

# BACKGROUND CHECKS IN YOUTH SPORTS: GUIDELINES FOR YOUR ORGANIZATION

Compiled by The logo for the National Alliance For Youth Sports, featuring the word "National" in a script font above "ALLIANCE" in a bold, red, sans-serif font, with "For Youth Sports" in a smaller script font below it.

## *Introduction*

**T**here has been marked growth in interest in and increased prevalence of performing background checks across a wide variety of industries, including youth sports. Participation in extracurricular activities can put children at risk unless safety measures are in place to prevent physical or mental abuse by volunteer youth sports workers. With high-profile stories of abuse and molestation among child-serving groups including youth sports leagues (Figure 1), and laws cropping up bearing the names of children who have been victims of horrific crimes at the hands of sexual offenders, it is hard to ignore this very real threat to our youth. The federal government took its first step in recognizing this issue with the National Child Protection Act of 1993, which allowed organizations to perform these checks on people serving children. An amendment to that act, the Volunteers For Children Act of 1998, granted volunteer organizations in most states access to federal criminal information.<sup>1</sup>

There is a certain level of trust involved any time vulnerable populations like that of children are allowed under the supervision of an adult for any length of time; parents entrust their children to the adults running the youth sports leagues. It is every youth sports organization's responsibility to protect its young athletes and itself against unsafe individuals. Ten years ago, the National Alliance For Youth Sports identified a nine-step, comprehensive screening policy as a shield for organizations to utilize; one of those components is a background check. The more steps an organization takes to protect itself, the thicker its shield.

Many organizations are struggling with the resources and knowledge necessary to conduct diligent<sup>2</sup> background checks on their potential volunteers, whether coaches, officials or administrators. In September 2005, a group of recreation professionals gathered together at the International Youth Sports Congress in Denver, Colo., heard from experts with experience in youth sports, cases of abuse and background checks, and discussed the issues that led the National Alliance For Youth Sports to compile these guidelines.\*

<sup>1</sup> For information about each state's procedures concerning background checks, visit <http://www.doj.state.wi.us/dles/cib/sclist.asp>

<sup>2</sup> In respect to the subject of background screening, meaning: "a reasonable and expected measure of attention taken for a particular action; not measurable by an absolute standard, but dependant on the situation."  
([www.premierinfosource.com](http://www.premierinfosource.com))

\*Because of the complexity of the issue of background checks in youth sports, the National Alliance For Youth Sports (NAYS) does not exclusively endorse any single approach to or method of conducting a background check. Based on our findings at the International Youth Sports Congress in September 2005 in Denver, Colo., we present in this document commonly agreed-upon guidelines. NAYS encourages organizations to decide on a method of and/or company to conduct background checks depending on their unique needs.

## *Nine-step Background Screening Process: A Review*

1. **Have a screening policy in writing.** Screening begins with a policy that requires all volunteers to go through the process. This written policy should be included in the organization's policies and procedures, and communicated to everyone.
2. **Provide job descriptions for every position.** The job description will provide a detailed outline of the responsibilities and duties of the position. The job description creates boundaries for the volunteer. This should be read, signed and dated.
3. **Obtain completed application forms for all positions.** Most organizations have too many teams and not enough coaches, administrators or officials — sometimes referred to as “warm-body syndrome.” Don't get caught by this. Insist that every potential volunteer completes these forms no matter how high your need for volunteers is. Information that should be required in an application include name and address, references and former employers.
4. **A consent/release form must be signed and dated.** This form is necessary to protect your organization by having the volunteer authorize the investigation of his/her background. This form should specifically inform the volunteer what will be done.
5. **Evaluate application, and review references, employers and information** to determine if the applicant possesses the basic necessities for the position. Take the extra time needed to carefully complete this part of the process.
6. **Interview the applicant.** Try to use a systematic approach and develop a standard interview plan to save time and allow for consistency. Don't be afraid to ask tough questions.
7. **Conduct a criminal background check.** If resources are scarce, contact your local lawmakers and law enforcement officials to find out ways they can aid you in this step. Also, consider fundraising as a way to pay for background checks, just as you would to purchase things like uniforms and equipment.
8. **Review results and provide continuous oversight of volunteers.** An organization should decide how to evaluate screening results and determine what issues make a volunteer undesirable, and then document this decision. Periodically evaluate a volunteer's performance.
9. **Provide training for all volunteers, and hold them accountable.** This is a very important part of the process that will ensure volunteers are properly educated to work with children in the sports environment. Have volunteers pledge to uphold a code of ethics, and hold them accountable for their actions for as long as they are with your organization.

