



### **POLICY VOLUNTEER CRIMINAL BACKGROUND SCREENING**

**Advisory Board Approved: 12/12/2022  
BOC Adoption: 01/09/2023**

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#### **I. Purpose of the Volunteer Criminal Background Screening Policy**

Davie County Recreation and Parks will establish a countywide policy and procedural manual for the implementation of a Volunteer Criminal Background screening program. This program will be applicable for citizens who would like to participate in county sponsored and/or managed activities or programs as a volunteer, coach, or instructor. The policy will be utilized as a tool to determine if the individual offering to volunteer their time and efforts is the appropriate individual to work with our youth and other citizens in this capacity.

The policy will be utilized to screen all volunteer positions that have direct contact with youth and/or any vulnerable adults whereby the individual volunteer may not be supervised by a county employee. If the volunteer is under direct supervision by a county employee and the length of service is limited to less than two weeks or less than 80 hours of total service, then the criminal background screening will not be necessary. It will be the responsibility of the direct supervisor of the program and/or event to ensure that all volunteers that fall within the guidelines of the policy have had a criminal background screening and have received confirmation of passing the test/screening. Commissioner appointed boards, committees and commissions and elected officials are not subject to criminal background screening.

The screening process will begin with each potential volunteer visiting the Davie County Recreation and Parks webpage to complete an online Coach/Instructor/Volunteer application. Additionally, a link to the volunteer/criminal background screening policy, guidelines, criteria for disqualification, appeals process and summary of rights are also provided along with the application. It shall be the responsibility of the volunteer to review the full policy to submitting their application.



## II. Guidelines for Volunteer Criminal Background Screening

The following volunteer guidelines have been recommended by the National Recreation and Park Association in the implementation of a Criminal Background Screening policy. Each potential volunteer will be required to complete a Coach/Instructor Volunteer Application form. The application should include the following:

- 1) Social Security Verification: The social security number (SSN) provided will verify each potential volunteer's name. Verifying the social security number for the individual is the critical first step to obtaining accurate information, including the name provided and data such as the year and state that the SSN was issued and previous addresses.
- 2) Address Trace: The current address of any potential volunteer should be verified and any previous addresses should be determined. The verification of addresses is critical to determine what local searches should be completed.
- 3) State or County Criminal Record Check: A statewide and/or countywide criminal records check will be conducted to examine any misdemeanors and/or felony convictions within that jurisdiction. This "local" search should be conducted in the jurisdiction with the longest and most current residency.
- 4) National Criminal History Data Base Search: National record checks should be utilized to supplement the local criminal history search and vice versa. Both the local and national search should be conducted and in no case should one or the other be the only search completed.
- 5) Sex Offender Registry: Appropriate state sex offender registries should be included in the background screening process. All states that the potential volunteer resided in should be included in this search.
- 6) Timely Results: The Criminal Background screening process should be conducted in a timely manner and results should be forwarded to the appropriate county personnel within ten (10) business days on average to allow for proper planning and notification to each potential volunteer.
- 7) Complimentary Consultation: The company that the County utilizes to conduct Criminal Background screenings should provide consultation to clarify screening results



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Other qualifying questions may be included, specific to the type of department or volunteer service. A statement that a criminal background check will be conducted prior to any volunteer service should be included on the application form in a prominent location.

A Consent/Release form to conduct the criminal background check shall be signed and dated by the potential volunteer. The consent form will state the specific details as to what will be researched in the criminal background screening process.

Davie County Recreation and Parks may also require volunteers to: a) acknowledge and sign a Code of Conduct Policy established for all sport leagues, and b) attend mandatory coaches meetings prior to coaching approval.

