



DIOCESE OF
ALEXANDRIA

SAFE ENVIRONMENT POLICIES



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POLICY OF THE DIOCESE OF ALEXANDRIA WHEN DEALING WITH SUSPECTED ABUSE OF MINORS AND OF VULNERABLE ADULTS

Preamble

In this age of immediate access to information and of universal calls for greater institutional transparency on the part of global corporations, states and international bodies let the Diocese of Alexandria, Louisiana ensure that it stands for the highest principles inherent in the mystery of the Gospel of Christ. Most evident among them are the sanctity of life at every stage as well as the fundamental dignity of the human person. The Church does not hesitate to condemn all injustices which afflict the human person and which hinder the authentic development of human society. The dignity of the human person and his/her right to full and integral human development stands before any institution or system. Sexual abuse by a cleric with a minor or a vulnerable adult violates human dignity, ministerial commitment and the mission of the Church.¹ Therefore, the Diocese of Alexandria establishes this policy to deal with allegations of abuse. This protocol seeks to protect and vindicate the rights of all of the people of God who will play a substantive and collaborative role in its implementation as a means of promoting the authentic ecclesial good. The fundamental will of Christ established the Church as possessing His own authority, nevertheless, this sacred authority finds its highest and most refined expression in humbly fostering universal brotherhood and service in the human family.

I, Bishop Robert W. Marshall JR, Bishop of the Diocese of Alexandria, pledge my support by diligently enacting protocols and policies which safeguard minors and vulnerable adults in our Diocese. As our understanding of sexual abuse grows in tandem with the findings of scientific experts, this protocol and its procedures will be reviewed and revised. We, as a Diocese, will

¹ *USCCB Charter and Preamble, USCCB Essential Norms*: "Sexual abuse of a minor includes sexual molestation or sexual exploitation of a minor and other behavior by which an adult uses a minor as an object of sexual gratification. Sexual abuse has been defined by different civil authorities in various ways, and these norms do not adopt any particular definition provided in civil law. Rather, the transgressions in question relate to obligations arising from divine commands regarding human sexual interaction as conveyed to us by the sixth commandment of the Decalogue (Code of Canon Law, c. 1395, §2). Thus, the norm to be considered in assessing an allegation of sexual abuse of a minor is whether conduct or interaction with a minor qualifies as an external, objectively grave violation of the sixth commandment (*USCCB, Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995, p. 6). A canonical offense against the sixth commandment of the Decalogue (Code of Canon Law, c. 1395, §2) need not be a complete act of intercourse. Nor to be objectively grave, does an act need to involve force, physical contact, or a discernable harmful outcome. Moreover, 'imputability [moral responsibility] for a canonical offense is presumed upon an external violation ... unless it is otherwise apparent' (Code of Canon Law, c. 1321, §3). Cf. Code of Canon Law, cc. 1322-1327. If there is any doubt about whether a specific act fulfills this definition, the writings of recognized moral theologians should be consulted and the opinion of a recognized expert be obtained (*Canonical Delicts*, p. 6). Ultimately, it is the responsibility of the diocesan bishop/eparch, with the advice of a qualified Review Board, to determine the gravity of the alleged act."

work with parents, educators, civil authorities, and various organizations in the community to provide the safest possible environment for minors and vulnerable adults. Additionally, Diocesan officials will respond promptly to any allegation where there is reason to believe that sexual abuse of a minor or a vulnerable adult has occurred, whether recently or many years in the past.

The Diocese of Alexandria is committed to the Gospel message in our efforts to protect our children from child sexual abuse.

"The disciples approached Jesus and said, 'Who is the greatest in the kingdom of heaven?' He called a child over, placed it in their midst, and said, 'Amen, I say to you, unless you turn and become like children, you will not enter the kingdom of heaven. Whoever humbles himself like this child is the greatest in the kingdom of heaven. And whoever receives one child such as this in my name receives me' " (Mt 18: 1–5).

Through the Diocese's safe environment programs, policies, and procedures covering training, background checks, and safe environment training and education, we receive our children and young people in Jesus' name. We pledge to protect their innocence by being the ears, eyes, and voices of children, young people, and vulnerable adults to prevent abuse and harm in our churches, schools, homes, and communities.

These efforts have evolved and expanded since 2002, when the United States Conference of Catholic Bishops adopted the *Charter for the Protection of Children and Young People*. *The charter is based on the Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*. Using the charter as a foundation, the Diocese is ever diligent in striving to go beyond the charter in our effort to find new and better ways to protect our most precious gift: our children.

In the Diocese of Alexandria, the clergy and laity have a shared commitment to assure that the intention of the charter is integrated into the lives of the faithful. This chapter provides a guide and resources for those who are subject to or implement the safe environment efforts of the Diocese.

Section I. Protocol

1.1 The Catholic Diocese of Alexandria will have as its primary concern the alleged victim's safety and well-being. We will be committed to pastoral care for the alleged victim, the family, the accused, and the congregation. The actions and protocols described below are meant to ensure the safety of children and vulnerable adults, to seek the truth, and to protect the rights of all, including the right to a good name for the wrongfully accused. With these pastoral concerns in mind, the following steps will be the official protocol of our Diocese.

1.2 Abusive sexual behavior in any form is outside the scope of employment and volunteer service for all persons in the Diocese. The Church strongly supports the state as it tries to deal with this social and moral evil. We intend to comply with all civil law, and we expect those serving with us to do so. All clergy members, employees, and volunteers of the Diocese must comply with state and local laws as well as with Diocesan policy and guidelines about sexual child abuse.

1. APPLICABLE STATE LAW

1.1 Louisiana statutes and cases define the types of conduct that violate the law. The ultimate determination of whether a specific matter will be prosecuted lies in the hands of the appropriate civil authorities once a report has been made.

1.2 The Diocese shall cooperate with the Louisiana Department of Children & Family Services, as well as the State's Attorneys and other appropriate public authorities in the conduct of investigations and actions to enforce the law and to protect children and communities affected by sexual abuse of a minor or a vulnerable adult.

Louisiana Revised Statutes

TITLE 14 - Criminal Law - LA Rev Stat § 14:403

§403. Abuse of children; reports; waiver of privilege

A.(1)(a) Any person who, pursuant to *Children's Code Article 609(A)*, is required to report the abuse or neglect of a child and knowingly and willfully fails to so report shall be fined not more than five hundred dollars or imprisoned for not more than six months, or both.

(b) Any person who, pursuant to *Children's Code Article 609(A)*, is required to report the sexual abuse of a child, or the abuse or neglect of a child which results in the serious bodily injury, neurological impairment, or death of the child, and the person knowingly and willfully fails to so report shall be fined not more than three thousand dollars, imprisoned, with or without hard labor, for not more than three years, or both. For purposes of this Subparagraph, "serious bodily injury" means injury involving protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ, or mental faculty, or substantial risk of death.

(2) Any person, any employee of a local child protection unit of the Department of Children and Family Services, any employee of any local law enforcement agency, any employee or agent of any state department, or any school employee who knowingly and willfully violates the provisions of Chapter 5 of Title VI of the Children's Code, or who knowingly and willfully obstructs the procedures for receiving and investigating reports of child abuse or neglect or sexual abuse, or who discloses without authorization confidential information about or contained within such reports shall be fined not more than five hundred dollars or imprisoned for not more than six months, or both.

(3) Any person who reports a child as abused or neglected or sexually abused to the department or to any law enforcement agency, knowing that such information is false, shall be fined not more than five hundred dollars or imprisoned for not more than six months, or both.

(4)(a) Notwithstanding the provisions of Paragraph (1) of this Subsection, any person who is eighteen years of age or older who witnesses the sexual abuse of a child and knowingly and willfully fails to report the sexual abuse to law enforcement or to the Department of Children and Family Services as required by Children's Code Article 610, shall be fined not more than ten thousand dollars, imprisoned with or without hard labor for not more than five years, or both.

(b) For purposes of this Paragraph, "sexual abuse" shall include but is not limited to the perpetration or attempted perpetration of *R.S. 14:41, 42, 42.1, 43, 43.1, 43.2, 43.3, 46.2, 46.3, 78, 78.1, 80, 81, 81.1, 81.2, 86, 89, or 89.1.*

B. In any proceeding concerning the abuse or neglect or sexual abuse of a child or the cause of such condition, evidence may not be excluded on any ground of privilege, except in the case of communications between an attorney and his client or between a priest, rabbi, duly ordained minister or Christian Science practitioner and his communicant.

Acts 1964, No. 116, §§1 to 5. Amended by Acts 1970, No. 636, §1; Acts 1972, No. 556, §1; Acts 1974, No. 384, §1; Acts 1974, No. 596, §1; Acts 1975, No. 737, §1; Acts 1979, No. 664, §1; Acts 1979, No. 769, §1; Acts 1980, No. 495, §1; Acts 1983, No. 529, §1; Acts 1984, No. 690, §1; Acts 1985, No. 864, §1, eff. July 23, 1985; Acts 1985, No. 339, §1, eff. July 9, 1985; Acts 1985, No. 615, §1; Acts 1985, No. 198, §1, eff. July 6, 1985; Acts 1985, No. 658, §1; Acts 1986, No. 428, §1, eff. July 2, 1986; Acts 1986, No. 1006, §1; Acts 1987, No. 626, §1; Acts 1988, No. 437, §1; Acts 1989, No. 595, §1; Acts 1990, No. 439, §1, eff. July 18, 1990; Acts 1992, No. 705, §3, eff. July 6, 1992; Acts 2012, No. 268, §1, eff. May 25, 2012; Acts 2012, No. 614, §1, eff. June 7, 2012.

3. Louisiana law provides that any person in the Children's Code who is a "mandatory reporter," i.e., who is required to report abuse or neglect of a minor, including sexual abuse of a child under age 18, is to report information to authorities when that person has cause to believe a child's physical or mental health or welfare is endangered. Willful and knowing failure to report can result in being charged with a misdemeanor or, in some situations, a felony.

4. **Louisiana Children's Code Art. 603** defines those persons who must report child abuse as mandatory reporters. "Mandatory reporters" include: any person who provides health care services, e.g., doctors, nurses, technicians; mental health or social services professionals who provide counseling services to a child or his/her family; members of the clergy; teaching or child care providers, which effectively includes anyone who works or volunteers at a school, daycare center, or summer camp or any other youth recreation program (including coaches); law enforcement officers; commercial film processors; and certain other persons not pertinent here. Additionally, all such persons are mandatory reporters not only in their professional capacities but at all times, e.g., not just while at the school, daycare center, summer camp, etc.

