



Policy Statement for Disqualification of Individuals With Criminal Backgrounds

- I. **POLICY STATEMENT**—The Asian American Baptist Church (hereinafter, “AABC”) organizes and administers a religious educational program for children, youth and adults. In recognition of the increasing incidents of crimes against children and youth by volunteers of organizations to which the children and youth belong, AABC has determined that certain individuals should be disqualified from participating with the children and youth in our program. AABC’s Background Checks Committee (hereinafter, “BCC”) reserves the right to disqualify any applicant who has ever been convicted of any disqualifying offense, has received probation or deferred adjudication for any disqualifying offense, or has any criminal charges currently pending for any disqualifying offense awaiting a determination of guilt or innocence. Credit histories of individuals are not part of this criminal background checks and will not be requested or examined by AABC.
- II. **DETERMINATION OF DISQUALIFYING OFFENSES**—The determination of whether a particular crime or offense involves moral turpitude that results in the right to disqualify shall be made by the BCC in its sole discretion.

Without in any way limiting those offenses that the BCC may determine to involve moral turpitude, AABC offers the following examples as guidelines:

- A. Offenses involving moral turpitude include sex-related offenses, child-related offenses, drug and alcohol-related offenses, weapons offenses, felony robbery/burglary offenses, fraud related offenses and crimes against persons and property.
- B. Offenses which do not involve moral turpitude include minor traffic violations (if limited in number), and misdemeanor matters arising out of organized civil disobedience activities.
- III. **GUIDELINES FOR DETERMINING DISQUALIFICATION**—If the BCC determines that an applicant has a background of one or more disqualifying offenses, the BCC may in its discretion disqualify the applicant from all teaching and volunteer positions associated with children and youth. The BCC recognizes that there may be instances where previous criminal conduct does not pose a threat to the children and youth involved in AABC and should not result in disqualification from AABC.

- A. **WHAT TO DO WITH THOSE WITH THE DISQUALIFYING OFFENSE**—It must be determined by the BCC if it is fully justifiable to exclude someone from service at AABC.
1. The following questions will be addressed by the BCC to determine whether or not the disqualifying offense(s) that appear on a person’s record is an obstacle and hindrance to that person’s present ministry.
 - a. Did the candidate disclose this information on his/her application?
 - b. The age of the applicant at the time of the criminal conduct?

- c. The length of time since the criminal conduct occurred?
 - d. How long has the AABC body known the candidate?
 - e. Has the candidate displayed observable Christian character and conduct before and after the offense has been committed? (Personal references)
 - f. Are the charges a result of direct and/or pre-meditated actions, or a result/consequence of misjudgment? (The nature and severity of the criminal conduct)
 - g. What is the likelihood of another similar offense being committed by the candidate?
 - h. Other factors the BCC may deem appropriate under the circumstances.
2. Should the BCC determine that the candidate, despite having disqualifying offense(s) is eligible to serve at AABC, they have the discretion to impose conditional qualifications and restrictions on the candidate.

IV. PROCEDURES—In order to screen prospective teachers, volunteers, and staff, and to identify and disqualify those who have criminal conduct histories, AABC shall utilize the following procedures:

- A. VOLUNTEERS/TEACHERS/STAFF PERSONNEL APPLICATION—Must be completed by every individual applying to volunteer/work in AABC. This includes a disclosure in writing of any previous criminal history.
 - B. REFERENCES—Each prospective volunteer/employee shall provide two or more character references and shall authorize the BCC to contact those references to make inquiry concerning the applicant.
 - C. PERSONAL INTERVIEWS—Each prospective volunteer/employee may be interviewed by members of the BCC.
 - D. CODE OF ETHICS—Each prospective volunteer/employee will be given a copy of the Code of Ethics and will be expected to adhere to this Code of Ethics during their service with AABC.
 - E. CRIMINAL BACKGROUND CHECKS—Each prospective volunteer/employee shall give written authorization for a criminal background check by the Volunteer Center of Collin County pursuant to the Criminal History Information Act as adopted by the 73rd Texas Legislature and as amended from time to time (the “Criminal Information Act”).
 - F. APPLICANT GRIEVANCE PROCESS—Individuals have a right to view their Criminal History Record Transcript to see if all items contained therein are correct. (Please note that we only receive record transcripts back from the Volunteer Center of Dallas if there is an item on the record). They may wish to dispute the Criminal History Record Transcript by notifying the Texas Department of Public Safety directly.
- V. COMPLIANCE WITH THE REQUIREMENTS OF THE CRIMINAL INFORMATION ACT AND THE VOLUNTEER CENTER OF COLLIN COUNTY—AABC and its BCC shall comply with the requirements of the Criminal Information Act, including the destruction of criminal history record information obtained under the Criminal History Act promptly after determination of the suitability of the applicant for a position as a volunteer or employee. AABC shall comply with all the requirements imposed by the Volunteer Center from time to time in order for the Volunteer Center to perform criminal background checks pursuant to the Criminal Information Act.