



LAKESHORE

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This policy and procedure rescinds any previous material covering this subject matter.

I. PURPOSE

This policy is intended to support the verification of criminal history that assists the The Lakeshore Foundation National Adapted Sport Organization in meeting its commitment of providing a safe and secure environment for everyone, including members, guests, and employees.

II. POLICY

It is the policy of the Lakeshore Foundation National Adapted Sport Organization (LNASO) that all employees, independent contractors, and volunteers who are 18 years or older have certain credentials and criminal background information verified as a condition of employment/volunteer services.

Additionally, individuals considered “Participants,” as defined below, are subject to the policies and procedures of the Responsible Sport Organization Background Check policy of the United States Olympic and Paralympic Committee. This includes but is not limited to a full background check every two years. In off years, a supplemental background check will be conducted. Full background checks will be completed prior to the commencement of a new role or competition for all applicable individuals. Details of the background check search criteria are available from Human Resources.

Participants are defined as individuals formally authorized, approved or appointed by the Lakeshore National Adapted Sport Organization (LNASO) that (a) serve in a position of authority over or (b) have regular contact with national team athletes. This also includes athletes, alternates, training partners

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and guides over the age of 18 that are selected for the national or international team or Delegation Events, Officials, Coaches, Coordinators, Trainers, Medical Personnel, LNASO Board Members or any local affiliated administrator or director. Additionally, the following individuals are required to have background checks:

- Other individuals authorized or nominated by LNASO to work with athletes or other sport participants while at a LNASO Training Site or competition event to which the LNASO sends athletes
- Assistants, or personal care assistants who are funded, have a contractual obligation with, or are credentialed by a LNASO, or otherwise have regular contact with LNASO athletes.
- All athletes and alternates, training partners, and guides 18 years of age or older that are selected by the LNASO to train at any Olympic & Paralympic Training Center, USOPC High Performance Training Center, or Responsible Sport Organization Training Site.
- Other individuals who have regular contact with athletes as determined by the LNASO, in its discretion.

“Criminal background check” means verifying that the selected applicant, employee, or volunteer does not have any undisclosed criminal history in every jurisdiction where the applicant, employee, or volunteer currently resides or has resided within the past 7 years.

All offers of employment or volunteer services, oral and written, shall include information stating that the offer is contingent upon the LNASO’s verification of credentials and other information required by state law and the LNASO’s policies, including the completion of a criminal history check.

If the criminal background check indicates that there are no convictions, the third-party vendor will inform the Human Resources or Volunteer Services department of the result who in turn will inform the applicant or volunteer that the offer is confirmed.

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Any background check that results in a report of a disposition or resolution of a criminal proceeding, other than an adjudication of not guilty, for any of the below criminal offenses will be subject to the LNASO’s policies and procedures to determine the individual’s level of access and involvement. 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 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.

These criminal offenses include:

- i. Any felony (or any crime punishable by confinement greater than one year).
- ii. Any lesser crime involving violence against a person (including crimes involving firearms and domestic violence).
- iii. Any lesser crime of a sexual nature, or in which sexual relations is an element or classified as a sexual offense, including but not limited to rape, child molestation, sexual battery, lewd conduct, prostitution, possession and distribution of child pornography, indecent exposure, public indecency, possession and distribution of obscene material, and any sex offender registrant.
- iv. Any lesser crime involving controlled substances or drug-related offenses.
- v. Any lesser crime involving harm to a minor and/or vulnerable person including but not limited to child endangerment, abandonment/neglect/ abuse, contributing to the delinquency of a minor, and DUI with a minor.
- vi. Any lesser crime involving stalking, harassment, blackmail, violation of a protection order and/or threats.
- vii. Any lesser crime involving destruction of property, including arson, vandalism, and criminal mischief; and
- viii. Any lesser crime involving animal abuse or neglect.

If the criminal background check indicates that there are convictions, the third-party vendor will inform the human resources or volunteer services department. The human resources or volunteer services department will provide a copy of the report to the individual. (All related information will be treated as confidential and protected as such.) Any decision to accept or reject an individual with a conviction is solely at the discretion of The LNASO.

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If unreported convictions are revealed in the criminal background check, the offer will be withdrawn and, if employed, the individual will be separated from employment, unless the individual shows that the report is in error. The decision to reject or terminate an individual with an unreported conviction is solely at the discretion of the LNASO.

In the event that the results of the background check influences a decision to withdraw an offer or terminate employment, the human resources department will inform the individual.

Violations of LNASO policies, including providing false or misleading information used for criminal background checks, will be handled in accordance with applicable LNASO policies and procedures, which may include disciplinary actions up to and including termination.

III. Training Sites

Each Training Site utilized for an LNASO program or event shall require criminal background checks in compliance with the background search components specified in Section II of this policy for those individuals it formally authorizes, approves, or appoints (a) to serve in a position of authority over athletes, or (b) to have regular contact with athletes.

IV. Third-Party Vendors/Contractors

Contracts with third-party vendors/contractors that are (a) in a position of authority over or (b) in regular contact with athletes must include the background check requirements set forth in this policy. The contracts shall also specify that certification must be provided by the vendor/contractor upon request by the LNASO, to establish that the mandated background checks were conducted.

V. Partner Programs

When partnering with community organizations for events, the LNASO shall ensure that the partnership agreement includes language regarding background check requirements. The agreements shall also specify that certification must be provided by the community organization upon request by the LNASO, to establish that the mandated background checks were conducted.