



Member, United States  
Olympic & Paralympic Committee

# PARALYMPIC OPERATIONS DEPARTMENT

Background Check Procedures

## Purpose

These procedures set out the background check search components and the process for conducting background checks, interpreting background check results, communicating with individuals regarding their background check results, and reporting to the U.S. Olympic & Paralympic Committee (USOPC) all background check results.

## Statement of Procedure:

### I. Authorized Background Check Organization

- A. The National Center for Safety Initiatives (NCSI) shall conduct all background checks for the POD. NCSI is a full-service screening organization that works in accordance with the *Recommended Guidelines*® established by the National Council of Youth Sports (“NCYS”).

In addition to conducting background checks, NCSI is responsible for evaluating background check results, communicating with individuals regarding their background check results, and reporting to the POD and the appropriate Membership Organization all background check results. NCSI will also be responsible for complying with the Fair Credit Reporting Act (“FCRA”), storage of background check records, and maintaining the confidentiality of information obtained in the background check process.

NCSI does not participate in or make decision regarding an individual’s eligibility for participation. Any and all decisions relating to participation shall be determined at the discretion of the POD.

The POD has entered into a contract with NCSI to allow use of the NCSI website and will conduct a bi-annual review of NCSI to ensure its needs and the needs of all its constituents are being met.

### II. Individual Self-Registration Procedure

- A. NCSI will provide the POD with a link to the NCSI website, so that the POD and Membership Organization can effectively direct individuals to the website to complete the registration for the individuals’ background checks. As part of their online registration at NCSI’s secure website, each individual must complete a background check Consent & Authorization form.
- B. From the time an individual self-register for their background check, through the conclusion of their association with the POD, they have the affirmative duty to disclose their criminal history to the POD. Failing to disclose or intentionally misrepresenting an arrest, plea, or conviction is grounds for disciplinary action, regardless of when the offense is discovered or occurred. An individual also has an affirmative duty to disclose a pending outcome, confirmed violation, or suspension stemming from any SafeSport-related matter with a Membership Organization, another sport organization, or the U.S. Center for SafeSport. In such an event, the individual must notify the POD, in writing and within 24 hours.

- C. The POD shall be responsible for ensuring that background checks are conducted on the individuals outlined in the Application Section of the Background Check Policy (Section I).

### III. Background Check Search Components

- A. **Full Background Checks.** All full background check screens will include at least the following search components:

1. Social Security Number validation or suitable alternative identification verification process as determined by the background check vendor;
2. Name and address history records;
3. Two independent Multi-Jurisdictional Criminal Database searches covering 50 states plus DC, Guam, and Puerto Rico;
4. Federal District Courts search for each name used and district where the individual currently lives or has lived during the past seven years, going back the length of time records are available and reportable;
5. County Criminal Records for each name used and county where the individual currently lives or has lived during the past seven years, going back the length of time records are available and reportable for each county searched;
6. National Sex Offender Registry database search of all available states, plus DC, Guam, and Puerto Rico;
7. Multiple National Watch Lists;
8. SafeSport Disciplinary Records. Until this process is automated, this shall be accomplished by conducting individualized searches for the SafeSport Disciplinary Records on the SafeSport website of individuals covered under the Background Check Policy.
9. Comprehensive International Records search for individuals who have lived outside of the United States for six consecutive months in any one country, during the past seven years. International record checks vary from country to country. The background check vendor will provide comparable search components depending on the laws of that specific country.
10. Motor Vehicle Records of at least a 3-year history in the state of licensure; (if driving is required for position);
11. Education Verification and final degree received (one time only, on initial screening if required for position; POD only);
12. Professional License/Certification Verification for certain medical and coaching roles

- B. **Supplemental Background Checks.** All supplemental off-year background check screens will be conducted using at least the following search components:

1. Multi-Jurisdictional criminal database covering 50 states plus DC, Guam, and Puerto Rico

2. Sex Offender Registry database searches of all available states, plus DC, Guam, and Puerto Rico; and
3. SafeSport Disciplinary Records.