5. **Art. 603(13) (c) of the Children's Code** provides an exception to the mandatory reporting requirement for a priest or bishop within the sacred ministry of the Sacrament of Reconciliation. In that instance, the priest or bishop shall encourage that person to report the allegations to the appropriate authorities.

6. **Art. 610 of the Children's Code** provides the reporting procedure that requires mandatory reporters immediately to report through the Department of Children and Family Services (DCFS) "855" number, i.e., 1-855-452-5437, where the abuser is believed to be a parent, caretaker, a person who maintains an interpersonal dating or engagement relationship with the parent or caretaker, or a person living in the same residence with the parent or caretaker as spouse whether married or not. If such a person or caretaker is not believed to have been the abuser and is not believed to have any responsibility for the abuse or neglect, the report should immediately be made to the appropriate local or state law enforcement agency. Dual reporting is permitted, but the mandatory reporter should not just call the DCFS or the police, but both if the mandatory reporter is unsure who to contact.

7. The initial report may be verbal, and should contain the following information, if known:

A) Name, address, age, sex and race of the child;

B) Nature, extent and cause of child's injuries or endangered condition, including any previous known or suspected abuse to the child or child's siblings;

C) Name and address of parent(s) or caretaker;

D) Names and ages of all other members of child's household;

E) Name and address of the reporter;

F) Account of how child came to reporter's attention;

G) Explanation of the cause of child's injury or condition offered by child, the caretaker or any other person

H) Any other information which the reporter believes might be important or relevant.

8. If the initial report is verbal, it shall be followed by a written report within five (5) days to the appropriate agency, i.e., DCFS or law enforcement agency. When a verbal report is being given, before finishing, the reporting person should request a facsimile number to which to send the written report.

9. **Article 611 of the Children's Code** grants immunity from civil or criminal liability to any reporter, for the making of any report in good faith, and without knowledge of the falsity of such information, or reckless disregard for the truth of the report.

10. The law changes from time to time. Because of this, all personnel should familiarize themselves with the changes that may occur; diocesan updates of the law will be provided.

2. ACTION WHERE ABUSE IS UNDER INVESTIGATION, ADMITTED OR OTHERWISE ESTABLISHED

2.1 When a credible allegation is made, the process outlined in the Policy on Sexual Misconduct of this protocol as well as the appropriate protocol inherent in the role of the Victim Assistance Coordinator and the Charter Review Board will be followed for clergy, religious, and lay workers.

2.2 Any cleric (deacon, priest or bishop) who is the subject of an investigation in which a credible accusation has been made will be placed on administrative leave pending the completion of the investigation.²

2.3 Any lay employee of the Diocese who is the subject of an investigation in which a credible accusation has been made relating to an incident of sexual abuse of a child or a vulnerable adult will not be allowed to continue his or her job function pending the completion of the

² In accord with Canon 223, §2 and in the spirit of *USCCB Essential Norms* n.9, temporary withdrawal is an immediate action of the Bishop done for the safety of minors, the protection of the cleric and the well-being of the Church. The purpose of temporary withdrawal is to provide quickly an opportunity to assess the risk to minors, the situation of the cleric and the urgent needs of the Church. It involves the cleric removing himself at once from a ministerial site, and may also involve other specifications, such as elements of supervision. It is for a determined period of time and is in effect only until the Charter Review Board can meet to evaluate the allegation as an Initial Review. It is not a judgment of guilt, and it is not equivalent to a canonical suspension or any other penal sanction. It does not affect any ecclesiastical office that the cleric may hold, and it does not affect his salary. It will be done in a written form that contains the reasons for the withdrawal (Canons 37, 51). At the time of his withdrawal, the cleric will be temporarily dispensed from any obligations that he might be unable to fulfill during his withdrawal (Canon 87, §1). At the time of this action by the Bishop, the cleric will be apprised of his canonical and civil legal rights (*USCCB Essential Norms* n.6). At the time of the action, some individuals in positions of responsibility in the parish or institution will be informed of the Bishop's request and stipulations. Should there be any publicity associated with a temporary withdrawal, every effort will be made not to harm illegitimately the good reputation of the cleric nor to injure his right to protect his own privacy (Canon 220, *USCCB Essential Norms* n.13). Should the cleric not cooperate with the temporary withdrawal, at all times, the Bishop has the executive power of governance, through an administrative act, to remove an offending cleric from office, to remove or restrict his faculties, and to limit his exercise of priestly ministry (Cf. cc. 35-58, 149, 157, 187-189, 192-195, 277 §3, 381 §1, 383, 391, 1348 and 1740- 1747).

investigation. He or she may be placed on leave with pay pending a determination on his/her future employment.

2.4 Any volunteer of the Diocese who is the subject of an investigation in which a credible accusation has been made relating to an incident of sexual abuse of a child or a vulnerable adult may not continue to serve in any capacity which would involve contact with children during the investigation.

2.5 Any lay employee or volunteer of the Diocese who admits to, does not contest, or is found guilty of sexual abuse of a child or a vulnerable adult, after an appropriate investigation, will be terminated.

3. ACTION WHERE ABUSE BY CLERGY IS ADMITTED OR OTHERWISE ESTABLISHED

3.1 Where even a single act of sexual abuse by a priest or deacon is admitted or established in accordance with Canon law, the offending priest or deacon will be removed permanently from ecclesiastical ministry, including dismissal from the clerical state, if the case so warrants. **In every case, the processes provided for in Canon law must be observed and the various provisions of Canon law will be fully implemented.**

3.2 When an abuse allegation has been made, the Victim Assistance Coordinator (VAC) will promptly contact the complainant to obtain information required for a report to civil authorities and offer appropriate assistance to the alleged victim.

3.3 All persons associated with the Diocese are expected to cooperate in any investigations involving civil authorities and comply with legally established reporting requirements. Any clergy, administrator, staff person or volunteer of the Diocese who is made aware of possible sexual abuse of a minor by a priest, deacon or other church personnel must:

- a. Make appropriate reports to the appropriate civil authorities in accord with Louisiana State Law reporting requirements for clergy and other professions.
- b. Inform the person making the complaint that the Diocese has a policy, which will be followed, for addressing these matters.
- c. Report the matter immediately to the Victim Assistance Coordinator, providing all known information so that appropriate contact and outreach can be made with alleged victims, and assuring compliance with any civil reporting obligations.

3.4 In full accord with the canonical norms, when an allegation of sexual abuse of a minor is determined to be serious or substantive by the Bishop upon recommendation of the Charter Review Board, or by some other means, and following the procedures of cc. 1717-1719, the alleged offender will be relieved of his ministry and functions. The Dicastery for the Doctrine of the Faith (“CDF”) shall be notified by the Diocese and its instruction(s) followed.

3.5 Any priest or deacon relieved of his ministry and functions will continue to receive remuneration pending resolution of the allegation and the outcome of the process. He will be prohibited from the exercise of any public ministry, he will also be prohibited from wearing clerical attire or publicly representing himself as a priest or deacon. In addition, a specific residence may be imposed or prohibited. During this time, the Bishop of Alexandria may grant permission for an accused priest or deacon to exercise limited public ministry for a specific occasion (e.g. death of a parent). The accused priest or deacon may be asked to undergo appropriate medical and psychological evaluation, and will be encouraged to retain civil and canonical counsel. When necessary, the Diocese will assist the accused in obtaining canonical counsel.

3.6 When a substantive allegation of sexual abuse of a minor is made against a member of a religious community residing or serving in the Diocese, pending the resolution of the allegation or the outcome of the process, the following action will be taken:

- a. The Victim Assistance Coordinator will contact the major religious superior.
- b. The Bishop of Alexandria will immediately remove any faculties the accused member may have been granted.

3.7 Although not specifically the focus of this policy, when the accused is a layperson, the administrator who has authority over the accused will place the employee on leave or suspend the services of a volunteer.

3.8 In accordance with *Sacramentorum Sanctitatis Tutela*, sexual abuse of a minor by a cleric includes the acquisition, possession, or distribution by a cleric of pornographic images of minors under the age of eighteen, for the purposes of sexual gratification, by whatever means or using whatever technology. The acquisition, possession, or distribution by a cleric of pornographic images of minors is among the more grave delicts against morals which are reserved to the Dicastery for the Doctrine of the Faith, AND it is a civil crime.

- a. Clerics shall not intentionally use computers or other technology resources to transmit, retrieve, or store any type of communication, message, image, or material that: 1) is discriminatory, defamatory, or harassing; 2) contains derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, or physical attributes, or any other condition or status protected by Federal, State, or local law; 3) is obscene or X-rated; 4) contains abusive, profane, or offensive language; or, 5) violates any policy of the Diocese of Alexandria, including, but not limited to, its policies regarding child abuse and harassment, or that is otherwise contrary to the religious mission and values of the Diocese of Alexandria.

- b. When a priest or deacon is accused of the acquisition, possession, or distribution of pornographic images of minors under the age of eighteen, the Diocese of Alexandria shall comply with procedures established, which includes reporting to civil authorities as well as the USCCB Essential Norms for dealing with allegations of sexual abuse of minors by priests or

deacons. The cleric is to be accorded the presumption of innocence during the investigation of the allegation and all appropriate steps are to be taken to protect his reputation. If the allegation is admitted or established, the offending priest or deacon is to be permanently removed from ministry and, if warranted, dismissed from the clerical state after an appropriate process in accord with canon law. An offending priest or deacon is to be offered therapeutic professional assistance both for the purpose of prevention and also for his own healing and well-being. (See Article 5, USCCB Revised Charter for the Protection of Children and Young People).

