

DIOCESE OF ALLENTOWN
Safe Environment Programs Background Check Policy
September 25, 2015; Revised May 17, 2017, October 31, 2018, December 1, 2019

Successful completion of the three required criminal background checks is 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.

Successful completion of the three required criminal background checks is 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 obtain the Federal Bureau of Investigation Criminal Background Check.

- **Pennsylvania State Police (PSP) 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)

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

EMPLOYMENT IN DIOCESAN SCHOOLS

Prior to hire, all persons applying for employment in a Diocesan school must pay for and provide, at their interview, an original Pennsylvania State Police Criminal Record Check Certificate, a Pennsylvania Child Abuse History Certificate, and the registration ID number provided by Idemia/ IdentoGo 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.

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NON-SCHOOL EMPLOYMENT

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

- Diocese of Allentown Background Check Authorization Form
- Instructions to obtain Employee FBI fingerprint results (with a payment code)
- Instructions to obtain Employee Child Abuse History Clearances (with a payment code)

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. The individual will follow the instructions provided to obtain both the FBI Fingerprint Clearance and the PA Child Abuse Clearance and will provide either the FBI fingerprint results or Unofficial Letter and the Child Abuse Clearance to the Local Safe Environment Coordinator at the Diocesan location to which they are applying for employment.

Please forward completed forms for processing to: Background Check, 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 provided 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.allentowndiocesc.org under "Youth Protection." Please see the Diocese of Allentown's *Background Check Process and Background Check Frequently Asked Questions* under the "Safe Environment Programs" section 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 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. Instructions to obtain FBI fingerprint results (with a payment code)

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

Each of the two documents (i.e., the PSP Criminal Record Check and the Pennsylvania Child Abuse History Clearance)_presented by the volunteer must be less than 57 months old and the original documents must be presented for copying to the Local Safe Environment Coordinator at the Diocesan location for which they are seeking to volunteer.

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The Pennsylvania State Police Criminal Record Check may be obtained free of charge for volunteers only through the Pennsylvania Access To Criminal History website at <https://epatch.state.pa.us/home.jsp>. The form generated from this website 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 this website 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.

Upon receiving the registration ID for the Idemia/IdentoGo system, the volunteer will have to go to an Idemia/IdentoGo site to have their fingerprints scanned. It will take approximately two weeks for the volunteer to receive the results through the mail or via email. This original document must be presented to the Local Safe Environment Coordinator at the Diocesan location where the individual seeks to be a volunteer. The Diocesan location will keep the original document.

Please see the Diocese of Allentown's *Background Check Process and Background Check Frequently Asked Questions* for more details on the process to obtain each type of clearance.

EFFECT OF CRIMINAL CONVICTIONS ON EMPLOYMENT IN DIOCESAN SCHOOLS

Pursuant to Act 24 of 2011, any individual who has been convicted of the following crimes will not be hired to work in or be permitted to volunteer in a Diocesan school:

1. Crimes Relating to Criminal Homicide under Pennsylvania law;
2. Crimes Relating to Aggravated Assault/Battery under Pennsylvania law;
3. Crimes Relating to Stalking under Pennsylvania law;
4. Crimes Relating to Kidnapping under Pennsylvania law;
5. Crimes Relating to Unlawful Restraint under Pennsylvania law;
6. Crimes Relating to Luring a Child into a Motor Vehicle or Structure under Pennsylvania law;
7. Crimes Relating to Rape under Pennsylvania law;
8. Crimes Relating to Sexual Assault or Statutory Sexual Assault under Pennsylvania law;
9. Crimes Relating to Involuntary Deviate Sexual Intercourse under Pennsylvania law;
10. Crimes Relating to Institutional Sexual Assault under Pennsylvania law;
11. Crimes Relating to Aggravated Indecent Assault or Indecent Assault under Pennsylvania law;
12. Crimes Relating to Indecent Exposure under Pennsylvania law;
13. Crimes Relating to Sexual Intercourse with an animal under Pennsylvania law;
14. Crimes Relating to Incest under Pennsylvania law;
15. Crimes Relating to Concealing the death of a child under Pennsylvania law;
16. Crimes Relating to Endangering the Welfare of Children under Pennsylvania law;
17. Crimes Relating to Dealing in Infant Children under Pennsylvania law;
18. Crimes Relating to Prostitution and related offenses under Pennsylvania law;

