



KIDSAFE POLICY

WHEREAS, the Pike County Parks and Recreation Authority, hereinafter referred to as PCPRA duly established under the laws of the State of Georgia, acknowledges that child abuse and other forms of abuse occur everyday; and that considering these disturbing facts it must be further acknowledged that youth sports programs are not immune from being impacted by child abuse and other forms of abuse.

WHEREAS, the PCPRA recognizes that child and other abuse issues are complex and that the PCPRA needs to become proactive in addressing child abuse issues within youth sports programs administered in conjunction with PCPRA;

WHERE AS, the PCPRA further recognizes that volunteer coaches and administrators have been involved in incidents of violence and/or sexual misconduct related to youth sports programs that tragically result in innocent children becoming unfortunate victims of such abuse.

WHEREFORE, and in an attempt to promote a safer environment for all citizens, particularly children and youth, participating in and/or attending youth sports programs in and/or otherwise related to Pike County, Georgia, the PCPRA, hereby adopt the following policy known as the Pike County Recreational Kidsafe Policy Resolution No. _____

THEREFORE BE IT HEREBY RESOLVED AS FOLLOWS:

1.

RISK MANAGEMENT COMMITTEE

The PCPRA will call upon a Risk Management Committee, hereinafter referred to as the RMC, in the event that a background check exception needs to be considered and/or in the event that a coach is being considered for suspension. RMC members will be selected on an as needed basis by the Director in accordance with the power vested in him by PCPRA. The RMC will consist of a least 2 Pike County Parks and Recreation Authority board members, 1 representative from a youth sports association or 1 coach, and 1 member from the Pike County Parks and Recreation Authority staff appointed by the Director.

2.

RESPONSIBILITIES AND DUTIES OF RMC

The PCPRA is establishing the following list of responsibilities and duties for the RMC. It should be noted, however, that said list of responsibilities and duties may be amended by the PCPRA as may be necessary to effectuate the intent of this Resolution and the Kidsafe Policy.

- A. Review questionable background checks and, determine the eligibility of all applicants in view of said reports;**
- B. Review and respond, in writing, no more than 60 days after a written complaint is submitted to the PCPRA related to any inappropriate conduct, contact or other inappropriate behavior by any person involved with youth sports administered by the PCPRA, including but not limited to coaches, volunteers, players, PCPRA employees, or parents;**
- C. All information reviewed, obtained or maintained related to background checks, written complaints and the related investigations shall be kept confidential by RMC excepts as may otherwise be provided by the open records obligations imposed upon PCPRA and RMC by operation of State Law;**
- D. The RMC shall thoroughly investigate any complaints and report its findings in writing to the PCPRA prior to issuing a formal response;**
- E. Provide written notification to any disqualified individual that may be disqualified from further service under the provisions of this Kidsafe Policy. Said notification shall be made in writing and sent via certified mail to disqualified candidate. The RMC shall provide a copy of said written disqualification, or any other written notices sent to individuals to the PCPRA;**
- F. Maintain records in accordance with this Resolution in a secure filing system as required by law, if any;**
- G. Prepare, review and maintain forms as may be needed to effectuate the provisions of this Kidsafe Policy;**
- H. Prepare written proposed amendments and/or changes to the Kidsafe Policy and submit said proposals to the PCPRA for consideration and formal action.**

3.

GENERALLY

- A. No individual shall serve as a coach, instructor, umpire, referee, volunteer, worker or like supervisor for any group which includes children under the age of 18, in connection with any activity organized by or in conjunction with the PCPRA, without the approval of the Director of the PCPRA. Every application shall be approved or denied by the Director. In the event of a denial, an applicant may appeal to**

the RMC. In addition, if the Director determines the background check to reveal questionable information that does qualify for an automatic disqualification and requires further review, the Director may commission the RMC to make a review and recommendation of as to the fitness of the applicant.