3.9 For serious reasons (e.g. priest, deacon or religious has been criminally charged or has acknowledged the abuse), the Bishop, in consultation with some members of the Board, shall address a situation on a temporary basis, and the matter will then be reviewed by the Board at the next meeting. If abuse is admitted or established after an appropriate investigation and canonical process:

- a. The processes provided in canon law will be observed (cf. *Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995; *Letter from the Congregation for the Doctrine of the Faith*, May 18, 2001, *Charter for the Protection of Children and Young People*, USCCB, June 2011 revision; *Essential Norm*).
- b. These provisions may include a request that the offending priest or deacon be permanently removed from public ministry or for a dispensation from the obligation of holy orders and the loss of the clerical state; or a request by the Bishop of Alexandria for dismissal from the clerical state without the consent of the priest or deacon.
- c. If the penalty of dismissal from the clerical state is not applied after consultation with the CDF, the priest or deacon offender will be required to lead a life of prayer and penance. He will not be permitted to celebrate Mass publicly or exercise any public ministry, wear clerical attire, present himself publicly as a priest or deacon, or to be alone with minors or other possible victims in an unsupervised setting.
- d. When an accusation is determined to be unfounded, every possible step will be taken to restore the good name of the accused priest or deacon. Such means may include, without limitation, notices to the media, general public and Catholic community, as well as the communities and institutions where the accused has served. Because of the uniqueness of each allegation, it is not always possible to specify one approach that will fit all situations.

Addendum:

The Diocese will continue to reach out to victims of sexual abuse for healing and reconciliation through a Victim Assistance Coordinator. This outreach shall include counseling, spiritual assistance and, with the cooperation of others, developing support groups where appropriate. The Victim Assistance Coordinator, in coordination with appropriate Diocesan departments, will develop and maintain these services. The Victim Assistance Coordinator will provide the Board with an annual report describing these services.

The Diocese will establish safe environment programs, and cooperate with parents and community leaders to provide education and training to all church personnel, parents and other interested parties about ways to develop and maintain a safe environment for children. This shall be accomplished mainly through the Virtus Program. The Office of Safe Environment will gather and distribute materials to parishes, schools and religious education programs, and provide an annual report to the Board of its work in this area.

Utilizing the resources and support of law enforcement and other community agencies, the Diocese and its parishes and institutions will evaluate the criminal history background of all Diocesan and parish personnel and volunteers who have contact with minors.

The Diocese will deal as openly as possible with the media and those parishes and institutions involved. Where schools or religious education programs are involved, the assistance of the Superintendent of Catholic Schools will be provided and coordinated.

All persons associated with the Diocese are expected to cooperate in any investigations involving civil authorities and comply with legally established reporting requirements. Any clergy, administrator, staff person or volunteer of the Diocese who is made aware of possible sexual abuse of a minor by a priest, deacon or other church personnel must:

- A) Make appropriate reports to the appropriate civil authorities in accord with Louisiana State Law reporting requirements for clergy and other professions.
- B) Inform the person making the complaint that the Diocese has a policy, which will be followed, for addressing these matters.
- C) Report the matter immediately to the Victim Assistance Coordinator, providing all known information so that appropriate contact and outreach can be made with alleged victims, and assuring compliance with any civil reporting obligations.

4. IMPLEMENTATION

4.1 The Diocese will adopt this protocol as well as publicizing its existence and implementation.

4.2 The successful implementation of this protocol will require a judicious vigilance by all, including priests, school principals, administrators, and directors of ministries and services.

5. GUIDELINES FOR IMPLEMENTATION OF THE PROTOCOL ON SUSPECTED ABUSE OF MINORS AND VULNERABLE ADULTS

A) PREFACE

5.1 All Church workers must conduct themselves with prudence and virtue, being aware of our responsibility before God as ministers and as representatives of the Church. The Protocol on Suspected Abuse of Minors and Vulnerable Adults, as well as these Guidelines are set forth for the guidance of the priests, religious, and laity of our Church.

B) EDUCATION AND PREVENTION

5.2 The Diocese will establish and maintain a Safe Environment Program designed to prevent, identify, and respond to abuse by providing appropriate education to Diocesan personnel. This program will address inappropriate behavior and indicate the warnings signs of possibly abusive behavior. The VIRTUS Program and the Code of Conduct for Church personnel and volunteers will be integral components of the Safe Environment Program.

5.3 The Diocese will evaluate the backgrounds of all Diocesan personnel who may have regular contact with minors in their ministerial, volunteer or employment duties. A background check will be conducted at the local level by the person's pastor, immediate supervisor or the designee of the pastor/supervisor. All Diocesan employees will be VIRTUS certified prior to beginning employment. All volunteers with regular contact with youth, must be VIRTUS certified prior to volunteering with youth.

5.4 No priest or deacon from outside the Diocese of Alexandria will be given general faculties, which is the specific authority to function as a minister of this Diocese, until his diocesan bishop or religious superior has supplied a thorough background reference. Likewise, no members of a religious community, men or women, will be allowed residence in the Diocese of Alexandria until the community's superior provides a complete and accurate description of the member's history. Such references must include information regarding any past allegations of sexual misconduct, and/or physical violence. The Bishop or his designee will review the documentation.

5.5 All potential seminarians, as part of the acceptance process, will be required to undergo a full psychological profile, in accord with ethical, canonical, and legal principles. The Bishop or his designee will review the psychological profile, and background questionnaire.

5.6 A background questionnaire will be completed, and a background check will be conducted and evaluated before the following people are employed or otherwise accepted by the Diocese of Alexandria: (a) all priests, deacons, seminarians, and religious; (b) all employees; (c) all volunteers who have regular contact with youth.

6. REPORTING AND INITIAL INQUIRY

6.1 Every incident or allegation of suspected child sexual abuse involving diocesan personnel, must be brought to the Victim Assistance Coordinator's (VAC) attention promptly (within 24 hours). The VAC will notify the Charter Review Board by calling the Board into Executive Session. The Bishop of Alexandria will also be informed simultaneously. After consultation with the Charter Review Board, appropriate action will be taken which will include contacting appropriate civil authorities if required by law. A written report shall follow as soon as practicable. Generally, diocesan personnel should report to the person to whom they are responsible as well as the Victim Assistance Coordinator.

6.2 Generally, persons responsible for the care of children must report suspected child sexual abuse to appropriate civil authorities. Such reports are made to the State of Louisiana Department for Children and Families. Persons who must report are those who deal with the care or supervision of children, for example: teachers, principals, other school officials, day care workers, social service workers, licensed counselors, and medical and mental health care professionals.

6.3 Priests must report to civil authorities only when they fall within the categories of professionals listed in *Louisiana Revised Statute* §14:403. However, the seal of sacramental confession remains inviolable. Nothing a priest hears in Confession, whether from an alleged perpetrator, an alleged victim, or other such person, may be revealed or reported.

6.4 The Diocese will comply with all applicable State laws with respect to the reporting of allegations of sexual abuse of minors to authorities and will cooperate in their investigation. In every instance, the Diocese will advise and support the person's right to make a report in good faith to authorities.

6.5 There is always the possibility of false accusations or unsubstantiated claims. It is important to recognize that both civil law and canon law (cc. 1390-1391) provide penalties for the crime of falsehood flowing from false denunciation and calumny.

6.6 A written report may be used to report a suspected incident of child sexual abuse. The written report of suspected abuse will contain the following:

- (a) the full name, position, address and telephone number of the person making the report;
- (b) the date of the report;
- (c) the full name, position, address and telephone number of the person suspected or accused of misconduct;
- (d) the full name, gender, age, address, and telephone number of the child who is suspected to be the victim of sexual abuse, and the name, address and telephone number of the parents or guardian of such victim;

- (e) a description of the incident of sexual abuse including date, time and location;
- (f) the names, positions, addresses and telephone numbers of all eyewitnesses or others having information;
- (g) any additional information bearing on the incident that may be helpful to the investigation.

6.7 Each report of child sexual abuse will be directed immediately to the Victim Assistance Coordinator, who upon gathering the necessary information as indicated on the report form, will convene the Charter Review Board and notify appropriate civil authorities when required by law. The Bishop may appoint a competent investigator(s) to conduct an internal investigation consisting of: interviews, gathering of further information, and submission of a report to the Charter Review Board.

7. VICTIM ASSISTANCE COORDINATOR

6.1 The Bishop of Alexandria will appoint a Victim Assistance Coordinator to aid in the immediate pastoral care of persons who claim to have been sexually abused as a minor by clergy or other church personnel, whether the abuse was recent or occurred many years in the past.

6.2 When accusations are made of sexual misconduct with a minor involving any personnel of the Diocese, the Victim Assistance Coordinator will promptly contact the family of the alleged victim, if applicable, and let them know of the Church's sincere pastoral concern. The Victim Assistance Coordinator will make every effort to reach out to the victims and their families as appropriate, and demonstrate a sincere commitment to their spiritual and emotional well-being.

6.3 The Victim Assistance Coordinator should inform those involved that steps are being taken to investigate the report, and should also reassure them that they are not being asked to give up legal rights against anyone – the accused or the Church. The Diocese, in fact, encourages victims to file a civil report. The family should be informed that the Diocese will make a sincere effort to uncover the truth and to deal appropriately with the accused.

6.4 The Victim Assistance Coordinator, where appropriate, should offer the child and the family psychological counseling, at Diocesan expense. This may occur at a Catholic or non-Catholic facility, to be determined by mutual agreement of both parties. Additionally, the child and the family will be offered spiritual counseling. The Victim Assistance Coordinator will advise the Bishop or his designee in writing of the family's response to the Diocese's actions and offer of counseling.

8. CHARTER REVIEW BOARD

8.1 The Charter Review Board will be appointed by the Bishop and will be composed of at least five persons of outstanding integrity and good judgment, and in full communion with the Church. Members of the Charter Review Board will be selected from a wide variety of relevant skills and backgrounds. The skills and experience may include psychology, social work, children's rights, law enforcement, Canon law, civil law, personnel administration, and pastoral care. The majority of Charter Review Board members will be laypersons who are not in the employ of the Diocese. Board members will include, but not be limited to:

- (a) a priest who is an experienced and respected pastor of the Diocese of Alexandria;
- (b) a woman religious or lay woman who has professional training or experience as a counselor;
- (c) a Catholic psychologist or other professional experienced in child abuse matters.

8.2 The Charter Review Board will function as a confidential consultative body to the Bishop of Alexandria in discharging his responsibilities regarding these matters. The functions of this Board may include:

- (a) advising the Bishop in his assessment of allegations of sexual abuse of minors and in his determination of the accused's suitability for service in the Church;
- (b) reviewing Diocesan policies for dealing with sexual abuse of minors.

8.3 Each member of the Charter Review Board will be appointed for a term of five years, which may be renewed. The Bishop will designate a member to chair the Review Board.

