

## **Lower Nazareth Background Check Policy**

As in the past, to protect the youth of the Township, continuing a policy established in 2004 by the Board of Supervisors, a revised policy is hereby developed which incorporates the mandates established by the Legislature in the form of Act 153 of 2014 and Act 15 of 2015. Lower Nazareth Township has great concern for the welfare of its children. Due to the increasing incidents of abuse and unacceptable behavior that children are subject to by trusted adults, the Township of Lower Nazareth hereby referred to as “the Township,” requires all youth sports organizations/volunteers and Township staff who have direct contact with children, to conduct routine and thorough criminal background checks of said staff and volunteers. This policy defines and requires “Certified Sports Program Volunteers” as adult coaches, assistant coaches, managers, board members and any individuals with repetitive contact, affiliated with any youth program or organization, hereby referred to as “organization,” that uses Lower Nazareth Township property or is partially or entirely financially supported by the Township, as well as certain employees of the Township, to submit to criminal background checks. Under the provisions of this policy, persons and/or Township prospective staff members, are disqualified and excluded from service as Certified Sports Program Volunteers or employment.

### **SPORTS PROGRAM VOLUNTEERS**

1. **Responsibility:** Each organization shall comply fully with this policy. An accurate and complete roster of “Certified Sports Volunteers” who have met the criteria in this policy shall be timely submitted to the Township. Timely submissions shall be no less than one week prior to any formal on-field activity. This shall include practices, scrimmages, or games. Person or persons found not to be in compliance with this policy shall be

prohibited from active participation in the respective program. An approved list of volunteers shall be posted on township property.

2. **Compliance:** The Township shall facilitate compliance by being timely presented with a certified list of "Certified Sports Program Volunteers" along with their respective Volunteer Application. The Township shall act as a contact between the organizations. All volunteer applicants shall complete the following on a 60 month basis beginning January 1, 2016:

- **Report of Criminal History from the Pennsylvania State Police (PSP)**
- **Child Abuse History Clearance from Pennsylvania Department of Human Services**
- **Fingerprint based Federal Criminal History (FBI) submitted through the Pennsylvania State Police if the volunteer applicant has lived outside the Commonwealth of Pennsylvania in the last 10 years. Applicants shall affirm this on the volunteer application.**
- **Lower Nazareth Township Certified Sports Program Application \***

The Organization shall retain copies of all background check results.

In order for a volunteer to participate in multiple sports programs, it shall be the responsibility of the Applicant to maintain copies of their background checks to submit to each individual sports organization to be in compliance with the requirements of Act 153 of 2014 and Act 15 of 2015.

It is the responsibility of all parties to handle information securely and with respect for privacy. Each organization shall adopt a privacy policy which shall limit the number of officers authorized to review background check results and shall further provide that

documents received pursuant to implementation of the Policy be kept in a secure location. The Township Manager shall be responsible for the keeping of any records obtained by the Township through this process in a locked and secure place; said records shall not be available for public inspection.

\*Application shall be completed for each organization on an annual basis and submitted to the Township by Organization Representative.

3. **Participation:** It is the responsibility of the sports organization to monitor the individuals seeking to obtain “Certified Sports Program Volunteer” status and disqualify members who fail the check. Any individual, who regularly participates in a team’s practice or games, whether or not officially assigned to the team, will be considered to be a coach and require a check. Any attempt to establish alternate positions on the team, such as team helper, etc. to circumvent the description or title of an “additional assistant coach” will be treated as unauthorized personnel. Unauthorized personnel who do not submit to background checks will not be permitted to assist, or help with practices, scrimmages, or games.
4. **Fees:** Fees associated with mandatory background checks is the sole responsibility of the individual volunteer and/or organization.
5. **Background Check Provider:** All individuals previously described who seek “Certified Sports Program Volunteer” status, must submit background checks. Background checks will be performed by the Pennsylvania State Police, Pennsylvania Child Abuse History Clearance, and the Federal Bureau of Investigation (FBI) (when applicable) upon inception of this policy. Checks shall be valid for a period of 60 months, *beginning with*

*the date of the oldest check.* Clearances shall expire 5 years to the day of the oldest original background check.

