

Connecticut Alliance of YMCAs

Testimony before the Select Committee on Children

HB 5146 – Concerning Criminal Background Checks of camp employees who transport children with special needs.

HB 5199 – Concerning Criminal Background Checks of camp employees.

My name is Richard Ward. I am the Associate Executive Director of the Valley Shore YMCA in Westbrook and we serve the needs of youth, families and adults throughout the shoreline communities. We hire many staff each summer to work at our camp sites. Like the prior speaker, I too believe we must protect children from physical, mental, or emotional damage that may result from hiring the wrong employee. Parents expect that if the state has licensed the camp, and a not-for-profit is operating a summer camp, that such background checks are being conducted. So, for our own institutional protection we should be doing this. Finally, we can take advantage of current technology and laws that have made background check information accessible to YMCAs in a faster, more cost effective manner. The prior speaker spoke of the need and some of the policy considerations of background checks. I wanted to share some basic facts.

First, there are twenty four separate YMCAs, operating over 54 camp programs at different facilities throughout the state. Three of these are summer resident (sleep-a-way) camps. The rest are day camps or specialty camps. The Central Connecticut Coast YMCA, the largest YMCA in the state, hires 850 summer camp employees each summer. At our YMCA we hire 125 summer camp employees. Thus, throughout the state, just the YMCA alone, probably hires over 3,000 summer staff, primarily 16 to 24 year olds. Kristen Pollard spoke of turn-a-round time. By that she means the time it takes, AFTER, an employee completes an authorization form allowing you to conduct a background check, to receive and thus act on the information. Thus any legislation must give direction to the administering agency that it is essential to have a process that is not cumbersome or overly expensive.

Second, the types of reports that may be requested from consumer reporting agencies should go beyond criminal background checks. The policy could include, but not limited to, credit reports, criminal records checks, court records checks, driving records, and/or summaries of educational and employment records and histories. An individual who has been convicted or plead guilty to other charges no matter when the offense, should be reviewed as part of an employment decision, scrutinized based upon the candidate's position, when the offense occurred, and the level and type of charge.

Third, your legislation should consider what happens if an individual has previously had a background check? Each YMCA should conduct background checks upon initial hire (and maybe on an annual basis thereafter) even if they have been checked by another YMCA. But, will your legislation require a background check of an employee, even if one has been conducted within the last twelve months, six months? I think this question speaks to the issue of administrative burdens, or unduly increasing operating costs referenced earlier.

Fourth, I need not tell you that employees and prospective employees have rights under the Fair Credit Reporting Act. This act is designed to promote accuracy, fairness, and privacy of information in the files of every "consumer reporting

agency" (CRA). For instance, you must be told if information in your file has been used against you. You can find out what is in your file and dispute inaccurate information with the CRA. If you tell a CRA that your file contains inaccurate information, the CRA must investigate the items (usually within 30 days) by presenting to its information source all relevant evidence you submit. Summer camp employment is, by nature, short term employment and thus a system needs to be in place that provides for the rights of prospective employees, while still accomplishing the legislative goal.

Fifth, I believe the state should provide not-for-profits with a list of approved, national service agencies that conduct background checks, and allow the local not-for-profit to determine which service they wish to use. The state can insure their needs are being met, while at the same time providing some flexibility to each not-for-profit who may already use a national service and believe it works effectively for them

Finally, the YMCA of the USA has identified four national service models for conducting background checks. I will not discuss the various options, but I have attached an exhibit to my testimony that outlines them, so the committee may study the pros and cons to each service. We advise you to look at all four options very closely and make an educated decision about which service you believe accomplishes the goals of the legislation. Why is this important? Too frequently the intentions of a legislative body are not fully accomplished or there are unintended consequences when rules and regulations are created such as higher administrative burdens or greater costs than were anticipated. The legislation should allow flexibility to the administering agency, but also give direction as to the intended goals.

For more information on this topic, contact:

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