9. BOARD RECOMMENDATIONS

9.1 The Charter Review Board will seek to respect the anonymity of those involved in the allegation. Unless well-known, anonymous reference will be made to the accused person regarding his/her personal history. Likewise, the anonymity of the alleged victim, and the person who initially submitted the report will be protected in the Board's proceedings.

9.2 The Board will seek a complete and thorough recapitulation of the facts including:

- (a) possibility of interviews with person making allegation and interviews with the person being accused;
- (b) circumstances that led the person to make the report, especially if the alleged incident is not recent;
- (c) counseling or treatment the victim has received in connection to the alleged incident;
- (d) copies of all written statements submitted;
- (e) a description of all efforts to locate and contact any other persons with relevant knowledge of the incident;
- (f) any recommendations and conclusions the investigator(s) wishes to offer regarding the inquiry process, the weight of the allegations, and the credibility of those submitting information.

9.3 Upon deliberation, the Board's written recommendation to the Bishop may include:

(a) due to the lack of sufficient evidence, the matter should be closed without adverse action regarding the accused, or

(b) the allegation lacks sufficient evidence, but the accused should be exhorted. This would constitute an unsubstantiated complaint.

(c) allegations are admitted by the accused or established after a canonical process, the clergy member should be removed from ministry in accord with canon law, or if other diocesan personnel, their services to the Church should be terminated.

9.4 The Board may also recommend to the Bishop appropriate actions which may be taken for the benefit of the alleged victim.

10. PRELIMINARY INVESTIGATION

10.1 “When an allegation of sexual abuse of a minor by a priest or deacon is received, a preliminary investigation in accordance with canon law will be initiated and conducted promptly and objectively (*Code of Canon Law*, can. 1717). During the investigation the accused enjoys the presumption of innocence, and all appropriate steps shall be taken to protect his reputation. The accused will be encouraged to retain the assistance of civil and canonical counsel and will be promptly notified of the results of the investigation.” (*Charter for the Protection of Children and Young People*, USCCB, June 2011 revision; *Essential Norms* n. 6).

10.2 “When there is sufficient evidence that sexual abuse of a minor has occurred, the Dicastery of the Doctrine of the Faith shall be notified.” (*Idem*).

10.3 If after being presented with results of the preliminary investigation the cleric does not freely admit guilt, then “in every case involving canonical penalties, the processes provided for in canon law must be observed, and the various provisions of canon law must be observed (cf. *Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995; *Letter from the Congregation for the Doctrine of the Faith*, May 18, 2001, *Charter for the Protection of Children and Young People*, USCCB, June 2011 revision; *Essential Norms* n. 8a).

10.4 At this point, “the Bishop shall then apply the precautionary measures mentioned in the Code of Canon Law, can. 1722 - i.e., withdraw the accused from exercising the sacred ministry or any ecclesiastical office or function, impose or prohibit residence in a given place or territory, and prohibit public participation in the Most Holy Eucharist pending the outcome of the process.” (*Idem*).

11. DETERMINATION BY THE BISHOP

11.1 The Bishop of Alexandria and his advisors will review the written reports, investigation results, Review Board recommendations, and the outcome of the appropriate process in accord with canon law. The Bishop will then make a determination. If guilt is proven, the Bishop will notify the accused and remove him permanently from the ecclesial ministry, not excluding dismissal from the clerical state, if the case so warrants.

11.2 Customarily, the Bishop or his designee will notify the person who submitted the complaint about the results of the investigation and any personnel action taken as a result of the investigation.

11.3 If an accusation is not proven, every step possible will be taken to restore the good name of the person falsely accused.

12. CONFIDENTIALITY

12.1 To protect the reputation and good name of both accused and children, those who know of an incident or case of child sexual abuse should disclose information only to those authorized to receive such under Louisiana law or under these Guidelines and the Diocesan protocol.

Section II. Policy for Diocesan Institutions

1. Requirements for Diocesan Institutions

1.1 Principle

It is the obligation of every Diocesan institution to ensure that all personnel whose duties include contact with minors have complied with the Safe Environment requirements. It is, likewise, the responsibility of all personnel, whose duties in Diocesan institutions include contact with minors, to comply fully with the Safe Environment requirements.

1.2 Definitions

"Diocesan institution" shall mean all parishes and other canonical juridical persons whose competent ecclesiastical superior is the Bishop of Alexandria; all other civil corporations including parish corporations having the Bishop of Alexandria as their presiding officer; and all programs, agencies and organizations sponsored by these canonical or civil entities.

"Personnel" shall mean all persons, (clergy, religious and laity) who are employed by, under personal contract of employment with, or volunteer in any Diocesan institution.

"Safe Environment requirements" shall mean the Personnel Screening Process (see Sections 4 and 5 of these Policies); acknowledgement of receipt of the Diocesan Policy Relating to Sexual Misconduct, and the appropriate Code of Conduct (see Section 6 of these Policies); and completion of the Safe Environment Training (see Section 7 of these Policies).

1.3 Safe Environment Requirements to be incorporated in all policies and practices

All Diocesan institutions whose work involves contact with minors shall incorporate the Safe Environment Requirements into their personnel policies and practices for employees and volunteers.

2. Personnel Covered by the Safe Environment Requirements

2.1 Principle

The Diocese of Alexandria is fully committed to implementing the Bishops' Charter for the Protection of Minors and Young Persons. To do so effectively, it is necessary to determine which of our personnel have duties that include contact with minors. In most cases, this determination is very easy, but in others, it will be necessary to examine the person's job requirements and the degree to which they actually come in contact with children.

2.2 Personnel whose duties include contact with minors

All personnel in every Diocesan institution whose duties include contact with minors must comply with the Safe Environment Requirements.

Certain job descriptions should always be deemed to have duties that include contact with minors: school administrators and administrative staff, teachers, teacher aides, substitute teachers, school or classroom volunteers, guidance counselors, school custodians, catechists, catechist aides, youth ministers, athletic coaches and volunteers, youth choir directors, school maintenance staff, and trainers of altar servers.

Any person who is involved in any overnight activity with a child in any Diocesan institution or program, even if only on one occasion, shall be deemed to have duties that include contact with minors. This includes parents who will be involved in the overnight activity with their own children, if the activity also involves any other children whose parents will not be present.

This requirement should be interpreted broadly. If there is any doubt about whether a person has duties that include contact with minors, the question should be resolved in favor of requiring them to comply with the Safe Environment requirements.

2.3 Personnel who do not have duties that include contact with minors

Personnel whose only contact with minors is in the course of the sacred liturgy, should not, in the absence of other factors, be deemed to have duties that include contact with minors, such as: lectors, Eucharistic ministers, ushers, music ministers and leaders of song.

2.4 Factors to consider in determining if a person's duties include contact with minors

To determine whether a person's duties include contact with minors, the following factors should be considered. If the answer to one of these questions is "yes", then the person should be considered to have duties that include contact with minors.

- a. Does the person's job require them to work directly with minors (as opposed to positions that involve contact that is only 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 involve 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 about whether a person has duties that include contact with minors, the question should be resolved in favor of requiring them to comply with the Safe Environment requirements.

2.5 Personnel who have duties that include contact with minors, but are under 18

Personnel who are under the age of 18 themselves work in positions with duties that include contact with minors only if they are under the direct supervision of an adult who is in full compliance with the Safe Environment Requirements and who is actually present with them at the time and place of their service.

2.6 Personnel in Diocesan institutions who are employed by non-Diocesan agencies

Personnel who are in contact with minors in Diocesan programs, but are employed by an outside agency (such as a cleaning contractor) or a public agency (such as a local school district), must comply with the Safe Environment requirements, as follows:

- a. Employees of local school districts (e.g., remedial education teachers) – If they present current proof that they have passed a background check and had training in child abuse from their school district, they should be given written copies of the Diocesan Code of Conduct and our reporting requirements. These people should not be listed on the school's roster, but the school should keep records that they were provided with the information.

2.7 Personnel in programs that use Diocesan facilities

Personnel who work with minors in programs or activities that are not sponsored or conducted by a Diocesan institution, but that use or rent facilities of a Diocesan institution, are not required to comply with the Safe Environment requirements. For example, volunteers and leaders of community sports programs that merely hold games at a parish's gym are covered by the child protection requirements of those programs, and are not required to complete the Diocesan Safe Environment Requirements.

2.8 Boy Scouts

In the case of volunteers with Boy Scout and Cub Scout troops that are sponsored by a Diocesan institution, the Safe Environment Requirements shall be satisfied if they have:

- a. Taken the Boy Scout Youth Protection Training Course;
- b. Are up to date with their Boy Scout Youth Protection certification; and

c. Have had a background check (including criminal record and state sexual offender registry checks) within the previous three years.

Troop leaders shall be responsible for ensuring the compliance of their volunteers. They shall keep appropriate records regarding all their volunteers, and shall report on their compliance to the Safe Environment Office.

2.9. School Maintenance and Custodial Staff

All maintenance staff who are working in schools, even if they only work at times when they do not come into contact with children, must comply with the Safe Environment Requirements.

3. The Safe Environment Requirements

3.1 Principle

At the heart of the Bishops' Charter is the need to create a safe environment for children. This environment will be founded on the principles of virtue and vigilance. The virtues of the Christian life, particularly purity and chastity, must be fostered in our institutions and programs, and in the hearts of all our personnel. We must also be prudent in screening and overseeing all our personnel and programs. By living these virtues, our children will be safe in our institutions.

3.2 Safe Environment Requirements for all new applicants

All new applicants for positions with a Diocesan institution, whether paid or volunteer, whose position or duties will include contact with minors, must fully comply with the following Safe Environment requirements:

- a. Complete the Personnel Screening Process (i.e., complete the Safe Environment Questionnaire, submit to a background check, and acknowledge receipt of the Diocesan Policy Relating to Sexual Misconduct, and the appropriate Code of Conduct); and
- b. Complete the Safe Environment Training appropriate to their position.

The Personnel Screening Process (including submitting to a background check) must be completed by all personnel before commencing their duties; the appropriate training must be completed within 45 days of commencing their duties. If a program is scheduled to last for less than 45 days (e.g., vacation bible schools, summer camps, etc.), all new personnel must complete the Safe Environment requirements before the program begins.

