

POLICY NAME BACKGROUND CHECKS

POLICY NUMBER 2.1.11

CATEGORIES

DATE PROPOSED: 8/19/2019

DATE OF VOTE: 8/21/2019

ACCEPT (Y/N): Y

The Ice Sports Center (ISC) is committed to the protection of all persons who are associated with the facility including staff, volunteers, participants and patrons, as well as protecting its finances, property and other assets. Therefore, the ISC will conduct criminal background checks of all current and prospective employees and volunteers. There is no grandfather clause to exclude current employees from the background check requirement. Background checks will be conducted prior to employment or volunteer service and will be renewed every twelve (12) months.

The ISC will carry out this requirement in a fair, consistent and non-discriminatory manner, complying with all applicable state and federal laws and guidelines, including the Fair Credit Reporting Act and the Equal Employment Opportunities Commission. The background checks referenced in this policy will be conducted by a background check vendor. Prior to conducting the background check, a signed written consent will be obtained from the applicant. Refusal to authorize the background check will make the applicant ineligible for employment.

The ISC may utilize name-based or fingerprint-based systems to obtain data for individual background checks, but at a minimum each individual background check shall include:

1. verification of the individual's identity and legal aliases;
2. a national search of sex offender registries;
3. a national search of criminal records.

Other data may also be obtained, based on individual employee or volunteer duties or responsibilities.

Background check findings shall be reviewed in a fair, impartial and confidential manner. Because the ISC's priority is the safety of its staff, volunteers, participants and patrons, certain actions and convictions for certain crimes serve to automatically disqualify applicants for employment or volunteer service at the MIC in any position that involves working with children. A person will be ineligible for employment or volunteer service if the person:

1. refuses to consent to a criminal background check;
2. makes a false statement in connection with such criminal background check;
3. is registered, or required to be registered on any sex offender registry;
4. has been convicted of a felony;
5. or has been convicted within the past 5 years of a misdemeanor involving:
 - a. physical assault or battery,
 - b. drugs or controlled substances, or
 - c. cruelty to animals.

With respect to crimes not listed above, any applicant with such a conviction shall be evaluated on an individual basis to determine whether they should be excluded from consideration based on the conviction. In so doing, the ISC shall consider the following factors:

1. the nature and gravity of the offense;
2. the time that has passed since the offense or completion of the sentence;
3. the nature of the job sought or held;
4. the facts and circumstances surrounding the offense or conduct;
5. the number of offenses for which the individual was convicted;

6. the age of the individual at the time of conviction or release;
7. evidence that the individual performed the same type of work, post-conviction, with the same or a different employer with no known incidents of criminal conduct;
8. the length and consistency of employment history before and after the offense or conduct;
9. rehabilitation efforts, e.g. education and/or training;
10. employment or character references and any other information regarding fitness for the particular position;
11. whether the individual is bonded under a federal, state, or local bonding program.

The ISC will alert an applicant to the possibility of his or her exclusion due to past criminal conduct and provide them an opportunity to submit an explanation.

All personal data, background check data and adverse action letters shall be treated as confidential and maintained in a secure location, separate from the employee personnel files.

COMMENTS: