

## Vestavia Hills Parks & Recreation

### Background Check Policy

The Vestavia Hills Parks and Recreation Department, pursuant to its By-laws, promotes and encourages to the fullest extent possible and practical the services of both paid employees/coaches and volunteers (non-paid workers/coaches) in all phases of its operations. The Vestavia Hills Parks and Recreation Board is aware of the extensive use of volunteer services and the fundamental need for volunteers for successful park and recreation programs.

In light of this recognition, the Board desires to ensure that all employees and volunteers are qualified to assist and support Parks and Recreation Department Programs, including with regard to the character and fitness of such employees and volunteers.

In order to ensure the character and fitness of such employees and volunteers, the Board hereby implements the following Background Check Policy:

1. **Application of Policy.** The provisions of paragraphs 2 through 7 of this Policy shall apply to all Vestavia Hills Parks and Recreation Programs where the employees and volunteers involved in such programs have contact with minors (children and teens under the age of 19) (“Youth Programs”). Paragraphs 2 through 7 of this Policy shall not apply to Parks and Recreation programs that do not have contact with minors (“Other Programs”), but the individuals involved in leadership of Other Programs should take all reasonable steps to ensure that the employees and volunteers of such Other Programs maintain a level of character and fitness that will avoid danger to others and also avoid placing the City of Vestavia Hills and its Parks and Recreation Department in a negative light.
2. **Covered Volunteers.** The respective governing body or individual in charge of any Youth Program shall ensure that all employees and volunteers who have contact with minors relating in any way to the operation of the program or access to funds are subject to a criminal and personal background check (“Background Check”) that meets the guidelines set forth in this Policy. For greater certainty, individuals who have no more contact with minors than any other parent or guardian of a participant, such as attendance at practices, games or other activities of the Youth Program shall not be subject to a Background Check. For example, an officer, board member, employee or volunteer of a Youth Program involved in administration of the Youth Program who does not coach or otherwise participate in the implementation of activities of the Youth Program will not be subject to the requirements of paragraphs 2 through 7 so long as such individual has no more contact with minors than any other parent or guardian of participants. However, such officer, board member, employee or volunteer should meet the standard set forth in paragraph 1 above for Other Programs that do not involve minors.
3. **Scope of Background Check.** The Board shall offer to all Youth Programs and other programs the ability to use a contractor selected by the Parks and Recreation Department to perform Background Checks (the “Contractor”). The cost of providing the

Background Checks shall be paid by the Youth Programs. Such payment shall be made directly by the Youth Program to the Contractor for such services. Any Youth Program may use other third parties to perform its Background Checks. However, all Youth Program Background Checks must conform to the minimum standards set forth in this Policy, and each Youth Program must certify in writing, annually or more often as needed, to the Parks and Recreation Superintendent, its compliance with this Policy. Background Checks must be conducted prior to the beginning of activities that involve minors and shall be valid for one year. A Background Check performed by one Youth Program shall meet the requirements of the Policy for the volunteer's participation in other Youth Programs so long as the Background Check was completed within the twelve month period prior to the employee or volunteer's involvement with the subsequent Youth Program. For example, a Background Check performed on an individual for a fall Youth Program shall be valid for a spring Youth Program so long as the Background Check is not more than one year old.

4. **Minimum Standards**. The minimum standards for Background Checks are as follows:
  - a. Social Security Number Verification and address trace;
  - b. State of Alabama Criminal history check through Alacourt;
  - c. Nationwide Sex offender search;
  - d. The ability to check criminal history in other states if necessary. (For example, if the initial check shows that the volunteer has prior addresses in other states and/or the individual is not generally known in the community, the Youth Program should use its discretion to determine whether a criminal history from certain other states or from all states is necessary).
  
5. **Negative Findings by the City's Contractor**:
  - a. If the Youth Program uses the City's Contractor, the Contractor shall notify the Parks and Recreation Superintendent of any negative findings.
  - b. Absent extenuating circumstances, any negative findings falling into the following categories shall disqualify an Applicant for participation with the Youth Program:
    - i. Felony arrest;
    - ii. Sex offender violations;
    - iii. Any other arrest for an offense (whether felony or misdemeanor) involving violence.
  - c. If the Parks and Recreation Superintendent receives a finding falling into one of the categories listed in paragraph 5(b) above, he or she shall notify the Youth Program officer/representative that the Applicant is disqualified for service, but shall not disclose the details of the negative finding.
  - d. If there is a negative finding that does not fall into one of the categories listed in paragraph 5(f) above, the Parks and Recreation Superintendent shall communicate the finding to the Youth Program officer/representative. The Youth Program shall

then determine whether the Applicant is fit for service, considering the health, safety and welfare of its participants.

6. **Procedure for using a Contractor hired by the Youth Program:** In the event a Youth Program chooses to perform its own Background Checks or uses its own contractor to perform Background Checks, it shall comply with paragraphs 4 and 5(b), (c) and (d). However, there shall be no obligation to notify the Parks and Recreation Superintendent of negative findings unless such findings fall into the categories listed in paragraph 5(b). The Youth Program shall certify its compliance with this Policy in writing to the Parks and Recreation Superintendent.
7. **Umpires and Referees:** The Youth Program shall not itself be required to conduct Background Checks on Umpires, Referees or other individuals whose sole involvement is to officiate sports games or activities (“Officials”) unless the Youth Program provides its own Officials, in which case, Background Checks shall be required. However, all Youth Programs shall ensure that any organization or third party providing Officials is under obligation to perform background checks sufficient to ensure the health, safety and welfare of minor participants in a manner consistent with this Policy.
8. **Confidentiality:** The Parks and Recreation Department shall keep all Background Check information confidential and such information shall be disclosed to the Superintendent and/or Board Members and Programs only on a need to know basis in order to make appropriate decisions relating to employees and volunteers of the Programs. The Parks and Recreation Department Programs are directed by this Policy to keep Background Check information strictly confidential.

City of Vestavia Hills Parks and Recreation Board

Date: \_\_\_\_\_