



PALM BEACH COUNTY PARKS AND RECREATION DEPARTMENT

2700 6th Avenue South, Lake Worth, FL 33461
(Ph) 561-966-7033 (Fax) 561-966-7040

Background Screening and Concussion Affidavit

I, _____ as the representative of _____, hence forth referred to as the Youth Athletic Permit Holder and operating under the "Independent Sanctioning Body" of _____, and having the authority to bind the Youth Athletic Permit Holder, do hereby certify under penalty of law that the Youth Athletic Permit Holder has:

- a. conducted background screening in accordance with Florida State Statute 943.0438 and in accordance with the Policies and Procedures of the Palm Beach County Parks and Recreation Department, as more particularly described in *Exhibit A*, attached hereto and incorporated herein by reference. I further understand that no person(s) other than those who have successfully passed all aspects of the background screening process will be permitted to act on behalf of or in any official capacity with the Youth Athletic Permit Holder while utilizing Palm Beach County facilities.
- b. submitted a list of names that provides all active staff and volunteers that will or may utilize Palm Beach County facilities; that the included list provides only those names that have successfully passed the background screening process as described in *Exhibit A*; and that the included list of approved names is accurate and complete to the best of my knowledge. I further understand that I must keep the Background Screening Affidavit up to date and provide Palm Beach County with the names of any subsequent staff or volunteer that utilizes Palm Beach County facilities.
- c. met the Concussions and Head Injuries Requirements of Florida State Statute 943.0438 and in accordance with the Policies and Procedures of the Palm Beach County Parks and Recreation Department as more particularly described in *Exhibit B*, attached hereto and incorporated herein by reference. I further understand that no person(s) other than those who have successfully met all requirements of the Concussions and Head Injuries Requirements will be permitted to participate, or act on behalf of or in any official capacity with the Recognized Youth Sport Provider while utilizing Palm Beach County facilities.
- d. Submitted copies of bylaws, training documentation, informed consent forms and all other materials required by Florida State Statute 943.0438 and the Palm Beach County Parks and Recreation Department as described in *Exhibit B*.

(PRINT NAME: Youth Athletic Permit Holder Representative) (SIGN NAME: Youth Athletic Permit Holder Representative) (DATED)

(PRINT NAME: Witness) (SIGN NAME: Witness) (DATED)

Sworn to (or affirmed) and subscribed to me this ____ day of _____, _____ (year)

by _____
(Name of affiant).

(Signature of Notary of Public, State of Florida)



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(Organization Name)

(Season)

(Sport Provider President Contact Information)

Volunteers/Staff members first and last name

(Please only include those names that HAVE passed the screening process & met the concussions and head injury requirements)

(Submitted By)

(Sport Provider President Signature)

(Date)



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Exhibit A

Background Screening Requirements

- I. The Recognized Youth Athletic Permit Holder must comply with state background screening requirements, which include the following ([Florida State Statute Section 943.0438](#)):
 - a. Conduct a Level 1 background screening annually on all current and prospective athletic coaches, assistant coaches, and referees (“athletic coach”).
 - b. The screening process must include a search of each current and prospective athletic coach’s name or other identifying information against the state and federal registries of sexual predators and sexual offenders maintained and provided by:
 - i. The Florida Department of Law Enforcement under Florida State Statute section 943.043; and
 - ii. The Attorney General of the United States under 42 U.S.C. s. 16920.
 - c. Disqualify any person from acting as an athletic coach if he or she is identified on a registry as described in Florida State Statute 943.0438.
 - i. Within 7 business days following the background screening, you must provide written notice to a person disqualified under this section advising the person of the results and of his or her disqualification.
 - d. Maintain for at least 5 years, documentation of:
 - i. The results for each athletic coach screened.
 - ii. The written notice of disqualification provided to each athletic coach.
- II. The Youth Athletic Permit Holder must comply with the Palm Beach County Parks and Recreation Department background screening requirements, which includes the following :
 - a. Conducting an annual background screening of all individuals who may have contact with at-risk populations using minimum screening criteria including :
 - i. Conducting a Level 1 background screening annually, which includes the State of Florida, on all current and prospective active staff and volunteers that will or may utilize Palm Beach County facilities, and



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- ii. Are equal to or exceed Palm Beach County Screening Criteria as described in II.b
 - iii. Include screening to prohibit any athletic league staff or volunteer who is listed as a sexual predator or sexual offender, and
 - iv. Meets Florida State Statute 943.0438 requirements
- b. The screening must include a search of all current and prospective staff and volunteer, and their names must be run through a criminal history registry utilizing the following list of disqualifying offenses:
- i. Sex Offenses – all Sex Offenses regardless of the amount of time since offense or level of offense including, but not limited to:
 - 1. Child molestation
 - 2. Rape
 - 3. Sexual assault
 - 4. Sexual battery
 - 5. Sodomy
 - 6. Prostitution
 - 7. Solicitation
 - 8. Indecent exposure
 - ii. Felonies – all Felony Violence offenses regardless of the amount of time since offense including, but not limited to:
 - 1. Murder
 - 2. Manslaughter
 - 3. Aggravated assault
 - 4. Kidnapping
 - 5. Robbery
 - 6. Aggravated burglary
 - iii. Felonies – all Felony Offenses other than sex or violence within the past 10 years including, but not limited to:
 - 1. Drug offenses
 - 2. Theft



