# Table of Contents

Bishop’s Pledge for the Protection of Children and Vulnerable Adults .............................................3

Prayer for Healing Victims of Abuse ......................................................................................................4

Mission of the Office for the Protection of Children & Vulnerable Adults .........................................5

Principle ..................................................................................................................................................6

Definitions ............................................................................................................................................6

Administration Requirements & Adult Code of Conduct Statement ......................................................7

Important Phone Numbers & Emergency Contacts .............................................................................7

Background Screening & Personnel Requirements ..................................................................................8

Personnel who have "regular contact with children/vulnerable adults" .............................................8

Factors to consider in determining if a person has "regular contact” with children/vulnerable adults ..............................10

Personnel who are in “regular contact with children/vulnerable adults” who are 18 years of age or older and still enrolled in High School .................................................................10

Personnel who are in “regular contact with children/vulnerable adults” who are under the age of 18 years old .....................................................................................................................10

Safe Environment Training Requirements ............................................................................................11

Live Scan Fingerprint Screening Guide ................................................................................................12

Live Scan Fingerprint Screening Clearance Procedure ...........................................................................14

Appendix A .............................................................................................................................................15
Dear Sisters and Brothers in Christ,

I present to you the current revision of our diocesan Safe Environment Policy. This policy reviews the ways in which we, the local church of the Diocese of San Jose, work systematically and proactively to ensure the safety and well-being of children, youth, and vulnerable adults.

The Diocese of San Jose, as other dioceses across the United States, has implemented many effective protocols since the adoption of the so-called Dallas Charter in June 2002. Nonetheless, the distressing events of 2018, particularly the case of the former cardinal, Theodore McCarrick, and the Pennsylvania Grand Jury Report, made it clear that there is still more work to be done with regard to the accountability of bishops and senior leadership. The new guidelines from Pope Francis and the adopted protocols in the U.S. for bishops bring us to a place of greater accountability.

We are reminded in the Scriptures, from the story of Cain and Abel to the story of the Good Samaritan, that we indeed bear a moral responsibility for one another. As Jesus placed a child in the middle of his disciples, he taught clearly: "Whoever receives one child such as this in my name, receives me; and whoever receives me, receives not me but the One who sent me" (Mk 9:37). We are not only responsible for each other as members of the same human family—we have a special responsibility for those who can least protect themselves, the most vulnerable.

I am grateful to Anthony Gonzalez and the Office for the Protection for Children and Vulnerable Adults, as well as to Justice Edward Panelli and the Diocesan Review Board, for the work they have done on this Policy and for all their efforts on behalf of the most vulnerable among us.

As we continue to pray for victim/survivors of abuse and work for their healing, we redouble our efforts for a safe environment in our churches and schools.

Yours in Christ,

Most Rev. Oscar Cantu
Bishop of San Jose
A PRAYER FOR HEALING
VICTIMS OF ABUSE

God of endless love,
Ever caring, ever strong,
Always present, always just:
You gave your only Son
To save us by his blood on the cross.

Gentle Jesus, shepherd of peace,
Join to your own suffering
The pain of all who have been hurt
In body, mind, and spirit
By those who betrayed the trust placed in them.

Hear the cries of our brothers and sisters
Who have been gravely harmed,
and the cries of those who love them.
Soothe their restless hearts with hope,
Steady their shaken spirits with faith.
Grant them justice for their cause,
Enlightened by your truth.

Holy Spirit, comforter of hearts,
Heal your people’s wounds
and transform brokenness into wholeness.
Grant us the courage and wisdom,
Humility and grace, to act with justice.
Breathe wisdom into our prayers and labors.
Grant that all harmed by abuse may find peace in justice.
We ask this through Christ, our Lord.
Amen.
OFFICE FOR THE PROTECTION OF CHILDREN & VULNERABLE ADULTS

Mission: The Office for the Protection of Children and Vulnerable Adults (OPCVA) is committed to fostering healthy relationships through education, training, and screening all adults who have regular access to children, youth and vulnerable adults within the Diocese of San Jose.

