Archdiocese of Omaha Safe Environment Policies

ONE CHURCH
ENCOUNTERING JESUS
EQUIPPING DISCIPLES
LIVING MERCY

Victim Outreach and Prevention/Safe Environment Office
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Archdiocesan Child Abuse/Neglect Reporting Packet and The USCCB Charter for the Protection of Children and Young People (Revised June 2018) follow the appendixes.

* Updated February 2022

The
Catholic Archdiocese of Omaha's
Safe Environment Policy

For the Protection of Children, Young People and Vulnerable Adults

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July 2020

Introduction

"The salvation of souls … is the supreme law in the Church." These words, found in the concluding canon of the 1983 *Code of Canon Law*, express with legal shorthand the mission and activity of the Church.

The claim of the gospel, stirring the faith community to life and action, prompts the creation of an environment of justice and strives to have the love of Christ flourish in the experience and witness of many lives. All members of the Church, especially her priests, deacons and designated ministers and representatives, are called to embrace this obligation and share in its privilege.

The Archdiocese embraces her children and young people through a vigilance, care and ministry that arises from a pastoral heart, for the sake of the kingdom and as a witness to her Lord for the world.

A safe environment promotes all to encounter Jesus by equipping disciples with the tools needed to protect those most vulnerable. The promise of the Church is to heal those injured by merciful outreach and care.

History of Archdiocesan Policy and Revisions

The Archdiocese of Omaha published its first policy for protection of children and young people on March 1, 1990. It provided guidance for response in specific circumstances for more than a decade. At the same time, new demands in changing times and the continuing realization of the consequences of not living up to the Gospel message emphasize the Archdiocese's need for a greater vigilance, a more comprehensive response, better education and outreach efforts for the sake of children and young people entrusted to her care. The United States Conference of Catholic Bishops (USCCB) took unprecedented action in June, 2002, and completed its work in November, 2002 by creating and publishing the *Charter for the Protection of Children and Young People* (last revision 2018, see appendix) The USCCB also obtained Vatican recognition for the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*. This document contains the particular law regarding prospective and response measures for priests and deacons in regard to the protection of

children and young people. Within the structure of church law contained in the 1983 Code of Canon Law, these norms became effective for all Catholic dioceses in the United States on March 1, 2003.

In accord with the *Charter for the Protection of Children and Young People* and the *Essential Norms*, this revised policy addresses accountability, obligations and responsibility on the part of priests, deacons and all adults who have contact with minors and vulnerable adults in the name of the Church. This includes an acknowledgment of the Clergy/Lay Code of Conduct**.**

This revised policy also recognizes and cooperates with the requirements and procedures of applicable state and local law regarding the protection of children, young people and vulnerable adults. It addresses the prevention and response to incidents of actual or suspected sexual abuse and misconduct toward children, minors and vulnerable adults

Distribution of/Accessibility to Archdiocesan Policy

All Archdiocesan parishes, schools, offices and ministries must have a copy (printed or electronic) of this revised policy, and other policies relating to specific aspects of the protection of minors and vulnerable adults. It will also be posted on the Archdiocesan website.

Clergy, Principals, Teachers, Directors of Religious Education and Youth Ministry, Catechists, Youth Ministers and coaches will electronically acknowledge reading this policy This policy shall be referenced in the personnel handbook for the Archdiocese of Omaha for both priests and lay employees.

Definitions of Canon and State Law

1.0 Sexual Abuse: 2018, USCCB Charter for the Protection of Children and Young People

* For purposes of this *Charter,* the offense of sexual abuse of a minor will be understood in accord with the provisions of *Sacramentorum sanctitatis tutela* (SST), article 6, which reads:
  §1. The more grave delicts against morals which are reserved to the Congregation for the Doctrine of the Faith are:
  1° the delict against the sixth commandment of the Decalogue committed by a cleric with a minor below the age of eighteen years; in this case, a person who habitually lacks the use of reason is to be considered equivalent to a minor.
  2° the acquisition, possession, or distribution by a cleric of pornographic images of minors under the age of eighteen for purposes of sexual gratification, by whatever means or using whatever technology;
  §2. A cleric who commits the delicts mentioned above in §1 is to be punished according to the gravity of his crime, not excluding dismissal or deposition.
  In view of the Circular Letter from the Congregation for the Doctrine of the Faith, dated May 3, 2011, which calls for “making allowance for the legislation of the country where the Conference is located,” Section III(g), we will apply the federal legal age for defining child pornography, which includes pornographic images of minors under the age of eighteen, for

assessing a cleric's suitability for ministry and for complying with civil reporting statutes. If there is any doubt whether a specific act qualifies as an external, objectively grave violation, the writings of recognized moral theologians should be consulted, and the opinions of recognized experts should be appropriately obtained (*Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995, 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.

1.1 28-319.01. Sexual assault of a child; first degree; penalty.

(1) A person commits sexual assault of a child in the first degree:
(a) When he or she subjects another person under twelve years of age to sexual penetration and the actor is at least nineteen years of age or older; or
(b) When he or she subjects another person who is at least twelve years of age but less than sixteen years of age to sexual penetration and the actor is twenty-five years of age or older.
(2) Sexual assault of a child in the first degree is a Class IB felony with a mandatory minimum sentence of fifteen years in prison for the first offense.

1.2 28-320.01. Sexual assault of a child; second or third degree; penalties.

(1) A person commits sexual assault of a child in the second or third degree if he or she subjects another person fourteen years of age or younger to sexual contact and the actor is at least nineteen years of age or older.
(2) Sexual assault of a child is in the second degree if the actor causes serious personal injury to the victim. Sexual assault of a child in the second degree is a Class II felony for the first offense.
(3) Sexual assault of a child is in the third degree if the actor does not cause serious personal injury to the victim. Sexual assault of a child in the third degree is a Class IIIA felony for the first offense.

1.3 The Child Protection and Family Safety Act. NE 28-710 (Revised September 2019)

(2) For purposes of the Child Protection and Family Safety Act:
(a) Alternative response means a comprehensive assessment of (i) child safety, (ii) the risk of future child abuse or neglect, (iii) family strengths and needs, and (iv) the provision of or referral for necessary services and support. Alternative response is an alternative to traditional response and does not include an investigation or a formal determination as to whether child abuse or neglect has occurred, and the subject of the report shall not be entered into the central registry of child protection cases maintained pursuant to section 28-718;
(b) Child abuse or neglect means knowingly, intentionally, or negligently causing or permitting a minor child to be:
(i) Placed in a situation that endangers his or her life or physical or mental health;
(ii) Cruelly confined or cruelly punished;
(iii) Deprived of necessary food, clothing, shelter, or care;
(iv) Left unattended in a motor vehicle if such minor child is six years of age or younger;
(v) Placed in a situation to be sexually abused;
(vi) Placed in a situation to be sexually exploited through sex trafficking of a minor as defined in section 28-830 or by allowing, encouraging, or forcing such person to engage in

debauchery, public indecency, obscene or pornographic photography, films, or depictions; or (vii) Placed in a situation to be a trafficking victim as defined in section 28-830;

1.4 Child Abuse and Neglect Reporting: NE 28-711 (Revised September 2019)

(1) When any physician, any medical institution, any nurse, any school employee, any social worker, the Inspector General appointed under section 43-4317, or any other person has reasonable cause to believe that a child has been subjected to child abuse or neglect or observes such child being subjected to conditions or circumstances which reasonably would result in child abuse or neglect, he or she shall report such incident or cause a report of child abuse or neglect to be made to the proper law enforcement agency or to the department on the toll-free number established by subsection (2) of this section. Such report may be made orally by telephone with the caller giving his or her name and address, shall be followed by a written report, and to the extent available shall contain the address and age of the abused or neglected child, the address of the person or persons having custody of the abused or neglected child, the nature and extent of the child abuse or neglect or the conditions and circumstances which would reasonably result in such child abuse or neglect, any evidence of previous child abuse or neglect including the nature and extent, and any other information which in the opinion of the person may be helpful in establishing the cause of such child abuse or neglect and the identity of the perpetrator or perpetrators. Law enforcement agencies receiving any reports of child abuse or neglect under this subsection shall notify the department pursuant to section 28-718 on the next working day by telephone or mail.

(2) The department shall establish a statewide toll-free number to be used by any person any hour of the day or night, any day of the week, to make reports of child abuse or neglect. Reports of child abuse or neglect not previously made to or by a law enforcement agency shall be made immediately to such agency by the department.

1.5 Child Pornography Possession NE 28-813.01. (Revised September 2019)

Sexually explicit conduct; visual depiction; unlawful; penalty; affirmative defense; forfeiture of property.

(1) It shall be unlawful for a person nineteen years of age or older to knowingly possess any visual depiction of sexually explicit conduct which has a child as one of its participants or portrayed observers. Violation of this subsection is a Class IIA felony.

(2) It shall be unlawful for a person under nineteen years of age to knowingly and intentionally possess any visual depiction of sexually explicit conduct which has a child other than the defendant as one of its participants or portrayed observers. Violation of this subsection is a Class I misdemeanor. A second or subsequent conviction under this subsection is a Class IV felony.

1.6 Child Pornography NE 28-1463.05. (Revised September 2019)

Visual depiction of sexually explicit acts related to possession; violation; penalty.

(1) It shall be unlawful for a person to knowingly possess with intent to rent, sell, deliver, distribute, trade, or provide to any person any visual depiction of sexually explicit conduct which has a child other than the defendant as one of its participants or portrayed observers.

(2) (a) Any person who is under nineteen years of age at the time he or she violates this section shall be guilty of a Class IIIA felony for each offense.

(b) Any person who is nineteen years of age or older at the time he or she violates this section shall be guilty of a Class IIA felony for each offense.

(c) Any person who violates this section and has previously been convicted of a violation

Of this section or section 28-308, 28-309, 28-310, 28-311, 28-313, 28-314, 28-315, 28-319, 28- 319.01, 28-320.01, 28-813, 28-833, or 28-1463.03 or subsection (1) or (2) of section 28-320 shall be guilty of a Class IC felony for each offense.

Definitions of Individuals, Roles and Groups

The below definitions are for the purposes of the Archdiocesan Policies only.

1.7 Adult

A person twenty-one years and older, able to supervise minors and vulnerable adults. A Safe Environment Certification is required.

1.8 Young Adult

Persons nineteen or twenty years old, able to assist adults in supervising or having contact with minors and vulnerable adults. These individuals are required to have Safe Environment Certification. Persons under the age of twenty-one are never to be left solely responsible for minors and/or vulnerable adults.

1.9 Vulnerable Adult

Any person eighteen years of age or older who has a substantial mental or functional impairment or for whom a guardian has been appointed under the Nebraska Probate Code, or one who habitually lacks the use of reason.

1.10 Minor

Under Nebraska law, a person not yet nineteen years of age.

1.11 Church Personnel

All ordained bishops, priests and deacons; all employees of Archdiocesan departments; agencies; parishes and Catholic schools and lay volunteers who have contact with minors and vulnerable adults in church and school sponsored ministries and activities.

1.12 Clergy

A body of ordained ministers in the Roman Catholic Church. The term includes the orders of bishop, priest, and deacon.

1.13 Chancellor

An individual appointed by the Archbishop to gather, arrange, and safeguard the Acts and the archives of the Archdiocesan curia. In addition, the Chancellor shares in the power of governance by issuing decrees and rescripts. The Chancellor also advises and counsels the Archbishop in a variety of matters including the interpretation and application of canon law within the Archdiocese.

1.14 Vicar for Clergy

Office of the Vicar for Clergy works closely with the Archbishop and in collaboration with the Priests' Placement Board to help support the ministry and life of priests in the Diocese.

1.15 Parish/School Safe Environment Coordinator

A person or persons identified by the pastor or principal to assist in the coordination of Safe Environment requirements and efforts in parishes and schools.

1.16 Parish and School Safe Environment Trainer

Persons vetted by their parish and the Victim Outreach and Prevention Office to provide live training for parishes, schools and the Archdiocese.

1.17 Trusted Adult/Ambassador

Any adult Church Personnel entrusted with the care of minors and vulnerable adults. Trusted adults are always ambassadors for the minor's and vulnerable adult's wellbeing.

1.18 Mandatory Reporter

Any person (nineteen and older) who has reasonable cause to believe a minor or vulnerable adult has been subjected to abuse or neglect.

1.19 Victim Outreach and Prevention Office

The Archdiocesan office which provides pastoral and supportive outreach to victims/survivors of clergy sexual abuse or grave misconduct by Church Personnel. The office is responsible for the development, implementation and compliance of safe environment efforts.

1.20 Victim Outreach and Prevention Director

Person responsible for pastoral response to victims/survivors and their families which includes assisting with counseling, parish outreach and any needed follow-up to victims of clergy sexual abuse or grave misconduct by Church Personnel. The Director shall plan, oversee and assist the implementation of education and training programs in partnership with the Catholic Schools Office, other Archdiocesan offices, and pastors of the Archdiocese.

1.21 Archdiocesan Review Board

Catholic women and men of the Archdiocese, a majority of whom are lay professionals in the educational, mental health and legal fields, prescribed by Article 2 of the *Charter for the Protection of Children and Young People* and Article 5 of the *Essential Norms*. This expert panel serves as the consultative body to the Archbishop regarding the implementation and application of the *Charter for the Protection of Children and Young People*. The Board reviews and provides recommendations for allegations/ cases of clergy sexual abuse. It also reviews Archdiocesan policies, practices and procedures for Safe Environment efforts.

1.22 Ministerial Conduct Board

Catholic women and men of the Archdiocese, a majority of whom are lay, who are appointed by the Archbishop. The Board serves the Archbishop who refers alleged clergy misconduct concerns, not involving minors, for consultation.

1.23 GRACES Committee

Archdiocesan Safe Environment committee composed of multidisciplinary expert ministers working in the schools, parishes and community. The committee helps shape and develop Safe Environment policies and efforts for the Archdiocese.

Definitions of Safe Environment Terms

1.24 Boundary

Rules or limits that a person creates to identify reasonable, safe and permissible ways for other people to behave towards them and how they will respond when someone transgresses those limits.

1.25 Boundary Violation

The violation (unintentional/purposeful) of a reasonable rule/limit of personal or technical interaction. Repeated boundary violations can be considered grooming.

1.26 Grooming Behaviors in Three Areas:

Minors/Vulnerable Adults- are subject to repeated boundary violations ranging from subtle to overt that positions them to be vulnerable to abuse.

Families- may experience an individual inserting themselves in their family (subtle/overt) over time to build trust and have access to a minor or vulnerable adult.

Faith Communities- may experience groomers making themselves overly available to ministries with families/youth to build trust in their intentions so if concerns arise, they may not be believed.

(See appendix 9 for school professional boundaries (grooming) policy)

1.27 Peer on Peer Abuse

Any behavior, in person or on-line, between two minors where one is threatened, forced or coerced by another, resulting in physical, severe emotional or sexual harm. Examples include, but are not limited to: physical or sexual assault; coercive behavior which is sexual in nature; sexting, which can be considered child pornography distribution; taking nude photos of another minor which can be considered child pornography production; dating violence and/or stalking or on-line taunting of an aggressive nature, such as daring another to harm and/or kill oneself.

1.28 Adult Safe Environment Training

A training required for all Church Personnel of the Archdiocese, i.e., priests, deacons, paid staff and volunteers who have contact with minors and vulnerable adults. Live training is required of all first time Church Personnel, then online renewal training every six years.

The Archdiocese does not accept training from other dioceses or entities.

1.29 Children and Youth Safe Environment Training

A training is required of all minors in the Archdiocesan schools, religious education and youth ministry programs. This training for minors in grades K-12 is prepared in an age appropriate and sequential format. The Archbishop has mandated that all minors participate in the Circle of Grace training each year.

The "Youth Assisting in Ministry" booklet is recommended for training all youth under age 19 assisting in ministry with proper supervision. Youth in this category are never to be responsible for or left alone with other minors. The parish and/or school safe environment coordinator can access the booklet from the data platform.

Supervisors of after care programs, should review the "Youth Assisting in Ministry" booklet with employees who are minors. This is in addition to any licensing requirements.

Vulnerable adults who are 19 years or older can receive a one-on-one adult training or complete the "Youth Assisting Ministry" booklet to fulfill their training requirement. These individuals will be required to complete a background check in addition to the training to be SE certified.

1.30 Vendor

Anyone who has contact with minors and vulnerable adults but is not part of the Archdiocese. All vendors are encouraged to be Safe Environment certified but the below is required:

Short Term Vendors- those who provide services to parishes/schools for a week or less where minors or vulnerable adults are present will need to submit proof of an approved background check and be given a copy of the Archdiocesan Code of Conduct.

Long Term Vendors- those who provide services to parishes/schools on a long term basis (i.e. bus drivers, cafeteria workers) need to submit proof of an approved background check, given a copy of the Archdiocesan Code of Conduct, and are encouraged to be Safe Environment Certified.

Outside Educators: All educators who are paid by another school district, will provide proof of an approved background check completed within the last 6 years and will be given a copy of the Archdiocesan Code of Conduct. Documentation of the background check and receipt of the code of conduct is kept in the school administrator's files. (See Appendix) For protocol on Misconduct/Child Abuse by Public School staff. (See Appendix)

1.31 Code of Conduct (Clergy and Lay)

A set of rules, expectations and proper practices for Church Personnel who have contact with minors and vulnerable adults. Church Personnel are required to acknowledge their particular Code of Conduct as part of their Safe Environment Certification. (See Appendix)

1.32 Safe Environment Certification

Authorization by the Archdiocese to have contact with minors and vulnerable adults. Every adult (19 years and older) must have current certification to have contact with minors and vulnerable adults. Certification must include a training, approved background check and an acknowledgement of the Code of Conduct.

1.33 Safe Environment Certification Revocation

The process by which certification is rescinded. In the interest of protecting minors and vulnerable adults, the Archdiocese has the authority to revoke a current certification. This is a collaborative decision made by the Director of Victim Outreach and Prevention, Chancellor and Diocesan Attorney. One can request removal of their safe environment (SE) revocation status **six years** from the revocation date by submitting a form to the Office of Victim Outreach and Prevention. Appendix 11 outlines required steps for reinstatement if revocation removal is granted. (See appendixes)

1.34 Clergy Abuse Report

A published list of clergy who have had substantiated allegations of grave misconduct and/or the abuse of a minor. The Archdiocese commits to be transparent with the community faithful by a published list of substantiated allegations of grave misconduct with and/or the abuse of a minor or vulnerable adult. The list is updated quarterly and is on the archdiocesan website under victim assistance.

1.35 Catholic Bishops Abuse Reporting Service

A service known as CBAR, to address sexual abuse and bishop accountability in the global Catholic Church. Metropolitan Archbishop's are responsible for receiving and assessing reports alleging sexual abuse and related misconduct by bishops. Individuals can submit a complaint at ReportBishopAbuse.org, archomaha.org/reporting-abuse-by-bishops/, or call (800) 276-1562. **The system is not a substitute for reporting to law enforcement officials.**

1.36 Mandated Parish/School Safe Environment Data Report

A report to verify Safe Environment compliance. All parishes and schools are required to submit a Safe Environment Data Report yearly which must be signed by the pastor/administrator and all ministries involving children. (See Appendix)

1.37 Parish and School Audits

A parish or school visit to verify Safe Environment compliance. The Victim Outreach and Prevention Office will conduct visits for selected parish and school audits each year. All parishes and schools will participate in a Safe Environment Audit within a 5-year cycle. Audits will include verifying compliance in all Safe Environment requirements and a discussion with the team of various Safe Environment scenarios.

Obligation to Report

2.0 Child Abuse and Neglect Reporting: NE 28-711 (Revised September 2019)

(1) When any physician, any medical institution, any nurse, any school employee, any social worker, the Inspector General appointed under section 43-4317, or any other person has reasonable cause to believe that a child has been subjected to child abuse or neglect or observes such child being subjected to conditions or circumstances which reasonably would result in child abuse or neglect, he or she shall report such incident or cause a report of child abuse or neglect to be made to the proper law enforcement agency or to the department on the toll-free number established by subsection (2) of this section. Such report may be made orally by telephone with the caller giving his or her name and address, shall be followed by a written report, and to the extent available shall contain the address and age of the abused or neglected child, the address of the person or persons having custody of the abused or neglected child, the nature and extent of the child abuse or neglect or the conditions and circumstances which would reasonably result in such child abuse or neglect, any evidence of previous child abuse or neglect including the nature and extent, and any other information which in the opinion of the person may be helpful in establishing the cause of such child abuse or neglect and the identity of the perpetrator or perpetrators. Law enforcement agencies receiving any reports of child abuse or neglect under this subsection shall notify the department pursuant to section 28-718 on the next working day by telephone or mail.(2) The department shall establish a statewide toll-free number to be used by any person any hour of the day or night, any day of the week, to make reports of child abuse or neglect. Reports of child abuse or neglect not previously made to or by a law enforcement agency shall be made immediately to such agency by the department.

2.1 All Personnel shall comply with the reporting requirements of the Nebraska state law and any other requirements found in local laws when he/she has actual knowledge of or reasonable cause to suspect an incident of child abuse (physical, emotional, sexual) or child neglect (physical, emotional, educational, medical) has occurred.

2.2 Important Points to Remember

Nebraska child abuse reporting law does not identify the age of the abuser, only that one must report if there is reasonable cause to believe child abuse is occurring or observes such child being subjected to conditions or circumstances which reasonably would result in child abuse or neglect. **Because of this, peer on peer abuse needs to be reported to the authorities**. Peer on peer abuse is defined as: any behavior, in person or on-line, between two minors where one is threatened, forced or coerced by another, resulting in physical, severe emotional or sexual harm. Examples include, but are not limited to: physical or sexual assault; coercive behavior which is sexual in nature; sexting, which can be considered child pornography distribution; taking nude photos of another minor which can be considered child pornography production; dating violence and/or stalking or on-line taunting of an aggressive nature such as daring another to harm and/or kill oneself.

The Archdiocesan Reporting Packet is available on the Catholic Mutual Data Platform under "resources" for site administrators and Safe Environment parish/school coordinators. The Victim Outreach and Prevention Director is available if you have any questions or concerns.

After reporting to the authorities, concerns regarding non clergy Church Personnel shall be reported to the Victim Outreach and Prevention Director or Chancellor along with submitting the Safe Environment Revocation Form (See Appendix).

If the concerns of Code of Conduct violations do not rise to the level of reporting to the legal authorities, the Victim Outreach Director or Chancellor still must be contacted to evaluate if the Safe Environment Revocation Form needs to be submitted.

The Victim Outreach and Prevention Director or designated other will collaborate with parishes and schools to provide pastoral outreach as the circumstances permit with due regard for law enforcement investigations.

2.3 Concerns Regarding Clergy

After reporting to the authorities, Church Personnel should report concerns regarding clergy to the Victim Outreach and Prevention Director, Chancellor or Vicar for Clergy. The Vicar for Clergy or designated other will notify the Archbishop regarding all allegations of child abuse or neglect by clergy. If the concerns regarding clergy do not rise to the level of reporting to the authorities, the Victim Outreach Director, Chancellor and Vicar for Clergy shall still be notified. The Vicar for Clergy or designated other will notify the Archbishop of the concern.

Internal Investigation of Allegations Involving Clergy

3.0 Report to proper authorities immediately all allegations of abuse (see 2.0)

3.1 Report to the Authorities

A report to the authorities must be made immediately including allegations made that do not pose an immediate risk or endangerment to a minor. This includes allegations from the past. The Victim Outreach and Prevention Director or designee will inform the alleged victim of the mandatory report to authorities. The Vicar for Clergy, Chancellor, Archdiocesan Attorney and the Victim Outreach and Prevention Director will cooperate with public authorities about reporting all cases including those that occurred when the alleged victim is no longer a minor and when the alleged clergy offender is not an active volunteer or staff member. This cooperation is demonstrated by a Reporting Notification Form that will be sent by the Archdiocesan Attorney to the appropriate County Attorney. Per internal protocols, the Archdiocese will cooperate with law enforcement if it pursues an

investigation of the past allegation and will not interfere in the process.

3.2 Pastoral Outreach

The Victim Outreach and Prevention Director shall be informed about the abuse incident or allegations. As circumstances permit, with due regard for law enforcement investigations, the Director or designee shall offer pastoral assistance to the alleged victim, family members and those affected by the circumstances (i.e. parishes or schools) in keeping with Article 1 of the *Charter for the Protection of Children and Young People*.

3.3 Collaboration with Parishes and Schools

Pastors, school administrators, program directors and lay leaders shall work with the Victim Outreach and Prevention Director, Chancellor and Vicar for Clergy so that timely, appropriate and responsible action is taken to ensure the protection of minors and vulnerable adults.

