



Town of Amherst  
Recreation Department  
PO BOX 960

Amherst, NH 03031

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PMEC-603-673-1141 603-673-4042-FAX

Dear Volunteer:

On behalf of the Amherst Recreation Department, thank you for volunteering to coach.

Volunteer screening is a topic that every organization who works with youth must address. In response to this need the Recreation Commission has established a variety of resources designed to help take a proactive approach to this subject. One specific measure will be to perform background checks on employees and volunteers who have the potential for regular or intermittent contact with children. To this end the Recreation Commission has taken a sound measure to protect our volunteers, employees and those we serve from potential harm.

Because we value the safety of those who take part in our programs, prospective volunteers and employees will be subject to a Criminal History Background Check. Both the Recreation Commission and the Board of Selectmen have adopted this measure as policy. All information collected will be regarded as highly confidential and subject to disposal (shredded) once a candidate is approved or denied.

It is our philosophy to provide a safe and positive experience for all Amherst youth. We believe more specifically that an effective screening process will assist by: making the safety of all participants a top priority, raising public awareness of our quality program offerings, keep people who have a history of inappropriate behavior out of our department and select the most qualified volunteers and staff.

I have attached a Background Check Authorization Waiver Form and a Volunteer Consent/Release form. I request that you complete and return them to my office before you begin coaching. We will also need a copy of your current driver's license. You will be notified of your approval/denial status by the current e mail address we have on file.

Attached also for your convenience are the Background Check Policy and the Standard Operating Guidelines which explains the process in detail. Please be sure to contact me with any questions or concerns you may have.

Once again, thank you for giving back to the Amherst community. We appreciate your time, knowledge, and talents that enhance the programs we offer to our patrons.

Sincerely,

*Nancy McMillan*

*Amherst Recreation Director*

## Amherst Recreation Department

### Volunteer/Employee Background Check Policy

Community service is a way to give back to the community in which we work, learn and live. The Town of Amherst Recreation Department (hereafter Town) appreciates our volunteers/employees because they contribute their time, knowledge, enthusiasm, talents and past experiences to aid in enhancing the programs and services we offer to our community and visitors.

The Town values the safety of those who use our facilities and take part in our programs, either as participants, employees, or volunteers. To this end, we will take sound measures to protect our employees, volunteers, and those we serve from potential harm.

One specific measure will be to perform background checks on employees and volunteers who have the potential for regular or intermittent contact with children.

In order to protect the participants in Amherst Recreation programs and protect the integrity of the Town, the following Volunteer/Employee Background Check Policy has been established.

#### **Required Information**

Prospective volunteer/employee will complete a Criminal History Background Check Authorization Form. Information collected will be regarded as highly confidential. The following information will be collected from volunteer/employee to initiate the screening process:

1. First Name, Last Name, Middle Initial
2. Date of Birth
3. Driver License Number
4. Dates applicant has resided in another state, which state, and Social Security Number
  - a. Needed for Out-of-State Verifications
  - b. *Out-of-State Verifications will be conducted on individuals over the age of 18.*
  - c. *Out-of State Verifications will be conducted annually.*
5. Signature authorizing permission to run the background check
6. Response (Yes or No) to having ever pleading guilty or no contest to misdemeanor or felony charges
7. Response (Yes or No) to having any pending charges
8. Validation of and/or submit picture ID for staff verification

## **Partner Agencies or Private Organizations**

Partnership agreements will require the Partner Agency's or Private Organization contracted staff/volunteers to be screened. When the Partner Agency has a background check policy in place that is at least as restrictive as the Town's, the Partner Agency or private organization may conduct background checks. The Partner Agencies or Private Organizations will certify each season that their staff/volunteers have been screened.

The Partner Agency or Private Organization can work through Amherst Recreation to complete a volunteer/employee background check at the regular fee plus a service processing charge. The partner agency or private organization will provide a copy of the background check policy to the Town to be kept on file. When the Partner Agency or private organization does not have a background check policy in place, the Town of Amherst Recreation Department's policy will be followed.

## **Background Screening Process**

Upon receipt of the Criminal History Background Check Authorization Form, the background screening may include all or a portion of the following:

### **Driver License Verification**

This verifies the volunteer/employee name against the driver license number provided. This helps to eliminate the possibility of false names and/or information.

### **Address Trace**

This verifies the volunteer/employee current address and identifies previous addresses. This information is used to determine the jurisdiction in which the background screening is conducted. One or more of the following agencies may be used to conduct address traces. The choice of program to use is left to the discretion of the Recreation Director. The following are agencies who meet the standards set forth in this policy:

### **State or County "Smart Check"**

A Statewide or Countywide (depending on the jurisdiction) criminal record check is performed to capture all misdemeanor and felony convictions in that jurisdiction. Utilizing the "Smart Check" the search is conducted in the jurisdiction with the longest and most current residency.

