

BEAVER LAKE SAILING CLUB - Background Check Policy



Policy Statement

In order to ensure the safety and well-being of the participants in the Beaver Lake Sailing Club (BLSC), the Club reserves the right to disqualify or restrict the activities 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 and/or who resides on the same premises as a registered sex offender.

While this policy applies to all activities, it is acknowledged that the activities addressed by this policy are subject to the laws and regulations of the United States of America. To the extent that those laws, regulations and administrative rules are more strict than this policy, they shall control.

The criminal background check is one component of the BLSC member protection policy. One of the purposes of that policy is to screen prospective members and assure that each participant in Club activities is a responsible adult. Failure to authorize a criminal background search will automatically disqualify the individual from becoming a Club member.

The primary concern of BLSC is always to safeguard the best interests of our members and their families. The criminal offenses that will disqualify a person from membership, and the process used to determine disqualification of a person, are set out in greater detail below. Factors to be considered in making such determinations include, but are not limited to, the nature, disposition, severity of the criminal conduct, and the length of time since the criminal act occurred.

Criminal Background Check Procedure

1. **Application and Authorization Form** - Prospective members must complete and sign the BLSC form which provides reference information and authorization for BLSC or its agents to search local, state, and national records to ascertain the applicants' criminal history, and to make further inquiry if it deems such action necessary.
2. **Accuracy of Application and Authorization Form** - Providing false information on the member application or authorization form is grounds for automatic exclusion from membership, regardless of the results of the Criminal Background Search.

Indemnification of Club. BLSC has no control over the information received from reporting agencies. BLSC cannot be liable to any person or entity for the information provided by any agency to BLSC or any of its agents, or for any actions taken by BLSC in reliance on such information. In order to assure the safety of the membership, BLSC will rely upon the information contained in the criminal history report until such time as a corrected criminal history transcript has been provided.

Decision Process

Upon receipt of results of the background check from BLSC's vendor and other information as may be available, the Membership Committee's designee shall determine whether applicants are qualified or disqualified for membership. The Committee's designee shall be held to the highest standard of

confidentiality and applicant's history held in the strictest confidence. The information will only be disclosed as needed to decision makers.

The Commodore and the Vice Commodore, as Membership Committee chairperson, shall be consulted before a final decision as to disqualification and before the individual is notified. The individual must be notified before and after any potential adverse action is taken. The person may be provided with a copy of the background check from the vendor upon request.

Disqualification from Membership - The following rules shall apply if BLSC learns (via criminal background search or otherwise) that a prospective member has been convicted of, has pled guilty to or no contest to, has been placed on probation for, or has deferred adjudication for one of the following crimes under the laws of the United States, any state within the United States or any other nation:

A. Automatic Disqualification

- Crimes against Children
- Felony offenses against persons
- Felony offenses against the family
- Crimes defined as public indecency
- Crimes using weapons
- Arson
- Any violent crime
- Classification as a Registered Sex Offender
- Residing on the same premises as a Registered Sex Offender

B. Possible Disqualification

Decisions whether to allow membership shall be within the exclusive and absolute control of BLSC for first offense DWI/DUI, any felony conviction involving any banned/illegal/scheduled narcotics, or crimes against property (theft, fraud, embezzlement, forgery, etc.). The date of disposition, severity, and final disposition will be some of the factors considered in making a determination.

C. Other

For all other criminal offenses (except traffic violation classified as petty misdemeanors), BLSC will review the applicant's situation on a case-by-case basis.

Challenging the Accuracy of the Criminal Background Record

Any individual who disputes or desires to contest the information provided by any agency must provide a written notice to BLSC within ten days of being advised that the application for membership has been denied. It is the individual's responsibility to challenge the report received from the agency & arrange for any corrections, if necessary.

Confidentiality

Subject to the provisions of this policy relating to the sharing of relevant information among the noted Club officials, BLSC will maintain the confidentiality of all criminal background search information, including information regarding disqualification decisions.

Records Retention

Records of criminal background search shall be destroyed once the decision has been communicated to applicant and applicant does not challenge report as outlined above.

AUTHORIZATION TO OBTAIN A CRIMINAL HISTORY BACKGROUND CHECK



Complete and Return This Page With Your Membership Application

By signing the application for membership in Beaver Lake Sailing Club (BLSC), I hereby authorize the Membership Committee to conduct a criminal background check on me through BLSC's agency of choice in connection with my membership. BLSC will evaluate the report findings in terms of necessity and relatedness to BLSC's policy to meet expectations fundamental to the membership where safety is assured.

I hereby release BLSC and its officers as well as the report provider and its employees from all liability resulting from furnishing this information to BLSC. I certify that the statements made on this form are true, complete, and correct to the best of my knowledge, and made in good faith. I understand that any false statement could void my consideration for membership, result in termination of any offer of membership, or result in termination of membership.

Please PRINT the following information LEGIBLY -- Include your FULL name(s)

First Name: _____ **Middle:** _____ **Last:** _____.

Other/Former Names: _____.

Current Address: _____.

City: _____ **State:** _____ **ZIP:** _____.

Previous Address: _____.

City: _____ **State:** _____ **ZIP:** _____.

Signature _____
Date

I agree that a photocopy or facsimile of this authorization shall be valid as the original