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Agenda Item Summary

To: Mayor and City Council Members

From: Tanya Osborne, Human Resources Director
Nathan Eurey, Public Services Director

Subject: Parks & Recreation Policies and Procedures Manual Revision:
Section 11-Volunteer Background Screening Process

Date: May 15, 2024

Summary:

Requesting approval of revision to the City of Lincolnton Parks and Recreation Department Policies and Procedures Manual. Specific section of the manual is Section 11-Volunteer Background Screening Process.

Background:

Section 11 of the Parks and Recreation Policies and Procedures Manual gives information related to the recruitment and responsibilities of the many volunteer coaches that assist with the department's youth sports programs. It is the City's desire that all youth programs provide a safe learning environment for all the participants. For the youth programs to be successful, it requires the help of the many volunteer coaches who give their time and take responsibility to teach and mentor the kids assigned to their team.

Running the Parks and Recreation Department youth sports programs this past fiscal year took approximately 450 volunteer head coaches and assistant coaches for the 2,304 participants in the programs. To become a volunteer coach, a background check must be completed as outlined in Section 11 of the Parks and Recreation Policy and Procedures manual.

This section of the manual is outdated as to the current procedures in place and requires a complete overhaul. To determine best practices, procedures from three other entities were obtained and reviewed to use in the creation of the draft document for Section 11. In addition, input was received from the volunteer application review committee who has responsibility for making determinations if a volunteer coach applicant will be disqualified due to items showing

on their background check. The review committee consists of the Public Services Director, Police Chief, Human Resources Director, City Manager, and a Park and Recreation Program Coordinator.

Major changes to the policy and procedures include:
1. Updating the process for submitting a volunteer application,
2. An update of the disqualifier list with appropriate timeframes,
3. Implementation of an appeal process for a volunteer coach applicant who may be disqualified,
4. Establishing the frequency of background checks, and
5. Outlining the volunteer coach's responsibility to notify parks and recreation staff if a disqualifying event occurs after receiving approval.

The draft for the Section 11 revision was sent for review by risk management consultants with the North Caroling League of Municipalities, with the final review of the draft for Section 11 being completed by the City Attorney, John Friguglietti, Jr.

Recommendation:

Approval of the revised Parks and Recreation Policies and Procedures Manual, Section 11-Volunteer Background Screening Process with an effective date of July 1, 2024.

Attachments:

Revised Parks and Recreation Policies and Procedures Manual, Section 11-Volunteer Background Screening Process

City of Lincolnton Parks and Recreation
Volunteer Coach Packet

THIS PACKET CONTAINS 3 SECTIONS. PLEASE CAREFULLY READ ALL 3 SECTIONS BEFORE CONTINUING WITH YOUR VOLUNTEER COACH APPLICATION

Section 1 – Information for Required Background Screening

The City of Lincolnton Parks and Recreation Department places the highest priority on ensuring the safety of our young participants in the multiple sports programs offered. In an effort to protect children who participate in organized sporting activities with the City of Lincolnton Parks and Recreation Department, background screenings will be mandatory for all recognized youth sports coaches and assistant coaches.

DEFINITIONS:

Head Coach - The City of Lincolnton recognizes a head coach as an adult or teen, 18 or older, who is responsible for scheduling and organizing practices, attending all practices and games, providing guidance to participants, and teaching skills to participants. The Head Coach is the primary contact with department staff regarding team or player issues, and agrees to learn and follow all league rules and policies.

Assistant Coach - An Assistant Coach is recognized as being one who attends more than two practices or games during a season for the purpose of providing guidance and teaching skills to the participants. The Assistant Coach is responsible for organizing and scheduling practices in the Head Coach's absence. The Assistant Coach is the secondary contact with Parks and Recreation staff regarding team or player issues, and agrees to learn and follow all league rules and policies.

Hereafter, any references to "coach" will include both head coach and assistant coach.

The City of Lincolnton reserves the right to limit the number of recognized coaches per team. Only those persons officially recognized as coaches by the City of Lincolnton will be allowed to be on the sidelines during games or practices.

PROCEDURE:

Coaching candidates shall complete the following online:

1. Read and acknowledge "Coach's Code of Ethics" document online
2. Read and acknowledge "Youth Protection Policy" online
3. Complete and sign Volunteer Application online

Volunteer coach applicants must be willing and give consent for the following to be completed:

1. Review of Sex Offender Registry
2. Review of Criminal History

Completion of the Volunteer Application form gives consent for the background screenings to be completed.

All coaching candidates will have a background screening one time annually to coincide with the City's operating year, July 1st – June 30th.

No other personal information (e.g. work history, financial, credit, etc.) is checked or researched. In the event information surfaces via the background check, a screening committee, with members consisting of the Public Services Director, Human Resources Director, Police Chief, City Manager, and Parks and Recreation Program Coordinator will review the background information to determine coaching eligibility. The City of Lincolnton Attorney will be consulted as needed. All information is strictly confidential and will not be made public.

Information Related to Disqualifying Offenses

The City of Lincolnton screens for the following offenses, and if a coach applicant is found to have been convicted, pled guilty or nolo contendere of any of the following offenses, he or she shall not be allowed to participate as a volunteer coach. In some instances, factors of time may be taken into account when considering coaching eligibility (i.e. length of time since disposition of certain offenses). Additionally, pending convictions of or arrests for the following items shall be considered disqualifiers:

- Any crime, misdemeanor or felony, involving children as either an accomplice or victim
- Any felony (other than sex or violence related) within the last 10 years
- Any crime of a sexual nature, including possession or dissemination of pornography
- Any felony involving violence
- Any sort of abuse or assault/battery - physical or sexual
- Arson
- Attempted murder
- Crimes against Children (including abandonment, abuse, endangerment, pornography, possession of promotion of pornography, enticement, solicitation, sale or purchase of, injury to, indecency)
- Domestic violence
- DWI/DUI-First offense and not currently under probation-eligible
- DWI/DUI-Two or more convictions within the last 5 years-ineligible
- Falsifying information on application for volunteer coach or assistant coach position
- Felony Animal cruelty
- Homicide or manslaughter in any degree

- Indecent exposure
- Kidnapping
- Misdemeanor drug charges within last 7 years
- Misdemeanor Theft/robbery within the last 7 years
- Misdemeanor Forgery/fraud within the last 7 years
- Misdemeanor violence within 7 years
- Misdemeanor weapons violations within 7 years
- Rape

Volunteer coach applicants who are disqualified may appeal the decision by submitting a request in writing to meet with the screening committee for the purpose of clarifying facts or explaining extenuating circumstances. The written request of appeal should be submitted to the City of Lincolnton's Human Resources Director within 7 calendar days from the date the coach applicant received notification of disqualification. The Human Resources Director will coordinate a meeting date with the coach applicant and screening committee. The screening committee, with potential guidance from the City's attorney, will issue a final determination. In some cases, convictions which are more than 20 years from the disposition date may be considered if no other type of listed disqualifying offense has occurred since that date.

All coaches are required to notify the Parks and Recreation Program Coordinator immediately following an arrest or conviction of any of the listed offenses. Any coach, who while coaching for the City of Lincolnton is charged with an offense listed as a disqualifying offense, shall immediately forfeit his/her coaching eligibility until disposition by the courts. A conviction of an offense listed as a disqualifier shall result in termination of coaching eligibility.

SECTION 2 - COACH'S CODE OF ETHICS

1. I hereby pledge to provide positive support, care, and encouragement for my team participating in youth sports by following this COACH'S CODE of ETHICS PLEDGE. I further agree, acknowledge, and understand my position as a role model for participants on my team, as well as others, and accept this role along with all associated responsibilities.