3.4 Alleged Offender

The Archdiocese shall inform him of his right to legal counsel, both civil and canonical. The Archdiocese shall encourage the alleged offender to obtain such counsel. This shall comply with Article 5 of the *Charter for the Protection of Children and Young People* and Article 11 of the *Essential Norms.*

3.5 Internal Investigation

When an allegation of sexual abuse or misconduct with a minor by a cleric is received, an investigation of the accused offender shall be initiated in accordance with canon 1722 and certain precautionary measures may be invoked. This shall comply with Article 5 of the *Charter for the Protection of Children and Young People* and Articles 6 and 8 of the *Essential Norms*. This investigation will not begin until authorities have completed their process or given leave to Archdiocesan staff to begin their investigation.

3.6 Ministry Suspension

When admission of and/ or sufficient evidence of risk exists demonstrating that sexual abuse or grave misconduct with a minor has occurred, the alleged offender shall be immediately relieved of pastoral ministry in the Archdiocese pending the outcome of the law enforcement investigation and/ or the canonical process. This shall comply with Article 5 of the *Charter for the Protection of Children and Young People* and the Articles 6 and 8 of the *Essential Norms*.

3.7 Ministry Revoked

When sexual abuse or grave misconduct concerning a minor by a priest or a deacon is admitted or is established after an appropriate process in accord with canon law, certain consequences or actions provided for in canon law will be applied. This shall comply with Article 5 of the *Charter for the Protection of Children and Young People* and Article 8 of the *Essential Norms.*

3.8 Evaluations

The alleged offender may be asked to cooperate in medical and psychological evaluations by competent professionals or at a facility mutually acceptable to the Archbishop and himself. The alleged offender will also be asked to provide a medical release so that the Archbishop can assess ministry suitability in consultation with his staff, and/or the Archdiocesan Review Board, and/or the Ministerial Conduct Board.

3.9 Review Board

The Archdiocesan Review Board shall receive the facts and information sufficient to discuss the allegations of sexual abuse or grave misconduct by a priest or deacon so that it may provide appropriate consultation to the Archbishop. This shall comply with Article 2 of the *Charter for the Protection of Children and Young People* and Articles 8 and 9 of the *Essential Norms*.

3.10 Legal Counsel

Notification of the allegation or incident shall be given to legal counsel and liability insurers for the Archdiocese in accordance with the terms of applicable insurance policies.

3.11 Communication

The Chancellor or designee shall serve as spokesperson for the Archdiocese when an inquiry is made by the media or by the general public.

3.12 Documentation

Notes, memoranda, or other written documentation of allegations of sexual abuse or grave misconduct by clergy, the subsequent investigation and the results of action taken shall be kept by the Chancellor and Vicar for Clergy. They shall be maintained in a secure place in the Chancery. Access to these materials shall be strictly limited to the Archbishop, the Chancellor, the Vicar for Clergy and those granted access by the Archbishop.

3.13 Rights/Reputations

Due regard is to be given to the protection of the rights and the reputations of all parties involved in these procedures.

3.14 Deceased Clergy Allegations

The process for an accused cleric that is deceased is:1) report to the authorities; 2) a fact finding investigation (which includes a review of personnel file and assignments); and 3) Review Board referral and offering pastoral support to the alleged victim.

Code of Conduct Summary

Obligations, Responsibilities and Accountability
for Care, Contact and Conduct
with Children and Young People and Vulnerable Adults

October 2020

Introduction

The Nature of Pastoral Care and Conduct

Pastoral care and conduct presupposes a particular way of relating to God and to those who are served in God's name. The biblical concepts of "covenant" and "discipleship" are the background and the context for this manner of presence and action.

Through single acts and organized endeavors of various kinds, ordained priests and deacons, as well as lay ministers/leaders and trusted adults/volunteers carry out the mission of the Church by leading and supporting people to know and grow more deeply in the way of a personal relationship with God through the life and community of the Church.

Pastoral care and conduct, therefore, is an exercise of significant moral responsibility and accountability. "Love the Lord your God with all your heart, with all your soul, with all your strength and with all your mind" and "Love your neighbor as you love yourself" (Luke 10:27) expresses both the vision and the strategy for pastoral care and pastoral ministry. The safe environment policies that refer to **Church Personnel/ Personnel** includes but is not limited to clergy, religious men and women, employees and volunteers. These standards and the accompanying forms are subject to change

All Church Personnel must be Safe Environment certified before having contact with minors/ vulnerable adults. This includes training, background check and an acknowledged code of conduct. <u>See Appendix for a complete copy of the perspective codes for lay (employees, volunteer and religious) clergy (priest and deacons). All are required to adhere to the full acknowledged code of conduct.</u> Below is a general summary of some points covered in the codes of conduct.

Church Personnel (Employees (Ordained/Lay) and Volunteers)

4.0 Are obliged, in the exercise of pastoral care and conduct, to respect each person's dignity so that each individual can take his proper place in building up the community of faith and working for the coming of the kingdom of God. Parish and school organizations, meetings and activities are to be environments in which the mutual respect and support of each person's participation contributes to the growth of justice, charity and peace within the faith community.

4.1 Are representative and a symbolic status for the community of faith. Church Personnel are to be conscious at all times that they are always in an unequal power relationship with the people they serve because of their status.

4.2 Are to have a personal commitment for the best interests of all whom they serve, especially minors and vulnerable adults. This commitment should be exhibited in their personal and public practices.

4.3 Are called in a special way, to a personal discipline of life that recognizes and honors the personal and pastoral boundaries for a safe environment in which each person can grow and mature.

4.4 Are never permitted to use their relationships as Church Personnel to satisfy personal desires for attention, acceptance, prestige, profit or pleasure.

4.5 Are obliged to establish procedures, guidelines and practices that ensure safeguards for the successful completion of responsibilities, for the personal reputation of those involved and for the appropriate and required reports, audits or disclosures.

4.6 Are obliged and accountable for establishing and maintaining proper personal and pastoral boundaries. These boundaries include the physical, emotional, relational and sexual aspects of interaction with Church Personnel or with others in their role as an employee or volunteer.

4.7 Are the primary and accountable persons for establishing and maintaining personal and pastoral boundaries in all relationships and circumstances.

4.8 Are never to engage in physical intimacy or sexual contact of any form with those whom they serve.

4.9 Are accountable for knowing and applying the practices contained in the personnel, administration, financial handbooks or policies designed for authentic pastoral care and ministry.

4.10 Are obliged to observe confidentiality in all those matters involving the personal disclosure or reputation of individuals or involving information (electronic, written or spoken) entrusted to them because of their office, position or responsibility, especially when it has a bearing on decisions or actions affecting the lives of others.

4.11 Outside of confession, confidentiality is not binding when information about clear and imminent danger to persons comes to light. There is an obligation to report to the appropriate law enforcement authority and those at risk when there are concerns regarding another person's safety or self-harm.

4.12 When the circumstances require persons of greater skill or competence to be called upon for assistance in the pastoral circumstance, information may be shared to facilitate

effective pastoral care and ministry, protecting appropriately the identity and reputation of persons involved.

4.13 **Priests have a singular and unbreakable obligation to hold all matters received in the Sacrament of Reconciliation, or when another has sought spiritual advice, in strictest confidentiality. Priests are not permitted to disclose communications occurring during of the Sacrament, or in context of providing spiritual advice even with the consent of the penitent.**

4.14 Except for the Sacrament of Reconciliation, or in the course of providing spiritual advice, all information raising reasonable cause to believe that physical or sexual abuse of minors and vulnerable adults has or is taking place must be reported to law enforcement as soon as possible. A similar report is to be made to the Victim Outreach and Prevention Director and Chancellor of the Archdiocese when involving Church Personnel.

4.15 All are to be mindful of the obligations and rights of parents and guardians of minors and vulnerable adults. Communication and collaboration with parents and guardians are essential in creating and maintaining safe environments and practices for minors and vulnerable adults when they have contact with Church Personnel.

4.16 All are obliged to know, understand and adhere to pastoral boundaries (in person and virtual), the *USCCB Charter for the Protection of Children and Young People* and the Archdiocesan Safe Environment policies.

4.17 Are obliged to follow recognized professional guidelines/best practices when organizing and conducting activities and events with minors and/or vulnerable adults. These shall include, but not be limited to; a team approach, best practice of two Safe Environment Certified adults when in the presence of minors and vulnerable adults, obtaining appropriate parental/guardian permission and authorization releases in writing, and implementing appropriate accountability structures to safeguard against compromising physical, emotional or relationship safety in every circumstance.

4.18 Are not to surrender their responsibility for the minors and vulnerable adults entrusted to them when there are visiting presenters or large numbers of people comprising many individual or smaller groups for special events. Special vigilance for the needs and safety of minors and vulnerable adults is to be used in these circumstances.

4.19 **Must obtain Safe Environment Certification prior to having contact with minors and vulnerable adults. In addition to training, certification includes an acknowledgement of the Archdiocesan code of conduct and approved background check. See Appendix for a copy of the perspective codes for lay (employees, volunteer and religious) clergy (priest and deacons). Strict adherence to the acknowledged code of conduct is expected. Safe Environment Certification can be revoked for violations against the code of conduct.**

4.20 Responsible for collaboration with the Archdiocesan Victim Outreach and Prevention Director who provides immediate pastoral assistance and outreach to the victims, immediate family or the affected parish/school community in the event of a report of sexual abuse or grave misconduct by clergy, staff, or volunteers. The Director is not an investigator of allegations but provides pastoral care within the limits established by the response of the individual in need, the investigation of law enforcement personnel and Christian prudence.

4.21 Are to communicate with the Victim Outreach and Prevention Director regarding maintenance and improvement in safe environment practices and efforts.

Safe Environment Communication Policy and Procedures

Introduction

The Book of Genesis tells us that in the beginning God spoke. It was not conversation; rather, it was creation. God's word had effect, at once. In the books of the prophets, God entrusts his word to men. It was not conversation, rather, it was about conversion. In the new covenant, the Word became Flesh. It was not conversation, rather, it is salvation for all who will hear, believe and be transformed.

For the Church, communication is about the work of God. It is about the Good News, the Gospel that saves and that sustains the faith community until that day when all things are made new. Each time and in every way that the Church makes known her Lord, she communicates. Even in the brokenness and misdeeds of her members, the Church still must speak of her Lord and of his kingdom.

In 1992, the bishops of the United States developed and pledged themselves to a plan, based upon five principles, for addressing the brokenness brought about by misconduct and sexual abuse of minors. These five principles communicate a strategy for pastoral response, a hope for reform and renewal, a promise to embrace anew the work of the Lord, so that recognizing the kingdom's coming, stir joyful hope. The safe environment policies that refer to **Church Personnel** includes but is not limited to clergy, religious men and women, employees and volunteers. These standards and the accompanying forms are subject to change.

These principles are:

- respond promptly to all allegations of abuse where there is reasonable belief that abuse has occurred;
- if such an allegation is supported by sufficient evidence, relieve the alleged offender promptly of ministerial duties and refer the alleged offender for appropriate medical evaluation and intervention;
- comply with the obligations of civil law as regards reporting of the incident and cooperating with the investigation;
- outreach to the victims and their families and communicate sincere commitment to their spiritual and emotional well-being;
- within the confines of respect for privacy of the individuals involved, deal as openly as possible with the members of the community.

Article 7 of the *Charter for the Protection of Children and Young People* directs every diocese to develop a specific policy for its communication procedures. This policy is to exhibit, in wording and in application, a commitment to transparency and openness "especially with regard to assisting and supporting parish communities directly affected by ministerial misconduct involving others."

The Church Community

5.0 The Archdiocese's first commitment must be that Church Personnel provide pastoral care, dictated by their role, for all of its members in the name of the Lord. Within pastoral care there shall be both initiatives and responses concerning the protection of minors and vulnerable adults. This includes but is not limited to:

- developing policies and guidelines for creation and maintenance of safe environments in all church and school related activities for its minors and vulnerable adults;
- providing information and education for minors and vulnerable adults, parents and parish and school communities regarding respect for the dignity of the person, appropriate boundary practices and identification of misconduct behaviors and patterns;
- establishing guidelines for response when misconduct or sexual abuse is detected, and procedures for reporting the misconduct or abuse;
- establishing guidelines and practices for communicating with affected parties in the pastoral situation and with the public, including the media;
- updating current Abuse Clergy Report on the Archdiocesan website.

5.1 The Archdiocesan Review Board provides informed consultation and assistance to the Archbishop, in accord with Article 2 of the *Charter for the Protection of Children and Young People* and numbers 4 and 5 of the *Essential Norms* in regard to the policies and procedures governing the protection of minors and vulnerable adults in the Archdiocese.

5.2 The Review Board may issue statements, reports or other forms of communication to pastors and priests of the Archdiocese, to parish faith communities, the general public, or to media. Such communications shall take place after discussion and with the full knowledge of the Archbishop.

5.3 The Archdiocesan Victim Outreach and Prevention Director is the representative of the Church to victims, their family members and to affected faith communities in providing immediate pastoral care for their spiritual and emotional well-being. The Victim Outreach and Prevention Director can be contacted at (402) 827-3798, or 888-808-9055.

5.4 The Victim Outreach and Prevention Director shall coordinate immediate pastoral outreach and the follow-up required in each situation with the Chancellor, while respecting the limitations of an existing law enforcement investigation or of the condition of victims or other affected persons.

5.5 The Victim Outreach and Prevention Director shall work with the Chancellor in making arrangements for meetings between victims, their family members or affected parish communities and the Archbishop. The Archbishop may also determine a delegate to be more appropriate in certain circumstances. Articles 1 and 2 of the *Charter for the Protection of Children and Young People* shall serve as a framework for the response and outreach of the Archdiocese as it communicates with victims, the faith communities and the public.

The Media

5.6 The Archdiocese exists and carries out its pastoral mission in the world. Oftentimes, activities of or incidents affecting the Archdiocese are first or principally known through the secular media. Developing and maintaining an effective working relationship with the public media is an important part of the Archdiocese's communication policy.

5.7 Whenever possible the Archdiocese shall use the Archdiocesan newspaper, Catholic electronic media and the Archdiocesan web site as its first means of contact with the people of the Archdiocese. These communication tools permit the Archdiocese to present a pastoral context and perspective when addressing issues, allegations or incidents regarding the protection of children or young people.

5.8 The Chancellor of the Archdiocese or delegate shall serve as the Archdiocesan spokesperson when issues, allegations or incidents regarding the protection of children or young people occur in the Archdiocese.

5.9 At the direction of the Archbishop, in collaboration with the Vicar for Clergy and the Chancellor, the Archdiocesan Victim Outreach and Prevention Director, the editor of the Archdiocesan newspaper, the Archdiocesan Attorney and Archdiocesan Communications office shall provide timely, accurate information to parish communities, to the presbyterate of the Archdiocese and to the general public through print and electronic media.

5.10 This communication may take the form of statements from the Archbishop, official Archdiocesan news releases, responses to inquiries by the media, contextual background information, or updates as consequences of a particular incident develop.

5.11All communication, whether in spoken or written format, shall observe and respect the privacy and reputation of the persons involved and shall adhere to the pertinent canon and civil law requirements.

5.12 Pastors, school administrators, program directors and lay leaders shall refer media inquiries or the concerns from individuals or groups regarding the incident or issue to the Chancellor of the Archdiocese.

The Parish, School and Other Programs' Communication Procedures and Protocols

5.14 Each parish, school and other programs serving the diverse number of minors and vulnerable adults use a variety of means to inform, educate, build community and serve the diverse needs of its people. Pastors, school administrators, directors of programs and lay leaders have a special responsibility to use these communication tools for the protection of minors and vulnerable adults

5.15 Each parish, school and minor and vulnerable adult program are encouraged to have and publicize a basic procedure that assists a pastor or administrator to communicate in a clear and timely manner with staff and volunteers when concerns, issues or incidents about the protection of minors and vulnerable adults occur.

- This procedure shall also provide an effective and timely communication pathway for information and concerns regarding the protection of minors and vulnerable adults or reports of misconduct to reach pastors and administrators. The Office of Victim Outreach and Prevention must be contacted to assess the potential need for Safe Environment Certification revocation.
- This procedure shall also provide directions for an effective and timely communication contact with the rest of the pastoral community or the general public.
- This procedure shall include, but not be limited to, the Nebraska requirements for reporting incidents or circumstances which give reasonable cause to believe that misconduct or abuse has or could have occurred.

Anonymous Communication and Rumors

5.16 Anonymous telephone calls, other electronic communications, or hard copy memoranda and letters are often considered unreliable forms of communication. However, when anonymous communication contains specific names, circumstances and timelines that raise questions, suspicions, or concerns for the pastor, administrator, director, or pastoral staff, there is an accountability to seek clarification or verification for these reactions.

5.17 There should be timely contact and communication with the Chancellor and the Victim Outreach and Prevention Director in circumstances of this type.

5.18 Rumors, gossip and passing information that cannot otherwise be verified is part of the human condition. The best response to rumors and gossip is timely, regular, clear and accurate information.

Securing Safe Environments Through Proper Communication, Consent and Conduct

There are many things to consider in providing both a faith-filled and safe environment in our parishes and schools. Education and faith formation ministry environments can be in person and virtual. It is important that all parties (education, ministry, students and parents) comply with the below standards and requirements to ensure proper knowledge, consent and transparency for the safety of our minors, vulnerable adults and all involved. These elements are also in the Code of Conduct and the school professional boundaries (grooming) policy (see appendixes). The safe environment policies refer to **Church Personnel** which includes but is not limited to clergy, religious men and women, employees and volunteers. These standards and the accompanying forms are subject to change.

Communication, Consent and Conduct

6.0 **Safe Environment Requirements**

Certification and practices are to be required of newly hired employees and newly active volunteers within each parish faith community. All Church Personnel (priests, deacons, employees and volunteers) having contact with minors/vulnerable adults shall be required to obtain and maintain their current Safe Environment Certification.

6.1 **Safe Environment Awareness**

Pastors, administrators and staff personnel shall collaborate with the Office of Victim Outreach and Prevention to develop and maintain the means and methods for creating community wide awareness for the protection of minors/vulnerable adults.

6.2 **Safe Environment Trainers**

Archdiocesan trainers are vetted by their parish and the Office of Victim Outreach and Prevention to provide live training for parishes, schools and the Archdiocese.

6.3 **Safe Environment Coordinator**

Parishes and schools will appoint a Safe Environment Coordinator who will be the liaison to the Victim Outreach and Prevention Office. This role is to ensure that Safe Environment policies and protocols are being implemented within the parish or school. They also may assist in setting up Safe Environment trainings and distributing educational and informational material.

6.4 **GRACES Committee**

This Archdiocesan Safe Environment committee is composed of multidisciplinary expert ministers working in the Archdiocesan schools, parishes and community. The committee helps shape and develop Safe Environment policies and efforts for the Archdiocese.

6.5 **Safe Environment Mandatory Data Report**

Parishes/schools are required to submit a Safe Environment Data Report each year that includes leadership and pastor signatures. The Safe Environment Coordinator assists the pastor/school administrator in collecting accurate data from various ministries to complete the form. The data is required for the yearly audit by the United States Conference of Catholic Bishops (USCCB).

6.6 **Safe Environment Parish and School Audits**

The Victim Outreach and Prevention Office will conduct visits for selected parish/school audits each year. All parishes/schools will participate in a Safe Environment audit within a 5-year cycle. Audits include verifying compliance in all Safe Environment requirements and a discussion of various scenarios. The pastor, principal, directors of religious education and youth ministry, Safe Environment Coordinator and others involved in parish/school Safe Environment efforts must be present for the onsite audit. (see appendixes)

6.7 **Youth Small Groups**

All parish and school ministry small groups involving minors need established parameters for participation in the group (e.g., age, sex etc.). Parents/guardians must give written permission for their child to participate in the group. It is best practice to have two Safe Environment trained adults leading the group. Confidentiality and commitment to the group is essential. (See Appendix)

6.8 **In-Home Ministry for Minors**

This policy applies to all Parish and/or School sponsored clubs and groups.

Group must be led with a minimum of 2 unrelated Safe Environment Certified adults, one must be 21 years or older. (See Safe Environment policy definitions regarding role distinctions for young adults). “For the purposes of this section, the term related includes, but is not limited to, a person’s parent, spouse, adult child or grandparent.” The certified adults will be present. The Circle of Grace yearly mandated curriculum must be taught in religious education, youth ministry, faith sharing and discipleship groups. The Archdiocesan Code of Conduct and all Safe Environment Policies must be followed. Examples include, but are not limited to transportation, gifts, technological communication, boundaries and physical contact. The best practice checklist must be reviewed and approved with the pastor or his delegate. (See Appendixes)

6.9 **Gifts**

Personnel should not accept expensive or excessive gifts from an unrelated minor/vulnerable adult or give expensive, individual or personal gifts to an unrelated minor/vulnerable adult without the permission of the parent or guardian and only by way of the parent or guardian. Exchanges of modest, appropriate gifts between groups of minors/vulnerable adults and personnel in the ordinary course of parish programs and school settings are permissible (e.g., rosaries, prayer cards, holiday candy).

6.10 **Inappropriate Behavior**

Church Personnel must avoid behavior that includes singling out minors/vulnerable adults or showing them unusual attention. Some examples of this prohibited behavior may include: presenting gifts to a particular unrelated minor/vulnerable adult or giving special favors or tasks to a particular minor/vulnerable adult; allowing a minor/vulnerable adult to drive automobiles owned by Church Personnel or by a parish or school, even though another adult may be present; singling out a particular minor/vulnerable adult for special dinners, trips, or outings; having unofficial or repeated private or other personally intimate conversations through text messaging, emailing, or contact through social media; or initiating intimate or sexual questions about a minor's/vulnerable adult's boyfriend/girlfriend.

6.11 **Meeting with Minors/Vulnerable Adults**

Church Personnel should avoid being alone (without another Safe Environment certified adult) with any unrelated minor/vulnerable adult, except for reasonable, common-sense, documented exceptions, such as emergency situations or when the interaction is incidental and not extended. When necessary one-on- one meetings with an unrelate minor/vulnerable adult are best held in a public area in the parish and or school. If that is not possible, maintain transparency by meeting in an area visible to others through an unrestricted window or open door and inform others where you will be meeting. Church Personnel should not spend time alone with individual unrelated minors/vulnerable adults in other public locations (e.g., parks, coffee shops, movie theaters).

6.12 **Transportation**

6.12 Transportation

Church Personnel should not travel in a vehicle with an unrelated minor(s)/vulnerable adult(s) without another Safe Environment Certified adult present, except in documented emergencies or extenuating circumstances. When it is not possible, it is acceptable to have 1 SE certified adult to transport several minors when they leave as a group and are dropped off as a group or when the last minor to be dropped off is related to the SE certified adult. In addition, Church Personnel must have prior permission to transport the unrelated minors/vulnerable adult from the parents.

6.13 **Overnight Accommodations**

Church Personnel must not share private overnight accommodations (bedroom, hotel room, tent, camper, bed, etc.) with any unrelated minor/vulnerable adult. In situations in which overnight accommodations are in open spaces (gymnasiums, classrooms, gathering spaces, etc.), actions should be taken to provide suitable supervision by two Safe Environment Certified adults and create reasonable separation between sexes and between adults and minors/vulnerable adults. Church Personnel should not visit the private overnight accommodations of unrelated minors/vulnerable adults without another Safe Environment Certified adult present. Common, visible areas (example: hallways) should be chosen whenever possible for meetings. If adults need to enter or inspect a room or space, the door should be left open and the minor/vulnerable adult may be asked to leave the space before two Safe Environment Certified adults can enter.

Transparent Communication in Technology

6.14 **Electronic Communication**

Electronic communication is never private. Emails, text messages, and web postings establish a permanent record, which can be obtained and accessed. These means of communication can also be saved, altered and forwarded.

6.15**Avoid All Conduct Which Would Exploit the Trust of a Minor/Vulnerable Adult**

Church Personnel will maintain appropriate boundaries and behaviors in professional and personal relationships. Being transparent means that an open line of communication with parents/guardians/staff, etc. will be maintained. It should be clear, intelligible, observable and open to the scrutiny of others. Minors/vulnerable adults should never be put in any uncomfortable or compromising situation.

6.16 **Respect Confidentiality and Practice Sensitivity towards Others**

Church Personnel must exercise discretion and confidentiality in handling sensitive information and may not disclose confidential information to others not entitled to such information. Confidentiality is not binding if the information shared highlights serious risk and/or endangerment of others. Church Personnel are called to be sensitive to differences in culture, gender, age and those with special needs. Church Personnel need to be aware of those cultural factors which lead to additional vulnerability of certain persons (e.g., undocumented immigrants, those who do not speak English, etc.).

