

# October 8, 2019

## Updated Background Check Disclosures and Authorization Form

Below you will find answers to some of the most common questions. Please share them with your staff so that they have the most accurate information.

**Please note this information cannot be distributed with the original message or in any message with the disclosure forms due to laws specific to the transmission of these documents.**

### **1. Is the BSA doing credit checks on volunteers?**

No. The BSA will only use these signed authorization forms for approval to obtain a criminal background check. State and federal laws regulating background checks and consumer credit checks require that both items be mentioned on the form since a full background check includes both parts. Again, the BSA is only using this form for authorization to obtain a criminal background check.

### **2. Why is this being done now?**

Starting in 2020, rechecks will be performed every five years, but it will take several years to recheck all leaders. Unfortunately, technical limitations and changes in the law over the last five years prevent us from using existing authorizations from older applications. As such, new disclosure had to be sent and new signed authorization forms obtained. Rechartering provides the best window to collect and verify they have been received before the council processes the recharter application.

### **3. What about volunteers that are not registered with units?**

All currently registered adults and employees who have not had a criminal background check in the last five years will be rechecked. Council registrars will individually track district and council registered employees and leaders. (That should also include merit badge counselors). Those registered only at the National Council level will receive instructions on where to submit their authorization forms.

### **4. What about those who did not get the forms by e-mail?**

Scout executives were provided with advance instructions on how to ensure every volunteer receives this information. They have the forms, which should be printed and passed out at roundtables or other meetings. It is important that each volunteer receives both the disclosure form as well as the authorization form. However, only the authorization must be turned in with the charter renewal form for units. District and council volunteers should submit the authorization to the council service center unless the council issues other instructions.

### **5. What about those with multiple registrations?**

Only one authorization form per person needs to be collected and retained by the council.

### **6. What happens if a unit leader does not provide an authorization?**

Leaders who do not provide new authorization will not be able to renew their registration. Council registrars should be instructed not to renew any adult without first confirming that a new signed authorization form is on file at the council service center.

### **7. Why can't the volunteer just reply to the original e-mail and attach their signed authorization form?**

The best way for us to ensure compliance is to require that the council registrar verify that a signed authorization form is physically in hand before processing a unit's recharter. This removes much of the potential error and associated penalties that could result from other methods. We recommend that the registrar retains background check authorizations forms in a separate straight alphabetical file separate from your current background authorization file. This will facilitate the process of ensuring that a current form is on file at the council service center before posting their registration.

### **8. Are there different forms for different states?**

Federal and state laws prescribe what must be in the disclosures and how they are to be provided. A form compliant with federal and various state laws was sent to all volunteer leaders except those in California. Leaders with a California home address or whose council territory includes California received California-specific forms due to the specific requirements of California law.

### **9. Can the council accept a faxed copy or scanned copy sent via email of the signed authorization?**

Yes, so long as it is legible and is sent by the individual who signed it. It must be printed and saved the same as an original.

### **10. Can the council accept an electronic signature?**

Digital signatures from third-party providers are acceptable. They must be printed and stored the same as the original. E-mail confirmations, permissions or typed names on the form are not acceptable substitutes for wet signatures.

### **11. What about unit renewals that have already been processed or will not recharter until after January 1st?**

For unit renewals that have already been posted because the unit renewal date was prior to the email notification or the unit renewal date is after January 1, authorization forms still need to be collected as soon as possible. All new authorization forms should be received by December 31, 2019.

### **12. Can the council require the forms be collected at the unit level and not sent to the council service center?**

Yes. The council can require the forms be collected at the unit level or by a designated unit representative.

### **Contact for issues**

Please contact Member Care at 972-580-2489 if you have any questions.