

DIOCESE OF ALLENTOWN
Safe Environment Programs
Background Check Policy
September 25, 2015

Criminal background checks are required for all Diocesan, Parish and School employees.

Persons 14 years of age to 17 years of age (not yet 18 years of age) that are employees (receive pay or a stipend) are required to complete criminal background checks. Persons 14 years of age to 17 years of age (not yet 18 years of age) who are volunteers do not require any background checks.

Criminal background checks are required for all volunteers of a child care service, school or a program, activity or service responsible for a child's welfare, or volunteers having direct contact with children, including but not limited to, the following volunteer positions:

- CCD/PREP Directors, Coordinators and Teachers
- CYO Coaches, Assistant Coaches and parent supervisors
- Day Care, Pre-school & Extended Care Staff
- Coordinators of Youth Ministry and volunteer staff
- Boy Scout Leaders and Staff
- School Cafeteria Volunteers
- School & Teacher Assistants (including parent chaperones for school activities)
- Knights of Columbus Squires Recruiters & youth Program Leaders

The following three criminal background checks are required for all employees. The same three background checks are required for all volunteers of a child care service, school or program, activity or service, responsible for a child's welfare or volunteers having direct contact with children. (The only exception is for those employees who are 14 to 17 years of age; they do not have to have obtain the Federal Bureau of Investigation Criminal Background Check.)

- **Pennsylvania State Police Criminal Record Check** (Pennsylvania Access to Criminal History (PATCH))
- **Pennsylvania Child Abuse History Certificate**
- **Federal Bureau of Investigation Criminal Background Fingerprint Check** (18+ years old)

These three criminal background checks are required upon hire and are required to be repeated every five (5) years, per the Commonwealth of Pennsylvania's Act 153 of 2014 and amended under Act 2015-15.

EMPLOYMENT IN DIOCESAN SCHOOLS

Prior to hire, all persons applying for employment in a Diocesan school must pay for and provide, at their interview for a school employment position, an original Pennsylvania State Police Criminal Record Check Certificate and Pennsylvania Child Abuse History Certificate and the registration ID number provided by 3M Cogent Systems when they scanned their fingerprint. The two forms and the registration ID must be less than one-year old at the time of hire. Copies must be dated and initialed by the person reviewing the originals.

NON-SCHOOL EMPLOYMENT

All non-school employees will be required to complete the following forms for processing through the Diocese of Allentown's Human Resource Department at the time of hire:

1. Diocese of Allentown Background Check Authorization Form (this form may be reproduced)
2. Pennsylvania Child Abuse History Clearance Application CY113
3. Consent/Release of Information Authorization Form for the Pennsylvania Child Abuse History Clearance

4. Form titled, “***Directions for employees and volunteers on how to obtain a Federal Bureau of Investigation Fingerprint Criminal Background Check***” through 3M Cogent Livescan Fingerprint Systems

The Diocese will use the Background Check Authorization form to complete and pay for the Pennsylvania Criminal History Check through the Diocese’s PATCH account. This form will also be used to process the registration and payment for a Federal Bureau of Investigation Criminal Background Fingerprint Check through the 3M Cogent system. The Pennsylvania Child Abuse Application and Consent Release Authorization will be forwarded with payment to Pennsylvania’s Department of Human Services for processing.

Please forward completed forms for processing to: Human Resources, Diocese of Allentown, P.O. Box F, Allentown, PA 18105-1538. If at the time of hire, an original of each of the above referenced background check documents, is presented for an employee (not volunteer certificates), they will be accepted in lieu of completing the forms if they are less than one-year old. Copies must be dated and initialed by the person reviewing the originals. This will be the process for five-year re-checks for Diocesan and Parish employees as well as school employees.

All of the above referenced forms are available on the Diocese of Allentown’s website at www.allentowndiocese.org under “Youth Protection”. Please see the Diocese of Allentown’s ***Processing Procedures for Parish and Diocesan Employees Clearances***, and ***Background Check Frequently Asked Questions*** for more details on the process to obtain each type of check/certificate.

VOLUNTEERS

All volunteers of a child care service, school or a program, activity or service responsible for a child’s welfare, or volunteers having direct volunteer contact with children are required to present:

1. An original Pennsylvania State Police Criminal Record Check document for volunteers
2. An original Pennsylvania Child Abuse History Clearance document for volunteers
3. Diocese of Allentown Background Check Authorization Form (this form may be reproduced)
4. Form titled, “***Directions for employees and volunteers on how to obtain a Federal Bureau of Investigation Fingerprint Criminal Background Check***” through 3M Cogent Livescan Fingerprint Systems

Please forward the ONE completed form for processing to: Human Resources, Diocese of Allentown, P.O. Box F, Allentown, PA 18105-1538.