6.17 **General Communication Considerations**

Communications with unrelated minors/ vulnerable adults must be for professional reasons only. Church Personnel must maintain appropriate boundaries in all communications with an unrelated minor/vulnerable adult, including communications through the use of electronic devices or web-based media. Social media applications that time-out or automatically delete should not be used. All should make certain that the parents or guardians of an unrelated minor/vulnerable adult are aware of the content of private electronic or print communications sent to or received from that unrelated minor/vulnerable adult. In exceptional situations when a parent or guardian is not made aware of the content of a private communication, another Safe Environment Certified adult must be included on the communication or the communication must be shared with the another Safe Environment Certified adult.

6.18 **All Communication with Minors/Vulnerable Adults Must Be Faithful**

All Communication with minors/vulnerable adults must be faithful to the teachings and values of the Catholic Church. As leaders and role models, our communication with minors/vulnerable adults must respect the psychological, physical and behavioral boundaries of the young person and be appropriate to the ministerial and professional relationship.

6.19 **Reporting Suspected Abuse of Minors/Vulnerable Adults**
Reporting suspected abuse of minors/vulnerable adults for electronic/technological communications must adhere to the same standards set forth for reporting other types of suspected abuse.

6.20 **Permission of the Parent/Guardian**
Permission of the Parent/Guardian must be obtained, in writing, in order for any Church Personnel to communicate with minors via telephone, cell phone, text messaging, email, social networks, or other electronic means.

6.21 **Electronic Communications Are Never Private**
Church Personnel should never consider typed conversations that take place via electronic means (emails, social networking sites, text message, etc.) to be private and confidential nor should it be used to address/discuss confidential matters. These matters should be discussed in a face to face meeting which is more appropriate and professional. Remember, minors/vulnerable adults often believe that electronic communication is more private and gives them a sense of availability and anonymity. However, records of these conversations can be obtained and accessed. These means of communications can also be saved, altered and forwarded.

6.22 **Protecting Privacy**
To protect the privacy of minors/vulnerable adults, permission must also be obtained, in writing, from the parent or guardian before sharing/posting pictures or videos of minors/vulnerable adults, and before obtaining their email, telephone numbers, or other contact information. Consent also should be obtained when sharing with other minors or vulnerable adults who are part of the class, group or organization. At no point should you audio or video images be recorded without permission of the parents and making the person being recorded aware.

6.23 **Messages from a Minor/Vulnerable Adult**
If a minor/vulnerable adult sends Church Personnel an inappropriate message, the adult should not reply to it. The Church Personnel should save an unedited copy and notify their pastor, principal or program administrator. A minor/vulnerable adult may also send a message that causes the adult to have concerns for their health and safety. The adult should notify parents, authorities (as needed), and their pastor, principal or program administrator in these cases.

6.24 **Communication Time Boundaries**
Communication time boundaries must be set for phone calls and electronic communications. Communications should occur during normal ministry hours, (e.g. 8:00 a.m.-9:00 p.m.)

6.25 **Education of Internet Safety**

Education of internet safety should be reviewed with Church Personnel who work with minors/vulnerable adults, as well as minors/vulnerable adults themselves. All will be transparent and professional in electronic/technical or written communication with minors/vulnerable adults and their families. It is expected that other adults (parents or supervisor) are included in all technological communication. Specific types of communications are delineated in the acknowledged code of conduct. (See Appendix)

6.26 **Illegal or Immoral Materials**

Church Personnel should never access, transmit, or create materials that are illegal or immoral. These include but are not limited to pornographic, stolen, sexist or discriminatory materials. Illegal activity such as "sexting" or the transmission of other illegal material must be reported immediately to the proper authorities.

6.27 **Mandatory Reporting**

Mandatory reporting is required of all Church Personnel who have reasonable cause to suspect abuse of a minor/vulnerable adult regardless of the method by which the information is received. This includes any alleged minor to minor abuse.

Supervision of Minors in Virtual Meeting Environments

(Policies 6.28-6.51 do not apply to educators involved in E-Learning. Please refer to Appendix 12 for safe environment requirements)

6.28 **Parent/Guardian Consent**

Parent/guardian written consent is required prior to connecting with minor(s). Consent also, must be obtained for the recording of all on-line meetings and or classes. Minors should be notified that the meeting will be recorded.

6.29 **One on One meetings**

One on one meetings should be conducted by a Safe Environment Certified adult and an additional Safe Environment Certified adult or parent/guardian should also be present during the meeting. Any exception regarding an additional Safe Environment Certified adult must be approved by the administrator/leader and guardian.

6.30 **Conducting Meetings/Classes with Minors**

Safe Environment Certified adults must always conduct meetings/classes with minors and a parent/guardian should have access to the meeting. Exceptions may be granted by certified administrators/leaders for guest speakers who are not Safe Environment Certified.

6.31 **Invitations to Church Personnel**

Safe Environment Certified administrators/leaders must be included in all meeting/class invitations.

6.32 **The Meeting/Class Host**

The meeting/class host must use a meeting solution that will provide a preview of all upcoming meetings and a history of all past meetings. The meeting solution should allow Safe Environment Certified administrators to conduct live spot checking and review of past meetings.

6.33 **For All Meetings**

For all meetings with minors, the meeting host should require access by passwords and send notice of the meeting by private invitation. This requirement may be modified, depending upon solution utilized, but there should not be any publicly available links or meeting numbers. Waiting rooms should be utilized when available.

6.34 **Be Aware of Surroundings**

All parties should be aware of their audience and surroundings while participating in virtual meetings/classes. Participants and hosts should be in appropriate spaces of their homes and avoid personal spaces (e.g. lying in bed) or inappropriate dress (e.g. pajamas).

6.35 **Scheduling of Meetings/Classes**

All meeting date/times should be pre-scheduled at least twenty-four hours in advance. Any exceptions must be approved in writing (i.e. by e-mail or other electronic communication tools) by a parent or guardian.

6.36 **Recording and Retention of Meetings/Classes**

The meeting/class host should record all meetings, both video and audio, for future review and retain the recording for at least one year. In addition, schools and other educational entities should, to the extent possible, follow Family Educational Rights and Privacy Act (FERPA) guidelines. Access to recordings is to be limited to meeting organizer and administrator/leader or law enforcement. If accessed, documentation must be created and retained regarding the access with date/time, person(s) accessing and reason for the access. In the event there is an error that results in a meeting not being recorded, documentation such as an email, must be provided to administrator/leader.

6.37 **Providing a Device to a Minor**

If a device is supplied to a student (via lease, loan, rent, etc.), it will need to be compliant with the Children's Internet Protection Act ("CIPA"). For example, if a school provides a student with a chrome book, the school must ensure that the Go Guardian program is installed on it so that the device can be secured and monitored.

6.38 **Spot Checks of Live On-Line and Recorded Meetings/Classes**

Safe Environment certified administrators/leaders should conduct periodic spot checks of live meetings/classes and/or recordings.

Best Practices for Online Education and Ministry

6.39 **Tips on Scheduling a Meeting/Class**

When scheduling a meeting/class, under "Advanced Options", choose to utilize a Waiting Room and disable "Join Before Host". This will allow you to screen who can enter the group. This is required if you are sharing any meetings IDs publicly to ensure that anyone who should not be in the meeting/class is unable to get in.

6.40 **Private Chats**

Ensure participants are unable to chat privately; you can disable the chat feature

entirely or allow participants to chat with everyone in a central chat area. This will ensure that private chats are not occurring between adults and teens.

6.41 **Screen Sharing**
Disable screen sharing for anyone other than the host.

6.42 **Co-Host**
Enable an adult core member to be a “co-host” to help moderate the event and conduct the meeting in the event the “host” gets disconnected.

6.43 **Breakout Rooms**
It is permissible to utilize “breakout” rooms with one Safe Environment Certified adult leader in each small group discussion. The host can join in on the various discussions.

6.44 **Host and all Participants**
Use Grid-View and do not hide self-view while on calls with minors to ensure the recording shows everyone.

6.45 **Scheduled Time of Meetings/Classes**
The time of scheduled events should mimic regularly scheduled activities, preferably occurring between 8:00 a.m. to 9:00 p.m. at the host location. Exceptions may be granted by administrators/Leaders for special events and/or international students.

6.46 **Host and Participant’s Appearance**
Dress and grooming habits of hosts and participants should be in accordance with current guidelines in place at the host institution.

6.47 **Safe Environment Certified Adults**
There should be two Safe Environment Certified adults on every on-line meeting with minors, even small groups. (See 6.29)

6.48 **Remind All of the Meeting/Class Being Recorded**
Both minors and parents/guardians should be reminded frequently that on-line sessions will be recorded for the safety of the minors. All recordings should, to the extent possible, follow Family Educational Rights and Privacy Act FERPA guidelines.

6.49 **Signing into the Meeting/Class**
The host and participants should use their given name (first and last) when signing into the on-line meeting/class.

6.50 **Screenshots**
Screenshots of any meeting with minors should not be shared to personal social media accounts. If the picture is to be shared through institutional social media and/or e-mail, names should be blurred.

6.51 **Meeting/Class Management**
It is highly recommended that the host of any on-line meeting/class with minors create

standards for effectively managing conversation and share these at the beginning of all sessions.

Review Board
Mission Statement and Procedures

Preface

The Review Board for the Archdiocese of Omaha was established in January 2003, in response to the United States Conference of Catholic Bishops approval of two documents, the *Charter for the Protection of Children and Young People* (June 2002, revised in 2005, 2011, and 2018) and the *Essential Norms for Diocesan/Eparchial Polices Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* (December 2002, revised in 2006). The *Charter* and the *Essential Norms* address the crisis in the Church in the United States regarding the sexual abuse of minors by some Clergy and Church Personnel.

This *Mission Statement and Procedures* directs the work of the board, the areas of responsibility, membership, and procedures of the Review Board. This document is part of the *Archdiocesan Policy for the Protection of Children and Young People.*

The safe environment policies that refer to **Church Personnel/ Personnel** includes but is not limited to clergy, religious men and women, employees and volunteers. These standards and the accompanying forms are subject to change

Mission of the Review Board

It is the mission of the Review Board to serve the people of God in the Archdiocese of Omaha by assisting the Archbishop in his responsibilities for the protection of minors, and vulnerable adults. The Board is charged with advising the Archbishop in the work of the just handling of allegations of sexual abuse, the prevention of further abuse, the healing of those who have been injured, and the re-creation of a sense of trust among the faithful and the larger community.

General Responsibilities of the Review Board

7.0 The Review Board is responsible to the Archbishop and provides consultation to him in his service to those who have been injured by sexual abuse, the alleged offenders, and the people of the Archdiocese. The general responsibilities of the board are to:

1. Provide consultation to the Archbishop in his assessment of the validity of all allegations of sexual abuse of minors by clergy. On rare occasions, allegations against other Church Personnel are reviewed if requested by the Archbishop;
2. Review the implementation and application of the Archdiocesan Safe Environment Policy for the Protection of Minors and Vulnerable Adults to assure compliance with the *Charter for the Protection of Children and Young People* and the *Essential Norms;*
3. Assist the Archbishop and Chancellor in the oversight of the Victim Outreach and Prevention Office efforts.
4. Provide consultation to the Archbishop regarding an alleged offender's suitability for ministry;

5. Review all programs, policies and procedures that relate to the *Charter* within the Archdiocese;
6. Offer advice on all aspects of alleged cases of sexual abuse of minors and vulnerable adults, whether retrospectively or prospectively.

Membership

7.1 The Review Board shall consist of no less than five, nor more than twelve members of outstanding integrity and good judgement in full communion with the Church appointed by the Archbishop. The members are appointed for a term of five years, which may be renewed. The majority should be lay persons, none of whom are employed by the Archdiocese. They should bring experience or training in ministry, law, victimization, health care, mental health treatment, law enforcement, jurisprudence, human resources, business, management, education or other relevant fields.

7.2 At least one member shall be an Archdiocesan priest who is an experienced and respected pastor. Members serve without compensation, with the exception of reimbursement for expenses related to Board activities.

7.3 The Promoter of Justice, Director of the Office of Victim Outreach and Prevention, Chancellor and Vicar for Clergy shall participate in meetings of the Review Board when considering cases, to assist and advise the Board. They are not voting members of the Review Board.

Conduct of Business

7.4 **Officers**

The Board shall elect from its membership a chairperson, a vice-chairperson, and a secretary. Each shall serve at least a one-year term.

a. Officers may serve more than one term.
b. The chairperson shall preside at all meetings of the Board.
c. The vice-chairperson shall preside when the chairperson is unable to do so.
d. The secretary shall be responsible for the written recording of the discussion and actions of the Board. In consultation with the chairperson, the Chancellor prepares the meeting agendas.

7.5 **Quorum**

A majority of the membership of the Board shall constitute a quorum for doing business.

a. For advice on suitability for ministry, allegations of abuse, policy review and/or change, advice on all aspects of cases, and dismissal of a Board member, a quorum shall constitute not less than a majority of the Board as a whole, not just those present.
b. For all other business, a majority of those present shall prevail.

7.6 **Procedures**

The Board may adopt procedures to govern details of its activities, such as the frequency of meetings, confidential maintenance of records, designation of subcommittees and any other business.

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7.7 **Confidentiality**

All deliberations of the Review Board shall remain confidential in order to respect the dignity of the involved persons. If it has been determined by the board that a member has breached confidentiality, it constitutes immediate recourse to dismissal of the Board Member by majority vote of the Board or by the Archbishop. Official disclosure of Board action shall be made periodically through formal announcements prepared by the Board.

Board Duties

7.8 **Review of Allegations**

The Review Board shall receive a comprehensive report from the Archdiocesan investigator and the Director of the Victim Outreach and Prevention Office regarding all allegations of abuse of minors, and vulnerable adults by clergy, or other Church Personnel when requested by the Archbishop. Any contact by victims or families to the Review Board or a Board member will be directed to the Director of the Victim Outreach and Prevention Office, the Chancellor or the Vicar for Clergy for pastoral outreach.

7.9 **Consultation on Allegations**

The Board shall provide consultation to the Archbishop regarding validity of allegations and suitability for ministry.

7.10 **Policy Compliance**

For all allegations presented to it, the Board shall determine whether the Archdiocesan policy on sexual abuse was followed regarding the reporting to civil authorities; the outreach to the victims; the outreach to parish communities; and the appropriate action to take, in accord with Canon Law and prudent judgment.

7.11 **Policy Review**

The Board shall periodically review the Archdiocesan policy on sexual abuse. A report of any recommendations for changes in the policy shall be sent to the Archbishop for approval.

7.12 **Communication**

The Board shall communicate with the people of the Archdiocese as needed. Statements, reports or other forms of communication may be issued to pastors and priests of the Archdiocese, to parish faith communities, the general public, or to media. Such communications shall take place after discussion and with the full knowledge of the Archbishop.

a. Reporting on all matters that are not confidential
b. Review the *Archdiocesan Clergy Abuse Report* quarterly and make updates as needed

Ministerial Conduct Board
Mission Statement and Procedures

Preface

Since its inception in 2019, the Ministerial Conduct Board has existed in the Archdiocese of Omaha to serve as a resource to the Archbishop and his staff in regard to responding to clergy misconduct and to review policies related to clergy misconduct. This board is separate from the Archdiocesan Review Board and does not review any misconduct with minors. The Ministerial Conduct Board is a valuable resource as we resolve allegations of misconduct alone or with other adults in a manner that is fair and just. Lay professionals who volunteer their time and expertise to serve on this board make a great contribution to the work of the Church.

Mission of the Ministerial Conduct Board

The mission of the Ministerial Conduct Board is to serve the people of God in the Archdiocese of Omaha by assisting the Archbishop in his responsibilities for the fair and just resolution of clergy allegations that include misconduct alone or with other adults and the healing of those who have been injured, and the re-creation of a sense of trust among the faithful and the larger community.

General Responsibilities of the Ministerial Conduct Board

8.0 The Board has been assembled to provide advice and consultation to the Archbishop and his staff regarding identified situations of clergy misconduct alone or with other adults.

1. Alleged misconduct may include: sexual misconduct with adults; other sexual improprieties, not involving minors; boundary violations, gambling; drug or alcohol misuse; financial misdeeds; code of conduct violation or other allegations of misconduct.

2. Reporting to civil authorities must be made in accordance with civil law. The Archdiocese shall fully cooperate with civil authorities in any investigation.

3. The Board provides consultation to the Archbishop regarding suitability for Ministry.

4. The Board may also review and offer recommendations regarding Archdiocesan policies and processes relating to misconduct.

Membership

8.1 The Ministerial Conduct Board shall be made up of no less than five, nor more than twelve members of outstanding integrity and good judgement, with at least five persons who are in full communion with the Church, and the majority of whom will be lay persons who are not employed of the Archdiocese.

8.2 Membership shall include an experienced and respected Pastor of the Archdiocese.

8.3 Members shall be persons with experience or training in ministry, law, victimization, health care, mental health treatment, law enforcement, jurisprudence, human resources, business, management, education or other relevant fields.

8.4 The Promoter of Justice, Vicar for Clergy, Chancellor and the Director of the Office of Victim Outreach and Prevention shall participate in meetings of the Ministerial Conduct Board when appropriate in considering cases, to assist and advise the Board. They are not voting members.

8.5 Members are appointed by and serve at the pleasure of the Archbishop. The Archbishop or his delegate shall meet with members to prepare them for their duties.

8.6 The members are appointed for a term of five years, which may be renewed. At his discretion, the Archbishop may make appointments for terms of less than five years. Each member will receive a letter of appointment from the Archbishop.

8.7 Members are expected to provide objective judgements and to attend meetings, either in person or via teleconference, videoconference or other suitable means. A member's frequent absence or breach of confidentiality may result in the Chairperson recommending that the Archbishop remove such member.

Conduct of Business

8.8 **Officers**

The Board shall elect from its membership a chairperson, a vice-chair and a secretary. Each shall serve at least a one- year term.

a. Officers may serve more than one term.
b. The chairperson shall preside at all meetings of the Board.
c. The vice-chairperson shall preside when the chairperson is unable to do so.
d. The secretary shall be responsible for the written recording of the discussion and actions of the board.
e. In consultation with the chairperson, the Chancellor prepares the meeting

agendas.

8.9 **Quorum**

The majority of the membership shall constitute a quorum for doing business. For advice on suitability for ministry, allegations of misconduct, policy review and/or change, advice on all aspects of cases and dismissal of a Board member, a concurrence of not less than a majority of the Board (not just those present) shall be necessary to make a recommendation or take an action. For all other business, a majority of those present shall prevail.

8.10 **Procedures**

The Board may adopt procedures to govern details of its activities, such as the frequency of meetings, confidential maintenance of records, designating committees and any other business.

8.11 **Confidentiality**

All deliberations shall remain confidential in order to respect the dignity of the involved persons. If it has been determined by the Board that a member has breached confidentiality; immediate recourse is dismissal of the member by the majority vote of the Board. Official disclosure of the Board action shall be made periodically through formal announcements prepared by the Board.

Board Duties

8.12 **Review of Allegations**

Because the Board is not an investigative body, the Board will be given a report by the Vicar for Clergy who conducts the investigation, in conjunction with the Chancellor and Director of Victim Outreach and Prevention.

8.13 Consultation on Allegations

After review and deliberation of the information presented, the Board shall provide consultation to the Archbishop regarding the validity of allegations and suitability for ministry. The Archbishop has the final decision-making authority.

8.14 **Policy Compliance**

Reporting to the civil authorities must be made in accordance with civil law. The Archdiocese shall cooperate fully with civil authorities in any investigation.

8.15 **Policy Review**

At the request of the Archbishop, the Board may review policies of clergy misconduct and offer recommendations for policy and process improvements.

Safe Environment Certification
Employees and Volunteers

Introduction

As part of the commitment to providing a safe and secure environment for all minors and vulnerable adults who participate in activities sponsored by the Church, background checks will be conducted on all Church personnel who have contact with them in addition to training and a code of conduct acknowledgement. A successful completion of these three requirements will result in a Safe Environment Certification.

In developing these policies, the foremost concern is the protection of minors and vulnerable adults. However, being mindful of the privacy interests and rights of those background screened and the relevance of particular crimes to certain positions within the Church, those rights and interests are taken into consideration. Thus, the fact that an individual was convicted of a crime is not an automatic bar to employment/ministry within the Church.

For example, a single conviction of driving while intoxicated more than 6 years ago, would not automatically disqualify an individual from teaching religious education in a parish.

In addition, parishes and schools have the discretion to require additional background checks. For example, a motor vehicle record check may be required of all Church Personnel who drive as part of their employment, volunteer service or ministry with the Church. Parish/Schools Day Care workers may need to consent to a background check through the State as well as through the Archdiocese.

The following are expected of all Church Personnel. The Safe Environment policies refer to **Church Personnel/ Personnel** which includes but is not limited to clergy, religious men and women, employees and volunteers. These standards and the accompanying forms are subject to change.

All Current Archdiocesan Curia and Parish/School Employees
Working with Minors/Vulnerable Adults

9.0 All regularly salaried and hourly wage personnel, full-time and part-time, nineteen years and older who currently have contact with minors under the age of nineteen and/or vulnerable adults must be Safe Environment Certified which includes training, an approved background check and an acknowledged code of conduct.

9.1 Individuals in this category include, but are not limited to, all clergy, religious men and women, school personnel, seminarians, directors, coordinators and facilitators of religious education and youth ministry, pastoral associates, religious education teachers, music ministers, camp counselors, youth ministers, secretaries and maintenance personnel.

9.2 All individuals must create an account on the data platform; acknowledge the Code of Conduct; register for and attend a Safe Environment training session; and complete information for and consent to a background check. A testimonial letter may be required in certain circumstances to complete the background check. Individuals who complete this process successfully, and have an approved background check will be Safe Environment Certified.

9.3 The Victim Outreach and Prevention Director or designated other will review any concerns disclosed by a background check with the hiring authority. In the case of a Parish/School employee, the Pastor/Administrator, in consultation with the Victim Outreach and Prevention Director will make the final decision regarding the qualification of the potential employee. In the case of an Archdiocesan employee, clergy or seminarians, the Chancellor will make the final decision regarding the continuation of employment.

Applicants for Paid Parish/School and Archdiocesan Positions

9.4 Applicants for all regular salaried and hourly wage personnel, full-time and part-time, nineteen years and older, of the Archdiocese or its Parishes/Schools. Individuals in this category include, but are not limited to all clergy, religious men and women, school personnel, seminarians, directors, coordinators and facilitators of religious education and youth ministry, pastoral associates, parish-sponsored organizations and ministries, religious education teachers, music ministers, camp counselors, youth ministers, secretaries and maintenance personnel.

9.5 All individuals seeking employment must complete an application for employment at the Archdiocese or one of its Parishes/Schools.

9.6 All individuals must create an account on the data platform; acknowledge the Code of Conduct; register for and attend a Safe Environment training session; and complete information for and consent to a background check. Individuals who complete this process successfully, and have an approved background check will be Safe Environment Certified.

9.7 The Victim Outreach and Prevention Director or designated other will review any concerns disclosed by a background check with a violation and discuss concerns with the hiring authority. In the case of a parish and/or school applicant, the Pastor and/or Administrator, in consultation with the Victim Outreach and Prevention Director will make the final decision regarding the qualification of an applicant for a position. In the case of an Archdiocesan, clergy or seminarian applicant, the Chancellor will make the final decision regarding the hiring.

Parish/School and Archdiocesan Volunteers Who have Contact with Minors/Vulnerable Adults

9.8 All volunteers, must be twenty-one years or older to have unsupervised contact with minors/vulnerable adults. Volunteers who are at least twenty-one years old can supervise minors and/or vulnerable adults. Nineteen and twenty-year-old volunteers, although required to be Safe Environment Certified, need to have another Safe Environment Certified Personnel with them who is twenty-one years old or older. Individuals in this category include, but are not limited to, all clergy, religious men and women, school personnel, seminarians, directors, coordinators and facilitators of religious education and youth ministry, pastoral associates, pastoral associates, parish-sponsored organizations and ministries, religious education teachers, music ministers, camp counselors, youth ministers, secretaries, maintenance personnel, youth organizations, youth choir directors, parish outreach workers and extraordinary ministers of Holy Communion who minister to the homebound.

9.9 All adults must create an account on the Safe Environment data platform; acknowledge the Code of Conduct; register for and attend a Safe Environment training session; and complete information for and give consent to a background check. Individuals who complete this process successfully and have an approved background check will be Safe Environment Certified.

