

WHERE DO THE RESULTS GO?

The Department of Justice furnishes a clearance or a criminal record summary to the Diocesan Personnel Office (normally within 72 hours.) This information provides clearance or a record of arrests resulting in conviction and arrests where results are pending.

The Director or Associate of Personnel notifies the parish or school of the volunteer's clearance or lack of clearance to serve, and then the summary is destroyed. Information regarding a criminal record may not be shared with anyone other than the pastor or principal.

I WAS FINGERPRINTED THROUGH ANOTHER AGENCY. MUST I BE FINGERPRINTED AGAIN?

Yes. Since results may not be shared, we do not have access to your fingerprint results from another agency.

CAN I BE ASKED NOT TO VOLUNTEER?

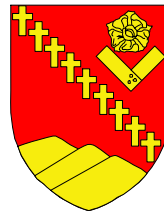
Volunteers will not be prohibited from serving based solely on a prior record. Several factors must be considered. Depending upon the type of offense, age at the time of the offense, and the candidate's honesty at the time of volunteering, a final decision is made regarding the clearance of a volunteer to work with children, youth or dependent adults. However, under no circumstances will a person with a conviction record of sexual misconduct with a minor be considered for volunteer status in any program serving children or dependent adults.

"Incidents of sexual misconduct are a cause of grave personal tragedy. The Diocese of San Jose is deeply committed to addressing this problem, not only as an employer but also, and above all, as bearer of the Gospel message.

Sexual misconduct is contrary to the fundamental dignity of each person, to our faith in Jesus Christ and to the teachings of the Church. Therefore, beyond any provisions of civil law, sexual misconduct by personnel of the Diocese of San Jose is inappropriate and is never within the scope of their duties and employment.

For the prevention of sexual misconduct, the Diocese is committed to the careful selection and training of all personnel."

From *The Diocesan Policy Statement on Sexual Misconduct*



The Diocese of San Jose
900 Lafayette Street Suite 301
Santa Clara, CA 95050
Phone (408) 983-0100
Fax (408) 983-0295
www.dsj.org

THE DIOCESE OF SAN JOSE VOLUNTEER BACKGROUND CHECKS

Protecting God's Children



WHY DO VOLUNTEERS NEED BACKGROUND CHECKS?

The Diocese of San Jose requires volunteers to undergo background checks, first and foremost, as a means of protecting the vulnerable among us.

In 2002, the United States Conference of Catholic Bishops produced the *Charter for the Protection of Children and Young People*. Article 13 of this document mandates that “Dioceses are to evaluate the background of all priests and deacons who are engaged in ecclesiastical ministry in the diocese and of all diocesan and parish/school or other paid personnel and volunteers whose duties include ongoing, unsupervised contact with minors. Specifically, they are to utilize the resources of law enforcement and other community agencies.”

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In compliance with this mandate, the Diocese of San Jose instituted a policy that requires all volunteers of parishes, schools or diocesan agencies or institutions who have regular unsupervised contact with children, youth or dependent adults to submit their fingerprints for a criminal record check. ²

No person in the above category may begin his/her volunteer service with children or dependent adults until fingerprint results are

¹ Please see the complete text of the *Charter* at <http://www.usccb.org/ocyp/charter.shtml>

² Please see the complete *Fingerprinting Policies and Guidelines* on our website at www.dsj.org/Uploads/Personnel/Fingerprinting.pdf

returned by the Department of Justice and that person has been cleared to serve.

WHICH VOLUNTEERS NEED TO BE FINGERPRINTED?

The Diocese of San Jose requires fingerprints for all volunteers who have regular contact with children, youth and dependent adults. The policy guidelines ³ define these volunteers as anyone who meets any of the following conditions:

- Is delegated by the principal or pastor to have supervisory or disciplinary oversight over a child, children, youth or dependent adults on a regular basis
- Supervises children, youth or dependent adults on a regular basis when a school or parish employee is not present
- Is alone with children, youth or dependent adults on a regular basis without a staff member or teacher present or nearby
- Has the potential to develop, over time, a relationship of trust with a child, youth or dependent adult which could make that child, youth or dependent adult vulnerable to abuse.

WHICH VOLUNTEERS DO NOT HAVE TO BE FINGERPRINTED?

Volunteers who work in positions that do not require supervision, disciplinary oversight or

³ *Fingerprint Guidelines for Volunteers*

regular contact with children, youth or dependent adults, as described above, are not required to be fingerprinted.

WHAT DO I NEED TO DO TO BE FINGERPRINTED?

Volunteers may make an appointment to be fingerprinted through their designated parish or school representative or at the Personnel Office at the Diocese of San Jose. When a volunteer schedules his/her appointment, he/she has the option of choosing one of the Sheriff's Offices (with whom the Diocese has a billing arrangement) at which they can be fingerprinted. The Personnel Office or the designated parish or school representative will set up a fingerprinting appointment date and time for the volunteer to go to the Sheriff's Office. The volunteer will receive a form indicating the fingerprinting appointment date and time and Live-Scan Forms, which the volunteer must take with them to the Sheriff's Office. The Sheriff's Office will do the actual fingerprinting and send the prints to the Department of Justice for a criminal check.

HOW LONG WILL THIS TAKE AND WILL I HAVE TO PAY TO HAVE THIS DONE?

It has been our experience that the fingerprinting should take no longer than 20 minutes at the Sheriff's Office

School volunteers fingerprinted under the Education Code will pay a \$20.00 fee upon arrival at the Sheriff's Office. Parish volunteers fingerprinted under the Penal Code will pay a \$10.00 fee. The parish or school may or may not elect to reimburse you for these fees. At the time you make a fingerprinting appointment, you will be informed how much the Sheriff's Office will charge.