

**Revised**  
**Policy for Criminal Background Checks of Adult Volunteers**  
**for Organizations in the City of Coppell**

**Statement**

The City of Coppell (hereinafter City ) and the members of the various Organizations which utilize City facilities have a desire to protect the safety and welfare of children. Recognizing the nation-wide incidence of crimes against children requires pro-active steps to provide protection to children participating in Organizations involving sports and athletic competition.

The City requires that all adults, 18 years or older, of the Coppell Sports Council Youth Sports Association, or any youth sports, association, or corporation (hereinafter Organization ), that utilizes the athletic facilities in the City, will be required to verify to the City that a criminal background verification has been performed in accordance with this policy. Background checks will be conducted in accordance with the Criminal History Information Act as adopted by the 73<sup>rd</sup> Texas legislature and amended from time to time (the Criminal Information Act ).

Compliance with this policy shall be a condition precedent to use of any City facility, managed or operated by the City, by any organization for sports practice or game.

**I. Procedure**

In order to screen all volunteers, coaches, and officials, each Organization must verify and implement the following procedures:

**A. Criminal Background Checks**

Each Organization will conduct or require criminal background check procedures to all adults acting as coach, instructor, teacher, official, or manager.

1. After initial compliance and every twelve (12) months thereafter, all volunteers and/or paid employees of the Organization for positions of coach, assistant coach, manager, game official (umpire, referee, linesman, etc.), association board of director member or other persons acting in an official capacity of such Organization must have a statewide criminal background check. Organizations may independently establish other volunteer positions for which they may require criminal background checks.
2. Criminal background checks must be performed prior to the volunteer being assigned any duties or responsibilities at any City facility in accordance with the provisions herein. Organizations may determine the time of year the checks are conducted depending on the beginning of their practice season(s) or events.
3. Some Organizations conduct criminal background check procedures mandated by their affiliation in larger sports organizations. Those Organizations may continue to have their criminal background checks processed by those larger organizations and be in compliance with these procedures as long as the affidavit of certification is submitted to the City by the Organization prior to the utilization of City facilities as provided herein.
4. Note: Game officials used which are not affiliated with a City sponsored Organization are not

subject to the City's criminal background check standards; however, as to any other Organization the requirements contained herein are required.

**B. Grounds for Disqualification**

An individual convicted of the criminal offense provided herein shall be disqualified from the organization for the purpose of this policy and use of a City facility as provided herein, notwithstanding:

1. criminal charges were subsequently dropped and the applicant was never prosecuted for the crime; or
2. the criminal charges resulted in a non-conviction, such as probation or deferred adjudication, deferred disposition; or
3. the criminal conviction was subsequently expunged from the applicant's record as the result of appropriate legal proceedings.

**C. List of Disqualifying Criminal Offenses**

The following is a list of offenses that would be grounds to disqualify a volunteer from being affiliated with an Organization utilizing the City facilities or managed activities.

|  |  |
|--|--|
| Arson  | Assault  |
| Aggravated kidnapping  | Aggravated robbery   |
| Aggravated sexual assault  | Bigamy   |
| Crimes against children (including abandonment, abuse, endangerment, indecency, sexual assault, pornography, possession or promotion of pornography, enticement, solicitation, sale or purchase of, injury to indecency) | Criminal nonsupport  |
| Injury to elderly or disabled  | Criminally negligent homicide  |
| Intoxication manslaughter  | Deadly conduct   |
| Manslaughter (involuntary or voluntary)  | Delivery of marijuana  |
| Any violation of the law intended to control the possession or distribution of any controlled substance or illegal drug  | Indecent exposure  |
| Prohibited sexual conduct  | Kidnapping   |
| Prostitution (including promotion of, aggravated promotion of)   | Manufacture of or delivery of a controlled substance or dangerous drug |
| Marijuana possession <sup>a</sup>  | Murder (including capital murder)                                      |
| Theft <sup>a</sup>   | Obscenity  |
|  | Public lewdness  |
|  | Rape   |
|  | Sexual abuse   |
|  | DWI, DUI <sup>a</sup>  |

1. This list of offenses is not intended to be all-inclusive and in no way sets limits on the offenses that are deemed grounds for disqualifying an individual from affiliation with a Youth Sport Association. Decisions on all other crimes or offenses not otherwise described above will be made at the sole discretion of the Organization.

If a volunteer is determined eligible for affiliation and is later arrested or convicted of any of the above crimes, they are required to notify their Organization. They will be removed immediately from their volunteer position until the case is finally adjudicated. Failure to notify the Organization of any arrests or convictions from the list above will result in the volunteer being immediately removed from all Organization volunteer duties for a minimum twelve (12) months beginning on the date the failure to notify was discovered.

<sup>a</sup> Note: Marijuana possession/DWI/DUI/Theft — Eligibility depends on the severity and length of time passed since

the offense occurred.

## Certification

1. To be eligible for City facility use, each Organization is required to provide an affidavit of certification to the City as a legal record and proof that they and the persons listed have complied with all provisions of this policy.

Affidavits shall be submitted and remain on file with the City, Parks and Recreation Department. The affidavit of certification shall only be in a form provided by the City. Affidavits shall expire and no longer comply with the policy twelve months after being notarized.

Organizations who fail to have any valid affidavits on file complying with this policy, are prohibited from using the City's facilities for practice or games. Once an affidavit is on file, in compliance with this policy, Organizations are eligible for City facility use.

This policy does not effect the extent of City facility use. Usage limits will always be the most restrictive conditions set by City code, contracts or any other agreements between the City and the Organizations.

Organizations may have multiple affidavits on file as a method to document qualified volunteers on an ongoing basis.

Only adults, who have had their background checks completed and approved before they were assigned duties or responsibilities, shall be listed on an exhibit to the affidavit and be in compliance with this policy.

The Organizations shall assume all the legal responsibility for managing a system to ensure background check policy compliance and the accuracy of the volunteer lists they have on file with the City .

2. Each Organization shall be responsible for the method and manner of its compliance with this policy and shall, prior to commencement of the use of City facilities for any games, practices, or events, provide a sworn signed affidavit which shall state and include the following:
  - a. The Organization verifies the named persons have received, read and understand the Criminal History Background Verification Policy of the City of Coppell, Texas;

The name and address of every coach, teacher, instructor, trainer, official and volunteer;

A statement that the persons listed have had the results of a completed criminal background check reviewed before they were assigned any duties or responsibilities at any City facility, managed by the City;

- d. A statement that ~~for~~ each such named person has been subject to a criminal history background check as provided in the official policy, and that such named persons have not been convicted of the crimes provided in this policy or are otherwise not in violation of the enumerated grounds of disqualification;
- e. A statement that the Organization will immediately notify the City in a change of status of the named individuals;
- f. A statement that the Organization will maintain a current and accurate list of all such

volunteers, coaches, teachers, trainers, instructors, officials;

- g. That this affidavit is made under the penalty of perjury.
3. Each Organization shall be responsible for determination on the qualifications of its volunteers and compliance with this policy; however, the failure of the Organization or group to comply with the certification provided herein shall be deemed to be an act of noncompliance.