9.10 The Victim Outreach and Prevention Director, or delegate, will review any background check with a violation and discuss concerns with the hiring authority. In the case of a parish and/or school applicant, the Pastor and/or Administrator, in consultation with the Victim Outreach and Prevention Director will make the final decision regarding the qualification of an applicant for a volunteer position. In the case of a clergy or seminarian applicant, the Chancellor will make the final decision regarding the acceptance of the application.

Long Term Outside Vendors Who Work in Archdiocesan Entities

9.11 Individuals in this category include, but are not limited to: cafeteria workers in hired food services, bus drivers and public school teachers who provide services to schools of the Archdiocese

9.12 Long-term outside vendors may be asked to create an account on the data platform; acknowledge the Code of Conduct; and complete information for and give consent to a background check. If these individuals choose not to register and attend a training, they will not be Safe Environment certified and should always be supervised by a Safe Environment Certified adult.

9.13 Public School teachers who provide services in Schools of the Archdiocese must receive a copy of the Archdiocesan Code of Conduct and provide documentation of approved background checks to the Catholic school administrator. (See Appendix)

Training Requirements
Church Personnel who have Contact with Minors/Vulnerable Adults

9.14 Individuals in this category include, but are not limited to, all clergy, religious men and women, school personnel, seminarians, directors, coordinators and facilitators of

religious education and youth ministry, pastoral associates, religious education teachers, music ministers, camp counselors, youth ministers, secretaries, maintenance personnel, youth organizations, youth choir directors, parish outreach workers and extraordinary ministers of Holy Communion who minister to the homebound.

9.15 All Church Personnel nineteen years and older must create an account on the Safe Environment data platform and register for and attend a live training prior to having contact with minors and/or vulnerable adults.

9.16An online training will be required, (recertification) six years after their Safe Environment Certification date, to continue to have contact with minors and/or vulnerable adults.

9.17 The Archdiocese does not accept training from other dioceses or entities. It will allow for a short term, no longer than three months, acceptance of another diocese/entity training and background check when the following conditions are met; 1) a letter from other diocese/entity indicating current training and approved background check, 2) A signed Archdiocesan Code of Conduct from the volunteer 3) Office and /or ministry in charge of the event will keep a copy of the letter and signed Code of Conduct for their records and send a copy to the Office of Victim Outreach and Prevention.

Acknowledged Code of Conduct

9.18Safe Environment Certification requires an acknowledged Code of Conduct (clergy or lay) (See Appendix). Church Personnel will be held to the standards outlined in the code of conduct.

Analysis of Background Check Results

9.19 Background checks with concerns will be reviewed for approval.

9.20 Individuals on the sex offender registry and/or convicted of certain crimes are prohibited from being assigned, employed, or engaged as an employee or volunteer for the Archdiocese, its Parishes or its Schools. These crimes include, but are not limited to: capital murder; first degree murder; second degree murder; manslaughter; aggravated felonious sexual assault; felonious sexual assault; sexual assault; kidnapping; incest; endangering the welfare of a minor/vulnerable adult resulting in a felony; indecent exposure or lewdness in the presence of minor/vulnerable adult; prostitution; child pornography and exploitation of minor and/or vulnerable adult.

9.21 If a background check reveals conviction of such crimes, the Victim Outreach and Prevention Director or designated other will notify the hiring authority that the person is not qualified to work or volunteer. Exceptions are made on rare occasions.

9.22 All exceptions must be reviewed and approved by the Victim Outreach and Prevention Director, the Chancellor and the Parish/School hiring authority.

9.23 Individuals convicted of other crimes involving moral turpitude, including, but not limited to: endangering the welfare of a minor/vulnerable adult; drug-related crimes, assault and

battery, theft, fraud, perjury, and individuals found to have engaged in sexual harassment, sexual exploitation or other offense, may also be disqualified from service or ministry within the Church. So, too, may those who have engaged in other forms of serious misconduct even though not convicted of crimes. The Victim Outreach and Prevention Director or designated other will share the results of a background check with the hiring authority who will review such situations on a case by case basis. The hiring authority will consider, among other factors, the nature of the crime, the date on which the crime occurred, the relationship between the crime and the proposed position in the Church and evidence of rehabilitation.

9.24 If Safe Environment Certification is denied, individuals in this category, may re-apply six years after the date of the offense.

9.25 When Safe Environment Certification is denied, individuals in the above categories will receive a letter notifying them of the Archdiocese's decision, a copy of their background check and a copy of their Rights and Responsibilities. All denied individuals have a right to refute the charges on their background check with the background check company.

Safe Environment Certification

9.26 Safe Environment Certification is required of any Church Personnel who has contact with minors/vulnerable adults.

9.27 Safe Environment Certification requires training, an approved background check and an acknowledged Code of Conduct. Certification must be renewed every six years for Church Personnel who have contact with minors and vulnerable adults

Confidentiality of Records

9.28 The Victim Outreach and Prevention Office, under the supervision of the Director, may maintain copies of criminal records or other documentation regarding Parish, School and Archdiocesan administration personnel. The Director will limit access to those records to those with a legitimate need to know.

9.29 Parish, School and Archdiocesan personnel who have access to personnel information are required to maintain confidentiality and are prohibited from disclosing any personnel information to individuals without a legitimate need to know.

Review of Safe Environment Incident (s)

9.30 In the interest of protecting minors and vulnerable adults, the Archdiocese has the authority to review Safe Environment (SE) Certification incident (s) if so warranted. Outcomes of the SE incident review can be "no change", "yes, see notes", suspension or revocation. If revoked, one can request removal of their safe environment (SE) revocation status **six years** from the revocation date by submitting a form to the Office of Victim Outreach and Prevention. Appendix 11 outlines required steps for SE reinstatement if revocation removal is granted.(See appendixes)

Registered Sex Offenders who are Parents/Guardians

Certain steps need to be followed when a School/Parish becomes aware that a registered sex offender has a close relative (e.g. child, step-child, grandchild, sibling) attending School, Parish Religious Education or Youth Ministry events.

Registered Sex Offenders who are Parents/Guardians of School/Parish Children/Youth

10.0 Have the legal right to review his/her child's educational records. He/she may do so by contacting the School Principal for an appointment. To review Religious Education and Youth Ministry records, he/she should contact the Pastor.

10.2 Have the right to communicate with his/her child's school teacher. He/she may do so by phone, mail, or e-mail, or by making an appointment to see the school teacher after hours when no other children are present. Communications with Religious Education/ Youth Ministry staff or volunteers should be made through the Pastor.

10.3 Are not permitted on school premises or locations where Religious Education/ Youth Ministry are being held at any time while children are present (e.g. when School, Religious Education or Youth Ministry are in session). This includes walking his/her child to and from the school building or parish location of Religious Education/Youth Ministry. He/she may pick up or drop off his/her own child as long as the Registered Sex Offender parent/guardian remains in the vehicle at all times. No other school/ parish children (other than his/her own) may be dropped off or picked up from school/parish premises by the Registered Sex Offender parent/guardian.

10.4 May not volunteer at any school/ Religious Education/ Youth Ministry event.

10.5 Must follow the below protocols for any school or parish events on and off of school or parish premises at which children are present (e.g. field trips, sporting games, retreats).

Registered Sex Offenders Attending Parish/School Liturgies and Activities

10.6 Must meet with the Pastor and /or Principal who will determine if he/she is banned from campus or allowed to attend with the following guidelines and restrictions and others identified by the Pastor and/or Principal.

10.7 Attend only liturgies which have been determined by the Pastor and/or Principal. An identified companion will accompany him/her to the service.

10.8 May not hold a volunteer or employee position but may be allowed to participate as a member of the assembly for religious events, or as a spectator for athletic events etc.

10.9 Must make himself/herself known to the Pastor and/or Principal/Religious Education Director/Youth Minister who in turn will communicate this information to persons who can be expected to monitor his/her activity.

10.10 Must always be accompanied by one or more (non related) adult companion(s) who must be known to the head of the ministry whose event he/she may want to attend.

10.11 Must remain in the designated area for the activity with his/her companion.

10.12 Must agree, along with his/her companion, to any other restrictions mandated by the Pastor and/or Principal.

10.13 The Pastor and/or Principal will have full control of any and all restrictions including the right to change the restrictions as needed for the safety of the parish/school.

10.14 Violation of any of these guidelines could result in him/her being banned from attending an activity and from the campus.

Appendix 2

Code of Conduct for Clergy
Archdiocese of Omaha

(Effective date: March 1, 2026[1])

This Code of Conduct for Clergy (*Code*) of the Archdiocese of Omaha (Archdiocese) establishes standard policies and provides guidance for Clergy. We recognize, as disciples of Jesus Christ, that we must witness to Jesus both by what we say and what we do, and that our conduct should always seek to be in accord with the Faith which we profess. As Jesus said, "Let your light so shine before all, that they may see your good works and give glory to your Father who is in heaven" (Matt 5: 16).

This *Code* applies to clerical conduct that relates to the vocational role of Clergy in the Church. Clergy means ordained bishops, priests, and deacons in the clerical state (Clerics). With the exception of those sections which refer to Clergy-specific conduct (e.g., Section 3), this *Code* will also apply to seminarians and men in formation for the permanent diaconate. This *Code* applies to all Clergy serving in the archdiocese, whether incardinated or extern, who are in possession of archdiocesan faculties.

This *Code* does not presume to provide the answers to all ethical questions facing us; rather, it establishes a set of general principles, ethical standards and mandatory protocols for life and ministry that we must abide by and thereby helps to delineate boundaries by which ethical questions can be evaluated. It is also intended that this *Code* will stimulate discussion within the Church community in order to broaden consensus on standards of practice and to further refine them. As well, it requires accountability from Clergy who fail to abide by its terms.

Responsibility for adherence to this *Code* rests with each of member of the Clergy. The Vicar General and/or the Office of Victim Outreach and Prevention may be contacted if there is a concern. If there is a demonstrated failure to adhere to its contents, in consultation with either the Archdiocesan Review Board or Ministerial Conduct Board, appropriate remedial action will be taken, including, but not limited to, removal from public ministry. As also further described in their statutes, the Archdiocesan Review Board has as its competence the evaluation of allegations of misconduct involving minors. The Ministerial Conduct Board has as its competence the evaluation of allegations of misconduct carried out alone or involving those who have reached the age of majority.

The public and private conduct of Clergy has the potential to inspire and motivate people, as well as the potential to scandalize and tear down their faith. All clerics must be aware of the responsibilities that accompany their work. God's goodness and grace support all Clergy in their work and ministries.

GENERAL PRINCIPLES

1. Clergy must bear witness to the mission of the Church through their conduct. They are to keep the moral law of Christ and His Church and to live lives that are consistent with the

[1] This policy was updated on 9/9/2020 in 7.2 only, in accord with the 4/29/20 "Virtual Meeting Environments" Policy. This policy was updated January 2026.

sacred mysteries they celebrate. As such, this *Code of Conduct* is a reflection of the trust and confidence placed in Clergy because of this sacramental closeness to Christ and His Church.

2. Clergy must exhibit high ethical standards in their ministry and personal life. They must be aware of the responsibilities and positions of trust that accompany their work and exhibit this awareness by maintaining appropriate boundaries and exercising caution against all harm.
3. Relationships are at the foundation of ministry and are central to Catholic life. Healthy and safe relationships are founded upon and demonstrate sincere love, respect and compassion for all of those who are served.
4. Clergy are responsible for their own spiritual, physical, mental and emotional well-being. They are also responsible for maintaining professional competence and for meeting the commonly recognized professional standards of their particular roles. They should seek the necessary help when either personal or professional areas of their life need attention. They are encouraged to familiarize themselves with available resources in these areas, including those offered through the offices of the Vicar General, Servant Minister, and Vocations.
5. This document is not retroactive, and it replaces any previous *Code of Conduct*.

KEY TERMS

Unless otherwise specified, words used in this document should be understood according to their ordinary meaning (e.g., "integrity" should be considered as consistent moral uprightness).

"Appropriate Boundaries" means those safe environment policies or guidelines and rules or limits that a person creates to identify reasonable, safe and permissible ways for other people to behave towards them and how they will respond when someone passes those limits. It is important to bear in mind that these are subjective and often a matter of personal preference.

"Archdiocese" means the Archdiocese of Omaha.

"Clergy" means any ordained persons, including all bishops, priests, and deacons.

"Cleric" means a member of the Clergy.

"Code of Conduct" means the Code of Conduct for Clergy.

"Harassment" means either a single incident or a persistent pattern of behavior where the purpose is to create a hostile, offensive, or intimidating pastoral environment.

"Minor" means anyone who has not reached the age of 19. For the purpose of this policy, "minor" includes a "Vulnerable Adult" as applicable. This age is determined by Nebraska statute and is a higher standard than that determined by canon law.

"Misconduct" means any violation of this *Code of Conduct*, or other disciplinary law or policy.

“Parish” means only an established Roman Catholic parish in the Archdiocese of Omaha.

“Power Differential” means the inherently greater power and influence that helping professionals have as compared to the people they help. The Clergy member is perceived as having more psychological strength, control, spiritual authority, and leverage than the people they help.

“School” means a primary school or a secondary school within the archdiocese’s territory that is Archdiocese-recognized as Catholic, as well as diocesan Newman Centers.

“Seminary” means any or all of those seminaries utilized by the archdiocese.

“Unprofessional” means below or contrary to the standards expected in a particular profession.

“Vulnerable Adult”, by Nebraska statute, means any person eighteen years of age or older who has a substantial mental or functional impairment or for whom a guardian has been appointed under the Nebraska Probate Code, or one who habitually lacks the use of reason. (cf., *The Catholic Archdiocese of Omaha’s Policy for the Protection of Children and Young People,* 2011, 2.6)

“Young Adult”, by Archdiocesan policy, means those persons from 19 to 21 years of age.

ETHICAL STANDARDS

1. Professional and Personal Interaction

1.1 Clergy will maintain appropriate and clear boundaries in professional and personal interactions, both in person and electronically, and not use the power inherent in their position to exercise unreasonable or inappropriate authority or expectations over others.
Appropriate personal and pastoral boundaries are maintained by following the safe environment policies as well as following Catholic morals and virtues. Intimate, physical, sexual or emotionally dependent relationships with those entrusted to our care are never permissible.

1.2 Clergy will relate to others respectfully and professionally and will work collaboratively and cooperatively with others serving the Church.

1.3 Clergy must not engage in physical, psychological, spiritual or sexual harassment of or misconduct with any person and must not tolerate such harassment by others serving the Church.

1.4 Clergy are called to integrity according to their vocation and to exhibit this through their professional and personal conduct.

a. Clergy must not exploit another person for any purpose.

b. Clergy should not view pornographic material. Clergy are encouraged to self-report this behavior in order to get assistance.

c. Clergy are prohibited from the viewing of pornographic materials on, or taking pornographic materials onto, the property of the Archdiocese, a Parish or a School. Clergy must not create, acquire, possess, or distribute any pornographic images.

d. Bishops, priests, and unmarried deacons must not violate their promise of celibacy with another person. Married deacons must be faithful to their marital vows. Clergy are prohibited from going to so-called "gentlemen's clubs" and to similar places. Clergy are prohibited from hiring prostitutes or seeking out illicit behavior via telephone or the internet. External violations of the sixth commandment are always prohibited for all Clergy.

1.5 Clergy must not illegally: purchase, possess, use, or distribute tobacco, alcohol, or other drugs. Clergy must not be under the influence of illegal drugs, or under the influence of alcohol or medications that impair stable functioning or sound judgment in the course of their personal life or pastoral work.

1.6 While reasonable debate on matters of social import is valued, Clergy must conduct themselves in a manner consistent with Catholic teaching as set forth in the *Catechism of the Catholic Church* in all public communications. Public communications are communications offered in a public forum or disseminated to a general audience and also include communications whose potential for broad dissemination is reasonably foreseeable (e.g., homily, classroom teaching, social media, public speech, bulletin article, op-ed submission to media, social media post, or blog). While Clergy are permitted to hold and promote their own political views, the endorsement of or opposition to specific candidates for office or political parties is not permitted. Clergy are to avoid any semblance of using their office or ordination as a means to endorse or oppose specific candidates for office or political parties. Clergy should consult the USCCB's *Forming Consciences for Faithful Citizenship* as their guide in these matters.

1.7 Clergy must exercise discretion and confidentiality in handling sensitive information and may not disclose confidential information to others not entitled to such information. The seal of confession is, in all circumstances, inviolable.

1.8 Clergy are called to sensitivity to cultural, gender, and age differences throughout the archdiocese. Clergy should be attentive to those cultural factors which lead to additional vulnerability of certain persons (e.g., undocumented migrants, those who do not speak English, etc.). Additionally, Clergy should be aware of differences in professional and pastoral boundaries with young adults, those in their twenties, and those with whom there is a substantial difference in age.

2. Conduct with Minors

2.1 Clergy must use prudent judgment and common sense when working with all minors, related and unrelated. As indicated above, this includes those who are vulnerable adults.

2.2 Clergy should avoid being alone with any unrelated minor, except for sacramental confession, or for reasonable, common-sense exceptions, such as emergency situations and

circumstances where the interaction is incidental and not extended. In parish and school settings, one-on-one meetings with an unrelated minor are best held in a public area; or if that is not appropriate or possible, in an area visible to others through a window or open door. Clergy should not spend time alone with unrelated minors in other public locations (e.g., parks, coffee shops, movie theaters). For married deacons, a regular, common-sense exception would be carpooling unrelated minors along with their own children or grandchildren, with the prior permission of the parents of unrelated minors. In these cases, another safe-environment trained person should be present, where possible. Minors are never to be left alone without supervision by a SE certified adult who is at least twenty-one years of age.

2.3 Physical contact with a minor must be nonsexual and appropriate. Examples of appropriate contact are:

- verbal praise
- handshakes
- "high-fives"
- "fist bumps"
- pats on the shoulder
- brief hugs
- side hugs
- holding hands while walking with small children
- sitting beside small children
- kneeling or bending down for hugs from small children
- holding hands during prayer
- holding infants for photographs in public settings such as baptisms.

Examples of inappropriate contact include but are not limited to:

- physically assisting an altar server when vesting
- wrapping a vestment around a minor
- rubbing or massaging any body part
- taking photos without permission
- hugs that are long in duration
- kisses
- stroking of the hair or any body part
- touching their thigh while sitting next to them
- physically confining a minor so that they cannot leave
- significant alone time in the sacristy with a minor.

Cultural norms and personal boundaries of others should aways be taken into account. At the same time, cultural norms and personal boundaries do not exempt clergy from safe environment expectations.

2.4 Clergy are prohibited from having an unrelated minor in a vehicle unless supervised. Therefore, Clergy must not travel in a vehicle with an unrelated minor or vulnerable adult without another safe environment trained adult present, except in documented emergencies. (See SE policy 6.12 for an identified exception.)

2.5 Clergy must not share private overnight accommodations (bedroom, hotel room, tent, camper, bed, etc.) with any unrelated minor. In situations in which overnight accommodations are in open spaces (gymnasiums, classrooms, gathering spaces, etc.), actions should be taken to provide suitable supervision by two SE certified adults and create reasonable separation between sexes and between adults and minors. Clergy should not visit the private overnight accommodations of unrelated minors without another safe environment trained adult present. Married deacons with children should follow safe environment standards when traveling with unrelated minors.

2.6 Communications by Clergy with unrelated minors must be for professional reasons only. Clergy must maintain appropriate boundaries in all communications with an unrelated minor, including communications through the use of electronic devices or social media. No applications or services which use temporary or disappearing communications should ever be used.

> a. Clergy should make certain that the parents or guardians of an unrelated minor are aware of the content of private electronic or print communications sent to or received from that unrelated minor. In exceptional situations when a parent or guardian is not made aware of the content of a private communication, Clergy must share the communication with another safe-environment trained adult.

2.7 Clergy will not use physical force or use profane, lewd, demeaning, physically threatening, or abusive language in interactions with minors or any persons; except that proportional physical force may be used as necessary in situations of self-defense or when the minor is a danger to self or others.

2.8 Clergy should not accept expensive or excessive gifts from an unrelated minor, or give expensive, individual or personal gifts to an unrelated minor without the permission of the parent or guardian and only by way of the parent or guardian, such that a gift is given to a parent or guardian for a minor. Exchanges of modest, appropriate gifts between groups of minors and Clergy in the ordinary course of parish programs and school settings is permissible (e.g., rosaries, prayer cards, holiday candy).

2.9 Clergy must avoid potential grooming behavior that has been used by adults to develop inappropriate relationships with minors. Activities include singling out minors or showing them unusual attention. Some examples of this behavior prohibited for Clergy include but are not limited to the following: presenting gifts to a particular child (relatives excluded) or giving special favors or tasks to a particular child singling out a particular child for special dinners, events, trips, or outings; having unofficial private conversations through text messaging, emailing, or contact through social media; or initiating intimate or sexual questions about a minor's personal life or an adult's sharing of intimate information about their own.

3. Conduct Related to Pastoral Counseling: All ongoing pastoral counseling with a minor requires parental or guardian consent. SE polices regarding these meetings with minors/vulnerable adults must be followed.

3.1 When engaged in counseling or spiritual direction, Clergy must take great care to respect the rights and advance the welfare of all involved.

3.2 Pastoral counseling services provided by Clergy must be within the scope of their expertise, training, or certification.

3.3 Clergy are responsible for establishing and maintaining clear, appropriate boundaries in pastoral counseling relationships.

3.4 Pastoral counseling sessions must be held in appropriate settings and at appropriate times. Sessions must not be held at places or times that might confuse the person being counseled as to the nature of the relationship with the cleric.

3.5 Physical contact during pastoral counseling or spiritual direction may be misconstrued. Any physical contact must be appropriate in nature and duration.

3.6 Upon ending a pastoral counseling relationship, Clergy should recommend appropriate arrangements for the continued care of person(s) they have been counseling.

3.7 When pastoral counseling services are provided to two or more people who have a relationship with each other (e.g., spouses, family members) outside the context of pastoral counseling, Clergy must:

a. Clarify the nature of the relationship(s) of those involved.

b. Identify potential conflicts of interest that may exist because of prior personal or pastoral relationships between the cleric and the person(s) receiving pastoral counseling; and

c. Discuss how to eliminate or manage the conflicts.

3.8 Clergy are strongly encouraged to seek out consultation with other professionals or pastoral counselors regarding the counseling that they give. This should take place in a confidential manner. This is a recognized practice in the field for counseling and leads to better outcomes, transparency for counselors, and better maintenance of professional boundaries with those who are served.

4. Confidentiality in Pastoral Counseling and Spiritual Direction

4.1 Clergy must discuss the nature of confidentiality and its limitations with each person in counseling.

4.2 Information obtained by Clergy in the course of religious or spiritual advice, aid, or comfort is confidential and may be disclosed only:

a. With the written, informed consent of the person being counseled.

b. When there is clear and imminent danger to the person being counseled or to others (in this situation, Clergy must act in good faith to disclose only the information necessary to protect the parties affected and to prevent harm; if prudent, Clergy should inform the person being counseled about a possible disclosure before the disclosure is made);

c. When there is a serious threat to the health, safety, or welfare of a minor and disclosure of confidential information to a parent, legal guardian, or civil authorities is essential to the minor's health, safety, or welfare (in this situation, Clergy should attempt to obtain informed consent from the minor before disclosure, and must act in good faith to disclose only the information necessary to address the health, safety or welfare threat);

d. When consultation with another professional would be beneficial to the person being counseled (in this situation, Clergy should attempt to obtain written informed consent from the person being counseled before disclosure, must act in good faith to disclose only the information necessary to receive assistance, and must obtain assurance from the other professional that he/she agrees to be bound by our standards of confidentiality);

e. When a Cleric is a defendant in a legal proceeding and the disclosure of confidential information is necessary to his defense (in this situation, the Cleric may disclose only the information necessary for his defense and only as permitted by civil and canon law);

f. When legally required to do so consistent with civil or canon law.

4.3 Clergy must safeguard the confidentiality of any notes, files, or electronic records pertaining to pastoral counseling services. Counseling or spiritual direction sessions must not be video or audio recorded without the prior informed, written consent of all parties involved.

4.4 Knowledge that arises from professional pastoral counseling interactions must be used with discretion in teaching, writing, homilies, or other public presentations only when effective measures have been taken to safeguard individual identity and confidentiality.

4.5 Information received during the sacrament of confession may never be recorded or disclosed (*Code of Canon Law*, 1983, c. 983; *Sacramentorum Sanctitatis Tutela/Normae Substantiales,* 2021).

4.6 In canonical terms, the "internal forum" refers to those matters that are discussed in pastoral counseling and the sacrament of confession. The "external forum" refers to those matters that are discussed elsewhere. The seal of confession only refers to the Sacrament of Confession. All Clergy must be familiar with Nebraska statute 27-506, which describes privileged communications with Clergy.

