Town of Christiansburg Parks and Recreation
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Athletics Background Screening Policy

PURPOSE

It is the intent of this policy to establish certain guidelines wherein the Town of Christiansburg Department of Parks and Recreation (hereinafter referred to as “Parks and Recreation Department”) can seek to protect our children by investigating the background of volunteers who will be coaching children involved in athletic programs approved by the Parks and Recreation Department.

GENERAL

A). The Parks and Recreation Department shall ensure that all participants 18 years of age or younger shall have at least one (1) approved coach or assistant coach (hereinafter collectively referred to as “Coach”) present at each athletic activity, including practices and games. A Coach becomes approved once the process described in this policy is completed.

B). Any person who has been convicted of, or has a pending charge pertaining to, any of the disqualifying offenses listed in this policy will be immediately disqualified from coaching (either as a head coach or an assistant coach) in any youth athletic program approved by the Parks and Recreation Department. A Coach who willfully fails to comply with this background screening policy shall be automatically disqualified.

C). All sports will have one head coach and up to two assistant coaches processed for approval with the exception of football which will have one head coach and up to four assistant coaches processed for approval. Each Coach will have his or her background checked every 12 months for as long as he or she continues coaching.

SCREENING PROCESS

1. The Parks and Recreation Department will provide a Volunteer in Youth Sports Consent/Release Form to each head coach and up to two assistant coaches for each team with the exception of football which will be provided for the Head Coach and up to four assistant coaches. The Athletic Supervisor will distribute these to all prospective coaches and assistant

coaches to be completed and returned to the Athletic Supervisor for the Parks and Recreation Department.

2. The Parks and Recreation Department Athletics Staff will establish deadlines by which the Volunteer in Youth Sports Consent/Release Forms are due back to the Parks and Recreation Department. These deadlines, for Head Coaches, will be at least two weeks prior to the start of practices for each sport. This will give the Parks and Recreation Department time to compile the forms, process the forms, and have the background checks conducted. After the background check, the results of the background check will be forwarded to the Town of Christiansburg's Department of Human Resources. The Department of Human Resources will then advise the Parks and Recreation department of any coaches who are disqualified. All information pertaining to the background check will remain with the Town of Christiansburg's Department of Human Resources, subject to the applicable laws requiring disclosure. The Parks and Recreation Department will not be informed of the results of any background check; rather, the Parks and Recreation Department will only be told that a coach is disqualified.

3. If any disqualifying entries are reported in the criminal background check, the Parks and Recreation Department shall notify by certified mail the Coach that he/she is disqualified. Upon request, the Coach will receive a copy of the background check from the Department of Human Resources. The Parks and Recreation Department will send an acknowledgement form that the Coach must sign and return to the department.

CONFIDENTIALITY

To help ensure confidentiality, the Parks and Recreation Department should not be notified of a Coach's criminal history. The criminal background reports shall be kept in a secure location for a period as required by applicable law or until a person is no longer a volunteer Coach, whichever is later.

ACCOUNTABILITY

It is important for the integrity of the background screening program that
The Athletic Supervisor verifies that (1) only those persons who are screened and who are not disqualified coach or assist in the coaching of the young people in the athletic programs approved by the Parks and Recreation Department, and (2) that such persons are active with only the team or teams identified on the Volunteer Youth Sports Consent/Release Form pertaining to that person.

APPEALS PROCESS

If a Coach's background check includes a charge set forth on the list of disqualifiers below, the Parks and Recreation Department shall immediately disqualify a person from volunteering as a coach. There shall be no appeal of a decision to disqualify a Coach, if the Coach's relevant criminal history is accurate; all decisions are final. If a Coach wishes to dispute the content of the profile report, the Coach shall contact the third party responsible for conducting the background check by calling the telephone number listed on the report. The Coach is responsible for providing any or all documentation to support his or her claim.