If any new personnel of the Diocese fail to satisfy the Safe Environment requirements by the appropriate date, they may not hold a position with duties that include contact with minors in any program or activity of the Diocese or any of its parishes or institutions until they complete the Safe Environment requirements.

3.3 New applicants who currently work at another Diocesan program or institution

In many cases, people who work for one Diocesan program also work for another as well. In fulfilling the Safe Environment Requirements, the key question is whether the two programs or agencies are part of the same institution. For example, the school, religious education program, and various other activities of a particular parish should be considered part of the same institution. If new applicants currently work in some capacity at the same institution, and they are already fully in compliance with the Safe Environment Requirements, they only need to complete the training program appropriate to their new position. If new applicants currently work with a different Diocesan institution, they must:

- a. Complete a new Safe Environment Questionnaire and submit to a new background check before beginning work; and

b. Complete the training program appropriate to their new position within 45 days of commencing their new duties.

This rule shall not apply to all those whose continuous employment with a Diocesan institution is interrupted by a leave of absence (e.g., maternity leave, Family Medical Leave Act leave) or a sabbatical. These persons shall not have to renew their background check upon their return to employment.

3.4 Personnel who are under the age of 18 and whose duties include contact with minors

Personnel who are between the ages of 14 and 17 themselves may only hold a position whose duties include contact with minors 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.

4. The Personnel Screening Process

4.1 Principle

One of the fundamental tools in creating a safe environment is the screening of all those whose duties include contact with minors. The goal of this process is to exclude people whose background or moral character makes them an unreasonable risk for contact with minors.

4.2 Requirement for all personnel

All new personnel of the Diocese whose position or duties include contact with minors must complete the Personnel Screening Process.

The Personnel Screening Process consists of the following components:

- a. Completion of a Safe Environment Questionnaire, including providing personal references;
- b. Acknowledgment of receipt of the Diocesan Policy Relating to Sexual Misconduct and the Code of Conduct; and
- c. Completing a background check with clear results.

These requirements must be completed by all personnel before commencing their duties. No one may hold a position whose duties include contact with minors without a background check.

4.3 The duties of the Safe Environment Office

The Safe Environment Office shall ensure that all personnel whose duties include contact with minors have completed the Personnel Screening Process.

The Safe Environment Office, or a person designated by him/her, should thoroughly review the Safe Environment Questionnaire of all new personnel, and check the personal references provided by applicants for positions whose duties include contact with minors. The Safe Environment Office shall retain the completed Safe Environment Questionnaires of all personnel in their files.

4.4 The Safe Environment Questionnaire

All applicants for positions in Diocesan programs, whose duties include contact with minors, must complete a Safe Environment Questionnaire. This requirement applies to both prospective employees and volunteers. The Safe Environment Questionnaire shall include a request for the following information:

- a. Personal Information (e.g., name, address);
- b. Current Employment;
- c. Prior positions involving work with minors;

- d. Names of persons who can be contacted as references;
- e. Whether the person has ever been accused, investigated, or disciplined for sexual abuse or misconduct.

Applicants must sign the Safe Environment Questionnaire, certifying that their answers are accurate and truthful, and acknowledging that they received the Summary of the Policy on Sexual Misconduct and the Code of Conduct and will comply with them. Applicants will also certify that they understand their responsibility to comply with the Safe Environment Requirements by the appropriate deadline.

Failure to complete a Safe Environment Questionnaire, or any false statement made on the Questionnaire, shall constitute grounds for termination of employment or volunteer service, and being barred from any contact with minors in any program or activity of the Diocese.

The basic background information called for on the Safe Environment Questionnaire may be a duplicate of the information called for in an application for employment or for volunteer service that is already being used by a program. If that is the case, the program should use only the second page of the Safe Environment Questionnaire, which calls for information about prior allegations of misconduct, and the certification regarding the Sexual Misconduct Policy and the Code of Conduct.

4.5 Additional Information

Additional information, including information available through sources in the public record, may also be considered in evaluating the suitability of a candidate for employment or volunteer service.

4.6 Standard for Screening

One of the most important components of an effective child protection policy, particularly in a religious organization, is the personal moral character and virtue of those who are permitted to work with youths. Due to the religious nature of all Diocesan institutions, the Diocese shall evaluate the suitability of persons applying for employment or volunteer service, and those who have already entered into such service, based on the moral teachings of the Catholic Church. The Diocese reserves the right to make decisions about employment or volunteer service that will promote the religious principles of the Catholic Church.

5. Background Checks

5.1 Principle

Conducting background checks is an indispensable tool for creating a safe environment. These checks can identify those whose background poses a substantial risk to minors. They can also ensure that the identity of all personnel of the Diocese has been fully verified. Background checks and their results must be handled with the highest degree of discretion, in order to protect the privacy of all personnel, and to ensure that negative information is not improperly revealed. At the same time, any information that suggests a risk to minors must be treated very seriously.

5.2 Background checks required for all personnel

All personnel of the Diocese whose duties include contact with minors must submit to a background check, administered by the Safe Environment Office.

Failure to submit authorization for a background check, refusal to supply a valid Social Security number, and any false statement made on the authorization form, shall constitute grounds for termination of employment and being barred from any contact with minors in any program or activity of the Diocese.

5.3 Background check authorization forms

To conduct these background checks, all personnel must grant authorization, on a form prescribed by the Safe Environment Office. We cannot process a background check authorization form that is more than 90 days old. All personnel must supply the following information:

- a. Name, including all other names used;
- b. Social Security number;
- c. Date of Birth;
- d. Current and former addresses.

5.4 Background checks for those without a valid Social Security number

For people who do not have a valid Social Security number, the following procedures shall be followed:

- a. The person's direct supervisor shall have them complete the background check authorization form, leaving the line for Social Security number blank.
- b. The supervisor shall verify their identity with some form of photo identification (e.g., a driver's license, a passport, an employer-issued ID card, etc.).

c. The supervisor shall either:

- i. make a copy of the identification document and send it to the Safe Environment Office, along with the completed the background check authorization form; or
- ii. sign and make a notation on the authorization form that the person's identity has been verified.

This procedure shall only be available to those who, for justifiable reasons, does not have a valid Social Security number. A person who has such a number, but refuses to submit it, may not have any contact with minors in any Diocesan program.

A person's immigration status shall not be the basis for any adverse action by the Safe Environment Office.

5.5 Background checks for minors

In the case of persons under the age of 18, parental consent must be obtained prior to submitting a background check.

5.6 How the background checks will be conducted

The Safe Environment Office shall submit background checks to an appropriate agency or contractor. These checks shall seek the following information:

- a. Verification of identity;
- b. Existence of a criminal record;
- c. Listing on a sex offender registry.

Financial information will not be sought by the Safe Environment Office or any other Diocesan agency, without first obtaining specific consent.

5.7 Renewing background checks

The Diocese will periodically conduct a new background check for personnel after the passage of time (e.g., seven years) from the person's last check, or if information is received regarding a background check unless the two programs or agencies are part of the same institution (e.g., a parochial school, religious education program, and various other activities of a particular parish should be considered part of the same institution).

5.9 Negative results that relate to immigration status

Information regarding a person's immigration status shall not be the basis for any adverse action in relation to the Safe Environment Program.

5.10 Negative results that relate solely to a person's identity

If the negative report merely relates to a minor disparity regarding the person's name or address, the Safe Environment Office will take no further action. If the negative report suggests that the person may have supplied a false name or Social Security Number, the Coordinator of the Safe Environment Office will notify in writing the person in question. The person shall be asked to submit a form of identification that has been validly issued by a government agency (e.g., a valid driver license, passport, etc.). If adequate verification is obtained, no further action will be taken.

If adequate verification is not obtained, the Safe Environment office shall take immediate and appropriate action to prevent any risk to minors. This action may include restrictions on the person's contact with minors or being barred from any contact with minors in any program or activity of the Diocese. Any action taken by a Diocesan institution in regard to a negative report shall be reported to the Safe Environment Office, which shall maintain such information in its files.

5.11 How negative reports regarding a criminal record involving sexual misconduct or sex offender status will be handled

If the background check reveals information that falls under the Bishops' Charter (i.e., it involves the sexual abuse of minors or young people, or is listed in a sex offender registry), the Victim Assistance Coordinator and notify in writing:

- a. The Bishop;
- b. The Victim Assistance Coordinator of the Diocesan institution in which the person works; and
- c. The person about whom the information was received, to give them an opportunity to provide relevant information about the report.

The head of the Diocesan institution at which the person works shall immediately bar the person from any contact with minors in any Diocesan institution. Further action may include termination of employment or of volunteer service with any Diocesan program.

5.12 How negative reports regarding any other kind of criminal record will be handled

If the background check reveals negative information that does not fall under the Bishops' Charter (i.e., it does not involve the sexual abuse of minors or young people), the Coordinator of the Safe Environment Office shall evaluate the information to determine if it may represent a risk to minors. In making this determination, the following factors shall be considered:

- a. The duties and responsibilities held by the person;
- b. The bearing of the offense on their fitness to perform those duties;
- c. The length of time since the commission of the offense;

- d. The age at which the person committed the offense;
- e. The seriousness of the offense;
- f. Any information provided by the person or on their behalf.

If there is a determination that there may be a risk to minors, the Safe Environment Coordinator shall immediately notify in writing:

- a. The Bishop;
- b. The person about whom the information was received, to give them an opportunity to provide relevant information about the report.

The head of the Diocesan institution at which the person works shall take immediate and appropriate action to prevent any risk to minors. This action may include restrictions on the person's contact with minors, being barred from any contact with minors in any program or activity of the Diocese, and discharging the person from employment or volunteer service.

5.13 Record-keeping

The Coordinator of the Safe Environment Office shall maintain secure files for the background check authorization forms and any action taken with regard to any negative report. Any action taken by a Diocesan institution in regard to a negative report shall be reported to the Safe Environment Office, which shall maintain such information in its files.

6. Diocesan Policy on Sexual Misconduct and the Code of Conduct

6.1 Principle

Sexual misconduct of any kind is gravely contrary to the will of God. In keeping with this bedrock belief, the Diocese has adopted a Policy Relating to Sexual Misconduct and Code of Conduct. These policies are intended to establish guidelines in an effort to prevent sexual misconduct by personnel of the Diocese. They are also intended to provide guidance to the personnel of the Diocese on how to respond to allegations of sexual misconduct if any do occur.

