



Catholic Diocese of Fort Wayne – South Bend

TESTIMONIAL OF SUITABILITY FOR PROVIDING SERVICES IN A CATHOLIC SCHOOL

_____, an employee of _____
Name of Service Provider School Corp. or District/Public Service Agency

will be providing education services to children enrolled at _____
Name of Catholic School

School in _____.
City, State This person has been employed with

our organization since _____.
date

The results of a criminal background check of the above mentioned employee evidence no convictions, felonies or misdemeanors, related to IC 20-26-5-11 or IC 20-28-5-8 (see attached). Please indicate what criminal background check(s) you have on file.

- ___ Indiana expanded criminal history (Date: _____)
- ___ Indiana Limited Criminal History (Date: _____)
- ___ FBI fingerprint check (Date: _____)
- ___ other(s): specify type and date _____

I have reviewed the personnel file for the above mentioned employee and all other records which our agency maintains. Based on this review, and on my own personal knowledge, I am able to confidently recommend this employee for the service he/she will provide which involves direct, ongoing contact with children and young people.

Authorized Signature Date

Printed Name

Title

IC20-26-5-11

Use of information; notice of conviction of certain offenses

Sec. 11. (a) This section applies to: (1) a school corporation; and (2) an entity:

- (A) with which the school corporation contracts for services; and
- (B) that has employees who are likely to have direct, ongoing contact with children within the scope of the employees' employment.

(b) A school corporation or entity may use information obtained under section 10 of this chapter concerning an individual's conviction for one (1) of the following offenses as grounds to not employ or contract with the individual:

- (1) Murder (IC 35-42-1-1).
 - (2) Causing suicide (IC 35-42-1-2).
 - (3) Assisting suicide (IC 35-42-1-2.5).
 - (4) Voluntary manslaughter (IC 35-42-1-3).
 - (5) Reckless homicide (IC 35-42-1-5).
 - (6) Battery (IC 35-42-2-1) unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
 - (7) Aggravated battery (IC 35-42-2-1.5).
 - (8) Kidnapping (IC 35-42-3-2).
 - (9) Criminal confinement (IC 35-42-3-3).
 - (10) A sex offense under IC 35-42-4.
 - (11) Carjacking (IC 35-42-5-2).
 - (12) Arson (IC 35-43-1-1), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
 - (13) Incest (IC 35-46-1-3).
 - (14) Neglect of a dependent as a Class B felony (IC 35-46-1-4(b)(2)), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
 - (15) Child selling (IC 35-46-1-4(d)).
 - (16) Contributing to the delinquency of a minor (IC 35-46-1-8), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
 - (17) An offense involving a weapon under IC 35-47 or IC 35-47.5, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
 - (18) An offense relating to controlled substances under IC 35-48-4, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
 - (19) An offense relating to material or a performance that is harmful to minors or obscene under IC 35-49-3, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
 - (20) An offense relating to operating a motor vehicle while intoxicated under IC 9-30-5, unless five (5) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
 - (21) An offense that is substantially equivalent to any of the offenses listed in this subsection in which the judgment of conviction was entered under the law of any other jurisdiction.
- (c) An individual employed by a school corporation or an entity described in subsection (a) shall notify the governing body of the school corporation, if during the course of the individual's employment, the individual is convicted in Indiana or another jurisdiction of an offense described in subsection (b).

As added by P.L.1-2005, SEC.10.

IC 20-28-5-8**Conviction of felony by licensed employee; notice; hearing on revocation; revocation of license**

Sec. 8.

(c) The department, after holding a hearing on the matter, shall permanently revoke the license of a person who is known by the department to have been convicted of any of the following felonies:

- (1) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen (18) years of age.
- (2) Criminal confinement (IC 35-42-3-3), if the victim is less than eighteen (18) years of age.
- (3) Rape (IC 35-42-4-1), if the victim is less than eighteen (18) years of age.
- (4) Criminal deviate conduct (IC 35-42-4-2), if the victim is less than eighteen (18) years of age.
- (5) Child molesting (IC 35-42-4-3).
- (6) Child exploitation (IC 35-42-4-4(b)).
- (7) Vicarious sexual gratification (IC 35-42-4-5).
- (8) Child solicitation (IC 35-42-4-6).
- (9) Child seduction (IC 35-42-4-7).
- (10) Sexual misconduct with a minor (IC 35-42-4-9).
- (11) Incest (IC 35-46-1-3), if the victim is less than eighteen (18) years of age.
- (12) Dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1).
- (13) Dealing in methamphetamine (IC 35-48-4-1.1).
- (14) Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).
- (15) Dealing in a schedule IV controlled substance (IC 35-48-4-3).
- (16) Dealing in a schedule V controlled substance (IC 35-48-4-4).
- (17) Dealing in a counterfeit substance (IC 35-48-4-5).
- (18) Dealing in marijuana, hash oil, or hashish (IC 35-48-4-10(b)).
- (19) Possession of child pornography (IC 35-42-4-4(c)).

As added by P.L.1-2005, SEC.12. Amended by P.L.246-2005, SEC.159; P.L.151-2006, SEC.8; P.L.121-2009, SEC.10.

TO: CATHOLIC SCHOOL PRINCIPALS

FROM: SAFE ENVIRONMENT PROGRAM

RE: INSTRUCTIONS FOR COMPLETION OF THIS FORM

Use this form for all contracted employees (persons who provide services to your students but are not employees of the Diocese of Fort Wayne- South Bend). This may include:

Title I teachers	therapists – speech, and others
Counselors	special education consultants
Aides for individual students	others

We will use this form in lieu of asking the person to participate in our diocesan criminal background checks and training. If the person has already been through our program for some reason, e.g. they are a parent of a student, you need not have the form completed. If the employee is self-employed, you may **not** use the form and the employee must have our criminal background checks completed by your school screener.

The safe environment education requirements , training video and policy manual, are not required for contract employees.

If using this form, send it to the contracted employee’s employer and ask for completion and return to you. Keep one of these completed forms on file for each contracted employee that you have on staff each year. A new form should be completed at least every five years.

Contact the Safe Environment Coordinator if you have any questions or issues.