BOYS & GIRLS CLUB
OF LAKE TAHOE

Background Checks, Barrier Crimes, Reference Checks, and Child Safety Trainings

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Policy Statement

All prospective employees, contractors, board members, and regular adult volunteers must complete fingerprinting and a criminal background check. In addition, upon receiving written parental consent, all prospective Youth Workers and pending regular youth volunteers must also complete a criminal background check. Employment and volunteer offers are conditional until the completion and passing of background and reference checks. Any prospective or current employee, contractor, Youth Worker, board member, or regular volunteer who refuses a criminal background check, makes a false statement about their background check, is a registered sex offender, or is flagged for a barrier crime will not be eligible to work or volunteer for the Club.

Background checks are both ongoing and conducted annually in accordance with Boys & Girls Clubs of America requirements. In addition, all current employees, board members, and regular volunteers must complete child safety trainings annually in mandated reporting, child abuse prevention, and grooming prevention.

Reason for Policy

Employers may not ask prospective employees about their criminal history during the interview process (California Fair Chance Act 2018). However, Boys & Girls Clubs of America require completing and passing a background check to secure employment or regular volunteer duties at any Club. In addition, California law (AB 506) states that all youth service organization administrators, employees, and regular volunteers must annually complete LiveScan fingerprinting, a criminal background check, and mandated training in child abuse prevention and neglect reporting. Prior to any interview or job offer, all job applicants are informed that offers of employment are considered provisional until a clear background check is obtained.

Frequent background checks, child safety trainings, and strict child abuse prevention policies ensure the safety of employees, volunteers, youth members, members' families, Club partner organizations, and the general public as well as the operation of the Boys & Girls Club of Lake Tahoe. It is vital that all staff and volunteers can be trusted to fulfill their duties without concern for the safety of members, or the reputation and legal obligations of the Club.

In addition, all employees and volunteers at the Club serve as role models and mentors to youth members as well as fellow staff members. Therefore, all employees and volunteers must exhibit the behaviors, morals, and values that we expect from our

members.

Who Should Read This Policy
All employees, youth workers, contracted staff, Board of Directors, and volunteers.

Resources
Assembly Bill 506 Legislation -
https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB506

BGCA.net - Background Checks (and supporting documents)
https://www.bgca.net/page/2343?SearchId=711105&utm_source=interact&utm_medium=general_search&utm_term=background%20checks%20policy

BGCA.net - Child Abuse Prevention Policy (template)
https://www.bgca.net/Utilities/Uploads/Handler/Uploader.ashx?area=composer&filename=Child%2bAbuse%2bPrevention%2bPolicy%2bTemplate%2bPDF.pdf&fileguid=e7b03a36-730e-497b-aaeb-20bf4fc6b8e2

BGCA.net - Mandated Reporting of Suspected Child Abuse
https://www.bgca.net/Interact/Pages/Content/Document.aspx?id=3075&utm_source=interact&utm_medium=side_menu_category

BGCA.net - Sample Reference Check Policy
https://www.bgca.net/Interact/Pages/Content/Document.aspx?id=2378&SearchId=711103&utm_source=interact&utm_medium=general_search&utm_term=background+checks+policy

Boys & Girls Club of Lake Tahoe - “Child Abuse Prevention and Response Policy”
www.bgclt.org/clubsafety

Boys & Girls Club of Lake Tahoe - “Youth Worker Policy”
www.bgclt.org/clubsafety

Definitions
“Employees” in this description include all paid adult employees and independent contractors.

“Regular volunteers” include youth or adult volunteers who have direct contact with or supervise children at the Club more than 16 hours in a month or 32 hours in a year. Board members, regardless of their hours with children at the Club, are considered regular volunteers.

“Short-term volunteers” include volunteers who help at events or volunteer at the Club less than 16 hours in a month or 32 hours in a year.

“Mandated reporter training” or “Mandated reporter training in child abuse and neglect” is a one to two hour training delivered by a member of the Club’s administration team or a licensed professional.

