



BASEBALL NEWFOUNDLAND AND LABRADOR

Screening Policy

Preamble

1. Baseball NL and its Members understand that screening personnel and volunteers is a vital part of providing a safe sporting environment and has become a common practice among sport organizations that provide programs and services to the sport community.

Application of this Policy

2. This Policy applies to all individuals whose position with Baseball NL or a Member is one of trust or authority which may relate to, at a minimum, finances, supervision, or Vulnerable Individuals.
3. Not all individuals associated with the Baseball NL or a Member will be required to obtain a Criminal Record Check or submit screening documents because not all positions pose a risk of harm to the Organization, Members, or participants. Baseball NL or the Member will determine which individuals will be subject to screening using the following guidelines (Baseball NL or the Member may vary the guidelines at their discretion):

Level 1 – Low Risk - Individuals involved in low-risk assignments who are not in a supervisory role, not directing others, not involved with finances, and/or do not have unsupervised access to Vulnerable Individuals. Examples:

- a) Parents, youth, or volunteers who are helping on a non-regular or informal basis

Level 2 – Medium Risk – Individuals involved in medium risk assignments who may be in a supervisory role, may direct others, may be involved with finances, and/or who may have limited access to Vulnerable Individuals. Examples:

- a) Athlete support personnel
- b) Non-coach employees or managers
- c) Directors
- d) Coaches who are typically under the supervision of another coach
- e) Officials

Level 3 – High Risk – Individuals involved in high-risk assignments who occupy positions of trust and/or authority, have a supervisory role, direct others, are involved with finances, and/or who have frequent or unsupervised access to Vulnerable Individuals. Examples:

- a) Full-time coaches
- b) Coaches who travel with Athletes
- c) Coaches who could be alone with Athletes

Screening Implementation

4. The implementation of this policy is the responsibility of the Executive Director.
5. Local associations are responsible for reviewing their own documents and ensuring that their

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own volunteers are screened. Baseball NL will support local associations in these processes and will maintain their own documents for Baseball NL volunteers. In carrying out its duties, the Executive Director may consult with independent experts including lawyers, police, risk management consultants, volunteer screening specialists, or any other person.

6. Nothing in this Policy restricts or limits the Executive Director from requesting that the individual attend an interview with the Screening Committee if the Screening Committee considers that an interview is appropriate and necessary to screen the individual's application.
7. Nothing in this Policy restricts or limits the Executive Director from requesting the individual's authorization to contact any professional, sporting or other organization in order to assess the individual's suitability for the position that they are seeking.
8. Nothing in this Policy restricts or limits the Executive Director from requesting further information from the individual on more than one occasion, subject to the individual's right to insist that the Executive Director decide based on the information before it.
9. The Executive Director may, where appropriate, draw an adverse inference from an individual's failure to provide information or answer queries.
10. When assessing an individual's screening application, the Executive Director shall determine whether there is reason to believe that the individual may pose a risk to the Organization, to a Member, or to another individual.
11. An individual having been previously penalized for a prior offence shall not prevent the Executive Director from considering that offence as part of the individual's screening application.
12. If the Baseball NL Board of Directors determines that, based on the individual's screening application, in addition to any further material received by it, that the individual does not pose a risk to the members of the Organization, the Baseball NL Board of Directors may approve the individual's application, subject to the Baseball NL Board of Directors right to impose certain conditions.
13. In the case of a decision denying an application or approving an application with conditions, a copy of the decision shall be provided to the applicant and to the Board of Directors of the Organization or the Member, which may disseminate the decision as they see fit.
14. An Individual whose screening application has been denied or revoked may not re-apply to participate in the programs or activities of Baseball NL or the Member (as applicable) for two (2) years from the date the rejected application was made.