## *Part One: What is the minimum standard for conducting a thorough background check?*

**T**here are many ways to investigate an individual's background, but some methods are more effective than others. An automatic disqualifier at the outset is submission of false information. If an applicant provides information that a background check returns as falsified, this should be considered suspicious and the applicant should be deemed unacceptable to volunteer or work within a child-serving organization.

Based upon industry input and the discussions of more than 100 of the country's leading recreation professionals, the following have been determined as the most prudent components to a background check. Ask the provider of your background checks to complete these steps:

**1. Social security number and name verification.** Obtain a copy of the potential volunteer's social security card. In verifying the social security number, you are ensuring accuracy in searching for the proper individual.

**2. Address verification for the last 7-10 years.** Start with making a copy of the applicant's current driver's license. An address verification is key to finding out where the individual has lived during this timeframe, and which counties should be searched.

**3. County courthouse search.** Ninety-five percent of criminal convictions occur at the county level. If an organization conducts the search within the counties the applicant has lived, it has the best chance of finding past convictions.

**4. Sexual offender registry search.** Most states have some type of registry that is available to the public free for search. The FBI has a Web site that lists links to most states. Visit [www.fbi.gov/hq/cid/cac/states.htm](http://www.fbi.gov/hq/cid/cac/states.htm) for a list of state links. (See also *Figure 2, page 6.*)

### **Additional methods to consider:**

- FBI fingerprint-based database search. While this search is very comprehensive, it is also a lengthy and costly procedure — and may not be feasible for many volunteer organizations.
- National database search. Some screening companies offer this service, which will return federal convictions and some state convictions. Do not use this as a sole method of checking an individual's background, as only a small percentage of convictions will be found at these levels, and it is uncertain how this information is obtained, and how often it is updated. This should be used as an add-on.
- State repository search. These searches can be incomplete, and do not necessarily contain information found at the county level. This should be used as an add-on.

## *Part Two: What are the disqualifiers in a background check?*

**W**hen it comes to deciding the answers to this question, some convictions are viewed as more obvious than others. If an applicant is found to have been convicted of any of the following offenses, no matter in what timeframe, he or she should not be allowed to work with children. Additionally, pending convictions of or arrests for the following things should be considered disqualifiers until an organization decides otherwise:

- Any sort of abuse or assault/battery — physical or sexual
  - Rape
- Any crime of a sexual nature, including possession or dissemination of pornography
  - Homicide or manslaughter in any degree
  - Attempted murder
  - Domestic violence
  - Child neglect
  - Felony drug crimes
  - Animal cruelty
  - Theft/robbery
  - Forgery/fraud
  - Kidnapping
  - Arson
  - Weapons violations
- Any crime, misdemeanor or felony, involving children as either an accomplice or victim

### **Additional potential disqualifiers should be left up to individual organizations to decide<sup>3</sup>:**

- Driving Under the Influence/Driving While Intoxicated within last 15 years — This should be considered if there is a possibility the person will be driving a child at any time.
- Vehicular manslaughter within any timeframe — This should be considered if there is a possibility the person will be driving a child at any time.
- Multiple driving citations/accidents within last 15 years — This should also be considered if the person will be driving children.
- Misdemeanor drug charges within last 15 years — This potentially shows the presence of amoral beliefs or possible drug possession, and the person should be closely evaluated before being allowed to have a leadership position among children.
- Petty theft within last 15 years — This should be a disqualifier if the person will be handling finances in any way within the organization.

