensive gestures or language on or off the field, and violators may be sanctioned. MLS NEXT Academy Division prohibits use of derogatory slurs used in **ANY** context including equivalents in any other language. MLS NEXT Academy Division reserves the right to issue discipline at its sole and absolute discretion for use of these words in any context. Those who choose to use derogatory slurs—including, but not limited to the Banned Terms List—can face Sanctions, including, but not limited to, temporary or permanent removal from MLS NEXT Academy Division.

MLS NEXT is committed to facilitating a diverse and inclusive environment. Discrimination or offensive remarks of any kind arising out of or in connection with an individual's background, ethnicity, religious beliefs, sexual orientation, or identity, in English or any language, will not be tolerated.

Examples of Banned Terms	
"Sp*c" / "Sp*ck" / "Bean*r" / "Wetb*ck"	"Ch*nk" / "Sl*nt"
"Rag He*d"	"K*ke"
"N*gga" / "N*gger" / "N*gro"	"Monkey" / "Mono" / "Gorilla" / "Gorila"
"Black Boy" / "White Boy" / "Jew Boy"	"Cracker"
"P*to" / "Mar*cón"	"F*g" / "F*ggot" / "Homo" / "B*tty Boy"

D. EMOTIONAL AND PHYSICAL MISCONDUCT

It is a violation of this Policy to engage in Emotional Misconduct and/or Physical Misconduct. Emotional Misconduct and/or Physical Misconduct can take the forms of Bullying, Hazing, or Harassment. Examples include, but are not limited to: gestures, ostracizing or freezing out, offensive publications, offensive letters or memos, offensive graffiti, threatening or isolating behavior, or taunting; malicious gossip comments/abuse/jokes, ridicule, derogatory nicknames, verbal threats, use of inappropriate terms to describe someone's sexuality, gender, or inappropriate questions or comments about the individual's private life; jostling, assault, or vandalism of property; and mimicking the effect of a disability, misgendering, disregarding wishes or feelings, ignoring, or staring.

Each of these forms of misconduct is addressed below:

1. Emotional Misconduct

"Emotional Misconduct" includes, but is not limited to: (i) Verbal Acts; (ii) Physical Acts; (iii) Criminal Conduct;[10] (iv) Acts that Deny Attention or Support; and (v) Stalking. Whether an act qualifies as Emotional Misconduct is determined objectively, and not whether harm is intended or results from the behaviors.

a) Verbal Acts

"Verbal Acts" are any acts that involve repeated and/or excessive verbal assaults or attacks against someone personally in a manner that serves no productive training or motivational purpose.

b) Physical Acts

"Physical Acts" are any acts that involve repeated and/or severe physically aggressive behaviors, including, but not limited to, throwing sport equipment, water bottles, or chairs at or in the presence of others, punching walls, windows, or other objects.

c) Criminal Conduct

Any act or conduct described as emotional abuse or misconduct under federal or state law (e.g., Child Abuse, child neglect, etc.) would be considered a type of impermissible Emotional Misconduct under this Policy.

d) Acts that Deny Attention or Support

"Acts that Deny Attention or Support" are any acts that involve ignoring or isolating a person for extended periods of time, including routinely or arbitrarily excluding a Player from participation.

e) Stalking

Stalking occurs when a person purposefully engages in a course of conduct directed at a specific person, and knows or should know, that the course of conduct[11] would cause a reasonable person to (i) fear for their safety, (ii) fear for the safety of a third person, or (iii) experience substantial emotional distress, meaning significant mental suffering or anguish ("Substantial Emotional Distress").

Stalking also includes "cyber-stalking," wherein a person stalks another using electronic media, such as the internet, social media networks, blogs, cell phones, texts, or other similar devices or forms of contact.

[10] Criminal Conduct – any conduct prohibited under federal or state criminal law.

[11] "Course of conduct" means at least two or more acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person's property.

f) Exclusion

Emotional Misconduct does not include professionally accepted coaching methods of skill enhancement, physical conditioning, Team building, appropriate discipline, or improved Player performance. Emotional Misconduct also does not include conduct reasonably accepted as part of sport or conduct reasonably accepted as part of Participant's participation.

2. Physical Misconduct

"Physical Misconduct" is any intentional contact or non-contact behavior that causes, or reasonably threatens to cause, physical harm to another person. Physical Misconduct may include, without limitation, (i) Physical Contact Acts, (ii) Non-Contact Acts, or (iii) Criminal Conduct.

a) Physical Contact Violations

"Physical Contact Acts" include punching, beating, biting, striking, strangling, slapping, or tackling; intentionally hitting another with an object, such as sporting equipment; encouraging or knowingly permitting a Player to return to play prematurely following a serious injury and without the clearance of a medical professional; or any involvement in a fight or brawl. Anyone who has tried merely to prevent a fight, shield others, or separate those involved in a brawl shall not be in violation of this Policy and will not be subject to punishment.

b) Non-Contact Violations

"Non-Contact Acts" include isolating a person in a confined space, such as locking a Player in a small space; forcing them to assume a painful stance or position for no athletic purpose (e.g., requiring a Player to kneel on a harmful surface); withholding, recommending against, or denying adequate hydration, nutrition, medical attention, or sleep; providing alcohol to a person under the legal drinking age; providing illegal drugs or non-prescribed medications to another; knowingly participating while in an impaired state. This includes, but is not limited to, intoxication due to obvious or suspected substance use/abuse, alcohol use/abuse, or medication use/abuse. Participating while under the influence can create a potential risk of injury to others.

c) Criminal Conduct

Criminal Physical Misconduct includes any act or conduct described as physical abuse or misconduct under federal, state, or local law (e.g., Child Abuse, child neglect, assault).

d) Exclusion

Physical Misconduct does not include professionally accepted coaching methods of skill enhancement, physical conditioning, Team building, appropriate discipline, or improved Player performance. For example, hitting, punching, and kicking are well-regulated forms of contact in combat sports, but have no place in soccer. Physical Misconduct also does not include conduct reasonably accepted as part of sport or conduct reasonably accepted as part of Participant's participation.

3. Bullying Behavior

"Bullying Behavior" of any kind is expressly prohibited under this Policy. Bullying Behavior consists of repeated or severe behavior(s) that are (a) aggressive, (b) directed at or about a Minor, and (c) intended or likely to hurt, control, or diminish a Minor emotionally, physically or sexually.

Petty slights, minor inconveniences, and lack of good manners do not constitute Bullying Behavior unless the slights, inconveniences, or lack of manners, when taken individually or in combination and under the totality of the circumstances, meet the standards set forth above.

Examples of Bullying Behavior include, without limitation, repeated or severe: (i) Physical Bullying; (ii) Verbal Bullying; (iii) Sexual Bullying; (iv) Social Media Misconduct; and (v) Criminal Conduct, as detailed further below:

a) Physical Bullying

"Physical Bullying" is contact and non-contact behavior that can cause physical or emotional injury to an individual. Physical Bullying includes the hitting, pushing, punching, beating, biting, striking, kicking, strangling, slapping, spitting at, or throwing objects (such as sporting equipment) at another person, tying, taping, or otherwise physically restraining another person, paddling, or other forms of physical assault. It also includes stealing, hiding, defacing, or interfering with another person's belongings.

b) Verbal, Written, or Visual Bullying

"Verbal Bullying" is the act of using words to forcefully criticize, threaten, insult, or denounce another person. Verbal Bullying constitutes Verbal Misconduct, which is any objectively inappropriate use of language aimed at another person that a reasonable person would find degrading or threatening. Such conduct generally includes ridiculing, taunting, name-calling, or intimidating and/or threatening to cause someone harm, gestures suggesting or threatening violence, with intention to intimidate, frighten, or force submission.

c) Social Media Misconduct, including Cyberbullying

"Social Media Misconduct" is the use of rumors or false statements about someone to diminish that person's reputation using electronic communications. It includes, but is not limited to, the use of social media or other technology to harass, frighten, intimidate, humiliate, and/or socially exclude someone, and asking others to do the same. Social Media Misconduct includes what is referred to as "Cyberbullying," or bullying that takes place over digital devices like cell phones, computers, and tablets. Cyberbullying includes, but is not limited to, sending, posting, or sharing negative, harmful, false, or mean content, including messages and photos (real or manipulated), about someone else on social media, group chats or text messages, or other public or nonpublic forums. It can include sharing personal or private information about someone else or causing embarrassment or humiliation.

d) Discriminatory

Engaging in Bullying Behaviors targeted at a Minor based on their real or perceived age, race, ethnicity, culture, religion, national origin, or mental or physical disability.

e) Criminal Conduct

Bullying Behavior includes any conduct described as bullying under federal, state, or local law.

4. Hazing

"Hazing," which includes, but is not limited to, any conduct that is intimidating, humiliating, offensive, or physically harmful that serves as a condition for joining a group or being socially accepted by a group's members, is expressly prohibited under this Policy. Purported consent by the person subjected to Hazing is not a defense, regardless of the person's perceived willingness to cooperate or participate. Examples of Hazing may include (i) Physical Hazing; (ii) Emotional Misconduct (defined above); (iii) Verbal Misconduct (defined above); (iv) Sexualized Acts; or (v) Criminal Conduct, as detailed further below:

a) Physical Hazing

Physical misconduct that takes the form of Hazing may occur via contact or non-contact acts, as outlined below:

- Contact Acts: Tying, taping, or otherwise physically restraining another person; beating, paddling, or other forms of physical assault.

- Non-Contact Acts: Requiring or forcing the consumption of alcohol, illegal drugs, or other substances (or illegal/improper use of any drugs), including participation in binge drinking and drinking games; personal servitude; requiring social actions (e.g., wearing inappropriate or provocative clothing) or public displays (e.g., public nudity) that are illegal or meant to draw ridicule; excessive training requirements demanded of only particular individuals on a Team that serve no reasonable or productive training purpose; sleep deprivation; otherwise unnecessary schedule disruptions; withholding of water, food; and/or restrictions on personal hygiene.

b) Criminal Conduct

Any act or conduct that constitutes Hazing under applicable federal, state, or local law.

5. Harassment

It is a violation of this Policy to engage in any conduct that amounts to "Harassment" of another individual, which is defined as repeated and/or severe unwelcome conduct that: (i) causes or is intended to cause fear, humiliation or annoyance; (ii) offends or degrades; (iii) creates a Hostile Environment; (iv) reflects Discriminatory bias in an attempt to establish dominance, superiority or power over an individual or group based on their Protected Status; or (v) any act or conduct described as Harassment under federal or state law.

For avoidance of doubt, while Harassing conduct is unlawful only if it affects tangible job benefits and/or interferes unreasonably with work or sport performance and creates an abusive or Hostile Environment, this Policy forbids harassing conduct even when it does not rise to the level of a violation of law. Whether conduct qualifies as Harassment depends on the totality of the circumstances, including the nature, frequency, intensity, location, context, and duration of the behavior.

Harassment can come in the form of (i) Verbal; (ii) Physical; or (iii) Visual, that is based upon a person's Protected Status. Some examples include making negative or disparaging comments about a Participant's gender, mental or physical disability, race, skin color, or ethnic traits; or withholding or reducing practice or match time to a Player based on his/her/their sexual orientation, gender expression, or religion.

Conduct may not rise to the level of Harassment if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict or struggle between persons who perceive they have incompatible views or positions. Harassment does not include professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved Player performance.

Petty slights, minor inconveniences, and lack of good manners do not constitute Harassment unless the slights, inconveniences, or lack of manners, when taken individually or in combination and under the totality of the circumstances, meet the standards set forth above.

Two forms of Harassment require special mention:

a) Sexual Harassment

Sexual Harassment involves unwelcome sexual advances, requests for sexual favors, or other verbal, written, or physical conduct of a sexual nature, which constitutes Sexual Harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of the individual's employment or condition of participation in MLS NEXT Academy Division;

- Submission to or rejection of such conduct by an individual is used as the basis for an employment/participation decision affecting that individual; or

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work or sport performance and creating an intimidating, Hostile, or offensive environment.

Sexual Harassment may involve individuals of the same or different gender. It may also occur between individuals of any employment status.

b) Race, Religion, or National Origin Harassment

Racial, Religious, or National Origin Harassment includes any verbal, written, or physical act in which race, religion, or national origin is used or implied in a manner that would make a reasonable person uncomfortable in the work/competition environment, or which would interfere with the person's ability to perform. This type of Harassment includes, but is not limited to: jokes, which include reference to race, religion, or national origin; the display or use of objects or pictures that adversely reflect on a person's race, religion, or national origin; or use of pejorative or demeaning language regarding a person's race, religion, or national origin.

