



Policy: Special Olympics U.S. Volunteer Screening Policy
Updated: July 2014

I. VOLUNTEER CLASSIFICATIONS

A. Class A Volunteers:

1. Volunteers who have regular, close physical contact with athletes.
2. Volunteers in a position of authority or supervision with athletes.
3. Volunteers who handle substantial amounts of cash or other assets of the Program.
4. Volunteers who have access to personal information of Special Olympics athletes, volunteers, and donors.

B. Class B Volunteers:

1. Volunteers who only have limited contact with athletes or who have contact with athletes accompanied by coaches and chaperones.

II. TYPE OF SCREENING

A. Class A Volunteers (Adult):

1. Completion of a volunteer registration form, screen using a national vendor, photo ID check or identity verification at the time of registration and photo ID check or identity verification check at events.

B. Class A Volunteers (Minor):

1. Completion of a volunteer registration form, two personal/professional references, who are not related to the minor or the minor's legal guardian and one of whom is from the volunteer applicant's school, church, civic group, etc., photo ID check at the time of registration and photo ID check or identification verification check at events.

C. Class B Volunteer (Adults and Minors):

1. Completion of a volunteer registration form or sign in sheet and photo ID check or identification verification check at events (for minors, IDs are only required to the extent available).

III. MINIMUM ACCEPTABLE BACKGROUND SCREENING

- A. Class A Volunteers are subject to a national criminal background check using an approved national vendor. In addition to, but not in place of, the criminal background check through the national vendor, Programs may conduct a statewide criminal background check.
- B. Motor Vehicle Record checks are required if the applicant answers "yes" to the question regarding suspension or revocation of driver's license on the Volunteer Application or if the Program has received information through the screening process that the applicant may have motor vehicle related convictions and only if the U.S. Program is legally permitted to conduct such check.

IV. FREQUENCY

- A. All Class A Volunteers must be screened prior to volunteering on behalf of the organization.
- B. All Class A Volunteers must be re-screened every three years following the date of initial screening.

V. DISCLOSURE AND AUTHORIZATION REQUIREMENTS

Volunteers should fill out a form that meets the requirements as set forth below. Please note that prior to utilizing the volunteer registration forms, each Program should have its legal counsel review the forms to ensure compliance with State laws and regulations.

A. Class A Registration form must include:

1. Full legal name and other information necessary to conduct the required criminal background check.
2. The following four questions:

- a. Do you use illegal drugs?
 - b. Have you ever been convicted of a criminal offense?
 - c. Have you ever been charged with and/or convicted of neglect, abuse or assault?
 - d. Has your driver's license ever been suspended or revoked in any state or other jurisdiction?
3. Legally sufficient authorization to conduct the necessary screening.
 4. A release that protects the Special Olympics movement from liability in connection with the Program conducting the screening.
 5. Consent to use the volunteer's name and likeness to promote and publicize the purposes of Special Olympics.

B. *Class B Registration materials must include:*

1. Full legal name, complete address, telephone number and, if applicable, the name of the civic group or corporate sponsor with which they are associated.
2. Consent to use each the volunteer's name and likeness to promote and publicize the purposes of Special Olympics.

VI. RESULTS OF CRIMINAL BACKGROUND CHECK

A. *Automatic disqualifiers with no appeals process:*

1. Conviction for crime of:
 - a. child abuse
 - b. sexual abuse
 - c. causing a child's death
 - d. neglect of child or any other individual for whom the potential volunteer had/has responsibility
 - e. kidnapping
 - f. murder
 - g. manslaughter

- h. felony assault
- i. arson
- j. criminal sexual conduct
- k. identity theft

B. *Automatic Disqualifier for Driving on Behalf of Special Olympics (for offenses that have occurred within a specified time frame)*

- 1. DWI, DUI, or comparable offenses within seven years of application
- 2. Three or more moving violations within the past three years of application

C. *Potential disqualifiers for which a Program may establish an appeals process. Each Program has the authority to make the final decision as to any volunteer or applicant in the potential disqualifier category.*

- 1. Adverse judgment for damages, settlement, or civil penalty involving sexual or physical abuse.
- 2. Being the subject of any court order involving any sexual abuse or physical abuse that restricts contact with another individual.
- 3. Conviction for:
 - a. theft of funds
 - b. fraud
 - c. larceny or other financial crime
 - d. prostitution-related crime
 - e. controlled substance crime

VOLUNTEER SCREENING POLICY FREQUENTLY ASKED QUESTIONS

VII. VOLUNTEER CLASSIFICATION

A. Class A Volunteers

1. Question

- a. Who typically falls into the Class A Volunteer category?