5. Conflicts of Interest

5.1 Clergy must avoid actions that may reasonably be perceived as exploiting their position with the Church to further their personal, religious, political, or business interests. Clergy should avoid situations that present conflicts of interest. Even the appearance of a conflict of interest can call integrity and professional behavior into question and should be avoided.

5.2 A conflict of interest may exist when Clergy have an ownership interest in, an investment interest in, or a compensation arrangement with, an entity or individual who engages in regular or substantial business with the archdiocese, relevant parish, or relevant Catholic school.

5.3 Conflict of interest situations that are to be avoided include:

a. Acting with unfair bias or partiality toward anyone with whom a Cleric has an existing professional or personal relationship.

b. Violating the confidence of another person for personal gain; and

c. Accepting gifts of excessive material value that are given in any way to sway, persuade, or influence decision making.

5.4 Clergy must exercise discretion when considering assumption of fiduciary obligations or financial responsibility for a person associated with a parish or Catholic school, with the exception of family members, and should consult with the offices of the Chancellor or the Vicar for Clergy before assuming such obligation or responsibility. Clergy are prohibited from assuming public offices. Clergy—with the exception of permanent deacons—are prohibited from conducting commercial business. Clergy are obliged to comply with the provisions of canons 285-288 of the *Code of Canon Law*, 1983.

5.5 Clergy may not receive dual compensation for work within the scope of their assignment or employment (e.g., a priest who receives a salary as a pastor may not also receive a salary as a director of faith formation at the same parish). This does include the common subdivision of compensation among multiple apostolates, so long as the total does not exceed the standard compensation rates published by the Archdiocesan Finance Office. This also does not include fees given for talks, retreats, professional services, etc., outside of a cleric's assignment.

5.6 Clergy must disclose conflicts of interest to all affected parties. In resolving the issues, primary attention must always be given to the protection of the person receiving ministry or services.

6. Reporting Misconduct

6.1 Clergy must adhere to high ethical standards and report observed behavior which is illegal, unethical or unprofessional to their supervisor or other appropriate church authority.

6.2 Clergy are required to report to the Office of the Vicar for Clergy or the Office of the Chancellor any time they become a defendant in a criminal or civil case, are arrested, or receive a citation for behavior which violates this *Code*; the Office of the Vicar for Clergy or the Office of the Chancellor shall gather available, relevant documentation and assess whether the particular matter should be forwarded to the Ministerial Conduct Board and/or the Archdiocesan Review Board based on the scope of the boards as set forth in their statutes.

6.3 Clergy who have reason to believe that a minor is being abused or neglected or has been abused or neglected (including minor-on-minor abuse and or sexting) must immediately report the basis for their belief to:

a. Proper civil authorities--typically, law enforcement or Child Protective Services--in accordance with state statutes about mandatory reporting.

and,

b. The Office of Victim Outreach and Prevention (or another appropriate chancery official) if it involves clergy, employees or volunteers. Parents or guardians are to be notified only after consultation with civil authorities.

6.4 Suspected child pornography must be similarly and immediately reported to:

a. Proper civil authorities--typically, law enforcement or Child Protective Services--in accordance with state statutes about mandatory reporting.

and,

b. The Office of Victim Outreach and Prevention (or another appropriate chancery official) if it involves clergy, employees or volunteers. Parents or guardians are to be notified only after consultation with civil authorities.

6.5 Clergy possess rights under the law. In the carrying out of investigations into any allegations of misconduct, these rights will be protected. Clergy are always free to exercise their rights. Specific protocols about investigations and allegations are available to all Clergy from the office of the Vicar General.

7. Information Technology

Electronic Communication with Unrelated Minors

Regardless of the manner or method, all communication with minors must be faithful to the teachings and values of the Catholic Church. As leaders and role models for children our communication with minors must respect the psychological, physical and behavioral boundaries of the young person and be appropriate to ministerial and professional relationships.

Permission of the parent or guardian must be obtained, in writing, in order for any cleric to communicate with minors via telephone, cell phone, text messaging, email, social networks, or other electronic means. It is best practice for another SE certified adult or parent to be included in all communications.

In order to protect the privacy of youth, permission must also be obtained, in writing, from the parent or guardian before sharing/posting pictures or videos of minors, and before sharing email,

telephone numbers, or other contact information with other minors or adults who are part of the class, group or organization.

Clerics should never consider typed conversations that take place via electronic means (emails, social networking sites, text message, etc.) to be private and confidential.

Electronic communication between a cleric and a minor should not be used to address/discuss confidential matters. These are to be discussed in a face-to-face meeting which is more appropriate and professional. Remember young people often believe that electronic communication is more private and gives them a sense of availability and anonymity. However, records of these conversations can be obtained and accessed. These means of communication can also be saved and forwarded.

If a minor sends a cleric an inappropriate message, the cleric should not reply to it. The cleric should print it and notify his immediate supervisor or another safe environment trained adult. A minor may also send a message that causes the cleric to have concerns for the health and safety of that young person. Clerics should notify parents, authorities (as needed), and their immediate superior in these cases.

Clerics must set appropriate boundaries around the times when phone calls will be made and electronic communications will be sent.

Clerics should take time to review internet safety with minors in their classes, groups, organizations, etc., especially if they are utilizing web-based technology to enhance outreach to the minors with whom they work.

For copyright and trademark reasons, individual apps, websites, online serves, etc., are not named in this document, even though they fall within its scope.

Specific Types of Communications, Included but not Limited to the Following:

1. Email, Instant Messaging, and Text Messaging

Clerics should only communicate with minors through the use of their archdiocesan, parish, or school email address or school-sponsored platforms (e.g., Sycamore).

In order to protect the email addresses of minors, the clerics should use the blind carbon copy (BCC) feature when sending an email to more than one minor.

If a group of youth need to be in contact with each other via email, permission must be obtained from the parent or guardian before sharing a minor's email address with other members of the group. (A youth leadership team would be one example of a situation where clerics may seek permission to share email addresses among group members.)

Clerics should never consider email to be private. Clerics should copy another responsible adult (parent, supervisor, athletic director or alternate youth ministry leader) when sending an

electronic message to a minor. This action demonstrates transparency and appropriateness when communicating with minors. All electronic messages should be relevant to the ministerial/professional relationship the cleric has with the minor with due consideration for the age of the minor.

Clerics should be brief in one-to-one, electronic conversations with a minor. Messages should be kept short and to the point and related to the professional/ministerial relationship between the cleric and the minor.

2. Video and Audio Calls[2]

Clerics should not initiate telephone or video conversations with unrelated minors. Conversations initiated by unrelated minors should be kept short and to the point and related to the professional/ministerial relationship between the cleric and the minor. Clerics should notify parents or another responsible adult when communicating in this way.

3. All Types of Social Networking

Clerics who use social networking sites to communicate with minors about their ministry should create a separate business or public account, and/or group, for this specific use whenever possible.

Precautions should be taken to guard the privacy of anyone who has access to the page. The highest privacy settings must be used. In addition, clerics should encourage minors and parents who join the online community to set their privacy settings at the highest levels.

Written permission from a parent/guardian should be obtained prior to a minor's participation on a social networking site, such as Facebook, sponsored by a parish organization.

Minors should not be given access to the private or personal postings of a cleric. All interactions should reflect the ministerial/professional role of the cleric.

4. Blogs and Social Media (SM) Posts

Blogs and social media posts used for educational or ministerial purposes should be conducted in a professional manner and the content should reflect the purpose.

It is recommended that the blog or social media posts be set up so that comments are not posted until they are reviewed and approved by the owner of the blog or social media account. The practice prevents inappropriate and hurtful comments from being posted.

Personal blogs or should not be shared with minors. Clerics should not follow an unrelated minor's social media postings.

[2] This section is augmented by the document "Safe Environment Policies for the Supervision of Minors in Virtual Meeting Environments". Any portion of that policy contrary to Section 7.2 takes precedence over Section 7.2 of this document.

5. Websites
Websites used to represent a parish or parish organization must be owned and managed by the SE certified parish leader. A cleric must obtain permission from the pastor or pastor's delegate to set up a web page that represents the parish.

Websites may be linked to other sites. It is recommended that all people add this statement to any site created:

"Links to other sites are provided on this site. These sites are provided for informational purposes only and are not necessarily sponsored by the parish or church organization.

6. Videos, VLOGS, Photographs, Other Images
Clerics must obtain written permission from a parent or guardian to share a photograph or video with another party for any reason.

Videos and photographs which are posted by electronic means with the permission of the parent or guardian, should not give identifying information about the child (i.e., full name, addresses, birth date, etc.).

7. Online Gaming
This recreational activity is used by peers to play games and socialize. Clerics involved in service and ministry to youth are not peers of youth. For this reason. Clerics must avoid online behavior/direct messaging that could reasonably be perceived as grooming of unrelated minors.

8. Illegal or Immoral Materials
Clerics should never access, transmit, create or manipulate materials that are illegal or immoral. These include but are not limited to pornographic, stolen, sexist or discriminatory materials. Illegal activity such as sexting minors or the transmission of illegal material, such as child pornography, must be reported immediately to the proper authorities.

9. Important Reminders
Electronic communication is not private. Emails, text messages, and web postings establish a permanent record, which can be obtained and accessed. These means of communication can also be saved and forwarded.

All expectations regarding the reporting of suspected child abuse are in effect regardless of the method by which the information reaches the clerics ministering to youth.

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Appendix 2

Archdiocese of Omaha
Safe Environment Code of Conduct for Lay Persons
Employee, Volunteer and Religious Men and Women

Standards of Obligation, Responsibility and Accountability for Care, Contact and Conduct with Children, Young People and Vulnerable Adults

(Effective Date: July 1, 2020; Updated June 2024 and March 2026)

The Safe Environment policy of the Archdiocese of Omaha defines 'Church personnel' to include Clergy. Because there is a separate Code of Conduct for Clergy, for the purpose of this Code of Conduct, the term "All" or "Church personnel" refers to all lay persons (employee, volunteer and religious men and women, age 19 and over) who have contact with children/youth/vulnerable adults on behalf of the Church.
The term "Minors" refers to all children and youth who have not reached the age of 19. This age is determined by Nebraska statute and is a higher standard than that determined by canon law. Employed and volunteer Church personnel will be held to the same standards and expectations.
The term "Vulnerable Adult", by Nebraska statute, means any person eighteen years of age or older who has a substantial mental or functional impairment or for whom a guardian has been appointed under the Nebraska Probate Code, or one who habitually lacks the use of reason. (cf., *The Catholic Archdiocese of Omaha's Policy for the Protection of Children and Young People,* 2011, 2.6)

Expectations

Mission

One Church, encountering Christ, equipping disciples and living mercy.
All must represent and respect the Church's teachings. All must bear witness to the mission of the Church through their conduct. They are to be faithful and merciful disciples of Christ whose actions are consistent with the moral law and teachings of our Catholic Church.

As ambassadors for Christ, it is up to every one of us to care for and protect the most vulnerable.
We are called to be the eyes and ears of the Church and to keep our minors/vulnerable adults safe. If you see something that doesn't feel or look right, it should be reported. It is only when the authorities and others have the necessary information that we can establish a truly safe environment for all.

Conduct/Relationships

1.0 Present oneself with dignity and integrity.

All must exhibit high ethical standards and personal integrity in their ministry and personal life. They must be aware of the responsibilities and positions of trust that accompany their work and exhibit this awareness by maintaining appropriate boundaries and exercising caution against all harm.

· **Church personnel must use prudent judgment and common sense when working with all minors/vulnerable adults.**

1.1 Relationships are at the foundation of ministry and are central to Catholic life.

· Healthy and safe relationships/boundaries reflect sincere love, respect and compassion, which can

foster a closer relationship with God for others. A safe environment is created through mutual respect for the dignity of each person, who is made in the image and likeness of God.

1.2 Recognize that the role of Church personnel as an employee/volunteer is to serve other needs rather than one's own.

· All will strive to make a positive difference in the lives of minors/vulnerable adults. We can never have an equal/peer relationship with a minor. Working or volunteering with them is a privilege and should not be used to satisfy personal desires or needs.

1.3 Physical contact with a minor must be nonsexual and appropriate.

Examples of appropriate contact include but are not limited to:

- verbal praise
- handshakes
- "high-fives"
- "fist bumps"
- pats on the shoulder
- brief hugs
- side hugs
- holding hands while walking with small children
- sitting beside small children
- kneeling or bending down for hugs from small children
- holding hands during prayer

Examples of inappropriate physical contact include but are not limited to:

- rubbing or massaging any body part
- taking photos without permission
- kisses
- hugs that are long in duration
- touching their thighs while sitting by them
- stroking a minor's hair or any body part
- physically confining them so they can't leave

We should always take into account one's cultural norms and personal boundaries. At the same time, cultural norms and personal boundaries do not exempt one from safe environment expectations.

1.4 Church personnel will not use physical force or use profane, lewd, demeaning, physically threatening, or abusive language in interactions with minors/vulnerable adults or any other person when representing the Church.

An exception would be that proportional physical force may be used as necessary in situations of self-defense or when the minor/vulnerable adult is a danger to self or others.

1.5 Conduct oneself in accordance with the law and in a professional and prudent manner.

All must not illegally purchase or possess for the intent to use, or distribute tobacco, alcohol, or other drugs for minors/vulnerable adults. All may never be under the influence of alcohol, illegal drugs, or medications that impair stable functioning or sound judgment in the course of their volunteer or paid work as Church personnel.

1.6 Avoid inappropriate in-person or electronic relationships with other Church personnel, clergy or parishioners.

In order to model positive and appropriate relationships, all will relate to others respectfully and professionally and will work collaboratively and cooperatively together. All must not engage in physical, psychological, spiritual or sexual harassment of, or misconduct with, any person and must not tolerate such harassment by others serving the Church.

1.7 Additionally, Church personnel should be careful to maintain appropriate in- person or electronic boundaries when working or volunteering with young adults, those age 19 through their early twenties, especially those adults with whom there is a substantial difference in age from the young adult. (See young adult guidelines and SE policy 9.8 which indicates a young adult needs to be 21 or older to supervise minors.

Safe Environment Boundaries

2.0 Church personnel assume full responsibility for establishing and maintaining clear, appropriate in-person and electronic boundaries and will be open to feedback or redirection regarding any concern.

Appropriate personal and pastoral boundaries are maintained by following the policies and guidelines put in place by the archdiocese, as well as following Catholic morals and virtues. Intimate, physical, sexual, or emotionally dependent relationships with those entrusted to our care are never permissible. Maintaining appropriate boundaries would also include being aware of all adults, minors and vulnerable adults who are present and taking action if necessary if there is a concern.

2.1 Understand and implement procedures, guidelines, code of conduct and practices that ensure safeguards for minors/vulnerable adults.

Church personnel are fully responsible for knowing and implementing clear, appropriate boundaries in personal and electronic interactions with minors and vulnerable adults**.** Parents/guardians or other SE certified adults must be included on all communications.

All must be aware of the responsibilities and positions of trust that accompany their work and exhibit this awareness by maintaining appropriate boundaries and exercising caution against all harm**.**

Any violation of the code of conduct, policies, practices, procedures and guidelines should be documented and reported to leadership, SE coordinator and potentially the Office of Victim Outreach and Prevention if there are safety concerns.

2.2 Understand and respect that our role as Church personnel comes with significant status/power.

All should strive to use authority responsibly with integrity and exhibit this through their in-person and electronic conduct with others.

Church personnel may be perceived as having more psychological strength, control, spiritual authority, and leverage than those they serve. Church personnel should be mindful of the power differential that exists in relationships and strive for these relationships to be mutually respectful. We should never use status to exploit another person for any purpose.

2.3 Church personnel should not accept expensive or excessive gifts from an unrelated minor/vulnerable adult, or give expensive, individual or personal gifts to an unrelated minor/vulnerable adult, without the permission of the parent or guardian-Exchanges of modest, appropriate gifts between groups of minors/vulnerable adults and Church personnel in the ordinary course of parish programs and school settings is permissible (e.g., rosaries, prayer cards, holiday candy). All minors in the group should receive an equal or similar gift.

2.4 Church personnel must avoid grooming behaviors that lead to inappropriate relationships with minors/vulnerable adults.

Some examples of this prohibited behavior may include:

- singling out minors/vulnerable adults or showing them unusual attention.

- presenting gifts to a particular minor/vulnerable adult (relatives excluded)
- giving special favors or tasks to a particular minor/vulnerable adult.
- singling out a particular minor/vulnerable adult for special dinners, trips, or outings:
- having unofficial private conversations through text messaging, emailing, or contact through social media.
- initiating intimate or sexual questions about a minor/vulnerable adult's personal life or an adult's sharing of intimate information about their own life.

Acting as an employee or volunteer on behalf of the Church:

3.0 Church personnel must not travel in a vehicle with an unrelated minor(s)/vulnerable adult(s) without another Safe Environment certified adult present, except in documented emergencies or extenuating circumstances. When this is not possible, it is acceptable to have one SE certified adult transport several minors when they leave as a group and are dropped off as a group or when the last minor to be dropped off is related to the SE certified adult.

3.1 Church personnel should avoid being alone (without another Safe Environment certified adult) with any unrelated minor/vulnerable adult, except for reasonable, common-sense, documented exceptions, such as emergency situations or where the interaction is incidental and not extended.

3.2 Minors and vulnerable adults are never to be left alone without supervision of a SE certified adult who is at least twenty-one years of age.

3.3 When necessary for your role, one-on-one meetings with an individual unrelated minor/vulnerable adult are best held in a public area within the church or school or if that is not possible, maintain transparency by meeting in an area visible to others through an unrestricted window or open door, and let others know where you will be meeting.

3.4 Church personnel should not spend time alone with individual unrelated minors/vulnerable adults in other public locations (e.g., parks, coffee shops, movie theaters). A common-sense exception would be carpooling unrelated minors/vulnerable adults along with their own children or grandchildren.

Church personnel must have prior permission of the parents or guardians of the unrelated minors/vulnerable adults. In this case, another safe-environment certified person should be present, if possible.

3.5 Church personnel must not share private overnight accommodation (bedroom, hotel room, tent, camper, bed, etc.) with any unrelated minor/vulnerable adult. In situations in which overnight accommodations are in open spaces (gymnasiums, classrooms, gathering spaces, etc.), actions should be taken to have suitable supervision by two Safe Environment certified adults. Reasonable separation between sexes and between adults and minors/vulnerable adults must also be provided.

3.6 Church personnel should not visit the private overnight accommodations of unrelated minors/vulnerable adults without another Safe Environment certified adult present. Common, visible areas (example: hallways) should be chosen whenever possible for meetings. If Church personnel need to enter/ inspect a room or space, the door should be left open and minors/vulnerable adults may be asked to leave the space before two Safe Environment certified adults can enter. Church personnel with their own children should follow Safe Environment standards when traveling with unrelated minors/vulnerable adults.

Communication/Transparency

4.0 Electronic communication is never private. Emails, text messages, and social media postings establish a permanent record, which can be obtained and accessed. These means of communication can also be saved, altered and forwarded. For copyright and trademark reasons, individual apps, websites, online services, etc., are not named in this document, even though they fall within its scope.

4.1 Avoid all conduct which would exploit the trust of minors/vulnerable adults.

All will maintain appropriate boundaries and behaviors in professional and personal relationships whether in the presence of minors/vulnerable adults or not.

Being transparent means that an open line of communication with parents/guardians/staff, etc. will be maintained that it is clear, intelligible, and observable This requires us to be open to the scrutiny of others in all actions with minors/vulnerable adults. Minors/vulnerable adults should not be put in any uncomfortable or compromising situation.

4.2 Respect confidentiality and practice sensitivity towards others.

All must exercise discretion and confidentiality in handling sensitive information and may not disclose confidential information to others not entitled to such information**.**

Confidentiality is not binding if the information that has been shared highlights serious risk and/or endangerment to self or others.

All are called to be sensitive to differences in culture, gender, age and those with special needs throughout the archdiocese. Be aware of those cultural factors which lead to additional vulnerability of certain persons (e.g., undocumented migrants, those who do not speak English, etc.).

4.3 Communications by Church personnel with unrelated minors/vulnerable adults must be for professional reasons only.

All must maintain appropriate boundaries in all communications with an unrelated minor/vulnerable adult, including communications through the use of electronic devices or social media.

Social media applications that time-out or automatically delete should not be used.

All should make certain that the parents or guardians of an unrelated minor/vulnerable adult are aware of the content of private electronic or print communications sent to, or received from, that unrelated minor/vulnerable adult.

In exceptional situations, when a parent or guardian is not made aware of the content of a private communication, another safe-environment certified adult must be included on the communication, or the communication must be shared with them.

4.4 Adhere to Archdiocesan Guidelines regarding Electronic/Technical Communications with Unrelated Minors/Vulnerable Adults

Regardless of the manner or method, all communication with minors/vulnerable adults must be faithful to the teachings and values of the Catholic Church.

As leaders and role models, our communication with minors/vulnerable adults must respect the psychological, physical and behavioral boundaries of the minor/vulnerable adult and be appropriate to the ministerial and professional relationship.

Reporting suspected child abuse regarding Electronic/Technological communications must adhere to the same standards set forth for reporting other types of suspected child abuse.

Permission to obtain minor/vulnerable adults personal contact information must be given by the parent/guardian in writing prior to communication via telephone, cell phone, text message, email, social media, or other electronic means.

Church personnel should never consider typed conversations that take place via electronic means (emails, social networking sites, text message, etc.) to be private and confidential.

Electronic communication between Church personnel and a minor/vulnerable adult should not be used to address/discuss confidential matters. These are to be discussed in a face-to-face meeting, per policy, which is more appropriate and professional.

Remember minors/vulnerable adults often believe that electronic communication is more private and gives them a sense of availability and anonymity. However, records of these conversations can be obtained and accessed. These means of communications can also be saved, altered and forwarded.

In order to protect the privacy of minors/vulnerable adults, permission must also be obtained, in writing, from the parent or guardian before sharing/posting pictures or videos of minors/vulnerable adults.

This includes sharing email, telephone numbers, or other contact information with other minors/vulnerable adults or adults who are part of the class, group or organization. At no point should you record audio or video images without permission of the parents or guardians and making the person being recorded aware.

If a minor/vulnerable adult sends an inappropriate message to Church personnel, the Church personnel should not reply to it. An unedited copy of the message should be saved, and the Church personnel should notify their pastor, principal or program administrator.

A minor/vulnerable adult may also send a message that causes the Church personnel to have concerns for the health and safety of the minor/vulnerable adult. The Church personnel should notify parents or guardians, authorities (as needed), and their pastor, principal or program administrator in these cases.

Church personnel must set appropriate boundaries around the times when phone calls will be made, and electronic communications will be sent. Communication should occur during the appropriate times for ministry.

Church personnel should review with their group the appropriate boundaries when communicating with minors/vulnerable adults as it refers to their group.

4.5 Specific Types of communications, including, but not limited to, the following:

All will be transparent and professional in electronic or written communication with minors/vulnerable adults and their families. It is expected that other adults (parents, guardians or supervisors) are included in all electronic communication.

Electronic communication guidelines are located in the Archdiocesan Safe Environment Policy, which is available as a link on the Safe Environment page of the Archdiocesan website at www.archomaha.org
.

4.6 Email, direct messaging (DM), and text messaging.

Church personnel should only communicate with minors/vulnerable adults through the use of their archdiocesan, parish, or school email address or school-sponsored platforms, apps, and information systems.

If this is not available, Church personnel should create an email address dedicated for the purpose of the ministry or activity and copy the program administrator or supervisor on all communication.

In order to protect the privacy of email addresses, the blind carbon copy (BCC) feature should be used when sending an email to more than one person, including minors/vulnerable adults.

If a group of minors/vulnerable adults need to be in contact with each other via email, permission must be obtained from the parent or guardian before sharing a minor/vulnerable adults' email address with other members of the group. (A youth leadership team would be one example of a situation where Church personnel may seek permission to share email addresses among group members.)

Church personnel should never consider email, texting, messaging and other electronic communications to be private.

Church personnel should copy another responsible adult (parent, supervisor, athletic director, principal or alternate youth ministry leader) when sending an electronic message to a minor/vulnerable adult.

This action demonstrates transparency and appropriateness when communicating with minors/vulnerable adults. All electronic messages should be relevant to the ministerial/professional relationship the Church personnel have with the minor/vulnerable adult with due consideration for the age of the minor/vulnerable adult.

4.7 Video and audio calls

Church personnel should not initiate telephone or video conversations with unrelated minors/vulnerable adults that is contrary to the Archdiocesan policy on technology and virtual environments.

