

Mountain View Athletic Association

Criminal Background Check Policy

Background Screening Overview

For the safety and wellbeing of each and every child participating in the Mountain View Athletic Association (MVAA), it shall be the policy of the Association as of 8-24-15 and last amended on 4-11-2017 to obtain and utilize Background Checks for screening potential coaches, “official” assistant coaches, Board members, commissioners, and/or any other authoritative position (all referred to later as Volunteer) that makes application to the Association. 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. No Volunteer will be allowed to assume their responsibilities before they have completed the Background Check process, unless specifically noted.

A written authorization form shall be submitted to MVAA, signed, physically or electronically, 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 process and deadline for submitting the consent forms are detailed below in the section on Procedures and Timing. In addition, MVAA will reserve the right to conduct random checks on at least 25% of all volunteers each year.

Background checks will be performed by SSCI, utilizing a consent form provided by them, “Background Consent” and shall be reviewed only by a designated committee “Background Screening Committee” and current Sports Directors 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 should be noted that MVAA’s provider treats us as a “Youth” organization, so we may be provided with information not included in other Background Screenings.

Policy

A person should be disqualified and prohibited from severing as a volunteer if the person has been found guilty of the following crimes:

For purposes of this policy; Guilty shall mean that a person was found guilty following trial, entered a guilty plea, entered a no contest plea accompanied by a court finding of guilt (regardless of adjudication), or received court directed programs in lieu of conviction.

- ❖ Any felony offense involving violence, regardless of time elapsed

- ❖ Any type of crime against children, regardless of time elapsed
- ❖ Any crime of a sexual nature, regardless of time elapsed
- ❖ Any combination or multiple convictions of like or different **felonies**, regardless of time elapsed.

In addition, Volunteer applicants shall be disqualified if they have been found guilty of the following within the past seven (7) years:

- ❖ Any felony conviction
- ❖ More than one drug or alcohol related crime, including but not limited to DUI, DWI or other such offenses related to the operation of a moving vehicle while impaired.
- ❖ Any other guilty finding involving “moral turpitude,” as defined by a majority vote of the Board of Directors, which shall be reviewed upon a case-by- case basis, and any and all decisions shall be at the discretion of the Background Check Committee and shall be final.

Furthermore, any candidate or volunteer who has served in any capacity of incarceration **resulting from a guilty finding** shall not be eligible for a position as a Volunteer in MVAA until a minimum of five (5) years has elapsed from the date of release until the date of application.

While not specifying each and every crime, any offense that may fall under these categories should be deemed as such that the candidate would be inappropriate for any position where he or she is in extended contact or is responsible for any child for any period of time.

Should an existing Volunteer be charged with any of the above crimes after a Background Check has been performed and/or during a respective season, the Volunteer shall be suspended immediately and indefinitely. 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 three years. SSCI maintains records of screened applicants for a period of seven years, and MVAA may access those records as needed.

The MVAA Executive Board shall pay for all Background Screenings and assess Executive Board fees to the various sports as necessary to cover this expense.

Background Screening Committee

The Background Screening Committee shall consist of the President, and two other members designated by a majority vote of the Board of Directors. The duty of the committee will simply be to receive Background Consent forms, order Background Screening on Volunteers, 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 Background Screening Committee, nor MVAA 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. MVAA and its members are not responsible for errors or omissions that may or may not have been reported on background checks.

Procedures & Timing

The following outlines the procedures and timing for background checks for the various groups of Volunteers at MVAA.

As part of the application process for all Board positions, members need to submit a Background Consent form. If elected/appointed, the Background Screening Committee shall run their Background Check within 7 days of the election/appointment and notify the applicant and impacted Board within 3 days of any adverse result.

Head Coaches shall also submit a Background Consent form as part of the application process for their position. The Sports Director shall notify the Background Screening Committee of those coaches who need to have Background Screenings done. The Background Screening Committee shall then run their Background Check within 7 days and notify the applicant and impacted Sports Director within 3 days of any adverse result.

Assistant Coaches and Team Parents shall submit a Background Consent form as soon as they are identified as a potential Assistant or Team Parent, but no later than the 7 day grace period after the first official practice. Sports Directors shall notify the Background Screening Committee of all Assistant Coaches/Team Parents via the Background Screening Tracking Form. The Screening Committee shall run Background Checks within 7 days and notify the applicant and impacted Sports Director within 3 days of any adverse result.

Other Volunteers to the Association shall generally follow the same procedure as elected/appointed officers unless otherwise agreed by the Background Screening Committee.

Procedures & Timing

Summary

Group	When is Background Consent Required?	When is Background Check Run?	When are results communicated?
Board of Directors (Elected / Appointed)	Included in application process	Within 7 days of election / appointment	within 3 days of receipt
Sports Board (Elected / Appointed)	Included in application process	Within 7 days of election / appointment	within 3 days of receipt
Head Coaches	Included in application process	Prior to being appointed as Head Coach	within 3 days of receipt
Assistant Coaches / Team Parents	within 7 day "grace period" after the first official practice	When requested by Sports Director through team coaching roster	within 3 days of receipt