

MYBSA

Volunteer Background Screening Policy

2011-2012

Purpose

It is the intent of this policy to establish certain guidelines wherein the Murray Calloway County Parks and Recreation (hereinafter referred to as "MCCPR") and the Murray Youth Baseball & Softball Association (hereinafter referred to as "MYBSA") can seek to protect the children of Murray and Calloway County and surrounding area by investigating the background of volunteers and coaches who will have direct contact with the children participating in MYBSA programs. This policy extends to all MYBSA Board volunteers regardless of contact with children.

General Guidelines

1. MYBSA shall ensure that all participants 18 years of age or younger shall have at least one (1) approved Team Manager (hereinafter collectively referred to as "Manager") or Senior Coach (hereinafter collectively referred to as "Coach") present at each athletic activity, including practices, games and meetings.
2. Any person who has been convicted (plea bargains and deferred adjudication) or has pending charges from the Commonwealth of Kentucky or from any other state can be immediately disqualified from coaching (either approved coach or assistant) in any MCCPR & MYBSA sanctioned athletic program. A coach or Volunteer who willfully fails to comply with this background screening shall be automatically disqualified.
3. The MYBSA will have one Manager and one Coach processed for approval. Each coach will have his or her background checked every 24 months for as long as he or she continues coaching.
4. All MYBSA Board Members will have his/hers background check prior to being elected to position and every 24 months thereafter. All other MYBSA volunteers deemed necessary by the MYBSA Board will be subject to a background check.
5. The criminal history record, as received from the reporting agencies, may include arrest and conviction data which will be may be used to determine my eligibility for any Coach, Board Member, and Volunteer position with this organization.

Screening Process

MYBSA will establish deadlines by which the Volunteer Consent/Release Forms are due back to be turned into the Park office. These deadlines will be at least three weeks prior to the start of practices and attempt to complete said background checks prior to naming of coaches. This will give MYBSA time to compile and process the forms, and to conduct the background checks. After the background check, the results of the background check will be forwarded to MCCPR Park Director and MYBSA President. The Park Director and MYBSA President will then advise the appropriate Commissioner of any volunteers who are disqualified. All information pertaining to the background check will remain with MCCPR, subject to the applicable laws requiring disclosure. Commissioners will not be informed of the results of any background check; rather, the Commissioner will only be told that a volunteer is disqualified.

In any of the disqualifying entries are reported in the criminal background check, MYBSA shall notify by mail or appropriate communication method deemed suitable the volunteer that he or she is disqualified and notify the appropriate Commissioner that the volunteer is disqualified. If a volunteer requests the results of the coach's background check, MCCPR shall send a copy of the background check to the volunteer.

Confidentiality

To help ensure confidentially, league presidents, other Board and league personnel shall not be notified of a coach's criminal history. 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, whichever is later.

Appeals Process

If a volunteer's background check includes a conviction of a charge that deems them disqualified, the MYBSA shall immediately disqualify a person from volunteering. There shall be no appeal of a decision to disqualify a coach if the coach's relevant criminal history is accurate. If a volunteer wishes to dispute the content of the profile report, the volunteer shall contact the third party responsible for conducting the background check by calling the telephone number listed on the report. The volunteer is responsible to provide any or all documentation to support his or her claim. If the circumstances change regarding the disqualified volunteer, they must request in writing for a new criminal history back search.

Disqualify Offenses -

Any person will be disqualified from serving on the MYBSA Board, coaching or assistant coaching, or any other volunteer position with any MYBSA team if the individual has been (1.) found guilty or plea bargains and deferred adjudication from the Commonwealth of Kentucky or from any other state 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 a crime set forth by the Commonwealth of Kentucky (3) has a record of a conviction of an equivalent offense in another state.

The list below includes as amended, which authorizes background checks on persons who may have unsupervised access to a child. The disqualifying crimes are as follows.

Violations that will be considered automatic disqualification are as listed:

- Any misdemeanor drug related offenses within the past five years or any controlled substances offenses within the past 10 years.
- Assault and violent crime offenses within the last 10 years or more than once in the last 20 years
- Any crime against children related to abuse and any sexual related offenses
- Possession of child pornography

Any other offenses can be considered as disqualifiers as determined by the circumstances and the nature of the offense.

Process Summary

1. MYBSA provides Background Screening Policy and Volunteer Consent/Release forms online at www.dsya.org/forms for all coaches and volunteers to fill out.
2. Coach/Volunteer retains policy for his or her records, completes form, and returns to MYBSA by email, fax, or mail three weeks prior to practice.
3. MYBSA sends forms to third party contractor to perform background checks.
4. MCCPR Director or MYBSA President notifies appropriate Commissioner of any disqualified coaches.
6. The MYBSA notifies coach of the disqualification.