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3. Embezzlement
4. Fraud
5. Child endangerment
- iv. Misdemeanors – all Misdemeanor Violence offenses within the past 7 years including, but not limited to:
 1. Simple assault
 2. Battery
 3. Domestic violence
 4. Hit and run
- v. All Misdemeanor Drug offenses within the past 3 years or multiple offenses in the past 7 years
- vi. Multiple DUI convictions within the past 3 years
- vii. Any other misdemeanor offenses within the past 5 years that would be considered a potential danger to children under the age of 17, or is directly related to the functions of that volunteer position. Including, but not limited to:
 1. Contributing to the delinquency of a minor
 2. Providing alcohol to a minor
 3. Theft
- c. Guilty - means that a person was found guilty following a trial, entered a guilty plea, entered a no contest plea accompanied by a court finding of guilty, regardless of whether there was an adjudication of guilt (conviction) or a withholding of guilt. This does not apply if the criminal charges resulted in acquittal, Nolle Prose or dismissal.
- d. Pending Cases - all contractors or partner organizations staff or volunteers will not be permitted to conduct business, conduct programs, or provide services until there is official adjudication of pending disqualifying offense charges or case. Eligibility will be determined by the above criteria.
- e. Any current or prospective staff or volunteer whose identity flagged any of the minimum disqualifiers must be disqualified from participating with the above named Youth Athletic Permit Holder while utilizing Palm Beach County facilities.



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- III. Background Affidavit Screening Submission
 - a. The Youth Athletic Permit Holder must submit to the Palm Beach County Parks and Recreation Department, the names of any staff or volunteer that has been screened in accordance with Exhibit A. The Background Screening as required herein, shall be provided to the County 10 business days prior to issuance of a permit and prior to any person acting on behalf of the organization as part of the organization's permit.

- VI. Background Screening Affidavit Renewal
 - a. The Youth Athletic Permit Holder must submit a new affidavit for each season the organization operates programs at County owned facilities, which shall:
 - i. Include a complete accounting of all qualified staff and volunteers.



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Exhibit B

Concussion and Head Injury Requirements

- I. The Youth Athletic Permit Holder must comply with state Concussion and Head Injury requirements, which includes the following ([Florida State Statute Section 943.0438](#)):
 - a. Adopt guidelines to educate athletic coaches, officials, administrators, and youth athletes and their parents or guardians of the nature and risk of concussion and head injury.
 - b. Adopt bylaws or policies that require the parent or guardian of a youth who is participating in athletic competition or who is a candidate for an athletic team to sign and return an informed consent that explains the nature and risk of concussion and head injury, including the risk of continuing to play after concussion or head injury, each year before participating in athletic competition or engaging in any practice, tryout, workout, or other physical activity associated with the youth's candidacy for an athletic team.
 - c. Adopt bylaws or policies that require each youth athlete who is suspected of sustaining a concussion or head injury in a practice or competition to be immediately removed from the activity. A youth athlete who has been removed from an activity may not return to practice or competition until the youth submits to the athletic coach a written medical clearance to return stating that the youth athlete no longer exhibits signs, symptoms, or behaviors consistent with a concussion or other head injury. Medical clearance must be authorized by the appropriate health care practitioner trained in the diagnosis, evaluation, and management of concussions as defined by the Sports Medicine Advisory Committee of the Florida High School Athletic Association.

- II. The Youth Athletic Permit Holder must comply with Palm Beach County's Concussion and Head Injury requirements, which includes the following:
 - a. Provide a current copy of your Bylaws and/or Policies reflecting the requirements of Section I(a)(b)(c) of Exhibit B.
 - b. Provide a copy of your concussion training guidelines; including materials, web sites, and other training materials utilized to educate coaches, parents and participants.



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- c. Provide a current copy of the Informed Consent Form your organization is requiring each parent/guardian to sign prior to a child's participation in your program.
- d. Sign and notarize the Palm Beach County Background Screening and Concussion Affidavit stating that your organization has:
 - i. Performed a background screening on all volunteers in accordance with Florida State Statute 943.0438 and the Palm Beach County Parks and Recreation Department Policies.
 - ii. Has complied with the Concussion and Head Injury Requirements of Florida Statute 943.0438 and all the requirements by the Palm Beach County Parks and Recreation Department as described in Section II(a)(b)(c)(d) of Exhibit B.
- e. Below is a list of websites to reference:

www.cdc.gov/concussion/HeadsUp/online_training.html

www.nfhslearn.com/electiveDetail.aspx?courseID=15000

www.lynnfightingknights.com/inside-athletics/sports-medicine/concussion-education

www.youtube.com/watch?v=zCCD52Pty4A@feature=youtube_gdata_player