In compliance with Charter for the Protection of Children and Young People (2011 Revision) and the Bishop of San Jose’s affirmation, it is our goal to provide a “safe environment” in which all are protected and secure, especially our children and vulnerable adults. Furthermore, we pledge to those who entrust their children to the care of the Diocese of San Jose that diligent attention has been given to the screening, education and training of our employees, volunteers, and parents as well as to all of the youth who participate in our schools, parishes and faith formation programs.

The Diocese of San Jose embraces this commitment, and vows to assist diocesan parishes, schools and institutions in implementing, maintaining and evaluating compliance with all principles set forth in this policy handbook. These guidelines are designated to be a minimum standard for all clergy, staff and volunteers.

Please contact the OPCVA as needed for any further assistance with Diocesan policies, background screening requirements, and/or training arrangements:

OFFICE FOR THE PROTECTION OF CHILDREN & VULNERABLE ADULTS (OPCVA)

CONTACT INFORMATION

Director, Office for Youth Protection
Direct Phone: (408) 983-0113
Email: Protection@dsj.org

Victim Assistance Coordinator (VAC)
Direct Phone: (408) 983-0225
Email: VAC@dsj.org

Safe Environment Coordinator (SEC)
Direct Phone: (408) 983-0248
Email: SEC@dsj.org
SAFE ENVIRONMENT ADMINISTRATION REQUIREMENTS

Designation of Responsible Administrator for Diocesan Institutions: Each Diocesan institution shall have a Responsible Administrator (i.e. Volunteer Coordinator) for managing the Diocesan Safe Environment requirements and HRIS (Workday) management, as follows:

a. The Pastor, Minister of Parish Life, or an appointed administrator of each parish shall be the Responsible Administrator for the Safe Environment program for all parish programs and activities.
b. The Principal or appointed administrator of each school shall be the Responsible Administrator for that school.
c. The Director, Chief Executive Officer or appointed administrator of other Diocesan agencies shall be the Responsible Administrator for that agency.

ADULT CODE OF CONDUCT STATEMENT

Responsibility for adherence to the Diocesan Adult Code of Conduct rests with the individual. Clergy, staff and volunteers who disregard the Adult Code of Conduct will be subject to remedial action, aside from any civil and/or criminal consequences for misconduct. Corrective action may take various forms – from a verbal reproach to removal from ministry or employment – depending on the specific nature and circumstances of the offense and the extent of the harm done.


QUESTIONS & GUIDANCE:

Office for the Protection of Children & Vulnerable Adults
Direct Line: 408-983-0113

EMERGENCY CONTACT PHONE NUMBERS:

Police, Fire & Medical Emergencies: Dial 9-1-1

Office for the Protection of Children & Vulnerable Adults
Emergency Phone Number: 408-386-3968

Office for the Protection of Children & Vulnerable Adults
Reporting Hotline: 844-372-1691
SAFE ENVIRONMENT STANDARDS: PRINCIPLE & DEFINITIONS

Principle: The Diocese of San Jose (DSJ) is fully committed to the safety of every person, especially children and vulnerable adults. Therefore, it is the obligation of every Diocesan institution and Catholic School, operating with recognition by the Bishop of San Jose, to ensure that all personnel whose position or duties place them in regular contact with children and vulnerable adults have complied with the Safe Environment requirements. Likewise, all personnel whose work in those Diocesan institutions and/or schools involves regular contact with children and vulnerable adults must fully comply with these Safe Environment requirements.

DEFINITIONS

Personnel: shall mean all persons (clergy, religious and laity) who are employed by, under personal contract of employment with, or volunteer in any Diocesan institution or school operating with the recognition of the Bishop. Also included in the definition of “personnel” shall be employees of any vendor or contractor of a Diocesan institution who have regular contact with children, youth, and/or vulnerable adults. It will be the responsibility of the contracting Diocesan institution to ensure that its vendors and contractors comply with the requirements of this policy.