6.2 Distribution of the Policy and Code to all personnel

All personnel of the Diocese, and all applicants for positions with Diocesan institutions, shall be given either a Summary or a full copy of the Diocesan Policy on Sexual Misconduct and the appropriate Code of Conduct.

6.3 Certification of receipt of the Policy and Code

All personnel of the Diocese, and all applicants for positions with Diocesan institutions shall certify that they have received and understand the provisions of the Diocesan Policy on Sexual Misconduct and the Code of Conduct. For all applicants for positions with Diocesan institutions, this certification shall be made on the Safe Environment Questionnaire.

6.4 How the Policy and the Code should be enforced

All Diocesan personnel should be attentive to any violations of the Policy or the Code in their program. Any violation should be brought to the attention of their supervisor immediately. Personnel may also report violations to the Safe Environment Office or the Victim Assistance Coordinator of Diocesan programs are responsible for ensuring that the Policy and the Code are observed by all personnel. Supervisors must immediately address any violation as soon as it comes to their attention, and take appropriate corrective and disciplinary action. Any violation of the Policy or the Code that represents a risk to minors, or violations that are repeated after having been corrected, shall be the basis for termination of a person's employment or volunteer service.

7. Safe Environment Training for Staff

7.1 Principle

The Diocese of Alexandria is fully committed to preventing the sexual exploitation of minors, and to identifying any instance in which it does occur. To this end, all personnel whose duties include contact with minors must receive specific training in identifying and responding to potential incidents of sexual misconduct. Although education alone cannot prevent or change inappropriate sexual behavior, it is essential to help each person to grow and mature in Christian sexuality, and to reduce risks to minors.

7.2 General requirements

The Safe Environment training requirement has two components:

a. Initial training, and b. Continuing education. The Safe Environment Office shall ensure that all personnel whose duties include contact with minors have completed the appropriate Safe Environment training. The initial training program required of Diocesan personnel will depend on the nature of their position.

7.3 Initial training for clergy and members of religious communities

All clergy must attend a VIRTUS "Protecting God's Children" class. This requirement shall apply to all priests, deacons, and candidates for ordination.

7.4 Initial training for professional employees

Professional and supervisory personnel must attend a VIRTUS "Protecting God's Children" class. (To register go to: VirtusOnline.org and choose "Alexandria, LA – Child Protection (Diocese)" as the organization. "Professional and supervisory personnel" shall 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.

7.5 Initial training for other employees and volunteers

Other employees and volunteers must attend either a VIRTUS "Protecting God's Children" class. "Other employees" shall mean all employees other than those designated as "professional and supervisory", such as include business, clerical or custodial staff.

7.6 Who may facilitate a training class

VIRTUS "Protecting God's Children" classes may only be conducted by a facilitator certified by the Safe Environment Office and VIRTUS.

7.7 Continuing Education

All personnel whose duties include contact with minors will be provided with continuing education materials by the Safe Environment Office.

8. Safe Environment Training for Children and Parents

8.1 Principle

The Bishops' Charter mandates that all dioceses provide education to children, youth and parents about sexual abuse and its prevention. The best way to deliver this kind of education for minors is to provide information and resources to their parents, who are their primary educators. In addition, to reinforce these lessons, the information should be integrated it into the religion curriculum in both the schools and religious education programs.

8.2 Education for children

The Office of Safe Environment of the Diocese makes available a curriculum for the children in our parishes and schools, which provides age appropriate instruction in child sexual abuse. The lessons in this curriculum shall be given annually to all children in all grades of all parish and Diocesan elementary and high schools, and parish religious education programs. This program has been made available to all other Catholic schools in the Diocese, which must provide annual sexual abuse education to all their students.

8.3 Education for parents

In conjunction with the curriculum for children the Office of Safe Environment has developed resource materials for parents and guardians. These materials shall be provided to the parent or guardian of all children in all grades of all parish and Diocesan elementary and high schools, and parish religious education programs. This program has been made available to all other Catholic schools in the Diocese, which must provide annual sexual abuse education to the parents or guardians of all their students.

8.4 Record keeping

Each Catholic school and religious education program in the Diocese shall keep records of the numbers of children and parents/guardians who have received this instruction, and shall send this information to the Office of Safe Environment periodically.

8.5 Parental Choice

If parents choose not to have their child participate in the safe environment training, the parents are to be offered safe environment training materials, and will be asked to sign a form acknowledging that the materials were made available to them. These materials and forms will be available from the Office of Safe Environment. If the parents decline to sign such a form, a notation of this should be made in a record maintained by the school or religious education program.

9. Reports of Alleged Sexual Abuse or Misconduct

9.1 Principle

All reports of alleged sexual abuse or misconduct by Diocesan personnel shall be handled in accordance with the appropriate provisions of civil and canon law, the Bishops' Charter for the Protection of Minors and Young Persons, and the Diocesan Policy Relating to Sexual Misconduct. Each reported incident will be handled with a high level of Christian care, concern and confidentiality for the alleged victim, the family of the alleged victim, the person reporting the incident, and the alleged perpetrator.

9.2 Reports by Diocesan personnel

If Diocesan personnel receive a report of alleged sexual abuse of a minor by any Diocesan personnel, they shall:

- a. Advise the person (or their parent or guardian) to immediately report the incident to the appropriate District Attorney's Office; and
- b. Notify the Victim Assistance Coordinator or the Safe Environment Office immediately. If the report is received from an alleged victim or family member, they shall also refer the person directly to the Diocesan Victim Assistance Coordinator.

If Diocesan personnel receive a report of a violation of the Code of Conduct or any other alleged sexual misconduct by any Diocesan personnel, they shall:

- a. Immediately notify their supervisor;
- b. Make sure that their supervisor has notified the Victim Assistance Coordinator or the Safe Environment Office;
- c. If they cannot confirm that the supervisor has notified the Diocese, do so immediately; and
- d. If the report is received from an alleged victim or family member, he shall also refer the person directly to the Diocesan Victim Assistance Coordinator.

If Diocesan personnel receive a report of alleged child abuse that occurred outside of a Diocesan program, they shall:

- a. Advise the person to immediately report the incident to the Louisiana State Child Abuse Hotline and to the appropriate police agency; and
- b. If they cannot confirm that the supervisor has called the Hotline, do so immediately.
- c. It would also be advisable for the person or their supervisor to notify the Safe Environment Office or the Victim Assistance Coordinator.

9.3 How reports are to be handled by the Safe Environment Office

If the Safe Environment Office receives a report of alleged sexual abuse of a minor, or any other alleged sexual misconduct by any Diocesan personnel, the Coordinator shall immediately notify the Victim Assistance Coordinator. If this report comes from an alleged victim or their family, the Coordinator of the Safe Environment Office shall also immediately refer the person to the Diocesan Victim Assistance Coordinator.

9.4 Record-keeping

The Coordinator of the Safe Environment Office shall keep a written of the substance of any such report made to the Office, the action taken, and any other relevant information.

9.5 Incidents involving vulnerable persons

For the purposes of these Safe Environment Policies, and in particular the handling and reporting of incidents of sexual misconduct, a person who habitually lacks the use of reason, regardless of their age, is to be considered equivalent to a minor.

10. Shared Facilities

10.1 Principle

Concerns arise when Diocesan facilities (e.g., schools and religious education buildings) are being shared with a non-Diocesan program (e.g., an adult education class). In this case, great care must be taken to ensure that the children are protected from any contact with members of the general public.

10.2 General Policy

Diocesan facilities in which programs with children and young persons are being held are not public places. The only people who are permitted to be in these areas are those who are directly involved in the program, or who are otherwise authorized to be present (e.g., parents, maintenance workers, etc).

Members of the general public are never permitted to have unsupervised access to any facility or area in which children are taking part in any Diocesan program.

In many cases, this is ensured by strictly limiting access to the facility. For example, school buildings should have locked doors, with access overseen by staff members who screen visitors to ensure that entrance is granted only to those who are properly on the premises and who will be supervised by staff members.

A high degree of vigilance is required when the facility is being shared with other activities to which the public has access (e.g., a school building that also hosts an adult education program). If possible, there should be clear physical boundaries that restrict any access by the public to the areas used by the children. For example, there should be separate entrances, separate bathrooms, locked doors between floors, etc.

If complete physical separation is not possible, access must be limited by human measures that are very rigorously enforced. For instance, hall monitors must be placed at access points to ensure that the children do not come into contact with the other persons on the premises, and areas used by children as entrances and exits should be supervised by staff members to ensure that children are not interfered with.

11. Day Trips

11.1 Minor participants

- a. All minors on trips must have a signed permission slip from a parent. (Note that the term "parent" as used in this policy shall include a legal guardian.)
- b. Parents must be permitted to contact their children at any time during the trip, and to withdraw their children from the trip at any time and for any reason.
- c. Parents are entitled to be fully informed of all activities that will take place during the trip.

11.2 Adult participants and chaperones

- d. The minimum ratio for chaperones to minors is as follows:
 - i. Pre-school – 1 adult per 4 minors
 - ii. Grades K through 5 – 1 adult per 6 minors
 - iii. Grade 6 and above – 1 adult per 8 minors
- e. At least one chaperone must be over 21 years of age. It is encouraged that all other chaperones be at least three years older than the participants.
- f. All chaperones must be in full compliance with the Safe Environment requirements prior to the trip. However, parents who are not in full compliance may accompany their own child, provided that they are under the direct supervision of Diocesan personnel who are in full compliance with the Safe Environment requirements.
- g. All priests and deacons participating in trips must have current valid faculties from the Diocese of Alexandria.

