



Volunteer Background Check Policy

Summary: High Plains Library District Friends & Foundation (the Foundation) is concerned about the safety of its volunteers while on duty (whether on or off premises), the safety of its constituents (staff, community, etc.) and the protection of its assets and reputation. To reduce these risks, prospective and, as applicable, current volunteers of the Foundation will undergo a criminal background check that complies with the Fair Credit Reporting Act (FCRA). Volunteers are treated as applicants under the FCRA though their credit score will not be impacted by their background check.

This policy sets forth guidelines for performing such background screens. The Foundation has selected an approved background screening provider. All facilities and affiliates are required to use this approved provider for background screens and must comply with the provisions of this policy.

Scope: This policy applies to all prospective and current volunteers

Guidelines: Applicants and current volunteers will be informed that selection and retention are subject to meeting the requirements of a background screen. In addition, all applicants will be required to complete a Disclosure and Authorization form, which requests information that the approved background investigation provider requires to conduct the background screen. Applicants must have a Social Security number to complete and pass the required background check. Applicants and current volunteers may pay for their background check through the Foundation's approved screening provider if they would like to support the Foundation. However, this is not required. The Foundation will pay for all background checks that applicants and current volunteers elect not to pay for.

Access: Volunteer background checks will be conducted by the Foundation's approved screening provider. Private information provided for the background check will not be stored by the Foundation or High Plains Library District (District). Foundation and District Staff will only have access to a summary of the background check indicating if the applicant passed or did not pass sections of the background check.

Checks to Be Conducted:

The following reports will be obtained for time periods permitted by law for a background screen:

Social Security Trace (SS Trace)

- a) A Social Security Trace uses the volunteer-provided social security number to find all reported address information for an individual over the last 7 years. The trace also finds all names used by the volunteer – the given name as well as any alias/maiden names used. The information returned from the trace is then used to determine the name/court of record combinations that will be searched. Using a Social Security Trace as part of the search package maximizes chances of finding all pertinent criminal history for an individual. The Social Security Trace is not to be used directly to disqualify applicants from volunteering. It is solely a resource to gather information.

County/State Residence Criminal Search (Current)

- a) The address entered during the background check order process is used to determine the county and state of residence (U.S.) for the volunteer. The search should look for any reported criminal history for the volunteer in that county or state at the primary source of information (the state or county courthouse).

County/State Search(es) – 7 Years of Address History

- a) All counties/states in which the volunteer has lived in the last 7 years should be identified. Those counties/states should be searched at the primary source of information (the state or county courthouse) using the name in question and other personally identifiable information.

Nationwide Criminal History Search with Validation

- a) A Nationwide Criminal History search uses the full name and date of birth provided by the volunteer during the order process to search over 900 criminal information data sources from all 50 states. Although this sounds comprehensive, the quality and breadth of data varies by state, and is limited for over 2/3 of the nation's states (defined by limited data sources or stale information updated infrequently). Still, it's a valuable locator tool that helps identify areas outside of address history where criminal history might have occurred – areas where the volunteer has worked, travelled or played. Potential matches found in the Nationwide Criminal History search should always be validated at the primary source of information (county or state courthouses) for criminal history records in compliance with the FCRA.

National 50 State Sex Offender Registry Search (Dru Sjodin/NSOPW)

- a) The National 50 State Sex Offender Registry Search / National Sex Offender Public Website (NSOPW) is a comprehensive 50-state sex offender search – it is the only up-to-date, comprehensive source of sex offender information. While the website is maintained by the U.S. Department of Justice, it is the responsibility of each jurisdiction in the United States to keep sex offender information for their area accurate, up-to-date, and accessible by the NSOPW.

Alias/Maiden Name Search

- a) An alias or maiden name is any name an individual has used at another time, in another place, or in another circumstance, for any reason. An alias/maiden name search should search those names provided during the screening order process as well as those names uncovered through an SSN Trace. An alias/maiden name search should include the National 50 State Sex Offender Registry Search (Dru Sjodin/NSOPW), the volunteer's current county/state of address, and every county/state identified through the last 7 years' address history for each alias and maiden name. Separate searches must be conducted for each of these names because, in the eyes of the courthouse, each name represents a unique individual.

