

AMHERST ATHLETIC ASSOCIATION BACKGROUND CHECK **POLICY**

A. GENERAL STATEMENT

The AMHERST ATHLETIC ASSOCIATION shall conduct an annual background check on all coaches/managers and other personnel prior to the applicant assuming his/her duties for the current season. The AMHERST ATHLETIC ASSOCIATION shall not permit any person to participate in any manner, whose background check reveals a conviction or guilty plea for any crime involving or against a minor or as listed below in Paragraph B. The league may prohibit any individual from participating as a volunteer or hired worker, if the league deems the individual unfit to work with minors. Any and all procedures associated with conducting background checks shall be mandated by the AMHERST ATHLETIC ASSOCIATION and communicated to all coaches/managers, etc. prior to the start of the season.

PROCESS AND COST

The AMHERST ATHLETIC ASSOCIATION, in its sole discretion, may employ any firm, company or organization to conduct said background check in accordance with its by-laws and/or policies and may cover the cost of conducting said background checks up to two (2) adults per team plus the AMHERST ATHLETIC ASSOCIATION Board of Directors and other personnel as deemed necessary by the AMHERST ATHLETIC ASSOCIATION, its Board and/or Committees. Applicants may be asked to pay for initial background check and if desired, may seek reimbursement from the AMHERST ATHLETIC ASSOCIATION upon submission of paid receipt to association's treasurer.

Any additional background checks shall be paid for by the applicant. Prior to the start of any practices or if no practices, a first game, for a particular team, that team's background checks must be completed and approval must be received before any activity for that particular team can commence.

POST-CHECK INFORMATION

If the AMHERST ATHLETIC ASSOCIATION becomes aware of information, by any means whatsoever, that an individual, including, but not limited to, volunteers, players and hired workers, has been convicted of or pled guilty to any crime involving or against a minor, the local league must contact the applicable government agency to confirm the accuracy of the information. Upon confirmation of a conviction for, or guilty plea to, a crime against or involving a minor, the local league shall not permit the individual to participate in any manner, subject to the provisions of this section.

B. CRITERIA AND APPEALS

Any prospective, coach, manager, other personnel or volunteer of any team who is found to have committed any of the following or whose submitted criminal background check, discloses any of the following criminal conviction and/or no contest pleas shall be barred from participation in any AMHERST ATHLETIC ASSOCIATION event:

A. EVER TO BE FOUND GUILTY OF:

1. All sex offenses including but not limited to child molestation, rape, sexual assault, gross sexual imposition, sexual battery, sodomy, prostitution, solicitation, indecent exposure, etc.
2. All felony violence including but not limited to murder, manslaughter, aggravated assault, kidnapping, aggravated burglary, domestic violence, child abuse, child endangering, and or any other criminal felony conviction in which a person was physically injured, harmed, and/or intimidated;

B. FOUND TO BE GUILTY WITHIN THE PAST 10 YEARS OF:

1. All felony offenses other than violence or sex (as indicated above) including but not limited to drug offenses, theft embezzlement, fraud, etc.
2. Any criminal conviction or guilty plea involving the contribution to the delinquency of a minor;

C. FOUND TO BE GUILTY WITHIN THE PAST 7 YEARS OF:

1. All misdemeanor violence offenses including but not limited to simple assault, battery domestic violence, etc.
2. In a case in which a child has been adjudicated an abused or neglected child, the proposed volunteer previously had been determined to be the perpetrator of the abusive or neglectful act that is the basis of the adjudication;

D. FOUND TO BE GUILTY WITHIN THE PAST 5 YEARS

1. Misdemeanor drug offenses including drug possession, possession of drug paraphernalia, etc.

E. FOUND TO BE GUILTY WITHIN THE PAST 3 YEARS OF MULTIPLE OFFENSES (more than one)

1. Misdemeanor alcohol offenses including driving while under the influence, disorderly conduct, etc.
2. ANY OTHER MISDEMEANOR WITHIN THE PAST 5 YEARS THAT WOULD BE CONSIDERED A POTENTIAL DANGER TO CHILDREN OR IS DIRECTLY RELATED TO THE FUNCTIONS OF THE VOLUNTEER INCLUDING CONTRIBUTING TO THE DELINQUENCY OF A MINOR, PROVIDING ALCOHOL TO A MINOR, THEFT, ETC.

Should any pending charges described in Paragraphs A, B, or C above be uncovered, or should any of the charges be brought against an applicant during the season, the applicant shall be suspended from serving until such time as the charges have been cleared or dropped and the AMHERST ATHLETIC ASSOCIATION has approved reinstatement.

F. ANY OTHER CRIMINAL CONVICTION, CHARGE, ACTION OR BEHAVIOR IN WHICH THE AMHERST ATHLETIC ASSOCIATION, BY AND THROUGH ITS BOARD, EXECUTIVE COMMITTEE, OR OTHERWISE, IN ITS ABSOLUTE AND SOLE DISCRETION, DETERMINES WHICH SHALL PRECLUDE A PERSON FROM PARTICIPATING AS A COACH, MANAGER OR VOLUNTEER OF A TEAM AT ANY EVENT SANCTIONED BY THE AMHERST ATHLETIC ASSOCIATION;

All information shall be kept strictly confidential and notification of ineligibility of participation shall be sent, in writing, to the participant, by the chairperson of the Child Protection Committee.

APPEALS PROCESS

Applicants disqualified or invalidated due to an unsatisfactory Referral or Criminal Background Check and/or other reason(s) will be given the right to appeal upon written notification to the President of the Amherst Athletic Association.

The volunteer shall have the right to appeal, provided the volunteer obtains the consent of 4 members of the Board, who shall have agreed, in writing to stay the discipline until the cause may be heard by the Board. The results of all criminal background checks and appeals will be kept confidential.