

DAA Background Check and Screening Policy

Effective 07/13/2010

1. In order to protect the youth of the Dacula Athletic Association ('DAA'), it shall be the policy of DAA to obtain and utilize background checks for screening potential head coaches, assistant coaches, Board members, and/or any other authoritative position (all referred to later as "Volunteer") that makes application to the Association. Also included in this process will be anyone acting in a capacity as coach, or who may be alone with players, or responsible for a team at games or practices. Assistant coaches are defined as those whose names appear on the roster for a respective team. It shall also be the policy of DAA, that there must be at least 1(one) adult present who has successfully completed a criminal background check. If there is not 1 (one) adult present who has completed a DAA Background Check, the game, practice or event must be halted or postponed until such an adult is available.
2. A written authorization form shall be submitted to DAA via fax or email, signed by the Volunteer, allowing DAA to order an individual criminal background check. It is the responsibility of the Volunteer to fill out the DAA background check consent form and submit it. Any Volunteer that fails to submit the signed consent form shall forfeit their consideration for a position. Head Coaches forms must be returned with the head coach application; Assistant coach and Team Mom forms must be returned two weeks prior to the start of the first game of the season; Board members shall turn in a consent form prior to the annual elections; all others must submit consent forms before the beginning date of their tenure for the position in which they are applying. Failure to provide a background check consent form by the deadline may disqualify the Volunteer from serving.
3. The Background Screening "Committee" shall administer all background screening procedures. The Committee shall be made up of the current DAA Executive President and at least two other Executive Board members. A designated Committee member shall receive the completed background screening consent forms and forward them to the reporting agency selected by the Board. The Committee shall then notify any person whose background check reveals a disqualifying entry on the background check report. The reporting agency will only send back reports if the individual does NOT meet the DAA minimum standards for Volunteers using the following criteria:

Volunteer applicants shall be disqualified immediately if they have **ever** been found guilty, pled guilty, entered a plea of nolo contendere, or entered a plea under the First Offender Statute for any of the following:

- A. Any Felony conviction involving violence
- B. Any conviction involving a minor
- C. Any conviction involving a sexual offense

Should any pending charges described in "A", "B" or "C" be uncovered, or should any charges be brought against a Volunteer after approval, the Volunteer shall be immediately denied/suspended until the charges have been cleared or dropped **and** he/she has been approved/reinstated by a majority vote of the Executive Board.

In addition, Applicants shall be disqualified if they have been found guilty or entered a plea of guilty or nolo contendere, regardless of the adjudication, for any of the following within the past seven (7) years:

- D. Any Misdemeanor conviction involving violence
- E. Any Felony Conviction not listed under "A", "B" or "C"

In addition, Applicants shall be disqualified if they have been found guilty or entered a plea of guilty or nolo contendere, regardless of the adjudication, for any of the following within the past five (5) years:

F. Any crimes of moral turpitude or lack of integrity and/or character of a Volunteer, as determined by the Background Check Committee

G. More than one alcohol or drug related conviction

In addition, Applicants shall be disqualified if they have been found guilty or entered a plea of guilty or nolo contendere, regardless of the adjudication, for any of the following within the past two (2) years:

H. Any conviction involving alcohol or drugs.

Should any pending charges described in “D”, “E”, “F” “G” or “H” be uncovered, or should any charges be brought against a Volunteer after approval, the Volunteer shall be denied/suspended until the charges have been cleared or dropped and/or he/she has been reinstated by a majority vote of the Executive Board. The volunteer shall have fourteen (14) calendar days from suspension to file an appeal (section 5) with the Executive Board.

4. The Background Check Committee shall notify the affected Volunteer that a disqualifying entry was reported on the criminal background check and present the background report and FCRA (Fair Credit Reporting Act) letter to the Volunteer. In the event the Volunteer feels a mistake has been reported in their criminal background check, it is the Volunteer’s responsibility to contact the reporting agency and resolve any issues.

5. Any individual that is turned down for, or removed from, any position as a result of the background investigation or current pending charges, and believes that the information provided in the background check is not accurate, or believes that there are mitigating circumstances and desires to explain those circumstances to the Executive Board, may submit those mitigating facts or explanations in writing to the Executive Board and may appear before the Executive Board to make a presentation of no more than 1 hour as to why those facts or explanations should be considered by the Executive Board. If the Executive Board does not want, for whatever reason, to ultimately make a decision regarding the request of the individual who has been denied an official position, or if that individual does not want the Executive Board to make that decision, then upon a payment of a \$400 fee to DAA, the matter may be submitted to a special hearing officer appointed by the Executive Board. That special hearing officer shall be a member of the State Bar of Georgia in good standing, have been in practice a minimum of ten years, be certified by the State Bar of Georgia in Trial Practice and shall be rated, at a minimum, by Martindale Hubbell as BV. The special hearing officer shall be paid a fee as prescribed by the Board for conducting a brief hearing (no more than 1 hour), reviewing the documents submitted in explanation or mitigation, and making a final decision. The Georgia Rules of Civil Procedure shall be used by the hearing officer with wide discretion on the use of hearsay. That decision by the special hearing officer if requested by the applicant or requested by the Board shall be binding and not appealable. Should the applicant prevail in front of the special Hearing Officer, any fee paid by the applicant for the hearing shall be returned to the applicant by the Executive Board.

6. The offenses listed above are not intended to be inclusive. The Executive Board shall, at all times, have the right to terminate or suspend any participant for any reason, whether related to the background investigation or other inappropriate conduct. If an applicant has entered a plea under First Offenders for any of the offenses listed above and the record has been expunged and is therefore not available to the Review Committee, that individual may be required to provide to the Review Committee details of that expunged offense. The Executive Board reserves the right to make a final decision based upon the best interests of the youth of DAA.

7. All information in response to the criminal background check or disclosed in the review process shall be kept confidential and not disclosed or discussed outside of the review process. DAA and its members are not responsible for errors or omissions that may be reported on background checks. The Background Check Committee of DAA shall maintain all authorizations and records or reports in a confidential manner.

8. All background checks will expire one (1) year from the date of submission to the reporting agency. If the background check is set to expire during the season of that sport, another background check must be completed.