

# City of Miamisburg Parks and Recreation Department Policy

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## NON-EMPLOYEE BACKGROUND CHECK POLICY

**PURPOSE:** Policy defining the need for annual background checks among the department's non-employees, including volunteers, volunteer coaches, independent contractors, and maintenance contractors. Specific steps to obtain a background check are outlined in the supporting Volunteer Handbook and Independent Contractor Handbook.

### **POLICY:**

The department may require a background check of any individual serving in a designated non-employee capacity prior to participation. The following are general guidelines under which discretion will be used by staff to determine those who may or may not require a background check.

Generally Required Persons:

- Volunteers
  - Volunteers 18 years of age or older, working frequent or reoccurring volunteer postings.
    - Individuals aged 12-17 seeking to volunteer must complete a youth reference check process through the Parks and Recreation volunteer management process and be paired with a designated, background checked, adult supervisor for work assignments. Prospective volunteers of this age must provide a non-relative, adult character reference at the time of application. Specifics regarding this process are outlined in the Volunteer Handbook.
  - Volunteers working with at-risk populations including children, those with special needs and the elderly.
  - Volunteers and Independent Contractors working jobs that require the supervision of others and/or are outside the direct visual supervision of department staff.
- Independent Contractors
  - Independent contractors hosting or supporting public operations and/or programs for any age or group on behalf of the City of Miamisburg Parks and Recreation Department.
- Maintenance Contractors
  - Background checks pertaining to Maintenance Contractors will be outlined in their individual work agreements.

Situations that May Not Require a Check:

- Organized youth groups may volunteer without a background or reference check under the direction of their adult leadership structure. For example, scout troops, sports teams, or school groups accompanied by troop leaders, coaches, or teachers.

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- Volunteers seeking sporadic, episodic opportunities may volunteer for large public events or group volunteer projects without background check or youth reference check. Examples may include litter pick up, park clean up days, and event support such as tear-down, set-up or outreach functions.
- Non-Background checked individuals will not be given tasks that are outside the direct supervision of department staff, include any level of authority or supervision of others, or include purposeful interaction with children, the elderly, or special needs individuals.
- The department does not accept adult probationers for volunteer opportunities.
  - Youth probationers may be accepted when accompanied by a court appointed supervisor or within an official court approved program. Approval of such programs will be at the discretion of department management.

### **Criminal Background Check Provider Details**

Criminal Background checks are conducted by an external service provider. The service provider may change at the City's discretion. The background check provider and means of applicant communication will be kept up to date in the Volunteer Handbook and Independent Contractor Handbook available on PlayMiamisburg.com. Candidates may seek clarification/additional information on the provider by contacting the Parks and Recreation Department.

### **What is Included in a Background Check**

At a minimum, background checks will include:

- A Social Security Number Trace/Confirmation
- Sex Offender Registry Search
- National Criminal Offense Database Check

Candidates must also furnish a government issued ID that matches the information provided to the external background check provider. Other searches may be requested. Candidates will be provided information from the service provider about all required screenings at the time of consent.

### **Offenses that Prohibit Participation**

The following offenses prohibit an individual from participating as a volunteer or independent contractor:

- Any felony conviction.
- Any conviction, no contest plea or guilty plea, or admission to any crime involving or against a minor or other at-risk population.
- If an individual has any conviction, no contest plea or guilty plea, or admission to any crimes that are considered violent or sexual in nature or listed on the National Sex Offender Registry.

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- Other crimes or patterns of crime may also lead the management staff to deem an individual unfit for volunteer or independent contractor participation with the City of Miamisburg Parks and Recreation Department. Generally, the past 7 years are examined for this criterion.
- An individual wishing to coach or lead youth programs will be excluded from doing so if listed on the [U.S. Center for SafeSport's Centralized Disciplinary Database](#) ineligible list.

Candidates with background information that does not satisfy this policy will be notified of the report's findings. Incorrect findings may be disputed directly with the third-party background check provider. In this case, the department will withhold a decision on approval until amended results are provided by the background check provider. The timeliness of this process may result in a volunteer receiving an alternate assignment. No volunteer may begin a posting until approved by the volunteer manager.

Participants will be notified by the department of final approval or denial for participation based on background results. Approval and denial decisions are final.

If the Miamisburg Parks and Recreation Department becomes aware of information, by any means whatsoever, that an individual, including volunteers or independent contractors, has been convicted of, pled guilty, pled no contest, or admitted to any exclusionary crime not reflected in their background report, the designated staff will contact the applicable governmental agency to confirm the accuracy of the information before allowing the volunteer or independent contractor to participate in their position and may remove the volunteer or independent contractor from current and future participation until the information is received and reviewed.

If an individual involved with the City of Miamisburg Parks and Recreation Department is under investigation for any type of child abuse, or has a pending charge against, or involving, an at-risk population, they will be removed from their current and future participation until the outcome of the investigation or pending charges are complete and the allegations are resolved.

### Refuting Background Results

Individuals may refute the accuracy of their background check directly with the background check provider. The individual participant will be responsible for coordinating with the background check provider. The provider can then submit an updated result to the department for consideration based on corrected information.

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Ryan Davis  
Parks & Recreation Director Date

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