

# [Model – Insert Name] Policy

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[Insert Logo Here]	Issued Date: 9/29/16	Last Reviewed Date: 9/29/16	Number: 102
	Subject: Background Check – Model Policy for Parishes and Schools		
	Reference:		Distribution:
	Signature:		Signature:

## 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 or service with *[insert school or parish]*. In some instances, criminal convictions or other reliable information may bar an applicant from employment 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 employees, and also volunteers who have regular or unsupervised contact with minors. Background checks shall be completed prior to initial employment or service, and shall be renewed every three years thereafter. Refusal to participate in the background check process is a bar to employment or service.
- 2) If criminal convictions are found or other unfavorable information is obtained, *[insert individual title, department, or committee]* will evaluate the records and information to make a suitability determination. Employment or service may be allowed, denied or restricted. The most influential factors in making suitability determinations are safety concerns, ethical concerns, and operational integrity. The suitability determination shall be based 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 or services, the absence or presence of rehabilitation or efforts toward rehabilitation, the history of other employment or volunteer activity and whether the person was forthcoming in disclosing pertinent information. Applicants may be given the opportunity to submit additional information, provide an explanation, or challenge the accuracy to the *[insert individual title, department, or committee]*.

- 3) If the results of the background check do not provide sufficient detail, *[insert individual title, department, or committee]* 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 or service.
- 4) *[insert school or parish]* shall not recommend, and prohibits its employees from recommending, an individual for a position that provides access to minors if the individual has a substantiated claim<sup>1</sup> or pending credible allegation<sup>2</sup> 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.

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<sup>1</sup> A “substantiated” claim of sexual abuse of a minor is one supported by sufficient evidence establishing reasonable grounds to believe that the abuse occurred.

<sup>2</sup> A “credible” allegation of sexual abuse of a minor is one that bears a semblance of truth and is not manifestly false or frivolous.