



## British Columbia Minor Baseball Association

*BC's Largest Youth Baseball Organization Since 1963*

Rally Cap - 9U - 11U - 13U - 15U - 18U - 26U

Girls Baseball - Challenger Baseball

[www.bcminorbaseball.org](http://www.bcminorbaseball.org)

### Screening Policy

#### **(1.0) Introduction**

BC Minor Baseball Association (BCMBA) believes in fostering a safe, welcoming, and inclusive environment for participants. The purpose of the screening process is to create a safe environment by identifying individuals who may pose a risk to the organization and its participants. Ongoing screening, supervision, evaluation, and feedback helps BCMBA provide a safe and secure environment for participants.

BCMBA requires personnel who interact with athletes, or who are placed in a position of trust or authority, to obtain a Criminal Records Check (CRC) and complete a Screening Disclosure Form.

BCMBA strongly recommends that all baseball organizations adopt a similar screening policy for their local organization to ensure they are compliant with the Criminal Records Review Act and other applicable laws.

[https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/00\\_96086\\_01](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/00_96086_01)

#### **(2.0) Definitions**

The following definitions apply to this policy:

##### **(2.1) Criminal Record Check (CRC)**

The Criminal Record Check shall be any approved document, as defined in section 6 of this policy.

##### **(2.2) Organization**

Organization is defined as an association or club which has been formed for the purpose of providing the sport of baseball to its members.

##### **(2.3) Personnel**

BCMBA personnel include, but is not limited to, coaches, staff, employees, volunteers, and members of the Board of Directors.

#### **(3.0) Application**

This policy applies to BCMBA personnel, age 19 and over, who at any time could be expected, in the performance of their duties to:

- be entrusted with performing financial duties
- be responsible for bookkeeping, banking, or any other monetary duty
- Are in a designated category per section 4.0 of this document
- May be with any vulnerable person

Such individuals must have the results of a CRC and Screening Disclosure Form on file before they can fill a designated position. Proof of the CRC and Screening Disclosure Form must be submitted to BCMBA prior to interacting with vulnerable participants, unless an exception is made under section 15.0 of this document.

#### **(4.0) Designated categories**

Not all personnel associated with BCMBA will be required to undergo screening through a CRC and Screening Disclosure Form, as not all positions pose a risk of harm. BCMBA will determine which designated categories of personnel will be subject to screening.

The following designated categories are applicable to this policy. Personnel who hold roles within these categories have been identified as those working closely with vulnerable persons or who occupy positions of trust and authority within BCMBA.

- a) BCMBA directors
- b) Coaches, managers, trainers
- c) Officials and umpires
- d) Employees or paid staff
- e) Umpire clinic instructors
- f) Any other position(s), whether paid or volunteer, that involve interaction with minor participants

#### **(5.0) Personnel Under the Age of 19**

In lieu of a CRC, personnel under the age of 19 who wish to apply for designated positions may submit a Screening Disclosure Form and two references who may be contacted by the screening officer. Such personnel submitting a Screening Disclosure Form and references in lieu of a CRC must be supervised by an adult while interacting with vulnerable persons.

#### **(6.0) Obtaining a Criminal Records Check with Vulnerable Sector Verification**

Personnel may obtain a CRC by one of the following methods:

- Local municipal police detachment
- RCMP
- Sterling's Backcheck Enhanced Police Identification Check (EPIC)

Fingerprinting may be required if there is a match with the individual's gender and birth date.

The CRC fee is determined by the provider. BCMBA will not be responsible for costs incurred to obtain a CRC. Personnel are responsible for submitting the completed CRC and Screening Disclosure Forms to BCMBA. BCMBA may direct that personnel also submit their completed CRC directly to other governing bodies (ie. Coaches uploading a completed CRC to the Baseball Canada NCCP platform).

BCMBA may use any combination of screening tools it determines necessary to screen personnel and may modify its list of approved tools at any time. Additional screening tools may be required such as application forms, interviews, and reference checks.

#### **(7.0) Term**

CRCs are valid for a period of three years and Screening Disclosure Forms must be completed on an annual basis. Notwithstanding this, the screening officer may request that an individual in a designated category provide a CRC or the Screening Disclosure Form to the screening officer for review and consideration at any time. Such request will be made in writing and will provide the reasons for such a request.

## **(8.0) Refusal to Submit**

Personnel who do not submit a CRC and Screening Disclosure Form are ineligible for participation in designated positions and shall not interact with minor participants. Personnel will be informed in writing that their application and/or position will not proceed until such time as the CRC and Screening Disclosure Form are received.

## **(9.0) Duty to Report**

Any personnel in a designated position who are charged with a relevant offense must report this circumstance immediately to the screening officer.