1. Answer

- b. Examples include coaches, Unified Partners, chaperones, ALP's mentors, overnight hosts, drivers for athletes, and volunteers who have substantial administrative and/or fiscal authority.
- c. Fundraising event committee members, Games management team members, and Board members who meet the definition of a Class A Volunteer are also subject to the screening requirements.
- d. Additionally, parents and siblings of athletes are subject to the screening requirements when they are serving in a Class A Volunteer capacity. For example, if a parent or sibling is coaching or chaperoning an athlete as part of a Special Olympics activity, the parent/sibling is considered a Class A Volunteer (even if the only child who is being coached/chaperoned is the parent's child) and therefore, is subject to the screening requirements.

Note: Sports officials and media personnel are not subject to the volunteer screening policy unless such media personnel or sports officials are acting in a Class A Volunteer capacity when they are not working in their professional capacity, including but not limited to being housed in the same housing accommodations as the athletes.

2. Question

- e. With respect to volunteers who handle a substantial amount of cash or other Program assets, what is the definition of substantial?

2. Answer

- f. Each Program is authorized to determine the definition of substantial based on the recommendation of the Program's Finance Committee and/or Auditor(s). A Program's Board of Directors will presumably review or approve that definition.

B. Class B Volunteers

1. Question

- g. Who typically falls into the Class B Volunteer category?

1. Answer

- h. Examples include Healthy Athletes volunteers, volunteers who drive on behalf of Special Olympics (other than drivers for athletes) and day-of-event volunteers.

C. Minors

1. Question

- i. Who is a minor?

1. Answer

- j. The definition of a minor is determined by the laws of each State.

D. Drivers for Athletes

1. Question

- k. Are hired drivers considered Class A volunteers?

1. Answer

- l. No. Programs are not required to conduct the required screening on drivers hired commercially or employed by unrelated agencies (unless those drivers are also acting as Class A Volunteers). However, Programs should ensure that a reputable company is used to transport the athletes and that the company has appropriately screened its drivers and has adequate liability insurance.

2. Question

- m. Are family members, parents, siblings, or extended family members of athletes who are asked by Special Olympics to transport unrelated athletes considered Class A Volunteers?

2. Answer

- n. Yes. Anyone (other than hired drivers) asked by Special Olympics to transport unrelated athletes on behalf of Special Olympics is considered a volunteer and is required to complete the necessary volunteer registration form and is subject to the appropriate screening.

E. School-Based Volunteers

1. Question

- o. Are Programs required to screen school-based program volunteers?

1. Answer

- p. In order to provide a thorough answer to this potentially complex question, Special Olympics North America (SONA) and the Risk Management &

Insurance Task Force (RMITF) categorized school-based programs into three separate categories, as follows:

- I. School conducts Special Olympics' activities as part of the curriculum (may be part of an IEP for a student, for example) and such activities are under the direct control and supervision of the school (not Special Olympics) with no events being held outside the school day or off-premises or if the events are held off premises, the event is solely a school-organized and conducted activity (for example, the school takes the students to a bowling alley for practice, but it is a school-operated activity using school staff without outside involvement from Special Olympics and where the teachers are acting within the course of their employment).
 - Programs are not required to screen these "volunteers" as all activities are conducted in the course of the individual's participation in school activities (employment or volunteer) and such activities are supervised by the school.
- II. Students come to Special Olympics through a school-based program. Students train for Special Olympics during the school week, generally on-premises. The school might host a competition after school hours or on the weekend or may take the students to an off-site event hosted by Special Olympics.
 - Programs are required to screen individuals who volunteer at an off-site or after-hours event hosted by Special Olympics or co-hosted by Special Olympics and the school regardless of whether or not the volunteers are employees or volunteers of the school and/or being paid by the school to attend the event. Screenings conducted by schools do not satisfy this requirement.
- III. The school recruits for Special Olympics, but it is considered an extra-curricular activity and events are held off-site and hosted by Special Olympics.
 - Programs are required to screen these volunteers, as the event is conducted by a Special Olympics Program.