E. ILLEGAL USE OF DRUGS, ALCOHOL, TOBACCO, AND VAPING

The illegal use of drugs (as determined by federal law), alcohol, tobacco, or vaping by Players, Covered Persons, or Match Officials in MLS NEXT Academy Division is strictly prohibited during the Season and at MLS NEXT Academy Division Events. MLS NEXT Academy Division will not tolerate the use/consumption of performance-enhancing drugs. MLS NEXT Academy Division forbids the use of any Prohibited Substances and Methods outlined in the U.S. Anti-Doping Agency Athlete Handbook (available at https://www.usada.org/resources/publications-and-policies/) in effect at the time of the alleged use. Covered Persons shall support Players' efforts to be drug-free, and their participation in illegal activities is strictly forbidden. A violation of this provision may result in Sanctions.

F. OTHER INAPPROPRIATE CONDUCT

1. Intimate Relationship

An Adult Covered Person violates this Policy by engaging or attempting to engage in any intimate or romantic relationship with any Minor Participant. Further, a Covered Person violates this Policy by engaging or attempting to engage in an intimate or romantic relationship where a Power Imbalance exists.[12] A Power Imbalance refers to an actual or perceived unequal distribution of power and authority between individuals and is presumed to exist (but may be rebutted) in (a) any Coach-Player relationship or (b) any other relationship where a Participant has authority or control over another person, is in a position to confer, grant, or deny a benefit or advancement of that person, or is responsible for the physical or psychological wellbeing of the person.

Once a Coach-Player non-intimate or sport relationship is established, there is a rebuttable presumption that a Power Imbalance exists throughout the Coach-Player relationship (regardless of age) and is presumed to continue for Minor Players after the Coach-Player relationship terminates and until the Player reaches 25 years of age.

A Power Imbalance may also exist between one person and another based on the totality of the circumstances. Whether there is a Power Imbalance depends on several factors, any one of which may be sufficient alone, including, but not limited to: (i) the nature and extent of the actual

[12] Engaging or attempting to engage in an Intimate Relationship may include consideration of "grooming" behaviors. "Grooming" describes the process whereby a person engages in a series or pattern of behaviors with a goal of engaging in sexual misconduct. Grooming occurs through direct, in-person or online contact.

or implied authority or control; (ii) the supervisory role; (iii) the evaluative or other authority over the person; (iv) the actual relationship between the parties; (v) the parties' respective roles; (vi) the nature and duration of the relationship; (vii) the age of the parties involved; (viii) whether there is an aggressor; (ix) whether there is a significant disparity in age, size, strength, or mental capacity; (x) seniority; (xi) ability; (xii) public profile; and (xiii) real or perceived sexual orientation, racial or ethnic identity, national origin, or level of physical, intellectual or other disability.

A Power Imbalance may exist, but is not presumed, where an intimate relationship existed before the sport relationship (e.g., a relationship between two spouses or life partners that preceded the sport relationship or a relationship between a coach and the parent of one of the players at the Club).

An intimate or romantic relationship[13] is a close personal relationship—other than a familial relationship—that exists independently and outside of the sport relationship.

2. Intentional Exposure of Private Area

A Covered Person violates this Policy by intentionally exposing genitals or other private body parts, or inducing another to do so, to an Adult where there is a Power Imbalance or to a Minor.

A Minor Player or Minor Match Official violates this Policy through intentional exposure of genitals or other private body parts where other people are present and the exposure is not generally accepted in the environment (e.g., changing clothes in a locker room).

For the avoidance of doubt, the filming or photographing of genitals or other private body parts by a Minor, a Minor Match Official, a Covered Person, or any other person, without consent of all Parties (which may not be granted in the case of Minors) constitutes sexual exploitation in violation of this MLS NEXT Academy Division Safety & Wellbeing Policy.

3. Inappropriate Physical Contact

It is a violation of this Policy to engage in inappropriate physical contact with another person where there is a Power Imbalance. Such inappropriate contact includes, but is not limited to, intentionally (a) touching, slapping, or otherwise contacting the buttocks or genitals of another Participant, (b) excessively touching or hugging another Participant, or (c) kissing the mouth or body part of another Participant.

A Minor Participant violates this provision by engaging in inappropriate physical contact with another person without consent. Such inappropriate contact includes, but is not limited to,

[13] Whether a relationship is intimate is based on the totality of the circumstances, including, but not limited to, (i) grooming behaviors, (ii) sexual enticement of a child, (iii) regular contact and/or interactions (electronically or in person) outside of or unrelated to the sport relationship, (iv) the parties' emotional connectedness, (v) the exchange of gifts, (vi) ongoing physical and/or intimate contact and/or sexual activity, (vii) identity as a couple, or (viii) the sharing of sensitive personal information, and/or intimate knowledge about each other's lives outside the sport relationship.

intentionally touching, slapping, or otherwise contacting the buttocks, genitals, or breasts of another, whether clothed or unclothed.

4. Cyber Abuse

Cyber Abuse is engaging in repeated and/or severe conduct, directed at or about another, using electronic communications, social media, or other technology, with the intent to intimidate, abuse, threaten, harass, or frighten another, or for the purpose of causing a third person(s) to intimidate, abuse, threaten, harass, or frighten another. When assessing whether a single act is sufficiently severe to constitute Cyber Abuse, considerations include but are not limited to the conduct itself, and the direct or indirect impact of the conduct.

Petty slights, minor inconveniences, and lack of good manners do not constitute Cyber Abuse unless the slights, inconveniences, or lack of manners, when taken individually or in combination and under the totality of the circumstances, meet the standards set forth above.

Cyber Abuse includes, but is not limited to, doxing (or doxxing), spreading false or malicious rumors, or disseminating real or simulated explicit images without Consent.

G. AIDING AND ABETTING

Aiding and Abetting occurs when one knowingly:

- Aids, assists, facilitates, promotes, or encourages the commission of Prohibited Conduct.

- Allows any person who has been identified as suspended or otherwise ineligible by the Center or MLS NEXT Academy Division to be in any way associated (officially or unofficially) with, or employed by, MLS NEXT Academy Division or a Club.

- Allows any person who has been identified as suspended or otherwise ineligible by the Center or MLS NEXT Academy Division to Coach or instruct Minor Players.

- Allows any person who has been identified as ineligible by the Center or MLS NEXT Academy Division to have an ownership interest in a Club, or a Facility used by the Club.

- Provides any coaching-related advice or service to a Player who has been identified as suspended or otherwise ineligible by the Center or MLS NEXT Academy Division.

- Allows any person to violate the term(s) of any temporary measures or any Sanctions imposed by MLS NEXT Academy Division.

- In addition, it is a violation of this Policy if someone acts on behalf of that person to engage in Aiding or Abetting, or if the parent/legal guardian, family member, or advisor of a Covered Person, including a Minor Player, engages in Aiding or Abetting.

H. PROHIBITED CONDUCT BY MINORS

MLS NEXT Academy Division does not tolerate, and its Clubs shall not tolerate, abusive, Harassing, or Discriminatory conduct by or between its Players or other Minor Participants, regardless of their ages. Operator, when present, or Club Representatives shall have the authority to and are encouraged to take immediate action to stop Prohibited Conduct or otherwise abusive behavior in the moment of its occurrence or prevent its reasonably anticipated occurrence with the goal of protecting the victim.

A Club shall notify Operator at the beginning of its investigation if the Club is investigating allegations that a Player or other Minor Participant participated in Prohibited Conduct. The Club must also contact Operator after the conclusion of its investigation to discuss the Club's recommended sanctions. The Club shall not finalize any sanction before discussing the recommended sanction with Operator or its designees. Operator reserves the right to adopt, amend, or modify the Club's recommended sanctions.

Operator will consider the facts of each alleged violation on a case-by-case basis to ensure that any imposed sanction by Operator or the Club shall be proportional to the infraction and in accordance with the MLS NEXT Academy Division Disciplinary Code. For example, prohibitions on intimate relationships and electronic communications shall not apply as between Minors unless a significant age or power disparity creates cause for concern, or they otherwise involve Prohibited Conduct.

VII. PREVENTION POLICIES: LIMITING ONE-ON-ONE INTERACTIONS BETWEEN ADULTS AND MINORS

The majority of Sexual Child Abuse is perpetrated in isolated, one-on-one situations. By reducing such interactions between Minors and Adults, the risk of Sexual Child Abuse is reduced. Although appropriate physical contact and one-on-one interaction between Minor Players and Coaches/Certified Athletic Trainers (ATCs), etc. may be conducive to improving physical skills, MLS NEXT Academy Division believes prudent limitations on one-on-one interactions can reduce the potential for abuse and misconduct without negatively impacting player development or unnecessarily limiting one-on-one time with trusted Adults.

A. ESTABLISHING BOUNDARIES: AVOIDING GIFTS

Individuals who "groom" children will often provide special gifts or privileges, as one strategy to gain the child's trust and fill a need in his/her/their life, in advance of sexually abusing the child. Accordingly, MLS NEXT Academy Division discourages all Adult Participants from giving gifts or granting special privileges to Players and **prohibits** providing any such gift or privilege when not available to the entire Team.

B. APPROPRIATE PHYSICAL CONTACT

MLS NEXT Academy Division adheres to the following principles and guidelines regarding physical contact with Players:

1. Common Criteria for Appropriate Physical Contact

Physical contact with Players—for safety, consolation, and celebration—or any other reason is prohibited unless done in a safe and appropriate manner as follows:

- The physical contact takes place in a location that is open and accessible to all Participants, volunteers, and parents and has multiple Adults present ("Public").
- There is no potential for, or actual, sexual contact during the physical contact.
- The physical contact is for the benefit of the Player, not to meet an emotional or other need of an Adult.

a) Safety

The safety of our Players is paramount, and in many instances, we make the athletic space safer through appropriate physical contact. Examples of appropriate safe physical contact include:

- Spotting a Player so that they will not be injured by a falling piece of equipment.
- Positioning a Player's body so that they more quickly acquire an athletic skill, get a better sense of where their body is in space, or improve their balance and coordination.
- Making Players aware that they might be in harm's way because of other Players practicing around them or because of equipment in use.

b) Celebration

Sports are physical by definition and we recognize Players and their Team often express their joy of participation, competition, achievement, and victory through physical acts. We encourage these public expressions of celebration in a safe and appropriate manner:

- Greeting gestures such as high-fives, fist bumps, and brief "side hugs."[14]
- Congratulatory gestures such as celebratory hugs, "jump-arounds," and pats on the back for any form of athletic or personal accomplishment.

c) Consolation

It may be appropriate to console an emotionally distressed Player (e.g., a Player who has been injured or has just lost a competition). Appropriate consolation includes publicly:

- Embracing a crying Player, but only in a public place or circumstance.

[14] This does not include "butt-pats" or "chest bumps." This outdated means of celebration makes many Players uncomfortable and is best replaced with a high-five or a fist bump.

- Putting an arm around a Player while verbally engaging them in an effort to calm them down ("side hugs").

- Lifting a fallen Player off the playing surface and "dusting them off" to encourage them to continue competition.

d) Supervision Generally

No Minor should be left alone at a training session or at any other time until they are picked up by their parent, older sibling, or other designated Adult. A parent or legal guardian must provide advance written notice of such designation either through a pick-up list or one time designation. It is recommended that the last Adult *in addition* to the Coach, ATC or other Qualified Medical Professional ("QMP," as defined below) wait at the site until the last Minor is picked up.

C. ONE-ON-ONE INTERACTIONS/INDIVIDUAL MEETINGS

An individual meeting may be necessary to address a Player's concerns, training program, or competition schedule. Under these circumstances, Covered Persons are to observe the following guidelines when dealing with a Minor Player:

1. Interactions Should Be Observable and Interruptible

- One-on-one interactions between Minors and an Adult (who is not the Minor's parent/legal guardian) are permitted if they occur at an observable and interruptible distance by another Adult.

- Isolated, one-on-one interactions between Minors and an Adult (who is not the Minor's parent/legal guardian) are prohibited, except with respect to medical emergencies. For all situations in which this arises, the Adult must provide a post interaction verification to the Club's Safety Lead explaining the situation (providing details of the medical emergency) and certifying the necessity of the interaction based on the medical emergency.

2. Interactions are Monitored

- When one-on-one interactions between Covered Persons and Minors occur at an MLS NEXT Academy Division or Club venue for Team training and matches, including all parking structures and grounds on or immediately surrounding the Facility, other Covered Persons must monitor these interactions. Monitoring includes: (i) knowing that the one-on-one interaction is occurring, (ii) knowing the approximate planned duration of the interaction, and (iii) dropping in on the interaction unannounced.

3. Meetings

- Meetings between Covered Persons and Minors at MLS NEXT Academy Division or Club Facilities may only occur if another Adult is present. Such meetings must occur where interactions can be easily observed and at an interruptible distance from another Adult.

- If a one-on-one meeting takes place in an office, the door to the office must remain unlocked and open. If available, it will occur in an office that has windows, with the windows, blinds, and/or curtains remaining open during the meeting.