## **(10.0) Falsification**

Any personnel who provide falsified or misleading information, will immediately be removed from their position and may be subject to further discipline in accordance with BCMBA's discipline policy.

## **(11.0) Relevant Offences**

For the purposes of this policy examples of a 'relevant offence' may be any of the following:

(11.1) Imposed in the Last Five Years:

- Any offence involving the use of a motor vehicle, including but not limited to impaired driving
- Any violation for trafficking and/or possession of drugs and/or narcotics
- Any offence involving conduct against public morals

(11.2) Imposed in the Last Ten Years:

- Any crime of violence including, but not limited to, all forms of assault
- Any offence involving a minor

(11.3) Imposed at any Time:

- Any offence involving the possession, distribution, or sale of any child-related pornography
- Any sexual offence involving a minor
- Any offence involving theft or fraud

## **(12.0) Determining the Relevance of an Offense**

In determining whether an offense is relevant, the following shall be considered:

- Connection between the offense and the nature of the designated position
- Number and nature of charges/convictions
- When the offence(s) occurred
- What the individual has done since the offense occurred, as it relates to the likelihood of reoccurrence
- The sentence imposed
- Age of the offender at the time of the offense

## **(13.0) Screening Officer**

The screening officer shall be appointed by the Board of Directors. The screening officer will carry out their duties in accordance with the terms of this policy.

The screening officer is responsible for receiving and reviewing all CRC and Screening Disclosure Forms and based on such reviews, shall make decisions regarding whether individuals may fill designated positions. In carrying out their duties, the screening officer may consult with independent experts, including lawyers, police officers, risk management consultants, volunteer screening specialists, or any other person. The screening officer may, at their discretion, seek out the advice of a BCMBA committee, president, or Board of Directors. This must be done confidentially, without identifying the individual being discussed.

## **(14.0) Decision Making Process**

The screening officer will review all CRC and Screening Disclosure Forms and determine whether the documents reveal a relevant offence.

### **(14.1) No Relevant Offenses Identified**

If the CRC and Screening Disclosure Form do not identify any relevant offenses the screening officer shall approve an individual's participation in a designated position.

### **(14.2) Positive Results or Flags**

If the CRC or Screening Disclosure Form identify any relevant offenses, the screening officer must decide whether to approve the individual for a designated position. The screening officer will consider sections 11 and 12 of this policy in making such a decision. When the screening officer is of the opinion that, notwithstanding a conviction for a relevant offence, a person can occupy a designated position without adversely affecting the safety of participants or pose a risk to the organization, the screening officer may approve an individual's placement in a designated position.

Before making this decision, the screening officer may:

- Request further information or explanation from the individual
- Consult other individuals per section 10 of this document
- Obtain further information from any source

The screening officer will render one of the following decisions:

- a) Deny an individual's placement in a designated position
- b) Approve the individual's placement in a designated position
- c) Approve an individual's placement in a designated position, subject to terms and conditions as the screening officer deems appropriate

The screening officer shall advise individual of their decision in writing.

## **(15.0) Delays**

From time to time, delays occur in the screening process through no fault of the individual. Should an individual experience a delay in obtaining the CRC, the screening officer may approve an individual's placement in a designated position on a temporary basis. This approval may be revoked at any time. The delay in obtaining the CRC must be supported by evidence. It is recommended that individuals approved under this section work under close supervision and that all other aspects of the hiring process, such as an interview and reference checks, are complete.

## **(16.0) Appeals**

An individual may appeal the decision of the screening officer. The BCMBA appeal policy will apply, with the

exception that the appeal will be submitted to the president and will be heard by the Board of Directors. The appellant may choose to submit a confidential appeal, where only the president knows the identity of the appellant. The appellant may choose to identify themselves to the Board of Directors in the appeal process.

## **(17.0) Records Management**

The screening officer shall retain all CRCs, written records of communication with individuals whose CRCs or Screening Disclosure Forms indicate a relevant offence, copies of their decisions, and written reasons for decisions. Once the individual has completed their role with BCMBA, or in the case of staff who have either resigned their position or been terminated, the CRC will be destroyed. The records of an individual who is denied a designated position due to the results of a CRC or Screening Disclosure Form, will be maintained by the screening officer, in the event the individual applies for a designated position in the future.

The records management of CRCs processed and submitted through third parties, is outside the control of BCMBA. BCMBA is not able to destroy such electronic records.

All records in the possession of BCMBA will be maintained in a confidential and secure manner and will not be disclosed to others except as required by law, or for use in legal, quasi- legal or disciplinary proceedings. Records cannot be shared with other organizations without the consent of the individual.