Diocesan Institution: shall mean all parishes, schools and other canonical juridical persons whose competent ecclesiastical superior is the Bishop of San Jose; all other civil corporations including parish corporations having the Bishop of San Jose as their presiding officer; and all programs, agencies and organizations sponsored by these canonical or civil entities.

Schools Operating with the Permission of the Bishop: shall mean those schools sponsored by religious orders or private Catholic schools that have been recognized by the Bishop as a Catholic school in the Diocese of San Jose.

Children/Youth/Minor: shall mean a person who has not reached legal age of 18 years old.

Vulnerable Adult: shall mean a person 18 years of age or older whose ability to perform normal activities of daily living is impaired due to a mental illness, long-term physical or developmental disability, and/or is protected by the State of California Adult Protective Services.

Privileged Positions of Trust (with Regular Contact): shall refer to Diocesan personnel who serve directly with, supervise, or have access to on-going (more than once a year) unsupervised interaction for any length of time with minors and/or vulnerable adults.

Predictable Positions of Trust: shall refer to adult volunteers whose service interaction with minor children/vulnerable adults is in a liturgical or classroom setting for which direct interaction is marginal but on-going (more than once a year) and limited to a non-supervisory, non-authority basis.

Safe Environment Requirements: shall include the criminal background screening process established by the Diocese, acknowledgement of receipt of the Diocesan Adult Code of Conduct, and completion of the Safe Environment training program (VIRTUS® or equivalent). Safe Environment training must be renewed every three (3) years.
BACKGROUND SCREENING & PERSONNEL REQUIREMENTS

“Dioceses are to evaluate the background of all priests and deacons who are engaged in ministry in the diocese, and of all diocesan parish/school paid personnel and volunteers whose duties include contact with minors.”

- Charter for the Protection of Children and Young People, Article 13, USCCB June 2018 Revision.

The Diocese of San Jose employs three (3) types of criminal background screenings:

1. **Live Scan Fingerprinting** (ORI Code A3251) involves taking electronic images of an individual’s fingerprints and submitting them to both the California Department of Justice (DOJ) and to the Federal Bureau of Investigation (FBI) to obtain records of criminal activity, including subsequent arrest information. No financial data is provided to us.

2. **Professional Background Check** is conducted by an outside firm specializing in this type of screening. Reserved for “Predictable Positions of Trust” (see “Appendix A” on page 15). Please contact the Office for the Protection of Children & Vulnerable Adults for additional information.

3. **Manual Review of Megan’s List** is an online database of sexual offenders, and reviewed annually by each parish and/or school for any volunteer not requiring formal screening.

**Predictable Positions of Trust:** Individuals screened through the use of a Professional Background Check, as outlined under the options listed above, are prohibited from serving in supervisory roles and must serve under the direct supervision of a supervisor in full compliance with Live Scan fingerprinting, Safe Environment training and in “good standing” with the Diocese. These individuals are prohibited from serving in “Privileged Positions of Trust” with youth and/or vulnerable adults.

**PERSONNEL WHO SERVE IN POSITIONS OF TRUST WITH CHILDREN OR VULNERABLE ADULTS**

All personnel in every Diocesan institution or Catholic school who serve in positions of trust with children, minors and/or vulnerable adults must comply with Safe Environment Requirements. Individuals shall be considered to serve in “positions of trust” with children and/or vulnerable adults as defined on PAGE 6 of this handbook.

All adults who are involved in any overnight activity with a child in any Diocesan institution or program, even if only on one occasion, shall be deemed to be in a “Privileged Position of trust.” This includes parents who will be involved in the overnight activity with their own children, if the activity also involves any other children whose parents will not be present.