- If a mental health care professional meets with Minors at MLS NEXT Academy Division or Club Facilities, a closed-door meeting may be permitted to protect patient privacy—provided that (i) the door remains unlocked, (ii) another Adult is present at the Facility, (iii) the other Adult is advised that a closed-door meeting is occurring, and (iv) written consent of the parent/legal guardian of the Minor is obtained by the mental health care professional consistent with applicable laws and ethical standards, with a copy provided to the Club.

- At no time during these one-on-one meetings should a Minor be denied access to their cell phone or other personal device.

4. Individual Training Sessions

- An individual training session with a Player (meaning not a Team training, but training involving one Player and one Coach) may be necessary in order to further player development. Under these circumstances, the individual training session should be open and observable by others. Additionally, parent/legal guardian permission is required in advance of the individual training session(s), and parents/legal guardians are welcome to attend the individual training and must be allowed to observe individual training sessions. Permission for individual training sessions must be obtained at least every six months, and consent may be withdrawn at any time.

5. Out-of-Program Contacts

- Covered Persons are prohibited from interacting one-on-one with Minor Players, to whom they are not related, in private settings outside of the program (including, but not limited to, one's home and individual transportation), unless parent/legal guardian consent is provided for each out of program contact. Such arrangements are nonetheless strongly discouraged.

D. MASSAGE AND OTHER ATHLETIC TRAINING INTERACTIONS

Any massage or other athletic training therapy or modality must be provided by a non-Coach ATC or other certified professional. Such activities should never be done with only the Minor and Adult in the room, instead, a second Adult must always be present in the treatment room. Where possible, without compromising a Player's privacy, such activities should be performed in open/Public areas (e.g., but not limited to, in a training room but not behind a screen) and in any event should be in an interruptible location. Athletic training modalities, massages, and rubdowns all require prior consent from a parent/legal guardian on a yearly basis, and which consent may be withdrawn at any time. Parents/legal guardians must be allowed to attend treatment; the exception being if the treatment area is restricted for athlete safety

Even if a Coach is a licensed professional provider, the Coach shall not perform a massage or athletic training therapy or modality on a Player under any circumstances.

Icing and taping, though not limited to certified professionals, should, where possible, without compromising a Player's privacy, be performed in open/Public areas (e.g., on the bench; in locker room with others present).

Icing and taping near the intimate areas of the body (i.e., "bathing suit areas") is not permitted by anyone other than a licensed medical professional and in any event **cannot** be done with only the Minor Player and professional alone in a room. Any and all contact with or near intimate areas of the body must be documented and the medical appropriateness verified by another medical professional (if not before it is performed then shortly thereafter). Breast, buttocks, groin, and genital areas of the Minor must always be covered.

E. ELECTRONIC COMMUNICATIONS/SOCIAL MEDIA

Electronic communications are an ever-changing aspect of the way we communicate today. The specific rules below may reference certain forms of electronic communication, and the specific application of principles may change with regard to a given app, platform, or method of communication, but regardless of the means, **the following principles apply across all manner of electronic communication and should be used to guide Adult behavior when communicating with Minor Players**:

1. Content Must Be Professional in Nature

All electronic communications between a Coach/Team personnel and a Minor Player must be professional in nature (i.e., soccer-related) and for the purpose of communicating information about Team activities or Team-oriented communication (i.e., motivation, instruction).

- Communication or conversation regarding illegal or age-inappropriate topics (drugs, alcohol use, sexually explicit language or imagery, or discussion of Adult personal life, social activities, relationship, or family issues) is not permitted.

- All communications must comply with the Prohibited Conduct section of this Policy.

2. Communications Must Be Open and Transparent

The content of any electronic communication must generally be group-based and should always be readily available to share with the Player's family, the Club, and MLS NEXT Academy Division.

- Administrators, Coaches, staff, and/or volunteers may not use SnapChat (or any similar app or app functionality that automatically deletes the content of a communication) to communicate with Minor Players.

- If a Covered Person needs to communicate directly with a Minor via electronic communications, **another Covered Person or the Minor's parent/legal guardian must be copied**.

- If a Minor communicates to the Covered Person privately first, the Covered Person should respond to the Minor, copying another Covered Person or the Minor's parent / legal guardian.

- A Covered Person communicating electronically to the entire Team will copy another Covered Person.

- Consider using group-focused platforms under Club administrative control (e.g., but not limited to, Teamworks, Slack, etc.).

3. Keep Imagery Public

In posting imagery, Adults are expected to be sensitive to the status of Minors. This means any imagery posted to a Team website or social media should be soccer-related, not private (e.g., taken in public view), and age appropriate.

- Under no circumstances should imagery depict any conduct that would violate any aspect of this Policy.

- Requests of parents/legal guardians of Minors to remove imagery in which their child is recognizable and individually featured will be honored to the extent practicable.[15]

The following sections apply the above principles to specific areas of electronic communication and should not be viewed as narrowing the above.

4. Prohibited Electronic Communications—Direct Messaging

- Covered Persons are not permitted to communicate privately via electronic communications (meaning directly message one individual versus a group message) with Minors.

- Covered Persons are not permitted to "private message," "instant message," "direct message," or send photos to a Minor privately, or solicit receipt of photos from a Minor privately, regardless of what platform is used.

- Covered Persons are not permitted to maintain social media connections with Minors; such Adults are not permitted to accept new personal page requests on social media platforms from Minors; and existing social media connections with Minors shall be discontinued (and, where necessary, the reason for discontinuing should be explained to the Minor). Instead, Players and parents can "friend" the official organization's Team page and Coaches can communicate with Players through the site or through similar group-focused methods of communication.

[15] Where photos are Team photos, although generally no child is individually featured, the request will nonetheless be considered in good faith.

- Players and Coaches employed by Clubs may use email to communicate ***provided*** that the Coach is using only his/her/their official Club email account and further provided that all email content between Coach and Player otherwise complies with this Policy. **When communicating with a Minor through email, another Covered Person or the Minor's parent/legal guardian must be copied.**

5. Requests to Discontinue

Parents/legal guardians may request in writing that their Minor child not be contacted through electronic communication by the organization or by Covered Persons. Operator will abide by any such request, absent emergency circumstances.

6. Social Media (including Facebook, Instagram, LinkedIn, texting, WhatsApp, GroupMe, TikTok, and similar apps)

- **Keep personal pages personal**. Administrators, Coaches, staff, and/or volunteers may not invite, allow Minors to join a personal social media page, or accept a Minor's "friend" request on a personal social media page unless they are directly related to that Player and have the permission of the Player's parent/legal guardian. Players should be reminded that initiating a "friend" request to administrators/Coaches/staff/volunteers is not permitted.

- Administrators, Coaches, staff and/or volunteers are encouraged to set their social media pages to private.

- Similarly, those who work with Minors are reminded that they set an example for the Minors. If a page is not private, MLS NEXT Academy Division expects administrators, Coaches, staff, and/or volunteers who work with Minors to refrain from posting inappropriate, off-color content, or content that would violate the Prohibited Conduct section of this Policy or otherwise commenting on posts that would.

- **Choose Apps that support group-based communication.** Apps such as Teamworks and Slack often provide a helpful way to communicate, but again, individual messages must be avoided.

- **Respect reasonable "soccer" hours.** Real-time electronic communications (e.g., texting via SMS, apps, etc.) between Coaches and Players on a group basis is generally allowed between ***8 am–9 pm***, unless there is a specific safety- or soccer-related need to communicate.

F. LOCKER ROOMS/CHANGING AREAS

Players (especially Minors) are particularly vulnerable in locker rooms and changing areas due to various stages of dress/undress and because Players are less supervised than at many other times. The risk of Player-to-Player problems, such as Sexual Child Abuse and Bullying, Harassment, and Hazing, is present when Coaches or staff members are not monitoring Players, which again is especially true in locker rooms. Adherence to a locker room and changing areas

policy enhances privacy and reduces the likelihood of misconduct. The following requirements are designed to maintain personal privacy as well as to reduce the risk of misconduct in locker rooms and changing areas.

1. Use of Cell Phones and Other Mobile Recording Devices Prohibited

Cell phones and other mobile devices with recording capabilities, including voice recording, still cameras and video cameras, increase the risk for different forms of misconduct in locker rooms and changing areas. As a result, **USE OF A DEVICE'S RECORDING CAPABILITIES IN THE LOCKER ROOMS, REST ROOMS, CHANGING AREAS OR SIMILAR SPACES IS PROHIBITED**. Exceptions may be made for media and championship celebrations, provided that Minors are fully clothed, parent/legal guardian consent is provided, and such exceptions are approved by Operator or PDev and two or more Adults are present during all recording.

2. Undress

Under no circumstances shall an Adult at an MLS NEXT Academy Division or Club Facility be undressed (disrobed or partial or full nudity where private body parts are exposed) in front of Minors. If locker rooms are utilized then Semi-Private or Private changing area options must be provided to all Minor Players.[16] Teams with mixed-gender rosters must implement and enforce policies as provided in Section VII.

3. Isolated One-On-One Interactions/Monitoring

- At no time are unrelated Adults permitted to be alone with a Minor in a locker room, rest room, or changing area when at an MLS NEXT Academy Division or Club Facility.

- If a Club is using a Facility that has only a single set of such locker rooms, rest rooms, or changing areas, times will be designated for use by each respective group (e.g., Adults, Minors, etc.).

    - Locker rooms, rest rooms, and changing areas at Club Facilities should be regularly and randomly monitored to ensure compliance with this Policy. For Club Facilities, the checks should be conducted or overseen by the Safety Lead (as defined below in Section XI.A).

[16] A Semi-Private area is an area that is not separate from where other individuals are changing but offers the Minor Player some privacy. For example, a bathroom stall with a door or an area created by a partition or drapery. A Private area is an area separated completely from anyone else changing. This area would be fully enclosed with a door and no other individual would be able to enter without the Minor Player's permission. This could be a single restroom or family restroom where the Minor Player can lock the door and change alone.

- Adults will make every effort to recognize when a Minor goes to the locker room or changing area during practice and competition and, if the Minor does not return in a timely fashion, will check on the Minor's whereabouts.

- MLS NEXT Academy Division discourages parents from entering locker rooms and changing areas unless it is truly necessary. In those instances, it should only be a same-sex parent. If this is necessary, parents should receive permission from a Coach or administrator in advance.

- The sole exception to the prohibition on one-on-one interactions is in the case of a medical emergency, as set forth above in Section VII.C.

4. Non-Exclusive Facility

If your Club uses a Facility not under its jurisdiction (e.g., for training or competition or similar events) and the Facility is used by multiple constituents, Covered Persons are nonetheless required to adhere to the rules set forth here.

G. LOCAL TRAVEL

Local travel consists of travel to training, practice, and competition that does not include coordinated overnight stay(s).

1. Transportation

- MLS NEXT Academy Division and the Clubs generally do not arrange for local travel for individual Players from home to training/practice/competition and should generally avoid taking responsibility for coordinating local travel.

- It is the responsibility of the parents/legal guardians to ensure that the person transporting the Minor Player maintains the proper safety and legal requirements, including, but not limited to: a valid driver's license, automobile liability insurance, a vehicle in safe working order, and compliance with applicable state laws.

- Covered Persons who are not also acting as a parent/legal guardian shall not ride in a vehicle alone with an unrelated Minor, absent a medical emergency. Covered Persons not also acting as a parent/legal guardian may only drive with Minors in groups of two or more or with another Adult at all times, unless otherwise agreed to in writing by the Minor's parent/legal guardian in advance of each local travel.

- In any case where a staff member and/or volunteer is involved in a Minor's local travel, a parental release is required in advance. Parents/legal guardians are advised to consult the Center's Parental Toolkit (https://www.usef.org/forms-pubs/9gSPTAMFn2g/parent-complete-toolkit) concerning Child Abuse prevention before providing consent for their Minor to travel alone with an unrelated Adult.

2. Shared or Carpool Travel Arrangement

Parents/legal guardians are encouraged to pick up their Minor first and drop off their Minor last in any shared or carpool travel arrangement.

H. TEAM TRAVEL/OVERNIGHT STAYS

Team travel is travel that requires overnight stays away from home and occurs when any Club or Team sponsors, coordinates, or arranges for travel so that Teams can compete locally, regionally, nationally, or internationally. Because of the greater distances, Coaches, staff, volunteers, and chaperones will often travel with the Players. Detailed travel plans should be provided to parents/legal guardians before any overnight travel. Clubs must obtain written parental consent.

1. Covered Persons Requirements

Covered Persons who travel with a Team (whether Coach, ATC, Match Official, staff member, or volunteer/parent) must successfully pass a criminal background check and other screening requirements in compliance with MLS NEXT Academy Division screening policies and complete the Core SafeSport Training. All Club academy directors must be registered in the MLS NEXT Academy Division registration platform.

2. Travel to Competition

When possible, all travel duties should be assigned to a common carrier, but when that is not possible, specific Club-developed protocols should be followed. Each Club should set out requirements (like the below) for travel to competitions.