Office of Foreign Asset Control (OFAC) Watch List Search

- a) Also known as the Government Watchlist Search, the Office of Foreign Asset Control (OFAC) search lists those individuals identified as threatening to or ineligible to conduct business with the U.S. Federal Government. It includes Specially Designated Nationals (SDNs) – those individuals and companies associated with specific countries the U.S. considers dangerous or does not want to have dealings with, and those known to be affiliated with terrorism or drug trafficking. It also includes Foreign Sanctions Evaders (FSEs) – individuals who have or have tried to violate U.S. sanctions on various countries. This list includes Iran, Syria, Cuba, Ukraine, and Russia.

Office of the Inspector General (OIG) / GSA

- a) The Office of the Inspector General (OIG) List of Excluded Individuals/Entities (LEIE) / General Services Administration (GSA) searches are used (1) to check individuals applying for volunteer roles in the healthcare sector for suspension, debarment or fraud using the System for Award Management maintained by the GSA, (2) to determine if an applicant is excluded from participation in Medicare, Medicaid, and other Federal health care programs using information provided by the Office of the Inspector General US Department of Health and Human Services.

Motor Vehicle Record Check

- a) A Motor Vehicle Record Check returns driving record information – status of license, accidents, convictions, violations, traffic conviction points, DUIs – for both Commercial and Non- Commercial Driver Licenses. Commercial Driver License reports will contain additional information such as Medical Certificate Information. Reporting varies by state, but typically searches up to the past 3 years for minor offenses and up to the past 5 years for major offenses. Most states report out of state convictions for major offenses. Most states do not report out of state accidents.

Disqualification Criteria:

Staff should review the report and determine if any negative information has a direct connection with an applicant's ability to fulfill the volunteer's duties with competence and integrity, or that might impact safety. Matters that might raise a concern include but are not limited to the following:

- a) Criminal History Search – A criminal conviction will not automatically prohibit an individual from volunteering at the Foundation, but will be reviewed on a case-by-case basis. In some cases, statutes dictate the types of offenses that disqualify applicants from volunteering with certain organizations or in certain positions. Those lists will be referenced as well by the Foundation when making a decision regarding volunteer eligibility.

Convictions for the following categories of crimes are generally considered role-related and, therefore, may be considered in making decisions:

- a) Any recent felony conviction—these serious crimes are usually defined by statutory guidelines, and in general, are punishable by more than 1-year incarceration.
 - a. Theft – including burglary, embezzlement, forgery, fraud.
 - b. Violent crimes – including murder, robbery, assault, battery.
 - c. Drug-related crimes – including use, sale, possession, distribution, or manufacture of illegal drugs.
 - d. Sex offenses – including rape and sexual assault.
 - e. Serious motor vehicle offenses – includes driving under the influence of alcohol or drugs.
- b) Arrest information – if while a volunteer of the Foundation, the volunteer did not disclose an arrest to the Foundation within 48 hours pursuant to policy and applicable state law did not protect the arrest from disclosure, failure to disclose is grounds for termination. Arrests that are disclosed or that are revealed by a search (absent an

omission) will not necessarily result in termination of volunteer status but will be reviewed on a case-by-case basis.

Arrests that are not pending and did not result in conviction should not be considered. Arrests pending disposition that are role-related may be considered subject to state law.

Prior to determining eligibility, the Foundation will validate, using approved identification (e.g. Driver's license), that the background check was run using the same correct information.

Equal Opportunity

The Foundation will adhere to all equal opportunity laws. When reviewing any criminal record information that appears on a background check, the organization shall factor in any known factors relating to:

- a) The facts and circumstances surrounding the offense.
- b) The number of offenses for which the individual was convicted.
- c) The age of the individual at the time of conviction or release from prison.
- d) Evidence that the individual has performed the same type of work, post-conviction, with the same or a different organization, without incidents of criminal conduct.
- e) Any efforts of the application towards rehabilitation.
- f) Employment or character references obtained regarding the individual's fitness for the particular position.