

Criminal History Policy, Procedures, and Guidelines

No person may serve with children, youth or other protected persons if he or she has ever been convicted of any disqualifying offense, been on probation or received deferred adjudication for any disqualifying offense, or has presently pending any criminal charges for any disqualifying offense until a determination of guilt or innocence is made, including any person who is presently on deferred adjudication.

Disqualifying offenses are:

- A felony classified as an offense against the person or family or involves an offense against the person or family.

(Examples: Offenses against a person include, but are not limited to, murder, assault, sexual assault, and abandoning or endangering a child. Offenses against the family include, but are not limited to bigamy, incest, interference with child custody, enticing a child, and harboring a runaway child.)

- A felony classified as an offense against public order or indecency.

(Examples: Offenses against public order or indecency include, but are not limited to prostitution, obscenity, sexual performance by a child, possession or promotion of child pornography, and disorderly conduct.)

- A felony violation of any law intended to control the possession or distribution of any substance included as a controlled substance in the Indiana Controlled Substance Act.
- A misdemeanor such as sexual assault, indecency with a child, injury to a child, abandoning or endangering a child, sexual performance by a child, possession or promoting child pornography, enticing a child, bigamy or incest.

If a criminal history check is returned with any offenses, the vice-chancellor will contact the Youth Protection Coordinator, pastor, and/or principal of the affected parish or school with the information. In the event that there are offenses that fall short of automatic disqualification, the pastor or principal will be informed, and decisions will be made on a case-by-case basis in consultation with the chancery and/or Catholic Schools Office. It should be noted that there may be further automatic disqualifying offenses for school employees depending on Indiana State Law and the human resources policies of the Catholic Schools Office.

If there is a negative result on a background check for anyone who is not hired, or who is denied status as a volunteer, the chancery office must be informed so that pre-adverse action and adverse action letters may be sent to the affected party, in compliance with the Fair Credit Reporting Act.