When only one Covered Person and one Minor travel to a competition (including, but not limited to, a Minor Match Official), the Minor must provide evidence of his/her/their parent's/legal guardian's written permission in advance of each competition before traveling alone with the Covered Person to a competition.

3. Travel Arrangements

For Team travel, hotels and air travel will typically be booked in advance by the Club. Players typically will share rooms, with 2–4 Players assigned per room depending on accommodations. The Club shall notify all parents/legal guardians in writing ahead of the Season if, during travel, players will be assigned to share beds with other players.

The Club will also notify hotel management should any special arrangements be warranted. For example, depending on the ages in travel parties, the Club may ask hotels to block pay per view channels or clear mini bars. Depending on the size of the group, the Club may also request an additional large room or suite so that its members and Players may socialize as a group. Team meetings shall not occur in individual hotel rooms, and the Club will reserve a separate space for Adults and Players to socialize and/or to support appropriate athletic training appointments.

Clubs should consider providing their Teams with approved or designated travel and lodging providers to ensure these third parties meet the minimum standards and expectations consistent with Rules and Policies.

4. Hotel Rooms[17]

Adults shall not share a hotel room or other sleeping arrangement with a Minor (unless the Covered Persons/individual is the parent/legal guardian, sibling, or is otherwise related to the Minor Player and the parent/legal guardian has provided written consent prior to the lodging arrangement). Clubs shall make every reasonable effort to avoid assigning Players to the same room who: (i) are not related and are more than two years apart in age (unless authorized in writing by the younger Player's parent/legal guardian); or (ii) have a known history of misconduct either with or against one another. In addition, no Adult should enter the hotel room or other sleeping arrangement of a Minor unless necessary for the safety of the Minor (e.g., in the event of emergency). Team meetings should never be conducted in a hotel room used for sleeping.

Parents/legal guardians who wish to stay in the Team hotel are permitted and encouraged to do so.

5. Meetings/Supervision

Individual meetings will be conducted consistent with the Policy for one-on-one interactions—i.e., any such meeting shall be observable and interruptible.

As stated above, Team meetings may not be conducted in a hotel room used for sleeping. In the event that it is not possible, due to resources or availability, to reserve separate space to conduct meetings or allow for social interactions, then meetings may be conducted in rooms used for sleeping with adherence to strict protocols regarding time of day, number of individuals, and documentation of attendees, so long as the door to the room remains ajar, and/or with additional Adults present, with at least one of those Adults being the same gender as the Player(s), when no other options are available. At no time and under no circumstances may these meetings/interactions be between one Adult and one unrelated Minor.

During Team travel, when doing room checks, attending Team meetings and/or other activities, the use of two-deep leadership,[18] and observable and interruptible environments should be maintained.

6. Mixed-Gender and Mixed-Age Travel

Players may only share a room with other Players of the same age group (e.g., Minors with Minors, Adults with Adults) and gender (if requested). Every effort will be made to room together any younger Players that are "playing up"—i.e., Players participating in divisions that are typically

[17] Note that homestays by visiting Club players are not permitted at this time.

[18] Two-deep leadership is a concept coined by Boy Scouts of America to require the presence of two registered Adults or one registered Adult and a parent of a Player, one of whom must be 21 years of age or older.

designed for Players in greater age ranges (unless authorized in writing by the younger Player's parent/legal guardian). Players will also be further grouped by age (and gender, if applicable) for the purposes of assigning an appropriate chaperone. Clubs must make every effort to provide these groups at least one chaperone of the same gender.

Regardless of gender or age, a Coach shall not share a hotel room or other sleeping arrangement with a Player (unless the Coach is the parent/legal guardian or sibling of that particular Player).

Similarly, in the event of Match Official travel, an Adult Match Official shall not share a hotel room or other sleeping arrangement with a Minor Match Official (unless the Adult is the parent/legal guardian or sibling of that particular Minor Match Official). And at no time should a Match Official and Player or Coach be sharing a room.

7. Coach and Staff Responsibilities

During Team travel, Coaches and staff members will help Players, fellow Coaches, and fellow staff members adhere to this Policy. When not practicing, training, competing, or preparing for competition, Coaches and staff will monitor the safety and activities of Players, fellow Coaches, and fellow staff during Team travel.

Coaches and staff will:

- Prepare Players for Team travel and make Players aware of all expectations. Supplemental information will be given to parents/legal guardians of Players who are considered inexperienced travelers, new or relatively new to Team travel, or who are under the age of 14, to familiarize themselves with all travel itineraries and schedules before the initiation of Team travel;

- Conform, and monitor for others' adherence, to all Rules and Policies during Team travel;

- Encourage Minors to participate in regular, at least daily, scheduled communications with their parents/legal guardians;

- Ensure Players are not alone in a hotel room with any Adult apart from a family member; this includes Coaches, staff, chaperones, or other Adults that are not Participants;

- Not use drugs or alcohol in the presence of Minors or be under the influence of alcohol or drugs while performing their Coaching/staff duties (this applies 24/7 throughout a camp or travel trip); and

- Immediately report any concerns about physical or sexual abuse, misconduct, or policy violations to Operator, the Center, and the appropriate authorities.

VIII. PHYSICAL WELL-BEING

Physical well-being considerations involve prevention (including a duty to assess the physical readiness of Players), injury care, and post-injury management.

A. RECOGNIZE TO RECOVER™

Recognize to Recover™ (https://www.recognizetorecover.org/) is U.S. Soccer's education and awareness program aimed at promoting safe play and reducing injuries in soccer players of all ages. This program was developed to provide coaches, players, parents, and referees with information, guidance and additional educational materials to improve the prevention and management of injuries. This comprehensive program addresses, without limitation:

- Cardiac Conditions;[19]
- Emergency Action Plans;[20]
- Head and Brain Conditions;[21]
- Respiratory Conditions;[22]
- Environmental Conditions;[23]
- Injury Prevention;[24]
- Injury Recovery;[25]
- Nutrition and Hydration;[26] and
- Medication and Anti-doping.[27]

[19] https://www.recognizetorecover.org/cardiac

[20] https://www.recognizetorecover.org/emergency-action-plans

[21] http://www.recognizetorecover.org/head-and-brain

[22] http://www.recognizetorecover.org/respiratory-conditions

[23] http://www.recognizetorecover.org/environmental

[24] http://www.recognizetorecover.org/injury

[25] http://www.recognizetorecover.org/injury-recovery

[26] http://www.recognizetorecover.org/nutrition-hydration

[27] http://www.recognizetorecover.org/medication-resources

All Clubs are required to follow Recognize to Recover™ guidelines, available at:

- www.recognizetorecover.org

Any conflicting terms therein are superseded by the guidance provided in this Policy.

B. INJURY PREVENTION AND PLANNING

1. Consultation with Participant's Doctor

As set forth in the MLS NEXT Academy Division Participant Agreement and Waiver, each Participant must consult with Participant's own doctor to ensure that Participant's participation in MLS NEXT Academy Division will not pose any unusual risks to Participant's health and well-being. MLS NEXT Academy Division requires all individuals on Club Rosters to obtain appropriate medical clearance before participating in MLS NEXT Academy Division. Although MLS NEXT Academy Division does not manage individual Clubs and Teams nationwide, Clubs shall require each Player enrolled in their Club to obtain medical clearance from his/her/their personal physician within the last twelve months prior to the start of each Season, and prior to attending practice, strength and conditioning sessions, or competition.

Annual physical check-ups by qualified physicians may identify medical concerns that could impact safety or performance and are helpful in understanding a Player's current physical state of readiness for play. Physicians generally should be asked to review medical history; check height/weight, vision, pulse, and blood pressure; screen for heart conditions (such as may cause sudden cardiac arrest); evaluate for any respiratory conditions (e.g., asthma); do a physical examination; and, where practicable, an orthopedic screening examination and SCAT6® assessment. In addition to the foregoing, a physician may recommend additional testing based on a Player's specific situation.

2. Treating Medical Professionals

a) Qualified Medical Professionals

At each Match (as defined in the Rules and Regulations), the home Club shall provide an ATC or medical professional who is licensed or certified and authorized by state or provincial law to provide urgent care, including training in the evaluation and management of suspected concussion ("Qualified Medical Professional" or "QMP"). The QMP must also have up to date certifications for cardiopulmonary resuscitation techniques ("CPR") and Automated External Defibrillator ("AED") use. The QMP must also have knowledge of the MLS NEXT Academy Division Concussion Protocol and be trained in any required match-day testing or other requirements therein.

The visiting Club should consult the home Club's QMP, prior to the start of each match, regarding the identification of Players who may be at special risk given past medical history and recent illness or injury or have other medical conditions that might require emergency medical assistance. The visiting Club also should consult the home Club's EAP in the event of a medical emergency.

If the home Club fails to ensure the presence of such QMP, and both Clubs and the referee do not agree to a maximum 60-minute delay for the arrival or replacement of the QMP, the Match shall be cancelled and the home Club shall be Fined, and potentially subject to other discipline, in accordance with MLS NEXT Academy Division Disciplinary Code, and subject to any exceptions therein.[28]

To properly effectuate pre-injury planning, the proper resources must be accessible to Participants. At a minimum, such proper resources include the following emergency equipment, which must be readily available at matches, practices, and other Club events: (i) a comprehensive first aid kit, the contents of which are selected in coordination with the QMP; (ii) a clearly-marked AED at each such venue or within one (1) to three (3) minutes of each such venue; and (iii) other emergency medical supplies.

b) Licensure Policy

MLS NEXT Academy Division requires that QMPs and all other treating medical professionals and paraprofessionals (physicians, ATCs, etc.) serving Clubs comply with applicable regulations for licensure, registration, and certification established by and consistent with state and federal laws and generally recognized professional and accrediting organizations. MLS NEXT Academy Division also requires primary source verification of temporary permits, licenses, registrations, or certifications prior to beginning work. Individuals serving in those positions requiring licensure, registration, or certifications, as indicated in the job description, are responsible for providing copies of their permit, license, registration, or certifications and must possess the required licensure or certification at the time of hire/appointment in order to perform their duties unless otherwise allowed by regulation (e.g., Athletic Training interns directly supervised by licensed ATCs).

It is the Club's responsibility to ensure compliance with these requirements and to ensure that their medical professionals and paraprofessionals maintain their licenses in good standing, complete all continuing medical education requirements, as applicable, and ensure timely renewals. Club employees and contractors will not be permitted to work if their licenses have expired prior to the receipt of renewal documentation, and will remain ineligible until their licenses, registrations, or certifications have been verified by the Club. MLS NEXT Academy Division reserves the right to demand documentation proving that the foregoing Club obligations are being complied with and that their medical professionals and paraprofessionals are complying with this licensure policy. Failure to produce documentation of verification within ten (10) working days after a request may result in termination.

C. POST-INJURY MANAGEMENT

Post-injury management covers the injury assessment, monitoring, ongoing treatment/recovery processes, and medical clearance to return a Player to participation. With the exception of a concussion (or suspected concussion), for which robust guidance is provided in the

[28] An exception to discipline may be based on factors beyond the control of the home Club, such as sudden unavailability of the QMP through no fault of the Club (e.g., illness or travel obstacles without reasonable advanced notice).

section below, Clubs shall follow the below guidance before clearing any Player to return to participation:

If an injured Player is sent to a physician, the physician must determine when the injury has healed enough that the Player may return to participation.

D. MLS NEXT ACADEMY DIVISION CONCUSSION PROTOCOL

The recognition and management of concussion in the sport of soccer is an important component of this Policy. Please note that if more stringent minimum standards are issued in federal, state, provincial, or local laws, those more stringent standards are applicable.

The MLS NEXT Academy Division Concussion Protocol (as outlined herein) sets forth MLS NEXT Academy Division's position with regard to the education, recognition, evaluation, diagnosis, and management of concussions. MLS NEXT Academy Division has adopted the U.S. Soccer Federation's "Recognize to Recover" program (the "U.S. Soccer Protocol"). The latest version of the U.S. Soccer Protocol is hereby incorporated into this MLS NEXT Academy Division Concussion Protocol, except to the extent of any conflicting or more specific terms or clarifications herein. In the event of any conflict between this MLS NEXT Academy Division Concussion Protocol and U.S. Soccer Protocol, the MLS NEXT Academy Division Concussion Protocol shall supersede.

Key observations regarding concussions include:

- Concussions are brain injuries.
- Concussions produce complex physiological processes that occur when traumatic biomechanical forces occur or are transmitted to the brain.
- Concussions may be caused either by a direct blow to the head, face, neck, or elsewhere on the body, which causes an "impulsive" force to be transmitted to the brain. Direct head-to-head contact, typically occurring when two athletes attempt to head the same ball, is the most common injury mechanism, although contact with any object or person on or around the field can result in injury.
- Loss of consciousness MAY occur but is NOT necessary for diagnosis of concussion.
- Concussion results in a diverse set of clinical signs and symptoms.
- The symptoms of concussion may or may not appear immediately; in some cases, symptoms may evolve over a number of minutes to hours.
- Concussions typically are not visible on traditional neuroimaging (CT scans, MRI). Neuropsychological or "neurocognitive" tests may be used to detect abnormalities in thinking abilities caused by concussion. However, these tests are only one part of the return to play decision process and ideally should be interpreted in consultation with a neuropsychologist.