It should be noted that organizations may wish to establish a special committee specifically to manage the background check process. This may include deciding on a background check procedure and disqualifiers, and putting them in writing; and determining who within the organization will be responsible for reviewing the report, notifying the potential volunteer and managing information\*. Additionally, depending on an organization's resources, it will need to determine how often to conduct these checks on a volunteer once he or she becomes part of the organization. It is advised that an organization lets no more than two years pass at a time before conducting follow-up background checks.

<sup>3</sup> Organizations may wish to more closely review reports that return these additional disqualifiers, or any other convictions not listed, on a case-by-case basis.

\*Because of vague legislation on the subject, organizations should not share any information found from a background check with anyone outside of the organization unless a release stating this possibility is signed, due to the risk of lawsuits.

## *Wrap-up*

**T**here is no way to be 100 percent certain about any person working in youth sports. The more preventative measures that are taken, however, the more likely children and your organization will be protected. Remember the following:

1. The more steps an organization takes, the thicker its protective shield. In addition to background checks, an organization should try to complete every part of the nine-step screening process, which includes interviewing a prospective volunteer, checking his/her references, and providing effective training and continuous oversight.
2. Never rely on any one factor when determining the competency and safety of a prospective volunteer. There are several standards a volunteer must meet to be considered suitable to work with children.
3. Talk to parents to make sure they have communicated with their children about warning signs and suspicious behavior among any coach or official, including: weak physical boundaries, angry outbursts or inappropriate conversation.
4. Do not allow coaches and children to be alone without a parent present.
5. If you have an uneasy gut feeling, monitor the situation more closely. Generally, instincts can be trusted.

### **Figure 1: Cases of abuse in youth sports**

Unfortunately, there are individuals who use — and even seek out — positions of authority among children to take advantage of this vulnerable population. Some of these cases could have been prevented with a background check, while in other situations, background checks alone would not have alerted administrators to a potential problem. Both types of stories highlight the importance of a comprehensive screening process.

A. It was a high-profile case that was given national attention because it was, and remains, one of the worst examples of youth sports workers not having their criminal backgrounds checked. Norman Watson, a Little League coach in San Bernardino, Calif., was sentenced to 84 years in prison after pleading guilty to 39 counts of lewd acts with five children that occurred during the 1990s. But this didn't have to happen: Unknown to the parents or league — which did not conduct a proper background check on the coach — Watson was serving probation during his time as coach for a 1980 molestation offense, and had also previously undergone treatment in two state mental facilities for child molestation.

B. In 2000, Greeley, Colo., soccer coach Bert Smice was sentenced to 17 years to life after pleading guilty to committing sex crimes against four teenage girls. The incident surprised many, as the longtime coach was well-known in the community, and had no criminal history. Greeley recreation supervisor Kevin Royal said that previous to the incident, Greeley did not conduct background checks on its coaches, but “we do now.” This case underscores the necessity of completing every part of the screening process, and not relying on any one step.