Screening Requirements

15. It is the policy of the Organization and its Members that when an individual is first engaged by the organization:

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- a) Level 1 individuals will:
 - i. Complete an Application Form (**Appendix A**)
 - ii. Complete a Screening Disclosure Form (**Appendix B**)
 - iii. Participate in training, orientation, and monitoring as determined by the organization

- b) Level 2 individuals will:
 - i. Complete an Application Form
 - ii. Complete a Screening Disclosure Form
 - iii. Complete and provide a Code of Conduct & Vulnerable Sector check by the RNC or RCMP equivalent depending on the jurisdiction
 - iv. Participate in training, orientation, and monitoring as determined by the organization
 - v. Provide a driver's abstract, if requested

- c) Level 3 individuals will:
 - i. Complete an Application Form
 - ii. Complete a Screening Disclosure Form
 - iii. Complete and provide a Code of Conduct & Vulnerable Sector check by the RNC or RCMP equivalent depending on the jurisdiction
 - iv. Provide one letter of reference related to the position and another from an applicable sport organization, if requested
 - v. Participate in training, orientation, and monitoring as determined by the organization
 - vi. Provide a driver's abstract, if requested

- d) If an individual subsequently receives a charge, conviction for, or is found guilty of, an offense they will report this circumstance immediately to Baseball NL or the Member (as applicable). Additionally, the individual will inform the organization of any changes in their circumstance that would alter their original responses in their Screening Disclosure Form.

- e) If the Organization or a Member learns that an individual has provided false, inaccurate, or misleading information, the individual will immediately be removed from their position and may be subject to further discipline in accordance with the *Discipline and Complaints Policy*.

Renewal

16. Unless the submission requirements are modified, individuals who are required to submit an Code of Conduct, Vulnerable Sector Check, Screening Disclosure Form, or Screening Renewal Form, are required to submit the documents as follows:
- a) A Code of Conduct every two years
 - b) A Vulnerable Sector Check every two years
 - c) A Screening Disclosure Form every three years
 - d) A Screening Renewal Form (**Appendix C**) every year

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17. At any time, including after either the submission of an individual's application or its approval (with or without conditions), the Executive Director may re-open an individual's file for additional screening if it is advised of new information that, in the discretion of the Organization or a Member, could affect the assessment of the individual's suitability for participation in the programs of the Organization or a Member.

Orientation, Training, and Monitoring

18. The type and amount of orientation, training, and monitoring will be based on the individual's level of risk, at the discretion of the Organization or the Member (as applicable).
19. Orientation may include, but is not limited to: introductory presentations, facility tours, equipment demonstrations, parent/Athlete meetings, meetings with colleagues and supervisors, orientation manuals, orientation sessions, and increased supervision during initial tasks or initial period of engagement.
20. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.
21. At the conclusion of orientation and training, the individual will be required to acknowledge, in written form, that they have received and completed the orientation and training.
22. Monitoring may include, but is not limited to: written or oral reports, observations, tracking, electronic surveillance (e.g., facility security cameras), and site visits.

How to Obtain a Code of Conduct or VSC

23. Individuals may only obtain a Code of Conduct and VSC by visiting an RNC or RCMP office or police station, submitting two pieces of government-issued identification (one of which must have a photo), and completing any required paperwork. Fees may also be required.
24. Fingerprinting may be required if there is a positive match with the individual's gender and birth date.
25. Baseball NL and its Members understand that they may be required to assist an individual with obtaining a VSC. A Request for VSC may need to be submitted or other documentation may need to be completed that describes the nature of the organization and the individual's role with Vulnerable Individuals. This will be available on our website.