**NOTICE:** One-Time Guest Speakers / Special Performances are not mandated to comply with the Safe Environment Requirements of this policy. Under these circumstances, in order to best ensure safety for all, guest speakers/performers must be supervised for the entire length of their engagement and/or while on-site for their engagement, by an adult staff member or adult volunteer over 25 years of age who is in full compliance with Diocesan Live Scan fingerprinting, Safe Environment training and in “good standing” with the Diocese of San Jose.
PERSONNEL IN POSITIONS OF TRUST

Given the nature of a privileged individual role, certain job descriptions should always be deemed to serve in “Positions of Trust” with children and/or vulnerable adults include, but is not limited to:

- All Priests, Deacons, and Seminarians, whether serving a parish or not
- All school personnel (including school administrators and administrative staff, teachers, teacher aides, food servers, substitute teachers, school or in-classroom volunteer teacher aides under the supervision of a teacher, field trip chaperones, drivers, guidance counselors, etc.)
- Athletic coaches, sports officials, and volunteers
- Boy Scout Leaders and Volunteers
- Childcare Providers
- Parent volunteers working with youth
- Parish volunteers working with youth
- Entertainers/DJ’s/Band Members
- Videographers and Photographers for Diocesan ceremonies, events, programs, etc.
- Carnival and Festival Volunteers (for vendors, please refer to HR Vendor Policy)
- Youth Ministers and Youth Ministry Coordinators/Leaders
- Choir Directors/Music Ministers
- Youth Choir Directors and adult members/aides of youth choirs
- Parish Religious, Faith Formation Leaders and Program Coordinators
- Directors and Coordinators for Children’s Liturgy of the Word
- Liturgy of the Word with Children Presiders - Leaders/Assistants
- Catechists
- Catechetical aides
- Parish Drivers and Chaperones
- Docents
- Altar Server Trainers / Coordinators
- Sacristans and Assistant Sacristans
- Liturgy Directors and Lectors
- Quinceañera Coordinators
- Custodians/Janitors
- Extraordinary Ministers of Holy Communion
- Pastoral Ministers to the sick and homebound
- Prayer group leaders, coordinators/aides, and members who visit shut-ins
- Bereavement Ministry members
- Homeless service Directors and Volunteers
- Persons who work with refugees that have been sponsored by parishes

IMPORTANT NOTE: Due to the nature of the Church’s constant evolution of ministerial roles, this list is subject to additions and/or changes. The primary goal is to protect children, youth and vulnerable adults by background screening and training adults working with these populations in positions of trust.
FACTORS TO CONSIDER IN DETERMINING IF PERSONNEL SERVES IN A “POSITION OF TRUST” WITH CHILDREN OR VULNERABLE ADULTS

To determine whether personnel’s interaction with children/vulnerable adults is classified as a “position of trust,” the following factors should be considered. If the answer to one of these questions is “YES,” then the person should be considered to be in a “position of trust,” and thus will be required to comply with the Diocesan Safe Environment Requirements:

a. Is the person’s contact with children/vulnerable adults direct, usual, or frequent?
b. Do the person’s duties bring them into a school, or the location of a religious education programs, youth programs, hospitals or private homes?
c. Do the person’s duties permit them to have ongoing (more than once a year) face-to-face dealings with children/vulnerable adults?
d. Does the person have the opportunity to be with children/vulnerable adults unsupervised?
e. Does the person ever have supervisory responsibility over children/vulnerable adults?
f. Do children/vulnerable adults ever come into the person’s private workspace?
g. Does the person publically participate in liturgical celebrations where children/vulnerable adults may be present?

PERSONNEL WHO ARE IN “POSITIONS OF TRUST” WITH CHILDREN/VULNERABLE WHO ARE 18 YEARS OF AGE AND STILL ENROLLED IN HIGH SCHOOL

Those who are high school students and 18 years of age must comply with the Safe Environment requirements for adults. Thus, some high school volunteers will require personal screening and training, while others will not, based on their age at the time of service.

PERSONNEL WHO ARE UNDER THE AGE OF 18 YEARS OLD

Volunteers under the age of 18 themselves may be in regular contact with minors/vulnerable adults only if they are under the direct supervision of an adult who is in full compliance with the Safe Environment Requirements and who is on-site with them at the time and place of their service.

