

Memorandum

DATE: March 27, 2007

FROM: Chad Ryan

RE: Change in background check evaluation procedure

The Diocese of Crookston is making a change to the procedures that are used to evaluate background checks. As you know, each parish is responsible for ordering background checks on their employees, volunteers, and independent contractors. The results of these background checks are sent to the Diocese, and the Diocese reviews the results to determine if they contain any information that would render the person unsuitable for ministry.

Effective immediately, the Diocese of Crookston is adopting Minnesota Statute 245C.15, Disqualifying Crimes or Conduct, as our standard for evaluating background checks. Anyone who has an offense listed under this statute will be disqualified from ministry.

If a background check reveals that a person has had any of the offenses listed in this statute, the Diocese will send a pre-adverse-action notice to the person. This notice informs the person that he/she will not be allowed to minister because of the offense(s) and describes the procedure the person can follow to appeal this decision. The person then has five business days to file an appeal with the Diocese. If an appeal is filed, the Moderator of the Curia will review all relevant data and will make a ruling on the person's status. If the appeal is denied, or if the person does not appeal, the Diocese will send the person an adverse action notice stating that he/she will not be allowed to minister in any position involving contact with minors or vulnerable adults. A letter will also be sent to the pastor informing him of this decision.

If someone comes to the parish office with questions about a pre-adverse-action notice or an adverse action notice that they have received, please have them call me. I will answer any questions they have.

Remember that only the Diocese has the right to prohibit someone from ministry on the basis of a background check. If the Diocese determines that someone is eligible for ministry (in other words, if a certificate is issued for that individual), the parish cannot refuse that person on the basis of information contained in the background check. Of course, the parish still has the right to refuse someone for reasons not relating to the background check.

One other reminder: remember the importance of the individual's privacy. If someone is prohibited from ministry, the parish will necessarily have to inform certain staff people of this decision. But it is not necessary to tell people the reason for this prohibition ("so-and-so can't teach RE because she was convicted of..."); doing so is a violation of that person's privacy.