F. *Potential Volunteers from Countries outside of the United States*

1. Question

- q. Are Programs required to screen potential volunteers who have recently moved to the United States from another country?

1. Answer

- r. Programs should conduct the required check through one of the approved vendors if a check can be conducted without a social security number. If

the check cannot be conducted without a social security number, the Program must confirm the following prior to allowing the individual to volunteer. Please note that the following should be considered for all potential volunteers who recently moved to the United States from another country, but required for those individuals on which you are unable to conduct a check on through an approved vendor.

- At least three references have been obtained from the potential volunteer and checked by the Program.
- A volunteer application has been submitted including answers to the “four questions” relative to criminal offenses.
- A personal interview with the potential volunteer has been conducted by a Program representative.

G. *Miscellaneous*

1. Question

- s. When is an individual considered a Special Olympics volunteer?

1. Answer

- t. A person is not considered a Special Olympics volunteer until he/she has submitted a completed volunteer registration form, and in the case of Class A Volunteer, has been screened by an Accredited Program. For example, if a person or group conducts “Special Olympics” type activities without the knowledge or approval of a Special Olympics Program, then those individuals are not Special Olympics volunteers until their activities are recognized by the Accredited Program and they have complied with the volunteer screening policy.

2. Question

- u. Is an individual who is paid by his/her employer to conduct Special Olympics activities considered a Special Olympics volunteer?

2. Answer

- v. Individuals who meet the definition of Class A or Class B volunteers are required to submit a completed volunteer registration form and are subject to the appropriate screening regardless of whether or not they are being paid by their employer while acting as a volunteer. Please note that the Special Olympics Corporate Insurance Program does not provide coverage to an individual who is being paid for his/her service (“paid” includes a fee, salary or other compensation by Special Olympics or anyone else).

3. Question

w. Are Programs required to screen their employees?

3. Answer

x. While screening employees is a best practice and highly recommended, the current Special Olympics U.S. Volunteer Screening Policy does not apply to employees unless such employee is performing a function that is consistent with that of a Class A Volunteer. This applies to sports training and competition as well as non-sports related activities (such as business travel with athletes).

VIII. TYPE OF NON-CRIMINAL BACKGROUND CHECKS

A. *Motor Vehicle Checks*

1. Question

y. Are Programs required to conduct motor vehicle checks on volunteers?

1. Answer

z. No, unless the applicant has answered “yes” to the question regarding suspensions or revocations of the applicant’s driver’s license on the Volunteer Application or if the Program has received information through the screening process that the applicant may have motor vehicle related convictions. Please note some States do not allow volunteer organizations to conduct motor vehicle checks on current or potential volunteers.

2. Question

aa. Are Programs required to obtain proof of a valid driver’s license and proof of insurance from volunteers prior to allowing them to drive on behalf of Special Olympics?

2. Answer

bb. While it is a best practice to obtain proof of a valid driver’s license and valid and collectible insurance from anyone driving on your behalf, it is not currently a requirement of the insurance policy or a requirement of this policy. However, if the individual driving on behalf of Special Olympics does not have a valid driver’s license or valid and collectible insurance (with at least the state minimum requirements) at the time of the accident, the vehicle owner/driver will not have the excess coverage available under the Special Olympics Corporate Insurance Program (SOCIP) automobile liability policy.

B. *Photo ID Checks*

1. Question

cc. Does the volunteer screening policy require a photo identification check of volunteer applicants when the volunteer registration forms are submitted?

1. Answer

dd. Yes. For Programs that permit online registration, the volunteer will need to provide proof of identification prior to participation in Special Olympics activities.

2. Question

ee. Is a photo copy of the volunteer's photo identification attached to the original registration form acceptable?

2. Answer

ff. Only in those States that do not prohibit photo copying a State-issued driver's license.

3. Question

gg. Is a visual identity check (by Special Olympics staff or key volunteers) acceptable in place of a photo ID check of a volunteer at Special Olympics events?

3. Answer

hh. Programs may develop processes for visually identifying Class A and Class B Volunteers at Special Olympics events. For example, a Program may allow a coach to verify that the volunteers working under his/her direction are who they say they are.

