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**DDMBA Background Check Policy**

**DRAFTED: April, 2016 Revised May, 2016**

**Preamble:**

Protection of children is of paramount concern and a key mandate for the Dartmouth District Minor Baseball Association [DDMBA]. DDMBA has mandated that a policy requiring Criminal Background Records checks is required for on and off field personnel representing DDMBA in any capacity and interacting with children/players. Beginning with the 2016 Season, it will be mandatory that all Coaches, Assistant Coaches, Managers, Treasurers, Executive and Board personnel complete Criminal Background Records checks. As part of this process automatic exclusion from participation in DDMBA activity is warranted for certain criminal offenses with mandated timeframes for re-consideration of DDMBA participation set out in this policy.

**Policy:**

The following is the adopted policy for the 2016 season and moving forward:

1. Criminal Background Records checks [containing vulnerability sector check] will be mandatory for all DDMBA Executive Members and Board Members as well as Coaches, Assistant Coaches, Managers and Treasurers of all DDMBA teams;
2. Criminal Background Records checks are to be due for the 2016 season by July 30, 2016 and for subsequent years moving forward are to be due two weeks after the first game of the season is played;
3. Failure to produce the Criminal Background Records check by this deadline will result in the individual not being permitted to partake in DDMBA activity;
4. The Criminal Background Records check will be valid for DDMBA purposes for a period of three [3] years from the date of issue;
5. A Criminal Background Records check obtained for use in a different sport, employment or school setting is transferrable for the purpose of the DDMBA Background Records check and valid for three [3] years from the date of issue;
6. Those individuals who fall under this Policy are to attend their local police office and complete the Criminal Background Records Check process which may involve the following:
   1. Presenting two pieces of identification including photo I.D. ie passport, drivers license;
   2. Completing the prescribed Criminal Record Check form;
   3. Payment of a fee for this Check [it will be up to individual Associations as to whether or not they will re-imburse individuals for this fee];
7. If DDMBA uses the services of an accredited and licensed Background checking company, that service may be used as per their guidelines in the same manner as the Police Background Check;
8. The Background Check is to be treated with the utmost confidentiality with the completed form only being released by the police or Background checking company to the individual who applied for the Check;
9. The Applicant will deliver the completed Background Check to their Association President who will deliver it to the DDMBA President who will either hold and preserve the Check or arrange for it to be stored in a database held by the Background checking company as described in paragraph five [5] above;
10. The current DDMBA President is to assess the Background Check and:
    1. inform the applicable Association President of any individual who has a criminal record of that fact;
    2. conduct an assessment of fitness to partake in DDMBA activities;
11. The current DDMBA President will review the Check and this policy and advise the Applicant and the Applicant’s Association President of any rejection of fitness to participate in DDMBA activities.

**Automatic Exclusions/Mandated Timeframes for Participation Re-Consideration:**

The following criminal convictions result in automatic exclusions for participation in DDMBA activities with mandated timeframes for participation re-consideration:

1. Any sexual related convictions - no time limit - automatically ineligible;
2. Any violent offences above common assault – eligible for Board case-by-case re-consideration after ten [10] years from date of last conviction;
3. Any drug trafficking type offenses - ten [10] year time limit from date of last conviction;
4. More than one Drinking and Driving or Prohibited Driving offenses – ten [10] year time limit from date of last conviction and letter/certificate of sobriety to be provided from the individual and/or an accredited organization such as AA in the discretion of the current DDMBA President;
5. More than two criminal convictions – ten [10] year time limit from date of last conviction - eligible for Board consideration after ten [10] years only in exceptional circumstances - exceptional circumstances could exist if the multiple convictions arose from the same event as opposed to two events from different times;
6. Any criminal convictions within the past five [5] years with reconsideration at five [5] year time limit from the date of last conviction and taking into account whether the conviction is related to the other five [5] exclusions noted above and in that situation the earlier stated exclusions and time limitations for re-consideration apply;
7. Any convictions not considered above but which in the discretion of the Executive are serious enough to warrant review by the Executive and which will be subject to a review by a panel of three persons. The panel will consist of three members of DDMBA Board [of which one member must be the current DDMBA President] to be appointed by the Board in their discretion.

**Appeal:**

A rejected Applicant may appeal the decision to reject by way of a written request to the current President of DDMBA with said written request to be accompanied by a letter of support from the Applicants Association President or his delegate. The current DDMBA President will refer the matter to a panel to hear the appeal with said panel to consist of three members of DDMBA Board [of which one member must be the current DDMBA President] to be appointed by the Board in their discretion.