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19. Crimes Relating to Obscene and other Sexual Materials and Performances under Pennsylvania law;
20. Crimes Relating to Corruption of Minors under Pennsylvania law;
21. Crimes Relating to Sexual Abuse of Children under Pennsylvania law;
22. Crimes Relating to Unlawful Contact with Minor under Pennsylvania law;
23. Crimes Relating to Solicitation of Minors to Traffic Drugs under Pennsylvania law;
24. Crimes Relating to Sexual Exploitation of Children under Pennsylvania law;
25. Crimes designated as a felony under the Controlled Substance, Drug, Device and Cosmetic Act;
or
26. Any offense similar in nature to any of the aforementioned crimes 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.

Individuals who have been convicted of a felony offense of the first, second, or third degree other than those listed above will not be eligible to be hired to work in or permitted to volunteer in a Diocesan school until ten (10) years has elapsed from the date of expiration of the sentence for the offense.

Individuals who have been convicted of a misdemeanor offense of the first degree other than those listed above will not be eligible to be hired to work in or permitted to volunteer in a Diocesan school until five (5) years has elapsed from the date of expiration of the sentence for the offense.

Individuals who have been convicted more than once for an offense of driving under the influence of alcohol or a controlled substance, and the offense is a misdemeanor of the first degree, will not be eligible to be hired to work in or permitted to volunteer in a Diocesan school until three (3) years has elapsed from the date of expiration of the sentence for the offense. If an individual who has been convicted of an offense of driving under the influence of alcohol or a controlled substance is hired to work in or permitted to volunteer in a Diocesan school, he/she may not drive any vehicle for Diocesan purposes until ten (10) years has elapsed since the date of expiration of the sentence for the offense.

If an employee of or volunteer for a Diocesan school is arrested for or convicted of any of the offenses described herein, he/she must notify the Diocese in writing within seventy-two (72) hours via form PDE-6004. The Diocese of Allentown Human Resources Office reserves the right to temporarily suspend or terminate 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.

EFFECT OF CRIMINAL CONVICTIONS ON OTHER DIOCESAN EMPLOYMENT

If an individual who works for, has applied to work for, volunteers for, or seeks to volunteer for the Diocese in a non-school setting has been convicted of one or more crimes, the Diocese will conduct an individualized assessment to determine if barring that person from employment or volunteering is sufficiently job-related and consistent with business necessity. Factors that will be considered in this individualized assessment include, but are not limited to: (1) the number of offenses for which the individual was convicted; (2) the severity of the offense(s); (3) the individual's age at the time of the offense(s); (4) the length of time that has elapsed since the offense(s); (5) the length and consistency of

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the individual's employment history before and after the offense(s); (6) the individual's rehabilitative efforts following the offense(s) and (7) the individual's expected contact with children.

Reports of Child Abuse

An individual whose Pennsylvania Child Abuse History clearance includes a “founded” report of child abuse will be barred from any employment or volunteer activity within the Diocese of Allentown.

Any questionable issues (including, without limitation, an indicated report of child abuse) will be reviewed by the Diocese of Allentown's Background Check and Human Resources Offices in consultation with the Pastor, Principal or Administrator of the Diocesan location. The judgment on the suitability of the candidate for an employment or 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. The Pastor/Principal/Administrator will be contacted via telephone and letter concerning the inability to hire or inability to drive by the Charter Compliance Officer.

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 Charter Compliance Officer's Office for the Diocese of Allentown at 610-871-5200, extension 2203.

FORMS

Please see the Diocese of Allentown's website for the *Lay Employee/Volunteer Background and Fingerprint Check Authorization* form, the *Employment Affidavit* form, the *Pennsylvania Child Abuse History Certification* application, and the *Consent /Release of Information Authorization Form for the Pennsylvania Child Abuse History Clearance*.