



USATF Criminal Background Screening Program

Frequently Asked Questions

Q Why is USATF implementing a background screening program?

Background Checks have been implemented by USATF to:

- 1) Promote a safe, nurturing, and supportive athletic environment in which youth athletes can pursue their athletic goals; and
- 2) Maintain the sport of track and field as a hostile environment for those who would seek to harm youth athletes.

Q What do we, as a club, have to do to comply with this program?

Your club is required to have any coach or volunteer who has access to or contact with youth athletes (under the age of 18) during scheduled club practices or activities to submit a USATF Coach/Volunteer Application. This includes individuals who regularly attend club practices or assist with club activities, especially driving, escorting, or supervising the club's youth athletes. Your USATF association then will conduct a background check on each of these individuals.

Q What type of offenses are being screened for?

The following offenses are being screened for:

- 1) any crimes against children,
- 2) any sexual offenses,
- 3) drug convictions (within 5 years),
- 4) weapons violations,
- 5) assaults, battery or any other crime of violence, or
- 6) lewd conduct

Q What if a criminal background search reveals a DWI or drug conviction that is 6 years old?

Assuming that the screening does not indicate any other offences, the applicant will be approved as a youth coach or volunteer, because the listed offences are over 5 years old.

Q Who will be conducting the background searches?

Each Association will appoint one individual (the "screening agent") to be responsible for conducting the background checks. The screening agent will be selected by the Association's board of directors. Every effort will be made to appoint individuals who have professional background in this area, such as law enforcement officers or individuals with a legal background, or at least be acknowledged as trustful and thoughtful. Prior to being approved, the screening agent will be subject to a background check which will be conducted by the USATF national office. The screening agent will be required to sign a confidentiality/non-disclosure agreement which will be on file in the USATF national office.

Q The Coach/Volunteer application requires the applicant's social security number. Why?

The social security number will assist the screening agent to conduct the most thorough and accurate search on the applicant.

Q What steps will be taken to protect the applicant's personal information, including the social security number.

The screening agent in each Association will be the only individual to have access to the Coach/Volunteer applications that include the personal information. Pursuant to the confidentiality agreement that each screening agent must sign they are not permitted to disclose personal identifying information to any other person. The Coach/Volunteer applications will be kept by the association screening agent under lock and key.

Q Where will USATF obtain information to make a decision on whether to approve or deny a coach/volunteer applicant?

VolunteerSelect.com system provides access to nearly 160 million criminal records in 41 (plus the District of Columbia) of the 50 states, including Sex Offender Registries from 30 states (and the District of Columbia). This means that if an individual was



convicted of a crime in a state other than where he/she currently resides, his or her criminal history from the previous state(s) could be accessed and used to make a determination on an applicant.

Q What if an individual has previously had a background check performed?

The coach/volunteer will still be required to have a background check performed by USATF.

Q How do we know if our coaches/volunteers applications have been approved?

Coaches and volunteers who have successfully completed the USATF coach/volunteer application process (including the background screening) will have their names posted on the USATF web site as being in “good standing.”

A club coach or volunteer’s name will not appear on the USATF web site if: 1) she or he is not a current USATF member; 2) he or she fails to submit the Coach/Volunteer Application form (including signing the “Background Screening Acknowledgement”); or 3) his or her club coach/volunteer application is denied due to information revealed during the background screening process, or for any other reason..

Q What if a search reveals a criminal record?

If a search on an applicant reveals a criminal record for one of the six screened offenses, she or he will be provided an opportunity to clarify or explain the contents of the report. If the applicant does not respond to the request for clarification/explanation, then a National Screening Committee will decide to approve or deny the application based on the available information. If the applicant does respond, then the National Screening Committee will review the available information, including the applicant’s submitted clarification/explanation, and will make a decision on the application.

Q Who will be notified if an application is denied?

If the National Screening Committee determines that the application should be denied, USATF will notify the following individuals by mail:

- applicant (coach/volunteer),
- President and Secretary of the club,
- USATF President,
- USATF CEO,
- Association President,

- Association Screening Agent,
- USATF General Counsel, and
- All identifiable parents of athletes that are registered with the applicable club.

The notification will not indicate the offenses or content of the background check report. It will only indicate that the application has been denied and that the coach is not eligible to be involved in club practices or activities.

Q What if we do not submit a Coach/Volunteer application for one of our coaches or volunteers ?

Parents are likely to choose to place their children with other youth track club programs that evidence a commitment to safeguarding their youth members by conducting criminal background screening on all persons affiliated with the club. Additionally, if a lawsuit is filed against your club because of an act performed by a volunteer who is not in “good standing,” your club will not be protected by USATF’s general liability insurance policy. As a consequence, the club will have to hire an attorney and defend against the charges in court. In addition to the substantial legal fees paid to attorneys, if the club loses the lawsuit it is likely to have to pay monetary damages as well.

Q Some of our volunteer coaches are under the age of 18, do they have to be screened?

USATF has determined that age 16 is the minimum age required for background checks for volunteers or hired workers who provide regular service to the club and/or have repetitive access to or contact with youth members. USATF has come to this determination based on the following:

- Many states consider age 16 to be the age of consent.
- States generally view the age of consent as the age at which a minor can be held responsible for their actions in relation to sexual relations.
- Some states also hold minors at age 16 accountable for certain sexual crimes such as statutory rape.
- Minors 16 year of age and older can be treated as adults in criminal proceedings.
- Minors 16 years of age and older when charged with serious crimes are often tried as adults.