For a complete definition of sport-related "concussion," as incorporated in this Concussion Protocol please see the CISG (Patricios, et al., 2023), available here (https://bjsm.bmj.com/content/57/11/695)

As set forth in Section II(C)(2) of this Safety and Wellbeing Policy, education plays a critical role in concussion identification and management, and therefore educational training is required for Players, technical staff, and all medical contractors or staff.

1. Baseline Testing

MLS NEXT Academy Division requires baseline neuropsychological testing for each Player consistent with the below guidance, and Clubs are required to ensure such baseline testing is completed for each of their Players. It is suggested that the Player receive SCAT6® baseline testing if it is available.

a) ImPACT Baselines

ImPACT is a computerized neurocognitive assessment program. Initially, each team must conduct baseline tests for all athletes, and confirmation of completion of a valid baseline must be received before the start of the first unrestricted contact play of the season. Baseline tests must be repeated every other year and, if the Player previously had only the ImPACT Pediatric test, once a Player turns 12 years of age. The Baseline test results should not be interpreted by test administrators, except for identifying invalid baselines designated as "Baseline ++" by the ImPACT program, in which case the test must be repeated. Otherwise, interpretation of baseline and post-injury ImPACT data is only to be performed by medical professionals who are trained in the interpretation of ImPACT data, when tasked with post-injury return-to-play decision making. Although test interpretation is restricted to medical professionals trained in the interpretation of ImPACT data, the test may be conducted by non-technical club staff, including administrators, athletic trainers, or medical professionals. No Coaches are to administer the ImPACT test. The test administrator must have completed ImPACT training, which is available at no cost online at the following websites:

- The required training for ImPACT Pediatric is available at: https://concussioncaretraining.com/courses/free- courses/impact-pediatric-onboarding-bundle/.

- The required training for ImPACT is available at: https://concussioncaretraining.com/courses/free-courses/impact-onboarding- bundle/.

- For children under 12 years of age, Players must be tested using ImPACT Pediatric, and the test must be administered in person, on an iPad, and only in a one-on-one setting, but never at home.

- For children 12 years of age or older, the test must be administered in person at a team designated site (never at home), on a personal computer or laptop with an external mouse, and in small groups with no more than five (5) Players.[29]

ImPACT's Administration Manual is also available for test administrators. You may note that these training bundles include sessions titled, "Customer Center Walk- Through" and "Impact Basic Report Interpretation." Those sessions only apply to QMPs.

b) SCAT6® Baselines

MLS NEXT Academy Division reserves the right to implement baseline SCAT6® testing, subject to reasonable advance notice. Such program will be incorporated by reference into this document, and all Member Clubs shall be subject to its requirements.

Remember that all required testing should be administered pursuant to the limitations on one-on-one interactions, outlined in this Policy.

2. Recognition: Signs & Symptoms of a Concussion

Identifying athletes with a concussion or suspected of having a concussion is one of the greatest challenges faced by medical providers. Once considered a hallmark of the injury, loss of consciousness occurs in only 5% or fewer of concussive injuries. Clinical signs associated with a concussion may be difficult to identify and symptoms may not be disclosed by an athlete who desires to continue to play or is unaware they have concussion symptoms. Symptoms may be delayed for minutes, hours or up to one to two days after injury. As such, medical providers must be vigilant in their observation of athletes under their care, both on and off the field.

a) Identifying a Concussion

Clinical research identified that the following signs are associated with a likelihood of a diagnosis of concussion following a direct or indirect blow to the head:

- **Lying Motionless**: The Player does not appear to move, exhibit muscle tone, react purposefully, respond, or reply appropriately to the game situation (including teammates, opponents, referees, or Medical Staff).

- **Motor Incoordination**: The Player exhibits uncoordinated movement, inefficiency of voluntary movement and/or gait abnormalities (e.g., appears unsteady on his feet, staggers/stumbles, struggles to get up, and falls) or in the upper limbs (including behaviors such as fumbling the ball) and could be associated with ataxia. Motor Incoordination may occur in rising from the playing surface or in the action of walking/running.

[29] The Baseline Test can also be accessed at *www.impacttestonline.com/customercenter*. Instructions for (non-pediatric) Baseline testing administration are included in the MLS NEXT ImPACT Baseline Testing Instructions, which can be found at *https://www.mlssoccer.com/mlsnext/resources*.

- **Impact Seizure**: The Player exhibits involuntary clonic movements that involve rhythmic jerking of axial or limb muscles.

- **Tonic Posturing**: The Player exhibits sustained involuntary contraction of one or more limbs (typically upper limbs), such that the limb is held stiff despite the influence of gravity or the position of the Player. The tonic posturing could involve other muscles such as the cervical, axial, and lower limb muscles. Tonic posturing may be observed while the Player is on the playing surface or when falling, during which the player may also demonstrate no protective action.

- **No Protective Action – Floppy**: The Player falls to the playing surface in an unprotected manner (i.e., without stretching out hands or arms to lessen or minimize the fall). The Player demonstrates loss of motor tone (which may be observed in the limbs and/or neck) before landing on the playing surface. This does not include falling to the knees in isolation.

- **Blank / Vacant Look**: The Player exhibits blunted or no facial expression or apparent emotion in response to the environment (may include a lack of focus/attention of vision). Blank/ vacant look is best appreciated in reference to the athlete's normal or expected facial expression.

- **Vomiting**: The Player expels the contents of their stomach through their mouth and/or nose in what appears to be an uncontrolled manner.

If following a direct or indirect blow to the brain, the Player exhibits any of the seven signs enumerated above, or a concussion is suspected for other reasons, the Player shall be first evaluated on the field. If after the on-field assessment, the Player has any concussion-related signs and symptoms, or a diagnosis of concussion cannot be ruled out, the Player shall then undergo an off-field evaluation (see below). In such case, Player shall be removed from the match and precluded from playing in training or any other matches (whether or not a Covered Program) until cleared to return to play pursuant to this MLS NEXT Academy Division policy. If the Player is diagnosed with a concussion by the QMP (as defined in Section VIII(B)(2) of this Policy) or the suspicion of concussion persists after the evaluation, under no circumstances shall that Player return to play in the same day.

Concussion symptoms or signs may not always be present immediately following an inciting impact. Other signs and symptoms of concussions that may emerge minutes to hours after the suspected injury include the following:

Select Signs & Symptoms of Possible Concussion:

PHYSICAL	COGNITIVE	EMOTIONAL	SLEEP
Headache	Feeling like in a fog	Nervous or Anxious	Drowsiness
Pressure in head	Feeling slowed down	More emotional	Trouble falling asleep
Nausea or vomiting	Don't feel right	Irritability	
Dizziness	Difficulty concentrating	Sadness	
Blurred vision	Difficulty remembering		
Balance problems	Confusion		
Sensitivity to light			
Sensitivity to noise			
Fatigue or low energy			
Neck Pain			

3. What to Do If You Suspect a Concussion Has Occurred

Concussive injuries often do not manifest overt signs, making it difficult for even the most diligent medical provider to identify all concussed athletes. Players, teammates, Coaches, and Match Officials, therefore, have an obligation to report a suspicion of concussion to medical personnel who will then evaluate the Player pursuant to this protocol. If in a training situation those without medical credentials suspect an athlete may be concussed, they should follow the Concussion Recognition Tool 6 ("CRT6") recommendations (see below),[30] acting conservatively. They should remove the athlete from participation (i.e., practice, conditioning, etc.) and not allow the Player to return until a QMP has performed an evaluation and has cleared the athlete to return, even if the signs or symptoms resolve.[31]

In the event of a suspected concussion:

a) Remove from Play Immediately.

Those who are not QMPs who observe an impact or the above-referenced signs and are unsure whether a concussion is suspected should utilize the CRT6, not to diagnose the condition, but rather to determine whether a concussion is suspected. As always, such person should err on the side of caution and take a conservative approach as to whether a concussion is suspected.

b) Evaluation and Diagnosis.

All Players suspected of having a concussion should be evaluated by a QMP. This individual must be specifically trained in the evaluation and management of sports concussion. Having obtained a medical or other healthcare degree does not, by itself, indicate that the professional is adequately trained for the evaluation of concussion. The Player shall not return to play until a QMP has provided clearance for return to play. Understanding that concussion

[30] *See* Concussion Recognition Tool 6; Echemendia RJ, et al. Br J Sports Med June 2023 Vol 57 No 11; https://cisgstg.wpengine.com/wp-content/uploads/2023/07/CRT6.pdf

[31] For additional information, s*ee* http://www.recognizetorecover.org/head-and-brain#concussions *and* http://www.recognizetorecover.org/concussion-awareness-week-1#concussion-awareness-week.

symptoms or signs may not always be present within the first few hours of an inciting impact, any Player who is evaluated during a match with an "on-field" assessment that is not initially diagnosed with a concussion shall be evaluated again serially, ideally within 24-48 hours of the initial suspicion of injury by a QMP.

Players who are suspected of having sustained a concussion during a Match must be evaluated immediately by the QMP. The evaluation must include at minimum the components of the "On-Field" assessment of the SCAT6® or Child SCAT6® (if the Player is aged 12 years or younger), including the "ABCs" (Airway, Breathing, Circulation), Maddocks Questions, Glasgow Coma Scale, Cervical Spine Assessment, Coordination & Ocular/Motor Screen, and MLS On-field Symptom list.

If after this on-field assessment, the QMP determines that a suspicion of a concussion persists, a more complete off-field evaluation is needed, including the full SCAT6® or Child SCAT6®. Such an evaluation must be performed off-field and (to the extent reasonably possible) in a distraction-free environment. If, after the QMP evaluation, the assessment of a concussion or suspected concussion is made, the Player who has been removed from play must not be allowed to return to play the same day. The QMP must provide instructions for next steps and follow up, as described below.

If, after the QMP evaluation, there is no continuing suspicion of a concussion, the QMP can clear the player to return to play. The Player should be monitored and serial assessments performed to evaluate for emerging symptoms. Such QMP shall complete a report that details the evaluation and the reasoning for allowing a return to play. This can be completed after the Match.

If there is no QMP present, any Player with a suspected concussion must be removed from play and not be allowed to return that day, even if the Player's symptoms resolve. If there is ***any*** concern for severe or worsening symptoms, the Player should be transported to a medical facility for evaluation. If the symptoms resolve or are mild and improving, the Player should be managed consistent with the CRT6 section on athletes with suspected concussion and must be instructed to follow up with a healthcare professional who is specifically trained in concussion evaluation, management and return to play clearance, and licensed or certified by state or provincial law to do so, prior to return to sport. If a Minor, instructions should be provided to the parent/legal guardian.

c) SCAT6®

MLS NEXT Academy Division requires that the QMP be trained and facile in utilization of the SCAT6® and Child SCAT6® concussion evaluation tools. For all Players under the age of 13, the Child SCAT6® should be used. Off-field evaluation must consist of the full SCAT6 ® (or Child SCAT6®) tool, regardless of the time it takes to conduct the evaluation. A copy of each tool can be found at: *https://cisgstg.wpengine.com/wp-content/uploads/2023/07/SCAT6-v7.pdf* and *https://cisgstg.wpengine.com/wp-content/uploads/2023/07/Child-SCAT6-v5.pdf.*

4. Substitutions Related to Head Injury and Evaluation

A Player who is suspected to have suffered a head injury may be substituted while being evaluated. The substitution for the evaluation of the concussion/head injury will not count against the Team's total number of substitution moments in the Match.

If the Player is deemed by a QMP to not have suffered a concussion, the Player may re-enter the match at any stoppage of play and must replace the original substitute; this head injury evaluation substitution will not count as a substitution moment. Furthermore, the temporary substitute will be able to re-enter the match at a later time.

If the Player is not cleared to return to play by a QMP, the replacement Player will no longer be considered a temporary substitution.

Any discipline issued to the temporary substitute will count for the remainder of the match.

5. Neuropsychological Testing

The use of neuropsychological or "neurocognitive" tests has become widespread in the evaluation and management of concussion. These tests measure "thinking" abilities such as learning, memory, problem solving, information processing speed and reaction time, which are often—but not always —affected by concussion. While it is recommended that a SCAT6® baseline test be done, if possible, at a minimum all Players in the MLS NEXT Academy Division shall have baseline testing using ImPACT at the start of the season, and that test must be deemed valid (*see* Section 1 below). If the test is categorized as Invalid by the ImPACT program, the test must be repeated. If a second test is categorized as invalid, a neuropsychologist should be consulted. The baseline test scores are then compared to the scores of an ImPACT test conducted after a concussion. The tests have shown to be useful in assessing the effects of concussion, even if a baseline test is not available. A neuropsychologist is in the best position to interpret the results of these tests.