“Child safety trainings” is an umbrella term for the BGCA-approved trainings in child abuse prevention, mandated reporting, and grooming prevention.

A “barrier crime” is any misdemeanor or felony that is identified by the Boys & Girls Clubs of America or the Boys & Girls Club of Lake Tahoe and includes sexual misconduct, drug convictions, and specific criminal activities.

A “partner organization” is any organization, business, agency, or government entity separate from the Boys & Girls Club of Lake Tahoe’s employees or volunteers who provides programs, activities, or projects directly to Club members onsite or offsite.

“Youth Worker” is an umbrella term for any person under 18 who works, volunteers, or participates in any workforce readiness program at the Club.

“Youth Workforce Worker (YW),” is defined as a paid minor employee, ages 14-18, hired by the Boys & Girls Club of Lake Tahoe after completing 50 volunteer hours. Also referred to as YW, formerly called junior staff.

The Policy
All prospective employees, contractors, board members, and regular volunteers must complete fingerprinting and a criminal background check. Upon receiving written parental consent, all prospective Youth Workers and pending regular youth volunteers must complete a criminal background check. Employment and volunteer offers are conditional until the completion and passing of background and reference checks.

After being selected to work or volunteer for the Club, background checks are ongoing and conducted annually using an online background screening service. In addition, all current employees, board members, and regular volunteers must also complete mandated reporter training in child abuse and neglect annually.

Background Checks and Barrier Crimes
New employees and volunteers: Any adult staff member, volunteer, board member, and personnel onsite and in contact with our members (such as contractors providing youth programs or conducting maintenance onsite) are subject to fingerprinting and background checks. A prospective employee, contractor, or volunteer schedules their own Live Scan fingerprinting check with the El Dorado County Sheriff's office or other

Club-approved location. Because a Live Scan only captures juvenile offenders who have been tried as an adult, all Youth Workers and regular youth volunteers must complete a background screening online through a contracted, third-party vendor. Everyone pays for their portion of the cost upfront and all employees are reimbursed within the first 90 days of employment.

Background checks by a contracted, third-party vendor are also conducted to complete the following:

- Verify the person's identity and legal aliases through verification of a Social Security number
- Provide a national Sex Offender Registry search
- Provide a comprehensive criminal search that includes a federal search
- Provide a comprehensive local criminal search that includes a statewide and county-level criminal search

Anyone over 18 must complete a Live Scan and have clear results before working unsupervised with anyone at the Club under the age of 18. All results are shared through a secure portal which is only accessible to the Executive Director, Director of Administration, and the Director of Operations & Safety.

If a Live Scan or background check does not come back clear or is flagged, the job or volunteer applicant will be informed that they have been flagged for a criminal misdemeanor or felony and that the provisional offer of employment or volunteering may not move forward. The applicant will be given the opportunity to provide an explanation or additional information.

The Executive Director, Director of Operations & Safety, and Board Safety Committee will review the charges and determine whether the applicant poses a threat to the members and others at the Club as outlined above in the “Reasons for Policy.” An administration staff member will then inform the applicant whether the provisional offer of employment is moving forward or being rescinded. If rescinded, the applicant has the right to file a complaint with the California DFEH.

Any prospective or current employee, contractor, youth worker, board member, or regular volunteer who refuses a criminal background check, makes a false statement about their background check, is a registered sex offender, or is flagged for a barrier crime will not be eligible to work or volunteer for the Club. Background checks are ongoing and conducted annually.

Barrier crimes: The Boys & Girls Clubs of America prohibits hiring or engaging an employee, volunteer, or board member who has been convicted of any of the following crimes: murder, child abuse, domestic violence, abduction or human trafficking, a crime involving rape or sexual assault, arson, a weapon felony, physical assault or battery, and drug possession, drug use, or distribution of drugs in the last five years. Any misdemeanor or felony conviction against children, including child pornography, is also considered a barrier crime and will not be deemed acceptable.

