

Volunteer Background Check Policy

Town of Apex Parks, Recreation & Cultural Resources Department

Updated: 04/30/2024

PURPOSE

The Town of Apex Parks, Recreation & Cultural Resources Department (“PRCR”) conducts background checks to prioritize the safety of all of our participants. These checks serve to verify information provided by an applicant while promoting safety and security for program participants.

POLICY

PRCR general policy is as follows:

- A. A **volunteer** is defined as anyone who performs a task at the direction of and on behalf of the Town of Apex without compensation.
- B. **Sensitive positions** are defined as any role that works with vulnerable populations regularly or in unsupervised settings. **Vulnerable populations** are defined as any participant who may be vulnerable due to age or ability (children, seniors, the disabled or those with specialized recreation needs)
- C. **Background checks** will be conducted for any volunteer that will be working with vulnerable populations in sensitive positions. Any questionable items uncovered during a background check may require picture ID or other information to be submitted to PRCR for further consideration.
- D. Any volunteer who refuses to consent to a background check will be removed from consideration for a sensitive position with PRCR.
- E. All information received through the background check process will only be used as part of the volunteer application process and will be kept strictly confidentially according to the Fair Credit Reporting Act (FCRA).
- F. No information discovered as a result of the background check will be used to discriminate on the basis of race, color, religion, sex, national origin, political affiliation, qualified disability, or age.
- G. Background check shall be conducted on an annual basis. All volunteers will repeat the background check process one year after initial approval to continue volunteering.

DISQUALIFYING FACTORS

- A. If any items are identified during the background check process, the applicant will be sent a pre-adverse letter, a copy of their rights under the FCRA and a copy of the background check report. This does not mean the applicant is automatically disqualified.
- B. If an applicant is disqualified due to findings in the background check, an adverse letter will be sent to the applicant stating that they will not be considered for volunteer service opportunities by PRCR. The

applicant is able to reapply after the necessary time since the conviction has passed according to the list of disqualifying convictions below.

C. If a volunteer is discovered to have withheld information with the intent to mislead or is found to have falsified information which is deemed pertinent to the volunteer position the volunteer will be disqualified from current and/or future consideration for volunteer service with PRCR.

D. Disqualifying factors will be used to accept and deny volunteer services.

E. A person shall be disqualified and prohibited from serving as a volunteer if the person has been found guilty following trial, entered a plea of guilty, entered a plea of no contest accompanied by a court finding of guilty. The following list includes disqualifying convictions based on offense:

1. Regardless of amount of time since the offense occurred:

- a. All sexually-related offenses
- b. All violence-related felonies
- c. All felonies involving a minor
- d. All violence-related misdemeanors involving a minor
- e. All drug and alcohol-related offenses involving a minor

2. Within the past 10 years:

- a. All felonies not related to sex, violence or involving a minor
- b. All violence-related misdemeanors
- c. More than two drug and/or alcohol related offenses

3. Within the past 5 years:

- a. All other felony or misdemeanors that would be considered a potential danger to vulnerable participants or is directly related to the functions of that volunteer
- b. One or more drug or alcohol related offenses

OTHER DISQUALIFYING FACTORS

A. Any applicant who has been charged with any of the disqualifying offenses above will not be allowed to volunteer until the disposition of the charge.

B. If a volunteer is currently serving in a role or has been previously approved should subsequently have any criminal charges brought against them during their term of service with PRCR, they are required to disclose the nature of the charges to the Volunteer Coordinator. A serving volunteer or approved volunteer who has been charged with any disqualifying offense will have their ability to volunteer suspended until the disposition of the charge.

POLICY REVIEW

A. This policy is subject to review and may be updated at any time by the Parks, Recreation & Cultural Resources Director or the Town of Apex Town Manager.

Questions regarding this policy should be directed to Ellison Lambert, Volunteer Coordinator, at ellison.lambert@apexnc.org or Patrick Fitzsimons, Pleasant Park Manager, at patrick.fitzsimons@apexnc.org.