



**NCYS Recommended Guidelines**  
**The Gold Standard of Best Practices for Background**  
**Screening and Managing Risk in Nonprofit Youth-**  
**Serving Organizations©**

## **THE CRITERIA**

The original source of the following criteria is that which is used in the PROTECT Act by the FBI and the National Center for Missing and Exploited Children. The use of their definitions forms the basis of the fitness criteria that is used by MSYSA in making eligibility determination. The criteria have been adapted to meet the needs of nonprofit youth-serving organizations.

Reportable convictions for, disclosures of convictions for, and pending dispositions for any of the following criminal offenses, or registrations will prompt a determination that an applicant does not meet the criteria (or should be reviewed) for participation to serve a youth-serving organization:

- R1.** Any felony (any crime punishable by confinement greater than one year)
    - a. Defined on the basis of exposure for the offense for which the defendant was convicted, pled guilty, pled nolo contendere or which is pending a disposition. If pled down, then the crime for which the defendant ultimately was convicted.
    - b. Defined as all crimes punishable by greater than one year in jail or prison, regardless of how characterized by jurisdiction. If range, alternate sentencing, or indeterminate sentencing, outer range greater than one year.
  - R2.** Any lesser crime involving force or threat of force against a person.
  - R3.** Any lesser crime of a sexual nature or classified as a sex offense including but not limited to “victimless” crimes of a sexual nature such as prostitution, pornography, indecent exposure; and crimes in which sexual relations is an element.
  - R4.** Any lesser crime involving controlled substances (not paraphernalia or alcohol).
  - R5.** Any lesser crime involving cruelty to animals.
  - R6.** Any sex offender registrant.
  - R7.** Any lesser crime involving harm to a minor.
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- ◆ Organizations may choose to apply time limits to the recommended screening criteria based upon their internal review and consultation with legal counsel relating to the criteria’s relevancy to specific positions.
  - ◆ Applicant Motor Vehicle records criteria and screening should be considered for any position which will involve the driving of the organization’s minor members and/or the use of the organizations vehicles.