

Background Check Policy

Southlake Girls Softball Association, Inc. (SGSA)

It is the intent of this policy to establish certain guidelines wherein Southlake Girls Softball Association, Inc. (the "SGSA") seeks to protect our youth athletes by investigating the background of individuals who will be coaching or has in-game or on-field contact with our youth athletes involved in SGSA programs.

GENERAL

All teams that participate in SGSA programs will have at least one approved coach or assistant coach (each referred to herein as a "Coach") present at each athletic activity, including practices and games. A Coach becomes 'Approved' once the process described in this policy is completed.

Any person who has been found guilty, pled guilty, or pled no contest, regardless of adjudication, or has a pending charge pertaining to any of the disqualifying offenses listed in this policy will be immediately disqualified from coaching (either as a head Coach or an assistant Coach) or volunteering as on-field parent helpers in any SGSA program. SGSA also reserves the right to disqualify a person for any issue that would be considered a potential risk to children or vulnerable populations. A Coach or parent volunteer who fails to comply with this background screening policy will be automatically disqualified.

This policy will apply to all coaches, both head and assistant, as well as all on-field parent volunteers participating in SGSA programs. If there is any doubt as to who should be screened, the general rule is anyone who would potentially have unsupervised access to youth athletes must be screened. All coaches and on-field volunteers must complete the SGSA background check once every 12 months for as long as he or she continues coaching and/or volunteers.

The contents of this policy are not up for debate.

SCREENING PROCESS

Upon registration or assignment to an SGSA program the Coach or parent volunteer must visit the appropriate page on the SGSA website to complete the online background screening process. It is the Coach or parent volunteer's responsibility to locate this page and complete the process prior to beginning practice or competition.

SGSA will establish deadlines to complete the background screening process. The completion of the background screening process should be completed by a Coach or parent volunteer before having any contact with youth athletes. If a Coach or parent volunteer fails to complete the background screening process prior to the established deadline, that person will be removed from their coaching and/or volunteer positions immediately.

The third-party contractor conducting the checks will provide results to SGSA. The third-party will 'flag' reports for further review by the President of the SGSA (the "SGSA President"). A passed/failed grade will then be applied based on the list of disqualifying acts listed below.

- A "passed" grade will be applied to an individual that has zero disqualifying acts matches.
- A "failed" grade will be applied to an individual that has one or more disqualifying acts matches.

Should there be any uncertainty on the part of the SGSA President as to whether an individual should receive a "passed" or "failed" grade, the details of the background check results will be turned over to the SGSA Board. The SGSA Board will only have information on the crime and will not have any information about the

person in question that would allow for them to be identified. Should a ruling by the SGSA Board be required, that ruling is final.

If it is determined that a Coach or parent volunteer will receive a “failed” grade, SGSA President, or designee will notify the individual that they are disqualified. Upon request, the Coach or parent volunteer will be provided a copy of the background check from the third-party contractor.

CONFIDENTIALITY

The only information returned to SGSA by the third-party contractor is information regarding the criminal history of the Coach or parent volunteer should there be such history. Any information provided to SGSA by the third-party contractor will only be accessible to SGSA administrators that are responsible for reviewing background checks and will only be used for the purposes of background checks. SGSA will provide its third-party confidentiality policy upon request.

ACCOUNTABILITY

Approved head Coaches play an important role in the screening program as does the SGSA Board. It is important for the integrity of the background screening program that all head Coaches verify that only those persons who are screened, and not those who are disqualified, coach or volunteer with the youth athletes participating in SGSA programs.

APPEALS PROCESS

If an individual’s background check includes a charge set forth on the list of disqualifiers below, SGSA will disqualify that person from coaching or participating in on-field volunteer activities, absent extenuating circumstances. If a disqualified individual wishes to dispute the content of the profile report, the individual may contact the third party responsible for conducting the background check. The individual in question is responsible for providing any or all documentation to support his or her claim.

If an individual would like to appeal the ruling, they may do so in writing only. An appeal can only be made if the initial ruling was made by the SGSA President. All SGSA Board rulings are final and cannot be appealed.

DISQUALIFYING ACTS

A person shall be disqualified and prohibited from serving as a Coach or parent volunteer if the person has:

- (1) been found guilty, pled guilty, pled no contest (including an Alford plea), entered a no-contest plea accompanied by a court finding of guilt (regardless of adjudication or deferment) or received court-directed programs in lieu of conviction, regardless of adjudication, to any of the following acts,
- (2) a charge pending against him or her in which he or she has committed any of the following acts, or
- (3) a record of a conviction of an equivalent offense in another state.

All sex offenses regardless of the amount of time since offense

Examples include, but are not limited to child molestation, rape, sexual assault, sexual battery, prostitution, solicitation, indecent exposure, indecency with a child, online solicitation of a minor, , etc. and includes sex offenses where the final adjudication or final plea was of a lesser-included sentence or non-sex-related statute (e.g., indecency with a child plead to injury to a child.)

All felony violence offenses

Examples include, but are not limited to murder, manslaughter, aggravated assault, kidnapping, robbery, aggravated burglary, etc.

All felony offenses other than violence or sex within the past (10) years

Examples include, but are not limited to drug offenses, theft, embezzlement, fraud, etc.

All misdemeanor violence offenses within the past seven (7) years

Examples include, but are not limited to simple assault, battery, domestic violence, terroristic threat hit and run, etc.

Two or more misdemeanor alcohol offenses within the past five (5) years

Examples include, but are not limited to driving under the influence, drunk and disorderly, public intoxication, etc.

All misdemeanor drug offenses within the past five (5) years or multiple offenses in the past ten (10) years.

Examples include, but are not limited to simple drug possession, possession of drug paraphernalia, etc.

Any other misdemeanor within the past five (5) years that would be considered a potential danger to children or is directly related to the functions of that coach.

Examples include, but are not limited to contributing to the delinquency of a minor, providing alcohol to a minor, etc.

PENDING AND DISMISSED CASES

Individuals found to have pending court cases for any of the disqualifying offenses identified above will be disqualified. If the disposition of the pending case does not meet the criteria for disqualification as listed above, the individual would then be cleared and reinstated. Individuals found to have cases dismissed for reasons of deferred adjudication, withheld judgments of any type, suspended sentences of any type, etc. by reason of meeting any obligations imposed by a court of law will be disqualified for the charged offense in the same manner as if the Individual had been found guilty thereof. Individuals found to have cases dismissed without the imposition of any obligations from the court shall not be disqualified for any such cases.

PRESIDENT’S DISCRETION

Given the importance of protecting children within the SGSA, the SGSA President shall be given the discretion to disqualify any individual in the event they feel the totality of the background screening makes the individual unqualified to volunteer with the organization. The SGSA President shall consider the safety of the children within the SGSA when exercising said discretion. In the event that the SGSA President exercises this discretion they shall consult with the rest of the SGSA Board and are allowed to disclose the background screening of any individual in question. In exercising this disqualifying discretion, the SGSA President shall err on the side of children’s safety and disqualify said individual if there is any concern created by the background screening for any individual.