



**MEMORANDUM**

**TO:** Regional Vicars  
Priests  
Deacons  
Parish Life Collaborator  
Safe Environment Coordinators

**FROM:** Very Reverend Lawrence A. DiNardo, VG/GS

**DATE:** July 17, 2015

We follow a Savior whose love for children was so great that he called all of us to care for them. This is why for many years the Diocese of Pittsburgh has exceeded all child protection requirements of both civil law and the *Charter for the Protection of Children and Young People*. We are dedicated to doing our utmost to ensure that children and youth in the care of the Church come to no harm of any kind.

Recently, the State of Pennsylvania has revised its laws on background checks for adults who work or volunteer with young people. One change calls for steps that we have not previously taken. A new requirement for **FBI criminal clearances (fingerprinting)**, means that all clergy and employees, along with many volunteers in our parishes and schools, must be fingerprinted. Volunteers who have lived continuously in Pennsylvania for the past ten (10) years, and sign a **Volunteer Request for Waiver** (copy attached) will be exempted from the fingerprinting requirement.

WHO IS AFFECTED	WHEN FINGERPRINTING IS NEEDED
Bishops, Priests, Deacons, Seminarians, all full- or part-time diocesan and parish employees 14 years of age or older, who commenced service <i>prior to December 31, 2014</i>  All retired clergy who even occasionally celebrate the sacraments outside of their residence who commenced service <i>prior to December 31, 2014</i>	December 31, 2015
Employees and clergy who commenced service within the diocese <i>after December 31, 2014</i> , (effective date of revised Child Protective Services Law) but have not yet obtained FBI criminal clearances	Immediately
Current volunteers (listed below), age 18 or older who have direct contact with children, who <i>have</i> lived in PA continuously for the past ten (10) years	Will be exempted from FBI Criminal Clearance (fingerprints) if they execute a formal Volunteer Request for Waiver
Current volunteers (listed below), age 18 or older who have direct contact with children, who <i>have not</i> lived in PA continuously for the past ten (10) years	July 31, 2016
For any prospective employees and clergy	All clearances, including fingerprints, to be submitted <i>prior to commencing service</i>
Prospective volunteers	All clearances, (including either fingerprints <i>or</i> signed Volunteer Request for Waiver) as applicable, to be submitted <i>prior to commencing service</i>

The following is a list of volunteers to whom this policy applies:

<b>VOLUNTEERS TO WHOM THIS POLICY APPLIES</b>	
Altar server – adult	Parish nurse
Athletic coach/volunteer	Parish safe environment coordinator
Bus driver	Parish social minister
Cafeteria worker	Pastoral associate/minister
Catechetical administrator	Pastoral healthcare minister
Catechist	Playground monitor
Catechist aid	Preschool administrator/aid
Catholic committee on scouting leader/volunteer	Sacristan trainer – youth altar servers and/or lectors
Chaperone	School volunteers
Child care giver (e.g. cry room, pre-/afterschool program, babysitter, etc.)	Youth ministry volunteer
Director of music ministry	

When in doubt about whether this policy applies to a particular volunteer, the pastor or safe environment coordinator should seek clarification from Phyllis Haney, director of the diocesan Office for the Protection of Children and Young People. She may be reached at [phaney@diopitt.org](mailto:phaney@diopitt.org) or 412-456-5633.

We are awaiting further guidance from the Pennsylvania Catholic Conference as to whether the fingerprinting mandate should be applied to a broader group of volunteers.

The parish must cover the cost of clearances for all of its employees and staff, but the diocese is exploring ways to make the process more convenient and less expensive. More information on this will be forthcoming. Clearances are required by law to be renewed every five (5) years.

I will be joining you in submitting my fingerprints. Obtaining clearances can seem onerous, especially to those who have served so faithfully and well in our parishes for years. But we already know of instances when this process has kept potentially dangerous people out of positions where they could have harmed children. If going through these procedures saves even one child from abuse, it is worth some inconvenience on our part.

[Attachment](#)

## DIOCESE OF PITTSBURGH

### **VOLUNTEER REQUEST FOR WAIVER OF FBI – FEDERAL CRIMINAL HISTORY FINGERPRINT RECORD CHECK Required by the Child Protective Service Law 23 Pa. C.S. Section 6344.2 (relating to volunteers having contact with children)**

I swear/affirm that I am seeking a volunteer position and **AM NOT** required to obtain a clearance through the Federal Bureau of Investigation, as:

- the position I am applying for is unpaid; **and**
- I have been a resident of Pennsylvania during the entirety of the previous ten-year period.

I swear/affirm that I have **NEVER** been named as a perpetrator of a founded report of child abuse within the past five (5) years as defined by the Child Protective Services Law.

I swear/affirm that I have **NEVER** been convicted of any of the following crimes under Title 18 of the Pennsylvania consolidated statutes or of offenses similar in nature to those crimes under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of this Commonwealth.

Chapter 25 (relating to criminal homicide)  
Section 2702 (relating to aggravated assault)  
Section 2709 (relating to stalking)  
Section 2901 (relating to kidnapping)  
Section 2902 (relating to unlawful restraint)  
Section 3121 (relating to rape)  
Section 3122.1 (relating to statutory sexual assault)  
Section 3123 (relating to involuntary deviate sexual intercourse)  
Section 3124.1 (relating to sexual assault)  
Section 3125 (relating to aggravated indecent assault)  
Section 3126 (relating to indecent assault)  
Section 3127 (relating to indecent exposure)  
Section 4302 (relating to incest)  
Section 4303 (relating to concealing death of child)  
Section 4304 (relating to endangering welfare of children)  
Section 4305 (relating to dealing in infant children)  
Section 5902(b) (relating to prostitution and related offenses)  
Section 5903(c) (d) (relating to obscene and other sexual material and performances)  
Section 6301 (relating to corruption of minors)  
Section 6312 (relating to sexual abuse of children), or an equivalent crime under Federal law or the law of another state.

I have not been convicted of a felony offense under Act 64-1972 (relating to the controlled substance, drug device and cosmetic act) committed within the past five years.

I understand that I shall not be approved for service if I am named as a perpetrator of a founded report of child abuse or have been convicted of any of the crimes listed above or of offenses similar in nature to those crimes under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of this Commonwealth.

I understand that if I am arrested for or convicted of an offense that would constitute grounds for denying participation in a program, activity or service under the Child Protective Services Law as listed above, or am named as perpetrator in a founded or indicated report, I must provide the administrator or designee with written notice not later than 72 hours after the arrest, conviction or notification that I have been listed as a perpetrator in the Statewide database.

I understand that if I willfully fail to disclose information required above, I commit a misdemeanor of the third degree and shall be subject to discipline up to and including denial of a volunteer position. I understand that the person responsible for employment decisions or the administrator of a program, activity or service is required to maintain a copy of my clearances.

**I hereby swear/affirm that the information as set forth above is true and correct. I understand that false swearing is a misdemeanor pursuant to Section 4903 of the Crimes Code.**

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Witness: \_\_\_\_\_ Signature: \_\_\_\_\_

Date: \_\_\_\_\_