

Background Check Policy

August 2015

The Wellsville Joint Recreation Commission takes it responsibility to provide a safe environment for participants and the community associate with our programs and activities very seriously. In order to do this, we must be aware of any potential risks that may be associated with the program or activity.

Therefore, all employees, volunteers, head coaches and assistant coaches, 17 years & older, shall have a Background Check for criminal activity performed prior to be associated with the Wellsville Joint Recreation Commission.

This Background Check shall be used to:

- Verify Social Security Information
- Verify current address and any previous addresses
- Perform Local, State and National Criminal History Data Base searches
- Search any appropriate Sex Offender Registry

These checks shall be conducted every three years

The Privacy of the employee, volunteer or coach having the Background Check shall remain confidential information by the Wellsville Joint Recreation Commission. It will be shared within the organization on a “need to know” basis. The Consent/Release form with personal data shall be kept in a secure location and only in the hands of authorized personnel. In special circumstances the law may require WJRC to disclose to third parties, including governmental agencies, certain types of information.

Criteria for Exclusion

A person shall be disqualified and prohibited from being associated with WJRC as an employee, volunteer or coach if they have been found guilty of the following crimes:

- **Sex Offenses – All sex offenses** regardless of the amount of time since offense. Includes: child molestation, rape, sexual assault, sexual battery, sodomy, prostitution, solicitation, indecent exposure, etc...
- **Felonies – All felony violence** regardless of the amount of time since offense. Includes: murder, manslaughter, aggravated assault, kidnapping, robbery, aggravated burglary, etc...
- **Felonies – All felony offenses other than violence or sex** within the past 10 years. Includes: drug offenses, theft, embezzlement, fraud, child endangerment, etc...
- **Misdemeanors – All misdemeanor violence offenses** within the past 7 years. Includes simple assault, battery, domestic violence, hit & run, etc...
- **Misdemeanors – All misdemeanor drug and alcohol offenses** within the past 5 years or multiple offenses in the past 10 years. Includes: driving under the influence, simple drug possession, drink and disorderly, public intoxication, possession of drug paraphernalia, etc...
- **Misdemeanor – Any misdemeanor** within the past 5 years that would be considered potential danger to children or is directly related to the functions of that employee, volunteer or coach. Includes: contributing to the delinquency of a minor, providing alcohol to a minor, theft – if the person is handling monies, etc...

Pending Cases – If anyone who has been charged for any of the disqualifying offenses or for any cases pending in court should not be permitted to volunteer until the official adjudication of the case.

Guilty means that a person was found guilty following a trial, entered a guilty plea, entered a no contest pleas accompanied by a court finding o guilty, regardless of whether there was an adjudication of guilt (conviction) or withholding of guilt. This does not apply if criminal charges resulted in acquittal, Nolle Prose, or dismissal.

Fair Credit Reporting Act

The employee, volunteer or coach has rights as designated by the Fair Credit Reporting Act. For information go to www.ftc.gov/credit or write to: Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave., Washington, D.C. 20580.

The employee, volunteer or coach:

- You must be told if the information in your file has been used against you along with the name, address and phone number of the agency that has provided the information.
- You have the right to know what is in their file. You may request and obtain all the information about you in the files of a consumer reporting agency.
- You have the right to ask for a credit score.
- You have the right to dispute incomplete or inaccurate information.
- Consumer reporting agencies must correct or delete inaccurate, incomplete or unverifiable information.
- Consumer reporting agencies may not report outdated negative information.
- Access to our file is limited to the people with a valid need as specified by the FCRA.
- You must give you written consent for reports to be provided to employers.
- You may limit “prescreened” offers for credit and insurance you get based upon the information in their credit report.
- You may seek damages from violators.
- Identity theft victims and active duty military personnel have additional rights.

Forms

Background Consent/Release Form – The employee, volunteer or coach shall fill out and sign a Background Consent/Release Form that includes the applicant’s legal name, social security number, date of birth, address and dated signature.

Exclusion Letter – If the background check flags one or more of the exclusions listed previously, the applicant will receive a letter stating that you have been disqualified from working in WKRC programs or activities. The letter will also provide the contact information for the applicant to appeal inaccurate or incomplete information. A copy of the report will be included with the letter along with a summary of the applicant’s rights under the Fair Credit Reporting Act.