- B. Every applicant shall submit to a criminal background check and shall supply all necessary information to facilitate such background checks, including social security numbers and present and former residence addresses. Criminal background checks shall include, but shall not be limited to, checks with the Georgia Crime Information Center (GCIC) and the National Crime Information Center (NCIC).**
- C. Approvals shall be valid for a period not to exceed 12 months; however, such approval may be revoked upon any applicant being charged with any crime, or upon an applicant being Sanctioned after application was made.**

4.

CONFIDENTIALITY

All GCIC and NCIC records related to said background checks shall be reviewed by the RMC and the Director, and access may further be granted to any attorney for the RMC and/or the Director and to the Pike County Parks and Recreation Authority Board; no portion of said documents shall be disseminated generally, except as stated herein or otherwise required by law, such records shall be held confidential.

5.

AUTOMATIC DISQUALIFICATION

For purposes of this Policy, "Sanctioned" means convicted by a court of law, punished through means of pretrial diversion, received first offender treatment, or sentenced in connection with a plea of nolo contendere, as an adult. "Sanctioned" also includes juvenile court dispositions and offenses for applicants under the age of 22.

- A. No applicant shall be approved if he/she has ever been Sanctioned or is currently charged in a pending case with the following offenses:**

1. Crimes against children including, but not limited to, the following:

- A. Sodomy/aggravated sodomy**
- B. Statutory rape**
- C. Sexual battery**
- D. Enticement of a child for indecent purposes/pornography**
- E. Child Endangerment**
- F. Kidnapping/abduction/child stealing**

- G. Abuse**
- H. Distribution of drugs or alcohol to a minor**
- I. Cruelty to children**
- J. Assault or aggravated assault where a minor was a victim**
- K. Battery or aggravated battery where a minor was a victim**
- L. Contributing to the delinquency of a minor**

- 2. Aggravated murder/voluntary and involuntary manslaughter**
- 3. Murder or felony murder**
- 4. Vehicular homicide**
- 5. Felony assault/aggravated assault**
- 6. Sexual Offenses**
- 7. Indecent exposure/prostitution**
- 8. Rape/Sexual battery**
- 9. Aggravated robbery/robbery/aggravated burglary/burglary**
- 10. Crimes involving family violence/domestic violence**
- 11. Carrying a concealed weapon/improperly discharging firearms**
- 12. Any felony controlled substance offenses**
- 13. Criminal attempt to commit any above named offense(s)**

B. No applicant shall be approved if he/she has been Sanctioned within the last five years, or is currently charged in a pending case with any of the following offenses or any substantially similar offense:

- 1. Assault and battery**
- 2. Violation of any misdemeanor controlled substances act**
- 3. Two alcohol related offenses, including but not limited to driving while intoxicated**
- 4. Felony check fraud/deposit fraud**
- 5. Criminal attempt to commit any above named offense(s)**
- 6.**

APPROVAL

Any applicant whose records fail to show that he/she has been Sanctioned or is currently charged in any pending case shall be approved, unless denied based on some other policy of the RMC and/or the PCPRA Director.

7.

DISCRETIONARY APPROVAL AND DENIAL

Any applicant who has ever been Sanctioned or is currently charged in a pending case with any felony or misdemeanor, (other than speeding, non-moving traffic violations or local ordinance violations) may be approved by the RMC and the Director, in their sound discretion, if the applicant is not disqualified under the provisions of this Policy for Automatic Disqualification. In making such decision, the RMC and the Director shall consider such of the following information as is available:

- 1. The nature and severity of the offense and the facts of the case;**

- 2. The date and age of the applicant at the time of the offense;**
- 3. The court's sentence/disposition for each offense;**
- 4. The number and frequency of each case; and**
- 5. Any other factors which bear a logical relation to the applicant's fitness to have responsibility for the safety and well being of children.**

After having considered the factors set out above for the discretionary approval, the RMC may deny or may grant approval for an applicant who has not be Automatically Disqualified; for all such cases, the RMC shall state in writing the reasons for approval.

8.

REQUEST FOR RECONSIDERATION ON PRELIMINARY DENIAL

All persons whose applications are denied by the RMC shall have the right, upon written request within ten (10) days of being denied, to review GCIC and NCIC records and any other records considered by the RMC, and to have a review before the RMC where the applicant may present reasoning and request reconsideration of his/her denial. All written requests for reconsideration must be sent certified mail and addressed to the Director of Pike County Parks and Recreation Authority. Upon review, the RMC shall make its final recommendation to the Director for denial or approval.