DISQUALIFYING CRIMES

If a Coach (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 Coach will be disqualified from volunteering for a coaching or assistant coaching position with any youth athletic team in any youth athletic program approved by the Parks and Recreation Department.
The disqualifying crimes are as follows (all references, unless otherwise indicated, are to Title 18.2 of the Code of Virginia (1950), as amended):

- possession of marijuana (18.2-250.1) once in the last 3 years or more than once in the last 10 years
- possession of a controlled substance other than marijuana (18.2-250) once in the last 10 years or more than once
- assault and battery (18.2-57) once in the last 5 years or more than once in the last 10 years
- driving while intoxicated (18.2-266) two or more times in the last 5 years
- distribution of controlled substances (18.2-248)
- delivery of controlled substances to prisoners (18.2-474.1)
- possession with intent to distribute controlled substances (18.2-248)
- possession with intent to distribute marijuana (18.2-248.1)
- murder or manslaughter (voluntary or involuntary) (Article 1 of Chapter 4, 18.2-30 to 18.2-37)
- malicious wounding by mob (18.2-41)
- abduction (18.2-47)
- abduction for immoral purposes (18.2-48)
- assaults and bodily wounding's (this includes, but is not limited to, shooting, stabbing, malicious wounding and reckless endangerment) (Article 4 of Chapter 4, 18.2-51 to 18.2-57.2, but not 18.2-57)
- allowing firearm access to children (18.2-56.2)
- robbery (18.2-58)
- burglary and related offenses (Article 2 of Chapter 5, 18.2-89)
- carjacking (18.2-58.1)
- extortion by threat (18.2-59)
- felony stalking (18.2-60.3)
- sexual assault (Article 7 of Chapter 4, 18.2-61 to 18.2-67.10)
- arson (Article 1 of Chapter 5, 18.2-77 to 18.2-88)
- drive by shooting (18.2-286.1)
- use of a machine gun in a crime of violence (18.2-289)
- aggressive use of a machine gun (18.2-290)
- use of a sawed-off shotgun in a crime of violence (18.2-300)
- pandering (18.2-355)
- crimes against nature involving children (18.2-361)
- incest (18.2-366)
- taking indecent liberties with children (18.2-370; 18.2-370.1)
- abuse and neglect of children (18.2-371.1)
- failure to secure medical attention for an injured child (18.2-314)
- obscenity offenses involving children (18.2-374.1)
- possession of child pornography (18.2-374.1:1)

- electronic facilitation of pornography (18.2-374.3)
- abuse and neglect of incapacitated adults (18.2-369)
- employing or permitting a minor to assist in an act constituting a criminal offense (18.2-379) under Article 5 of Chapter 8
- escape from jail (18.2-477)
- felonies by prisoners (Section 53.1-203 of the Code of Virginia (1950), as amended)

WHY THESE CRIMES?

The list includes “Barrier crimes” as incorporated by reference in §19.2-392.02 of the Code of Virginia (1950), as amended, which authorizes background checks on persons who may have unsupervised access to a child.

SUMMARY CHECKLIST

1. The Athletic Supervisor of the Parks and Recreation Department provides Background Screening Policy and Volunteer Consent/Release forms to each prospective Head Coach and Assistant Coach.

2. The Athletic Supervisor gives to the coach the deadline to return the Volunteer Consent Release form to the Athletic Supervisor.

3. Coach retains policy for his or her records, completes form and returns it to the Athletic Supervisor.

4. The Athletic Supervisor brings forms to the Town of Christiansburg Department of Parks and Recreation Department with a list of names/teams and copies of volunteer consent release forms.

5. Town of Christiansburg Department of Parks and Recreation Department sends forms to third party contractor to perform background checks.

6. Third party contractor sends results of background checks to the Department of Human Resources.

7. Human Resources notifies Parks and Recreation Department of any disqualified coaches.

8. Parks and Recreation Department notifies coach of the disqualification.