



HUMAN RESOURCES DEPARTMENT
Concord, New Hampshire

BACKGROUND CHECK POLICY FOR YOUTH SKILL CAMPS

PURPOSE : In accordance with RSA 485-A:24 and the Administrative Rules, Env-Wq 909 adopted by the New Hampshire Department of Environmental Services, the following background check policy is hereby adopted relative to background checks for all camp staff members who might be left alone with any child or children who attend a youth skills camp.

PROCEDURES:

Criminal History Records and National Sex Offender Registry Checks

- A. Background checks will be conducted at least once per calendar year for all staff members working with minor children who attend a youth skills camp, as set forth in RSA 486-A:23, II and Administrative Rules, Env-Wq 909. All staff members are required to comply with this policy, including but not limited to full and part-time employees, temporary staff, volunteers and contractors hired by the City of Concord. The background check shall include a criminal history records check and a check of the national sex offender public registry.
- B. The criminal history records check shall be obtained in each state of residence for the staff member at least once per calendar year. For residents of the State of New Hampshire, a criminal record release authorization form shall be submitted to the New Hampshire State Police. For any staff member who resides or has resided in another state, whether on a permanent or temporary basis, after attaining the age of 18, a background check shall be performed using a validated database that includes current information for each state of residence or through the state identification bureau of each state of residence. For international applicants or employees who enter the country under the auspices of an organization that provides opportunities for foreign nationals to be a counselor at a camp in the United States, it shall be permissible to rely upon the background check provided by the VISA process as long as the issued VISA is applicable and unexpired.
- C. The Department shall forward the completed criminal record release authorization form to the Human Resources Department for all employees. Once the request has been completed, the Human Resources Department will notify the Department of the result of the criminal history records check. The criminal history records check for volunteers and contractors shall be handled directly with Department hiring the applicant.
- D. In addition to the criminal history records check, a check of the national sex offender public registry shall be conducted for all staff members at least once

per calendar year. The check of the national sex offender public registry shall be conducted by the Department.

- E. No staff member shall be allowed to work in a youth skills camp in the event the background check reveals that the individual is a registered sex offender and/or there are criminal convictions for offenses of the following nature:

- (1) Causing or threatening direct physical injury to any individual; or

- (2) Causing or threatening harm of any nature to any child or children.

For prospective employees, Human Resources shall notify the applicant that the offer of employment has been rescinded. For existing employees, a background check showing any of the above listed violations will be examined by the Director of the respective Department and the Human Resources Director, who will determine whether to transfer the staff member out of the youth skills camp or to recommend termination of employment to the City Manager.

- F. The Department shall also take into consideration any references, employment history and volunteer history received by the camp staff member to determine whether to allow a prospective staff member to work directly with youth at the youth skills camp.
- G. The Department shall prohibit any staff member who has not been subject to the required background check from working directly with any youth(s) unless a staff member for whom the background check has been completed is also present.
- H. The Human Resources Department shall retain the background check in the investigation file for all employees. For volunteers and contractors, the respective Department shall be responsible for maintaining the records. The background check shall be considered confidential, although the Department shall provide information as to whether the background check has been completed on camp staff to any parent or guardian of a youth who requests the information.
- I. If a prospective staff member has been the subject of a background check performed by another person or entity within 12 months, the previous background check may, with the signed and written consent of the prospective staff member, be shared with the Department and may be used to satisfy the requirements of RSA 485-A:24.
- J. For any licensed professional who is required to submit to a background check in order to be licensed, the Department may accept a currently-valid professional license as proof of compliance so long as the (1) the background check included both a criminal background check and check of the national sex offender public registry, provided that if the background check required for licensure did not include a check of the national sex offender public registry then the professional license shall be accepted only for compliance with the criminal records history check; and (2) the background check was performed within the prior twelve months.

Background Check Requirements for Youth Skills Camp Staff Members Under the Age of 18

- A. For any staff member younger than 18 years old ***who will be left alone with a child or children***, the minor must provide a minimum of 2 references to the Department. At least one reference must be from a non-relative attesting to their knowledge of the minor's character as it relates to whether the minor has caused or threatened to cause direct physical injury to any individual or harm of any nature to any child or children and their opinion on whether the minor is a good candidate to work directly with youth.

Completion of Background Check Certifications and Other Requirements

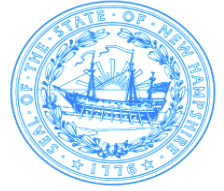
- A. Each Department is required to submit the annual certification form required by the Department of Environmental Services in accordance with RSA 485-A:24, II (attached as Appendix A).
- B. If any camp staff is added after the filing of the required certification, the Department shall conduct a background check for such staff prior to the staff working directly with any youth(s) unless a staff member for whom the background check has been completed is also present.
- C. The certification form is required to be submitted prior to any youth arriving at the youth skills camp in each calendar year that the youth skills camp is being operated.
- D. An up-to-date listing must be maintained of all who are in a position such that it is possible they could be left alone with children, together with the status of their background checks. This list shall be maintained by the Human Resources Department for all employees. This list shall be maintained by the respective Departments for all staff and volunteers. A copy of the staff member listing shall be provided to the Department of Environmental Services for review upon request.
- E. All Departments who lease and/or otherwise allow City property to be used by third parties for the operation of a youth skills camp shall be required to obtain written certification signed by the youth skills camp operating stating that background checks have been completed in accordance with RSA 485-A:24, II (attached as Exhibit B).
- F. This background check policy shall be reviewed annually and any adjustments needed shall be made.

