



SAFE ENVIRONMENT PROGRAM

ARCHDIOCESE OF NEW YORK

Safe Environment Policy -- Frequently Asked Questions

What are the Safe Environment Requirements?

All Archdiocesan Personnel who are in "regular contact with minors" must complete the "Safe Environment Requirements". This means that they must complete a Safe Environment Questionnaire and a background check, they must acknowledge that they've received the Archdiocesan Policy Relating to Sexual Misconduct, and the appropriate Code of Conduct; and they must complete the Safe Environment Training appropriate to their position.

How do you tell if a person has “regular contact with minors”?

There's no “bright line” test for every case, but we can offer some clear guidelines:

1. What is the person's job?

Certain job descriptions should always be considered to have “regular contact with minors”: school administrators and administrative staff, teachers, teacher aides, school or classroom volunteers, guidance counselors, catechists, catechist aides, youth ministers, athletic coaches and volunteers, coordinators of altar servers.

On the other hand, certain liturgical positions should not be deemed to have “regular contact with minors”, since they only have incidental contact with children during the course of the liturgy. These positions would include: lectors, Eucharistic ministers, ushers, music ministers and leaders of song.

2. What if the person's job doesn't fit into any of those categories?

If the answer to one of these questions is “yes”, then the person should be considered to have “regular contact with children”:

- a. Is the person's contact with minors direct, usual, or frequent (as opposed to isolated, incidental, irregular, occasional or infrequent)?
- b. Does the person's duties frequently bring them into a school, or the location of a religious education program or youth program?
- c. Does the person's duties permit them to have private face-to-face dealings with minors?
- d. Does the person's duties enable them to come into physical contact with minors?
- e. Does the person have the opportunity to be with minors in private?
- f. Does the person ever have direct supervisory responsibility over minors?
- g. Do minors typically come into the person's private workspace?

If there is any doubt, require them to comply with the Safe Environment requirements.

What about volunteers or employees who are under 18?

Employees and volunteers who are under 18 may be in regular contact with children only if they are directly supervised by an adult who is in full compliance with the Safe Environment Requirements and who is actually present at the time and place where they are serving.

If they are 16 or 17, they must also complete a Safe Environment Questionnaire, submit to a background check (with parental consent), and attend a "Safer Spaces" class. If they are 14 or 15, they must complete a Safe Environment Questionnaire, and attend a "Safer Spaces" class, but they do not have to submit to a background check. If they are under the age of 14, they do not have to submit to a background check or attend a training class, but they must be advised of the Code of Conduct.

Which training program do I have to attend?

Clergy must attend a VIRTUS "Protecting God's Children" class.

Professional and supervisory personnel must attend a VIRTUS "Protecting God's Children" class. This would include school administrative and educational staff (principals, assistant principals, deans, assistant deans, teachers, teachers' aides, or guidance counselors, but not business, clerical or custodial staff), directors and coordinators of religious education (whether paid or volunteer), social workers, counselors, and youth ministers.

Other employees and volunteers may attend either a VIRTUS "Protecting God's Children" class or a class that uses our in-house "Safer Spaces" video.

What if I already had child abuse training or a background check from another job (e.g., I'm a public school teacher, social worker, or Boy Scout leader)?

Training programs from other agencies, like the Boy Scouts, or those required by state authorities, certainly provide ample education about child abuse in general. However, they do not provide the necessary training in the Archdiocesan Code of Conduct and our reporting requirements – both of which are required by the Bishops' Charter for the Protection of Children and Young People.

As a result, Archdiocesan employees can satisfy their training requirement by attending a class that uses our in-house "Safer Spaces" video if they present a valid, current certificate of completion of a program in child abuse awareness that has been approved by the New York State Department of Education for obtaining or maintaining a New York State professional license, or that has been conducted by a program approved by the Safe Environment Office (e.g., the Boy Scouts of America or another Catholic diocese).

Volunteers who have had such training must also attend attending a class that uses our in-house "Safer Spaces" video.

