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MEMORANDUM

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From: Joel Mark, National President

Date: November 2001

Re: Collection of Social Security Numbers on Volunteer Applications.

Each season when volunteers are requested to fill out their annual volunteer application form, the question sometimes is asked: Why does AYSO collect social security numbers (SSN) from the volunteers? Usually the concern is over whether the collection of the SSN by AYSO will put the volunteers at some increased risk of identity theft. In response to these concerns, we ask our volunteers to consider the following questions and answers concerning the AYSO decision to require the SSN on all AYSO volunteer applications.

**What risk do the volunteers face?** Experts have informed us that there are so many easier ways to obtain someone's SSN or otherwise engage in identity theft that it is extremely unlikely that giving the SSN to AYSO will materially increase that risk. Things we put in our trash, leave in our car, or supply in connection with consumer, banking and insurance transactions, all contain the SSN or other information sufficient to make identity theft possible even without the SSN. It also is a fact that we have had no documented incidents of identity theft from those who have supplied their SSN to AYSO. Therefore, while identity theft is a real risk and a risk that must be dealt with and minimized wherever possible, we do not believe that supplying the SSN to AYSO materially increases the risk our volunteers otherwise may face regarding identity theft generally.

**What risk do the kids face?** Recent articles in the media have established that youth sports generally presents an increasingly enticing target for predators. It also is a tragic fact that, before our Safe Haven procedures were instituted, AYSO had documented incidents of child molestation by volunteers who turned out to be predators. Additionally, our Safe Haven procedures already have alerted us to a number of potential predators within our volunteer ranks. And, while it cannot be quantified, it is our strong belief that the Safe Haven procedures have deterred an additional number of other potential predators from applying as volunteers to AYSO. Thus, it seems quite clear that youth sports participants in the United States — including those who choose to participate in AYSO — unfortunately are at increased risk and would remain at such risk without some procedure such as Safe Haven to address and reduce that risk as far as may be reasonably possible.

**What are the comparative consequences of the two risks?** While no one can quantify how many cases of identity theft AYSO may enable by collecting the SSN, if any, compared to how many cases of child molestation or abuse AYSO may prevent by doing so, we can quantify a significant difference in the comparative magnitude of the

consequences. Experts have advised us that identity theft can be detected and corrected as simply as by running a personal credit check every year. And, while the most severe cases of identity theft may take longer to correct, they ultimately are correctable and good credit ultimately can be recovered. The same cannot be said for the child who becomes a victim of molestation or abuse. For the child who falls victim to such abuse, there is no cure except perhaps years of therapy and guilt and recrimination, years that can never be recovered.

**How are these risks being addressed by AYSO?** Clearly, we need to do everything we can to reduce both risks. The experts we have consulted have informed us that the risk to the kids can be reduced significantly when we require the SSN. In fact, every professional company with whom AYSO consulted about contracting to perform our background screening of volunteers informed us that, without the SSN, the accuracy of their reports could be diminished substantially. Therefore, AYSO has decided to heed this advice and require the SSN from volunteers to reduce the risk to the kids. The risk to the volunteers of supplying the SSN can be and is being reduced significantly by protocols for maintaining privacy suggested to us by AIS in connection with our new business system, and by other experts; and, the SSN collected will be used only for background screens and for no other purpose. Thus, AYSO also is heeding the expert advice we have received to reduce as much as reasonably possible the risk to the volunteers as well. This is what AYSO has decided is the best balance between the two risks.

**What has AYSO concluded it must do when a volunteer asks AYSO to choose between the risk to the kids and the risk to the volunteer?** Admittedly, even the best devices and protocols cannot eliminate entirely either risk. Thus, some volunteers have asked AYSO to waive the requirement for the SSN — i.e., to choose between the two risks and to make the risk to the volunteers a greater priority than the risk to the kids. We believe that AYSO must always stand up for the principle that, as between the two groups, it should never be the kids who are put at increased risk. As a result, we have instructed all CVPAs to not accept a volunteer application from anyone refusing to fully cooperate with the process, including supplying the SSN. We know this may drive away some volunteers. But, we also know that it will drive down the risk that our kids otherwise would face. We therefore remain convinced that, when asked to choose, AYSO must opt to put child protection ahead of the risk, if any, to a volunteer from supplying the SSN.

**Is this choice something that has been mandated unilaterally by the NSTC?** During the 1997 re-write of our Bylaws, which came from the floor of the NAGM and not from the NSTC, some 750 Regional Commissioners, 75 Area Directors, 13 Section Directors, together with the National Board of Directors, voted unanimously to adopt Bylaw provision 1.04(t) to require all regions to "cooperate in the policies developed by the Board or the National Support [and Training] Center with respect to requiring each coach, referee and other designated volunteers to complete a volunteer form, and with respect to verifying the information obtained, before permitting such coach, referee or such volunteer to participate." This is what we — all of the Executive Members of AYSO

— decided we must do because of our shared concern for the kids. This provision also is important for the health of the Organization. Should AYSO ever be sued for not doing all it could to protect the kids, we all would be liable for the damages a jury may assess because we are a unitary corporation.

**Will AYSO continue to require the SSN?** The experts we have consulted have informed us that our Bylaw requirement that we verify the information supplied by our volunteers cannot be met effectively without the collection of the SSN. Therefore, unless and until the experts tell us something different, we will continue to require the SSN to protect the kids from unnecessary risk, to protect the Organization from avoidable liability, and to comply with the Bylaw provision that the Executive Members have adopted unanimously.

Thank you for giving your consideration to these important questions and answers attendant to AYSO's need to obtain volunteers' SSN. Should you have any further questions or concerns, please contact Ellisa Hall at the AYSO National Support & Training Center.