

# MYA Risk Management Policy

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This document is the McLean Youth Athletics (MYA) Risk Management policy focused on conducting criminal history background screening of adult coaches, administrators and others who have direct contact with MYA youth athletes. It was adopted by the MYA Board of Directors on September 30, 2015.

## 1. POLICY STATEMENT

In an effort to promote the safety and well-being of all MYA members, each Sport Program or Program Entity shall participate in a uniform criminal history background check process for all prospective and existing MYA Coaches, Assistant Coaches, Managers, Board Members, Chairpersons of Sport Programs or Program Entities, and others deemed necessary by the MYA Board of Directors 18 years of age or older (collectively referred to here as "Participant"). So as to ensure compliance, confidentiality and proper retention of all background checks, the process shall be managed by the President of MYA and/or his/her designee. The background check shall be administered by a company or agency that meets or exceeds the criteria(s) defined within this section.

A Criminal History Background Check is defined as: The search of a volunteer/coach's adult criminal conviction history that includes at a minimum; any felonious activity, any sexual offenses, any crime(s) against a child, any domestic assault, any drug offenses, and any violent activities regardless of severity.

A background check shall be administered and checked for each Participant once every 24 month period.

Each Chairperson of Sport Programs or Program Entities shall provide written certification to the MYA Board at the Annual Membership Meeting that the process has been completed during the previous 12 months.

Several Sport Programs or Program Entities have a national/regional activity charter that requires a background check be conducted as part of the national/regional charter's requirement. This is acceptable provided that the background check required by the governing body meets the requirements as defined as an acceptable background check contained within this policy statement.

Should a background check surface a conviction for any of the offenses identified in Section 2.A., the Chairperson of the Sport Program or Program Entity shall immediately notify the volunteer/coach and the MYA President of the finding, and shall immediately revoke the volunteer/coach's involvement in MYA. Requests for appeal shall be made to the MYA Board of

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Directors through the MYA President following the appeals process in the MYA Code of Conduct.

All background check results shall be kept confidential and not shared outside of the MYA Board of Directors and leadership of the Sports Program or Program Entity. MYA shall retain the results of each background check for a period of 10 years.

## 2. IMPLEMENTATION GUIDELINES

### A. Disqualifying Criteria

The nature and severity of crimes are vast and complex. Based on 2012 guidelines for background screening in youth sports published by the National Council for Youth Sports, MYA considers the following criteria in evaluating an adult Participant.

Before information is obtained from the Criminal History Background check, the following are automatic disqualifiers of an adult Participant:

- The Participant provides inaccurate information in an MYA application or registration
- The Participant refuses to complete the background check process

If neither of the above disqualifiers is present, then the information gathered from the Criminal History Background Check is considered. If a Participant is found to have been convicted of any of the following offenses, he or she is disqualified:

- Sex Offenses and Misconduct
- Violent Felonies
- Felonies (other than sex or violence related) within the past ten (10) years
- Any child abuse or domestic violence
- Misdemeanors within the past two (2) years with the exception of traffic offenses

The MYA Board of Directors, at its discretion and based on the available information, may disqualify an adult Participant for any reason that puts in question the Participant's fitness to abide by MYA's Code of Conduct and ensures the safety of MYA athletes.

A felony is defined as any crime punishable by confinement greater than one year.

### B. Background Screening Authority

This policy provides a choice for each MYA sport or activity to utilize a background screening process provided through MYA or through a comparable process required by a national/regional charter group.

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### **C. Background Screening Process**

The President of MYA appoints a Risk Manager to manage the execution of the MYA background check process. The Risk Manager works with the appropriate sports/activity representatives and with MYA's vendor to run the checks and communicate results. The vendor currently contracted by MYA to run background checks is Protect Youth Sports (PYS) which utilizes the Verity online database. The scope of checks conducted through Verity meets the screening criteria identified above.

To support the background check effort, each MYA sport/activity shall register all adults 18 years of age or older and collect the following minimum profile information: First name, Middle Initial, Last name, Gender, Date of Birth, Social Security Number and Current Address.

This profile information shall be forwarded in a spreadsheet to the Risk Manager before the first official activity involving coaches and players (ex. first clinic or first practice). If additional coaches register later, their profile information shall be forwarded to the Risk Manager immediately. The Risk Manager shall contact the sport/activity to address any missing or unclear profile data.

It shall be the responsibility of the Chairperson of the Sport Program or Program Entity to ensure that each and every Participant is processed through the background check process within the first few weeks of the program's active season(s).

After receiving the profile information, the Risk Manager shall first verify if individuals have been processed recently. Those receiving a background check within the past 24 months do not require re-submission. As soon as possible, the Risk Manager shall communicate back to the sport/activity the results of the checks and any follow-up actions. If information beyond the criteria referenced under Section 2.A. above is discovered that puts in question the Participant's fitness to abide by MYA's Code of Conduct, the Risk Manager shall promptly inform the MYA President of such information so that the Board of Directors may determine the eligibility of the Participant.

### **D. Acting on Screening Results**

Those who do not pass the criteria established above shall be removed from their position. As per MYA Bylaws, it is the responsibility of the Chairperson of the Sport Program or Program Entity to take appropriate action. The MYA President and the MYA Board of Directors shall be informed of all such actions.

In the event a volunteer/coaching candidate feels a mistake has been made in the criminal background check report, he/she shall contact the appropriate vendor to resolve the issue.

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In the event a volunteer/coaching candidate wishes to challenge the screening decision, he/she is afforded the right to appeal directly to MYA Board of Directors through the MYA President following the procedures detailed in the MYA Code of Conduct.

### **E. Annual Compliance Certification**

At MYA's annual meeting, each Chairperson of the Sport Program or Program Entity shall bring a written and signed certification that the program has met the provisions of this policy during the past 12 month period.

The compliance certification shall include:

- Sport Program or Program Entity name
- Background screening authority (ex. MYA or national/regional charter group)
- A statement of compliance with this policy
- The Chairperson's signature

The next page of this document provides a compliance certification template.

The certification shall be recorded by the MYA Secretary into meeting minutes and preserved in MYA's historical files.

## McLean Youth Athletics Risk Management Policy Compliance Certification

Sport Program or Program Entity name	
Background screening authority (ex. MYA or national/regional charter group)	
Dates of Compliance Period	
Compliance Statement	All adult participants in the above sport program or program entity during the previous 12 month period are in compliance with the MYA Risk Management Policy.
Chairperson Signature	
Chairperson Name	
Signature Date	