**Figure 2: Listing of sex offender registry Web sites by state**

State	Web site
Alabama	<a href="http://www.dps.state.al.us/public/abi/system/so">http://www.dps.state.al.us/public/abi/system/so</a>
Alaska	<a href="http://www.dps.state.ak.us/nSorcr/asp/">http://www.dps.state.ak.us/nSorcr/asp/</a>
Arizona	<a href="http://www.azsexoffender.org/">http://www.azsexoffender.org/</a>
Arkansas	<a href="http://www.acic.org">http://www.acic.org</a>
California	<a href="http://meganslaw.ca.gov/disclaimer.htm">http://meganslaw.ca.gov/disclaimer.htm</a>
Colorado	<a href="http://sor.state.co.us/sxoregistration.asp">http://sor.state.co.us/sxoregistration.asp</a>
Connecticut	<a href="http://www.ct.gov/dps/cwp/view.asp?a=2157&amp;Q=294474&amp;dpsNav= ">http://www.ct.gov/dps/cwp/view.asp?a=2157&amp;Q=294474&amp;dpsNav= </a>
Delaware	<a href="http://www.state.de.us/dsp/sexoff/index.htm">http://www.state.de.us/dsp/sexoff/index.htm</a>
District of Columbia	<a href="http://mpdc.dc.gov/serv/sor/sor.shtml">http://mpdc.dc.gov/serv/sor/sor.shtml</a>
Florida	<a href="http://www3.fdle.state.fl.us/sexual_predators">http://www3.fdle.state.fl.us/sexual_predators</a>
Georgia	<a href="http://www.ganet.org/gbi/sorsch.cgi">http://www.ganet.org/gbi/sorsch.cgi</a>
Hawaii	<a href="http://pahoehoe.hawaii.gov/sexoff/">http://pahoehoe.hawaii.gov/sexoff/</a>
Idaho	<a href="http://www.isp.state.id.us/identification/sex_offender/index.html">http://www.isp.state.id.us/identification/sex_offender/index.html</a>
Illinois	<a href="http://www.isp.state.il.us/sor/">http://www.isp.state.il.us/sor/</a>
Indiana	<a href="http://www.ai.org/cji/html/sexoffender.html">http://www.ai.org/cji/html/sexoffender.html</a>
Iowa	<a href="http://www.state.ia.us/government/dps/dci/isor/">http://www.state.ia.us/government/dps/dci/isor/</a>
Kansas	<a href="http://www.accesskansas.org/kbi/ro.shtml">http://www.accesskansas.org/kbi/ro.shtml</a>
Kentucky	<a href="http://kspsor.state.ky.us">http://kspsor.state.ky.us</a>
Louisiana	<a href="http://www.lasocpr.lsp.org/socpr/">http://www.lasocpr.lsp.org/socpr/</a>
Maine	<a href="http://www.informe.org/sor/">http://www.informe.org/sor/</a>
Maryland	<a href="http://www.dpscs.state.md.us/onlineservs/sor/">http://www.dpscs.state.md.us/onlineservs/sor/</a>
Massachusetts	<a href="http://www.mass.gov/sorb/community.htm">http://www.mass.gov/sorb/community.htm</a>
Michigan	<a href="http://www.mipsor.state.mi.us/">http://www.mipsor.state.mi.us/</a>
Minnesota	<a href="http://www.dps.state.mn.us/bca/Invest/Documents/Page-07.html">http://www.dps.state.mn.us/bca/Invest/Documents/Page-07.html</a>
Mississippi	<a href="http://sor.mdps.state.ms.us">http://sor.mdps.state.ms.us</a>
Missouri	<a href="http://www.mshp.dps.missouri.gov/MSHPWeb/PatrolDivisions/CRID/SOR/SORPage.html">http://www.mshp.dps.missouri.gov/MSHPWeb/PatrolDivisions/CRID/SOR/SORPage.html</a>
Montana	<a href="http://svor.doj.state.mt.us/">http://svor.doj.state.mt.us/</a>
Nebraska	<a href="http://www.nsp.state.ne.us/sor/">http://www.nsp.state.ne.us/sor/</a>
Nevada	<a href="http://www.nvrepository.state.nv.us/SexOffender.htm">http://www.nvrepository.state.nv.us/SexOffender.htm</a>
New Hampshire	<a href="http://www.oit.nh.gov/nsor/search.asp">http://www.oit.nh.gov/nsor/search.asp</a>
New Jersey	<a href="http://www.njsp.org/info/reg_sexoffend.html">http://www.njsp.org/info/reg_sexoffend.html</a>
New Mexico	<a href="http://www.nmsexoffender.dps.state.nm.us/servlet/hit_serv.class">http://www.nmsexoffender.dps.state.nm.us/servlet/hit_serv.class</a>
New York	<a href="http://www.criminaljustice.state.ny.us/nsor/">http://www.criminaljustice.state.ny.us/nsor/</a>
North Carolina	<a href="http://sbi.jus.state.nc.us/DOJHAHT/SOR/Default.htm">http://sbi.jus.state.nc.us/DOJHAHT/SOR/Default.htm</a>
North Dakota	<a href="http://www.ndsexoffender.com">http://www.ndsexoffender.com</a>
Ohio	<a href="http://www.esorn.ag.state.oh.us">http://www.esorn.ag.state.oh.us</a>
Oklahoma	<a href="http://docapp8.doc.state.ok.us/servlet/page?_pageid=190&amp;_dad=portal30&amp;_schema=PORTAL30">http://docapp8.doc.state.ok.us/servlet/page?_pageid=190&amp;_dad=portal30&amp;_schema=PORTAL30</a>
Oregon	<a href="http://egov.oregon.gov/OSP">http://egov.oregon.gov/OSP</a>
Pennsylvania	<a href="http://www.pameganslaw.state.pa.us/">http://www.pameganslaw.state.pa.us/</a>
Rhode Island	<a href="http://www.paroleboard.ri.gov/L3_offenders/listings.htm">http://www.paroleboard.ri.gov/L3_offenders/listings.htm</a>
South Carolina	<a href="http://www.scattorneygeneral.org/">http://www.scattorneygeneral.org/</a>
South Dakota	<a href="http://www.dci.sd.gov/administration/id/sexoffender/index.asp">http://www.dci.sd.gov/administration/id/sexoffender/index.asp</a>
Tennessee	<a href="http://www.ticic.state.tn.us//SEX_ofndr/search_short.asp">http://www.ticic.state.tn.us//SEX_ofndr/search_short.asp</a>
Texas	<a href="http://records.txdps.state.tx.us/">http://records.txdps.state.tx.us/</a>
Utah	<a href="http://www.udc.state.ut.us/asp-bin/sexoffendersearchform.asp">http://www.udc.state.ut.us/asp-bin/sexoffendersearchform.asp</a>
Vermont	<a href="http://170.222.24.9/cjs/s_registry.htm">http://170.222.24.9/cjs/s_registry.htm</a>
Virginia	<a href="http://www.vsp.state.va.us/vsp.html">http://www.vsp.state.va.us/vsp.html</a>
Washington	<a href="http://ml.waspc.org/Accept.aspx?ReturnUrl=/index.aspx">http://ml.waspc.org/Accept.aspx?ReturnUrl=/index.aspx</a>
West Virginia	<a href="http://www.wvstatepolice.com/sexoff/">http://www.wvstatepolice.com/sexoff/</a>
Wisconsin	<a href="http://widocoffenders.org">http://widocoffenders.org</a>
Wyoming	<a href="http://attorneygeneral.state.wy.us/dci/so/so_registration.html">http://attorneygeneral.state.wy.us/dci/so/so_registration.html</a>

