

RESOLUTION 2024-04

A RESOLUTION OF THE VINEYARD CITY COUNCIL ADOPTING THE VINEYARD CITY COACH BACKGROUND CHECK POLICY

WHEREAS, Vineyard City desires to ensure safety and good behavior amidst our Vineyard Recreation Programs; and

WHEREAS, staff currently requires our volunteer coaches to complete a background check; and

WHEREAS, the Vineyard City Council now desires adopt a Coach Background Check Policy to establish guidelines and procedures for volunteer coaches; and

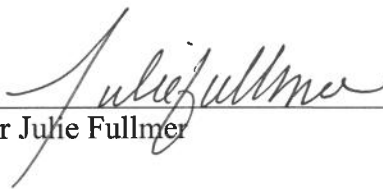
NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF VINEYARD AS FOLLOWS:

Section 1. Approval. That certain Vineyard City Coach Background Check Policy, attached hereto as Exhibit A and incorporated herein by reference, is hereby approved and adopted by the City Council of Vineyard City.

Section 2. Severability. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

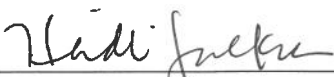
Section 3. Effective Date. This Resolution shall become effective immediately upon its approval by the City Council.

Passed and dated this 21st day of February 2024.



Mayor Julie Fullmer

Attest:



Deputy Recorder Heidi Jackman



PASSAGE BY MUNICIPAL COUNCIL
ROLL CALL VOTE

RESOLUTION NO 2024-04

**A RESOLUTION OF THE VINEYARD CITY COUNCIL FOR BACKGROUND
CHECK POLICY FOR COACHES**

ROLL CALL VOTE:

MAYOR JULIE FULLMER

COUNCILMEMBER JACOB HOLDAWAY

COUNCILMEMBER AMBER RASMUSSEN

COUNCILMEMBER MARDI SIFUENTES

COUNCILMEMBER SARA CAMERON

TOTALS

MOTION	SECOND	AYES	NAYS	ABSENT
		X		
	X	X		
X		X		
		X		
		X		
		5		

This Resolution was passed by the City Council of Vineyard, Utah on the 21st day of February, 2024, by a roll call vote as described above.

CITY RECORDER'S CERTIFICATE AND ATTEST

This Resolution was recorded in the office of the Vineyard City Recorder on the 21st day of February, 2024.

I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Resolution No. 2024-04.

ATTEST:



Vineyard City Deputy Recorder



Vineyard City Volunteer Coach Background Check Policy

I. Policy Statement

Vineyard City is committed to the safety and well-being of the youth participating in sports leagues within the city. As such, it is the established policy of Vineyard City to require comprehensive criminal background checks for all volunteer coaches involved with youth sports teams. This policy ensures that coaches meet the required standards of conduct and integrity, safeguarding the participants and upholding the reputation of Vineyard City's recreational programs.

II. Legal and Policy Framework

Currently, Vineyard City's municipal code does not specifically address the requirement for background checks for volunteer coaches. However, the Vineyard Recreation Department's existing policies mandate that all coaches must successfully pass a criminal background check annually. This policy is in line with standard practices among government and non-profit organizations overseeing youth sports and aims to maintain a safe and positive environment for all participants.

III. Policy Development and Implementation

This policy has been developed in consultation with city officials and law enforcement, and is modeled after the practices of peer organizations and the Utah Youth Soccer Association (UYSA). This policy ensures a standardized and equitable process.

IV. Policy Details

a. Background Check Requirements

Initial and Annual Checks: All volunteers applying to serve as coaches or administrators within Vineyard Recreation must undergo a criminal background check upon application and annually thereafter.

Record Retention: Background check reports will be securely stored in compliance with state laws and Vineyard City's records retention policies.

b. Disqualification Criteria

Review Process: The Parks and Recreation Director and the Human Resources Manager will review background check reports against a predetermined Table of Convictions to decide on disqualification from coaching or youth sports administration. Where discretion is permitted, it shall be exercised in consultation with the City Attorney and law enforcement as appropriate, and exercised in a uniform manner irrespective of age, race, gender, national origin, sexual orientation, or any other similarly discriminatory factor.

Discretionary Guidelines: For offenses not listed in the Table of Convictions, discretionary guidelines will be applied to ensure decisions are made fairly, without discrimination, and in consultation with the City Attorney and law enforcement as appropriate.

c. Table of Convictions

An individual shall be permanently disqualified from coaching or administering youth sports if the background check report shows that the individual has ever been convicted of any of the crimes listed in the following Table of Convictions, or equivalent offenses in any state.