Conversations initiated by unrelated minors/vulnerable adults should be kept short and to the point by Church personnel and related to the professional/ministerial relationship between the Church personnel and the minor/vulnerable adult. Parents, guardians or another responsible adult should be notified when communicating in this way.

4.8 All types of social networking

Church personnel who use social networking sites or apps to communicate with minors/vulnerable adults about their ministry should create a separate business or public profile, account and/or group for this specific use whenever possible.

Precautions should be taken to guard the privacy of anyone who has access to the site or app. The highest privacy settings must be used. In addition, Church personnel should encourage minors/vulnerable adults, parents and guardians who join the online community to set their privacy settings at the highest levels.
Written permission from a parent/guardian should be obtained prior to a minor/vulnerable adult's participation on a social networking site or app that is sponsored by a parish organization.

Minors/vulnerable adults should not be given access to the private or personal postings of Church personnel. All interactions should reflect their ministerial/professional role.

Church personnel should not post photos of unrelated minors/vulnerable adults they volunteer or work with on their personal social network pages.

Church Personnel should not e-friend a parent or guardian of minors/vulnerable adults of minors/vulnerable adults you volunteer or work with on their personal social media account unless they had a prior personal relationship.

4.9 Blogs and social media (SM) posts

Blogs and posts are used for educational or ministerial purposes should be conducted in a professional manner and the content should reflect the purpose.

SM posts are to be set up so that comments are not posted until they are reviewed and approved by the owner of the blog or social media account. The practice prevents inappropriate and hurtful comments from being posted.

Personal blogs or SM accounts must not be shared with minors/vulnerable adults.

One should not follow unrelated minors/vulnerable adults social media posting.

4.10 Websites

Websites used to represent a parish, school, or parish organizations must be owned and managed by the parish or school.

Church personnel must obtain permission from the pastor, administrator or pastor's delegate to set up a web page that represents the parish or school and include parish IT or parish/school administrators as owners of the website.

Websites may be linked to other sites. It is recommended that all persons add this statement to any site created: *"Links to other sites are provided on this site. These sites are provided for informational purposes only and are not necessarily sponsored by the parish, school or church organization."*

4.11 Videos, VLOGs, photographs, other images

Church personnel must obtain written permission from a parent or guardian to share a photograph or video with another party for any reason.

Videos and photographs which are posted by electronic means with the permission of the parent or guardian, should not give identifying information about the minor/vulnerable adult (i.e., full name, addresses, birth date, etc.).

12 Online gaming

All Church personnel who work or volunteer with minors/vulnerable adults are not their peers.

Church personnel must avoid online behavior/direct messaging that could reasonably be perceived as grooming with an unrelated minor.

4.13 Illegal or immoral materials

Church personnel should never access, transmit, or create or manipulate images that are illegal or immoral that would cause harm to others.

These include but are not limited to pornographic, stolen, sexist or discriminatory materials.

Illegal activity such as "sexting" or the transmission of illegal material, such as child pornography, must be reported immediately to the proper authorities.

Legal/Reporting

5.0 Adhere to Nebraska state law and Archdiocesan Safe Environment policy on child abuse and neglect and mandatory reporting as presented in the Circle of Care training.

5.1 When there is reasonable cause to believe that a child has been subjected to abuse or neglect, or this activity has been observed, all shall immediately report the incident or cause a report to be made to the proper law enforcement agency. This includes minor on minor abuse/sexting.

Reasonable concerns regarding child abuse/neglect must be reported. Toll free number for the Adult & Child Abuse & Neglect Hotline is: 1-800- 652-1999. Supervisor/administrator needs to be notified immediately of the need to report.
The office of Victim Outreach and Prevention must be contacted if a cleric, employee or volunteer is involved.

Understand Pornography (legal/ illegal such as child pornography/child sexual abuse material) is against moral teachings of the Church and is prohibited.

5.2 All are prohibited from the viewing of pornographic materials on, or taking pornographic materials onto, the property of the Archdiocese, a Parish or a School. Church personnel must not create or distribute any pornographic images. Any discovery of illegal material (child pornography) or showing pornographic images to a minor/vulnerable adult must be reported to the authorities.
· **Know where to find the Archdiocese's Safe Environment policies as they pertain to working with minors/vulnerable adults in the name of the Church.**

All Safe Environment policies are on the archdiocese website at www.archomaha.org. From the archdiocesan home page, click on 'Safe Environment,' then on 'Safe Environment Policy.' A hard copy of the policies should also be available in parish/school offices.

All expectations regarding the reporting of suspected child abuse are in effect regardless of the method by which the information reaches Church personnel who volunteer or work with minors/vulnerable adults.

Appendix 3

Sample (Subject to Change)

Parish Safe Environment (SE) Data Report

Send Completed report by April 15 to:

Mary Maguire, 2222 N. 111th St., Omaha, NE 68164; email to mkmaguire@archomaha.org or fax to 402-827-3797

Parish _____Mailing Address_____
Physical Address (City) _____

The Archdiocese requires all paid staff and volunteers having contact with children/youth to have current SE Certification (training and a successful background check).

Please have the staff member responsible initial on the left, enter data on the right and then sign this Data Report.

_____1. Number of paid parish staff having contact with children/youth _____
_____2. Number of SE certified paid parish staff having contact with children/youth (Examples: custodians, secretaries, office staff, RE, YM, _____choir directors, child care, parish ministries….)
_____3. Number of paid parish staff having contact with children/youth who are NOT SE certified (**Must** clarify reason and/or plans for certification on back) _____
_____4. Number of adult volunteers having contact with children/youth _____
_____5. Number of SE certified adult volunteers having contact with children/youth _____
_____6. Number of adults having contact with children/youth who are NOT SE certified (**Must** clarify reason and/or plans for certification on back) _____
_____7. Number of children/youth in the K-12 (not pre-school) Religious Education Program _____
_____8. Number of children/youth in the K-12 (not preschool) RE Program who were taught the required *Circle of Grace* curriculum _____
_____9. Number of children/youth in the K-12 (not preschool) RE Program who did not participate in the COG curriculum per parent request or other reasons _____

***The number of children on lines #8 and #9 should equal the number listed on #7, the total number of children/youth in the K-12 RE program.* You must clarify the reason each child in #9 did not receive COG training (examples- parental denial, absence…) on the back of this form. Please attach a letter from the parents of those refusing to allow their child/children to participate.**

_____10. Number of youth in the regular High School Youth Ministry group (excluding youth who only attend events) _____
_____11. Number of youth in the regular High School Youth Ministry group taught the required *Circle of Grace* curriculum _____
_____12. Number of youth in H.S. Youth Ministry group who did not participate in the *Circle of Grace* curriculum per parent request or other reasons _____

***The* number of youth on lines #11 and #12. should equal the number listed on #10, the total number in the Youth Ministry Group program. Please give a reason on the back for each child on #12 who did not receive COG training and attach a letter from any parents who denied participation for COG.**

_____13. The Archdiocesan Safe Environment Policies are readily available to parishioners and those who are employed/minister/volunteer for the Parish.

Please indicate how you make the policies available:
_____

I conclude as the Pastor, SE Coordinator, Director/Coord. of RE and Youth Minister that the above is an accurate documentation of our Safe Environment requirements.

All signatures for those serving in the positions listed below are required to be in compliance with the USCCB audit.

SE Coordinator's Signature _____Date _____Phone Number _____
Dir./Coord. of RE's Signature _____Date _____Phone Number _____
Youth Minister's Signature _____Date _____Phone Number _____
Pastor's Name _____Date _____Phone Number _____

Completed report must be submitted by 4-15-2020 to ensure compliance with the USCCB mandated yearly audit.
Questions? Please contact Mary Maguire at mkmaguire@archomaha.org or 402.557.5562.

Pastor's Signature _____

Appendix 4

Sample(Subject to Change)

School Safe Environment (SE) Data Report

Send Completed report by April 15 to:
Mary Maguire, 2222 N. 111th St., Omaha, NE 68164, or mkmaguire@archomaha.org

School _____Mailing Address_____
Physical Address (City) _____

Please have the staff member responsible initial on the left and enter data on the right, then sign this Data Report

The Archdiocese requires all paid staff and volunteers having contact with children/youth be currently SE certified (training and successful background check)

Initial Data

_____Number of State of NE certified educators having contact with children/youth _____
_____Number of State of NE certified educators having contact with children/youth who are SE certified _____
_____Number of other paid staff having contact with children/youth who are SE certified _____
_____Number of SE certified adult volunteers having contact with children/youth _____
_____Number having contact with children/youth who are NOT SE certified (**Must** clarify on back) _____
_____Number of children/youth in the K-12 (not pre-school) School _____
_____Number of children/youth in the K-12 (not preschool) School taught the required *Circle of Grace* curriculum _____
_____Number of children/youth who did not participate in the Circle of Grace curriculum per parent request or other reasons _____
(***Must*** ***Clarify on the back of this report any parental denial or other reasons children/youth did NOT receive the required curriculum***)
_____The Archdiocesan Safe Environment Policies are readily available to those who are employed or volunteer for the School.
(Please indicate how you make the policies available):
_____

I conclude as Administrator/ Pastor that the above is an accurate documentation of our Safe Environment requirements

SE Coordinator's Signature _____Date_____Phone Number _____

Administrator's Signature _____Date_____Phone Number _____

Pastor's Name (print) _____Date _____Phone Number _____
+
Pastor's Signature _____Date _____

Completed Report must be submitted by April 15 to ensure compliance with the USCCB mandated yearly audit.

Appendix 5

Small Group Standards for Minors

1. **Requirements for Membership:** Parameters establishing who can be part of the group should be set (age, sex etc.). Parents must give written permission for their child to participate in the group. The written permission must include:
    - The goal of the group - peer group where there are discussions about everyday struggles in the context of our Catholic faith.
    - When and where it meets (over school lunches, evening youth ministry)
    - That this is not a therapy or counseling group
    - Parents will be informed of any significant struggles that are an overall concern about their child's well-being.

2. **Two Safe Environment Certified Adults**: are recommended/ best practice for groups.
    - Meeting space must have components of transparency/visibility to assure Safe Environment compliance. The group leader's supervisor must be aware if there is not a second Safe Environment certified group leader; allowing for the supervisor to check in with the group.

3. **Confidentiality:** "What you see here, what you hear here, when you leave here, let it stay here" applies except for:
    - Any disclosure of self-harm or harm to others will be discussed with parents/guardians and referred to the appropriate authorities.
    - Parents will be made aware of any significant struggles that are an overall concern for their child's well-being. Some examples may include excessive use of pornography, depression, cutting and suicidal ideation.
    - After consulting with supervisor, the leader will work with the student as the best way to engage parents in a discussion about their struggles.

4. **Commitment to Small Group Discipleship**:
    - *Intimacy*: Consistency in attendance and regular meetings will foster trust and accountability.
    - *Mutual Responsibility:* All members of the small group commit to regular attendance and are dedicated to learning.
    - *Customization:* Small group discussions ought to be relevant to each member of the small group, with each person able to bring their specific needs to the group.
    - *Accountability:* Each meeting of the small group allows members to be accountable to one another for continued growth in personal Discipleship.

5. **Small Group Leaders**: In addition to being Safe Environment Certified must:
    - Lead the group to be intentional disciples with established prayer lives who are dedicated to upholding Catholic teaching in their own lives and in the discussion of the group.
    - Must inform supervisor when and where they are meeting.
    - Must adhere to the acknowledged Safe Environment code of conduct

Appendix 6

Safe Environment Best Practices Checklist

In-Home Ministry with Minors (7-12 grade)

(Best practices are in addition to policy requirements)

Individuals:

- ✓ Those adults or minors not part of the ministry should not be present in the designated space for the group.
- ✓ Personal appearance/dress of leaders and minors must meet the standard of a parish setting.
- ✓ Leader's supervisor should make every effort to visit group at least once a year.

Group Configuration:

- ✓ Safe Environment policy states that there needs to be a minimum of 2 Safe Environment unrelated certified adults, one must be 21 years or older.
- ✓ There needs to at least on adult supervising per eight minors.
- ✓ If meeting attendance falls below three minors, the meeting is to be canceled/rescheduled.
- ✓ All Archdiocesan and local health department directives regarding health and safety must be followed (e.g. Covid-19 precautions).

Space:

- ✓ Leaders are to designate specific areas of the home where minors participating in the group are allowed. All other areas are considered "off limits".
- ✓ Alcohol, prescription/ over the counter medications, weapons, ammunitions must be in a secure location away from the designated group area.
- ✓ Smoke and carbon monoxide detectors should be installed, working and tested monthly
- ✓ Homes need to be in good repair, clean and free of smoke.
- ✓ Pets (indoor or out) must be boarded in a secure location away from the minors.
- ✓ A plan for fire exit and tornado shelter should be in place.
- ✓ All Archdiocesan directives regarding health and safety must be followed (e.g. Covid-19 precautions).

Consent/Acknowledgements:

- ✓ Proper consent from parent/guardian is to be obtained prior to the in-home ministry meetings. (See Appendix)

I agree to follow the above best practices while providing in-home ministry to minors.

_____	_____	_____
Pastor/Delegate	In-Home Group Leader	Date

Appendix 7

Public School Staff Background Check Form

_____School

Documentation form is to be kept by the administrator and filled out every six years. Provided Educator a Copy of Archdiocesan Code of Conduct on_____. An email from the outside educator's supervisor with the below information is acceptable if one is unable to obtain a signature.

Educator's Name _____

Specialization_____

Involved in Grades _____

Public School District _____

Date of Approved Background Check _____

Name of Public School Supervisor_____

Public School Staff Signature

_____Date_____

Public School Supervisor's Signature

_____Date_____

Catholic School Administrator's Signature

_____Date_____

Appendix 8

Protocol for Child Abuse/Misconduct

Public School Staff in Catholic Schools

The below guidelines are to be followed if there is suspected harm of a student or boundary/code of conduct violation by a public school employee serving in your school.

If Concerns require a referral to the Authorities:

1. Contact Police/Child Protective Services (NDHHS):
    a) Disclose as much information as possible; include video, witness information, transcripts of conversation. Use the *Archdiocesan Child Abuse Reporting Form.*
    b) Ask for an **incident number and name of officer/intake worker** for reference.
    c) Conduct no further assessment/interviews until authorities have completed their investigation or declined to process.
2. Request outside educator to leave and contact their human resources department.
3. Contact the Diocesan Attorney, Victim Outreach and Prevention Director (VOPD), and the Superintendent.
4. If the public school educator is SE certified through the Archdiocese, a revocation form is completed and a decision is made by the Chancellor, VOPD and Diocesan Attorney regarding SE revocation.

If Concerns do not require a referral to the Authorities (boundary/code of conduct violations):

1. School Administration gathers information from all parties involved in the matter, including from the public school educator.
2. A summary is written of any information gathered from students, parents, staff and the public school educator.
3. Outside educator will be asked to leave the premises and his/her human resources department will be contacted.
4. Contact Diocesan Attorney, Victim Outreach and Prevention Director (VOPD), and the Superintendent of the Catholic Schools.
5. If the public school educator is SE certified through the Archdiocese, a revocation form is completed and a decision is made by the Chancellor, VOPD and Diocesan Attorney about SE revocation.
6. If revocation of SE occurs, contact the outside educator's human resources department to let them know that the school no longer feels comfortable having the outside educator on school grounds. If revocation does not occur, notify their human resources department that the employee can return to the school.

Communication with Public School Educator's Human Resources (HR) Department:

1. Contact the outside educator's Human Resource Department.
    a) Disclose if the concern was referred to the Authorities or documented as a boundary/code of conduct violation. Share as much information as possible; include video, witness information, transcripts of conversation, etc.…
    b) If there was a referral, share the incident number and officer/intake number with HR.
    c) In cases of boundary/code of conduct violation, the summary from the Administrator is shared

Appendix 9

4021 School Policy on Professional Boundaries Between School Employees and Students

NOTICE: This policy is required by Nebraska law pursuant to Neb. Rev. Stat. § 79-879. This policy must be signed or otherwise acknowledged annually by each school employee.

Definitions:

"Grooming" means building trust with a student and individuals close to the student in an effort to gain access to and time alone with the student, with the ultimate goal of engaging in sexual contact or sexual penetration with the student, regardless of when in the student's life the sexual contact or sexual penetration would take place;

"School employee" means a person nineteen years of age or older who is employed by a public, private, denominational, or parochial school approved or accredited by the State Department of Education. School employee also includes any person who is contracted with, or otherwise paid by the school or parish and who has access to or interaction with students, including all student teachers or interns.

Discipline for Violations:

A violation of this policy or any violation of professional/safe environment boundaries is misconduct and may result in disciplinary action, up to and including termination.

A violation of this policy by a school employee with an educator's permit or certificate may result in a referral to the State Department of Education. Consequences include suspension or revocation of the employee's permit or certificate.

A violation of this policy may result in revocation of a school employee's safe environment certificate.

A violation of this policy involving sexual or other abuse will result in referral to the Department of Health and Human Services or local law enforcement.

Prohibited Activities:

All school employees are prohibited from violating professional boundaries with any student.

All school employees are prohibited from engaging in grooming behavior with any student.

All school employees are prohibited from engaging in any relationship that involves sexual behavior, contact, or sexual penetration with a student while the student is enrolled at the school and for one year after the student graduates or otherwise ceases enrollment.

The following is a non-exclusive list of actions that will be regarded as a violation of the professional/safe environment boundaries that all school employees are expected to maintain with all students. **In addition, repeatedly engaging in any of these activities or a combination of these activities with the ultimate goal of engaging in sexual behavior, contact, or sexual penetration with the student, regardless of when in the student's life the sexual behavior, contact, or sexual penetration would take place, are examples of grooming as defined in this policy and are unacceptable:**

1. Using e-mail, text messaging, social media, or other electronic means to communicate with students on any matters or subjects that do not pertain to school or school-related activities. School or school related activities include, without limitation, student homework, in class activities, virtual instruction, school sponsored sports or clubs, or any other school-sponsored activity.
2. Engaging in any kind of behavior or communication that could be reasonably construed as a sexual advance or a response in any positive manner to a student's sexual advance.
3. Being alone with a student anywhere with a closed door without a transparency plan in effect.
4. Showing a student any inappropriate or sexually suggestive material.
5. Telling jokes to a student with sexual themes or making sexually suggestive comments.
6. Invading a student's physical privacy when the school employee's duties do not require her/him to be in that location. For example, being present in a locker room when the school employee has no duty to be there.
7. "Friending" students with a personal social media account.
8. Initiating unwanted physical contact with a student.
9. Treating one student differently from other students either by providing privileges or failing to enforce school policy or impose other disciplinary action.
10. Discussing an educator's private personal matters with a student and inquiring about a student's private personal matters when there is no basis for concern about the student's health and safety.
11. Providing rides to a student in an employee's personal vehicle unless another safe-environment certified adult is present.
12. Meeting alone with a student outside of school for any reason.
13. Giving or receiving gifts to or from one student. A gift to a class or the same gift to a group of students is not prohibited.
14. Consuming alcohol in the presence of any student when the student's parent or guardian is not present.
15. Providing alcohol or illegal drugs or unauthorized drugs or medication to a student under any circumstances.
16. Any other behavior which could exploit the unique position of trust and authority between a student and employee.

Exceptions to the above prohibited activities include:

1. Communications or actions with the school employee's own children or relatives.

2. An emergency situation that affects the student's immediate health or safety.

3. An unplanned chance encounter at a public place.

Permissible methods to communicate with students outside of school:

1. Use of the school-approved email system or educational software to ensure transparency.

2. Text messages that include at least one other school staff member or one of the student's parents or guardians.

3. Use of social media through a school-approved social media account as a coach or supervisor of a school-sponsored sport, club or activity, provided the communication is not one-to-one communication.

Permissible ways to engage with students when the employee has concerns about the student's well-being:

1. Contact the guidance counselor or school principal and ensure the student's parent or guardian is aware of your concerns.

2. Contact the student's parents or guardian if the concern does not relate to the parent or guardian.

3. If you believe the student has suffered child abuse or neglect, contact the Nebraska Department of Health and Human Services Child Abuse Hotline (1-800-652-1999) or local law enforcement.

Reporting Grooming or Professional/Safe Environment Boundary Violations:

If any school employee has reason to believe another school employee has violated this policy, the school employee shall notify the Principal of the school and the Archdiocesan Director of Victim Outreach and Prevention as soon as possible, but within 24 hours. If the Principal of the school is unavailable or is the school employee believed to have violated this policy, the school employee aware of the conduct shall report it to the Superintendent of Catholic Schools and the Archdiocesan Director of Victim Outreach and Prevention.

If any school employee has reason to suspect that another school employee is grooming a student or has repeatedly engaged in the above prohibited activities, the school employee shall report the conduct to the Principal and the Archdiocesan Director of Victim Outreach and Prevention.

After making the report to the Principal, the school employee and Principal shall co-report the grooming or repeated engagement in prohibited activities to the following:

1. The Nebraska Department of Education;

2. The Nebraska Department of Health and Human Services; and

3. Local law enforcement.

Records Retention:

The school employee shall document the reporting to each of the above entities by recording the date and time the report was made and the person to whom the report was given. The school employee shall provide a copy of her/his documentation of the above reports to the Principal of the School and the Archdiocesan Director of Victim Outreach and Prevention. The Principal shall keep such reports electronically or in hard copy so that they are readily available to any investigative authority.

Relationship to Omaha Archdiocesan Safe Environment Policies:

This policy does not alter or replace the Omaha Archdiocesan Safe Environment Policies which remain in effect and are applicable to school employees.

NOTICE: **Nothing in this policy should be construed to replace or alter a school employee's legal obligation to report suspected child abuse or neglect pursuant to Neb. Rev. Stat. § 28-711.**

Reprisal or retaliation for good faith reports made by students or school employees is strictly prohibited.

POLICY ACKNOWLEDGEMENT

I received the above **Policy on Professional Boundaries Between School Employees and Students**, and understand its contents.

_____	_____
School Employee (Print)	License Number (if applicable)
_____	_____
Signature	Date

APPENDIX 10

Safe Environment Certification (SE) Incident(s) Review

In the interest of protecting children, the Archdiocese has the authority to modify, suspend or revoke SE certification status. ***The outcome may result in an individual not being able to have contact with minors/vulnerable adults as a volunteer or employee.***

All parishes, schools, and ministries are required to notify the Victim Outreach and Prevention (VOP) Office when a policy, boundary, or code of conduct violation involving minors or vulnerable adults was a determining factor in a disciplinary action (write up, termination, or non-renewal) against an employee/volunteer. Once notified, the review committee will decide if the employee/volunteer's SE Certification status should be modified, suspended, or revoked.

Documentation Form for Parish/School Records:

Employee/volunteer name:_____

General description of violations:_____

_____

_____

_____

_____(Attach additional information, if available)

Dates of documented incidents:_____

Dates of disciplinary actions (verbal/written):_____

_____

The employee/volunteer was informed of the concern(s) and had a chance to respond: _____Yes ____No

Please document the employee/volunteer's response or the reason for checking "No" immediately above:

_____

Does the alleged conduct/boundary violation require a mandatory report to the authorities?

____ Yes _____No

If yes, date of report: _____Child Protective Services or _____Law Enforcement

Contact:_____

Case or File Number Assigned: _____

Schools: If grooming has occurred, please review and follow the school's professional boundary policy. Child Protective Services (CPS), Law Enforcement (LE) and Department of Education (DE) must be notified.

Please document the date of notification to each entity:

_____ CPS _____ LE _____ DE

Pastor and VOP office (402-827-3798) must be contacted, who may advise additional contacts such as the Parish/School SE Coordinator, Archdiocesan Attorney, or the Catholic School Office.

Person completing form: _____ Date: _____

Appendix 11
Archdiocese of Omaha Revocation Appeal Form

One can request removal of their safe environment (SE) revocation status six years from the revocation date by submitting this form to the Office of Victim Outreach and Prevention. The first part is to provide the below signature, acknowledging the Archdiocese reserves the right to obtain additional information from other sources if needed. The second section is a list of requirements that must be completed prior to any review of the SE revocation status. Your request and submitted documentation will be reviewed by the revocation committee. You will be informed of the committee's decision within 30 days.

Part 1

I _____, acknowledge that the Archdiocese of Omaha reserves the right to obtain additional information from other sources, if needed. I understand that the submission of this form and completing the other requirements will start the process of reviewing the removal of my revocation status. I further understand that I am not guaranteed the removal of the revocation status even with the submission of this form and other required documents.