In order for a QMP to access the Player's baseline test, the Player should provide the ImPACT "Passport ID" code given to the Player upon completion of the last baseline test taken.

6. Medical Management

Following a concussion diagnosis, an athlete should be removed from further sport participation with instructions to engage in relative physical and cognitive rest. Returning to play on the same day as a suspected concussion without appropriate medical clearance is now universally prohibited for all athletes by U.S. Soccer (and by MLS NEXT Academy Division) and by many state or provincial laws in youth cohorts.

Relative rest, typically lasting on the order of 24-48 hours, is defined as limiting the athlete to activities that do not exacerbate concussion-related symptoms or provoke new symptoms. In accordance with current consensus guidelines, light aerobic activity should be started as soon as two (2) days after sustaining a concussion.[32] Extended periods of inactivity, either physical or cognitive, more than two (2) days in length are not recommended. Cervicovestibular rehabilitation is recommended for adolescents (13-18 years) with dizziness, neck pain, and/or headaches for

[32] *See* Pediatric Sport-related Concussion: Recommendations from the Amsterdam Consensus Statement 2023 (Davis, et al., 2023), available at https://pubmed.ncbi.nlm.nih.gov/38044802/

greater than 10 days. Active rehabilitation and collaborative care for adolescents with persisting symptoms for more than 30 days may decrease symptoms.

As the Player's symptoms improve, day-to-day activities may be gradually increased under the guidance of a QMP as long as the introduction of activities (e.g., walking, reading, computer use, schoolwork) does not elicit new concussion-related symptoms or cause significant exacerbation of existing concussion-related symptoms. Progression through the graded RTP process shall be under the direction of a healthcare professional who is trained in concussion evaluation, management and return to play clearance, and licensed or certified by state or provincial law to do so. In some cases, this individual may be the QMP who diagnosed the concussion if that QMP has the requisite training and licensure/certification. At all times, the Player shall be monitored for a re-emergence or exacerbation of concussion-related symptoms, which would lead to a pause in the progression and subsequent resumption of activity as tolerated. The Player's healthcare professional is responsible for reviewing the Player's progress, and any challenges that emerge. The Player's parent or legal guardian is responsible for communicating that progress with the Member Club technical staff, and the Member Club shall inform the parent or legal guardian of this responsibility and the preferred manner of communication.

Prior to return to contact play, the Player must be evaluated by a healthcare professional who is specifically trained in concussion evaluation, management and return to play clearance, and licensed or certified by state or provincial law to do so. That healthcare professional must provide written clearance for return to play, including exercise and training. No technical staff shall allow the Player to engage in full contact activity until a written clearance to do so by the healthcare professional has been received.

a) Graded Exercise Progression

A graded return to play progression must be supervised by a healthcare professional who is specifically trained in concussion evaluation, management and return to play clearance, and licensed or certified by state or provincial law to do so. An example of a return to play progression is provided below:[33]

- Light aerobic exercise (e.g., stationary bicycle) for 15-20 minutes (such that the Player does not break a sweat) ;
- Moderate intensity aerobic exercise (30 minutes, moderate intensity, breaking a sweat);
- Sport-specific training (ball handling, passing, light running, NO heading);
- Non-contact training drills, including full exertion interval training (may start light resistance training);
- Full contact training with heading; and

[33] Additional information may be found at the following link: https://bjsm.bmj.com/content/57/11/695

- Return to competition (match play).

Typically, a Player progresses from one step to the next every 24 hours as long as concussion-related symptoms do not newly emerge, reemerge, or are exacerbated. If the Player's symptoms re-emerge beyond a mild level or prolonged time during one of the steps, the activity should be stopped and the Player should be allowed to rest for 24 hours or until such symptoms resolve, whichever is later. The Player should then return to the prior step and resume the progression. The above-described healthcare professional shall be wholly responsible for determining the level of permissible activity as well as whether a Player can engage in such activity, with or only without certain symptoms.

Patience is key as symptoms may re-emerge or worsen significantly during this process. Do not attempt to speed up this process unless under the supervision of a well-qualified concussion specialist who has access to a multi-disciplinary team of qualified healthcare professionals.

b) Return to Play

Return to unrestricted contact play shall only occur once the Player is free of concussion-related symptoms and such return is permitted in writing by the healthcare professional who is specifically trained in concussion evaluation, management and return to play clearance, and licensed or certified by state or provincial law to do so. Specifically, return to full contact play shall only occur after (1) the Player is free of concussion-related symptoms at rest, (2) the Player remains free of concussion-related symptoms after a graded exercise progression, and (3) the Player is judged by the healthcare professional to be at his/her/their neurocognitive baseline, including consideration of a repeated ImPACT test. At this point, the healthcare professional should provide a written note clearing the Player for full-contact play.

7. Heading Reminder

Technical staff and Players are reminded that the rules of U.S. Soccer and MLS NEXT Academy Division prohibit heading the ball by Players 10 years old and younger, regardless of the age group in which they play. Players who are 11, 12, and 13, regardless of the age group in which they play, may head the ball during matches; however, these players must limit heading practice to a maximum of 30 minutes per week with no more than 15–20 headers per player, per week.

E. FACILITY SAFETY

A Match will not start without proper equipment, including secured goals, properly lined fields, and corner flags (a flag on a post not less than five feet high and having a non-pointed top shall be placed at each corner). Training sessions are also not permitted to start until the field has been inspected and proper equipment has been ensured.

1. Field and Training Facility Inspection

Home Clubs are responsible for inspecting the field and ensuring the safety of the Facility. However, should the visiting Club become aware of a safety issue at the Facility, they should immediately inform the home Club and the Match Officials. The home Club is responsible for the following:

- Inspect for and remove foreign objects (trash or debris);
- Check for holes, hills, or ruts;
- Make Players aware of inconsistent surface conditions, such as uneven edges or bumps that cannot be remediated prior to play;
- Inspect sprinkler heads to make sure that they are seated and properly covered;
- Ensure there is a restraining line for spectators at least five (5) feet beyond the touch line and outside of the field of play;
- Ensure the goals are anchored;
- Inspect bleachers and seating areas for any foreign objects or unsafe conditions; and
- Inspect the field and surrounding areas for any possible "attractive nuisances."

Field inspection should happen before and after every use of any playing or training area. If after such inspection potential hazards have been identified that require further maintenance, this should be reported to the Safety Lead.

Further, indoor areas should be inspected on a daily basis for unsafe conditions such as warped boards or peeling turf on the playing surface, ceiling leaks, sharp wall protrusions, loosely anchored or mounted equipment, wood splinters, burned-out lights, etc.

The inspection of lighting for evening practices or matches should include lighting on the field, but also in corridors, staircases, bleachers, and parking areas.

If artificial turf is used, the Club must confirm that the Facility operator is following the turf manufacturers maintenance practices. Further, all artificial playing surfaces shall be affixed to the surface of the playing field. The Match Officials are directed to stop play if, in their opinion, the condition of the playing surface creates a situation which is dangerous to the Players or is deemed critical to the position of the Players or ball, thus creating an unfair advantage to a Player or a Team.

The home Team shall be responsible for setting up its venue to include the appropriate lines, anchored goals, nets, corner flags, benches, and water/hydration set up for both Teams.

2. Goal Safety

Home Clubs are responsible for inspecting the goals and ensuring the safety of the goals. However, should the visiting Club suspect or become aware of a goal safety issue, they should immediately inform the home Club and the Match Officials. Home Clubs must ensure the following:

a) Pre-Match

- Inspect each goal to ensure it is firmly secured to the ground with anchors;
- all connecting hardware (nuts, bolts, etc.) is properly attached;
- the structural integrity of the goal has not been compromised (cracks in welds or posts, etc.);
- the goal is on a level (flat) surface;
- the net attachment system is secure (net is attached to the uprights and crossbars and secured behind each goal) and that there are no sharp edges; and
- each net is free of holes.

b) Post-Match

- If goals remain in the up-right position, make sure they are secured with ground anchors;
- if anchored with portable style anchors, goals should be stored by being chained together face-to-face, or placed in a face-down position;
- remove the net when the goal is not in use;
- make sure that all connecting hardware (nuts, bolts, etc.) are in place and secure;
- inspect the structural integrity of the goal and promptly report any issues to authority responsible for maintenance;
- never allow anyone to climb on the goals;
- if goals are moved, exercise extreme caution and allow adequate manpower to move the goals; and
- make sure that warning labels are visible and in good condition.

F. EMERGENCY ACTION PLAN REQUIREMENTS

As consistent with the guidance provided below, every Club and Team must have a process and system in place to manage medical emergencies and threats to health and safety. The below outlines the steps each Club and Team must take to develop an EAP.

All Clubs' EAPs must be updated and reviewed annually at the beginning of the Season with Club Representatives, and the policy should be amended as needed (*e.g.*, the addition of a new Player with an underlying medical condition). As part of the annual registration process (or at a later date if specified by Operator), Clubs shall send Operator a copy of their EAP, along with

a written certification that the EAP has been updated consistently with the below-listed requirements, reviewed, and rehearsed with all relevant Club Representatives.

Operator reserves the right to request and audit a Club's EAP at any point, including during the season. Clubs will amend their EAP if, upon examination by Operator, Operator determines it to be insufficient.

1. Drafting, Rehearsing, and Updating the EAP

In general, a Club's EAP must be specific to its organization, venues, resources, and personnel. For example, a Club's EAP should include maps of fields and facilities, and access points for emergency vehicles in the event they are needed. Note that a Club's QMP should assist leadership in EAP development.

Clubs must draft, update, and rehearse their EAPs consistent with the below guidance:

- The EAP should be reviewed by local emergency services and shared with on-site medical personnel, safety officials, and organization administrators.

- The EAP should be drafted in accordance with the best practices of state and local health and safety medical experts and government officials.

- The EAP must be specifically tailored to the venue and location and should include all healthcare providers who may be providing coverage on site, including QMPs and any emergency medical service ("EMS") providers. To that end, the EAP should include a written description and map of the venue's access points to facilitate a prompt response by EMS.

- The EAP should be reviewed, updated, and rehearsed annually by all staff members.

- The EAP must include that the home Club QMP, at each match, does the following, without limitation: (i) the identification of Players who may be at special risk given past medical history and recent illness or injury or have other medical conditions that might require emergency medical assistance; (ii) a survey of the environmental conditions and the playing field for potential dangers; (iii) confirming emergency equipment and telecommunication devices are present and functioning; and (iv) confirming the venue's access points are without obstacles and accessible by EMS personnel and vehicles.

- The EAP must consider the type of personnel needed to be at practices and matches to protect the health and safety of Players, which may vary state by state.

- The EAP should include specific heat stroke protocols (*see* Korey Stringer Institute for relevant guidelines).

2. Developing a Chain of Command

Club Representatives must understand the EAP and be prepared to execute it. In furtherance of responding to emergency situations efficiently, Clubs are required to develop a chain of command for decision making consistent with the below guidance:

- The EAP must define the responsibilities of each member of any members of a sports medicine team (including a QMP), Coaching and training staff, and administration in responding to medical emergencies until EMS arrives.

- The EAP must identify any specialized emergency training of each member of the Coaching and training staff. This includes, but is not necessarily limited to, certifications for cardiopulmonary resuscitation techniques ("CPR"), Automated External Defibrillator ("AED") use, treatment of anaphylaxis, prevention of disease transmission, and first aid. It is *highly recommended* that all Club Representatives associated with practice, competitions, skills instruction, and strength and conditioning be trained and certified in these skills promptly after employment, and all Clubs must make CPR and AED education available to Coaching and training staff.

- The EAP must designate the individual(s) responsible for providing immediate emergency care and must provide a means of ensuring appropriate medical staff have access to the injured Player without interference. Wherever possible, the highest available level of sports medicine expertise should be present at all events. Given the limited sports medicine staff potentially available at any time, Coaches and administrators must be expected to be called upon to assist injured Players and be trained to do so by appropriate medical staff.

- The EAP must designate appropriately trained individual(s) responsible for using available emergency equipment. To that end, available emergency equipment on-site should be listed with location site, instructions on how to use, and must be routinely checked and tracked to ensure everything is in good working order. At a minimum, the EAP must provide that the following emergency equipment is readily available at matches, practices, and other Club events: (i) a comprehensive first aid kit, the contents of which are selected in coordination with the QMP; (ii) a clearly-marked AED at each such venue or within one (1) to three (3) minutes of each such venue; and (iii) other emergency medical supplies.

- The EAP must designate the individual(s) responsible for calling EMS, and provide such individual(s) with information on how to place a call and specific direction to give to direct paramedics to where the match or practice is being held. Such individual(s) are required to pre-program EMS access numbers into their cellular phones.

- If applicable, the EAP must designate the individual(s) responsible for unlocking doors, gates, or any other points of access so as to facilitate EMS response.