The Davie County Recreation and Parks Director or his/her designee shall initiate the volunteer criminal background screening process. Additionally, Davie County Recreation and Parks hereby establishes a Confidentiality policy that states the respect for privacy of the individual and outlines how the information from the criminal background screening will not be disseminated to any others outside of the organization unless required by law. The Davie County Human Resources Department will have access to the contracted vendor software used to facilitate criminal background screenings. Access shall be used to:

- a) Verify completed criminal background screenings
- b) Consult with and/or to affirm adherence to policy guidelines by Davie County Recreation and Parks

Results of the criminal background screening will be received and approved by the Davie County Recreation and Parks Director and stored in his/her electronic files. The department employee who submitted the application on behalf of the potential volunteer will only receive a "Pass" or "Fail" notification from the Recreation and Parks Director.

The Recreation and Parks Director shall provide any disqualifying volunteer applicant with the following documents:

1. Letter or Email of disqualification
2. Copy of the actual screening report/results
3. Fair Credit Reporting Act – Summary of Rights (Attachment #3)

### III. Criteria for Disqualifying a Volunteer

Any potential volunteer shall be disqualified and prohibited from participating as a volunteer coach or instructor in any County funded or County managed activities or programs as a volunteer if the person has been found guilty\* of any one (1) of the following crimes:



\*Guilty is defined as: being found guilty following a trial, entering a guilty plea, entering a no contest plea accompanied by a court finding of guilty, regardless of whether there was an adjudication of guilt (conviction) or a withholding of guilt.

- **Sex Offenses**
  - **Any/All Sex Offenses (lifetime ban)**
  - Regardless of the amount of time since the offense
- **Felonies**
  - **Any/All Felonies involving violence (lifetime ban)**
  - Regardless of the amount of time since the offense
  - **Drug Distribution Offenses**
  - **Any/All felony drug distribution Offenses within the previous fifteen (15) years**
  - Includes possession with intent to sell/deliver; conspiracy to sell/deliver
  - **Any/All Felony offenses** other than those previously listed (Sex, Violence & Drug Distribution) **within the previous ten (10) years**
- **Misdemeanors**
  - **Any/All misdemeanors involving violence within the past seven (7) years**
  - **Any/All misdemeanors involving drugs and alcohol within the past five (5) years or multiple offenses in the past ten (10) years**
  - Any other misdemeanor within the past five (5) years that would be considered a potential danger to children or other vulnerable citizen or is directly related to the responsibilities of that volunteer position.
  - Examples include contributing to the delinquency of a minor, providing alcohol to a minor, theft (particularly if the volunteer is handling or near money), stalking, or cyberstalking etc.

If the potential volunteer has any pending cases in court or has been charged for any of the disqualifying offenses, they will not be allowed to volunteer their services until the case has been resolved and a verdict determined. If the case ends in an acquittal, Nolle Prossed, or is dismissed, then the individual may be considered for volunteer service.

#### IV. Appeals Process

If an individual is disqualified from volunteering their services, based on the above criteria, and they dispute the accuracy of the information provided in the Background Screening, they may address their concerns with the investigative agency (vendor) that provided the information. Davie County is not involved in the investigation and research of criminal records and is not responsible for the accuracy of the background reports. If the individual can provide a written copy of a correction to the report, that the investigative agency (vendor) has approved, then the County will allow the individual to appeal the decision.



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The appeals process begins with a written request from the volunteer, which must be submitted within thirty days (30) of notification of disqualification to Davie County Recreation and Parks Director. A panel will review the written appeal and the disputed information and may schedule an appeal hearing with the individual. The panel will make a decision based on factual information provided during the hearing. The volunteer applicant will receive a written notification from the Recreation and Parks department of the decision, including decisions made in favor of the applicant or denial to overturn the disqualification. Once the decision has been made and the applicant notified, no additional appeal hearings will be conducted.

Contents of this policy or process are subject to change based on current and future laws or based on approved changes made by Recreation and Parks Advisory Board and adopted by the Davie County Board of Commissioners. The County of Davie reserves the right to make changes to the Volunteer Criminal Background Screening policy when necessary to ensure the safety and protection of all youth and vulnerable adults who are involved or participating in County funded or County managed activities or programs.