C. **Background Checks for Media, Third-Party Vendors/Contractor, and Partner Programs.** For background checks the POD conducts on media personnel, as well as for those that must be conducted by third-party vendors/contractors and community organizations, all such searches will be conducted using a name-based or fingerprint-based record search in any combination that shall, at a minimum:

1. Social Security Number validation or suitable alternative identification verification process as determined by the background check vendor;
2. Multi-Jurisdictional Criminal Database search covering 50 states plus DC, Guam, and Puerto Rico;
3. Federal District Courts search for each name used and district where the individual currently lives or has lived during the past seven years, going back the length of time records are available and reportable;
4. County Criminal Records for each name used and county where the individual currently or has lived during the past seven years, going back the length of time records are available and reportable for each county searched;
5. Sex Offender Registry database searches of all available states, plus DC, Guam, and Puerto Rico; and
6. SafeSport Disciplinary Records.

#### IV. Background Check Screening

- A. NCSI will provide a “Red Light/Green Light” determination for each background check to the POD. A “Green Light” indicates that no reportable criteria-related convictions or pending dispositions were found in the screening process and information needed to complete the background check was received. A “Red Light” means one or both of the following: 1) information is required to complete the screening process (“RL-I”) and/or 2) criteria-related convictions or pending convictions were found and verified in the screening process (“RL-Review”). If a question arises concerning a background check, the individual will be contacted directly by NCSI and given the opportunity to correct potential discrepancies in the individual’s records or to provide additional information prior to NCSI issuing a Red Light determination. In “RL-I” situations the POD may also be contacted.
- B. A reportable record or disclosure that contains a disposition or resolution of a criminal proceeding, other than an adjudication of not guilty,<sup>1</sup> or the

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<sup>1</sup> For purposes of these procedures, a “disposition or resolution of a criminal proceeding, other than an adjudication of not guilty” shall include, but is not limited to: an adjudication of guilt or admission to a criminal violation, a plea to the charge or a lesser included offense, a plea of no contest, any plea analogous to an *Alford* or *Kennedy* plea, the disposition of the proceeding through a diversionary program, deferred adjudication, deferred prosecution, disposition

existence of pending charges, for any of the below criminal offenses will be flagged as a Red Light Review, meaning it does not meet the initial screening criteria and the individual will be subject to the POD's policies and procedures to determine the individual's level of access and involvement with regard to athlete interactions, POD facilities and Designated Events (as defined below):

1. Any felony;<sup>2</sup> and
2. Any misdemeanor involving:
  - a. All sexual crimes, criminal offenses of a sexual nature to include but not limited to; rape, child molestation, sexual battery, lewd conduct, possession and distribution of child pornography, possession and distribution of obscene material, prostitution, indecent exposure, public indecency, and any sex offender registrant;<sup>3</sup>
  - b. Any drug related offenses;
  - c. Harm to a minor or vulnerable person, including, but not limited to, offenses such as child abandonment, child endangerment/neglect/abuse, contributing to the delinquency of a minor, and DUI with a minor;
  - d. Violence against a person, force, or threat of force (including crimes involving deadly weapons and domestic violence);
  - e. Stalking, harassment, blackmail, violation of a protection order, and/or threats;
  - f. Destruction of property, including arson, vandalism, and criminal mischief; and
  - g. Animal abuse, cruelty, or neglect.

#### V. Driving Privileges

- A. For purposes of being authorized to transport people in any motor vehicle for business purposes, a record that contains the following information will be flagged as a Red Light Review and subject to review in accordance with the POD's policies and procedures:
  1. No valid driver's license (expired or lack of license);
  2. Suspended or revoked driver's license;
  3. More than two moving violations and/or accidents in the prior two years;
  4. A conviction for a major moving violation within the prior two years, including, but not limited to: DUI/DWI, possession of an open container, any drug-related motor vehicle incident, leaving the scene of an accident, assault (in any form) by use of a motor vehicle, and reckless driving (willful or wanton disregard for safety of persons or property in any form);

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of supervision, conditional dismissal, juvenile delinquency adjudication, or similar arrangement, or the existence of an ongoing criminal investigation, a warrant for arrest, or any pending charges.