Each of the two documents presented by the volunteer must be less than 57-months old and the original documents must be presented for copying by the Diocesan location. These documents, if processed by the volunteer for other employment purposes and do not have the “for volunteers only” restriction on the document may be accepted if less than 36 months old. The originals must be presented for copying by the Diocesan location. Copies must be dated and initialed by the person reviewing the originals.

The Pennsylvania State Police Criminal Record Check may be obtained free of charge for volunteers only through the Pennsylvania Access To Criminal History (PATCH) website at, <https://epatch.state.pa.us/Home.jsp>. The form generated from the process may only be used for volunteer purposes and is valid for 57 months. It may not be used for employment purposes. An original of the certificate must be presented and copied for acceptance to volunteer. Copies must be dated and initialed by the person reviewing the originals.

The Pennsylvania Child Abuse History Clearance may be obtained free of charge for volunteers only through the website at, <https://www.compass.state.pa.us/cwis/public/home>. The form generated from the process may only be used for volunteer purposes and is valid for 57 months. It may not be used for employment purposes. An original of the certificate must be presented and copied for acceptance to volunteer.

Upon receiving the registration ID for the 3M cogent system, the volunteer will have to go to a 3M Cogent site to have their fingerprints scanned. It will take approximately two weeks for the volunteer to receive the subsequent results through the mail. This original document must be presented to the Diocesan location. Since the Diocese paid for the fingerprint, the Diocesan location must keep the original document.

Please see the Diocese of Allentown's *Processing Procedures for Volunteers Clearance* and *Background Check Frequently Asked Questions* for more details on the process to obtain each type of check.

CRIMES BARRING OR LIMITING EMPLOYMENT

The Diocese of Allentown follows the regulations from Act 24 of 2011 regarding crimes barring or limiting employment. Those individuals whose background checks indicate a conviction for the following crimes will be barred from further employment or volunteer activity:

1. Relating to Criminal Homicide
2. Relating to Aggravated Assault/Battery
3. Relating to Stalking
4. Relating to Kidnapping
5. Relating to Unlawful Restraint
6. Relating to Luring a Child into a Motor Vehicle or Structure
7. Relating to Rape
8. Relating to Sexual Assault or Statutory Sexual Assault
9. Relating to Involuntary Deviate Sexual Intercourse
10. Relating to Institutional Sexual Assault
11. Relating to Aggravated Indecent Assault or Indecent Assault
12. Relating to Indecent Exposure
13. Relating to Sexual Intercourse with an animal
14. Relating to Incest
15. Relating to Concealing the death of a child
16. Relating to Endangering the Welfare of Children
17. Relating to Dealing in Infant Children
18. Relating to Prostitution
19. Relating to Obscene and other Sexual Materials and Performances
20. Relating to Corruption of Minors
21. Relating to Sexual Abuse of Children
22. Relating to Unlawful Contact with Minor
23. Relating to Solicitation of Minors to Traffic Drugs
24. Relating to Sexual Exploitation of Children
25. A felony under the "Controlled Substance, Drug, Device and Cosmetic Act."
26. Any offense similar in nature to any of those crimes listed above under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of this Commonwealth.

Those individuals whose background checks indicate a conviction for the following crimes will be limited from further employment or volunteer activity as indicated:

1. A person may be eligible with regard to a felony offense of the first, second or third degree other than those listed in the "barred" section above if a period of ten (10) years has elapsed from the date of expiration of the sentence for that offense.
2. A person may be eligible with regard to a misdemeanor of the first degree other than those listed in the "barred" section above if a period of five (5) years has elapsed since the date of expiration of the sentence for the offense.

3. A person may be eligible with regard to an offense relating to Driving Under the Influence of Alcohol or Controlled Substance (DUI) if three years has elapsed since the date of expiration of the sentence for the offense.
 - a. However, the person will be barred from driving a Diocesan vehicle and his/her own vehicle for Parish/School/Diocesan purposes until ten (10) years has elapsed since the date expiration of the sentence for the offense.

**The Pastor/Principal/Administrator reserves the right to temporarily suspend any individual against whom criminal charges have been filed. The suspension can be reviewed upon the conclusion of the legal proceedings involving the criminal charges.

Any questionable issues will be reviewed by the Diocese of Allentown's Human Resources Office in consultation with the Pastor, Principal or Administrator of the location. The judgment on the suitability of the candidate for a volunteer position made by the Diocese of Allentown will be final.

It is the Pastor/Principal/Administrator's responsibility to review the final disposition concerning employability via the online database.

All Pastors/Principals/Administrators must be aware that an employee's or volunteer's status may change.

Questions regarding this policy or any procedures should be forwarded to the Human Resources Office for the Diocese of Allentown at 610-871-5200, extension 201.