

## Lower Nazareth Background Check Policy

Lower Nazareth Township has great concern for the welfare of its children. Due to the increasing incidents of abuse and unacceptable behavior that children are subjected to by trusted adults, the Township of Lower Nazareth hereby referred to as "the Township", requires all youth sports organizations to conduct routine and thorough criminal background checks on the following volunteer personnel. This policy defines and requires "Certified Sports Program Volunteers" as coaches, assistant coaches, managers, board members and any individuals with repetitive contact, affiliated with any youth program or organization, hereby referred to as "organization", that uses Lower Nazareth Township property to submit to criminal background checks. Under the provisions of this policy, persons whose records are found to include certain specific crimes and offenses, as defined in this policy, are disqualified and excluded from service as a Certified Sports Program Volunteer with any such organization.

1. **Responsibility**- Each organization shall comply fully with this policy. An accurate and complete roster of "Certified Sports Program Volunteers" who have met the criteria in this policy shall be timely submitted to the township. Timely submission shall be no less than one week prior to any formal on-field activity. This shall include practices, scrimmages, or games. Person or persons found not to be in compliance with this policy shall be removed from active participation in the respective program. An approved list of personnel shall be posted on township property.
2. **Compliance**- The Township shall facilitate compliance by being timely presented with a certified list of "Certified Sports Program Volunteers" along with their respective volunteer application. The Township shall act as a contact between the organizations. The Township shall keep certified results from all organizations in a calendar year. Organizations shall present the **original** background checks at one time from all applicants for the township to copy. Township shall have access to 3<sup>rd</sup> party provider's resultant records of background checks for verification. It is the responsibility of all parties to handle information securely and with respect for privacy. Each organization shall adopt a privacy policy which shall limit the number of officers authorized to review background check results and shall further provide that documents received pursuant to implementation of the Policy be kept in a secure location. The Township Manager shall be responsible for the keeping of certified background checks in a locked and secure place; said background checks shall not be available for public inspection.
3. **Participation**- It is the responsibility of the organization to monitor the individuals seeking to obtain "Certified Sports Program Volunteer" status and disqualify members who fail the check. Any individual who regularly participates in a team's practice or games, whether or not officially assigned to the team, will be considered to be a coach and have a check. Any attempt to establish alternate positions on the team, such as team helper, etc. to circumvent the description or title of an "additional assistant coach" will be treated as unauthorized personnel. Unauthorized personnel who do not submit to background checks will not be permitted to assist, or help with practices, scrimmages, or games.
4. **Fees**- Timely submitted initial background check fees would be reimbursed by the Township after certified results are obtained. Reimbursement will be made only to the organization and not individuals. Subsequent, annual background checks will be paid for by the respective organizations.

5. **Background Check Provider-** All individuals previously described who seek "Certified Sports Program Volunteer" status, must submit to background checks. Initial Background Checks will be required to be performed by the Pennsylvania State Police, Pennsylvania Child Abuse History Clearance, and the Federal Bureau of Investigation (FBI) upon inception of this policy. Annual checks will be performed by an accredited third party database approved by the Lower Nazareth Board of Supervisors. Annual random Pennsylvania State Police background checks shall be performed on 10% of the approved volunteers by the Chief of Police of Colonial Regional Police or designee of the Board of Supervisors. Every five years an additional background check shall be performed by the Pennsylvania State Police for all existing previously described participants.
6. **Criteria-** Disqualification from participation status shall follow several parameters. Certain offenses found on an **Automatic Lifetime Disqualification** list shall prohibit an individual from ever participating in any program. Any crimes against a minor shall preclude and disqualify any individual from participation. Crimes of violence of any degree shall preclude and disqualify any individual from participation. False statements made on the Certified Sports Program Volunteer Application and/or alteration of official documents submitted pursuant to Background Check shall result in disqualification of the applicant from participation.
7. **Implementation-** This policy will be effective immediately upon passage by the Lower Nazareth Board of Supervisors.
8. **Enforcement-** It is the responsibility of each youth sports organization to enforce the Lower Nazareth Background Check Policy. Any violations will be addressed by Lower Nazareth Township. The Township will inform the head commissioner, president, or head of the organization of the violation. Violators risk loss of funding, loss of use of Lower Nazareth Township property, or both.
9. **Interpretation-** Ultimate interpretation of this policy lies with the Lower Nazareth Township Board of Supervisors. This policy may be amended, from time to time, by the Board of Supervisors as they see fit.
10. **Appeals-** Any challenge to the qualification or disqualification of a volunteer participant shall be heard by an Appeals Committee consisting of the two members of the Board of Supervisors and a township resident as appointed by the Board of Supervisors. An applicant or objector shall have an opportunity to be heard on the issue of qualification. The decision of the Appeals Committee shall be final. Pending final decision of the Appeals Committee, an applicant's status shall be that as determined by the Township.
11. **Attachments-**
  - **Volunteer Application/Consent**
  - **Automatic Lifetime Disqualification List**

Date Adopted:

May 12, 2004

# Lower Nazareth Township

## Criminal Background Lifetime Exclusion List

*One or more convictions of the following shall eliminate an individual from participation as a "Certified Sports Program Volunteer"*

- Any individual convicted of crimes which carry a maximum prison sentence of two (2) years or greater under the laws of the Commonwealth of Pennsylvania or any other jurisdiction, including those offenses specifically mentioned below, shall be disqualified as a Certified Sports Program Volunteer:
  - DUI (Driving Under the Influence) or equivalent
    - Any individual convicted of one DUI, or admitted into the Accelerated Rehabilitative Disposition Program or its equivalent, in the past ten (10) years shall not transport children (except their own), who are members of the organization during sports program activities.
    - Any individual ever convicted of more than one DUI or similar crime shall be disqualified as a Certified Sports Program Volunteer for a lifetime.
- Any individual convicted of crimes against a minor shall automatically be disqualified from participation as a Certified Sports Program Volunteer.
- Any individual convicted of crimes of violence of any degree shall automatically be disqualified from participation as a Certified Sports Program Volunteer.
- Any individual with outstanding criminal charges involving offenses which, if convicted, could result in lifetime exclusion, shall be suspended from being a Certified Sports Program Volunteer. Upon conviction of such crimes, individuals shall be disqualified as a Certified Sports Program Volunteer. Upon acquittal, the individual's eligibility shall be restored.
- Any individual convicted of the crime of open lewdness shall be disqualified from participation as a Certified Sports Program Volunteer.
- Any individual convicted of Possession, Possession with Intent to Deliver, or Delivery of a controlled substance under the Pennsylvania Controlled Substances Act, or its equivalent, shall be disqualified from participation as a Certified Sports Program Volunteer.