

September 12, 2019

Holmdel Youth Athletic Association

Coach Background Check – Policies and Procedures

Statement of Purpose:

With the objective of preserving the safety and well-being of youth participating in Holmdel Youth Athletic Association (HYAA) sponsored sports programs, HYAA will not knowingly allow any person convicted of a crime indicating a pattern of behavior detrimental to children to be placed in a position that would involve direct contact with children. As such, any individual applying to be considered as a volunteer coach (head or assistant) for any HYAA sponsored youth sports program will be required to submit to a bi-annual background check prior to receiving approval to coach.

Background Screening Process:

1. The Executive Board shall designate a person to facilitate the background screening process. This person shall be responsible for advising all coaches of the responsibility to submit to the background check screening process, shall collect the information provided as a result of the background check screening process and report that information to the Executive Board and to the coach.
2. The HYAA will perform a criminal record check. The HYAA will not perform a credit report for financial information, such as bankruptcies or assets and liabilities; or verify employment or education claims.
3. The HYAA will use a third-party vendor for the screening. All volunteer coaches shall provide the following items to the designated HYAA official to facilitate the background screening process:
 - Social Security Number Verification
 - Address Trace
 - State/County Criminal Record Check
 - Sex Offender Registry
 - National Criminal History Data Base Search
4. Background checks will be done through our TeamSnap software. Any coach that is in need of a background check will receive an email from TeamSnap's background check third-party vendor Checkr. By filling out the required information, the coach is giving authorization to be checked. The process takes 2-3 days to complete. The HYAA office receives confirmation of completed background check and is alerted of any issues.

5. The HYAA shall incur all costs associated with the background screening process.
6. If the background check reveals a conviction that is detailed under “Disqualifications or Exclusions” below or convictions that display a pattern of behavior that may have a detrimental effect on children, that individual will receive a written notice from HYAA that he or she is not eligible to begin or continue in their role as a coach. Determination of eligibility will be made by the HYAA President, in consultation with the HYAA Executive Board.
7. Confidentiality of Information
 - A. All forms and information submitted and/or received as a part of the background check will be shredded as soon as background check comes back cleared. Any background checks that come back with a disqualification, exclusion or conviction will be kept on file.
 - B. The results will not be disclosed to anyone other than those HYAA officials designated by the HYAA Executive Board to ensure confidentiality of these records. However, criminal records are a matter of public record. If an individual is disqualified and/or excluded from coaching in an HYAA sponsored sports program, HYAA cannot guarantee that this type of information, once discovered, will be kept confidential.

Disqualifications:

1. A coach will be disqualified as an HYAA coach if the individual has the status as a registered sex offender or has been found guilty¹ of the following crimes:
 - a. Any and all Sex Offenses, regardless of the amount of time since the last offense. Examples of “sex offenses” that shall disqualify a person from serving as a volunteer coach for the HYAA include but are not limited to the following: child molestation, indecency with a minor, rape, sexual assault, sexual battery, sodomy, prostitution, child enticement, solicitation, indecent exposure, indecent solicitation of a child, sexting with a child or any other crime or felony involving a minor or a child.

¹ Guilty means that a person was found guilty following a trial, entered a guilty plea, entered a no contest plea accompanied by a court finding of guilty, regardless whether there was an adjudication of guilt (conviction) or a withholding of guilt. This provision does not apply if criminal charges resulted in acquittal, Nolle Prose, or dismissal. The HYAA reserves the right to treat those offenses that were initially felony level crimes that were “plead down” or conviction of lesser level crime due to acceptance of a plea bargain. Lowering of crime level due to successful completion of terms of probation are also included.

- b. Child Abuse
 - c. Domestic Violence
 - d. Child Pornography
 - e. Child Endangerment
 - f. Furnishing alcohol to a minor
 - g. Use, possession, or sale of a controlled substance
 - h. Use or threatened use of violence against a person or property
 - i. Felonies: All violent felony regardless of the amount of time since that offense. Examples of “violent felonies” include, but are not limited to the following: intentional homicide, manslaughter, aggravated assault, kidnapping, robbery aggravated burglary, etc.
 - j. Illegal gambling and financial crimes
 - k. Disorderly Conduct: When the underlying violation relates to conduct that would constitute criminal behavior listed above.
2. Pending Charges: HYAA reserves the right to temporarily or permanently suspend, deny or revoke any individual who is arrested and/or charged for any of the foregoing acts which those charges are pending.
 3. Should the criminal background check indicate that a coach has criminal charges pending that fit the description of charges in the detailed infractions list or is a registered sex offender, the individual may be rejected from coaching until there is a resolution of the charges.
 4. Should an already approved coach subsequently have any criminal charges brought against him/her that are listed in the detailed disqualifications list during their term of service to HYAA, they will be required to immediately disclose the nature of the charges to the HYAA Executive Board and voluntarily terminate their coaching duties until a determination is made by the HYAA Executive Board regarding the effect of the pending charges on the coaches functions within the program.
 5. The HYAA reserves the right to designate other behaviors that may constitute a risk of harm to the program’s participants as disqualifying acts under this section on a case-by-case basis (i.e., stalking, harassment, assault).
 6. The HYAA has the sole discretion to deny membership to potential coaches that may pose a threat to vulnerable subjects, such as children, game officials, administrators, opposing players/coaches and spectators regardless of whether or not the results of the background check directly violate any of the listed criteria in this policy.

Appealing Decisions:

1. If the aforementioned process results in a person being disqualified from serving as a volunteer coach for HYAA, that person shall be notified, in writing.

2. If the person disagrees with the finding, they shall advise the HYAA, in writing, of their intent to seek the correction of the results of the background check.
3. If a person is disqualified and/or excluded from serving as a HYAA coach, that person may request, in writing, an opportunity to appeal that decision and shall advise whether it shall seek to meet with the HYAA Executive Board to discuss this appeal. This correspondence shall also include any and all information that the HYAA Executive Board should review and consider.
4. The person should be advised that they have 30 days to provide notice of intent to appeal.
5. If an appeal is filed, the HYAA shall decide whether there are grounds to revisit the decision that resulted in the disqualification of the individual, and issue a decision regarding its review to the person requesting such review. This decision shall be final.

Non-Waiver:

Nothing in this policy shall be construed as a waiver or limitation of the discretion of HYAA to disqualify an applicant for a volunteer position when, in the sole opinion of HYAA, such is in the best interests of HYAA or its program participants.

Executive Board approved September 12, 2019