Volunteers under the age of 18 must comply with the Safe Environment requirements as follows:

a. Teenage volunteers (between the ages of 13 up to 18 y/o) are required to take the VIRTUS® Healthy Relationships for Teens training for their parish or school every 2 years as outlined in the Catholic Safe Environment Curriculum (CSEC).
b. Youth volunteers under the age of 13 do not need to attend the Healthy Relationships for Teens training course, but they must be advised of the Youth Code of Conduct and participate in the school or Religious Education Safe Environment awareness program.
SAFE ENVIRONMENT TRAINING REQUIREMENTS

Safe Environment Training requirements apply to all diocesan personnel: priests, deacons, pastoral ministers, administrators, principals, teachers, staff and/or volunteers who work with youth. Training requirements also apply to “Teen Leaders” under 18 years old of age.*

All employees 18 years of age or older, and volunteers who work with youth are required to complete the following “safe environment” course via the VIRTUS® online course (www.virtusonline.org) every three (3) years:

- Training Course: Protecting God’s Children (PGC)

If an employee or volunteer is involved in ministry to the home-bound, elderly, or other vulnerable adult, they must also complete this course every three (3) years:

- Training Course: PGC & Vulnerable Adults

Completion of Safe Environment training is a condition of employment or volunteerism and is expected to be completed prior to beginning work or participating in volunteer services. Upon completion of Safe Environment training, individuals will be provided a certificate of completion. Please instruct participants to retain a copy of this certificate for their records.

State of California “Mandated Reporter” Training is a diocesan employee requirement for employees who are mandated reporters and must comply with state requirements. Diocesan “mandated reporters” include, but is not limited to, child care providers and those working with youth in addition to clergy and school personnel (California Penal Code Section 11165.7). Volunteers of the Diocese of San Jose are considered “Ethical Reporters,” as opposed to employees who are “Mandated Reporters.” It is the responsibility of each Ethical Reporter to comply with the diocese’s expectations to assist in the protection of youth and vulnerable adults, which requires all volunteers to report any suspicions and/or awareness of abuse to a diocesan staff member on site, who is then responsible for reporting the incident to the appropriate authorities immediately (or as soon as practically possible within 24 hours).

*Live training options are available for special circumstances. Please visit the OPCVA website for in-person training availability: www.dsj.org/opcva

IN-SERVICE RESPONSIBILITY

All employees and volunteers who have received initial training are required to recertify their “Safe Environment” training every three (3) years or sooner. The designated administrator for each diocesan parish, school, or institution is responsible for reminding their employees and volunteers of renewal training dates.

***Please visit the OPCVA website for training availability or call 408-983-0248***

OPCVA Website: www.dsj.org/opcva

IMPORTANT NOTE: If there is any doubt about whether an individual is serving in a “position of trust” with children/vulnerable adults, the question is to be resolved in favor of REQUIRING the individual to comply with the Safe Environment requirements of this handbook.
## LIVE SCAN FINGERPRINT SCREENING GUIDELINES

Personnel who require Live Scan fingerprint clearance prior to serving in ministry must make an appointment to do so. Individuals can accomplish this through one of three ways: 1) through the Human Resources Office, 2) their particular parish or school site, or 3) directly with the service providers listed below. Personnel requiring screening must obtain the appropriate “Request for Live Scan Service” form from the parish or school prior to their appointment. The proper form is essential for tracking personnel service and records.

Individuals will need to present a completed copy of the form to the Live Scan provider, along with a valid government issued photo ID. Acceptable payment is by cash or check – Verify Group accepts credit cards.

### WHERE TO GO FOR LIVE SCAN FINGERPRINT SCREENING SERVICES

**Location:** Verify Group, Inc.  
**Contact:** Phone (408) 761-2156 | Website [www.verifygroup.com](http://www.verifygroup.com)  
**Address:** 262 East Hamilton Ave., Suite A, Campbell, CA 95008  
**Notes:** Appointments available and walk-ins welcome. Verify Group also accommodates on-site service, and will take their mobile unit to schools or parishes interested in fingerprinting groups. No need to present Live Scan request form; Verify has chancery/parish/school codes and can complete forms.

