

# Screening Policy for DARE Aquatics

## PURPOSE

It is the intent of this policy to establish certain guidelines wherein the DARE Aquatics (hereinafter referred to as "DARE") can seek to protect our program participants by investigating the background of employees, coaches and volunteers (hereinafter referred to as "candidates") who will be involved in DARE approved programs.

## GENERAL

A. Criminal background screenings are conducted by an outside third party who specializes in such work.

B. Any person who has been found guilty, pled guilty; or pled no contest, regardless of adjudication, or has a pending charge pertaining to, any of the disqualifying offenses listed in this policy will be immediately disqualified from employment, coaching and/or volunteer positions with DARE or an associated athletic board. DARE also reserves the right to disqualify a person for any crime that would be considered a potential risk to children and/or vulnerable populations. A candidate who willfully fails to comply with this background screening policy shall be automatically disqualified.

C. This policy will apply to all DARE employees, coaches and volunteers. Both head and assistant, coaches participating in sanctioned DARE athletic programs. If an athletic board already conducts background screenings on their coaches and volunteers these screenings will be accepted. If there is any doubt as to who should be screened, the general rule is anyone who would potentially have unsupervised access to children in a DARE approved program. DARE Aquatics full time & part time year round employees will be screened prior to their start of employment and are subject to a random background check at any time while employed at the DARE. Seasonal employees will be screened annually.

***The criminal background screening is mandatory, there are no exceptions.***

## SCREENING PROCESS

All candidates must sign a Release for Criminal History which gives DARE the right to check criminal history records and verify social security numbers. The cost associated with these background screenings will be paid for by DARE.

No other personal information (e.g. work history, financial, credit, etc.) is checked or researched. The company executing background checks has agreed to such terms contractually, and confirms such direction annually.

The third party contractor conducting the checks will cross-reference the screening results with the disqualifying crimes listed in this policy. A pass/fail grade will then be relayed to DARE based on the cross-reference. A pass grade for any candidate that has zero disqualifying crime matches, a fail grade for any candidate that has one or more disqualifying crime matches. All information pertaining to the background check will remain with the third party contractor, subject to the applicable laws requiring disclosure. DARE will not be informed of the results of any background check; rather, the DARE will only be issued a pass/fail grade for each candidate.

If the third party contractor reports any “fail” grades to DARE, DARE shall notify the candidate that he or she is disqualified for their desired position. DARE will also notify the appropriate Athletic Board if their candidate is disqualified. Upon request, the candidate will receive a copy of the background check from the third party contractor.

## **CONFIDENTIALITY**

To help ensure confidentiality, DARE should not be notified of a Coach’s criminal history. The criminal background reports shall be kept in a secure location by the third party contractor for a period as required by applicable law.

## **APPEALS PROCESS**

If a candidate’s background check includes a charge set forth on the list of disqualifiers below, DARE shall immediately disqualify a person from their position. There shall be no appeal of a decision to disqualify a candidate, if the candidate’s relevant criminal history is accurate; all decisions are final.

If a candidate wishes to dispute the content of the profile report, the candidate shall contact the third party responsible for conducting the background check by calling the telephone number listed on the report. The candidate is responsible for providing any or all documentation to support his or her claim.

## **DISQUALIFYING CRIMES**

If a candidate (1) has been convicted of, (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, the candidate will be disqualified from the position with any program approved by DARE.

### **All Sex Offenses**

Examples include, but are not limited to: child molestation, rape, sexual assault, sexual battery, sodomy, prostitution, solicitation, indecent exposure, etc.

### **All Felony Violence Offenses**

Examples include, but are not limited to: murder, manslaughter, aggravated assault, kidnapping, robbery, aggravated burglary, etc.

### **All Felony offenses other than violence or sex within the past ten (10) years.**

Examples include, but are not limited to: drug offenses, theft, embezzlement, fraud, child endangerment, etc.

### **All Misdemeanor Violence offenses within the past seven (7) years.**

Examples include, but are not limited to: simple assault, battery, domestic violence, hit and run, etc.

### **Two (2) Misdemeanor Alcohol offenses within the past five (5) years or three (3) or more offenses within the past ten (10) years.**

Examples include, but are not limited to: driving under the influence, drunk and disorderly, public intoxication, etc.

**All Misdemeanor Drug offenses within the past five (5) years or two (2) or more offenses within the past ten (10) years.**

Examples include, but are not limited to: simple drug possession, possession of drug paraphernalia, etc.

**Any other misdemeanor within the past five (5) years that would be considered a potential danger to children.**

Examples include, but are not limited to: contributing to the delinquency of a minor, providing alcohol to a minor, etc.

### **WHY THESE CRIMES?**

DARE has reviewed the resources of the National Association of Professional Background Screeners and sought the counsel of recognized background screening experts to develop a set of Recommended Guidelines for Volunteer Background Screening. These guidelines were produced as a result of this review.