11.3 Conduct during tips

- h. All participants must conform to the Diocesan Code of Conduct and the Safe Environment Policies. This includes, but is not limited to, the following prohibited conduct:
 - i. Any kind of sexual conduct involving a minor.
 - ii. Using sexual language in the presence of minors.
 - iii. Engaging in any inappropriate physical contact with a minor, as defined by Section 13.4 of this Policy.
 - iv. Using alcohol or illegal drugs.
- i. It is absolutely forbidden to require minors to keep secrets from their parents or to make a vow of secrecy about what happens during the trip. However, it is permissible to instruct

minors to respect the privacy of others by not revealing personal or private information about them.

j. It is absolutely forbidden under any circumstances during a trip for minors to be physically restrained or deprived of their ordinary senses in any way (e.g., blindfolded, kept in darkness), subjected to any humiliating or demeaning treatment (e.g., any form of hazing), or deliberately frightened.

k. A youth may never ride in a vehicle alone with an adult, except for their parent or guardian. In transporting minors, two adults should be present in each vehicle; if that is not possible, the minimum required is one adult and two or more minors.

l. One-on-one private contact between adults and minors is not permitted. If a personal meeting is required with a minor, it must be conducted in view of other adults and minors.

m. An adult may not engage in any private direct electronic communication with an unrelated minor (e.g., text messaging, phone calls), unless it is necessary for safety (e.g. to contact a lost child).

n. A lone adult may never enter a shower, changing room, or bathroom being used by a minor, except in the case of an emergency to ensure safety or health, or to preserve order.

o. Adult leaders must ensure that they are fully familiar with the safety plan for the facility (e.g., fire exits, boundaries, etc.), and must give the event participants a briefing on safety plans.

p. Minors are not permitted to transmit, via any form of electronic communication, any photographs or images of other participants in any situation that reasonably might cause embarrassment, humiliation, or distress to the person depicted.

q. Minors are not permitted to leave the location where the event is taking place, except as part of a group that is under the direct supervision of at least one adult.

r. There must be separate bathrooms, changing rooms, and showers for males and females. Minors may only use the appropriate facility that conforms to their biological sex.

12. Electronic Communications, Internet and Computer Use

12.1 General Principles

In using the internet, computers, and the various methods of electronic communication, adults who are working with minors in Diocesan institutions and programs must maintain appropriate behavior, and serve as examples of Christian conduct. They must also take care to avoid any situation or conduct that might be misinterpreted, or that might be the source of scandal for themselves or others.

12.2 Definitions

a. The term "electronic communication" shall include, but not be limited to, telephone, cell phone, email, text messaging, instant messaging, comments posted on blogs or websites, chat rooms, social networking sites, on-line gaming, file transfers, internet phone calls, internet video or audio conferencing.

b. The term "indecent material" shall include, but not be limited to, inappropriate sexually explicit or suggestive images or written material. The determination of whether material is indecent shall be in the discretion of the Safe Environment Office, based on the moral doctrines of the Church and civil law.

c. The term "webpage" shall include, but not be limited to, a website, a page on a social networking site, and a blog.

d. The term "minor" shall mean any person under the age of eighteen, who is not related to the adult, and with whom the adult is working or has previously worked in a Diocesan institution or program.

12.3 Proper Relationships and Electronic Communications

a. Because of the easy, informal, and at times anonymous nature of many forms of electronic communication, the proper relationship between adults and minors can easily become confused. Adults must make sure that their use of electronic communication maintains a proper professional relationship with minors, and does not create or give the appearance of an inappropriate relationship, or encourage inappropriate behavior.

b. In using electronic communications, proper and healthy boundaries between adults and minors must always be maintained:

1. Excessive familiarity or a purely social relationship between adults and minors are not appropriate. Adults must recognize that there is a difference between being "friendly" and being "friends" with children. Minors are not peers of an adult who works with them in a church program or institution.

2. It is always inappropriate for there to be a "special" relationship between an adult and a young person, or to give the appearance that a minor is a "favorite" of an adult.

3. Adults are never to take on a role of a "surrogate parent" or "confidant" to a minor with whom they are working.

12.4 Electronic Communications in General

a. Any adult who misuses any form of electronic communication or computer is subject to disciplinary action, including dismissal from employment or volunteer service.

b. Adults shall not transmit or display any indecent material to minors by any means of electronic communication.

c. There shall be no private direct electronic communication between an adult and a minor, except as provided below. The use of a private email account to communicate with a minor is never permitted. Text messaging a minor is never permitted, except as set forth in section (g), below.

d. Adults are permitted to have email communications with a minor through an official email account of a Diocesan institution, provided that: the account is subject to monitoring and oversight by a supervisor, only matters relating to the official Diocesan activity are communicated, and a proper professional relationship is maintained at all times.

e. If electronic communication is necessary for the orderly operation of an activity sponsored by or connected with a Diocesan institution or program (e.g., to notify participants of changes of schedule, weather cancellations, etc.), the adult moderator of that activity should contact a parent or guardian first, and subsequent communication should be from parent to parent, or from minor to minor (e.g., a telephone tree). If that is not feasible, the policy in section (g), below, should be followed.

f. An Diocesan institution, or an adult moderator of a Diocesan program, may send group emails to minors with whom they are working in a Diocesan institution or program (e.g., an email to all members of a club to notify them about scheduling matters or to remind them of events).

Only matters relating to the activity are to be communicated, and parents or guardians are to be sent a copy of such emails, if possible. An official email account of the Diocesan institution or program must be used for these communications, and never a personal account. In all such direct communication with minors, a proper professional relationship must be maintained at all times.

g. If an adult is serving as a chaperone on a trip sponsored by or connected with a Diocesan institution or program, the adult may have direct electronic communication with a minor to the extent that it is necessary for safety or maintaining order (e.g., a telephone call or text message to a minor who has become separated from the group).

Only matters relating to the activity are to be communicated, and such communications must be immediately terminated when the trip is concluded or such communications are no longer necessary. In all such communication with minors, a proper professional relationship must be maintained at all times.

h. An Diocesan institution or program may establish a system for sending emergency alerts to minors through text messages, emails or voice mails (e.g., a warning about a significant imminent threat to safety at a school). Only matters relating to the emergency are to be communicated, and parents or guardians are to be sent a copy of such alerts, if possible. This system shall only be used for emergencies, and not for routine communications.

i. If a minor initiates a private electronic communication with an adult, the adult shall advise the minor that, under the policies of the Diocese, private direct communications are not permitted between an adult and a minor, and then seek to establish contact with the minor's parent or guardian instead, or with the minor through an official email account of a Diocesan institution, as set forth in section (d), above.

j. If a minor initiates an electronic communication to report a violation of the Diocesan Policy Relating to Sexual Misconduct or the Code of Conduct, or any civil law relating to child abuse or neglect, the adult must immediately comply with Diocesan policies regarding the reporting of incidents (see Section 10 of these Policies).

k. Any questions about the application of these policies to particular circumstances should be directed to the the Safe Environment Office.

12.5 Internet and Computer Use

a. Adults who use any computer that is owned by or used in a Diocesan institution or program must consent to and abide by the proper usage policies of the institution.

b. Adults may not view or download from the Internet any indecent material on any computer that is owned by or used in a Diocesan institution or program. Adults may never give, transmit or display such material to minors by any means. Adults may never display or save such material in any way in which a minor may have access to it.

c. No image of a minor who is involved in a Diocesan institution or program may be posted on a webpage associated with that institution or program (e.g., an official school website), without the written permission of the Safe Environment Office and the minor's parent or guardian. Such images must be removed immediately if the minor's parent or guardian refuses or withdraws their consent.

d. No personal information about minors involved in a Diocesan institution or program may be posted on a webpage associated with that institution or program (e.g., listing of names and contact information of sports participants or altar servers on an official parish website).

e. Adults may not maintain links on their personal webpage to a minor's webpage.

f. No images of a minor may be posted on the personal webpage of an adult who is working or has worked with that minor in a Diocesan institution or program.

g. The policies set forth in Sections 12.4 (e) and (f) shall not apply if the adult is related to the minor.

h. Adults should not patrol the Internet for the minors with whom they work, monitor their behavior online, or seek out a young person's personal sites for details of his or her life. This policy shall not apply if the adult is the parent or guardian of the minor.

i. Adults may never post to any webpage any statements, pictures, or other materials that are false, derogatory, defamatory, degrading, malicious, disrespectful, or threatening to any minor.

j. Adults who maintain a personal webpage must be aware that any information displayed may be evaluated in light of the individual's position in the Church. The posting of any indecent material on such a site may lead to disciplinary action by the Diocesan institution or program in which the adult works.

12.6 Social Networking Sites

a. Diocesan institutions and programs may maintain social networking sites only under the following circumstances:

1. Access to the site is strictly restricted to those adults and minors who are actively involved in the program;

2. Access to the site is subject to the invitation and approval of the program's adult moderator;

3. Private direct communications ("chat" or private messages) may not take place between adults and minors;

4. To the fullest extent possible, adults must use the social networking site's privacy settings to block private direct communications;

5. The adult moderator of the program oversees the content of the site and ensures that no inappropriate or indecent material is posted; and

6. The adult moderator of the program ensures that no personal information or photographs of minors involved in the institution or program are posted without the written permission of the minor's parent or guardian.

b. Adults may not use personal social networking sites to have private direct communication with a minor with whom they are working or have previously worked in a Diocesan institution or program.

c. Adults with personal social networking sites may not have on their groups, friends lists or buddy lists any minor with whom they are working or have previously worked in a Diocesan institution or program.

d. Adults may not post on their personal social networking site any image of a minor with whom they are working or have previously worked in a Diocesan institution or program.

e. The policies set forth in Sections 12.5 (b), (c) and (d) shall not apply if the adult is related to the minor.

f. Adults should not patrol social networking sites for the minors with whom they work, monitor their behavior on those sites, or seek out a young person's personal site for details of his or her life. This policy shall not apply if the adult is the parent or guardian of the minor.

g. Adults may never post to a social networking site any statements, pictures, or other materials that are false, derogatory, defamatory, degrading, malicious, disrespectful, or threatening to a minor.

h. Adults using social networking sites for their personal use must be aware that any information displayed may be evaluated in light of the individual's position in the Church. The posting of any indecent material on such a site may lead to disciplinary action by the Diocesan institution or program in which the adult works.

13. Maintaining Proper Professional Boundaries

13.1 General Principles

All adults (whether volunteers or employees) must maintain clear and appropriate professional boundaries with the minors they serve. A proper professional relationship between adults and minors will always remain focused on the specific role in which the adult is serving the minor.

13.2 Responsibility of Adults Working with Minors

Adults bear the responsibility to ensure that:

- a. their relationship with minors is clearly professional in nature,
- b. proper boundaries are maintained at all times,
- c. minors are made aware of these boundaries,
- d. any minor who breaches these boundaries is counseled as to proper behavior, and
- e. breaches of boundaries are reported to a supervisor.