9.

DIRECTOR'S DECISION FINAL

Upon receipt of any recommendation by the RMC, the Director of Pike County Parks and Recreation Authority shall review the records, including any application and any GCIC and NCIC records, and make an independent decision to approve or to deny the applicant, based on the above listed criteria for Approval or Denial.

10.

QUALIFICATIONS

- A. Each applicant must submit the necessary application and consent form by the time deadline required by the youth sports program and related association for the desired position and/or area of service;**
- B. Each applicant must cooperate throughout the application and background investigation process;**
- C. Each applicant must obtain and maintain certification as an eligible worker or volunteer. Evidence of said certification must be**

- presented to PCPRA prior to the beginning of the first day of practice;
- D. All workers or volunteers affiliated with the Pike County youth sports program(s) must display a positive attitude, provide a positive atmosphere, display good sportsmanship, and provide team players with encouragement rather than criticism.

11.

GENERAL CONDUCT

In addition to the conduct specifically provided above, all workers and service providers including volunteers associated with the Pike County youth sports programs shall conduct themselves as follows:

- A. Expected to display exemplary conduct during all games, practices, and outings.
- B. Provide a positive example of good sportsmanship for players.
- C. Must display full support and respect of any umpire, referee, or official during games.
- D. Must provide a positive learning atmosphere for all participants through positive reinforcement and refrain from negative criticism.
- E. Must refrain from using offensive and/or abusive language or gestures during games, practices, and outings.
- F. Must maintain composure at all times during all games, practices, and outings and refrain from outburst and/or letting tempers flare.
- G. Must agree to adhere to all policies and procedures set forth by the PCPRA and the associations.

12.

COMPLAINT PROCEDURES:

- A. All complaints against individuals participating in Pike County youth sports programs, including but not limited to allegations of sexual, physical, mental or emotional abuse shall be submitted in writing to PCPRA within 24 hours of the incident. PCPRA, in accordance with O.C.G.A. § 19-7-5, as amended from time to time, will forward a copy of any complaint alleging any type of child abuse to the Department of Family and Children Services without regard as to the merits of such allegations, as is required by state law. PCPRA may also refer the complaint to law enforcement.
- B. The complaining party may want to consult with other professionals to determine if additional formal complaints or charges should be initiated. If the PCPRA determines that the complaint should be further investigated, then PCPRA shall forward the complaint to the RMC for additional investigation.
- C. Upon receipt of a complaint from the PCPRA, the RMC will investigate the matter, including but not limiting to the obtaining of incident and/or arrest reports and conduct a current background investigation

check. If a background investigation is necessary, the RMC will ensure that a Consent Form is either on file or obtained prior to the background investigation. Depending on the severity of the complaint, any individual may be temporarily suspended until the matter is investigated and action is taken. The RMC will provide each individual under investigation an update regarding the status of the investigation in writing.

- D. Each complaint will be investigated and reviewed by the RMC. After the investigation and review, the RMC will issue a written determination setting forth the resulting formal action, if any, and said written determination shall be forwarded to the individual under investigation in writing via certified mail.**
- E. Appeals from any formal determination or action taken by the RMC shall be made in accordance with the appeal provisions set forth above.**

13.

MISCELLANEOUS PROVISIONS

Any coach, instructor, umpire, referee, worker, volunteer or like supervisor for all youth sports associations of Pike County may be disqualified from services or suspended at any time as deemed appropriate by the PCPRA either directly or upon receipt of a recommendation of the RMC for violation of any provisions set forth herein, failure to comply with any of the qualifications set forth herein, or after any investigation initiated pursuant to the provisions of this policy either by initial application or by written complaint.

It is further noted that continuous violations of this Kidsafe Policy including but not limited to poor sportsmanship and gross misconduct may result in temporary and/or permanent suspension or termination of services.

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Approved December 10, 2012