



## USA Gymnastics Criminal Background Screening Policy

### 1. Introduction

USA Gymnastics requires criminal background screening ('background screening' or 'background check') for individuals involved with our programs to ensure a safe and secure environment for participants and members. Consistent with our responsibility to protect the best interests of the participants in the sport of gymnastics, USA Gymnastics has partnered with the National Center for Safety Initiatives (NCSI) to perform background screening.

### 2. Individuals Subject to Background Screening

Background screening must be completed as a condition for membership in USA Gymnastics for all Professional and Instructor members over the age of 18. In addition, background screening must also be completed for all USA Gymnastics Board Members, staff members, and other members/individuals designated by USA Gymnastics in its sole discretion.

### 3. Frequency of Background Screening

Background screening must be performed upon application for membership and every two years thereafter; and for USA Gymnastics Board and staff members, upon initial appointment, election, or hire and every two years thereafter.

Annual re-screening: During the 24-month period that an individual's background screening authorization is valid, NCSI will conduct an automatic re-screen at or about one year from the applicant's initial background screening registration date. Individuals who are no longer members of USA Gymnastics during this 24-month period may request to cease the annual re-screen by notifying USA Gymnastics' Member Services Department in writing. The automatic re-screen will cease approximately 30 days following notice; however, based on the timing of the notices, the re-screen may occur following the notice.

### 4. Search Organization

The National Center for Safety Initiatives (NCSI) is the authorized search organization that performs background screening for USA Gymnastics. NCSI is a full-service screening organization that works in a manner consistent with the Recommended Guidelines established by the National Council on Youth Sports (NCYS).

In addition to conducting background screening, NCSI is responsible for interpreting and communicating with the applicant regarding the screening results, and reporting those results to USA Gymnastics. NCSI also assists USA Gymnastics with Fair Credit Reporting Act compliance, including all required disclosure notices, and maintains the confidentiality of information obtained throughout the background screening process.

### 5. Registration for Background Screening

NCSI has developed a background screening Consent and Authorization Form for USA Gymnastics applicants via a secure website. Persons undergoing background screening must complete the online background screening Consent and Authorization Form and registration information.

## **6. Information to be Checked**

All individuals will undergo background screening that includes:

- Two independent national databases;
- Sex offender registries of all available states;
- Social Security Number validation;
- Name and address verification;
- Federal terrorist database search; and
- Non-database (county courthouse runner) searches of county criminal records of all jurisdictions of residence in the past seven years.

## **7. Findings**

NCSI will issue results to the applicant and USA Gymnastics based upon a Red Light/Green Light system. A Green Light or "meets the screening criteria" finding indicates an individual meets the background-screening requirement for participation in USA Gymnastics. A Red Light finding means criminal history has been sourced that "does not meet the screening criteria."

When NCSI sources criminal history information as outlined above and attributable to the applicant, NCSI will send that information to the applicant. Pursuant to the Fair Credit Reporting Act, that individual will be provided with an opportunity to correct potential errors in their record or to provide additional information. NCSI will research issues that are raised and revise the report if any inaccuracies are found. The applicant will be notified accordingly.

Reportable convictions, pending dispositions or registrations, or disclosures of convictions of any of the following offenses or registrations will result in a Red Light finding:

- Any felony (any crime punishable by confinement of greater than one year);
- Any lesser crime involving force or threat of force against a person;
- Any lesser crime in which sexual relations is an element, including 'victimless' crimes of a sexual nature (including pornography, indecent exposure and lewd behavior);
- Any lesser crime involving controlled substances (not paraphernalia or alcohol);
- Any lesser crime involving cruelty to animals;
- Any sex offender registrant, or
- Any lesser crime involving harm to a minor.

Additionally, any charge for a sex offense or involving harm to a minor that results in a disposition favorable to the applicant; including but not limited to pardons, dismissals after a deferred adjudication and restoration of rights will result in a Red Light finding.

The above criteria are contained within the guidelines developed by the NCYS and have been adopted by USA Gymnastics. The NCYS considers the criteria for a Red Light or "does not meet the criteria" findings to be consistent with the principles of the federal PROTECT Act of 2003.

## **8. Review of Background Screening Findings/USA Gymnastics' Determination**

USA Gymnastics will use the findings provided by NCSI to determine an individual's eligibility for membership in USA Gymnastics in accordance with USA Gymnastics established policies. Should an individual contest USA Gymnastics' decision with respect to a Red Light determination; the applicant has the right to appeal the decision to a USA Gymnastics Review Panel.

An appellant will be notified of the criteria and timeframe for the submission of an appeal, and upon receipt and review of an appeal, the Review Panel may uphold the Red Light determination, request additional information it deems necessary to properly evaluate the appeal request, or overturn the Red Light determination and issue a Green Light. If the Review Panel upholds the Red Light determination, members of USA Gymnastics may have the right to file a grievance pursuant to Article 10 of the USA Gymnastics Bylaws.