

Third Parties Using Parish/School (Covered Entity) Facilities

When determining the applicable requirements for a third party (vendor, lessee, outside organization, etc.) using your parish/school, it is necessary to evaluate **the relationship between the parish/school and the program/activity/event**.

If a program/activity/event is (1) being operated by a parish/school employee(s) and (2) the program/activity/event is parish/school-sponsored and/or the parish/school is being paid directly for the all fees for the program/activity/event, then the employee, program/activity/event, and parish/school are covered under the liability coverage already provided to your parish/school under the Archdiocese of Baltimore's insurance program/activity/event and nothing further is needed. Keep in mind under this structure the parish/school administrator is ultimately responsible for the oversight of the program/activity/event and the employee(s) is merely the agent of the parish/school in delivering this program/activity/event.

If a program/activity/event is (1) being operated by a person who is not a parish/school employee or a parish/school employee is operating the program/activity/event and the only relationship between the parish/school and the employee is that the parish/school is allowing the employee to use the parish/school facilities, then such program/activity/event needs to be handled as being operated by a third party.

All advertisements, forms, permission slips, and any other communications issued by a third party/program/activity/event must include a statement that the third party/program/activity/event is not sponsored by or affiliated with the parish/school. The statement is to read as follows:

The Name of Third Party/Program/activity/event is not sponsored by or affiliated with Parish Name, School Name, or the Archdiocese of Baltimore. Parish Name, School Name, or the Archdiocese of Baltimore does not direct, supervise, or control the activities of the Name of Third Party/Program/activity/event.

Prior to allowing the use of the parish/school facility by a third party, the following must be completed and received by the parish/school:

1. An executed lease agreement between the parish/school and the third party
2. A certificate of insurance showing \$1,000,000 in general liability per occurrence with \$2,000,000 in the aggregate and the parish/school and Archbishop must be named additional insured entities

Further, if the use will involve substantial contact with minors (under 18 years old), the following must also be completed and received by the parish/school prior to allowing the use. (Substantial contact with minors means contact in which the duration and scope in both time and exposure is neither rare nor limited and may occur on a routine and/or ongoing basis. Substantial contact also includes any direct, unsupervised, and uncontrolled access to minors, and any overnight activities with minors):

3. A certificate of insurance showing \$300,000 in sexual misconduct coverage must be provided and the parish/school and Archbishop must be named additional insured entities
4. Written verification that the third party's employees, agents, volunteers, and subcontractors have been screened through a criminal background check which revealed no incidents of abuse, neglect, misconduct with minors, or other criminal activity that would render them unsafe to have

contact with minors, including any sex offenses in any degree, child sexual abuse, and any “crimes of violence” as defined in Section 14-101 of the Criminal Law Article of the Annotated Code of Maryland.

If you should have any questions, please contact Tom Alban at (410) 547-5424 or talban@archbalt.org.