Current employees or volunteers: If an employee or volunteer incurs a criminal charge or barrier crime while they are employed or involved at the Club, they must inform the Club if they are charged or convicted. The background check system will also alert the Club to any charges made against current staff, volunteers, and other key personnel who are screened.

When the Club is informed of the criminal charge, the employee or volunteer will be contacted and given the opportunity to provide an explanation or additional information.The CEO, Director of Operations & Safety and Board Safety Committee will then consider the charges and determine whether they pose a threat to the members and/or Club as outlined above in the “Reasons for Policy.” An administration staff member will then inform the applicant whether employment or ties with the Club will continue as is, continue with corrective action, or be terminated. If terminated, the applicant has the right to file a complaint with the California DFEH.

Ongoing safety: In any circumstance, the Club reserves the right to refuse or remove an employee, volunteer, member, or Club parent/guardian who poses a threat to the safety of staff, volunteers, members, member families, others at partner organizations, and the general public. Possible threats can be in the form of actions, words, or behaviors that threaten the reputation or operations of the Club.

Employees and volunteers from partner organizations: Staff or volunteers from partner organizations conducting programs, activities, or projects with Club members must complete and pass a background screening with a Club-approved third party vendor at the partner organization’s expense. Partner organizations should include their background check policies in their MOU or agreement with the Boys & Girls Club of Lake Tahoe and provide written documentation to confirm their staff or volunteers participating with the Club have clear background checks.

Special considerations and exceptions: Short-term volunteers who participate in a single event or volunteer at the Club for a short period of time (less than 16 hours within

a month or 32 hours within year) do not need to complete a fingerprinting or a background check. However, they must be supervised by a Club staff member at all times if in the presence of a Club member or youth staff member under the age of 18. If a short-term volunteer will work with or teach youth directly, the Club administration staff reserves the right to ask the volunteer to complete a Live Scan or background screening online at the volunteer's expense.

Youth volunteers under the age of 18 are considered active Club members and do not require any background check until they meet the "regular volunteer" hours threshold of 16 hours a month or 32 hours within a year.

Workability students from the high school are considered "non-member volunteers" - and must complete and pass a background screening online with a Club-approved third-party vendor. Lake Tahoe Unified School District will be responsible for covering these charges.

All youth workers, paid or unpaid, may not be left alone with any youth members and must be supervised by an adult staff member at all times. This includes Youth Workers who have completed and passed their background check.

Reference Checks

Prior to selection, a minimum of three references checks, two professional and one personal, MUST be obtained for any new employee, volunteer, or board member. If the individual has had a previous connection with any Boys and Girls Club, YMCA, Scouts, Guides, or other youth-based organization, it is mandatory to complete a reference check with those organizations, even if that exceeds the minimum of two references.

One question that must be asked at all reference checks is if the individual is eligible for rehire or further involvement with their organization. No questions may be asked related to personal details, such as the person's race, ethnicity, religion, age, marital status, gender identity or sexual orientation, marital status, parenting responsibilities, or disability status.

If the Club receives a reference check for a staff member, volunteer, or board member currently or previously involved, an appropriate Club employee, such as a supervisor or coworker, must respond at the earliest convenience. The person giving the reference should be cautious about sharing any information that may damage the employee, volunteer, or board member's reputation and puts the Club at risk of a defamation

lawsuit. However, if there are concerns about the appropriateness of the individual in a youth or non-profit setting, it is important to state facts and share examples of these concerns. Any employee who needs assistance with a reference call my reach out to the CEO, Director of Administration, Director of Operations & Safety, or Program Director for assistance.

Child Safety Training

All administrators, employees, and regular volunteers must complete training in mandated reporting, child abuse prevention, and grooming prevention annually. Training ensures the safety of employees, volunteers, youth members, members' families, partners at organizations, and the general public as well as the operation of the Boys & Girls Club of Lake Tahoe. Details about child safety training, mandated reporting, how to respond, and when to file a report are covered in the Club's Child Abuse Prevention and Response Policy.