



Mandatory Criminal History Policy & Procedure

PURPOSE

Criminal history background checks are of vital importance to MI Bright Future because volunteers are likely to have direct, ongoing contact with children. Protecting student participants from abuse and other criminal activity is of the utmost importance to the organization. The purpose of the policy is to minimize the possibility of volunteers with criminal and/or sexual backgrounds contacting or engaging with students by participating in MI Bright Future.

MANDATORY CRIMINAL HISTORY BACKGROUND CHECK

A criminal history background check (“background check”) is required when a volunteer indicates an interest in activities requiring student interaction. Activities requiring student interaction include career coaching, work-based learning activities, company message board access, and student messaging.

The requirement for a background check is triggered when any of the following occur:

1. A new volunteer completes the Registration Form on their own behalf (not affiliated with a company) and indicates interest in activities requiring student interaction.
2. A new volunteer completes the Registration Form and indicates a desire to participate in activities requiring student interaction.
3. A new volunteer completes the “Add-A-Contact” form for an existing (registered) company profile and indicates a desire to participate in activities requiring student interaction.
4. A current volunteer serving as the main company contact applies to engage in activities requiring student interaction for the first time.
5. A new volunteer registers to replace the current main company contact and applies for activities requiring student interaction.

In the event of any of the above scenarios, MI Bright Future will require the volunteer to fill out and e-sign a waiver of liability and release form so a background check may be conducted. This form will require the volunteer to provide his/her name, age, gender, and ethnicity.

If a volunteer refuses to sign the waiver of liability, or agree to the Terms and Conditions when registering using the MI Bright Future Employer Registration Form, or provide the above information, he/she will be disallowed student engagement. If the volunteer is a company’s main contact, his/her company will be restricted to a static profile without the features required for student interaction until a new volunteer registers and is approved to replace the company’s main contact.

The criminal background search will be conducted using two online databases: ICHAT and NSOPW.

- **The Internet Criminal History Access Tool (ICHAT)** is a Michigan public access tool used to review serious misdemeanors and felonies committed in the state of Michigan.
- **The National Sex Offender Public Website (NSOPW)** is a national public access tool used to review sexual offenses perpetrated across the United States.

NOTE: MI Bright Future will also conduct annual ICHAT and NSOPW background checks for all volunteers to ensure ongoing student safety throughout the duration of the program. MI Bright Future will conduct these searches at the beginning of July every year, coinciding with the standard start time of regional schools. **CRIMINAL HISTORY BACKGROUND CHECK STANDARDS & GUIDELINES**

MI Bright Future will use these guidelines when evaluating whether to allow volunteers with criminal convictions to participate in activities requiring student interaction. To protect the safety of students, MI Bright Future will bar volunteer participation by individuals convicted of any of the following:

- A listed offense, as defined in section 2 of the Michigan sex offenders registration act, 1994 PA 295, MCL 28.722.
- Child abuse or child neglect.
- A crime involving harm or threatened harm to an individual.
- Other violent criminal activity, regardless of severity (misdemeanor, felony, etc.). MI Bright Future defines examples of violent criminal activity to include, but not be limited to: assault, murder, robbery, home invasion, rape, and arson.
- Drug-related crimes, including but not limited to: use, sale, manufacture, distribution, or trafficking of narcotics.
- Criminal activity of any kind sexual in nature.
- Criminal activity relating to kidnapping, abduction, restraint, prostitution, sexual exploitation of minors, obscenity, peonage, involuntary servitude, or the slave trade.
- Other violations of federal, state, or local law that threatens the health or safety of any person.
- Fleeing to avoid prosecution, or custody or confinement after conviction for a felony or attempt to commit a felony.
- Violation of a condition of probation or parole under federal or state law.
- Fraud or bribery or other corrupt or criminal act in connection with any non-profit, for profit, or other initiative or organization.
- Any other offense deemed a reasonable prohibition for student interaction, as determined by MI Bright Future and its partners.

Convictions for misdemeanors, and arrests and convictions for felonies, in the nature of the above types, will be considered relevant and disqualifying when committed within the **last ten (10) years** of the date of the search. Some offenses may be considered perennially disqualifying, regardless of timeliness. Such offenses include, but are not limited to: murder, rape, and any other offense that is sexual or violent in nature.

Any volunteer who provides false or misleading information about his/her criminal history will be barred from volunteer participation.

While an offense is pending charging or adjudication, MI Bright Future will consider the case on-going and will disallow volunteer participation. While arrestees may be acquitted of charges, it is not within MI Bright Future's capacity to dispense judgment on the veracity of criminal allegations during the adjudication. As student safety is of the utmost importance, there will be no consideration given until a volunteer has concluded their legal proceedings. If a volunteer was charged with a crime but can provide substantiating evidence of their complete and unequivocal exoneration, MI Bright Future will reconsider his/her volunteer application at that time.

NOTE: Criminal histories considered benign in nature, such as driving-related offenses, will not be considered cause for disqualification.

If a background check is completed and information is uncovered which may prevent an individual from volunteering, MI Bright Future team members are required to do the following:

- Procure and retain a copy of the report according to this policy.
- Confirm the volunteer's information was entered correctly.
- Notify the MI Bright Future Program Manager of the discovery.
- Pursuant to the above guidelines, if there is any question whether an individual should be allowed to volunteer, the MI Bright Future team member conducting the background check shall review the results with the Executive Director and the Senior Program Manager to make a final determination about the individual's eligibility.
- If necessary, confirm convictions and arrests with relevant local authorities.
- Notify volunteer via e-mail of their disqualification for participation utilizing the "Disqualification Letter" and informing the individual that his/her company may participate by using a different company contact.
- If a volunteer contests the background check, refer the volunteer to this policy. If a volunteer can provide substantiating evidence that he/she did not commit the crime(s) appearing on the background check, MI Bright Future will reconsider his/her volunteer application at that time. Similarly, if a volunteer was charged with a crime but can provide substantiating evidence of their complete and unequivocal exoneration, MI Bright Future will reconsider his/her volunteer application at that time.
- If an individual submits such evidence under either circumstance, the MI Bright Future team member conducting the background check shall review the results with the Executive Director and the Senior Program Manager to make a final determination about the individual's eligibility.
- Upon completion of the review, if MI Bright Future determines the individual is not eligible to volunteer, the volunteer will be notified of the determination via e-mail.
- Upon completion of the review, if MI Bright Future determines the individual is eligible to volunteer, the volunteer will be notified of the determination via e-mail and MI Bright Future profile will recommence building a volunteer profile immediately.