

South Park Youth Association, Inc.

Background Screening Policy

Purpose

It is the intent of this policy to establish certain guidelines wherein South Park Youth Association, Inc. (“SPYA”) can seek to protect the children participating in its athletic programs by investigating the background of volunteers who will be coaching in sanctioned athletic programs.

General Guidelines

1. All SPYA recreational teams shall ensure that all participants 18 years of age or younger shall have at least one (1) approved coach or assistant coach (hereinafter collectively referred to as “Coach”) present at each athletic activity, including practices, games and meetings.
2. Any person who has been convicted of or has a pending charges pertaining to any of the automatic disqualifying offenses listed in this policy will be immediately disqualified from coaching (either head or assistant) in any sanctioned athletic program approved by SPYA. A Coach who willfully fails to comply with this background screening shall be automatically disqualified.
3. All sports will have one head coach and various numbers of assistant coaches processed for approval. Each Coach will have his or her background checked every 12 months for as long as he or she continues coaching.

Screening Process

Background Check Authorization forms must be submitted on-line by all potential head coaches or assistant coaches (the “Applicants”) at <https://opportunities.averity.com/spyasports> prior to any official league practices or games being held and with sufficient lead time to allow SPYA to conduct the background checks before any such events are held. After the background check, the results of the background check will be reviewed by the league commissioner, who will advise the Applicant and the SPYA board of directors of any Applicants who are disqualified. All information pertaining to the background checks will remain with the SPYA board of directors, subject to the applicable laws requiring disclosure.

If any of the disqualifying offenses are reported in the criminal background check, the SPYA commissioner shall notify the Applicant that he or she is, or may be, disqualified and may notify the appropriate league division commissioner as well. If an Applicant requests the results of the Applicant’s background check, SPYA shall send a copy of the background check to the Applicant along with a form that the Applicant must sign acknowledging receipt of the background check.

At a minimum, applicants will be screened on an annual basis. SPYA, at its sole discretion, may require more frequent or additional screenings for certain or all applicants.

Confidentiality

The criminal background reports shall be kept in secure location for a period as required by applicable law or the person is no longer a volunteer coach, whichever is later.

Appeals Process

If an Applicant's background check includes a conviction of a charge that is set forth on the list of Disqualifying Offenses below, SPYA may immediately disqualify a person from volunteering as a Coach. There shall be no appeal of a decision to disqualify an Applicant if the Applicant's relevant criminal history is accurate.

If an Applicant wishes to dispute the content of the profile report, the Applicant shall contact the third party responsible for conducting the background check by calling the telephone number listed on the report. The Applicant is responsible for providing any or all documentation to support his or her claim. If the circumstances change regarding the disqualified Applicant, they must request in writing for a new criminal history back search.

Automatic Disqualifying Offenses -

Any person will be automatically disqualified from coaching or assistant coaching with any athletic team in any athletic program approved by SPYA if the Applicant has been (1) found guilty or entered a guilty or no contendere plea regardless of the adjudication for any of the disqualifying offense, (2) has a charge pending against him or her in which it is alleged that he or she has committed any of the following crimes or (3) has a record of a conviction of an equivalent offense in another state for any of the following Automatic Disqualifying Offenses:

- Any sexual assault
- Domestic violence
- Any crimes against children
- Homicide
- Any violent crime involving weapons with the intent to commit injury
- Armed robbery

Potentially Disqualifying Offenses –

Any person may be disqualified from coaching or assistant coaching with any athletic team in any athletic program approved by SPYA if the Applicant has been (1) found guilty or entered a guilty or no contendere plea regardless of the adjudication for any of the disqualifying offense, (2) has a charge pending against him or her in which it is alleged that he or she has committed any of the following crimes or (3) has a record of a conviction of an equivalent offense in another state for any of the following Potentially Disqualifying Offenses:

- Admitted usage, arrest and/or conviction for usage and/or possession of illegal drugs within the past 3 years
- Arrest and/or conviction for DWI within the past 3 years
- Arrest and/or conviction for the sale of illegal drugs within the past 5 years
- Arrest and/or conviction for embezzlement or theft
- Arrest and/or conviction of any other misdemeanor or felony crime

Disposition of Potentially Disqualifying Offenses will be done on a case-by-case basis. Items to be considered in the disposition of an Applicant's case can include, among other things, the following:

- The extent and nature of the crime
- Whether the crime was a first time or repeat offense
- How long ago the Applicant committed the crime
- Steps the Applicant has taken to make amends / restitution for the crime

Acknowledgements –

Each Applicant who submits a Background Check Authorization does so with the following acknowledgements:

- a) The Applicant submits the Background Check Authorization at his or her free will, without any coercion, duress, or pressure of any nature
- b) The Applicant understands and agrees that the purpose of the screening process is the protection of the participants in SPYA's athletic programs
- c) The Applicant agrees that he or she waives any claims of any nature against SPYA, its officers, directors or other volunteers as to any claim of discrimination or denial of or infringement of rights that may be related, directly or indirectly, to any decision to deny the Applicant participation in SPYA activities or the termination of such participation at some later date in relationship to any element of the criteria or policies of SPYA
- d) The Applicant warrants and represents to SPYA that all information submitted in the Background Check Authorization is true and accurate and that any change in any element of the information provided will be immediately reported to SPYA