4. Question

ii. Is a visual identity check (by Special Olympics staff or key volunteers) acceptable in place of a photo ID check if a minor volunteer has not yet been issued a formal photo ID?

jj. Yes. Special Olympics staff or key volunteers may confirm a minor volunteer's identification in place a photo ID check, if such is not available.

C. Reference Checks

1. Question

kk. Are reference checks required for Class A minor volunteer applicants?

1. Answer

ll. Yes. The policy requires a volunteer registration form, two personal/professional references (one of whom is from the volunteer applicant's school, church, civic group, etc.), photo ID check at events (for

minors, IDs are only required to the extent available) are required for Class A minor volunteer applicants.

2. Question

mm. With respect to minor volunteer applicants, is a Program permitted to require the volunteer to obtain a written reference letter from the applicant's school (rather than the Program contacting the school)?

2. Answer

nn. Yes. The volunteer may obtain a written reference from the school as long as that letter is on school letterhead and signed by a representative of the school. An alternative is that a representative of the school may sign a statement on the volunteer application that is submitted by the volunteer. In the event the student is home-schooled, the reference letter from a community or civic group leader, church leader, or the home-school teacher (assuming the teacher is not the student's parent/guardian) is acceptable.

3. Question

oo. Are Programs required to obtain a letter of reference for applicants other than minors?

3. Answer

pp. No, not for volunteers from the United States. Programs are required to obtain the names of two potential references from the volunteer applicants, but are not required to check the references unless the Program has reason to confirm suitability of the applicant. If a volunteer recently moved to the United States from another country and the Program is unable to conduct a screening, the Program should refer to Section VII.F of this policy.

IX. FREQUENCY

A. Requirement to conduct screening prior to allowing individual to volunteer

1. Question

qq. Are Programs permitted to allow a volunteer to begin serving as a Class A volunteer prior to completion of the appropriate screening?

1. Answer

rr. No. Programs are required to conduct the screening prior to allowing the individual to serve as a Class A Volunteer for Special Olympics. Note, however, that a person who has completed the registration form and provided proper photo ID may serve as a Class B Volunteer pending completion of the appropriate background screening.

X. TYPE OF CHECK

A. Period Covered

1. Question

ss. Are Programs required to ensure that the screening covers a specific minimum number of years or minimum number of counties in which the volunteer has lived?

1. Answer

tt. No. The current requirement is to screen potential volunteers using a national vendor that checks the volunteer's name against a database that includes the sex offender registry for each State in which the registry is available electronically.

B. National Vendor

1. Question

uu. Are Programs required to use a specific national vendor to conduct the required screening?

1. Answer

vv. No. However, if a Program is planning to use a vendor that has not been evaluated by Special Olympics and American Specialty, the Program must contact Special Olympics or American Specialty to obtain approval to use the proposed vendor's services. List of approved vendors is available upon request.

2. Question

ww. Is the National Sex Offender Registry an approved vendor?

2. Answer

xx. No. The National Sex Offender Registry is not an approved vendor and therefore, the registry may not be used to conduct the required screening. However, the National Sex Offender Registry can be used in addition to the required screening through an approved vendor.

C. Criminal Background Checks Conducted by Employers

1. Question

yy. Will a criminal background check conducted by a volunteer's employer satisfy the screening requirement?

1. Answer

zz. No. To ensure that we are obtaining consistent data, each Program is required to conduct its own screening on existing and new Class A Volunteers as outlined in the volunteer screening policy.

2. Question

aaa. Are Programs required to screen Law Enforcement Torch Run volunteers (including law enforcement volunteers at Special Olympics fundraising events and Law Enforcement Torch Run volunteers) who meet the definition of Class A Volunteer?

2. Answer

bbb. Yes. Law Enforcement Torch Run volunteers acting in a Class A Volunteer capacity are subject to the same screening requirements as all other Class A Volunteers. Law Enforcement Torch Run Volunteers who do not act in the capacity of a Class A Volunteer, such as those individuals who only run the torch, are not subject to the screening requirements.

XI. CONFIDENTIALITY AND DISCLOSURE REQUIREMENTS

Confidentiality of Results

1. Question

ccc. How should Programs protect the confidentiality of the data received through the screening process?

