



Lumière Performing Arts

BACKGROUND SCREENING

1.0 PURPOSE

Lumière Performing Arts relies on volunteers, employees, and independent contractors to support its programs and fulfill its mission. We take seriously our responsibility to protect our participants and the Lumière Performing Arts Community, and we will complete criminal background checks and other appropriate screenings on all required individuals as outlined by this policy.

2.0 POLICY DIRECTIVES

2.1 Required Individuals & Screening Intervals

All independent contractors, employees, and staff will submit to a criminal background check following their conditional offer of employment or contract. All adults, including volunteers, who will have direct contact during more than two consecutive 24-hour periods with program participants, or who intend to sleep at a facility where program participants are also sleeping shall be subject to a criminal background check. Employees, contractors, volunteers, and staff who work on an annual basis shall be subject to a background screening every year. Lumière Performing Arts will keep the results of all screenings on file for at least two (2) years.

2.2 Background Screening Process

Lumière Performing Arts will use an independent entity to process screenings. This entity will be chosen at the discretion of the CEO. For the period starting June 1st, 2024, the company utilized will be OneSource.

It is mandatory that the staff, volunteer, employee, or independent contractor be provided with and sign the Disclosure and Authorization Form for Employment Background Check before the background check is requested.

To protect the confidentiality of screened individuals, the results of all screenings will be shared directly with the hiring managers (CEO and Compliance Officer). The CEO shall have all rights to reject, allow, or limit an individual's participation in Lumière Performing Arts programming or operations based on the information obtained from the background screening. Lumière Performing Arts recognizes that, at times, the screening process cannot be completed before an individual is needed. In such cases, the screening will still occur, and that individual will be subject to the determination made by the CEO regarding their access to Lumière Performing Arts programs, operations, and program participant interactions.

3.0 ADVERSE ACTION CRITERIA

Should it be deemed appropriate that an adverse action be taken, it is required by law that the candidate be notified. Staff will use the [Adverse Action Notification Template](#) to make such a notification and it is to be sent using a method by which the date and time of receipt can be verified without signature.

The criteria that shall disqualify an individual contains, but is not limited to the criteria below:

- Felony or misdemeanor convictions of any sex-based crime
- A felony conviction of any violent crime, or a misdemeanor conviction for a violent crime (as per MS Code § 97-3-2) within the past ten (10) years
 - MS Code § 97-3-2 provides that a crime of violence is any of the following:
 - a. Driving under the influence as provided in Sections 63-11-30(5) and 63-11-30(12) (d);
 - b. Murder and attempted murder as provided in Sections 97-1-7(2), 97-3-19, 97-3-23 and 97-3-25;
 - c. Aggravated assault as provided in Sections 97-3-7(2) (a) and (b) and 97-3-7(4) (a);
 - d. Manslaughter as provided in Sections 97-3-27, 97-3-29, 97-3-31, 97-3-33, 97-3-35, 97-3-39, 97-3-41, 97-3-43, 97-3-45 and 97-3-47;
 - e. Killing of an unborn child as provided in Sections 97-3-37(2) (a) and 97-3-37(2) (b);
 - f. Kidnapping as provided in Section 97-3-53;
 - g. Human trafficking as provided in Section 97-3-54.1;
 - h. Poisoning as provided in Section 97-3-61;
 - i. Rape as provided in Sections 97-3-65 and 97-3-71;
 - j. Robbery as provided in Sections 97-3-73 and 97-3-79;
 - k. Sexual battery as provided in Section 97-3-95;
 - l. Drive-by shooting or bombing as provided in Section 97-3-109;
 - m. Carjacking as provided in Section 97-3-117;
 - n. Felonious neglect, abuse or battery of a child as provided in Section 97-5-39;
 - o. Burglary of a dwelling as provided in Sections 97-17-23 and 97-17-37;
 - p. Use of explosives or weapons of mass destruction as provided in Section 97-37-25;
 - q. Statutory rape as provided in Section 97-3-65(1), but this classification is rebuttable on hearing by a judge;
 - r. Exploitation of a child as provided in Section 97-5-33;
 - s. Gratification of lust as provided in Section 97-5-23; and
 - t. Shooting into a dwelling as provided in Section 97-37-29.

ACKNOWLEDGMENT OF RECEIPT OF BACKGROUND SCREENING POLICY

I, (print name) _____, acknowledge that I have received and read the Lumière Background Screening Policy immediately preceding my signature below. I understand that I am bound to follow the policy and understand the consequences if I fail to do so.

Signature

Date