<sup>2</sup> For purposes of these procedures, the term "felony" shall refer to any criminal offense punishable by imprisonment for more than one year.

<sup>3</sup> Any covered individual that has been convicted of, received an imposition of a deferred sentence for, or any plea of guilty or no contest for any sexual crime, criminal offense of a sexual nature, and/or is a sex offender registrant must be reported to the U.S. Center for SafeSport.

5. Pending traffic offenses; and
  6. An individual being under 21 years of age.
- B. If following the POD's review, the determination is that the individual is not approved for driving privileges, then the individual is not authorized to drive or operate any vehicle (personal, rental, or POD's fleet vehicle) to transport athletes, Delegation members, volunteers, or members of the organizing committee.

#### VI. Appeal to Criminal Background Check Vendor

Any individual has the right to dispute what they consider to be erroneous findings of the criminal background check directly with the criminal background check vendor. The POD is required by the Background Check Policy to accept the findings of the criminal background check provider as to the accuracy of the records. However, the POD Ethics Committee shall exercise their discretion and may take all relevant information into consideration to determine the eligibility status of individuals with Red Light findings.

#### VII. Background Check Procedures

- A. The POD will be notified of Green Light and Red Light status. Individuals will receive two separate Green Light/Red Light notifications: one for their criminal check and one for their driving history check. In the event of a Red Light, NCSI will contact the POD to request authorization to send an adverse action letter on behalf of the POD, and if authorized, will send an adverse action letter to the individual. On request, NCSI will provide additional information to support the POD's review and decision process.
- B. After receiving notification of a Red Light Review, the POD's Ethics Committee will determine if and to what degree the individual will be: (a) affiliated with the POD, (b) granted access to Logan's Campus, (c) permitted to participate in a Designated Events, or (d) granted driving privileges in accordance with the Background Check Policy and these procedures.
- C. Membership Organization are required to notify the POD via email at [Kelley.Humphries@logan.edu](mailto:Kelley.Humphries@logan.edu) of any decision reached by the Membership Organization, which has the effect of allowing an individual covered by the Membership Organization's Background Check Policy to reside, train or compete at a POD Designated Event, or other international sporting events as designated by the POD, if the individual's background check screen was flagged for any disposition or resolution of a criminal proceeding, other than an adjudication of not guilty for any of the below crimes:  
Any felony involving:
1. Violence against a person within the previous ten (10) years;
  2. Violent crimes involving weapons (including armed robbery and aggravated assault with a weapon) within the previous ten (10) years; and
  3. Animal abuse, cruelty or neglect.

As well as any felony or misdemeanor involving:

4. All sexual crimes and criminal offenses of a sexual nature to include, but not limited to: rape, child molestation, sexual battery, lewd conduct, possession or distribution of child pornography, possession and distribution of obscene material, and any sex offender registrant (excluding prostitution, indecent exposure, and public indecency);
5. Drug offenses including drug distribution, intent to distribute, manufacturing, trafficking, or sale within the previous 7 years (excluding crimes for drug use or possession); and
6. Harm to a minor or vulnerable person, including, but not limited to: offenses such as child abandonment, child endangerment/neglect/abuse, contributing to the delinquency of a minor, providing alcohol to a minor, and DUI with a minor.

VIII. [Background Check Review Panel – POD Ethic Committee](#)

The POD Ethics Committee will oversee violations of the Background check policy in accordance to the procedures laid out in the POD Handbook, Code of Conduct and Grievance Procedures.

IX. [Payment Information](#)

In cases where the POD directly assigns or nominates an individual to serve in a role or to be a member of the official Team Delegation for Designated Event, payment for the background check will be the responsibility of the POD. In all other instances, payment for the background check will be arranged by the Membership organization, individual member of the sport(s) managed by the POD, or partner program.