### **Let's Check for America**

Provides access through The National Background Directory™ to criminal data from 47 states where more than 75 percent of the nation's population lives (currently over 151 million records). When a record is found through this search, a further search will be conducted at that state's county level too.

### **New Hampshire Criminal History Record Information (CHRI)**

Felony and Misdemeanor Arrest, CHRI, and the **sex offender registry** will be utilized to screen volunteer/employee.

**Protect Youth Sports:** Protect Youth Sports is a youth league-based background screening company that has been in the industry for over a decade and currently serves over 5,000 clients across the country.

## **Screening**

Volunteer/employee applicants will be screened on an annual basis.

Screening will be conducted prior to the start of the program.

The records will remain in a record/file/data base upon termination plus 5 years.

Prospective volunteer/employee who indicate having lived outside the state of New Hampshire will have their background checked as well as the sex offender registry, where available, for those states too.

## **Criteria**

Any crime, misdemeanor or felony where you are the perpetrator, involving children as either a victim or an accomplice is cause for exclusion. The following disqualifiers will be used as a guide in determining the volunteer/employee eligibility:

- a. Guilty or Plea of guilty or no contest regardless of adjudication
  - a. All Sex Offenses (no time limit)
  - b. All Felony Violence (no time limit)
  - c. All Felony Offence (Past 10 years)
  - d. All Misdemeanor Violence (Past 7 years)
  - e. All Misdemeanor Drug and Alcohol (5 years or Multiple in past 10 years)
  - f. Any other Misdemeanor (Past 5 years)

It is important that any question regarding criminal history be answered completely and truthfully when completing the volunteer/employee application or other required documents. Failure to do so shall be considered negligent or an intentional effort to conceal information and shall result in the denial of the privilege to serve as a volunteer/employee.

Amherst Recreation wants to be sure that every decision made about an individual's eligibility to volunteer/employee is correct. Amherst Recreation will carefully consider all the information before any decisions are made that affect an individual's eligibility.

## **Appealing**

Upon finding a record that may result in an ineligible determination, Amherst Recreation will contact the volunteer/employee to make certain all information provided is accurate before a determination is reached. If a volunteer/employee background check includes a charge set forth on the list of disqualifiers above, Amherst Recreation shall immediately disqualify that individual from volunteering or as employee.

A Volunteer/Employee considered probationary shall be dismissed and shall not have the right of appeal. Volunteer/employee applicants who are determined ineligible will receive a letter of denial. The letter will reference the Town's background check policy and the disqualifier that led to the decision. Amherst Recreation will ensure every volunteer/employee who wishes to work with Amherst Recreation youth programs has a fair and equitable opportunity to do so. In the event a volunteer/employee wishes to challenge the results of a background screen,

he/she will be granted the right to appeal as outlined in the Town of Amherst Employee Policies Handbook.

Step 1: Employees/volunteers may appeal to Recreation Director within ten (10) days of its receipt. The Director will review the action taken and conduct an investigation if applicable and render a written decision within ten (10) days unless stated otherwise.

Step 2: Employees/volunteers may appeal to the Town Administrator within ten (10) days of its receipt. The Town Administrator will review the action taken and conduct an investigation if applicable and render a written decision within ten (10) days unless stated otherwise.

Step 3: If the Town Administrator sustains the action, the employee/volunteer) may submit a written appeal to the Board of Selectmen within ten (10) days of the Town Administrator's decision. The Board of Selectmen will review the appeal and render a written decision within ten (10) days unless stated otherwise.

The volunteer/employee shall be responsible for providing all documentation to support his/her claim. The notice of appeal must be received by the Town of Amherst within ten (10) days of receiving the background check notification letter. A copy of the decision that is being appealed (e.g., the notification letter) should be included with the notice of appeal. The notice of appeal should include:

1. The full name and address of the appellant.
2. The name of the person, if any, making the request for an appeal on behalf of the appellant (e.g., lawyer or spokesperson).
3. The address of the person making the request on behalf of the appellant.
4. The grounds for the appeal (provide a detailed explanation of the appellant's objections to the decision; describe additional facts or factual errors in the decision.)
5. The particulars relevant to the appeal (describe any background facts that relate to the appeal including how you are affected by the decision.)
6. A description of the relief requested (what do you want to see happen at the end of the appeal.)
7. The signature of the appellant or the appellant's representative.

### **Reapplication**

An applicant has the right to reapply 1 year from the date of the original application in the event circumstances occur that affect the original denial.

### **Eligibility**

Anyone, including a previously approved volunteer/employee, who is arrested or charged for any disqualifying offense and is awaiting disposition of the case shall not be permitted to participate as a volunteer/employee until the official disposition of the case is reviewed by Amherst Recreation Department and a decision is made as to the volunteer/employee continued status under this policy.

