

Oxford Youth Association

Background Guidelines

Purpose

It is the intent of this policy to establish certain guidelines wherein the Department of Parks, Recreation (hereinafter referred to as “the Department”) and its affiliated recreation clubs can seek to protect the children of the County by investigating the background of volunteers who will be coaching in sanctioned athletic programs.

General Guidelines

1. All recreation clubs shall ensure that all participants 18 years of age or younger shall have at least one (1) approved coach or assistant coach (hereinafter collectively referred to as “Coach”) present at each athletic activity, including practices, games and meetings.
2. Any person who has been convicted of or has a pending charges pertaining to any of the disqualifying offenses listed in this policy will be immediately disqualified from coaching (either head or assistant) in any sanctioned athletic program approved by the department. A coach who willfully fails to comply with this background screening shall be automatically disqualified.
3. All sports will have one head coach and up to one assistant coach processed for approval. Each coach will have his or her background checked every 12 months for as long as he or she continues coaching.

Screening Process

The Department’s Athletic Staff will establish deadlines by which the Volunteer in Youth Sports Consent/Release Forms are due back to the Department. These deadlines will be at least two weeks prior to the start of practices for each sport. This will give the Department time to compile and process the forms, and to conduct the background checks. After the background check, the results of the background check will be forwarded to the Department of Human Resources. The Department of Human Resources will then advise the Department of any coaches who are disqualified. All information pertaining to the background check will remain with the Department of Human Resources, subject to the applicable laws requiring disclosure. The Parks and Recreation Department will not be informed of the results of any background check; rather, the Parks and Recreation Department will only be told that a coach is disqualified.

In any of the disqualifying entries are reported in the criminal background check, the Department shall notify by certified mail the Coach that he or she is disqualified and may notify the coach's recreation club that the coach is disqualified. If a Coach requests the results of the coach's background check, the Department of Human Resources shall send a copy of the background check to the Coach. The Parks and Recreation Department will send an acknowledgement for that the Coach must sign and return to the Department.

Confidentiality

To help ensure confidentiality, league presidents and other recreation clubs personnel and the Department shall not be notified of a coach's criminal history. The criminal background reports shall be kept in secure location for a period as required by applicable law or, the person is no longer a volunteer coach, whichever is later.

Accountability

Recreation Clubs play just as important a role in this screening program as does the Department. It is important for the integrity of the background screening program that all recreation club presidents and personnel verify that only those persons who are screened and approved by the Department be allowed to coach. Also, all recreation clubs should ensure that such persons are only active with the team or teams identified on the Volunteer Youth Sports Consent/Release Form pertaining to that person.

Appeals Process

If a coach's background check includes a conviction of a charge that is set forth on the list of disqualifiers below, the Department shall immediately disqualify a person from volunteering as a coach. There shall be no appeal of a decision to disqualify a coach if the coach's relevant criminal history is accurate.

If a coach wishes to dispute the content of the profile report, the coach shall contact the third party responsible for conducting the background check by calling the telephone number listed on the report. The coach is responsible for providing any or all documentation to support his or her claim. If the circumstances change regarding the disqualified coach, they must request in writing for a new criminal history back search.

Disqualify Offenses -

Any person will be disqualified from coaching or assistant coaching with any athletic team in any athletic program approved by the Parks, Recreation, and Tourism Department if the coach has been (1.) found guilty or entered a guilty or no contendere plea regardless of the adjudication for any of the disqualifying offense (2). has a charge pending against him or her in which it is alleged that he or she has committed any of the following crimes or (3.) has a record of a conviction of an equivalent offense in another state.

The list below includes "Barrier crimes" as incorporated by reference in §19.2-392.02 of the Code of Virginia (1950), as amended, which authorizes background checks on persons who may have unsupervised access to a child. The disqualifying crimes are as follows (all references, unless otherwise indicated, are to Title 18.2 of the Code of Virginia (1950), as amended):

- possession of marijuana once in the last 3 years or more than once in the last 10 years
- possession of a controlled substance other than marijuana once in the last 10 years or more than once
- assault and battery once in the last 5 years or more than once in the last 10 years
- driving while intoxicated two or more times in the last 5 years
- distribution of controlled substances
- delivery of controlled substances to prisoners
- possession with intent to distribute controlled substances
- possession with intent to distribute marijuana
- murder or manslaughter (voluntary or involuntary)
- malicious wounding by mob
- abduction
- abduction for immoral purposes
- assaults and bodily wounding (this includes, but is not limited to, shooting, stabbing, malicious wounding, and reckless endangerment)
- allowing firearm access to children
- robbery
- burglary and related offenses
- carjacking
- extortion by threat
- felony stalking
- sexual assault
- arson
- drive by shooting
- use of a machine gun in a crime of violence
- aggressive use of a machine gun
- use of a sawed-off shotgun in a crime of violence
- pandering
- crimes against nature involving children
- incest
- taking indecent liberties with children
- abuse and neglect of children
- failure to secure medical attention for an injured child
- obscenity offenses involving children
- possession of child pornography
- electronic facilitation of pornography
- abuse and neglect of incapacitated adults
- employing or permitting a minor to assist in an act constituting a criminal offense
- escape from jail
- felonies by prisoners

Process Summary

1. The Oxford Youth Association provides Background Screening Policy and Volunteer Consent/Release forms for all coaches to fill out.
2. Coach retains policy for his or her records, completes form, and returns to the OYA by email, fax, or mail one week prior to practice.
3. The OYA sends forms to third party contractor to perform background checks.
4. Third party contactor sends results of background checks to OYA President
5. OYA to meet and review background checks and discussion of any disqualified coaches will occur.
6. The OYA notifies coach and coach's recreation club of the disqualification.

BILAW Amendment: 10.3.2012