- The EAP must designate the individual(s) responsible for monitoring, supervising, and directing non-injured Players during an emergency. Specifically, Players should be

educated to go to and remain in the bench area once medical assistance arrives, and to not touch, move, pull on, remove equipment, or otherwise interfere with any injured Player.

- The EAP must designate the individual(s) responsible for monitoring, supervising, and directing spectators so as to restrict interference.

3. Emergency Medical Care

As the goal of an EAP is to provide a comprehensive and practical response to an emergency as it may impact Participants and Facilities, each Club's EAP must be drafted consistently with the below guidance:

- The EAP must provide for on-site recognition, evaluation, and immediate treatment of injury and illness from high-risk incidents such as cardiac, heat, and other staff and Player health and safety matters. At a minimum, the EAP must identify, and provide a means for urgently addressing, the following high-risk potential incidents: (i) heat stroke; (ii) sudden cardiac arrest; (iii) neck or cervical spine injury; (iv) bleeding and sickle cell trait collapses; (v) anaphylaxis; and (vi) traumatic brain injuries.

- At a minimum, such proper resources include the following emergency equipment, which, must be readily available at matches, practices, and other Club events: (i) a comprehensive first aid kit, the contents of which are selected in coordination with the QMP; (ii) a clearly-marked AED at each such venue or within one (1) to three (3) minutes of each such venue; and (iii) other emergency medical supplies.

- The EAP must provide a protocol for decisions as to if, when, and how to transport an injured Player from the field.

- The EAP must list the circumstances in which referrals to an emergency room or further evaluation by a physician must be made, including, but not limited to, a suspected concussion, a cardiac event, a neck or cervical spine injury, and heat stroke.

4. Communication and Distribution

A Club's EAP must be visible and readily accessible in case of emergency. The written EAP should be distributed to ALL Club Representatives, and copies of the EAP must be made readily available to Club Representatives. Additionally, Clubs may consider developing a pocket card or credentials with key EAP information that may be distributed to parents/legal guardians, including, but not limited to, contact information for key actors in the EAP, including the Coach, Club Director, training staff, and any qualified medical personnel, the location and contact information of the nearest hospital(s), and basic instructions on what to do in the case of an emergency (e.g., spectators should not enter the field in the event a Player needs medical attention).

In the event the EAP is activated, Clubs must, within 24 hours, send Operator a written injury/illness report via the following MLS NEXT Academy Division Operator email addresses:

(i) reporting@east.mlsnextacademydivision.com (Carolinas, Garden State, Great Lakes North, Great Lakes South, Mid-Atlantic, New England, North, Tri-State, South, Sunshine North, Sunshine South, Virginia);

(ii) reporting@heartland.mlsnextacademydivision.com (Heartland);

(iii) reporting@west.mlsnextacademydivision.com (Mountain, Pacific Northwest, Southern California);

(iv) reporting@calnorth.mlsnextacademydivision.com (Northern California Redwood, Northern California Coast);

(v) reporting@southwest.mlsnextacademydivision.com (Desert, Pioneer).

Operator reserves the right to interview any Club Representatives following receipt of the injury/illness report and will manage the retention of all reports in accordance with Operator policies and procedures.

In furtherance of these objectives, a Club's EAP must be consistent with the below guidance:

- The EAP must include contact information for local EMS, the club/venue director, and venue/location. The EAP should designate a hospital for emergency treatment, and account for response times.

- The EAP must collect phone numbers at which parents/legal guardians and the Player's family physician can be reached in case of emergencies.

- The EAP should provide a list of medical conditions (such as asthma and severe allergies) for each Player to be able to meet specific Player needs quickly and readily. Clubs must take all reasonable steps to ensure that such confidential information is only disseminated to those with a need to know or utilize such information, including, but not limited to, Club medical staff, Club leadership, EMS, and Operator.

- The EAP must designate the individual(s) tasked with contacting, and timely communicating with, an injured Player's family in the case they are not present. In an emergency situation, the EAP must specify that 911 is called before anyone else.

- In the event of a catastrophic injury, the EAP must designate the individual(s) tasked with communicating with family, the injured Player's teammates, and the media while honoring the Player's confidentiality.

- The EAP should include copies of any medical releases and treatment authorization forms required for Players, and must include an allergy action plan for any Player with life-threatening allergies, which must be maintained consistent with HIPAA and privacy regulations.

G. REFEREE RESPONSIBILITY FOR SAFETY

The referee assigned to the match is responsible for inspecting the field right before and during play, and all equipment used on the field, and is empowered to stop play until any safety concern is corrected. Any field, equipment or ball conditions deemed by the referee to be unsafe must be corrected by the home Club before play can begin or resume.

H. CLUB LIABILITY

Clubs assume all risks, responsibilities, and liabilities for any and all costs, expenses, fines, losses, property damage, claims, injury, or death arising out of or in connection with its use, or participant's, staff, or volunteers' use, of any Facility or venue for Club trainings or events, MLS NEXT Academy Division Competitions, or other MLS NEXT Academy Division activities, regardless of whether any cost, expense, fine, loss, property damage, claim, injury, or death occurs as a result of any act or failure to act by the Club, Operator, or any of their respective officers, employees, representatives, agents, or anyone acting under their direction or otherwise.

Operator and PDev will not insure or be responsible for any Club's personal liability, commercial general liability, property, cyber, or media exposures; and each Club shall procure the insurance information required in the Membership Agreement.

I. PLAYER ASSUMPTION OF RISK

As set forth in the MLS NEXT Academy Division Participant Agreement and Waiver that all Players must sign before participation in MLS NEXT Academy Division, Players shall assume all risks, responsibilities, and liabilities for loss, damage, injury, or death to themselves while engaged as a Player for a Club or as a Player on a representative team of MLS NEXT Academy Division, subject to applicable state laws and regulations.

J. LIABILITY WAIVER & INDEMNIFICATION FORM

All Participants will be required to sign the MLS NEXT Academy Division Participant Agreement and Waiver prior to their participation in MLS NEXT Academy Division.

IX. GENDER EQUITY

A. GUIDING PRINCIPLES

The purpose of this section is to ensure that all qualified Players are provided with an avenue to participate in competitive soccer in an inclusive sporting environment where people of all backgrounds can contribute and play in a safe, healthy, and respectful setting. These principles are based on MLS NEXT Academy Division's belief that all qualified Players are able to participate in MLS NEXT Academy Division in a manner that is consistent with their gender identity while respecting the privacy of all Players and remaining compliant with applicable federal and state laws.

To that end, to support and promote inclusion in their activities, wherever possible and appropriate, Club Representatives, Coaches, and Match Officials should abide by the following principles:

- Respect all Players' gender and use preferred names and pronouns.
- Anticipate and address any uniform problems or access issues, including making locker rooms and restrooms safely available consistent with the guidance below, in accordance with applicable laws.
- Respect all Players' right to privacy, and do not disclose any personal information without express consent.
- Address discriminatory behavior immediately, including a corrective action plan.

Any violations of this Policy may result in Sanctions.

B. LOCKER ROOMS

The issue of mixed gender dressing arrangements in locker rooms may arise depending on any Club's specific circumstances and Roster. Club Representatives and MLS NEXT Academy Division should recognize that there are gender equity issues to deal with when managing a co-ed or mixed gender locker room setting. Privacy rights of all Players must be given consideration and appropriate arrangements made, consistent with the guidance provided in this Policy.

Clubs must consider and recognize the following:

- That these issues must be dealt with in a fair and equitable manner, as favoring one group over another will not only lead to lower Player morale, but may produce legal ramifications;
- That the ideal situation of using separate dressing rooms is not necessarily possible for all Clubs; and
- That this is an issue that Club Representatives—especially Coaches, Club leadership, and other individuals who have Regular Contact with Players—must take seriously.

Clubs must establish procedures for navigating these issues, and are encouraged to do so even in the case where the Club does not have non-male Players rostered. All Participants who violate these policies, or who violate the privacy rights of others, may be subject to discipline. To that end, Clubs must establish a procedure and process consistent with the below guidance:

- Male and female Players should never be allowed to dress and undress in the same locker room at the same time. Where possible, such Players must undress/dress in separate locker rooms. Moreover, wherever possible, Clubs must provide equal accommodations to both male and female Players.

- As a general matter, individuals should use the locker room consistent with their gender and should have the choice to use: (1) the locker room of their choosing; (2) the locker room without others present; (3) a single stall/all-gender restroom.

- If separate facilities are not available, women/girls should be given the opportunity to use the locker room to undress/dress at a separate time from men/boys.

- MLS NEXT Academy Division recognizes that the locker room historically serves as a key place for pre-match, post-match, and halftime meetings, and may be utilized in practices for similar purposes. In the interest of gender equity and collegiality, Clubs with mixed-gender rosters are required to develop a policy of holding such meetings in a separate, designated location, or, if necessary, in the single locker room only after all Players have dressed consistent with the procedures noted above and are ready and available for such meetings. In such an instance, Clubs must maintain and enforce a minimum attire policy for these meetings.

- Clubs must be sure to develop and enforce a policy whereby any Player needing to undress/dress in private changing areas are able to do so.

C. HOTEL ROOMS

MLS NEXT Academy Division's policy for hotel room assignments, outlined in Section VII.H, remains applicable here, with a recognition that any Player who needs or requests extra privacy should be accommodated wherever possible.

D. TRAINING

While the procedures outlined above consider key safety and privacy considerations, MLS NEXT Academy Division requires that any Club that has a Team with a Roster with Players with different genders offers additional training to Coaches and any other Club Representatives who have Regular Contact with Minors on that Team. This may include specific training on implicit bias, the importance of providing equal treatment and opportunity to Players of all genders, and the recognition and remediation of intra-team discrimination or bullying. Such training not only helps to ensure an inclusive environment for all Players but may serve to enable such Club Representatives to be prepared to discuss such participation with Players, and, particularly, parents of Players.

X. SCREENING REQUIREMENTS

A. SCOPE AND PURPOSE

As noted by the Center, "[s]ound, practical and reasonable screening practices reduce the chances that an athlete will come in contact with potentially dangerous individuals." Accordingly, MLS NEXT Academy Division requires background screening on all Covered Persons, Club Representatives, or Club Participants (defined below) who have Regular Contact with Minors. By way of example, this shall include, but not be limited to:

- Operator employees—all full- and part-time employees of Operator who are to have Regular Contact with Minors.

- All Club Representatives (Coaches, staff members, Team managers, administrators, or other medical personnel) who have Regular Contact with Minors or who travel with the Club.

- All contractors at Club Facilities that have Regular Contact with Minors.

- All Operator, PDev or Club-contracted physicians, ATCs, QMPs, massage therapists, nutritionists, and other certified professionals working directly with Minors.[34]

- All Adult Match Officials (with such background checks conducted by U.S. Soccer).

- All other individuals who MLS NEXT Academy Division determines, in its discretion, should be subject to a background check.

At a minimum, we encourage all Clubs to require all potential Club Representatives—to be authorized by the Club to have Regular Contact with Minors—to submit or undergo: (i) a written application, consistent with the guidance provided in Section X.B; (ii) professional and/or personal references to be checked by the Clubs, consistent with the guidance provided in Section X.D; and (iii) a criminal background check, consistent with the guidance provided in Section X.E. Clubs must use their best judgment to determine whether any applicant is unfit to be such a Club Representative based on the information obtained through this process. Any questions arising during the pendency of the applicant screening process should be directed to Operator.

B. WRITTEN APPLICATION

Clubs are strongly encouraged to require all potential Club Representatives—those authorized by the Club to have Regular Contact with Minors within, or outside, the scope of Covered Programs as an employee, contractor, vendor, or volunteer—to submit a written application for participation. The written application for use by such Club Representatives would be developed by the Club.

At a minimum, the written application should:

- Ask for personal information, including the applicant's name, address, phone number, and driver's license number.

[34] If the Club uses non-employee medical professionals, these professionals are subject to the background check requirement and would be considered Participants. A one-time exception to this requirement is permitted in the limited circumstance of a one-time substitution (e.g., Club's regular QMP is ill and a parent who is an ER physician agrees to substitute for a single game to prevent cancellation). Clubs obtaining services through athletic training or medical practices are required to negotiate services agreements that allow for reasonable criminal background checks and that require SafeSport training for all contractors serving the Club pursuant to such service agreement.

- Ask about previous work and volunteer experiences, particularly with regard to any involvement in youth programs.

- Ask questions intended to elicit information concerning high-risk behaviors intended to encourage a potential sexual predator to "self-select out." Such questions may include, but are not limited to, whether the applicant ever consumed alcohol or drugs while working with children or mistreated or abused a child.

- Provide a written release for contacting personal references and performing a criminal background check, consistent with the procedures described below, including an indemnification clause.

Moreover, consistent with the sections below, all Covered Persons have an immediate, mandatory self-disclosure obligation to report if they, at any point, have been disqualified or declared by another sport organization or league to be temporarily or permanently ineligible to participate.