**Location:** Sheriff’s Office (appointment required)  
**Notes:** For further information on locations or to make an appointment for one of the following service locations please visit: [http://www.sccgov.org/sites/sheriff/Pages/Live Scan.aspx](http://www.sccgov.org/sites/sheriff/Pages/Live Scan.aspx)

<table>
<thead>
<tr>
<th>San Jose Sheriff’s Office</th>
<th>San Martin Sheriff’s Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>55 W. Younger Ave.</td>
<td>80 Highland Avenue, Building K</td>
</tr>
<tr>
<td>San Jose, CA 95110</td>
<td>San Martin, CA 95046</td>
</tr>
<tr>
<td>Phone: (408) 808-4760</td>
<td>Phone: (408) 686-3651</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>West Valley Sheriff’s Office</th>
<th>Stanford Sheriff’s Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>1601 S. DeAnza Blvd.</td>
<td>Address: 711 Serra St.</td>
</tr>
<tr>
<td>Cupertino, CA 95014</td>
<td>Stanford, CA 94305</td>
</tr>
<tr>
<td>Phone: (408) 868-6614</td>
<td>Phone: (650) 725-2499</td>
</tr>
</tbody>
</table>

**Live Scan Form:** [https://oag.ca.gov/sites/all/files/agweb/pdfs/fingerprints/forms/BCIA_8016.pdf](https://oag.ca.gov/sites/all/files/agweb/pdfs/fingerprints/forms/BCIA_8016.pdf)

The form requires the following information be entered by the site requesting fingerprinting:
1. **ORI Code A3251 (Required)** – Indicates type of fingerprint service being requested  
2. **Mail Code 01182 (Required)** – Indicates where agency results should be sent for review  
3. **Contact Name (Required)** – Linda Greco, Human Resources  
4. **Your Number / OCA Number (Required)** – The name or number of your parish or school  
5. **Level of Service (Required)** – Please check both DOJ and FBI
**LIVE SCAN FINGERPRINT SCREENING: ADDITIONAL INFORMATION**

**EDUCATION Code (ORI A3251)** at both the DOJ and FBI level of screening are required. Parishes and schools qualify for this code on behalf of religious education. The code ensures that all offenses before and after the fingerprinting date will be reported to the Diocese of San Jose.

**Databases Searched:** California Department of Justice (DOJ) and Federal Bureau of Investigation (FBI).

**Type of Information Obtained:** Criminal offense(s) records, date of offense(s), subsequent offenses/date, convictions, and probation violations.

**Personnel Required:** Employees, Teachers, Clergy (Priests, Deacons, Seminarians), Independent Contractors/Vendors, Volunteers working with children/vulnerable adults.

**Associated Screening Fees (as of January 2017):**

<table>
<thead>
<tr>
<th></th>
<th>DOJ</th>
<th>FBI</th>
<th>Subtotal</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>DOJ</td>
<td>$32</td>
<td></td>
<td>$32</td>
<td>$69 – Employee / $67 – Volunteer</td>
</tr>
<tr>
<td>FBI</td>
<td>$17</td>
<td></td>
<td>$17</td>
<td>$32 + $17 = $49</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>$49</strong></td>
<td></td>
<td><strong>$49</strong></td>
<td><strong>$69</strong> – Employee / <strong>$67</strong> – Volunteer</td>
</tr>
<tr>
<td><strong>$20</strong></td>
<td></td>
<td></td>
<td><strong>$20</strong></td>
<td>“Rolling fee” Paid by individual at time of service, unless volunteer is to pay “Total Cost”</td>
</tr>
<tr>
<td><strong>Total Cost</strong></td>
<td><strong>$69</strong></td>
<td></td>
<td><strong>$69</strong></td>
<td><strong>$67</strong> – Volunteer</td>
</tr>
</tbody>
</table>

**Day Care Facility Background Requirements** (CACI – Child Abuse Central Index)

Department of Social Services index record check for any violations, this is done for individuals in preschools, in addition to the above A3251 code.

- Cost $84 – 106 (Child Abuse Central Index)
- Fee depends on the number of children in day care
- Includes DOJ and FBI costs

**Fingerprinting for Individuals Under Age 18**

We do not fingerprint youth under age 18. After 18 years of age, even if still enrolled in high school, the individual will need to be fingerprinted according to adult guidelines.

