



July 24, 2006

To: All Employees of Catholic Parishes, Schools, Offices and Ministries within the Diocese of St Petersburg

Subject: Safe Environment Program – Background Screening

Effective July 1, 2006, there are several significant changes to our policies for Background Screening. These changes include:

- I. Level II Electronic Fingerprint FBI identification and screening of ALL employees
- II. Establishment of Minimum Standards of Moral Conduct
- III. Establishment of a challenge method and an appeal process for employment eligibility

Our Policy for the Protection of Children and Vulnerable Adults has historically been pro-active by implementing a process for background screening. In the early 1990's the policy required background checks for employees and reference checks for volunteers who were entrusted with the care of youth and vulnerable adults. In 1996 the policy was strengthened to require background checks through the Florida Department of Law Enforcement (FDLE) through a contractor. This screening was known as a Level I: checking current state records and possibly county of last residence if outside of Florida. At the time it was the most reasonable process available to the Diocesan entities. Over the past 10 years much has changed with technology and the availability of information. Additionally, the Jessica Lunsford Act was passed, which requires a Level II screening in Public Schools. It has raised the standard of care that is expected by parents for their children.

Level II screening will include all U.S. States and Territories, National FBI criminal records, state sex offender registries and the National Sex Offender Registry. Bishop Lynch and all the other bishops of the State of Florida have decided to require Level II screening for all employees and those volunteers who have supervisory responsibility for children and vulnerable adults. We must, therefore, conduct a Level II screening using our equipment and services on all employees regardless of previous Level I or II results. Re-screening will be conducted every five (5) years.

All employees working within the Diocese will be screened or re-screened during the next twelve months. Equipment will be brought directly to the parish or school to conduct the screening per a schedule established through the Safe Environment Program Office. Screening can also be completed by appointment at the Pastoral Center in the HR Office. The process takes 5-10 minutes to complete and results are returned to the Safe

Environment Office with-in 24-48 hours. Electronic fingerprints are retained until results are returned and then periodically purged from the system. The date and result of the screening will be stored in a central Safe Environment Program Data Base. The cost of this screening is \$47/ employee and \$36/volunteer. All screenings must be processed through the Safe Environment Program Office.

Once the results of the Level II screening are received, the employee or volunteer must pass Minimum Standards of Moral Conduct (see attached). There are 34 specific offences which are included in our Minimum Standard of Moral Conduct. If the result of the Level II screening includes evidence of conviction or plea for one of these offences, the applicant or employee will not be eligible for employment or participation in any Church ministry or position. An employee or volunteer may contest the result of the screening to the FBI. Additionally, the policy provides an opportunity to appeal eligibility through the Tribunal Office. Procedures for challenging or appealing the results will be published in the Background Screening Procedures Manual and will be provided to each individual for which a criminal record is reported.

Christopher P Rajk
Executive Director of Human Resources
Diocese of St Petersburg
[*cpr@dosp.org*](mailto:cpr@dosp.org)
727-344-1611 ext 400

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**DIOCESE OF ST. PETERSBURG
MINIMUM STANDARDS OF MORAL CONDUCT
REQUIRED TO PASS BACKGROUND SCREENING FOR SERVICE IN
MINISTRY AND IN EMPLOYMENT**

Before an employee or a volunteer can be allowed to serve in any position of service for the Diocese of St. Petersburg, compliance with background screening and Safe Environment training shall be required. The following minimum standards are established as a prerequisite to service. The employee or volunteer must not have been found to have committed, nor have been found guilty of, regardless of adjudication or entered plea of nolo contendere or guilty to any offense (or attempt or conspiracy there under) under any of the following provisions of the Florida Statutes or under any similar statute of another jurisdiction.

1. Section 415.111, relating to adult abuse, neglect, or exploitation of aged persons or disabled adults.
2. Section 782.05 relating to murder.
3. Section 782.07 relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, or aggravated manslaughter of a child.
4. Section 782.071, relating to vehicular homicide.
5. Section 782.09 relating to killing of an unborn child by injury to the mother.
6. Section 784.011 relating to assault, if the victim of the offense was a minor or Section 784.021 relating to aggravated assault for any victim.
7. Section 784.03 relating to battery, if the victim of the offense was a minor or Section 784.045 relating to aggravated battery for any victim.
8. Section 787.01 relating to kidnapping.
9. Section 787.02 relating to false imprisonment.
10. Section 787.04(2) or (3) relating to taking, enticing or removing a child beyond the state limits with criminal intent pending custody proceedings or to avoid producing a child at a custody hearing.
11. Section 790.115(1) or (2)(b) relating to exhibiting firearms or weapons within 1,000 feet of a school or possessing an electric weapon or device, destructive device or other weapon on school property.
12. Section 794.011 relating to sexual battery.
13. Section s.794.041 relating to prohibited acts of persons in familial or custodial authority.
14. Chapter 796 relating to prostitution.
15. Section 798.02 relating to lewd and lascivious behavior
16. Chapter 800 relating to lewdness and indecent exposure.
17. Section 806.01 relating to arson.
18. Chapters 810 and 812 relating to burglary, theft, robbery crimes, if the offense was a felony.
19. Section 187.563 relating to fraudulent sale of controlled substances, only if the offense was a felony.
20. Section 825.102 relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult.
21. Section 825.1025 relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled adult.

22. Section 825.103 relating to exploitation of an elderly person or disabled adult, if the offense was a felony.
23. Section 826.04 relating to incest.
24. Section 827.03 relating to child abuse, aggravated child abuse, or neglect of a child.
25. Section 827.04 relating to contributing to the delinquency or dependency of a child.
26. Section 827.05 relating to negligent treatment of children.
27. Section 827.071 relating to sexual performance by a child.
28. Section 843.01 relating to resisting arrest with violence.
29. Section 843.025 relating to depriving a law enforcement, correctional or correctional probation officer means of protection or communication.
30. Section 843.12 or 843.13 relating to aiding in an escape or in the escape of juvenile inmates.
31. Chapter 847 relating to obscene literature.
32. Section 874.05(1) relating to encouraging or recruiting another to join criminal gang.
33. Chapter 893 relating to drug abuse prevention and control, only if the offense was a felony or if any other person involved in the offense was a minor.
34. Does not have a confirmed report of abuse, neglect or exploitation as defined in section 39.01 which has been upheld under section 415.103.