Name_____Signature_____

Reason for Revocation _____

Date of Revocation _____ Submission date of form_____

Part 2 (Please indicate the date this was accomplished)

_____Contact the Victim Outreach and Prevention Office to submit a background check.

_____Letter requesting the removal of the revocation status and why.

_____Letter from pastor or school administrator with the following:

- Their understanding of why there is a SE Revocation status
- Provide examples that shows there has been positive change
- Recommendation that the SE revocation be removed

_____Any other relevant documentation

*** If the committee decides to remove the revocation status, reinstatement of SE certification can occur, by attending an in person training and acknowledgement of the code of conduct. ***

Appendix 12
Archdiocese of Omaha
E-Learning/Virtual Requirements for Safe Environment

The requirements are only for E-learning educators hired by the Catholic Schools

Consent

Parents or guardians will be notified that teaching will be virtual. Consent will be assumed unless the parent/guardian objects in writing to the school Principal or Teacher Facilitator.

Environment

The educator will teach the class within the normal school business hours and operate within an appropriate space and wear appropriate attire. The educator will present himself/herself in a professional manner.

Managing and Monitoring Virtual Classes

Management staff will randomly enter the virtual classes to observe the educator at least twice per quarter. Observations should be documented in a school file. Virtual classes will not be recorded unless requested by the principal/teacher facilitator.

One on One Virtual Meetings

Any one-on-one instruction by an E-learning teacher will be supervised by a classroom SE certified staff. Obtaining cell phone numbers, attending virtual or in person one-on-one meetings, or engaging in private communication/tutoring outside of the classroom, is not allowed without the parent/guardian's knowledge and written consent.

Breakout Rooms

All virtual breakout/discussion groups will include a SE certified adult. The E learning teacher will visit all groups prior to bringing the class back to a large group.

Screenshots

Screenshots of students should not be shared to personal social media accounts.
If the picture is to be shared through institutional social media/email, names should be either not posted or blurred.

Private Chats

Students are allowed to chat with everyone, including the teacher, in a central chat area.

Archdiocese of Omaha

ONE CHURCH
ENCOUNTERING JESUS
EQUIPPING DISCIPLES
LIVING MERCY

Reporting Suspected/Alleged Child Abuse/Neglect

I. *Reporting of Suspected Child Abuse and/or Neglect*

II. *Guidelines and Reporting Form to the Authorities*

III. *Authority's Request for Information Form*

IV. *Parish/ School Checklist Form*

V. *The Child Abuse Statutes*

VI. *Definitions/Indicators of Child Abuse/Neglect*

Report of Suspected Child Abuse/Neglect Form:

When there is reasonable cause to believe Child Abuse/Neglect has occurred the law mandates a referral to the authorities. A prompt **verbal report** needs to occur to either Child Protective Services (CPS) (1-800-652-1999) or your local Law Enforcement agency. This "**Report of Suspected/Alleged Child Abuse/Neglect"** form can be used for your written report and for your own documentation. (Statute 28-711) Keep in mind that if the child has physical indications/injuries or there are immediate safety issues, law enforcement (not CPS) has the authority to take immediate protective custody if necessary and must be contacted. Below are some key points to consider when making a report:

Although the law requires that you report to CPS or law enforcement, there are advantages to reporting to law enforcement when there are immediate safety issues such as injury or sexual abuse concerns.

When making a verbal report, the authorities may ask you questions that you are unable to answer. These questions are for their assessment and they realize that you may not have all the answers.

It is important to ask the authorities what the next step is in the investigation. It is important to get direction from them as to how they want to handle the notification of parents and others. Many times, law enforcement personnel do not want you to discuss the referral with others until they arrive at the school/parish.

An authority (CPS or law enforcement) may request records/written documentation in addition or in place of the written form. The authority would need to fill out a release of information form (**see Request for Information form**), documenting the current investigation and the need for further records.

Guidelines for Completing the Reporting Form:

Fill out the form as completely as possible. There may be some information you do not know. If this is the case, indicate "unknown" in the space.

See the definitions of Child Abuse/Neglect to assist you in identifying the appropriate category of suspected abuse. There may be many reasons for the behavioral indicators other than Child Abuse/Neglect. It is important to note that physical/behavioral indicators are most helpful when there is a current concern regarding Child Abuse/Neglect.

DOB: is Date of Birth

Relevant Past History: include any pertinent information related to the concern such as past reports of abuse/neglect, learning, or attendance concerns.

Present agencies involved: include any pertinent information such as counseling, tutoring, or prior CPS involvement.

Observations: Document all of your observations. It is important to be as objective as possible. An example might be: "child's clothing was torn, stained and had a foul odor" as opposed to "the child was dirty". Write in a way that gives a visual image of what you observed. This allows the authorities to draw their own opinion.

Add an additional page if needed. This report is also for your documentation.

Remember that *reporters are immune from liability provided they do not make maliciously false statements* (Statute 28-716) and a person can be *prosecuted if he/she fails to report a known abuse.* (Statute 28-717).

Archdiocesan Reporting Form
(Suspected/Alleged Child Abuse/Neglect)

Name of Child/Youth_____

Suspected Abuse/Neglect (Check all that apply):

_____ *Date of Concern*

___ *Sexual Abuse* ___ *Physical Neglect* ___ *Failure to Thrive*

___ *Emotional Abuse* ___ *Emotional Neglect* ___*Medical Neglect*

___ *Physical Abuse* ___ *Abandonment* ___*High Risk*

*Any Physical Findings*_____

_____

*Relevant Past History*_____

_____
_____
_____
_____
_____
_____
_____

Agencies Currently Involved

_____

_____

_____

Identifying Information of Alleged Victim(s):

*Name*_____

___*Race*_____*Sex*_____

*DOB*_____

Parents/Guardians

_____

*Address*_____*City*
_____*State*___

*County*_____*Zip*_____*Phone Number*_____

Involved/ At- Risk Siblings:

*Name*_____*Race*_____*Sex*____*DOB*_____
*Grade*_____

*Name*_____*Race*_____*Sex*____*DOB*_____

*Grade*_____*Name*_____*Race*_____*Sex*____

*DOB*_____*Grade*_____

*Name*_____*Race*_____*Sex*____*DOB*_____

*Grade*_____*Significant Other/Family*

*Member*_____

Alleged Offender (if known)

_____

*Address*_____
*City*_____*State*_____*Zip code*_____

Identifying Information of Reporter(s)

*Parish/School/Other*_____

Concern originated from:

Religious Education *Name* _____

Youth Group *Name* _____

School *Name* _____

Before/After Care *Name* _____

Parent Interaction *Name* _____

Other *Name* _____

Other *Name* _____

Pastor _____ *Phone*_____

Religious Education Director _____

*Phone*_____

*Principal*_____*Phone*_____

_____

*Youth Ministry Director*_____

*Phone*_____

*Address*_____

*Phone*_____

OBSERVATIONS:

Physical/ Emotional State of Child:

_____

_____

_____

_____

_____

Statements of the Child:

_____

_____

Physical/Emotional State of Parent:

Statements of the Parents/Guardians:

Parent/Child Interactions:

Narrative:

(Nature, extent and conditions which would reasonably result in suspected abuse/neglect. Describe any evidence of previous abuse/neglect concerns and any other information that would be helpful in understanding the cause of the suspected abuse/neglect)

_____
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_____

Reporter Signature

_____

Position_____

Phone_____

Date_____

Pastor/Principal:

_____

AUTHORITY'S REQUEST FOR INFORMATION

Date: _____

I, _____from (Agency)

_____

am currently investigating possible child abuse/neglect allegations regarding

_____. I am requesting the Parish/School

to provide copies of any pertinent records.

_____	_____
Signature	*Telephone#*
_____	_____
Print Name	*Badge #*
_____	_____
Agency	*Fax#*

ARCHDIOCESAN PARISH/SCHOOL CHECKLIST FOR REPORTING SUSPECTED/ALLEGED CHILD ABUSE/NEGLECT
(For your Records Only)

Child/Youth Name _____

Date of Report _____

Name and Position of Reporter

_____

_____

1) *Date of Verbal Reports to:*

_____*Child Protective Services: Contact Name*

_____

_____*Law Enforcement: Jurisdiction and Contact Name*_____

2) *Authority Approves of Staff Contacting Parents/Guardians*
_____*Yes* _____*No*

If Yes, Name of Contacting Party

_____

3) *Report Sent (Faxed, Emailed or Mailed) to the Authorities: (Date and Initials of person sending reports)*

_____*Child Protective Services* _____ *Law Enforcement*

_____*Copy retained for Parish/School files*

Do not notify those who may be involved with the alleged abuse.

If the alleged abuse involves any church personnel or volunteers:

A-Make the report to the Authorities

B-Notify the Victim Outreach and Prevention Office and the Chancellor.

C-Consult the Safe Environment Policy

4) Notify as appropriate: (Initials of person making contact)

_____ ***Pastor***

_____ ***Program/Ministry Director***

_____ ***Principal/Administrator/President***

_____ ***School Counselor***

_____ ***Educator***

Notification Required when Alleged Offender is a Church Employee or Volunteer

_____***Victim Outreach and Prevention*** ***Name***_____

_____***Chancery:*** ***Name***_____

Charter for the Protection of Children and Young People

Essential Norms for Diocesan/ Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons

A Statement of Episcopal Commitment

● *Revised June 2018* ●

United States Conference of Catholic Bishops

The revised *Charter for the Protection of Children and Young People* was developed by the Ad Hoc Committee for Sexual Abuse of the United States Conference of Catholic Bishops (USCCB). It was approved by the full body of U.S. Catholic bishops at its June 2005 Plenary Assembly, and this third revision was approved at the June 2018 Plenary Assembly.

The revised *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* was developed by the Ad Hoc Committee on Sexual Abuse of the USCCB and by the Vatican-U.S. Bishops' Mixed Commission on Sex Abuse Norms. They were approved by the full body of bishops at its June 2005 General Meeting, received the subsequent *recognitio* of the Holy See on January 1, 2006, and were promulgated May 5, 2006. The revised *Statement of Episcopal Commitment* was developed by the Ad Hoc Committee on Bishops' Life and Ministry of the USCCB. It was approved by the full body of U.S. Catholic bishops at its November 2005 Plenary Assembly and then again in 2011 and 2018. This revised edition, containing all three documents, is authorized for publication by the undersigned.

Msgr. J. Brian Bransfield

General Secretary, USCCB

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Charter for the Protection of Children and Young People

Preamble

Since 2002, the Church in the United States has experienced a crisis without precedent in our times. The sexual abuse[1] of children and young people by some deacons, priests, and bishops, and the ways in which these crimes and sins were addressed, have caused enormous pain, anger, and confusion for victims, their families, and the entire Church. As bishops, we have acknowledged our mistakes and our roles in that suffering, and we apologize and take responsibility again for too often failing victims and the Catholic people in the past. From the depths of our hearts, we bishops express great sorrow and profound regret for what the Catholic people have endured.

We share Pope Francis' "conviction that everything possible must be done to rid the Church of the scourge of the sexual abuse of minors and to open pathways of reconciliation and healing for those who were abused" (Letter of His Holiness Pope Francis to the Presidents of the Episcopal Conferences and Superiors of Institutes of Consecrated Life and Societies of Apostolic Life Concerning the Pontifical Commission for the Protection of Minors, February 2, 2015).

Again, with this 2018 revision of the *Charter for the Protection of Children and Young People*, we re-affirm our deep commitment to sustain and strengthen a safe environment within the Church for children and youth. We have listened to the profound pain and suffering of those victimized by sexual abuse and will continue to respond to their cries. We have agonized over the sinfulness, the criminality, and the breach of trust perpetrated by some members of the clergy. We have determined as best we can the extent of the problem of this abuse of minors by clergy in our country, as well as its causes and context. We will use what we have learned to strengthen the protection given to the children and young people in our care.

We continue to have a special care for and a commitment to reaching out to the victims of sexual abuse and their families. The damage caused by sexual abuse of minors is devastating and longlasting. We apologize to each victim for the grave harm that has been inflicted on him or her, and we offer our help now and for the future. The loss of trust that is often the consequence of such abuse becomes even more tragic when it leads to a loss of the faith that we have a sacred duty to foster. We make our own the words of St. John Paul II: that the sexual abuse of young people is "by every standard wrong and rightly considered a crime by society; it is also an appalling sin in the eyes of God" (Address to the Cardinals of the United States and Conference Officers, April 23, 2002). We will continue to help victims recover from these crimes and strive to prevent these tragedies from occurring.

Along with the victims and their families, the entire Catholic community in this country has suffered because of this scandal and its consequences. The intense public scrutiny of the minority of the ordained who have betrayed their calling has caused the vast majority of faithful priests and deacons to experience enormous vulnerability to being misunderstood in their ministry and often casts over them an undeserved air of suspicion. We share with all priests and deacons a firm commitment to renewing the integrity of the vocation to Holy Orders so that it will continue to be perceived as a life of service to others after the example of Christ our Lord.

We, who have been given the responsibility of shepherding God's people, will, with his help and in full collaboration with all the faithful, continue to work to restore the bonds of trust that unite us. We have seen that words alone cannot accomplish this goal. We will continue to take action in our Plenary Assembly and at home in our dioceses and eparchies.

We feel a particular responsibility for "the ministry of reconciliation" (2 Cor 5:18) which God, who reconciled us to himself through Christ, has given us. The love of Christ impels us to ask forgiveness for our own faults but also to appeal to all—to those who have been victimized, to those who have offended, and to all who have felt the wound of this scandal—to be reconciled to God and one another.

Perhaps in a way never before experienced, we feel the power of sin touch our entire Church family in this country; but as St. Paul boldly says, God made Christ "to be sin who did not know sin, so that we might become the righteousness of God in him" (2 Cor 5:21). May we who have known sin experience as well, through a spirit of reconciliation, God's own righteousness. We know that after such profound hurt, healing and reconciliation are beyond human capacity alone. It is God's grace and mercy that will lead us forward, trusting Christ's promise: "for God all things are possible" (Mt 19:26).

In working toward fulfilling this responsibility, we rely, first of all, on Almighty God to sustain us in faith and in the discernment of the right course to take.

We receive fraternal guidance and support from the Holy See that sustains us in this time of trial. In solidarity with Pope Francis, we express heartfelt love and sorrow for the victims of abuse.

We rely on the Catholic faithful of the United States. Nationally and in each diocese/eparchy, the wisdom and expertise of clergy, religious, and laity contribute immensely to confronting the effects of the crisis and taking steps to resolve it. We are filled with gratitude for their great faith, for their generosity, and for the spiritual and moral support that we receive from them.

We acknowledge and re-affirm the faithful service of the vast majority of our priests and deacons and the love that people have for them. They deservedly have our esteem and that of the Catholic people for their good work. It is regrettable that their committed ministerial witness has been overshadowed by this crisis.

In a special way, we acknowledge and thank victims of clergy sexual abuse and their families who have trusted us enough to share their stories and to help us understand more fully the consequences of this reprehensible violation of sacred trust. With Pope Francis, we praise the courage of those who speak out about their abuse; their actions are “a service of love, since for us it sheds light on a terrible darkness in the life of the Church.” We pray that “the remnants of the darkness which touch them may be healed” (Address to Victims of Sexual Abuse, July 7, 2014).

Let there now be no doubt or confusion on anyone’s part: For us, your bishops, our obligation to protect children and young people and to prevent sexual abuse flows from the mission and example given to us by Jesus Christ himself, in whose name we serve.

As we work to restore trust, we are reminded how Jesus showed constant care for the vulnerable. He inaugurated his ministry with these words of the Prophet Isaiah:

The Spirit of the Lord is upon me,

because he has anointed me to bring glad
tidings to the poor.

He has sent me to proclaim liberty to captives
and recovery of sight to the blind,

to let the oppressed go free,

and to proclaim a year acceptable to the Lord. (Lk 4:18-19)

In Matthew 25, the Lord, in his commission to his apostles and disciples, told them that whenever they show mercy and compassion to the least ones, they show it to him.

Jesus extended this care in a tender and urgent way to children, rebuking his disciples for keeping them away from him: “Let the children come to me” (Mt 19:14). And he uttered a grave warning that for anyone who would lead the little ones astray, it would be better for such a person “to have a great millstone hung around his neck and to be drowned in the depths of the sea” (Mt 18:6).

We hear these words of the Lord as prophetic for this moment. With a firm determination to restore the bonds of trust, we bishops recommit ourselves to a continual pastoral outreach to repair the breach with those who have suffered sexual abuse and with all the people of the Church.

In this spirit, over the last sixteen years, the principles and procedures of the *Charter* have been integrated into church life.

- The Secretariat of Child and Youth Protection provides the focus for a consistent, ongoing, and comprehensive approach to creating a safe environment for young people throughout the Church in the United States.

- The Secretariat also provides the means for us to be accountable for achieving the goals of the *Charter*, as demonstrated by its annual reports on the implementation of the *Charter* based on independent compliance audits.

- The National Review Board is carrying on its responsibility to assist in the assessment of diocesan/eparchial compliance with the *Charter for the Protection of Children and Young People.*

- The descriptive study of the nature and scope of sexual abuse of minors by Catholic clergy in the United States, commissioned by the National Review Board, was completed in February 2004. The resulting study, examining the historical period 1950-2002, by the John Jay College of Criminal Justice provides us with a powerful tool not only to examine our past but also to secure our future against such misconduct.

- The U.S. bishops charged the National Review Board to oversee the completion of the *Causes and Context* study. The Study, which calls for ongoing education, situational prevention, and oversight and accountability, was completed in 2011.

- Victims' assistance coordinators are in place throughout our nation to assist dioceses and eparchies in responding to the pastoral needs of the abused.

- Diocesan/eparchial bishops in every diocese/eparchy are advised and greatly assisted by diocesan and eparchial review boards as the bishops make the decisions needed to fulfill the *Charter*.

- Safe environment programs are in place to assist parents and children—and those who work with children—in preventing harm to young people. These programs continually seek to incorporate the most useful developments in the field of child protection.

Through these steps and many others, we remain committed to the safety of our children and young people.

While the number of reported cases of sexual abuse has decreased over the last sixteen years, the harmful effects of this abuse continue to be experienced both by victims and dioceses/eparchies.

Thus it is with a vivid sense of the effort which is still needed to confront the effects of this crisis fully and with the wisdom gained by the experience of the last sixteen years that we have reviewed and revised the *Charter for the Protection of Children and Young People*. We now reaffirm that we will assist in the healing of those who have been injured, will do all in our power to protect children and young people, and will work with our clergy, religious, and laity to restore trust and harmony in our faith communities, as we pray for the Kingdom of God to come, here on earth, as it is in heaven.

To make effective our goals of a safe environment within the Church for children and young people and of preventing sexual abuse of minors by clergy in the future, we, the members of the United States Conference of Catholic Bishops, have outlined in this *Charter* a series of practical and pastoral steps, and we commit ourselves to taking them in our dioceses and eparchies.

To Promote Healing and Reconciliation with Victims/Survivors of Sexual Abuse of Minors

ARTICLE 1. Dioceses/eparchies are to reach out to victims/survivors and their families and demonstrate a sincere commitment to their spiritual and emotional well-being. The first obligation of the Church with regard to the victims is for healing and reconciliation. Each diocese/eparchy is to continue its outreach to every person who has been the victim of sexual abuse as a minor by anyone in church service, whether the abuse was recent or occurred many years in the past. This outreach may include provision of counseling, spiritual assistance, support groups, and other social services agreed upon by the victim and the diocese/eparchy.

Through pastoral outreach to victims and their families, the diocesan/eparchial bishop or his representative is to offer to meet with them, to listen with patience and compassion to their experiences and concerns, and to share the "profound sense of solidarity and concern" expressed by St. John Paul II, in his Address to the Cardinals of the United States and Conference Officers (April 23, 2002). Pope Benedict XVI, too, in his address to the U.S. bishops in 2008 said of the clergy sexual abuse crisis, "It is your God-given responsibility as pastors to bind up the wounds caused by every breach of trust, to foster healing, to promote reconciliation and to reach out with loving concern to those so seriously wronged."

We bishops and eparchs commit ourselves to work as one with our brother priests and deacons to foster reconciliation among all people in our dioceses/eparchies. We especially commit ourselves to work with those individuals who were themselves abused and the communities that have suffered because of the sexual abuse of minors that occurred in their midst.

ARTICLE 2. Dioceses/eparchies are to have policies and procedures in place to respond promptly to any allegation where there is reason to believe that sexual abuse of a minor has occurred. Dioceses/eparchies are to have a competent person or persons to coordinate assistance for the immediate pastoral care of persons who report having been sexually abused as minors by clergy or other church personnel. The procedures for those making a complaint are to be readily available in printed form and other media in the principal languages in which the liturgy is celebrated in the diocese/eparchy and be the subject of public announcements at least annually.

Dioceses/eparchies are also to have a review board that functions as a confidential consultative body to the bishop/eparch. The majority of its members are to be lay persons not in the employ of the diocese/eparchy (see Norm 5 in *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*, 2006). This board is to advise the diocesan/eparchial bishop in his assessment of allegations of sexual abuse of minors and in his determination of a cleric's suitability for ministry. It is regularly to review diocesan/eparchial policies and procedures for dealing with sexual abuse of minors. Also, the board can review these matters both retrospectively and prospectively and give advice on all aspects of responses in connection with these cases.

ARTICLE 3. Dioceses/eparchies are not to enter into settlements which bind the parties to confidentiality, unless the victim/survivor requests confidentiality and this request is noted in the text of the agreement.

To Guarantee an Effective Response to Allegations of Sexual Abuse of Minors

ARTICLE 4. Dioceses/eparchies are to report an allegation of sexual abuse of a person who is a minor to the public authorities with due regard for the seal of the Sacrament of Penance. Diocesan/eparchial personnel are to comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities and cooperate in their investigation in accord with the law of the jurisdiction in question.

Dioceses/eparchies are to cooperate with public authorities about reporting cases even when the person is no longer a minor.

In every instance, dioceses/eparchies are to advise victims of their right to make a report to public authorities and support this right.

ARTICLE 5. We affirm the words of St. John Paul II, in his Address to the Cardinals of the United States and Conference Officers: "There is no place in the priesthood or religious life for those who would harm the young." Pope Francis has consistently reiterated this with victims of clergy sexual abuse.

Sexual abuse of a minor by a cleric is a crime in the universal law of the Church (CIC, c. 1395 §2; CCEO, c. 1453 §1). Because of the seriousness of this matter, jurisdiction has been reserved to the Congregation for the Doctrine of the Faith (*Motu proprio Sacramentorum sanctitatis tutela*, AAS 93, 2001). Sexual abuse of a minor is also a crime in all civil jurisdictions in the United States.

Diocesan/eparchial policy is to provide that for even a single act of sexual abuse of a minor—whenever it occurred—which is admitted or established after an appropriate process in accord with canon law, the offending priest or deacon is to be permanently removed from ministry and, if warranted, dismissed from the clerical state. In keeping with the stated purpose of this *Charter*, 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.

The diocesan/eparchial bishop is to exercise his power of governance, within the parameters of the universal law of the Church, to ensure that any priest or deacon subject to his governance who has committed even one act of sexual abuse of a minor as described below (see notes) shall not continue in ministry.

A priest or deacon who is accused of sexual abuse of a minor 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. He is to be encouraged to retain the assistance of civil and canonical counsel. If the allegation is deemed not substantiated, every step possible is to be taken to restore his good name, should it have been harmed.

In fulfilling this article, dioceses/eparchies are to follow the requirements of the universal law of the Church and of the *Essential Norms* approved for the United States.

ARTICLE 6. There are to be clear and well publicized diocesan/eparchial standards of ministerial behavior and appropriate boundaries for clergy and for any other paid personnel and volunteers of the Church with regard to their contact with minors.

ARTICLE 7. Dioceses/eparchies are to be open and transparent in communicating with the public about sexual abuse of minors by clergy within the confines of respect for the privacy and the reputation of the individuals involved. This is especially so with regard to informing parish and other church communities directly affected by sexual abuse of a minor.

To Ensure the Accountability of Our Procedures

ARTICLE 8. The Committee on the Protection of Children and Young People is a standing committee of the United States Conference of Catholic Bishops. Its membership is to include representation from all the episcopal regions of the country, with new appointments staggered to maintain continuity in the effort to protect children and youth.

The Committee is to advise the USCCB on all matters related to child and youth protection and is to oversee the development of the plans, programs, and budget of the Secretariat of Child and Youth Protection. It is to provide the USCCB with comprehensive planning and recommendations concerning child and youth protection by coordinating the efforts of the Secretariat and the National Review Board.

ARTICLE 9. The Secretariat of Child and Youth Protection, established by the Conference of Catholic Bishops, is to staff the Committee on the Protection of Children and Young People and be a resource for dioceses/eparchies for the implementation of “safe environment” programs and for suggested training and development of diocesan personnel responsible for child and youth protection programs, taking into account the financial and other resources, as well as the population, area, and demographics of the diocese/eparchy.