Any volunteer/employee determined eligible to participate in youth programs and subsequently arrested, charged, committed, and/or found guilty of any disqualifying offense (as defined above) shall immediately (the next business day) notify Amherst Recreation Department. The volunteer/employee shall be immediately removed from the voluntary position until the official disposition of the case is reviewed by Amherst Recreation Department. Failure to notify the Department immediately shall result in the volunteer/employee being permanently disqualified for participation in youth programs.

### **Implementing**

This policy will be initiated in two phases:

1. Amherst Recreation employees/volunteers and Amherst Recreation programs starting Fall 2011
2. Partner agencies or private organizations Fall 2012

### **Glossary**

**Children:** Refers to a person who is under the age of 18

**Volunteer/Employee:** Refers to any person working on behalf of or as an employee for the Town of Amherst, Amherst Recreation. This includes coaches, assistant coaches, team parents, and instructors under contract.

### **Highly Confidential:**

#### **Actions**

- a. Do not share documents or findings outside of Amherst Recreation Department or town officials
- b. Do not discuss in public
- c. Store documents in locked desk
- d. Do not copy or send electronically
- e. Do not remove from Amherst Recreation premises unless application is denied. Upon denial the records will be delivered to the Town Administrators office marked "confidential".

#### **Disposal**

- a. Personally shred all approved applications.
- b. Complete application checklist.

# Standard Operating Guidelines

## Volunteer/Employee Background Screening Check

### **Background Screening Requirements**

- All Amherst Recreation Department or employees/volunteers who have potential for regular or intermittent contact with children.
- All Partner Agency's or Private Organizations employees/volunteers that use facilities under the jurisdiction of the Amherst Recreation Department and who have potential for regular or intermittent contact with children.

### **Criminal History Background Check Form Requirements**

- All prospective volunteers/employees must complete a Criminal History Background Check Authorization form before the start of their volunteer time or employment.
- All prospective volunteers/employees of the Partner Agency's or Private Organizations employees/volunteers must complete a Criminal History Background Check Authorization form
- All applications will be kept on file at the office of the Director of Recreation and considered confidential. Upon approval application will be destroyed.
- All non confidential information will be recorded on Background Check Form check list with the following information:
  - Applicant Name, Address, Telephone & E Mail Address
  - Date of Application
  - Name(s) of Agency Findings & Date
  - Date of Approval by Recreation Director
  - Date of Destruction of original application

### **Appeal Process Requirements**

Any application that is denied will be immediately filed in the office of the Town Administrator for a period of 5 years.

- All non confidential information will be recorded on Background Check Form check list with the following information:
  - Applicant Name, Address, Telephone & E Mail Address
  - Date of Application
  - Name(s) of Agency Findings and & Date
  - Date of Denial by Recreation Director
  - Date of Appeal Request

### **Reapplication**

- An applicant has the right to reapply 1 year from the date of the original application in the event circumstances occur that affect the original denial.

# Background Check Authorization Waiver Form

Applies to volunteers or employees over 18

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_ MI: \_\_\_\_

Date of Birth: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ SSN: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Driver License Number: \_\_\_\_\_ State: \_\_\_\_\_

Current State of Residence: \_\_\_\_\_ Number of Years: \_\_\_\_\_

Previous State of Residence: \_\_\_\_\_ Number of Years: \_\_\_\_\_

Previous State of Residence: \_\_\_\_\_ Number of Years: \_\_\_\_\_

*Out-of-State Verifications will be conducted on individuals over the age of 18.  
Out-of State Verifications will be conducted one time only; not annually.*

Current E-mail Address: \_\_\_\_\_

Signature authorizing permission to run the background check

Signature: \_\_\_\_\_

Have you ever pleaded guilty or no contest to misdemeanor or felony charge  
(Place an "X" next to Response) \_\_\_\_ Yes \_\_\_\_ No

Do you have pending charges  
(Place an "X" next to Response) \_\_\_\_ Yes \_\_\_\_ No

Submit copy of picture ID (License, Military ID, Passport) for ID and address verification

Before completing and signing please confirm that you have read the Background Check Policy (Place an "X" next to Response) \_\_\_\_ Yes \_\_\_\_ No





Name of Organization

\_\_\_\_\_

Applicant's Name (printed)

\_\_\_\_\_

Social Security Number \_\_\_\_\_ Date of Birth \_\_\_\_\_

Applicant's Address

\_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

I, \_\_\_\_\_, authorize and give consent for the above named organization to obtain information regarding myself. This includes the following:

- Criminal background records/information
- Sex Offender Registry Checks
- Addresses

I the undersigned, authorize this information to be obtained either in writing or via telephone in connection with my volunteer application. Any person, firm, or organization providing information or records in accordance with this authorization is released from any and all claims of liability for compliance. Such information will be held in confidence in accordance with the organization's guidelines.

Print Name:

\_\_\_\_\_ Date: \_\_\_\_\_

Signature:

\_\_\_\_\_