

# COUNTY OF EL PASO

## Background Check Policy and Procedure

### **POLICY**

In an effort to protect the youth and to raise the standards of the El Paso County's SportsPark, every youth coach, umpire, and any other individual designated by the head coach, who will be working with players or responsible for a team during a game is required to pass a background check.

The SportsPark office will conduct background checks. The background check must be updated every two (2) years. All coaches/scorekeepers/team volunteers, 16 years of age and older, must submit a signed Volunteer in Youth Sports Consent/Release Form, for a criminal background check, before the start of the season. Any youth, 15 years of age and younger, must show proof of age (government issued ID card, school ID or any other government issued document) and wear a helmet in order to be allowed on the field to coach.

Coaches will obtain the ID card after a clear background check has been returned. Results are confidential and may only be obtained through the SportsPark office. Coaches/scorekeepers/team volunteers must wear ID card, in plain site, at all times while on the field or in the team dug out.

### **CRITERIA FOR DISQUALIFICATION**

**A person should be disqualified and prohibited from serving as a volunteer in the County Parks and Recreation Programs if the person has been found guilty of the following crimes:**

- ❖ 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 of whether there was an adjudication of guilt (conviction) or a withholding of guilt.
- ❖ This recommendation does not apply if criminal charges resulted in acquittal, Nolle Prose, or dismissal.

#### **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, etc.*
- ❖ All Felony offenses other than violence or sex within the past 10 years.  
*Examples include: drug offenses, theft, embezzlement, fraud, child endangerment, etc.*

#### **MISDEMEANORS:**

- ❖ All misdemeanor violence offenses within the past 7 years.  
*Examples include: simple assault, battery, domestic violence, hit & run, etc.*
- ❖ All misdemeanor drug & alcohol offenses within the past 5 years or multiple offenses in the past 10 years.  
*Examples include: driving under the influence, simple drug possession, drunk and disorderly, public intoxication, possession of drug paraphernalia, etc.*
- ❖ Any other misdemeanor within the past 5 years that would be considered a potential danger to children or is directly related to the functions of that volunteer.  
*Examples include: contributing to the delinquency of a minor, providing alcohol to a minor, theft – if person is handling monies, etc.*

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**ACTIVE WARRANTS:** Anyone who has an active warrant will be considered a “fail” until all active warrants are cleared. If a warrant is issued/discovered after the individual’s background check has been approved, the County reserves the right to withdraw an approved individual’s authorization to participate in County Programs until the active warrant is resolved.

**PENDING CHARGES:** Pending charges are treated as a “fail” in background screening and the individual is not permitted to volunteer until the official adjudication of the case.

**SUBSEQUENT ARRESTS/CONVICTIONS:** If an individual is determined eligible and then is later arrested, has pending charges, or is convicted of any crimes that would disqualify them, they are required to notify the Sportspark Manager. They will be removed immediately from their position until the case is resolved. Failure to notify the County of any arrests, pending charges or convictions from the disqualifying list will result in the individual being immediately removed from all volunteer activities for a minimum of twelve (12) months or as prescribed in the disqualifications, whichever is greater, beginning on the date the failure to notify was discovered.

**EXPUNGED OR SEALED RECORDS:** Expunged or sealed records are treated as “no record”.

### **RESTRICTIONS ON COACHING**

Disqualified volunteer/independent contractor/concessionaire/ applicants may make an appointment with the Sports Manager to obtain a copy of results. A picture ID is required to obtain or to discuss results. Results will not be discussed with a third party. Results will be discussed only in person. Documentation such as dismissal or reduction of charges will be accepted as evidence to change the ruling on eligibility; this will be determined by the Sportspark Manager on a case by case basis.

### **PRIVACY**

All information submitted per these requirements will be considered confidential between the individual and El Paso County’s Managers. This information will be shared with the Public Work Director/County Park Management/Auditor in the event that an individual is barred from coaching or umpiring.

### **PARENT RESPONSIBILITY**

The El Paso County’s background check is a valuable tool that the El Paso County Sportspark and similar organizations can use to help protect our children. These tools are not 100% fool proof, however, and are not a guarantee. It remains your responsibility as a parent to supervise your children, to get to know the people working with your children, and to inform the El Paso County Sheriff’s office if you are aware of any behavior that goes beyond what you believe is appropriate.