Even if you've already had a background check from another agency or program, we still require everyone to submit to a background check with us. The reason is that our standards are different from other agencies, and we have to make sure that everyone satisfies those standards.

What if I have personnel in my school who are in regular contact with children, but are employed by an outside contractor or a local school district?

They still have to comply with our Safe Environment requirements. Here's how:

Employees of local school districts – If they have current proof that they have passed a background check and had training in child abuse from their district, they should be given written copies of the Archdiocesan Code of Conduct and our reporting requirements.

Other contractors (e.g., maintenance staff) – They must submit to a background check and attend a "Safer Spaces" class.

What about people who are involved in a program that uses our parish's facilities, but isn't a parish organization?

There are lots of people who are in contact with minors in programs or activities that are not sponsored or conducted by an Archdiocesan institution. Instead, they just use or rent facilities of a parish or school (e.g., community sports program that play games at the school gym). They are not Archdiocesan personnel, and are not required to comply with the Safe Environment requirements.

For volunteers with Boy Scout and Cub Scout troops sponsored by Archdiocesan institutions, their Safe Environment Requirements are satisfied if they have taken the Boy Scout Youth Protection Training Course, are up to date with their Boy Scout Youth Protection certification, and have had a background check (including criminal record and state sexual offender registry checks) within the previous three years.

What if I previously had a background check and training but I'm starting work at a different parish or school?

Your background check is good as long as you stay in the same institution (parish or school). But we're asking everyone to have a new background check every time they begin work at a new institution. This will ensure that we have current and accurate information about all our personnel.

For example, if you're a teacher at a school in one parish, and start volunteering in a different parish, we ask that you submit to another background check; if, on the other hand, if you start volunteering in the same parish in a new program, you do not have to have a new background check when you start.

We do not, however, ask that people have another training program, so long as they have the appropriate level of training for their new position. Remember, clergy and employees must have completed a VIRTUS "Protecting God's Children"; volunteers can satisfy the training requirement by attending a "Safer Spaces" class or a VIRTUS "Protecting God's Children" class.

So, for example, if you previously were a volunteer and completed a "Safer Spaces" program, you will have to attend a VIRTUS "Protecting God's Children" class if your new position is as an employee. On the other hand, if you were an employee and completed a VIRTUS "Protecting God's Children" program, you won't have to have new training to volunteer in another parish.

What about people who are no longer active in our parish or program?

These people should be deleted from your parish or program rosters. We will maintain their information in our archives in case they begin work at another institution in the future.

What information does the Archdiocese get from the background check?

We verify a person's identity and background based on their name, date of birth, and social security number. We also check to see if there is any relevant information in the agency's database of criminal records and in state sexual offender registries. To do this, we use a credit agency that has access to this kind of information. Don't be alarmed at the use of the word "credit". **We do not ask for any financial information about you.**

If you obtain your own credit report, it will note that the Archdiocese or the credit check agency has "obtained a copy" of your credit report. Again, **we never ask for any financial information** -- the agency is required by law to note any time your information has been accessed, even if it was only to verify your identity. However, the credit agency does not reveal to potential lenders that your information has been accessed -- it will only appear on your copy of your credit report.

What if the background check contains inaccurate information?

You can dispute information in your background check in several ways. You can certainly submit information to us, and we will take it into account in evaluating your background check. You can also file a dispute directly with the credit check agency, or with the source of the information. For information on how to do this, check out the website of the Federal Trade Commission (www.ftc.gov/bcp/online/edcams/credit/coninfo_reports.htm).

What if a person doesn't have a valid Social Security number? Do they still have to have a background check?

Yes -- we still have to verify their identity and check their background. If a person does not have a valid Social Security number, have them complete the background check authorization form, leaving the line for Social Security number blank. The pastor, principal or DRE should verify their identity with some form of photo identification (e.g., a driver's license, a passport, an employer-issued ID card, etc.). The pastor, principal or DRE should then send our Office the authorization form, along with a copy of the identification document, or with a notation that they have verified the person's identity.