Procedure

26. Screening documents must be submitted to the Executive Director.
27. An individual who refuses or fails to provide the necessary screening documents will be ineligible to volunteer or apply for the position sought. The individual will be informed that their application and/or position will not proceed until such time as the screening documents

- are submitted.
28. The Organization and its Members understand that there may be delays in receiving the results of police documentation. At the discretion of the Organization or a Member (as applicable), an individual may be permitted to participate in the role during the delay. This permission may be withdrawn at any time and for any reason.
 29. The Organization and its Members recognize that different information will be available depending on the type of screening document that the individual has submitted. For example, a Code of Conduct may show details of a specific offense, or not, and/or a VSC may be returned with specific information or simply a notification indicating 'cleared' or 'not cleared'. The Executive Director will use its expertise and discretion when making decisions based on the screening documents that have been submitted.
 30. Following the review of the screening documents, the Executive Director will decide:
 - a) The individual has passed screening and may participate in the desired position;
 - b) The individual has passed screening and may participate in the desired position with conditions;
 - c) The individual has not passed screening and may not participate in the desired position; or
 - d) More information is required from the individual.
 31. In making its decision, the Executive Director will consider the type of offense, date of offense, and relevance of the offense to the position sought. The following examples are offenses that may cause the individual to not pass the screening requirements or to have conditions imposed on the individual:
 - a) If imposed in the last ten years:
 - i. Any offense involving the use of a motor vehicle, including, but not limited to, impaired driving
 - ii. Any offense involving conduct against public morals
 - iii. Any offense involving theft or fraud
 - b) If imposed at any time:
 - i. Any offense involving a Minor or Minors
 - ii. Any offense of assault, physical or psychological violence
 - iii. Any offense involving trafficking or possession of illegal drugs
 - iv. Any offense involving the possession, distribution, or sale of any child-related pornography
 - v. Any sexual offense

Conditions and Monitoring

32. Excluding the incidents above which, if revealed, would cause the individual to not pass screening, the Executive Director may determine that incidents revealed on an individual's screening documents may allow the individual to pass the screening process and participate in a desired position with *conditions* imposed. The Executive Director shall have the sole and unfettered discretion to apply and remove conditions, determine the length of time for the imposition of conditions, and determine the means by which adherence to conditions

may be monitored.

Records

33. All records will be maintained in a confidential manner and will not be disclosed to others except as required by law, or for use in legal, quasi-legal, or disciplinary proceedings.
34. The records kept as part of the screening process include, but are not limited to:
 - a) An individual's Vulnerable Sector Check
 - b) An individual's Code of Conduct
 - c) An individual's Screening Disclosure Form (for a period of three years)
 - d) An individual's Screening Renewal Form (for a period of one year)
 - e) Records of any conditions attached to an individual's registration by the Screening Committee
 - f) Records of any discipline applied to any individual by the Organization, by a Member, or by another sport organization

Criminal Convictions

35. An individual's conviction for any of the following *Criminal Code* offenses may result in expulsion from the Organization and the Member and/or removal from designated positions, competitions, programs, activities and events upon the sole discretion of the Organization or the Member:
 - a) Any offense of physical or psychological violence
 - b) Any crime of violence including, but not limited to, all forms of assault
 - c) Any offense involving trafficking of illegal drugs
 - d) Any offense involving the possession, distribution, or sale of any child-related pornography
 - e) Any sexual offense
 - f) Any offense involving theft or fraud

Baseball NL Screening Policy – Appendix A – Application Form

Note: Individuals who are applying to volunteer or work within certain positions with the Organization or a Member must complete this Application Form. Individuals need to complete an Application Form once for the position sought. If the individual is applying for a new position within the Organization or within a Member, a new Application Form must be submitted.

NAME:

First	Middle	Last
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CURRENT PERMANENT ADDRESS:

Street	City	Province	Postal Code
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DATE OF BIRTH: _____ **GENDER IDENTITY:** _____

Month/Day/Year

EMAIL: _____ **PHONE:** _____

POSITION SOUGHT: _____

By signing this document below, I agree to adhere to the policies and procedures of the Organization and/or the Member (as applicable), including, but not limited to, the *Code of Conduct and Ethics, Conflict of Interest Policy, Privacy Policy, and Screening Policy.*

I recognize that I must pass certain screening requirements depending on the position sought, as outlined in the *Screening Policy*, and that the Executive Director will determine my eligibility to volunteer or work in the position.