1. Any misdemeanor, felony conviction, or criminal charges of misconduct involving a child.
2. Any conviction of a crime against a person, including or similar to:
 - A. Murder and manslaughter;
 - B. Malicious wounding by mob;
 - C. Abduction;
 - D. Felony assault and bodily wounding;
 - E. Robbery;
 - F. Carjacking;
 - G. Extortion and other threats;
 - H. Sexual assault;
 - I. Felony stalking; or
 - J. Convictions of any attempt or conspiracies to commit any of the above-listed crimes or similar crimes.
3. Any conviction of a crime against property, including or similar to:
 - A. Felony arson;
 - B. Burglary; or
 - C. Convictions of any attempts or conspiracies to commit any of the above-listed crimes or similar crimes.
4. Any conviction of a crime involving health or safety, including or similar to:
 - A. Felony violation relating to the possession or distribution of drugs;
 - B. Drive-by shooting;
 - C. Use of a gun in a crime of violence;
 - D. Felonious discharge of firearms within or at occupied dwellings; or
 - E. Conviction of any attempts or conspiracies to commit any of the above-listed crimes or similar crimes.

5. Any conviction of a crime involving morals or decency, including or similar to:
 - A. Failing to secure medical attention for injured child;
 - B. Pandering;
 - C. Crimes against nature involving a child;
 - D. Taking indecent liberties with a child;
 - E. Abuse or neglect of a child;
 - F. Obscenity offenses;
 - G. Possession of child pornography or electronic facilitation of pornography;
 - H. Abuse or neglect of an incapacitated adult;
 - I. Employing or permitting a minor to assist in an act constituting an obscenity offense; or
 - J. Convictions of any attempts or conspiracies to commit any of the above-listed crimes or similar crimes.

d. Guidelines

For convictions of crimes not listed in the Table of Convictions, the following guidelines shall apply.

1. The City shall temporarily disqualify an individual from coaching or administering youth sports if the background check report shows that any of the following circumstances apply.
 - A. Any individual who has been convicted of a theft-related crime or fraud in the prior fifteen (15) years shall be disqualified from any position involving the handling of funds or property.
 - B. Any individual who has been convicted of a substance abuse crime within the past ten (10) years shall be disqualified from any coaching position or any position that involves activities of a minor.
2. If the background check report shows that any of the following circumstances apply, the City may exercise discretion in determining whether to disqualify an individual, permanently or temporarily, from coaching or administering youth sports, with or without conditions, by applying the guidelines listed below.
 - A. Conviction of a felony offense not listed in the Table of Convictions should be viewed with extreme caution.
 - B. Any pending charge, felony or misdemeanor, against a minor shall render the individual ineligible unless or until such charges are subsequently dismissed or the individual is found not guilty.

- C. Conviction of multiple misdemeanor offenses not listed on the Table of Convictions, when recent in time or indicative of a pattern of bad behavior, should be viewed with extreme caution.
- D. All other convictions or pending charges (excluding crimes against minors or convictions or pending charges of crimes listed in the Table of Convictions) revealed through a background check report should be considered on a case-by-case basis to determine whether the past conduct of the individual is compatible with working with minors. Factors to consider include recency or remoteness in time, evidence of good conduct, and severity of the offense.

When determining how to apply these guidelines, the Parks and Recreation Director and the Human Resources Manager shall determine whether such information disqualifies the individual from coaching or administering youth sports. Factors that may be considered in deciding whether to permit an individual to participate include the following:

1. The nature and character of the past conduct;
2. How the past conduct relates to the particular functions of the individual's team or function;
3. The length of time since the offending conduct;
4. Rehabilitation of the individual;
5. Patterns of criminal behavior;
6. The individual's performance record; and
7. How such conduct affects the integrity of the sport or program.

e. Appeals Process

Appeal Rights: Individuals disqualified based on their background check may appeal the decision to the City Manager within three days, providing a structured avenue for reconsideration of their eligibility.

V. Implementation and Compliance

This policy is effective immediately upon adoption by the City Council. All volunteer coaches and administrators are required to comply with this policy as a condition of their involvement in Vineyard City's youth sports programs. The Parks and Recreation Department, in collaboration with the Human Resources Department, will oversee the implementation and adherence to this policy, ensuring that all volunteers meet the standards set forth to protect the youth participants and the integrity of the city's sports programs.