## *Resources*

1. Listing of contacts by state for state procedures concerning background checks: <http://www.doj.state.wi.us/dles/cib/sclist.asp>
2. “Child Abuse and Youth Sports: A Comprehensive Risk Management Program,” National Alliance For Youth Sports, 1996.
3. *Beyond Police Checks: The Definitive Volunteer and Employee Screening Guidebook*, Linda Graff, 1999.
4. *The Season of Hope: A Risk Management Guide for Youth-Serving Nonprofits*, Barbara B. Oliver and John C. Patterson, Nonprofit Risk Management Center, 2002.
5. Contact your local police department or sheriff’s office to see what they can do to help your organization.
6. Contact your local Congress members. Search for your state representative by zip code at [www.house.gov/](http://www.house.gov/) Senators are listed by state at: [www.senate.gov/general/contact\\_information/senators\\_cfm.cfm?OrderBy=state&Sort=ASC](http://www.senate.gov/general/contact_information/senators_cfm.cfm?OrderBy=state&Sort=ASC)
7. The Megan Nicole Kanka Foundation Check ‘Em Out program assists some nonprofit sports organizations in New Jersey in paying for state and federal fingerprint checks on their coaches and managers. Visit: [www.megannicolekankafoundation.org/programs\\_check.htm](http://www.megannicolekankafoundation.org/programs_check.htm)
8. Visit the U.S. Department of Justice Web site at <http://www.nsopr.gov/> to search the National Sex Offender Public Registry.

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