Sample Background Check policy

Background Checks Policy

BGC of X (BGCX) is committed to the protection of all persons who are associated with BGCX including members, staff, volunteers and guests. As required by the Operating Standards for Member Organizations, BGCX shall conduct criminal background checks of all employees and volunteers who have direct repetitive contact with children participating in our programs. BGCX will carry out this requirement in a fair, consistent and non-discriminatory manner, complying with applicable state and federal laws and guidelines, including the Fair Credit Reporting Act and the Equal Employment Opportunities Commission.

BGCX utilizes name-based or fingerprint-based systems to obtain data for individual background checks, but at a minimum each individual background check shall include: (a) verification of the individual’s identity and legal aliases, (b) a national search of sex offender registries and (c) a national search of criminal records. Background checks shall be conducted prior to employment or volunteer service and renewed each twelve (12) months. Other data may also be obtained, based on individual employee or volunteer duties or responsibilities.

Background check findings shall be reviewed in a fair, impartial and confidential manner. Because BGCX’s priority is the safety of the members, staff, volunteers and guests, certain actions and convictions for certain crimes serve to automatically disqualify applicants for employment or volunteer service at BGCX in any position that involves working with children. A person will be ineligible for employment or volunteer service if the person:

1. refuses to consent to a criminal background check,
2. makes a false statement in connection with such criminal background check,
3. is registered, or required to be registered on any sex offender registry,
4. has been convicted of a felony,
5. or has been convicted within the past 5 years of a misdemeanor involving:
   a. physical assault or battery,
   b. drugs or controlled substances, or
   c. cruelty to animals.

With respect to convictions for crimes not listed above, any applicant with such a conviction shall be evaluated on an individual basis to determine whether they should be excluded from consideration based on the conviction. In so doing, BGCX shall consider the following factors:

- the nature and gravity of the offense;
- the time that has passed since the offense or completion of sentence;
- the nature of the job sought or held;
- the facts and circumstances surrounding the offense or conduct;
- the number of offenses for which the individual was convicted;
- the age of the individual at the time of conviction or release;
- evidence that the individual performed the same type of work, post-conviction, with the same or a different employer with no known incidents of criminal conduct;
- the length and consistency of employment history before and after the offense or conduct;
- rehabilitation efforts, e.g. education and/or training;
- employment or character references and any other information regarding fitness for the particular position; and
- whether the individual is bonded under a federal, state, or local bonding program.

BGCX shall alert the applicant to the possibility of his or her exclusion due to past criminal conduct and provide the applicant an opportunity to submit an explanation. All personal data, background check data and adverse action letters shall be treated as confidential and maintained in a secure location. Other screening procedures shall be consistent with those described in Hiring Staff and Selecting Volunteers of High Character, The Boys & Girls Club Way, published by Boys & Girls Clubs of America.