C. PERSONAL INTERVIEW

Further, Clubs are strongly encouraged to have all potential Club Representatives—to be authorized by the Club to have Regular Contact with Minors within, or outside, the scope of Covered Programs as an employee, contractor, vendor, or volunteer—submit to a personal interview by appropriately senior Club leadership. The personal interview is intended to not only elicit whether applicants are a "good fit" for the organization, but also screen for certain risk factors relating to Sexual Abuse. The goal here is to ask questions intended to elicit information concerning high-risk behaviors, which are intended to encourage a potential sexual predator to "self-select out." Clubs shall use their best judgment to determine whether any potential Club Representative is unfit to have Regular Contact with Minors based on the information obtained through the personal interview. To that end, Clubs, are not required to, but should consider posing the following questions to such individuals to screen for risk factors:

- Why do you want this job/position?

- What makes you a good candidate for working with Minors? What would your friends or colleagues say about how you interact with Minors?

- What strategies do you use to respond to challenging behaviors from Minors?

- Is there anyone who might suggest that you not work with Minors? Why or why not?

- What other hobbies or activities do you enjoy?

D. REFERENCE CHECKS

Any potential Club Representative—to be authorized by the Club to have Regular Contact with Minors within, or outside, the scope of Covered Programs as an employee, contractor, vendor, or volunteer—shall be required by the Club to submit names and contact information for three non-familial references who can speak to their character, history, and suitability for having Regular

Contact with Minors. While the best such references come from places where the applicant has worked with Minors, personal and character references serve an important role in assessing any applicant's suitability to have Regular Contact with Minors.

Moreover, Clubs shall require such individuals to sign a waiver or release that enables the organization to check other references who may not have been listed by the applicant. In considering when and whether to contact such a non-listed reference, Clubs should carefully match references with an applicant's employment and volunteer history to determine if any notable supervisors or colleagues are missing from the references listed by the applicant.

Clubs shall conduct verbal interviews with at least two relevant references and use their best judgment to determine whether any potential Club Representative is unfit to have Regular Contact with Minors based on the information obtained through this process. To that end, Clubs should consider asking the following open-ended questions that serve to probe for any applicant's suitability to have Regular Contact with Minors:

- How would you describe the personal characteristics of the applicant?
- How does the applicant interact with Minors?
- Why would this person be a good candidate for working with Minors? Is there any reason this person should not work with Minors?
- Have you ever seen the applicant discipline Minors (other than his or her or their own children)?
- Would you hire this person again? Would you want him/her/them in your organization in the future?

In connection with the Club's annual registration with MLS NEXT Academy Division, MLS NEXT Academy Division reserves the right to require the Club to certify in writing that the Club has checked references for any Club Representatives authorized to have Regular Contact with Minors, consistent with the guidance provided above.

E. CRIMINAL BACKGROUND CHECKS

1. Covered Persons Background Checks

Clubs will cover all costs associated with the background checks required on Covered Persons that are Club Representatives. These background checks will be conducted through the registration system by Operator's selected vendor.

2. Club Background Check Requirements

Any person who is authorized by the Club (either explicitly or implicitly) to have contact with Minors shall be required by the Club to undergo a background screening. These people are referred to as "Club Participants," and include, but are not limited to, contractors and vendors with access to Minors (e.g., security, other medical personnel not employed directly by Club),

chaperones, volunteers, and individuals advising with respect to various aspects of Team functions who have access to Minor Players.

The background screening of Club Participants who are not Covered Persons shall be performed by a vendor hired by the Club, at the Club's sole cost and expense, pursuant to substantially similar standards as those screenings described below. While these individuals may not be registering themselves, in connection with the Club's annual registration with MLS NEXT Academy Division, Operator reserves the right to require the Club to certify in writing that any person who is a Club Participant has undergone appropriate background screening.

3. Mandatory Self-Disclosure

All Covered Persons have a mandatory self-disclosure obligation, which means that if at any point during their association with MLS NEXT Academy Division and/or a Club a Covered Person has been disqualified or declared by another sport organization or league to be temporarily or permanently ineligible, the Covered Person is required to self-disclose this information immediately. Failure to disclose is a basis for discipline/disqualification.

In addition, all Covered Persons must likewise self-disclose to their Club and Operator any arrests or citations for a felony, gross misdemeanor, or alcohol/drug-related driving offense (e.g., DUI, impaired driving).

4. Scope of Background Screening

MLS NEXT Academy Division contracts with a third-party vendor to conduct a robust background check on all Covered Persons in the United States that register directly with MLS NEXT Academy Division or that are directly employed by Operator. Prior to an applicant's first activity in connection with MLS NEXT Academy Division and every other year thereafter, this background check will include checks and/or reviews of:

- All available state sex offender registries;
- The Department of Justice Sex Offender Registry;
- Individual's Social Security number and address;
- Available federal sanctions and government watch list databases;
- County criminal records by county;
- USSF Disciplinary Database; and
- The Center's Centralized Disciplinary Database.

In addition, if any person is returning from the prior year, a reduced-scope check is performed during season registration in odd years, looking at one national database, all available state sex offender registries.

5. Screening Results

Operator's background-check vendor will report the findings of its search to Operator based on a "Red Light/Yellow Light/Green Light" system.

- A "Green Light" or "meets the criteria" finding indicates that the background check did not identify criteria that would indicate that the individual is unsuitable for the intended role or activity. A Green Light finding, 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 "Yellow Light" finding indicates that an application contains certain errors or omissions that must be resolved. A Yellow Light finding requires that an applicant review his/her/their application and contact Operator's third-party vendor to fix the error and resubmit necessary application materials. An applicant may also contact their MLS NEXT Academy Division Operator via email (see Section IV, above) to the extent he/she/they cannot resolve the Yellow Light with Operator's third-party vendor.

- A "Red Light" or "does not meet the criteria" finding indicates that one or more of the below-listed criteria was flagged during the background screening process, and that the individual is likely not suitable for Participant status. An applicant with a Red Light designation may appeal the Red Light designation to their MLS NEXT Academy Division Operator via email (see Section IV, above). In the email appeal, the applicant must provide an explanation of the issue in his/her/their background check that led to a Red-Light designation, as well as submit any supporting documentation for the appeal.

Unless otherwise prohibited by state law, any of the following criteria appearing on a background check will result in a "Red Light" finding:

- Any felony (any crime punishable by confinement of greater than one year);

- Any lesser crime involving force or threat of force against a person;

- Any lesser crime in which sexual misconduct is an element, including "victimless" crimes of a sexual nature (including pornography);

- Any lesser crime involving controlled substances or alcohol;

- Any lesser crime involving breaking and entering, loitering, trespassing, false impersonation, or theft;

- Any lesser crime involving neglect or cruelty to animals;

- Any lesser crime involving neglect or abuse of a child;

- Any sex offender registration; or

- Any violation noted in the Center's Centralized Disciplinary Database.

6. Background Screening Appeal Process—Employment Applicants

In the event an individual with a conditional offer of employment from Operator or a Club receives a "Red Light" determination that is the result of a clerical or administrative error, the applicant has an opportunity to challenge the correctness of the determination by contacting Operator's third-party vendor, JDP, at Oxford One Centre, 301 Grant Street, Suite 4300, Pittsburgh, PA 15219; 855-940-3232 within five days of this notice. JDP will either confirm or correct the contents of the applicant's record, which will then be assessed by Operator.

Upon review, if the applicant still receives a "Red Light" determination as a result of one or more offenses or other matters noted in his/her/their background report, the applicant will be informed of the decision in writing, including instructions for an appeal process. The applicant may appeal the decision by sending a copy of the background check report, together with a written explanation of the reason why his/her/their application should be reconsidered, to their MLS NEXT Academy Division Operator via email (see Section IV, above). The appeal must be received within 10 days of the adverse action notice and will be reviewed by a staff member designated by Operator to review these matters (the "MLS NEXT Academy Division Compliance Officer"). The applicant's delay may result in their inability to participate in MLS NEXT Academy Division Events for a prolonged period of time.

In the event an applicant is denied participation in MLS NEXT Academy Division (including after an appeal) solely or in part because of the "Red Light" determination, that information will be provided in writing to the applicant along with information concerning the applicant's right to file a complaint, if applicable, under relevant state law. The determination of the MLS NEXT Academy Division Compliance Officer is final.

7. Background Screening Appeal Process—Non-Employment Applicants

Should a Participant who is not applying for employment with MLS NEXT Academy Division or who is not a Club Representative Covered Person (for example, a current employee) receives a "Red Light'' during a routine background check or as a result of an individual disclosure, the individual will be notified and provided with a copy of his/her/their background check report. The individual has the right to challenge the correctness of the "Red Light" determination by contacting Operator's third-party vendor, JDP at Oxford One Centre, 301 Grant Street, Suite 4300, Pittsburgh, PA 15219; 855-940-3232, five days of this notice. In the event of a clerical or administrative error, JDP will either confirm or correct the contents of the Covered Person's record, which will then be passed on to Operator.

Upon review, if the individual is determined to be ineligible to participate in MLS NEXT Academy Division as a result of one or more offenses or other matters noted in his/her/their background report, the individual will be informed of his/her/their ineligibility to remain associated with MLS NEXT Academy Division in writing and will immediately be suspended from participation in MLS NEXT Academy Division. The individual has 10 days from the notice of adverse action to appeal the ineligibility decision by sending a copy of the background check

report, together with a written explanation of the reason why he/she should remain eligible to participate, to their MLS NEXT Academy Division Operator via email (see Section IV, above). In addition to any evidence or argument provided by the individual, the MLS NEXT Academy Division Compliance Officer may consider any recommendation of Operator's legal advisors, including any written evidence that the legal advisor(s) wishes the MLS NEXT Academy Division Compliance Officer to consider and a list of witnesses that the Compliance Officer may interview. The Compliance Officer has the authority to determine if the individual should be permitted to participate in a Covered Program, despite the individual's receipt of a "Red Light" finding or adverse disclosure. The decision of the MLS NEXT Academy Division Compliance Officer shall be final and binding.

Each Club should consider implementing a similar appeals protocol for any background checks it runs.

F. POST-SCREENING INTAKE CONFERENCE

Once a Club authorizes any Club Representatives or other Covered Persons to have Regular Contact with Minors in accordance with the screening measures outlined above—and before such person undertakes their duties—Club leadership (such as the Club Director, Club Administrator, and/or Coaches) should hold a preliminary intake conference with the newly authorized Club Representative. Club leadership should communicate the job expectations, provide the Rules and Policies, describe the employment evaluation process, the identification of any deficiencies that must be addressed (and a timeline for doing so), and be able to answer any questions the newly authorized Club Representative may have.

XI. ADDITIONAL CLUB RESPONSIBILITIES

A. SAFETY LEAD

Clubs must designate an internal officer annually (a "Safety Lead") who is responsible for safety oversight and who must certify that certain standards are met. Clubs shall provide Operator with the name and contact information for the Safety Lead at the beginning of each Season (e.g., August/September).

The Safety Lead is responsible for the safety of those who are affiliated with their Club and also those present at their Club's facility, with additional responsibilities when it comes to events, trips, camps, and other competitions.

The Safety Lead has two main functions—education and the development, and implementation of safety protocols. To that end, the duties and responsibilities of the Safety Lead include, but are not limited to:

- Working with others to create a positive inclusive environment within the sport.
- Playing a lead role in developing and establishing the Club's approach to safeguarding Players, including Minors, and in maintaining and reviewing the implementation plan

for safeguarding Players in line with current best practice. Specifically, but not limited to:

  - *Developing Club protocols that ensure proper physical conditioning for the age and strength of the Player on the Team. Ensuring that warm-up exercises, flexibility exercises, aerobic exercises, skill training, and a cool-down period at the end of practice are encouraged;*

  - *Ensuring that Players are wearing their protective equipment (and that it meets the appropriate standards—like shin guards meeting the NOCSAE-ND090 specifications, or that cleats are free of exposed metal spikes);*

  - *Inspecting or designating a Club Representative to inspect equipment and make sure dangerous equipment is not used, as well as designate a Club Representative to oversee the sanitization of equipment;*

  - *Setting up protocols for Facility inspection, including all pre- and post-training and Competition Facility inspection;*

  - *Developing procedures for security at their Club's events or working with a third party to train workers, practice emergency contingency plans, and ensure that security personnel wear identifying garb; and*

  - *Ensuring Player medical clearances are maintained and thorough.*

- Ensuring that the Club's policies and procedures are consistent with the organization's commitment to safety and reviewing as necessary for required updating.

- Receiving and coming up with a system for reviewing safety reports.

- Serving as a central point of contact for internal and external individuals and agencies about the safety of Club employees and Players.

- Establishing Club anti-harassment/anti-discrimination protocols where concerns can be internally reported.

Preparing and/or reviewing all incident reports and injury/illness reports, and liaison with Operator where appropriate.