



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 educational services to children enrolled at _____
 NAME OF CATHOLIC SCHOOL

School in _____. This person has been employed with
 CITY, STATE

our organization since _____.
 DATE

The results of a criminal background check of the above-mentioned employee evidence no convictions related to IC 20-26-5-10 or IC 20-28-5-8 (see attached). Please indicate what criminal background check(s) you have on file.

- Expanded criminal history (Date: _____)
- Indiana Limited Criminal History (Date: _____)
- FBI fingerprint check (Date: _____)
- Dept. of Child Services/Child Protective Services searches
 (States: _____ 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 can 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

IC 20-26-5-10 Adoption of criminal history background and child protection index check policy; implementation of policy

Sec. 10. (a) This section applies to a:

- (1) school corporation;
- (2) charter school; or
- (3) nonpublic school that employs one (1) or more employees.

(b) A school corporation, a charter school, and a nonpublic school shall adopt a policy concerning criminal history information for individuals who:

- (1) apply for:
 - (A) employment with the school corporation, charter school, or nonpublic school; or
 - (B) employment with an entity with which the school corporation, charter school, or nonpublic school contracts for services;

- (2) seek to enter into a contract to provide services to the school corporation, charter school, or nonpublic school; or

- (3) are employed by an entity that seeks to enter into a contract to provide services to the school corporation, charter school, or nonpublic school;
if the individuals are likely to have direct, ongoing contact with children within the scope of the individuals' employment.

(k) As used in this subsection, "offense requiring license revocation" means an offense listed in IC 20-28-5-8(c). A policy adopted under this section must prohibit a school corporation, charter school, or nonpublic school from hiring a person who has been convicted of an offense requiring license revocation, unless the conviction has been reversed, vacated, or set aside on appeal.

IC 20-28-5-8 License revocation for a person convicted of certain offenses

(c) Except as provided in section 8.5 of this chapter, the department 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).
- (2) Criminal confinement (IC 35-42-3-3).
- (3) Rape (IC 35-42-4-1).
- (4) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
- (5) Child molesting (IC 35-42-4-3).
- (6) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).
- (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).
- (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) Manufacturing methamphetamine (IC 35-48-4-1.2).
- (15) Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).

Revised: 10/16/2017

- (16) Dealing in a schedule IV controlled substance (IC 35-48-4-3).
- (17) Dealing in a schedule V controlled substance (IC 35-48-4-4).
- (18) Dealing in a counterfeit substance (IC 35-48-4-5).
- (19) Dealing in marijuana, hash oil, hashish, or salvia as a felony (IC 35-48-4-10).
- (20) Dealing in a synthetic drug or synthetic drug lookalike substance (IC 35-48-4-10.5, or IC 35-48-4-10(b) before its amendment in 2013).
- (21) Possession of child pornography (IC 35-42-4-4(d) or IC 35-42-4-4(e)).
- (22) Homicide (IC 35-42-1).
- (23) Voluntary manslaughter (IC 35-42-1-3).
- (24) Reckless homicide (IC 35-42-1-5).
- (25) Battery as any of the following:
 - (A) A Class A felony (for a crime committed before July 1, 2014) or a Level 2 felony (for a crime committed after June 30, 2014).
 - (B) A Class B felony (for a crime committed before July 1, 2014) or a Level 3 felony (for a crime committed after June 30, 2014).
 - (C) A Class C felony (for a crime committed before July 1, 2014) or a Level 5 felony (for a crime committed after June 30, 2014).
- (26) Aggravated battery (IC 35-42-2-1.5).
- (27) Robbery (IC 35-42-5-1).
- (28) Carjacking (IC 35-42-5-2) (before its repeal).
- (29) Arson as a Class A felony or Class B felony (for a crime committed before July 1, 2014) or as a Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014) (IC 35-43-1-1(a)).
- (30) Burglary as a Class A felony or Class B felony (for a crime committed before July 1, 2014) or as a Level 1, Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014) (IC 35-43-2-1).
- (31) Human trafficking (IC 35-42-3.5).
- (32) Attempt under IC 35-41-5-1 to commit an offense listed in this subsection.
- (33) Conspiracy under IC 35-41-5-2 to commit an offense listed in this subsection.

(d) The department shall permanently revoke the license of a person who is known by the department to have been convicted of a federal offense or an offense in another state that is Indiana Code 2017 comparable to a felony listed in subsection (c).

(e) A license may be suspended by the state superintendent as specified in IC 20-28-7.5.

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; P.L.90-2011, SEC.24; P.L.138-2011, SEC.4; P.L.182-2011, SEC.4; P.L.155-2011, SEC.4; P.L.78-2012, SEC.5; P.L.196-2013, SEC.6; P.L.158-2013, SEC.250; P.L.214-2013, SEC.20; P.L.168-2014, SEC.32; P.L.238-2015, SEC.4;

P.L.13-2016, SEC.6; P.L.185-2017, SEC.4; P.L.252-2017, SEC.2.

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 diocesan Safe Environment Coordinator if you have any questions or issues.