1. Answer

ddd. Special Olympics and American Specialty have identified recommended practices for U.S. Programs to consider for maintaining confidentiality of the screening results. The recommended practices are available by contacting Special Olympics or American Specialty.

XII. RESULTS OF THE SCREENING

Appeals Process

1. Question

eee. What type of appeals process should be implemented to allow individuals with certain criminal histories the opportunity to volunteer on behalf of Special Olympics?

1. Answer

fff. Special Olympics and American Specialty have identified recommended practices for U.S. Programs to consider for implementing an appeals

process. The recommended practices are available by contacting Special Olympics or American Specialty.

XIII. UNOFFICIAL SOURCES AND COMPLAINTS

1. Question

ggg. What if a Program is notified of an individual's alleged criminal history from a source other than an approved vendor's screening of the individual's background (such as from another volunteer or organization)?

1. Answer

hhh. Programs need to handle this information on a case-by-case basis and consult local legal counsel.

2. Question

iii. What if a Program is notified of inappropriate behavior involving an athlete or registered volunteer outside of Special Olympics from a source other than an approved vendor's screening of the individual's background (such as from another volunteer or organization)?

2. Answer

jjj. Programs need to handle this information on a case-by-case basis and depending on the allegation may need to contact law enforcement or Child Protective Services. Programs should always consult local legal counsel to ensure that all mandatory state reporting requirements are met. American Specialty and Special Olympics can also serve as a risk management resource to Programs.

3. Question

kkk. Is an individual who is not eligible to volunteer in a Class A Volunteer capacity (due to his/her criminal history) permitted to volunteer as a Class B Volunteer?

3. Answer

lll. No. Once a Program acquires knowledge that a potential or existing volunteer (Class A or Class B) has a criminal history that would disqualify an individual from volunteering in a Class A Volunteer capacity, the individual is no longer eligible to volunteer on behalf of Special Olympics in any capacity.

XIV. REGISTRATION FORMS

1. Question

mmm. Does SOI need to approve each Program's registration forms or materials?

1. Answer

nnn. No. SOI will not review each Program's forms to determine compliance with the Volunteer Screening policy. Each Program should have local counsel review its registration materials for compliance with State and local laws and regulations.

XV. MISCELLANEOUS

A. Missing Information

1. Question

ooo. What if a volunteer or applicant does not provide a Program with information that is required to conduct the appropriate screening (such as a social security number)?

1. Answer

ppp. If the individual does not provide the Program with the information that is required to conduct the screening, the individual shall not be permitted to volunteer on behalf of Special Olympics.

B. Last Minute Substitutions

1. Question

qqq. How should we handle last minute volunteer substitutions?

1. Answer

rrr. If a Class A Volunteer is unable to attend an event and sends a substitute who has not been screened, the substitute is permitted to volunteer either in a Class B Volunteer capacity or in a Class A Volunteer capacity only after the Program has conducted the required screening, which in most cases can be completed very quickly.

C. Training Requirements

1. Question

sss. Does the Volunteer Screening Policy replace the need for the training requirements outlined in the General Rules, Sports Rules or other Special Olympics policies?

1. Answer

ttt. No. The Volunteer Screening Policy does not supersede any training requirements for any volunteers, whether those requirements are set out in the General Rules, Sports Rules or other SOI policies. Specifically,

the Protective Behaviors training continues to be required for all Class A Volunteers prior to volunteering for Special Olympics.

2. Question

uuu. Does the U.S Volunteer Screening Policy alter the current Protective Behaviors requirement?

2. Answer

vvv. No. U.S. Programs are still responsible for ensuring that all Class A Volunteers 18 years of age or older, unless the volunteer is still enrolled in high school, complete the Protective Behaviors training at least once every three years.

D. Automatic Disqualifier for Driving on Behalf of Special Olympics

1. Question

www. Are individuals who have been disqualified from driving on behalf of Special Olympics eligible to reapply to drive on behalf of Special Olympics once the specified time limit has passed?

1. Answer

xxx. Yes. In the case of DUI/DWI or comparable offenses, once the offense is more than seven years prior to application, an individual may apply to drive on behalf of Special Olympics. The same is true of the moving violations once the three year period has passed.