



ARCHDIOCESE
OF
SAINT PAUL &
MINNEAPOLIS

United in Faith, Hope and Love

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Background Check Policy

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Archbishop Signature:

+Bernard A. Hebda

I. Purpose

The objective of this policy is to ensure that fair background check determinations are made regarding whether or not an individual will be eligible for initial or continued employment, assignment or service within the Archdiocesan corporation ("Archdiocese"). In some instances, criminal convictions or other reliable information may bar an applicant from employment, assignment or service.

II. Definitions

A "substantiated" claim of sexual abuse of a minor is one supported by sufficient evidence establishing reasonable grounds to believe that the abuse occurred.

A "credible" allegation of sexual abuse of a minor is one that bears a semblance of truth and is not manifestly false or frivolous.

III. Policy

PROCESS:

- 1) Background checks must be conducted on all Archdiocesan corporation employees, clergy¹, and also volunteers who have regular or unsupervised contact with minors.² Background checks shall be completed prior to initial employment, assignment or service, and shall be renewed every three years thereafter. Refusal to participate in the background check process is a bar to employment, assignment or service.

¹ This policy does not in any way limit a cleric's rights under Canon Law.

² See Settlement Agreement dated December 12, 2015 between the Archdiocese of St. Paul and Minneapolis and Ramsey County Attorney. Ramsey County District Court File No.: 62-JV-15-1674; County Attorney File No.: 2138749.

- 2) If criminal convictions are found or other unfavorable information is obtained, the Office of Ministerial Standards and Safe Environment (OMSSE) will evaluate the records and information to make a suitability determination. Employment, assignment or service may be allowed, denied or restricted. In making a suitability determination, the OMSSE may consult with other Archdiocesan senior staff. The most influential factors in making suitability determinations are safety concerns, ethical concerns, and operational integrity. The OMSSE shall base its suitability determination on the totality of the circumstances and the accordant weight of all factors, including but not limited to, the nature and seriousness of the conduct, the facts related to the conviction, guilty plea or other resolution, the age of the person at the time of the conduct, the age of the person at the present time, the length of time elapsed since the crime was committed, the nexus between the conduct and the employment, assignment or services, the absence or presence of rehabilitation or efforts toward rehabilitation, the history of other employment, assignment or volunteer activity and whether the person was forthcoming in disclosing pertinent information to the Archdiocese. Applicants may be given the opportunity to submit additional information, provide an explanation, or challenge the accuracy to the Director of OMSSE.
- 3) If the OMSSE determines that the results of a criminal background do not provide sufficient detail, the Archdiocese may make further inquiry and require the individual to provide additional information. The failure or refusal of the person to provide such information constitutes grounds to bar that individual from employment, assignment or service.
- 4) The Archdiocese shall not recommend, and prohibits clergy or Archdiocese employees from recommending, an individual for a position that provides access to minors if the individual has a substantiated claim³ or pending credible allegation⁴ of sexual abuse of a minor against him or her.
- 5) Documentation of information obtained and actions taken related to background checks must be retained pursuant to the applicable records retention policy.

³ A "substantiated" claim of sexual abuse of a minor is one supported by sufficient evidence establishing reasonable grounds to believe that the abuse occurred

⁴ A "credible" allegation of sexual abuse of a minor is one that bears a semblance of truth and is not manifestly false or frivolous.