

**Optimist Club of Herndon
Statement of Policy**

1. Policy Name: **Background Checks and Adverse Information**

2. Policy Effective Date: Initial July 1, 2010
Revision February 18, 2011
Revision December 26, 2012
Revision October 28, 2015
Revision November 1, 2017
Revision October 7, 2018
Revision July 28, 2019
Revision November 6, 2023

3. Policy Review Date (or “None”): Annually

4. Policy Expiration Date (or “None”): None

5. Policy Purpose and Objectives:

The purpose of this policy is to ensure that the Optimist Club of Herndon (hereafter referred to as “HOC”) and each of its civic and sports programs implements procedures for background checks and handling of adverse information, and all adult HOC program personnel who have repetitive access to or interaction with youth participating in HOC programs have completed a background check that meets the requirements of the HOC’s insurance provider.

6. Persons and Programs to Which the Policy Applies:

- a. This policy applies to all HOC programs.
- b. This policy applies to all adult HOC program personnel, i.e., program managers and assistants, team staff, volunteers, and program participants who are age 19 or older and have repetitive access or interaction (defined as more than two times during a program’s season) with youth under the age of 19.
- c. This policy applies to all adult personnel paid directly by the HOC for their services (e.g., game officials, groundskeepers) who are age 19 or older and have repetitive access or interaction (defined as more than two times during a program’s season) with youth under the age of 19 (referred to hereafter as “hired workers”).
- d. This policy does not apply when the HOC hires a company or organization to provide services. However, if, in the course of providing their services, the company’s workers are age 19 or older and have repetitive access to or interaction with Optimist Club of Herndon youth under the age of 19 (e.g., game officials provided by a regional organization), the HOC will request the company or organization provide evidence of background checks on their workers.

7. Requirements to Satisfy the Policy:

This policy can be satisfied by complying with (a); complying with either or a combination of (b) or (c); and implementing (d) below:

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- a. The HOC program implements HOC program personnel and (or) hired worker registrations and ensures before leading, assisting, participating, or working in an HOC program all adult HOC program personnel and (or) hired workers:
 - a. are registered,
 - b. complete the HOC-provided Background Check and Adverse Information Reporting Agreement, and
 - c. have completed a background check.
- b. The HOC program uses the HOC-provided background check service which documents results of the background check and is accessible by designated HOC program managers.
- c. The HOC Civic or Sports Program Director submits to the HOC Board evidence that the HOC program is a member of a national, State, or local program that enforces background checks and provides evidence all adult HOC program personnel and (or) hired workers have completed a background check equivalent to the HOC service background check.
- d. The HOC program notifies the HOC Board within three (3) days via email when HOC personnel or a hired worker's background check results in a determination indicating adverse information or the HOC program receives other adverse information relevant to HOC personnel or a hired worker's participation in an HOC program. The HOC Civic or Sports Program Director must provide the HOC Board the following information:
 - i. Role of the person in the HOC program (e.g., coach, program manager)
 - ii. Adverse information provided by the background check service (including the type and year of the incident and any criminal or civil charges)
 - iii. Relevant information documented in the HOC program registration (e.g., previous background check results, previous Board decisions)
 - iv. Relevant information provided by other sources (e.g., other persons involved in the incident, court records, news reports)
 - v. Any explanatory or additional information provided by the HOC personnel or hired worker (e.g., evidence of extenuating circumstances or mitigating actions taken since incident such as anger management training)
 - vi. HOC program's proposed action to be taken (e.g., deny or remove the HOC personnel or hired worker, let the person participate or work)
 - vii. If the person will be allowed to participate or work, a risk mitigation plan acceptable to the HOC Board (e.g., assign another coach to be present at all times, limit activities and (or) closely monitor individual's behavior and performance for the duration of the program's season).

8. Assistance and Resources Provided to Execute the Policy:

- a. The HOC will provide the text for the Background Check and Adverse Information Reporting Agreement to be incorporated into the HOC program's registration process.
- b. A member of the HOC Board or another HOC program's representative will be made available to provide training and assistance on how to implement this policy.
- c. The HOC will provide a background check service.
 - a. The background check expense may be covered by the HOC program or paid by the HOC program registrant or hired worker.

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- b. The background check completion certificate will be valid for two (2) years from the date of completion.
- c. A background check completed under one HOC program will be valid for other HOC programs, as long as the background check certificate expiration date is on or after the end date of the HOC program's current season.
- d. A member of the HOC Board or another HOC program's representative will be made available to provide training and assistance on how to use the HOC-provided service.

9. Policy Implementation:

- a. As of the effective date of this policy, each HOC program must:
 - a. Incorporate the HOC-provided Background Check and Adverse Information Reporting Agreement into the HOC program's registration process.
 - b. Incorporate background checks into the HOC program's onboarding and service readiness verification processes.
 - c. Designate at least one person, but no more than two persons, who will have access to the HOC-provided service to verify HOC program personnel completion of a background check.
 - d. If the HOC program is a member of a national, State, or local program that enforces background checks, provide evidence all adult HOC program personnel have a background check certificate with an expiration date on or after the end date of the HOC program's current season.
- b. Within seventy-two (72) hours of receiving adverse information on HOC program personnel or a hired worker, the HOC Board will designate a minimum of three (3) Board members to:
 - i. Review the information provided under 7.d. above.
 - ii. Decide and document whether the person may participate in HOC civic or sports programs.
 - iii. Notify the person via email of the Board's decision.

10. Consequences of Failure to Follow the Policy:

- a. If an HOC program is found to have adult HOC program personnel or a hired worker leading, assisting, or working in the HOC program for whom there is no Background Check and Adverse Information Reporting Agreement or background check results, or if there is adverse information that has not been investigated, the HOC Board will send an email to the HOC Civic or Sports Program Director identifying the person and requesting an agreement be completed, immediate processing of a background check, investigation of the adverse information, and (or) suspension of the person's activities until the agreement, background check, or investigation results are provided to the HOC Board.
- b. If the HOC program does not take action within three (3) days of notification, the HOC Board will contact the HOC program personnel or hired worker directly, request completion of an agreement or background check, initiate an investigation, and (or) suspend the HOC program personnel or hired worker until the agreement, background check, or investigation results are provided to the HOC Board.