2. I will encourage good sportsmanship by demonstrating positive support for all players, parents, coaches, spectators, and officials at every game and practice.

3. I will place the physical, mental, and emotional well-being of my players ahead of a personal desire to win.

4. I will insist that my players participate in a safe, healthy, and fun-filled environment that is fully supervised and structured at all times.

5. I will support officials and league administrators in order to encourage a positive and enjoyable experience for all and communicate requested information to parents.

6. I will encourage a sports environment for my players that is free of drugs, tobacco, and alcohol, and will refrain from their use at all youth sports events.

7. I will remember, and remind parents, that the game is for the youth, not for the adults.

8. I will do my very best to make youth sports fun for my players and parents and will never take the fun out of the game by over-emphasizing winning.

9. I will ask my players to treat other players, coaches, fans, and officials with respect, regardless of any other factors.

10. I will take every opportunity to teach, train, and develop my players as it relates to the sport that I am coaching, sportsmanship, and teamwork

11. I will never intentionally break league rules and will willingly abide to change any situation if a mistake is revealed by league officials, referees, or other coaches.

12. I will always use positive reinforcement to motivate my players and will never attempt to do so by use of intimidation, neither physical nor verbal.

13. I will enforce that school studies and activities should be the youth’s first priority.

14. I will work with youth participating in school sports allowing each player the same opportunity for participation in the Lincolnton Recreation Youth Sports League program.

15. I acknowledge that my failure to abide by this Code of Ethics will result in my removal as a coach from the Lincolnton Recreation Youth Sports League and for the City of Lincolnton Recreation Department.

SECTION 3 – YOUTH PROTECTION POLICY
ADMINISTRATIVE POLICY #8

Section I. Purpose

The purpose of this policy is to ensure the safety and well-being of youth participating in programs offered by the City of Lincolnton. This would include any city department whereby employees provide services to or come in contact with minors. This policy is intended to give guidance and protection to our employees and volunteers who work with youth, as well as the children we serve.

Section II. Youth Protection

The City of Lincolnton will not tolerate any type of sexual, physical, or any type of abuse of children who are involved in city-sponsored programs or services. The City of Lincolnton is committed to providing a safe place for children to play, learn and grow and condemns any instance of abuse, sexual or otherwise.

All employees and volunteers have a responsibility to help ensure that we avoid actual or perceived instances of sexual or other abuse in city programs or in positions where employees or volunteers work with or around youth. Employees and volunteers should not:

- Put him or herself in a one-on-one situation involving a child who is not their own; the City of Lincolnton realizes there could be situations whereby it is necessary for employees/volunteers to be in a one-on-one situation with a child, i.e., law enforcement officials. These factors will be taken into consideration on a case-by-case basis.
- Provide unwarranted gifts, trips, attention and affection to individual children who are not their own;
- Provide private transport in a vehicle unless in an emergency situation;
- Corporal punishment of children is not allowed for any reason.

Employees and volunteers should report any form of abuse to the attention of their supervisor or Human Resources Director. Employees and volunteers may report such situations without reprisal to the person reporting the conduct so long as the report is made in good faith and the information provided is truthful to the best of their knowledge. The City of Lincolnton will strive to keep complaints, investigations, and resolutions confidential. However, the City of Lincolnton will fulfill its obligation to report instances of sexual abuse or any type of abuse to the appropriate law enforcement authorities.

Section III. Background Checks

In addition to the criminal background check conducted on individuals being considered for City employment, criminal background checks shall also be conducted on volunteers in positions dealing directly with youth. This shall include researching sexual offender registry records on potential employees and volunteers working directly with youth.

Section IV. Affirmation

I affirm my commitment to support the City of Lincolnton as a safe place for children. I acknowledge that I have read and received a copy of the City of Lincolnton's Youth Protection Policy. I fully understand the terms of this policy and agree to abide by them. I understand that any violation of this policy could lead to serious disciplinary action or criminal prosecution.

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