

# **ERBYB BACKGROUND SCREENING POLICY**

ERBYB reserves the right to use any information obtained in the course of its screening program, in any reasonable manner to protect its participants, affiliate organizations and programs from the risk of future criminal behavior.

## **DISQUALIFYING CRIMES**

Murder  
Manslaughter  
Criminal Sexual Conduct  
Kidnapping or abduction Arson  
Prostitution related crimes  
Assault (1<sup>st</sup>-4<sup>th</sup> degree)  
Controlled substance crime (1<sup>st</sup>-3<sup>rd</sup> degree)  
Crime for benefit of gang  
Bodily harm due to distribution of drugs  
Maltreatment of resident or patient of state hospital  
Solicitation of a child to engage in sexual conduct

## **And**

**The following crimes, if a child was the victim.**

**(These are defined as Child Abuse Crimes)**

Malicious punishment of a child (609.377)  
Assault (5<sup>th</sup> degree 609.224)  
Neglect or endangerment of a child (609.378)  
Domestic Assault (609-2242)  
Controlled substance Crime (152.021, 152.022, 152.023 and 152.024)

In addition to the above crimes which require disqualification, ERBYB may disqualify and prohibit a person from serving as an employee, independent contractor, or volunteer of ERBYB and/or its associated organizations if:

- 1) The person has been convicted (including crimes the record of which has been expunged and pleas of “no contest”) of any crime of violence against minors, or any crime which indicates the person may pose a risk to the safety and wellbeing of players under his/her direction or stewardship, including but not limited to all felonies not described above, domestic assault, indecent exposure, and multiple convictions for operating motor vehicles or watercraft while under the influence of alcohol or controlled substances: or
- 2) It is determined that he/she has been adjudged liable for civil penalties or damages involving sexual or physical abuse of children, is subject to any court order involving sexual abuse or physical abuse of a minor, including, but not limited to, domestic order for protection, has had his/her parental rights terminated for reasons involving sexual or physical abuse of children: or
- 3) ERBYB or any of its affiliates comes into possession of verified information that he/she has a history with another organization (as a volunteer, employee or otherwise) of complaints of physical abuse of a minor, including but not limited to, domestic order or protection, has had his/her parental rights terminated for reasons involving sexual or physical abuse.

## **Formal Background Screening Procedure**

If any of the above crimes are found in the background check, the following actions will be taken by ERBYB:

- 1) The person will be notified of the background check findings and ERBYB background screening policy.
- 2) If disqualifying crime, the person will be notified that they are disqualified and prohibited from serving as an employee, independent contractor, or volunteer of ERBYB and/or its associated organizations.
- 3) If crime falls within 1-3 above, the person must be approved by a vote of the ERBYB Board of Directors at the next scheduled board meeting to be eligible to serve as an employee, independent contractor, or volunteer of ERBYB and/or its associated organizations.
- 4) The person will be notified in written communication of the decision.
- 5) All decisions reached by ERBYB are final. There are no appeals.