13.3 Guidelines for Maintaining Proper Professional Boundaries

The following are guidelines for proper professional boundaries in working with minors:

- a. Excessive familiarity or intimacy between adults and minors is not permitted.
- b. Adults should not relate to minors as if they were peers or friends.
- c. Adults should not take on a role of a "confidant" to a minor, beyond the proper context of a professional counseling relationship (e.g., school guidance counselors or pastoral counselors).
- d. Adults should not show undue interest in the private lives of minors (particularly in such areas as relationships, dating, or sexual activity), beyond the proper context of a professional counseling relationship (e.g., school guidance counselors or pastoral counselors).
- e. Adults should not share information about their own private lives with minors (particularly in such areas as relationships, dating, or sexual activity).
- f. Adults should not engage in private correspondence with minors.
- g. Adults must take special care to observe boundaries when they are dealing with minors who are especially vulnerable (e.g., children who have experienced abuse).
- h. Adults may not give undue attention or favorable treatment to a minor, such that there is the appearance that there is a "special" relationship with the adult, or that a minor is a "favorite" of the adult.

- i. Adults should not offer or accept excessive or inappropriate compliments, remarks or gestures that focus on physical appearance.
- j. Adults must always be with another adult or be in the proximity of another adult when working with minors in unsupervised settings.
- k. Adults may not engage in purely social relations with minors in non-school or private settings, except in special circumstances (e.g., graduation parties).
- l. Adults may not enter into a dating relationship with a person who is in a youth program that they minister to, even if that person is an adult (e.g., a youth minister dating a current member of the youth group).

13.4 Physical Contact with Minors

Physical contact between adults and minors must be approached with a high degree of caution. It should be rare, and under no circumstances can it be regular or routine behavior. Adults must use extreme caution to ensure that any kind of physical contact with a minor cannot be misconstrued by an observer or by the minor, and that they do not violate appropriate professional boundaries.

Physical contact with a minor is only permissible if:

- a. it is fully appropriate to the situation;
- b. it is appropriate to the age of the minor;
- c. it is entirely and unambiguously nonsexual;
- d. the minor consents to the contact and is fully comfortable with it;
- e. it cannot be misconstrued by the minor or others; and
- f. it does not constitute an abuse of the adult's position of power or trust.

The following are guidelines to determine whether physical contact with minors is appropriate:

- a. Physical contact with minors may never take place in private.
- b. Physical contact in the context of any kind of counseling may never take place.
- c. Physical contact with minors may never be routine behavior for an adult.
- d. Otherwise unacceptable behavior does not become acceptable if it is initiated by a minor. The adult has an obligation to counsel the minor as to proper behavior. The adult should also report any such incident to their supervisor.

e. Cultural customs, or the ordinary behavior of minors towards their peers, do not justify otherwise inappropriate physical contact with an adult.

Some examples of inappropriate physical contact with minors include:

- a. any contact with the areas of the body that are ordinarily covered by a bathing suit;
- b. kissing on the mouth or prolonged hugs;
- c. routine greeting/departure hugs or social kisses to the cheek;
- d. holding hands (other than briefly holding the hand of a young child in public for their safety, for example while crossing the street);
- e. placing and leaving one's arm around a minor's shoulder, back or waist for a prolonged period;
- f. patting a child on the backside (even during a sporting event);
- g. repeatedly touching on the arm, back or legs;
- h. touching on any part of the body in a way that may be construed as a caress;
- i. tickling or wrestling;
- j. placing and leaving hands on the shoulders of a child sitting at a desk;
- k. placing and leaving hands on the legs of a minor who is seated alongside;
- l. sitting with one's legs crossed with the legs of another.

Some examples physical contact with minors that may be appropriate under the circumstances might include:

- a. briefly shaking hands as a social greeting;
- b. very brief public social contact in connection with a special event or circumstance (e.g. such as a public greeting hug, an arm placed around the shoulder for a moment, or a short pat on the back, to congratulate a student at graduation);
- c. lightly and briefly tapping on the arm or shoulder to get their attention;
- d. a "high five" or "fist bump", for instance during a sporting event;
- e. an arm briefly placed around the shoulder of an upset or injured minor in public.

14. Sex Offenders and Church Property and Events

14.1 Definitions

"Sex offender" shall mean any person who has committed an act of sexual misconduct, regardless of whether they have been convicted of such an offense in a civil court, or whether they are a registered sex offender with any law enforcement agency.

"Sexual misconduct" is defined in the Diocesan Policy on Sexual Misconduct as "any actions or words of a sexual nature which are contrary to the moral doctrine, teachings and Canon law of the Catholic Church and

(a) are proscribed by Federal, State or local law; or

(b) cause harm to another." "Church property" shall include all real property owned, controlled or leased by a parish or school, including but not limited to buildings, parking lots, playgrounds, and sports fields.

14.2 Policies

a. Sex offenders shall be permanently excluded from any contact with minors in any parish or school program.

b. A sex offender may not participate in any official parish or school activities, and may not be an active member of any parish or school organizations.

c. A sex offender may only be present on Church property:

1. For Mass, Confession or another public liturgy.

2. For a private meeting with clergy (e.g., for Confession or counseling), but only by appointment and when there are no minors present on the Church property.

d. A parent or guardian of a minor in parish or school program who is a sex offender:

1. May be present on Church property to meet with a person who is working with their child (e.g., a teacher), but only by appointment and when there are no other minors present on the Church property.

2. May be present on Church property to transport their child to and from the parish or school, provided that they:

i. Give prior notice to the Safe Environment Office and receive written permission to enter onto Church property,

ii. Comply with all terms and conditions established by the Safe Environment Office (e.g., requiring that the sex offender be escorted by

another adult while they are on Church property or that they remain in a designated area),

- iii. Remain only in public areas where other adults are present,
- iv. Remain only as long as necessary to pick up or drop off their child,
- v. Have no contact or communication with any other minors, and
- vi. Transport no minor other than their own child.

3. May attend official parish or school events at which minors are present (e.g., graduation ceremonies, school plays, field trips or sports team "away" games), provided that they:

- i. Give prior notice to the Safe Environment Office and receive written permission to enter onto Church property,
- ii. Comply with all terms and conditions established by the Safe Environment Office (e.g., requiring that the sex offender be accompanied by another adult while they are on Church property),
- iii. Remain only in public areas where other adults are present, and
- iv. Have no contact or communication any minor other than their own child.

e. If a volunteer or employee who works with minors in a parish or school program has a sex offender living in their household, they:

- 1. Must notify the Safe Environment Office.
- 2. May not, under any circumstances, bring any materials or other information to their household regarding the minors with whom they work.
- 3. May not permit any contact of any kind between the sex offender and any minor with whom they work.

15. Overnight Events

15.1 Principle

Overnight events are generally discouraged, because of the difficulties involved in supervising and protecting minors in such situations. No overnight activity should take place without the approval of the Safe Environment Office. For any overnight events (e.g., trips or retreats) that are approved and are carried out by any Diocesan institutions or programs, or are held at Diocesan facilities, the following rules must be followed:

15.2 Minor participants

- a. Children who have not yet begun 9th grade may not participate in an overnight event.
- b. All minors on overnight events must have a signed permission slip from a parent. (Note that the term "parent" as used in this policy shall include a legal guardian.)
- c. Parents must be permitted to contact their children at any time during the event, and to withdraw their children from the event at any time and for any reason.
- d. Parents are entitled to be fully informed of all activities that will take place during the overnight event.

15.3 Adult participants

- a. A minimum of two adults, at least one of whom is 21 years of age or older, are required on all overnight events involving minors.
- b. All chaperones must be in full compliance with the Safe Environment requirements prior to the event.
- c. All priests and deacons participating in overnight events must have current valid faculties from the Diocese of Alexandria.

15.4 Conduct during overnight events

- a. All participants must conform to the Diocesan Code of Conduct and the Safe Environment Policies. This includes, but is not limited to, the following conduct:
 - i. Any kind of sexual conduct involving a minor.
 - ii. Using sexual language in the presence of minors.
 - iii. Engaging in any inappropriate physical contact with a minor, as defined by Section 13.4 of this Policy.
 - iv. Using alcohol or illegal drugs.

- b. It is absolutely forbidden to require minors to keep secrets from their parents or to make a vow of secrecy about what happens during the event. However, it is permissible to instruct minors to respect the privacy of others by not revealing personal or private information about them.
- c. It is absolutely forbidden under any circumstances during an overnight event for minors to be physically restrained or deprived of their ordinary senses in any way (e.g., blindfolded, kept in darkness), subjected to any humiliating or demeaning treatment (e.g., any form of hazing), deprived of a reasonable amount of sleep, or deliberately frightened.
- d. A youth may never ride in a vehicle alone with an adult, except for their parent or guardian. In transporting minors to and from an overnight event, two adults should be present in each vehicle; if that is not possible, the minimum required is one adult and two or more minors.
- e. One-on-one private contact between adults and minors is not permitted. If a personal meeting is required with a youth, it must be conducted in view of other adults and minors.
- f. An adult may not engage in any private direct electronic communication with an unrelated minor (e.g., text messaging, phone calls), unless it is necessary for safety (e.g. to contact a lost child).
- g. A lone adult may never enter a bedroom, shower, or bathroom being used by a minor, except in the case of an emergency to ensure safety or health, or to preserve order. Routine room checks may never be conducted by a lone adult.
- h. Adult leaders must ensure that they are fully familiar with the safety plan for the facility (e.g., fire exits, boundaries, etc.), and must give the event participants a briefing on safety plans.
- i. Minors are not permitted to transmit, via any form of electronic communication, any photographs or images of other participants in any stage of undress, or in any situation that reasonably might cause embarrassment, humiliation, or distress to the person depicted.
- j. Minors are not permitted to leave the location where the event is taking place, except as part of a group that is under the direct supervision of at least one adult leader.

15.5 Sleeping and Other Accommodations

- a. There must be separate bedrooms/sleeping areas, bathrooms, and showers for males and females. Minors must be assigned to the appropriate accommodation that conforms to their biological sex.
- b. Males and female participants may not sleep in connecting rooms.
- c. No minor is permitted to sleep in a bedroom with an adult, except in the case of a minor sleeping in the room of their own parent or guardian.

- d. In dormitory-style facilities, minors and adults, and males and females, must have separate areas.
- e. Dormitory areas must be overseen by at least two adults.
- f. Male and female adults may not share a private bedroom unless they are joined in a valid Catholic marriage, adult siblings, or a parent with an adult child.