6. **Criteria:** Disqualification from participation shall follow the List of Title 18 Reportable Offenses found on page 3 of the Application form.

False statements made on the Certified Sports Program Volunteer Application and/or alteration of official documents submitted pursuant to Background Check shall result in disqualification of the applicant from participation.

7. **Reporting Submissions and Format:**

A. **Volunteer Applicant to Sports Organization**

- Certified Sports Program Volunteer Application (pages 1 & 2)
- Copy of Valid Government Issued Photo Identification
- PSP, DHS Child Abuse, FBI (if required) clearances

B. **Sports Organization to Township**

- Certified Sports Program Volunteer Application (pages 1 & 2)
- Copy of Valid Government Issued Photo Identification
- Excel spreadsheet which outlines the full name of the volunteer, the day month and year of each background check, and a signature affirmation that the Sports Director has inspected and reviewed the required clearances and to their knowledge are acceptable. *Certification language to be provided by Township.*

8. **Implementation:** This policy will be effective upon passage by the Lower Nazareth Township Board of Supervisors.

9. **Enforcement**: It is the responsibility of each youth sports organization to enforce the Lower Nazareth Township Background Check Policy. Any violations will be addressed by Lower Nazareth Township. The Township will inform the head commissioner, president, or head of organization of the violation. Violators risk loss of funding, loss of use of Lower Nazareth Township property, or both.
10. **Interpretation**: Ultimate interpretation of this policy lies with the Lower Nazareth Township Board of Supervisors. This policy may be amended, from time to time, by the Board of Supervisors as they see fit.
11. **Appeals**: Any challenge to the qualification or disqualification of a volunteer participant shall be heard by an Appeals Committee consisting of the two members of the Board of Supervisors and a township resident as appointed by the Board of Supervisors. An applicant or objector shall have an opportunity to be heard on the issue of qualification. The decision of the Appeals Committee shall be final. Pending final decision of the Appeals Committee, an applicant's status shall be that as determined by the Township.
12. **Attachments**:
  - Certified Sports Program Volunteer Application (pages 1, 2 & 3)

## TOWNSHIP PAID STAFF

1. **Responsibility:** Certain Township employees having direct access to children are subject to criminal background checks. Said employee candidates shall submit results of background checks to the Township for approval prior to hiring. Person or persons found not to be in compliance with this policy shall be removed from active consideration for employment with the Township.
2. **Compliance:** The Township shall facilitate compliance by reviewing and verifying the results of the background checks. Required background checks for employee's 18 years old or greater that have direct contact with children include:
  - **Report of Criminal History from the Pennsylvania State Police (PSP)**
  - **Child Abuse History Clearance from Pennsylvania Department of Human Services**
  - **Fingerprint based Federal Criminal History (FBI) submitted through the Pennsylvania State Police.**

It is the responsibility of Township Staff to handle information securely and with respect for privacy. The Township Manager shall be responsible for the keeping of any records obtained by the Township through this process in a locked and secure place; said records shall not be available for public inspection.

3. **Fees:** Prospective/current employees shall be responsible for all costs associated with obtaining background checks.
4. **Criteria:** Prospective/current employees shall complete the Arrest/Conviction Report and Certification Form provided. Disqualification from employment shall follow the Title 18


List of Reportable Offenses found on page 2 of the Arrest/Conviction Report and Certification Form.

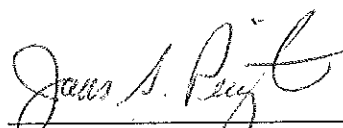
5. **Implementation:** This policy will be effective upon passage by the Lower Nazareth Township Board of Supervisors.
6. **Interpretation:** Ultimate interpretation of this policy lies with the Lower Nazareth Township Board of Supervisors. This policy may be amended, from time to time, by the Board of Supervisors as they see fit.
7. **Attachments:**
  - Arrest/Conviction Report & Certification Form

**ADOPTED AND APPROVED** this 9<sup>th</sup> day of March 2016, at a regular public meeting. Motion made by Gerald Green and seconded by Martin Boucher. The motion carried unanimously.

**ATTEST:**

**BOARD OF SUPERVISORS**

  
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Timm A. Tenges  
Manager, Secretary/Treasurer

  
\_\_\_\_\_  
James S. Pennington  
Chairman