The Secretariat is to produce an annual public report on the progress made in implementing and maintaining the standards in this *Charter*. The report is to be based on an annual audit process whose method, scope, and cost are to be approved by the Administrative Committee on the recommendation of the Committee on the Protection of Children and Young People. This public report is to include the names of those dioceses/eparchies which the audit shows are not in compliance with the provisions and expectations of the *Charter*. The audit method refers to the process and techniques used to determine compliance with the *Charter*. The audit scope relates to the focus, parameters, and time period for the matters to be examined during an individual audit.

As a member of the Conference staff, the Executive Director of the Secretariat is appointed by and reports to the General Secretary. The Executive Director is to provide the Committee on the Protection of Children and Young People and the National Review Board with regular reports of the Secretariat's activities.

ARTICLE 10. The whole Church, at both the diocesan/eparchial and national levels, must be engaged in maintaining safe environments in the Church for children and young people.

The Committee on the Protection of Children and Young People is to be assisted by the National Review Board, a consultative body established in 2002 by the USCCB. The Board will review the annual report of the Secretariat of Child and Youth Protection on the implementation of this *Charter* in each diocese/eparchy and any recommendations that emerge from it, and offer its own assessment regarding its approval and publication to the Conference President.

The Board will also advise the Conference President on future members. The Board members are appointed by the Conference President in consultation with the Administrative Committee and are accountable to him and to the USCCB Executive Committee. Before a candidate is contacted, the Conference President is to seek and obtain, in writing, the endorsement of the candidate's diocesan bishop. The Board is to operate in accord with the statutes and bylaws of the USCCB and within procedural guidelines developed by the Board in consultation with the Committee on the Protection of Children and Young People and approved by the USCCB Administrative Committee. These guidelines set forth such matters as the Board's purpose and responsibility, officers, terms of office, and frequency of reports to the Conference President on its activities.

The Board will offer its advice as it collaborates with the Committee on the Protection of Children and Young People on matters of child and youth protection, specifically on policies and best practices. For example, the Board will continue to monitor the recommendations derived from the *Causes and Context* study. The Board and Committee on the Protection of Children and Young People will meet jointly every year.

The Board will review the work of the Secretariat of Child and Youth Protection and make recommendations to the Executive Director. It will assist the Executive Director in the development of resources for dioceses.

ARTICLE 11. The President of the Conference is to inform the Holy See of this revised *Charter* to indicate the manner in which we, the Catholic bishops, together with the entire Church in the United States, intend to continue our commitment to the protection of children and young people. The President is also to share with the Holy See the annual reports on the implementation of the *Charter*.

To Protect the Faithful in the Future

ARTICLE 12. Dioceses/eparchies are to maintain "safe environment" programs which the diocesan/eparchial bishop deems to be in accord with Catholic moral principles. They are to be conducted cooperatively with parents, civil authorities, educators, and community organizations to provide education and training for minors, parents, ministers, employees, volunteers, and others about ways to sustain and foster a safe environment for minors. Dioceses/eparchies are to make clear to clergy and all members of the community the standards of conduct for clergy and other persons with regard to their contact with minors.

ARTICLE 13. The diocesan/eparchial bishop is to evaluate the background of all incardinated priests and deacons. When a priest or deacon, not incardinated in the diocese/eparchy, is to engage in ministry in the diocese/eparchy, regardless of the length of time, the evaluation of his background may be satisfied through a written attestation of suitability for ministry supplied by his proper ordinary/major superior to the diocese/eparchy. Dioceses/eparchies are to evaluate the background of all their respective diocesan/eparchial and parish/school or other paid personnel and volunteers whose duties include contact with minors. Specifically, they are to utilize the resources of law enforcement and other community agencies. Each diocese/eparchy is to determine the application/renewal of background checks according to local practice. In addition, they are to employ adequate screening and evaluative techniques in deciding the fitness of candidates for ordination (see USCCB, *Program of Priestly Formation* [Fifth Edition], 2006, no. 39 and the National Directory for the Formation, Ministry and Life of Permanent Deacons in the United States, n.178 j).[2]

ARTICLE 14. Transfers of all priests and deacons who have committed an act of sexual abuse against a minor for residence, including retirement, shall be in accord with Norm 12 of the

Essential Norms (see Proposed Guidelines on the Transfer or Assignment of Clergy and *Religious*, adopted by the USCCB, the Conference of Major Superiors of Men [CMSM], the Leadership Conference of Women Religious [LCWR], and the Council of Major Superiors of Women Religious [CMSWR] in 1993).

ARTICLE 15. To ensure continuing collaboration and mutuality of effort in the protection of children and young people on the part of the bishops and religious ordinaries, two representatives of the Conference of Major Superiors of Men are to serve as consultants to the Committee on the Protection of Children and Young People. At the invitation of the Major Superiors, the Committee will designate two of its members to consult with its counterpart at CMSM. Diocesan/eparchial bishops and major superiors of clerical institutes or their delegates are to meet periodically to coordinate their roles concerning the issue of allegations made against a cleric member of a religious institute ministering in a diocese/eparchy.

ARTICLE 16. Given the extent of the problem of the sexual abuse of minors in our society, we are willing to cooperate with other churches and ecclesial communities, other religious bodies, institutions of learning, and other interested organizations in conducting research in this area.

ARTICLE 17. We commit ourselves to work individually in our dioceses/eparchies and together as a Conference, through the appropriate committees, to strengthen our programs both for initial priestly and diaconal formation and their ongoing formation. With renewed urgency, we will promote programs of human formation for chastity and celibacy for both seminarians and priests based upon the criteria found in *Pastores dabo vobis, no. 50*, the *Program of Priestly Formation,* and the *Basic Plan for the Ongoing Formation of Priests*, as well as similar, appropriate programs for deacons based upon the criteria found in the *National Directory for the Formation, Ministry and Life of Permanent Deacons in the United States*. We will continue to assist priests, deacons, and seminarians in living out their vocation in faithful and integral ways.

Conclusion

As we wrote in 2002, “It is within this context of the essential soundness of the priesthood and of the deep faith of our brothers and sisters in the Church that we know that we can meet and resolve this crisis for now and the future.”

We reaffirm that the vast majority of priests and deacons serve their people faithfully and that they have their esteem and affection. They also have our respect and support and our commitment to their good names and well-being.

An essential means of dealing with the crisis is prayer for healing and reconciliation, and acts of reparation for the grave offense to God and the deep wound inflicted upon his holy people. Closely connected to prayer and acts of reparation is the call to holiness of life and the care of the diocesan/eparchial bishop to ensure that he and his priests and deacons avail themselves of the proven ways of avoiding sin and growing in holiness of life.

It is with reliance on the grace of God and in a spirit of prayer and penance that we renew the pledges which we made in the 2002 *Charter*:

We pledge most solemnly to one another and to you, God's people, that we will work to our utmost for the protection of children and youth.

We pledge that we will devote to this goal the resources and personnel necessary to accomplish it.

We pledge that we will do our best to ordain to the diaconate and priesthood and put into positions of trust only those who share this commitment to protecting children and youth.

We pledge that we will work toward healing and reconciliation for those sexually abused by clerics.

Much has been done to honor these pledges. We devoutly pray that God who has begun this good work in us will bring it to fulfillment.

This *Charter* is published for the dioceses/eparchies of the United States. It is to be reviewed again after seven years by the Committee on the Protection of Children and Young People with the advice of the National Review Board. The results of this review are to be presented to the full Conference of Bishops for confirmation. Authoritative interpretations of its provisions are reserved to the Conference of Bishops.

NOTES

1 For purposes of this *Charter,* the offense of sexual abuse of a minor will be understood in accord with the provisions of *Sacramentorum sanctitatis tutela* (SST), article 6, which reads:

> §1. The more grave delicts against morals which are reserved to the Congregation for the Doctrine of the Faith are:
>
> 1° the delict against the sixth commandment of the Decalogue committed by a cleric with a minor below the age of eighteen years; in this case, a person who habitually lacks the use of reason is to be considered equivalent to a minor.

2° the acquisition, possession, or distribution by a cleric of pornographic images of minors under the age of fourteen, for purposes of sexual gratification, by whatever means or using whatever technology;

§2. A cleric who commits the delicts mentioned above in §1 is to be punished according to the gravity of his crime, not excluding dismissal or deposition.

In view of the Circular Letter from the Congregation for the Doctrine of the Faith, dated May 3, 2011, which calls for "mak[ing] allowance for the legislation of the country where the Conference is located," Section III(g), we will apply the federal legal age for defining child pornography, which includes pornographic images of minors under the age of eighteen, for assessing a cleric's suitability for ministry and for complying with civil reporting statutes.

If there is any doubt whether a specific act qualifies as an external, objectively grave violation, the writings of recognized moral theologians should be consulted, and the opinions of recognized experts should be appropriately obtained (*Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995, 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.

2 In 2009, after consultation with members of the USCCB Committee on the Protection of Children and Young People and the Conference of Major Superiors of Men and approval from the USCCB Committee on Canonical Affairs and Church Governance, additional Model Letters of Suitability, now available on the USCCB website, were agreed upon and published for use by bishops and major superiors in situations which involve both temporary and extended ministry for clerics.

Essential Norms for Diocesan/ Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons

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Most Reverend William S. Skylstad, D.D.

Bishop of Spokane

May 5, 2006

THE UNITED STATES CONFERENCE OF CATHOLIC BISHOPS

DECREE OF PROMULGATION

On November 13, 2002, the members of the United States Conference of Catholic Bishops approved as particular law the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*. Following the grant of the required *recognitio* by the Congregation for Bishops on December 8, 2002, the *Essential Norms* were promulgated by the President of the same Conference on December 12, 2002.

Thereafter, on June 17, 2005, the members of the United States Conference of Catholic Bishops approved a revised text of the *Essential Norms*. By a decree dated January 1, 2006, and signed by His Eminence, Giovanni Battista Cardinal Re, Prefect of the Congregation for Bishops, and His

Excellency, the Most Reverend Francesco Monterisi, Secretary of the same Congregation, the *recognitio* originally granted to the *Essential Norms* of 2002 was extended to the revised version *donec aliter provideatur*.

As President of the United States Conference of Catholic Bishops, I therefore decree the promulgation of the *Essential Norms* of June 17, 2005. These *Norms* shall obtain force on May 15, 2006, and so shall from that day bind as particular law all Dioceses and Eparchies of the United States Conference of Catholic Bishops.

Most Reverend William S. Skylstad

Bishop of Spokane

President, USCCB

Reverend Monsignor David J. Malloy

General Secretary

Preamble

On June 14, 2002, the United States Conference of Catholic Bishops approved a Charter for the Protection of Children and Young People. The charter addresses the Church's commitment to deal appropriately and effectively with cases of sexual abuse of minors by priests, deacons, and other church personnel (i.e., employees and volunteers). The bishops of the United States have promised to reach out to those who have been sexually abused as minors by anyone serving the Church in ministry, employment, or a volunteer position, whether the sexual abuse was recent or occurred many years ago. They stated that they would be as open as possible with the people in parishes and communities about instances of sexual abuse of minors, with respect always for the privacy and the reputation of the individuals involved. They have committed themselves to the pastoral and spiritual care and emotional well-being of those who have been sexually abused and of their families.

In addition, the bishops will work with parents, civil authorities, educators, and various organizations in the community to make and maintain the safest environment for minors. In the same way, the bishops have pledged to evaluate the background of seminary applicants as well as all church personnel who have responsibility for the care and supervision of children and young people.

Therefore, to ensure that each diocese/eparchy in the United States of America will have procedures in place to respond promptly to all allegations of sexual abuse of minors, the United States Conference of Catholic Bishops decrees these norms for diocesan/eparchial policies dealing with allegations of sexual abuse of minors by diocesan and religious priests or deacons.[1] These norms are complementary to the universal law of the Church and are to be interpreted in accordance with that law. The Church has traditionally considered the sexual abuse of minors a grave delict and punishes the offender with penalties, not excluding dismissal from the clerical state if the case so warrants.

For purposes of these Norms, sexual abuse shall include any offense by a cleric against the Sixth Commandment of the Decalogue with a minor as understood in CIC, canon 1395 §2, and CCEO, canon 1453 §1 (*Sacramentorum sanctitatis tutela*, article 6 §1).[2]

Norms

1. These Essential Norms have been granted *recognitio* by the Holy See. Having been legitimately promulgated in accordance with the practice of the United States Conference of Catholic Bishops on May 5, 2006, they constitute particular law for all the dioceses/eparchies of the United States of America.[3]

2. Each diocese/eparchy will have a written policy on the sexual abuse of minors by priests and deacons, as well as by other church personnel. This policy is to comply fully with, and is to specify in more detail, the steps to be taken in implementing the requirements of canon law, particularly CIC, canons 1717-1719, and CCEO, canons 1468-1470. A copy of this policy will be filed with the United States Conference of Catholic Bishops within three months of the effective date of these norms. Copies of any eventual revisions of the written diocesan/eparchial policy are also to be filed with the United States Conference of Catholic Bishops within three months of such modifications.

3. Each diocese/eparchy will designate a competent person to coordinate assistance for the immediate pastoral care of persons who claim to have been sexually abused when they were minors by priests or deacons.

4. To assist diocesan/eparchial bishops, each diocese/eparchy will also have a review board which will function as a confidential consultative body to the bishop/eparch in discharging his responsibilities. The functions of this board may include

- **a.** advising the diocesan bishop/eparch in his assessment of allegations of sexual abuse of minors and in his determination of suitability for ministry;
- **b.** reviewing diocesan/eparchial policies for dealing with sexual abuse of minors; and
- **c.** offering advice on all aspects of these cases, whether retrospectively or prospectively.

5. The review board, established by the diocesan/eparchial bishop, will be composed of at least five persons of outstanding integrity and good judgment in full communion with the Church. The majority of the review board members will be lay persons who are not in the employ of the diocese/eparchy; but at least one member should be a priest who is an experienced and respected pastor of the diocese/eparchy in question, and at least one member should have particular expertise in the treatment of the sexual abuse of minors. The members will be appointed for a term of five years, which can be renewed. It is desirable that the Promoter of Justice participate in the meetings of the review board.

6. 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 (CIC, c. 1717; CCEO, c. 1468). 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. When there is sufficient evidence that sexual abuse of a minor has occurred, the Congregation of the Doctrine of the Faith shall be notified. The bishop/eparch shall then apply the precautionary measures mentioned in CIC, canon 1722, or CCEO, canon 1473—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.[4]

7. The alleged offender may be requested to seek, and may be urged voluntarily to comply with, an appropriate medical and psychological evaluation at a facility mutually acceptable to the diocese/eparchy and to the accused.

8. When even a single act of sexual abuse by a priest or deacon is admitted or is established after an appropriate process in accord with canon law, the offending priest or deacon will be removed permanently from ecclesiastical ministry, not excluding dismissal from the clerical state, if the case so warrants (SST, Art. 6; CIC, c. 1395 §2; CCEO, c. 1453 §1). [5]

a. 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 considered (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). Unless the Congregation for the Doctrine of the Faith, having been notified, calls the case to itself because of special circumstances, it will direct the diocesan bishop/eparch to proceed (Article 13, “Procedural Norms” for *Motu proprio Sacramentorum sanctitatis tutela*, AAS, 93, 2001, p. 787). If the case would otherwise be barred by prescription, because sexual abuse of a minor is a grave offense, the bishop/eparch may apply to the Congregation for the Doctrine of the Faith for a derogation from the prescription, while indicating relevant grave reasons. For the sake of canonical due process, the accused is to be encouraged to retain the assistance of civil and canonical counsel. When

necessary, the diocese/eparchy will supply canonical counsel to a priest. The provisions of CIC, canon 1722, or CCEO, canon 1473, shall be implemented during the pendency of the penal process.

b. If the penalty of dismissal from the clerical state has not been applied (e.g., for reasons of advanced age or infirmity), the offender ought to lead a life of prayer and penance. He will not be permitted to celebrate Mass publicly or to administer the sacraments. He is to be instructed not to wear clerical garb, or to present himself publicly as a priest.

9. At all times, the diocesan bishop/eparch has the executive power of governance, within the parameters of the universal law of the Church, 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.[6] Because sexual abuse of a minor by a cleric is a crime in the universal law of the Church (CIC, c. 1395 §2; CCEO, c. 1453 §1) and is a crime in all civil jurisdictions in the United States, for the sake of the common good and observing the provisions of canon law, the diocesan bishop/eparch shall exercise this power of governance to ensure that any priest or deacon who has committed even one act of sexual abuse of a minor as described above shall not continue in active ministry.[7]

10. The priest or deacon may at any time request a dispensation from the obligations of the clerical state. In exceptional cases, the bishop/eparch may request of the Holy Father the dismissal of the priest or deacon from the clerical state *ex officio*, even without the consent of the priest or deacon.

11. The diocese/eparchy will comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities and will cooperate in their investigation. In every instance, the diocese/eparchy will advise and support a person's right to make a report to public authorities.[8]

12. No priest or deacon who has committed an act of sexual abuse of a minor may be transferred for a ministerial assignment in another diocese/eparchy. Every bishop/eparch who receives a priest or deacon from outside his jurisdiction will obtain the necessary information regarding any past act of sexual abuse of a minor by the priest or deacon in question.

Before such a diocesan/eparchial priest or deacon can be transferred for residence to another diocese/eparchy, his diocesan/eparchial bishop shall forward, in a confidential manner, to the bishop of the proposed place of residence any and all information concerning any act of sexual abuse of a minor and any other information indicating that he has been or may be a danger to children or young people.

In the case of the assignment for residence of such a clerical member of an institute or a society into a local community within a diocese/eparchy, the major superior shall inform the diocesan/eparchial bishop and share with him in a manner respecting the limitations of confidentiality found in canon and civil law all information concerning any act of sexual abuse of a minor and any other information indicating that he has been or may be a danger to children or young people so that the bishop/eparch can make an informed judgment that suitable safeguards are in place for the protection of children and young people. This will be done with due recognition of the legitimate authority of the bishop/eparch; of the provisions of CIC, canon 678 (CCEO, canons 415 §1 and 554 §2), and of CIC, canon 679; and of the autonomy of the religious life (CIC, c. 586).

13. Care will always be taken to protect the rights of all parties involved, particularly those of the person claiming to have been sexually abused and of the person against whom the charge has been made. When an accusation has been shown to be unfounded, every step possible will be taken to restore the good name of the person falsely accused.

NOTES

1 These Norms constitute particular law for the dioceses, eparchies, clerical religious institutes, and societies of apostolic life of the United States with respect to all priests and deacons in the ecclesiastical ministry of the Church in the United States. When a major superior of a clerical religious institute or society of apostolic life applies and interprets them for the internal life and governance of the institute or society, he has the obligation to do so according to the universal law of the Church and the proper law of the institute or society.

2 If there is any doubt whether a specific act qualifies as an external, objectively grave violation, the writings of recognized moral theologians should be consulted, and the opinions of recognized experts should be appropriately 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.

3 Due regard must be given to the proper legislative authority of each Eastern Catholic Church.

4 Article 19 *Sacramentorum sanctitatis tutela states*, “With due regard for the right of the Ordinary to impose from the outset of the preliminary investigation those measures which are established in can. 1722 of the Code of Canon Law, or in can. 1473 of the Code of Canons of the Eastern Churches, the respective presiding judge may, at the request of the Promoter of Justice, exercise the same power under the same conditions determined in the canons themselves.”

5 Removal from ministry is required whether or not the cleric is diagnosed by qualified experts as a pedophile or as suffering from a related sexual disorder that requires professional treatment. With regard to the use of the phrase “ecclesiastical ministry,” by clerical members of institutes of consecrated life and societies of apostolic life, the provisions of canons 678 and 738 also apply, with due regard for canons 586 and 732. 6

Cf. CIC, cc. 35-58, 149, 157, 187-189, 192-195, 277 §3, 381 §1, 383, 391, 1348, and

1740-1747. Cf. also CCEO, cc. 1510 §1 and 2, 1°-2°, 1511, 1512 §§1-2, 1513 §§2-3 and 5, 1514-1516, 1517 §1, 1518, 1519 §2, 1520 §§1-3, 1521, 1522 §1, 1523-1526, 940, 946, 967-971, 974-977, 374, 178, 192 §§1-3, 193 §2, 191, and 1389-1396.

7 The diocesan bishop/eparch may exercise his executive power of governance to take one or more of the following administrative actions (CIC, cc. 381, 129ff.; CCEO, cc. 178, 979ff.):

a. He may request that the accused freely resign from any currently held ecclesiastical office (CIC, cc. 187-189; CCEO, cc. 967-971).

b. Should the accused decline to resign and should the diocesan bishop/eparch judge the accused to be truly not suitable (CIC, c. 149 §1; CCEO, c. 940) at this time for holding an office previously freely conferred (CIC, c. 157), then he may remove that person from office observing the required canonical procedures (CIC, cc. 192-195, 1740-1747; CCEO, cc. 974-977, 1389-1396).

c. For a cleric who holds no office in the diocese/eparchy, any previously delegated faculties may be administratively removed (CIC, cc. 391 §1 and 142 §1; CCEO, cc. 191 §1 and 992 §1), while any *de iure* faculties may be removed or restricted by the competent authority as provided in law (e.g., CIC, c. 764; CCEO, c. 610 §§2-3).

d. The diocesan bishop/eparch may also determine that circumstances surrounding a particular case constitute the just and reasonable cause for a priest to celebrate the Eucharist with no member of the faithful present (CIC, c. 906). The

bishop may forbid the priest to celebrate the Eucharist publicly and to administer the sacraments, for the good of the Church and for his own good.

e. Depending on the gravity of the case, the diocesan bishop/eparch may also dispense (CIC, cc. 85-88; CCEO, cc. 1536 §1–1538) the cleric from the obligation of wearing clerical attire (CIC, c. 284; CCEO, c. 387) and may urge that he not do so, for the good of the Church and for his own good.

These administrative actions shall be taken in writing and by means of decrees (CIC, cc. 47-58; CCEO, cc. 1510 §2, 1°-2°, 1511, 1513 §§2-3 and 5, 1514, 1517 §1, 1518, 1519 §2, 1520) so that the cleric affected is afforded the opportunity of recourse against them in accord with canon law (CIC, cc. 1734ff.; CCEO, cc. 999ff.).

8 The necessary observance of the canonical norms internal to the Church is not intended in any way to hinder the course of any civil action that may be operative. At the same time, the Church reaffirms her right to enact legislation binding on all her members concerning the ecclesiastical dimensions of the delict of sexual abuse of minors.

A Statement of Episcopal Commitment

We bishops pledge again to respond to the demands of the *Charter* in a way that manifests our accountability to God, to God's people, and to one another. Individually and together, we acknowledge mistakes in the past when some bishops transferred, from one assignment to another, priests who abused minors. We recognize our roles in the suffering this has caused, and we continue to ask forgiveness for it.

Without at all diminishing the importance of broader accountability, this statement focuses on the accountability which flows from our episcopal communion and fraternal solidarity, a moral responsibility we have with and for each other.

While bishops are ordained primarily for their diocese or eparchy, we are called as well to protect the unity and to promote the common discipline of the whole Church (CIC, c. 392; CCEO, c. 201). Participating in the college of bishops, each bishop is responsible to act in a manner that reflects both effective and affective collegiality.

Respecting the legitimate rights of bishops who are directly accountable to the Holy See, in a spirit of collegiality and fraternity we renew our commitment to the following:

1. Within each of our provinces, we will assist each other to interpret correctly and implement the *Charter for the Protection of Children and Young People*, always respecting Church law and striving to reflect the Gospel.

2. We will apply the requirements of the *Charter* also to ourselves, respecting always Church law as it applies to bishops. Therefore, if a bishop is accused of the sexual abuse of a minor, the accused bishop is obliged to inform the Apostolic Nuncio. If another bishop becomes aware of the sexual abuse of a minor by another bishop or of an allegation of the sexual abuse of a minor by a bishop, he too is obliged to inform the Apostolic Nuncio and comply with applicable civil laws.
3. In cases of financial demands for settlements involving allegations of any sexual misconduct by a bishop, he, or any of us who become aware of it, is obliged to inform the Apostolic Nuncio.

4. Within each of our provinces, as an expression of collegiality, including fraternal support, fraternal challenge and fraternal correction, we will engage in ongoing mutual reflection upon our commitment to holiness of life and upon the exercise of our episcopal ministry.

In making this statement, we firmly uphold the dignity of every human being and renew our commitment to live and promote the chastity required of all followers of Christ and especially of deacons, priests and bishops.

This Statement of Episcopal Commitment will be reviewed by the Committee on Clergy, Consecrated Life and Vocations upon the next review of the *Charter*.