

# **Altoona Area Baseball Association**

## **Volunteer/Employee Screening Policy**

### **Description**

The Altoona Area Baseball Association (AABA) will conduct background checks on all adult (age 18 and older) managers, coaches, instructors, umpires, score keepers and concession stand workers for any AABA sponsored game or program. The primary purpose of this Volunteer/Employee Screening Policy is to protect the safety and well being of participants in the AABA.

All adult managers, coaches, instructors, umpires, score keepers and concession stand workers will be required to complete a PA Statewide Criminal Search, PA Child Abuse Clearance, Reportable Offense Obligation Form, and sign a Volunteer Affidavit if all three qualifying factors are met; 1. You understand that is a volunteer only unpaid position. 2. You have been a resident of the Commonwealth of PA for the entirety of the previous ten (10) years. 3. You have never been convicted of a Reportable Offense in PA or any other state or jurisdiction, including foreign jurisdictions, or provide the league with current copies of their, PA Statewide Criminal Search, PA Child Abuse Clearance and Federal Criminal History and Fingerprinting. If you do not qualify to fill out the Volunteer Affidavit form, then you must complete the FBI Fingerprint Clearance. No adult will be permitted to manage, coach, instruct, umpire or work in any capacity with the AABA which involves youth, until the results of the background check are received by AABA.

This Policy shall apply to all adult volunteers and employees who wish to be named a manager, coach, instructor, score keeper, concession stand worker and umpire or who, in the course of service, may have the opportunity to be alone with children during games or activities schedule through the AABA.

Absent an order of court or administrative order, or unless there is a compelling reason for doing so, all information received as a result of the screening will be kept confidential and not disclosed to anyone outside the AABA Board of Directors. All authorization forms, records, or reports will be maintained in a confidential manner.

If any background check reveals any information which AABA believes to be of a significant criminal nature, said information will be reviewed by the AABA Board of Directors to render a decision as to whether the nature of the offense warrants precluding the volunteer/employee from participating as a volunteer/employee with the AABA. To the extent that AABA obtains any credible information which indicates that a volunteer/employee may pose a danger to youth, the AABA Board of Directors will have the final decision to determine if the individual in question can participate in any AABA activities.

## **Frequency of Background Investigations**

Background investigations will be good for five years from the date completed. It is the responsibility of any adult volunteer/employee to notify the President of the AABA should they become ineligible based on the criteria below during any time they are associated with the AABA.

## **Criteria for Exclusion**

### **Disqualifying Factors**

A person will be disqualified and prohibited from serving as a volunteer/employee if the person has been found guilty of or pleaded guilty or nolo contendere to any of the following crimes.

(Note: the term “guilty” means that a person was found guilty following a trial, entered a guilty plea, or entered a no contest plea, regardless of whether there was an adjudication of guilt (conviction) or a withholding of guilt. The term “guilty” does not apply if criminal charges resulted in acquittal, Nolle Prose, or dismissal. **DISQUALIFICATION BASED ON OFFENSE:**

### **SEX OFFENSES**

**All Sex Offenses** – Regardless of the amount of time since offense.

*Examples include:* child molestation, rape, sexual assault, sexual battery, sodomy, prostitution, solicitation, indecent exposure, etc.

### **FELONIES**

**All Felony Violence** – Regardless of the amount of time since offense.

*Examples include:* murder, manslaughter, aggravated assault, kidnapping, robbery, aggravated burglary, child endangerment etc.

**All Felony offenses other than violence or sex** within the past 10 years.

*Examples include:* drug offenses, theft, embezzlement, fraud, etc.

### **MISDEMEANORS**

All misdemeanor violence involving a minor (unless the volunteer/employee was a Minor when the offense occurred) – regardless of the amount of time since the offense.

All misdemeanor drug & alcohol offenses involving a minor (unless the volunteer/employee was a minor when the offense occurred) – regardless of the amount of time since the offense.

**All other misdemeanor violence** offenses within the past 7 years

*Examples include:* simple assault, battery, domestic violence, hit and run, etc.

**All misdemeanor drug offenses** within the past 5 years or more than one offense in the past 10 years regardless of whether the offense involved a minor.

*Examples include:* simple drug possession, possession of drug paraphernalia, etc.

**\*Special Note:** An offense related to driving under the influence of alcohol or controlled substance graded as a misdemeanor of the first degree: if the person has been previously convicted of such an offense and less than (3) three years has elapsed from the date of expiration of the sentence for the most recent offense.

**Any other felony or misdemeanor** within the past 5 years that would be considered a potential danger to vulnerable populations (for example children).

**Any felony or misdemeanor** convictions for which individual accepted through plea bargaining or other legal action a lesser plea conviction than that original charge that involved any of the above listed offenses.

**Any felony or misdemeanor conviction** which involve a crime against a member of the vulnerable population.

### **PENDING CASES**

Any volunteer/employee who has been charged with any of the disqualifying offenses will not be allowed to volunteer/work until disposition of the charge. A serving volunteer/employee who has been charged with any of the disqualifying offenses will have their service suspended until disposition of the charge.

If I am arrested for or convicted of a Reportable Offense that would fall under any of the “Disqualifying Factors” outlined above or named as a perpetrator in a founded or indicated report I must provide written notification of the same to the President of the AABA no later than 72 hours after the arrest, conviction or notification. Willful failure to disclose this information is a misdemeanor in the third degree.

The Background Check Process is an ongoing process and is subject to review and changes as determined necessary by the AABA.

*IT IS INTENDED THAT THIS POLICY BE INTERPRETED BROADLY AND EXPANSIVELY IN FAVOR OF AABA, AS ONE OF THE PURPOSES OF THIS POLICY IS TO PROVIDE PROTECTION TO CHILDREN. THE LEAGUE PRESIDENT MAY SUGGEST CHANGES TO THIS POLICY TO THE BOARD WHICH SHALL APPROVE OR DENY THE PROPOSED CHANGES.*