



Criminal Background Screening Policy

Purpose

The Criminal Background Screening Policy is in effect to protect participants being served by volunteers and game staff in all youth programs offered by the City of Newberry Parks, Recreation and Tourism Department (PRT).

Policy Statement

An annual background screening is mandatory for all game staff and volunteers that work with all youth programs. Game staff and volunteers are not authorized to have access to children until a background screening has been processed and approved by the PRT Department. All information will be confidential and will not be discussed outside of the process.

Implementation Process

1. The background screening Consent Form must be signed by the game staff or volunteer and submitted to the PRT Department along with the Youth Sports Game Staff/Volunteer Application and Code of Conduct policy to be considered as a contract or volunteer employee.
2. All background checks are performed by the PRT Director and/or designated Athletic Program Staff , which will be comprised of the following:
 - a. Names are submitted to the City of Newberry Police Department for review by the Police Chief.
 - b. Names are checked against the State of South Carolina Sexual Offender Registry.
 - c. Names are submitted in a nationwide search database.
 - d. References as listed on application are called when deemed necessary.
3. The PRT Department will notify the contractor or volunteer if disqualifiers are discovered through the screening procedures. The volunteer may withdraw their name from consideration or request a review.
4. The City of Newberry PRT is under no obligation to accept any applicants and reserves the right to select or reject applicants based on what it deems to be in the best interest of its youth program and participants. Being involved in youth sports is an honor, not a right!

Background Screening Disqualifiers

1. All sexual offenses, **regardless of the amount of time since the offense**. Examples include, but are not limited to: child molestation, rape, sexual assault, sexual battery, sodomy, prostitution, solicitation, indecent exposure.
2. All felonies that constitute offenses against a person, **regardless of the amount of time since the offense**. Examples include but are not limited to: murder, manslaughter, aggravated assault, kidnapping, robbery, aggravated burglary.
3. All felony offenses other than those against a person **within the past ten (10) years**. Examples include, but are not limited to: drug offenses, theft, embezzlement, fraud, child endangerment, burglary.

4. All misdemeanor violence offenses **within the past seven (7) years**. Examples include, but are not limited to: simple assault, battery, domestic violence, hit & run, etc.
5. Any other misdemeanor offenses **within the past five (5) years** that would be considered a potential danger to children. Examples include, but are not limited to: contributing to the delinquency of a minor, providing alcohol to a minor, etc.
6. Misdemeanor drug and alcohol offenses **within the past three (3) years**. (If the sentence for the offense is completed, and the individual is no longer reporting probation, the Newberry Police Chief may approve participation). Examples include, but are not limited to: driving under the influence, simple drug possession, drunk and disorderly, public intoxication, etc.

The determination of the category of an offense not noted in the examples will be made by the Newberry Police Chief or approved City representative.

Mitigating/Extenuating Circumstances

Reviews may be requested only if noted and submitted with the Consent Form prior to the administration of the screening procedure if there may be mitigating or extenuating circumstances related to charges they know will be discovered during the screening procedure. The applicant will have the opportunity to explain any charges and request a review and submit it with the Consent Form. There is no guarantee a review will be granted. If a review is granted, the applicant may meet with the PRT Director and Athletic Program Staff. If necessary, the City Manager will render a final decision on an applicant's eligibility.

In order to be considered for a review, the applicant must have noted on the Consent Form that charges that fall under the Background Screening Disqualifiers previously mentioned would be discovered and submitted with the Consent Form the request for review and a description of the mitigating/extenuating circumstances. The Consent Form will not ask the applicant to reveal charges. It will only ask if the applicant has any charges that are noted in the Background Screening Disqualifiers. An applicant, whose background check reveals a charge when none was noted on the Consent Form, may not request an appeal, will be deemed to have withheld required information and will be ineligible to apply for a period of 2 years.

In the event the contractor or volunteer feels a mistake has been reported in the background check screening process, they may contact the PRT Director to attempt to resolve the issue as it relates to their eligibility. However, it is their responsibility to contact the reporting agency and resolve the issue regarding the agencies records.

Pending Cases

Any current game staff or volunteer who has been charged with any of the disqualifying offenses will be suspended and will not be allowed to continue participation until disposition of the charge.

A volunteer must immediately inform the PRT Department of any charge(s) filed against them which, if convicted, would cause them to be disqualified as stated in this policy. Failure to do so may result in further penalties including permanent disqualification.

The Background Screening Process is an ongoing process and is subject to review and changes as determined necessary by the PRT Department in administering its youth programs.