

Arizona Academy of the Performing Arts, Inc.

Background Check Policy and Procedure

Adopted by the Board of Directors January 18, 2018

Revised January 24, 2019

Criminal background checks (“background checks”) will be completed as part of the screening for those persons who will provide certain services to The Arizona Academy of Performing Arts (“AAPA”) and who will interact with its participants (members, students, trainees and applicants). Such background checks will specifically include, but not be limited to, convictions of sexual abuse of minors. The AAPA, therefore, establishes the following as its Policy and Procedures in this regard:

1. Background checks shall be performed for:
 - a. all members of The Board of Directors of The Academy (“the Board”) and its employees.
 - b. all independent contractors and volunteers who will
 - (1) be engaged in the care, supervision, guidance or control of participants (specifically including, but not limited to, instruction), or
 - (2) otherwise will have regular, direct contact. For purposes of this policy, the term “regular” shall mean any portion of two or more days.
2. Such background checks are to be completed prior to the person engaging in such activity, with the limited exception stated in paragraph 3, below.
3. The AAPA recognizes that in very rare occasions it may not be possible to complete this screening process before an independent contractor or volunteer provides service. In such limited cases, the services of such person shall be performed under the direct supervision of the Executive Director or his designee, and a background check will be performed within one day of initiation of such activities with the organization, or prior to the next day on which such services are performed by that person.
4. The AAPA will use a qualified, independent entity to process the background checks as approved by the Board of Directors.
5. To protect the confidentiality of the person subject to this background check, availability of any report or other information so gathered will be limited to the Executive Director and Business Manager of The AAPA, and any other such person specifically so authorized by the Executive Director.
6. The Executive Director will have the prerogative to allow, reject or limit the activities of any employee, volunteer or independent contractor based on the information gathered from such background check.

7. Any employee, volunteer or independent contractor whose activities have been limited or participation rejected by the Executive Director under this policy may appeal such decision to the Board. Both parties will be allowed to present their position to the Board, which will make a determination in this regard.
8. For purposes of this Policy, background checks must have been completed no more than 12 months prior to engaging in the activities described in paragraph 1, above. For those persons maintaining an ongoing relationship with AAPA in this regard, a new background check must be conducted at least every 12 months.
9. The Business Manager or other such person so designated by the Executive Director shall maintain a log of background checks and completed.
10. Reports and any other such information obtained through such background checks shall be kept in a readily accessible form for at least 2 years, and be permanently available thereafter.

ADVERSE ACTION CRITERIA

Subject to extenuating or mitigating circumstances and a majority vote of the Board,

- A felony conviction of any violent crime at any time, or a misdemeanor conviction for a violent crime within the prior 10 years will cause disqualification.
- Felony or misdemeanor conviction of any sex based crime will cause disqualification.
- Felony conviction of any non-violent crime within the prior 10 years will generally cause disqualification.