### **V. Appendices**

See next pages for all.

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## Coach/Instructor/Volunteer Application

*In order to coach or assist (sport leagues), or instruct class activities in any way with Davie County Recreation and Parks, interested candidates must complete the following items and be approved by the Department:*

- 1) Volunteer Coaching/Instructor Application
- 2) Criminal Records Check Authorization (performed by Davie County)
- 3) Affidavit of Parent, Guardian or Legal Custodian for Employment, Internship, or Volunteer of Minor Age at Davie County Recreation and Park Facilities (completed by parent, guardian or legal custodian for minors only)
- 4) Sign the Coaches Code of Conduct (sport leagues)
- 5) Attend the mandatory coach's meeting (sport leagues).

Name: \*

Date of Birth: \*



Address: \*

Street Address

Address Line 2

City

State / Province / Region

Postal / Zip Code

Country



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Cell #: \*

Home #:

Work #:

Email: \*

Employer:

Position:

What program are you going to Instruct / Coach? \*

Have you played this sport for an organized league or school? \*

- Yes  
 No

Do you have experience coaching this sport for an organized league or school? \*

- Yes  
 No

Do you have experience instructing this activity for another organization? \*

- Yes  
 No

Do you have any formal training as a coach or instructor? \*

- Yes  
 No

(Example: NYSCA Certification, Coaching Clinics, Courses, etc.)



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**\*\*\*Affidavit must also be printed, completed and sent to Recreation and Parks prior to applicant approval. This is for minor age applicants only.\*\*\***

**Affidavit Link:** [AFFIDAVIT OF PARENT, GUARDIAN OR LEGAL CUSTODIAN For Employment, Internship, or Volunteer of Minor Age at Davie County Recreation and Park Facilities](#)

### AFFIDAVIT OF PARENT, GUARDIAN OR LEGAL CUSTODIAN For Employment, Internship, or Volunteer of Minor Age at Davie County Recreation and Park Facilities

IN THE MATTER OF Applicant's Full Name:		Parent/Guardian/Legal Custodian Information Name:
Date of Birth: ___/___/___		Address:
Gender:	Age:	City:
School Attending (if applicable):		State:
		Zip Code:
		Phone (primary):

The undersigned, being first duly sworn, states as follows:

- I am the  parent  guardian  legal custodian (as checked) of the child listed above.
- My child resides or will be residing with the adult (hereinafter caregiver adult) listed below and the caregiver adult is domiciled at the address listed below.  
Name of caregiver adult:  
Address:
- My child is of the following minor age (as checked):  16 years or  17 years
- My child is applying for (as checked):  
 Employment  Internship  Volunteer (assistant coaching, programs, or events)
- I acknowledge and understand the following (as checked):
  - Certain criminal offenses or adjudications of a minor may or may not appear on a criminal background check.
  - The County of Davie has adopted a Human Resources Policy Manual, which includes a Background Record Check for finalists selected for employment. The policy is utilized so that a full and completed disclosure of records pertaining to the applicant's education, previous employment, and criminal records background check may be verified.
  - Davie County Recreation and Parks has adopted a Volunteer Criminal Background Screening Policy utilized to screen all volunteer positions that have direct contact with youth and/or any vulnerable adults whereby the individual volunteer may not be supervised by a county employee. Said policy is also utilized as a tool to determine if the individual offering to volunteer their time and efforts is the appropriate individual to work with our youth and other citizens in this capacity.



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6. I acknowledge and certify the following (as checked):

- My child does not have any pending cases in court nor has been charged with any criminal offense, which may or may not appear on a criminal background check, that would disqualify my child from employment, internship, or volunteering with the County of Davie, Recreation and Parks Department.
- My child does not have any criminal misdemeanor or felony adjudications, which may or may not appear on a criminal background check, that would disqualify my child from employment, internship, or volunteering with the County of Davie, Recreation and Parks Department.

7. **WARNING OF PENALTY**

I understand that if it is found that the information contained in this affidavit is false, the County of Davie, Recreation and Parks department may remove the applicant from his or her employment, or assigned internship, or assigned volunteer program activity, unless the applicant is otherwise eligible under other laws. I understand that if the applicant is removed from employment, assigned internship, or assigned volunteer program activity, the County of Davie, Recreation and Parks department shall provide an opportunity to appeal the removal in accordance with Davie County Recreation and Parks Code of Ordinances and shall notify me of this opportunity. I understand that if it is found that I willfully and knowingly provided false information in this affidavit, I may be found guilty of a class I misdemeanor and may be subject to citation, and penalty.

This is the \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature of Parent/Guardian/Legal Custodian

Sworn to and subscribed before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_



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If my application is accepted and I am approved to be a youth sport coach for Davie County Recreation and Parks, I agree to abide by all Rules and Regulations governing coaches and the program that I coach. I also agree to attend the mandatory coaches meeting(s), coaches clinic(s) and adhere to the Coaches Code of Conduct. I understand that if I have any problems or concerns while coaching, I shall discuss those problems/concerns in a scheduled meeting with the designated Athletic Program Director for the sport that I am coaching. I further understand that failure to adhere to the Coaches Code of Conduct, Coaches Rules & Regulations or my specific Sport Rules & Regulations may result in my suspension and/or dismissal as a Youth Sport Coach as well as affect my ability to attend Davie County Recreation & Parks sponsored events. I hereby expressly acknowledge and agree that the Davie County Recreation and Parks Director or Athletic Program Director may select and/or suspend/dismiss me as a Youth Sport Coach with or without cause and in his/her sole discretion.

### Applicant's Signature \*

### Parent / Guardian's Signature

(Required if Applicant between 16 - 18)



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### Coaches' Code of Conduct

- I will place the emotional and physical well being of my players ahead of a personal desire to win.
- I will treat each player as an individual, remembering the large range of emotional and physical development for the same age group.
- I will do my best to provide a safe playing situation for my players.
- I will review and practice the basic first aid principles for my players in case of an emergency.
- I will organize quality practices that are fun and challenging for all my players.
- I will lead by example in demonstrating fair play and sportsmanship to all players, parents, other teams, officials, department staff and the general public.
- I will provide a sports environment for my team that is free of drugs, tobacco, and alcohol and I will refrain from their use at all youth sports events.
- I will be knowledgeable in the rules of each sport that I coach, and I will teach these rules to my players.
- I will use those coaching techniques appropriate for each of the skills that I teach.
- I will remember that I am a youth sports coach, and that the game is for our youth and not adults.
- Never engage in any dispute with an official at any time (on or off court). Remember, they, like you and I, are not perfect. I will share any concerns with the Athletic Program Director and be open to dialogue which may or may not come with a perfect resolution in all cases.

I agree to follow all of the above guidelines and understand that I can be dismissed from my coaching role with Davie County Recreation and Parks if found to be non-compliant with any of these above guidelines.

**Signature of Coach\***

Sign



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### Volunteer Criminal Background Screening Consent / Release Form

Applicant's FULL Name: \*

(First)

\*

(Middle)

\*

(Last)

Date of Birth: \*



Gender: \*

Female

Male

Social Security Number: \*

Driver License Number: \*

State Issued \*

Current Address: \*

Street Address

Address Line 2

City

State / Province / Region



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Postal / Zip Code

Country

### List any additional addresses within the last five years

[Add Additional Address](#)

I, , authorize and give consent for the County of Davie to obtain information regarding myself through a criminal background screening. This information will include the following:

- Criminal background records/information
- Search of Sex Offender Registries
- Address Verification (current and previous)
- Social Security verification

I the undersigned, authorize this information to be obtained either in writing or via telephone in connection with my application. Any person, firm or organization providing information or records in accordance with this authorization is released from any and all claims of liability for compliance. Such information will be held in confidence in accordance with the organization's guidelines.

