



## **DALLAS AREA HABITAT FOR HUMANITY VOLUNTEER CRIMINAL BACKGROUND CHECK POLICY**

### **1.0 POLICY**

Dallas Area Habitat for Humanity requires that criminal background checks be conducted for all potential volunteers in compliance with the policies set forth by Habitat for Humanity International.

A criminal background check will include a check on the National Sex Offender Public list, a review of the Office of Foreign Assets Control (OFAC) registered SDN's list and a public search of criminal history for all applicants. Any person who does not consent to a criminal background check will not be permitted to become a volunteer.

Based on any or all the criteria outlined in this policy, Dallas Area Habitat for Humanity may, in its sole discretion, decide that a volunteer will be given the opportunity to volunteer in any capacity. Dallas Area Habitat for Humanity further reserves the right to recheck criminal backgrounds at any time and may terminate a volunteers' participation if he/she becomes disqualified based on that review.

*Dallas Area Habitat for Humanity acknowledges that any background check and decision to work with a potential volunteer shall comply with all state or federal laws, to the extent applicable to Dallas Area Habitat for Humanity and its programs, that concern race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin and/or ancestry.*

### **1.1 QUALIFICATION CRITERIA**

A previous conviction may disqualify an applicant from participating as a volunteer. In determining eligibility to volunteer, Dallas Area Habitat for Humanity, in its sole discretion, may consider several factors, including, without limitation, the:

- Applicants with a confirmed match on the National Sex Offender Public Website
- Applicants with a confirmed match on the Office of Foreign Assets Control (OFAC) list.
- Applicants still serving a sentence; sentence service must be complete
- nature of the conviction and whether children were involved.
- time elapsed since the offense.
- extent to which the offense may affect the person's ability to and fully participate as a volunteer.
- age of the candidate when the illegal activity occurred.
- number of convictions (if more than one).
- any information produced by the person or produced on the person's behalf demonstrating rehabilitation and good conduct.
- whether partnering with the applicant would pose a risk to the organization.
- the nature of the build, i.e., proximity of houses, mixed use communities, etc.; and/or any other factor the affiliate deems relevant to the decision.

The following provides examples of the criteria Dallas Area Habitat for Humanity may, within its sole discretion, use to determine an individual's eligibility to volunteer with the organization.

1. Record of three or more felony convictions or adjudications (other than acquittal) or record of any one within 7 years of conviction or parole (whichever is later) by an applicant for any of the felonies listed below will result in denial of application.
  - Murder
  - Felony Assault
  - Kidnapping
  - Burglary
  - Arson
  - Crimes involving explosives
  - Crimes involving terrorism
  - Treason
  - Crimes involving the manufacture, distribution, or illegal use of controlled substances
  - Fraud
  
2. Record of any felony conviction or adjudication, other than acquittal, by a volunteer applicant for any of the felonies listed below will result in denial of application.
  - Crimes involving harm to children
  - Sexual offenses

This list is not exhaustive and is for illustrative purposes only. Dallas Area Habitat for Humanity reserves the right to make selection decisions in its sole discretion. Qualifying criteria extends to any volunteer.

## **2.0 PROCEDURE**

Dallas Area Habitat for Humanity will make good faith efforts to comply with the following procedures when conducting criminal background checks:

- All applicants will be checked on the National Sex Offender Public list (currently at <http://www.nsopw.gov/>); any applicant with a confirmed registration will be denied.
- All applicants will be checked on the OFAC SDN's list through credit reporting; any applicant with a confirmed registration will be denied.
- All volunteers will be subject to a criminal background check that will, at minimum, include all states in which the person has resided for the last ten (10) years as well as federal records.
- All recruitment information, applications, announcements, and descriptions will state the volunteer requires a criminal background check.
- Prior written approval in accordance with applicable laws, and, where third party vendors are retained to conduct criminal background checks will be sought.
- The individual under consideration will be notified that an offer to volunteer is conditioned on successful completion of the criminal background check, and that falsification of information submitted may be cause for corrective action, up to and including elimination from the volunteer program.
- Criminal background checks will be reviewed within a reasonable time to determine whether such convictions disqualify individuals from volunteering.
- All practices will comply with the Federal Fair Credit Reporting Act requirements where a third-party vendor is used to conduct the background checks.

## **VOLUNTER BACKGROUND CHECK APPEALS POLICY**

If any background investigation results indicate that the applicant does not meet the qualification criteria for DAHFH programs, DAHFH may reject the applicant in accordance with DAHFH standards for application denial.

Before rejecting the volunteer, DAHFH will compare the information provided by the applicant with the background history report(s). If the information conflicts, DAHFH will:

- 1) Notify the applicant of the proposed action based on the information.
- 2) Provide the applicant with information about how to obtain a copy of the discovery information; and
- 3) Provide the applicant with an opportunity to dispute the accuracy and relevance of the information obtained.

Applicants will have (10) calendar days to resolve the discrepancy. If the applicant fails to contact DAHFH or indicates that he/she cannot provide documentation to verify that the background information is not correct, the owner/agent will deny the application. DAHFH will determine, in its sole discretion, whether documentation provided by applicant is sufficient to override the background information on record.

If, in the case of DAHFH volunteer programs, DAHFH discovers a criminal history that would have resulted in application rejection DAHFH will contact the volunteer to ascertain the accuracy of the report. If the volunteer would have been rejected had the information been known at the time of the eligibility determination, DAHFH will initiate termination of the volunteer.