



Policy Name: Criminal Background Check Policy

Policy Number: 201912BCI

Adopted: 12/05/2019

Revised: 12/05/2019

Policy:

All coaching applicants will be asked to undergo a criminal background check that complies with the Fair Credit Reporting Act and any applicable state law **before** providing services for Central Ohio Rowing. Through this criminal background check, Central Ohio Rowing will utilize reasonable efforts to ascertain past criminal history of an applicant.

PROCESS

The Criminal Background Check Consent and Waiver Release form must be submitted, and the applicant cleared by the third-party provider before he or she may perform services for Central Ohio Rowing. Upon expressing an interest in applying, the applicant's name will be provided to the third-party provider.

Central Ohio Rowing will request that its vendor will provide the applicant with the Criminal Background Check Consent and Waiver Release form and perform the criminal background check. As part of its criminal background check, Central Ohio Rowing will, at a minimum and without limitation,

- (1) perform a national search of state criminal repositories;
- (2) perform a search of state sexual offender registries; and
- (3) verify a person's identification against his or her social security number or other personal identifier.

POTENTIALLY DISQUALIFYING FACTORS

CRIMINAL HISTORY

Central Ohio Rowing will use a criminal background check to gather information about an applicant's prior criminal history. The information revealed by the criminal background check may disqualify an applicant from serving as a staff member, contractor or volunteer.

Information that could disqualify an applicant includes, but is not limited to, pleas of no contest and criminal convictions—especially if the underlying criminal behavior involved sex or violence.

PENDING COURT CASES

No affirmative decision will be made on an individual's eligibility for work as a new staff member, contractor or volunteer if there is a pending court case for any of the potentially disqualifying offenses until the pending case concludes. If, however, during the case's pendency, the organization undertakes an independent investigation and conducts a hearing, any determination may be used to determine the eligibility of the individual.



FULL DISCLOSURE

Each applicant has the affirmative duty to disclose his or her criminal history. Failing to disclose or intentionally misrepresenting an arrest plea or conviction history in an application or any other information provided by an applicant during the screening process is grounds for employment, volunteer and/or membership revocation or restriction, regardless of when the offense is discovered.

- If an applicant (1) is arrested, (2) pleads or (3) is convicted of a crime other than a traffic offense during the screening process, the applicant is required to disclose such information immediately.
- In the event a person is serving as a staff member, contractor or volunteer and (1) is arrested, (2) pleads or (3) is convicted after the completion of the screening process, he or she has an affirmative duty to disclose such information immediately to his or her supervisor or Central Ohio Rowing administrator.
- Any applicant who has been banned by another sport organization, as temporarily or permanently ineligible, must self-disclose this information. A failure to disclose is a basis for disqualification for potential applicants.

FINDINGS

Notice of findings will be provided to:

- (1) The designated staff contact at Central Ohio Rowing who administers applications;
- (2) In the case of Board and committees, the chair of the Board Ethics Committee; (3) In the case of referees, the Director of Referee Programs

Central Ohio Rowing's criminal background check report will return a "red light" or "green light" score. A green light score means that the background check vendor located no records that would disqualify the applicant. A green light score, however, is not a certification of safety or permission to bypass/ignore other screening efforts. Other disqualifying factors may exist, and can be revealed through an interview, reference checks and a completed application.

A **red light** finding means the criminal background check revealed criminal records that suggest the applicant "does not meet the criteria" and is not suitable for organization employment or volunteer assignment.

Individuals who are subject to disqualification under a "red light" finding may challenge the accuracy of the reported information reported by the criminal background check vendor.

APPEAL OF CRIMINAL BACKGROUND RESULT

Should an applicant wish to contest the content of a record provided to the applicant as part of the Central Ohio Rowing background search, the applicant may seek an appeal of the record with the third-party provider pursuant to the Fair Credit Reporting Act or applicable state law.

Employment: Central Ohio Rowing may use the determinations provided by the third-party provider, in accordance with the Central Ohio Rowing Employee Handbook, as well as applicable Federal and State Law, to determine a staff member's or contractor's eligibility for employment with Central Ohio Rowing.



Participation: Central Ohio Rowing may use the determinations provided by the third-party provider, in accordance with the Central Ohio Rowing Internal Policies and Participant Safety Handbook, to determine an individual's eligibility for participation in any USRowing sanctioned events and/or activities.

Should a volunteer contest a Central Ohio Rowing decision to deny participation based upon a "Red Light" finding resulting from the background search, the volunteer has the right to appeal the decision pursuant to the Central Ohio Rowing Internal Policies and Participant Safety Handbook, Appendix A: Background Checks – Results Policy Statement

FREQUENCY OF CRIMINAL BACKGROUND CHECKS

Criminal background checks will be refreshed every two years, or as otherwise required by law, for staff members and/or volunteers who are 18 years of age or older and perform services for Central Ohio Rowing.

AFFIRMATIVE DUTY TO DISCLOSE

If, during the course of employment or participation in Central Ohio Rowing's program, a staff member or volunteer is accused, arrested, indicted or convicted of a criminal offense against a child, it is the duty and responsibility of the staff member to notify an immediate supervisor, or in the case of a volunteer, to notify a Central Ohio Rowing Board member.

OTHER POTENTIALLY DISQUALIFYING FACTORS

Even if an applicant passes a criminal background check, other factors may disqualify an applicant. An individual may be disqualified and prohibited from providing services for Central Ohio Rowing if the individual has:

- Been held liable for civil penalties or damages involving sexual or physical abuse of a minor
- Been subject to any court order involving any sexual or physical abuse of a minor including, but not limited to, a domestic order or protection
- A history with another organization (employment, volunteer, etc.) of complaints of sexual or physical abuse of minors
- Resigned, been terminated or been asked to resign from a position – paid or unpaid – due to complaint(s) of sexual or physical abuse of minors
- A history of other behavior that indicates they may be a danger to participants in Central Ohio Rowing; or
- Not met the job requirements

REVIEW OF DISQUALIFIERS

Central Ohio Rowing will review its disqualifiers every two years or as otherwise required or modified by law.

RECORDS

Records are secured at Central Ohio Rowing for a period indicated by applicable law or until the applicant is no longer affiliated with Central Ohio Rowing, whichever date is later.

All policies are subject to amendment. Please refer to the Central Ohio Rowing Policy Library website <https://www.centralohiorowing.org> for the official, most recent version.