

# **Crewe-Burkeville Youth Recreation Association**

## **Criminal Background Check Policy**

### **Background Screening**

For the safety and well being of each and every child participating in the Crewe-Burkeville Youth Recreation Association (CBYRA) and to raise the standards of the CBYRA, it shall be the policy of the Association as of 1-1-06 to obtain and utilize background checks for screening potential league officers and directors, committee personnel, commissioners, coaches, managers and scheduled umpires and/or any other authoritative position (all referred to later as Volunteer) that makes application to the Crewe-Burkeville Youth Recreation Association and who have regular access to or repeated contact with athletes. Any person who will be acting in a capacity as coach, or who may be alone with players, or responsible for a team at games or practices shall be included in this process. Official assistant coaches are defined as those whose names appear on the roster for a respective team. It is the policy of CBYRA that at any CBYRA sanctioned game, practice or event, there must be at least 1(one) adult present who has successfully completed a criminal background check. If there is not 1 (one) adult present who has completed a CBYRA Background Check, the game, practice or event must be halted or postponed until such an adult is available.

A written authorization form shall be submitted to CBYRA, signed by Volunteer, allowing the Association to order an individual criminal background check. Any Volunteer that fails to submit the signed consent form shall forfeit their consideration for a position. The deadline for submitting the consent forms shall be as follows: Coaches (all) shall turn in a consent form at the time of application; Board members shall turn in a consent form prior to the annual elections; all others must submit consent forms before the beginning date of their tenure for the position in which they are applying. As defined in the detailed Risk Management Program, background checks will be performed on all new applicants and every five years on returning applicants; furthermore, the CBYRA reserves the right to conduct random checks on at least 25% of all applicants each year.

Background checks will be performed by Southeastern Security Consultants, Inc. (SSCI), utilizing a consent form provided by them, and shall be reviewed only by a designated committee (Risk Management Committee) so as to assure applicants' privacy, as well as assure that all background checks are reviewed properly and with objectivity as may be required. Any change in the reporting agency used shall require a majority vote of the Board of Directors.

It will be the responsibility of the CBYRA President to obtain, distribute and submit the consent forms to the Commissioners and various Volunteers according to the Risk Management Program. It will be the responsibility of the Risk Management Committee to obtain consent forms for anyone wishing to be considered for a Board position or any other position not directly related to a specific sport. It shall then be the responsibility of the Conduct Official of the Risk Management Committee to forward those completed consent forms to SSCI.

### **Disqualification Criteria:**

Individual volunteers found to be guilty of the following crimes will be disqualified as a volunteer as outlined below. Guilty means the applicant was found guilty following a trial, entered a guilty plea, entered a no contest plea accompanied by the court's finding of guilty, regardless of whether there was an adjudication of guilt (conviction) or a withholding of guilt.

This policy does not apply if criminal charges resulted in acquittal, dismissal or in an entry of “nolle prosequi”:

1. Ever Found To Be Guilty Of:

- All sex offenses including child molestation, rape, sexual assault, sexual battery, sodomy, prostitution, solicitation, indecent exposure, etc.
- All felony violence including murder, manslaughter, aggravated assault, kidnapping, robbery, aggravated burglary, etc.

2. Found To Be Guilty Within The Past 10 Years Of:

- All felony offenses other than violence or sex including drug offenses, theft, embezzlement, fraud, child endangerment, etc.

3. Found To Be Guilty Within The Past 7 Years Of:

- All misdemeanor violence offences including simple assault, battery, domestic violence, hit & run, etc.

4. Found To Be Guilty Within The Past 5 Years Or Multiple Offenses In The Past 10 Years Of:

- Misdemeanor drug and alcohol offenses including driving under the influence, simple drug possession, drunk and disorderly, public intoxication, possession of drug paraphernalia, etc.

5. Any other misdemeanor within the past 5 years that would be considered a potential danger to children or is directly related to the functions of the volunteer including contributing to the delinquency of a minor, providing alcohol to a minor, theft – if volunteer is handling monies, etc.

Should any pending charges described in 1-3 above be uncovered, or should any of the above charges be brought against an applicant during the season, the applicant shall be suspended from serving until such time as the charges have been cleared or dropped and the Conduct Official has approved reinstatement. Should a disqualifying entry be revealed during a random background check for any Volunteer during their time in position, that Volunteer shall be immediately removed from the position.

It shall be the policy of the association to maintain these records for a period of five years. SSCI maintains records of screened applicants for a period of seven years, and CBYRA may access those records as needed.

### **Risk Management Committee**

The Risk Management Committee shall consist of three Board members as designated by a majority vote of the Board of Directors. One Board member shall serve as the Conduct Official. The duty of the committee will simply be to gather the forms from the respective sports or activity boards, submit forms to SSCI, and then notify any person whose background check reveals a disqualifying entry on the background check report. **It will be the applicant’s responsibility to protest directly with SSCI any finding that they wish to dispute. Neither the Risk Management Committee, or CBYRA shall have any input nor oversight into any disputed matter between the applicant and SSCI.**

All information obtained in response to the background check or disclosed in the review process shall be kept confidential and not disclosed or discussed outside of the review process or Risk Management Committee. CBYRA and its members are not responsible for errors or omissions that may or may not have been reported on background checks.