**Personnel from Outside Agencies that Use Diocesan Facilities**

Non-Diocesan personnel, who work with children/vulnerable adults in programs or activities that are not sponsored, chartered or conducted by a Diocese of San Jose ministry or program, but rent or otherwise use Diocesan facilities, are not required to comply with Diocesan Safe Environment requirements. For example, volunteers and leaders of community or sports groups/programs that merely hold games/events on a parish's field or have meetings in parish or school facilities are under the jurisdiction of the child protection requirements governing those agencies, and are not required to complete Diocesan Safe Environment requirements.
**LIVE SCAN FINGERPRINT SCREENING CLEARANCE PROCEDURE**

**For Employees:** See Employee Handbook

**For Independent Contractors & Vendors:** See Independent Contractor/Vendor Policy

**For Volunteers:** After the volunteer applicant completes the background screening process, the DOJ/FBI or the Professional Background Check vendor will furnish a “clear” or criminal record summary to the Diocese’s Office for the Protection of Children & Vulnerable Adults (OPCVA). Should the summary contain information regarding a criminal record(s), the applicant may be “restricted” or “denied” volunteer participation.

The Director of the OPCVA will make a determination of “restricted” or “denied” volunteer service based on the criminal background results. The Director of the OPCVA will review the background records and advise the pastor, principal or administration regarding the service eligibility of a volunteer candidate and/or the subsequent termination or suspension of a current volunteer based on criminal record results.

Criminal record results* from either the DOJ and/or the FBI may be used at the Diocese’s discretion based on our standards of service and low tolerance for criminal background records. Therefore, “restricted” or “denied” volunteer service, based on the criminal background check results, will be enforced as the OPCVA deems appropriate. Appeals in dispute of “restricted” or “denied” volunteer service will only be granted at the sole discretion of the Bishop of San Jose.

The Diocese of San Jose reserves the right to refuse volunteer participation for any reason it deems necessary. Under no circumstances is a person with a conviction record of sexual misconduct with a minor considered for volunteer service in any program serving children, youth or dependent adults.

*Subsequent arrest notifications will result in restricted, suspended and/or revoked service status.
Appendix A

Predictable Positions of Trust
(April 2017)

Individuals who serve in very specific roles such as those outlined below will be afforded, at the pastor’s discretion, the option to complete their Safe Environment background screening clearance requirements by means of either the Live Scan screening process or by submitting a Professional Background Check. The Professional Background Check process is conducted online by an outside firm specializing in this type of investigation, and must be renewed every 4 years.

Standards & Service Requirements:

Predictable Positions of Trust shall refer to adult volunteers whose service interaction with minor children/vulnerable adults is in a liturgical or classroom setting for which direct interaction is marginal but on-going (more than once a year) and limited to a non-supervisory, non-authority basis under the authority and direct supervision of a supervisor who is in full compliance with Live Scan screening, training as well as in “good standing” with the Diocese of San Jose’s Safe Environment Requirements.

The lead supervisor is responsible for ongoing supervision of both the volunteer and youth and/or vulnerable adults under their authority.

In addition to fulfilling the Professional Background Check requirements, volunteers serving in a classroom or instructional setting, as outlined in the Standards and Service Requirements under Appendix A, must be compliant with diocesan Shield the Vulnerable training for service eligibility.

The Professional Background Check option is reserved for “Predictable Positions of Trust.”

Predictable Positions of Trust may include, but not limited to:

1. Extraordinary Ministers of Holy Communion at Mass (Ministers to the Homebound must complete Live Scan)
2. Lectors and Readers at Mass (Liturgy Directors & Children’s Liturgy of the Word Directors must complete Live Scan)
3. Bereavement Ministry Members
4. Ushers/Greeters/Hospitality Ministers at liturgical celebrations
5. In-Classroom Instructional Aides
6. Youth Choir Adult Members/Aides (Leaders/Directors must complete Live Scan)

Please call the OPCVA for additional information:
408-983-0113