NAME (print): _____ **DATE:** _____

SIGNATURE: _____

Baseball NL Screening Policy – Appendix B – Screening Disclosure Form

NAME:

First Middle Last

OTHER NAMES YOU HAVE USED: _____

CURRENT PERMANENT ADDRESS:

Street City Province Postal

DATE OF BIRTH: _____ GENDER IDENTITY: _____
Month/Day/Year

CLUB (if applicable): _____ EMAIL: _____

Note: Failure to disclose truthful information below may be considered an intentional omission and may result in the loss of volunteer responsibilities or other privileges and/or disciplinary action.

1. Have you been convicted of a crime? If so, please complete the following information for each conviction. Attach additional pages as necessary.

Name or Type of Offense: _____

Name and Jurisdiction of Court/Tribunal: _____

Year Convicted: _____

Penalty or Punishment Imposed: _____

Further Explanation: _____

2. Have you ever been disciplined or sanctioned by a sport governing body or by an independent body (e.g., private tribunal, government agency, etc.) or dismissed from a coaching or volunteer position? If so, please complete the following information for each disciplinary action or sanction. Attach additional pages as necessary.

Name of disciplining or sanctioning body: _____

Date of discipline, sanction, or dismissal: _____

Reasons for discipline, sanction, or dismissal: _____

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Penalty or Punishment Imposed: _____

Further Explanation: _____

3. Are criminal charges or any other sanctions, including those from a sport body, private tribunal or government agency, currently pending or threatened against you? If so, please complete the following information for each pending charge or sanction. Attach additional pages as necessary.

Name or Type of Offense: _____

Name and Jurisdiction of Court/Tribunal: _____

Name of disciplining or sanctioning body: _____

Further Explanation: _____

PRIVACY STATEMENT

By completing and submitting this Screening Disclosure Form, I consent and authorize the Organization and/or the Member to collect, use and disclose my personal information, including all information provided on the Screening Disclosure Form as well as my Enhanced Police Information Check and/or Vulnerable Sector Check (when permitted by law) for the purposes of screening, implementation of the *Screening Policy*, administering membership services, and communicating with National Sport Organizations, Provincial/Territorial Sport Organizations, Clubs, and other organizations involved in the governance of sport. The Organization and its Members do not distribute personal information for commercial purposes.

CERTIFICATION

I hereby certify that the information contained in this Screening Disclosure Form is accurate, correct, truthful and complete.

I further certify that I will immediately inform the Organization or the Member (as applicable) of any changes in circumstances that would alter my original responses to this Screening Disclosure Form. Failure to do so may result in the withdrawal of volunteer responsibilities or other privileges and/or disciplinary action.

NAME (print): _____

DATE: _____

SIGNATURE: _____

Baseball NL Screening Policy – Appendix C – Screening Renewal Form

NAME:

First	Middle	Last
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CURRENT PERMANENT ADDRESS:

Street	City	Province	Postal Code
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DATE OF BIRTH: _____
Month/Day/Year

GENDER IDENTITY: _____

EMAIL: _____

PHONE: _____

By signing this document below, I certify that there have been no changes to my criminal record since I last submitted an Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form to the Organization or to a Member. I further certify that there are no outstanding charges and warrants, judicial orders, peace bonds, probation or prohibition orders, or applicable non-conviction information, and there have been no absolute and conditional discharges.

I agree that any Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form that I would obtain or submit on the date indicated below would be no different than the last Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form that I submitted to the Organization or a Member. I understand that if there have been any changes, or if I suspect that there have been any changes, it is my responsibility to obtain and submit a new Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form to the Screening Committee instead of this form.

I recognize that if there have been changes to the results available from the Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form, and that if I submit this form improperly, then I am subject to disciplinary action and/or the removal of volunteer responsibilities or other privileges at the discretion of the Screening Committee.

NAME (print): _____

DATE: _____

SIGNATURE: _____