

4.34 Background Screening

All volunteer coaches are required to pass a background check prior to the start of the season. Returning coaches will be screened every calendar year. Individuals found to be guilty at **any** time of the following crimes will not be accepted for either head or assistant coaching positions within the department.

1. Guilty means the individual was found guilty following a trial, entered a guilty plea or no contest plea accompanied by the court's finding of guilty, entered into a deferred sentence adjudication, regardless of whether there was an adjudication of guilt (conviction) or a withdrawal of guilt. This policy does not apply if criminal charges resulted in acquittal or dismissal. Any pending charges will be taken on a case by case basis.

- Aggravated assault, aggravated battery, murder, attempted murder, robbery, attempted robbery, or other felonies involving violence.
- Sex offenses such as sexual assault or battery, attempted sexual assault or battery, indecent exposure, or any other crime of a sexual nature.
- Crimes involving obscenity or pornography.
- Extortion, kidnapping or attempted kidnapping.
- Manslaughter or vehicular homicide.
- Sale or distribution of a controlled substance.
- Any crime against children.

2. An individual found to be guilty of the following crimes within the past 10 years immediately preceding his/her coaching application will not be accepted.

- Felony involving possession or use of a controlled substance.
- Burglary
- Felony possession of a concealed firearm or weapon.
- Felony assault or felony battery, such as assault or battery of a teacher or law enforcement officer.
- Forgery or uttering a forged instrument.
- Prostitution or solicitation of prostitution.

3. An individual found to be guilty of the following crimes within the past 5 years immediately preceding his/her coaching application will not be accepted.

- Misdemeanor possession of a controlled substance or drug paraphernalia.
- Misdemeanor possession of a concealed weapon.
- Assault or battery.
- Resisting arrest with violence.
- Felony domestic violence.

4. Individuals found guilty of the following crimes will be considered on a case by case basis.
- Driving while under the influence of alcohol or a controlled substance (one incident only. If more than one must show proof of rehabilitation).
 - Sale or delivery of an alcoholic beverage to a minor.
 - Other criminal traffic offenses.
 - Issuing a worthless check.
 - Disorderly conduct or disorderly intoxication.
 - Petty theft.
 - Misdemeanor domestic violence.
 - Multiple crimes.
 - Other crimes not listed above.

Should a coaching applicant have been found guilty of any of the crimes listed in 1-4 above, **prior to the time period noted (if any)**, their application will be considered on a case by case basis. The Recreation Director and Recreation Coordinators **may** consider accepting the coach after careful consideration is granted regarding the nature of the offense, the rehabilitation of the individual, the nature of the offense as it relates to the volunteer position being applied for and the risk to children. Under no circumstances will the coach be considered if the crime was one against children, involved violence, or was a sexual offense. Felony convictions of any nature will be viewed with extreme caution. Misdemeanor convictions, particularly when remote in time, may be viewed with less caution, particularly where the applicant's conduct since the conviction indicates rehabilitation and lack of risk to children. Should the background check indicate that a volunteer has criminal charges of any nature pending, the volunteer will be considered on a case by case basis. Should an approved volunteer subsequently have any criminal charges brought against him/her during their term of service to the Department, they must disclose the nature of the charges to the Recreation Manager and Recreation Coordinators, and voluntarily suspend their coaching duties until a determination is made by the Recreation Department regarding the effect of the pending charges on the volunteer's functions within the league. The Background Check Sub-Committee will consist of the Parks and Recreation Director, Recreation Manager, Recreation Coordinators and the Police Chief, or designee of the Police Chief.