**Applicant's Name: \***

**Applicant's Signature: \***

**Parent / Guardian's Signature:**

(Required if Applicant between 16 - 18)

**Date:**

Date will be captured on form submission

Submit



*Para información en español, visite [www.ftc.gov/credit](http://www.ftc.gov/credit) o escribe a la FTC Consumer Response Center, Room 130-A 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.*

### A Summary of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the FCRA. **For more information, including information about additional rights, go to [www.ftc.gov/credit](http://www.ftc.gov/credit) or write to: Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.**

- **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment – or to take another adverse action against you – must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your “file disclosure”). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
  - a person has taken adverse action against you because of information in your credit report;
  - you are the victim of identity theft and place a fraud alert in your file;
  - your file contains inaccurate information as a result of fraud;
  - you are on public assistance;
  - you are unemployed but expect to apply for employment within 60 days.

In addition, by September 2005 all consumers will be entitled to one free disclosure every twelve (12) months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See [www.ftc.gov/credit](http://www.ftc.gov/credit) for additional information.

- **You have the right to ask for a credit score.** Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
- **You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See [www.ftc.gov/credit](http://www.ftc.gov/credit) for an explanation of dispute procedures.
- **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete or unverifiable information must be removed or corrected, usually within thirty (30) days. However, a consumer reporting agency may continue to report information it has verified as accurate.



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- **Consumer reporting agencies may not report outdated negative information.** In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than ten (10) years old.
- **Access to your file is limited.** A consumer reporting agency may provide information about you only to people with a valid need -- usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.
- **You must give your consent for reports to be provided to employers.** A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to [www.ftc.gov/credit](http://www.ftc.gov/credit).
- **You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.** Unsolicited "prescreened" offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-5 OPTOUT (1-888-567-8688).
- **You may seek damages from violators.** If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.
- **Identity theft victims and active duty military personnel have additional rights.** For more information, visit [www.ftc.gov/credit](http://www.ftc.gov/credit).

**States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. Federal enforcers are:**

TYPE OF BUSINESS:	CONTACT:
Consumer reporting agencies, creditors and others not listed below	Federal Trade Commission: Consumer Response Center - FCRA Washington, DC 20580 1-877-382-4357
National banks, federal branches/agencies of foreign banks (word "National" or initials "N.A." appear in or after bank's name)	Office of the Comptroller of the Currency Compliance Management, Mail Stop 6-6 Washington, DC 20219 800-613-6743
Federal Reserve System member banks (except national banks, and federal branches/agencies of foreign banks)	Federal Reserve Consumer Help (FRCH) P O Box 1200 Minneapolis, MN 55480 Telephone: 888-851-1920 Website Address: <a href="http://www.federalreserveconsumerhelp.gov">www.federalreserveconsumerhelp.gov</a> Email Address: <a href="mailto:ConsumerHelp@FederalReserve.gov">ConsumerHelp@FederalReserve.gov</a>
Savings associations and federally chartered savings banks (word "Federal" or initials "F.S.B." appear in federal institution's name)	Office of Thrift Supervision Consumer Complaints Washington, DC 20552 800-842-6929
Federal credit unions (words "Federal Credit Union" appear in institution's name)	National Credit Union Administration 1775 Duke Street Alexandria, VA 22314 703-519-4600
State-chartered banks that are not members of the Federal Reserve System	Federal Deposit Insurance Corporation Consumer Response Center, 2345 Grand Avenue, Suite 100 Kansas City, Missouri 64108-2638 1-877-275-3342
Air, surface, or rail common carriers regulated by former Civil Aeronautics Board or Interstate Commerce Commission	Department of Transportation, Office of Financial Management Washington, DC 20590 202-366-1306
Activities subject to the Packers and Stockyards Act, 1921	Department of Agriculture Office of Deputy Administrator - GIPSA Washington, DC 20250 202-720-7051