

## **Criminal Background Check Policy**

### **Background Check Policy for Volunteers**

In order to ensure the safety and well being of the members of the Girl Scouts of West Central Florida (the “council”), the council reserves the right to disqualify or restrict the duties of any person who has been convicted of certain crimes; who has pled guilty or no contest to certain crimes; who has been placed on probation or deferred adjudication for certain crimes or who the council, in its sole discretion, based upon the information before it, otherwise deems as not qualified or fit to hold a volunteer position.

The council performs independent searches of public records and contracts with an external vendor to conduct background checks, which include a criminal history search. The criminal offenses that will disqualify a person from volunteer participation in the council, and the process used to determine disqualification of a person from volunteer participation, are set out in greater detail below. The decision whether to exclude or limit a prospective volunteer’s participation remains at all times within the discretion of the council. Factors to be considered by the council in making such determinations include, but are not limited to, the nature and severity of the criminal conduct, and the length of time since the criminal conduct occurred. The council’s primary concern is always to safeguard the best interests of its members.

### **Criminal Background Check Procedure**

- 1. Application** - Volunteers must complete an Application for Volunteer Position which includes reference information and a criminal history screening.
- 2. Accuracy of Application** - Providing false information or omitting relevant information on the application is grounds for exclusion from participation in the council, regardless of the result of the criminal background search.
- 3. Challenging the Accuracy of the Criminal Background Record** - If an applicant could be denied volunteer participation based in whole or in part on information contained in the criminal background check, the individual will receive a Pre-Adverse Action Notice, which will include a copy of the background check results and if applicable, a copy of “A Summary of Your Rights Under the Fair Credit Reporting Act.”

It is the applicant’s responsibility to challenge the accuracy of the report received from the consumer reporting agency and to arrange for any corrections thereto. The council has no control over the information maintained by a consumer reporting agency. The council is not liable to any person or entity for the information provided by the consumer reporting agency.

## **Disqualification From Volunteer Participation**

### **1. Automatic Disqualification:**

- Any felony offense, regardless of type within the past 10 years
- Misdemeanor crime against a child
- Misdemeanor crime involving use of weapons
- Misdemeanor crime involving violence
- Misdemeanor crime involving arson
- Misdemeanor crime of public indecency
- Misdemeanor possession of any controlled substance within last five years
- Residing on same premises as a Registered Sex Offender
- More than 2 moving violations and/or accidents (or a combination of the two) within the past three years. (Including cell-phone violations.)
- A major violation(s) during the past 5 years. Including but not limited to:
  - Leaving the scene of an accident (hit and run)
  - Driving while intoxicated or under the influence (DWI/DUI/OWI/OUI)
  - Careless or reckless driving
  - Manslaughter/homicide or assault through use of a motor vehicle
  - Fleeing/eluding a police officer
  - Commission of a felony
- More than 3 vehicle related suspensions/reinstatements over a three-year period. Count these separately from the other violations.
- Drivers who currently have a suspended, expired or revoked License.

### **2. Possible Disqualifications:**

- Other misdemeanors, as this council may determine, including but not limited to theft, fraud, forgery or traffic violations, shall be reviewed by the council on a case-by-case basis. The decision whether to allow service shall be within the absolute discretion of the council.

### **3. Unresolved Situations:**

- If there is an open warrant for the arrest of the applicant, or there is a pending charge with no disposition, that application cannot be approved and the volunteer cannot be placed until the situation has been satisfactorily resolved and the criminal background check report updated. If the applicant has already begun to serve in a volunteer capacity, her or his participation must be suspended pending disposition of the case or resolution of the open warrant.

### **Confidentiality**

The council will maintain the confidentiality of all criminal background search information, including information regarding disqualification decisions.

Ultimately, the decision whether to allow volunteer participation shall be within the absolute and exclusive discretion of the council.