



WESTFIELD
YOUTH SPORTS

Westfield Youth Sports Background Check Policy

Program Overview

Westfield Youth Sports, Inc. (WYSI) has implemented a criminal background screening program on coaches and volunteers of all youth programs.

Background Checks have been implemented by WYSI to:

- 1) Promote a safe, nurturing, and supportive athletic environment in which youth athletes can pursue their athletic goals
- 2) Provide an environment where parents can feel good about allowing their child to participate sports
- 3) Maintain WYSI as a hostile environment for those who would seek to harm youth athletes.

Please note that this screening is not intended to serve as a pre-employment background screening program, nor can screening guarantee that incidents of abuse by coaches/volunteers will not occur. Background screening is designed as a preventative risk management tool but does not ensure inappropriate behavior will not occur.

Frequency

All WYSI coaches, sport commissioners, board members, and volunteers must successfully pass a background check every 12 months to be eligible to participate in WYSI activities.

Screening Criteria

Convictions for, disclosures of convictions for, and pending dispositions for any of the following shall disqualify an individual from coaching or volunteering at any WYSI activity:

- 1) Any felony including an element of violence or of a sexual nature regardless of the amount of time since the offense.
- 2) Any conviction lesser than a felony in which sexual relations is an element.

- 3) Any conviction of a sexual nature (including, but not limited to pornography, lewd conduct, and indecent exposure)
- 4) Any criminal conviction which causes harm to a child.
- 5) Any sex offender registrant.
- 6) Any conviction involving a weapon.
- 7) Any conviction relating to material or performance that is harmful to minors or obscene under IC 35-49-3.
- 8) Any non-violent felony within the past ten years.
- 9) Any conviction lesser than a felony involving controlled substances within the last five years.
- 10) Any conviction lesser than a felony involving cruelty to animals within the last five years.
- 11) Any conviction lesser than a felony involving force or threat of force against a person within the last ten years.
- 12) Two (2) or more convictions in the last three (3) years relating to operating a motor vehicle while intoxicated or under the influence of drugs.
- 13) Two or more criminal convictions of any sort within the past five (5) years and/or three (3) or more criminal convictions of any sort as an adult. If the last of the three convictions occurred more than 20 years ago the committee has the discretion to evaluate whether to apply all three convictions.
- 14) An offense that is substantially equivalent to any of the offenses listed above in which the judgment of conviction was entered under the state of Indiana law or any other jurisdiction.
- 15) A conviction for an attempt to commit any of the above.

Review Committee

To ensure confidentiality and impartial decision making, an independent review committee shall be formed by the WYSI board of directors. The committee shall not include any individuals who serve on the WYSI board or are acting WYSI sports commissioners or coaches. The committee may be as large as three (3) individuals and as few as one (1) individual; in quantity. The members of the committee shall have experience in law enforcement and/or the criminal justice system. In addition to the independent members of the Review Committee, the board shall select one (1) observational member who shall monitor the work of the Review Committee and provide the board with periodic reports on the Review Committee's work.

Review and Appeal Process

Members of the Review Committee shall receive all background check reports from the background screening vendor. Upon review of each report the committee shall take one of two actions:

Approve (“Green Light”) Reports

Should an individual’s background report come back without any issues then they will be approved to serve as a WYSI coach or volunteer and their name will be added to the list of coaches/volunteers in good standing that will be located on the WYSI website.

Disqualify (“Red Light”) Reports

Should a report indicate a violation of any of the stated screening criteria; the committee shall immediately send the applicant notice that they have not met the criteria to participate in WYSI activities as a coach or volunteer.

Applicant Appeal

The applicant may appeal a disqualification (to the entity noted) based on:

- A) Wrongful identification (appeal made to the WYSI background check vendor)
- B) The applicant’s belief that the committee has not applied the WYSI screening criteria properly as related to their background report. (appeal made to the WYSI Board of Directors)
- C) A disqualification based upon a single conviction under screening criteria #1-7 so long as the applicant has only that one criminal conviction. The burden shall be on the Applicant to demonstrate in writing, with supporting documentation if any, that (1) the age of the conviction, (2) the circumstances surrounding the conviction, (3) contributions made to society, and/or (4) rehabilitative steps taken, justify allowing the Applicant to serve as a Youth Coach. Appeals must be filed within ten days of a Denial. No Appeals are allowed for disqualification under screening criteria #8-13. (appeal made to the WYSI Board of Directors)

Form and Timing of Appeal

The appeal must be made in writing within seven (7) days of receipt of the disqualification notice. The original disqualification letter will indicate where and the method of delivery the appeal shall be sent.

Appeal Review

The WYSI board shall convene within (7) days of receiving an appeal. As part of their review process the board shall consult with the Review Committee to understand the basis of the original disqualification.

Upon a final decision to disqualify the applicant, communication will be sent to the applicant regarding the WYSI decision. Additionally, the relevant sport and sport grade-level commissioner shall be notified of the disqualification and shall monitor the applicant's adherence to the disqualification.

Background Check Vendor

The WYSI board shall select an online background check vendor that it feels provides the most in-depth background screens within a defined fee for each background check report. The term of the vendor relationship shall be determined by the board with a review of the performance of the vendor on an annual basis.

Sport Commissioner Roles & Responsibilities

The sport commissioner shall:

- A) Actively communicate to all coaches and volunteers the WYSI background check requirement
- B) Monitor the individuals who are coaching and volunteering to ensure all have a current background check and take the necessary steps to remove individuals who fail to comply with this policy from all WYSI activities.