

# UNIVERSITY OF MARYLAND EXTENSION

ADMINISTRATIVE POLICY– College of Agriculture and Natural Resources

Sub-Units: University of Maryland Extension (UME)

Subject: Policy and Procedures for Volunteer Background Checks

Approved: November 2, 2020

Effective Date: February 15, 2021

## **A: Purpose:**

In order to promote the safety and well-being of University of Maryland Extension (UME) volunteers and constituents (*e.g.*, staff members, program participants, and the community) and to protect UME's assets and reputation as a service provider, all current and prospective UME volunteers will undergo criminal background checks as a condition of their appointments.

This policy sets forth guidelines for the implementation of UME volunteer background checks. UME will use three types of screening: (1) Basic Screening (Maryland Judiciary Case Search and National Sex Offender Database Search); (2) Criminal Background Check; and (3) Criminal Justice Information System (CJIS) Record History Check. Screening type is assigned based on the volunteer's scope of work.

This policy is intended to comply with the Maryland Code's Family Law Article, § 5-560 et seq., which provides guidance on criminal history records checks for employees and other individuals who care for or supervise children. This law permits organizations to require volunteers who work with children to undergo criminal history records checks.

This policy is in alignment with process and procedures established by the University of Maryland (UMD) and the University System of Maryland (USM).

Administration of this policy is managed by, and under the purview of, UME's Office of the Assistant Director for Operations. Any questions regarding this policy should be directed to UME's Assistant Director of Operations.

## **2. Scope:**

This policy will apply to all UME programs and volunteers. Beginning November 1, 2020, all new volunteers will be required to comply with and complete the background check process. Beginning January 1, 2021, UME will require that all current volunteers comply with and complete the background check process. Volunteers will be informed that selection, retention, and reassignment are subject to meeting the requirements of a background check. Volunteers will be informed that a new background check must be completed every three years.

After a background check is conducted, it is the responsibility of the volunteer to notify UME of any subsequent criminal or civil activity that may affect their volunteer role, per the Maryland Code, Family Law Article, § 5-560 et seq.

### **3. Procedural Steps:**

#### Disclosure and Authorization:

UME units (*i.e.*, county/city offices or research and education centers) must inform prospective volunteers that a Basic Screening (Maryland Judiciary Case Search and National Sex Offender Database Search), Criminal Background Check, or Criminal Justice Information (CJIS) Record History check is required (based on the type of volunteer appointment). Dependent upon the required background check, UME will: (1) obtain information for the Basic Screening; (2) provide the current or prospective volunteer with information to access the Criminal Background Check database portal; or (3) provide the current or prospective volunteer with an application for a Criminal Justice Information (CJIS) Record History Check. All volunteers must provide the required information and/or application within thirty (30) days of notification by UME.

#### Process and Information:

The Basic Screening (Maryland Judiciary Case Search and National Sex Offender Database Search) will be conducted by a designated member of the UME Operations Team assigned to provide administrative support for the Volunteer Background check process.

The Commercial Criminal Background Check process will be facilitated by the designated member of the UME Operations Team assigned to provide administrative support for the Volunteer Background check process.

The Criminal Justice Information (CJIS) Record History Check will be facilitated by the designated member of the UME Operations Team assigned to provide administrative support to the Volunteer Background check process. These background checks will be obtained via the AGNR Human Resources office.

All applications, position descriptions and volunteer agreements must contain the following statement: "This position is subject to a Criminal History Record Check. Volunteer appointment, re-appointment, and continued appointment are contingent upon successful completion and clearance of the Criminal History Record Check."

Actions taken based on this policy shall be consistent with the College of Agriculture and Natural Resources' commitment not to discriminate against any current or prospective volunteer based on race, age, sex, color, sexual orientation, physical or mental disability, religion, ancestry or national origin, marital status, genetic information, political affiliation, gender identity or expression, or any other classification protected by applicable law.

The cost of the Criminal History Record Check and/or the Criminal Justice Information (CJIS) is the responsibility of the volunteer.

### **3. Definitions**

Basic Screening – A designated member of the UME Operations team will be assigned to screen the volunteer using the Maryland Judiciary Case Search and the National Sex Offender databases, per UME Basic Screening Guidelines.

Commercial Criminal Background Check – A criminal background check completed by a commercial entity through a review of publicly-available law enforcement, court and other records, including international records, as appropriate. A commercial criminal background check is based upon identifying information regarding the individual, but does not utilize fingerprints.

Criminal Justice Information System (CJIS) Record History – A criminal background check completed by the Maryland Department of Public Safety and Correctional Services of all criminal history information regarding an individual that is maintained by the CJIS Central Repository, consistent with the requirements of the Maryland Code, Criminal Procedure Article, §§ 10-201 et seq. A CJIS record history is based upon national and state criminal history records and uses an individual's fingerprints and other identifying information.

Types of Volunteers – See Addendum 1.

#### **4. Guidelines for Implementation**

Guideline 1 – Effective February 15, 2021, all UME volunteer applicants will complete the requisite background check as part of the application and onboarding process.

Guideline 2 – Beginning March 15, 2021, and continuing throughout Fiscal Year 2021, current UME volunteers will undergo the requisite background check per the volunteer's appointment.

#### **5. Background Check Review, Decision, and Notification**

UME will determine criteria for acceptance/non-acceptance. If the results of a volunteer's background check do not meet the acceptance criteria, the Assistant Director of Operations will consult with the review committee, to include the faculty member of the applicable unit/program and the program leader (or other designee), to make a determination.

Written notification of non-acceptance must be sent via the U.S. postal service by the Assistant Director of Operations to the volunteer/applicant. The notification must provide the volunteer with a copy of the FCRA's report and a summary of the individual's FCRA's rights in accordance with USM Policy on Background Checks, Section VII-1.5.

#### **6. Records Retention**

Volunteer background check records will be maintained by the UME Operations office for five (5) years in a manner designed to ensure the security and confidentiality of the information.

#### **7. Contact:** Aly Valentine, Assistant Director of Operations, UME

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**Addendum 1 – Volunteer Type | Appointment | Required Background Check**

<u>Volunteer Type</u>	<u>Appointment Term</u>	<u>New Background Check</u>	<u>Type of Screening</u>
<b>Tier 1</b>			
Episodic Volunteers	Limited to two months of service within a calendar year	Every three years	Basic Screening (Maryland Case Search and National Sex Offender Database Search)
<b>Tier 2</b>			
Certified UME 4-H Volunteers 4-H Club Volunteers (Club Organizational Leaders, Clover Leader, Project Leader, Activity Leader, Resource Volunteer, etc.) Project Volunteers (Project Leader, Project Coach, Coach Shooting Sports Instructors, etc.) Program Volunteers (Activity Volunteer, Resource Volunteer, Fair Superintendent, etc.) <i>May apply to other program volunteer roles. Check with 4-H Volunteer Specialist to confirm.</i>	One year	Every three years	Commercial Criminal Background Check
Master Gardener Volunteers	Three years	Every three years	Commercial Criminal Background Check
Watershed Stewards	Three years	Every three years	Commercial Criminal Background Check
<b>Tier 3</b>			
Overnight 4-H Volunteer (Camp Staff)	One year	Every three years	CJIS Background Check
Overnight 4-H Volunteer (Trip Chaperone and/or, Event Chaperone)	One year	Every three years	CJIS Background Check
Certified UME 4-H Volunteer (Day Camp Staff)	One year	Every three years	CJIS Background Check