Established: January 26, 2015

Revised: May 21, 2015



CERTIFICATION OF BACKGROUND CHECKS



****Use this form to comply with the certification requirements of N.H.
RSA 485-A:24, II and Env-Wq 909****

FOR DES USE ONLY RA 403570 Fee Rec'd: _____ Check #: _____ Date Rec'd: _____
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Certification for Calendar Year: _____

Complete Legal Name of YSC: _____

Other name(s) used (if none, enter "none"): _____

Web or social media network site address (if available): _____

YSC Location(s) in NH: _____
 municipality/ies

YSC Operator:

Name: _____ Title: _____

Primary Mailing Address: _____

Daytime Telephone Number (with area code): _____

E-mail address (if available): _____

If the YSC Operator is other than an individual, provide the following information for the individual who has been authorized to represent the organization:

Name: _____

Primary Mailing Address: _____

Daytime Telephone Number (with area code): _____

E-mail (if available): _____

YSC Owner (if the same as YSC Operator, enter "same"):

Name: _____

Primary Mailing Address: _____

Daytime Telephone Number (with area code): _____

E-mail (if available): _____

Sessions (attach additional sheets if needed):

Anticipated Number of Sessions	Anticipated Length of Each Session	Area In Which Skill Will Be Taught

DO NOT SEND COPIES OF BACKGROUND CHECKS TO DES

CERTIFICATION AND SIGNATURE:

I HEREBY CERTIFY that:

- I am the YSC operator for the YSC identified above, or have been duly authorized by the YSC operator to sign this certification;
- A background check policy that meets the requirements of RSA 485-A:24, II and Env-Wq 909 is in place.
- Background checks for all individuals who might be left alone with children have been conducted and reviewed prior to working with any child or children, as required by RSA 485-A:24, II and Env-Wq 909;
- Background checks will be conducted and reviewed for all new camp staff brought on after the date of this certification prior to the individual being left alone with any child or children, as required by RSA 485-A:24, II and Env-Wq 909;
- No individual who might be left alone with any child or children has a criminal conviction for the following offenses: causing or threatening direct physical injury to any individual or causing or threatening harm of any nature to any child or children;
- The information provided on this certification form and in all attachments is true, complete, and not misleading to the best of my knowledge and belief; and
- I understand that I am subject to the penalties specified in New Hampshire law for making unsworn false statements if the information is false, incomplete, or misleading.

By: _____ **Date:** _____
(signature)

Name (print legibly or type): _____

Title: _____

Send this completed certification with \$25* to:

Youth Skill Camp Program
DES Drinking Water and Groundwater Bureau
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095

* Check or money order made payable to “Treasurer- State of NH” preferred;
Fee not required if YSC operator is a political subdivision

**APPENDIX B
(City of Concord Certification Form)**

CITY OF CONCORD YOUTH SKILLS CAMP CERTIFICATION FORM

As a party who leases or uses City of Concord property or buildings/structures for youth activities, you are required to complete and return this form:

- I hereby certify that background checks for a youth skill camp have been completed in accordance with RSA 485-A:24, II.
- I hereby certify that the activities that my organization will be conducting on property or buildings/structures owned by the City of Concord do not constitute a "youth skill camp" as defined in RSA 485-A:23, II and Administrative Rules, Env-Wq 909.03 (e).

In completing this form, I further certify that:

- The information provided on this certification form is true and complete to the best of my knowledge and belief; and
- I understand that I am subject to the penalties specified in New Hampshire law for making unsworn false statements if the information is false, incomplete, or misleading.

Name of Organization: _____

By: _____ **Date:** _____
(signature)

Name (print legibly or type): _____

Title: _____

The following definitions apply to youth skill camps:

485-A:23, II: "Youth skill camp" means a nonprofit or for-profit program that lasts 8 hours total or more in a year for the purpose of teaching a skill to minors. Such camps include, but are not limited to, the teaching of sports, the arts, and scientific inquiry.

Administrative Rules, Env-Wq 909.03(e): "Program" as used in the definition of "youth skills camp" means a specific curriculum that: (1) Has been developed by individuals knowledgeable and experienced in the field to impart a specific skill in a logical progression of increasing difficulty over a period of 3 or more consecutive days; and (2) Is taught by at least one instructor who is knowledgeable and experienced in the skill being imparted.