



May 27, 2012  
Pentecost Sunday

Dear Brothers and Sisters in Christ Jesus:

In August 2003, the Diocese of Rockville Centre, Office for the Protection of Children and Young People, published the Diocesan Child Protection Policy. This policy booklet was revised in 2005 and in my introductory letter contained in the booklet at that time, I pledged to you that, “as we grow in our experience and our understanding, we will constantly make whatever improvements are called for and whatever further efforts might be needed to fulfill our pledge to protect all the children and young people of our Diocese.”

We cannot change what has happened in the past but we can do everything in our power to make sure that abuse, particularly child sexual abuse, is as non-existent as possible in our Church community.

This Child Protection Policy 2012, the third edition, is testimony of our ongoing commitment to correct the wrongs of the past and to develop the necessary policies and procedures to protect children and young people today and in the future.

This booklet is intended to help guide all of us, bishops, priests, deacons, consecrated and lay faithful with specific policies and procedures to protect the children and young people who come to pray in our churches, learn in our schools and play in our programs. All of us promise to work to do all that we can to make sure that the Church is a safe place where parents can feel confident that their children will be protected, respected and treated with dignity.

You have my solemn word to do all that I can to continue our protection efforts using all our resources, human and spiritual. The safety and well being of children is not an option.

Let us pray:

***Protection Prayer***

*Jesus, you invite the children to come to you.*

*Protect our children*

*Strengthen them in time of danger,*

*Heal them in time of sorrow*

*Give them laughter and delight*

*Restore their innocence*

*For such is the kingdom of heaven. AMEN*

Yours faithfully in Christ,  
Bishop of Rockville Centre

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# SECTION I: INTRODUCTION

Children and young people have a right to be protected from harm in any and in all environments – home, school, religious institutions, and communities. The Diocese of Rockville Centre is dedicated to promoting and ensuring the protection of all children.

The Diocese of Rockville Centre will do all in its power to create a safe environment for children and young people, to prevent their physical abuse, sexual abuse and neglect and to bring the healing ministry of the diocese to all who are in pain.

The Diocesan Child Protection Policy continues to emphasize concern for children and compliance with all provisions contained in the Charter for the Protection of Children and Young People and the Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priest or Deacons approved by the U.S. Catholic bishops in November 2002. (Revised in 2005 and 2011)

The Diocese of Rockville Centre is committed to the goals of this policy:

- To minister to the spiritual, physical and emotional needs of the abused child and family as well as the affected Catholic community.
- To report all incidents of child abuse to civil and diocesan authorities.
- To strengthen all screening procedures with the goal of preventing child abuse by diocesan and related-entity <sup>1</sup>personnel and volunteers.
- To minister to the spiritual, physical and emotional needs of the individual who is accused of abuse.

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<sup>1</sup> The term “related entity” refers to certain entities over which the diocesan bishop has particular governance responsibilities under Canon or civil law (e.g. the parishes). The term “related entity” does not, however, include Catholic Health Services or its organizations, whose operations in the area of public safety (including the safety of children) are regulated by state and federal law.

## SECTION II: DEFINITIONS

Definitions for the purpose of this policy are:

### ***Accused***

A person charged with or alleged to have committed an act of child abuse, a serious violation of these policies and procedures, or a crime or wrongdoing.

### ***Administrative Leave***

Relieving the accused of assigned duties as a result of a credible allegation as determined by the preliminary ecclesiastical investigation.

### ***Allegation***

An accusation against someone asserting a violation of civil, criminal and/or canon law and/or policies or procedures or other misconduct involving children.

### ***Background Check***

The verification of information provided on the Application for Employment or Volunteer Service, including reference contacts (minimum 2) and a criminal history background check.

### ***Canonical Advocate***

A canonical advocate is a person approved by ecclesiastical authority who safeguards the rights of a party in a canonical process.

### ***Canon Law***

The official body of laws for the Catholic Church.

Charter for the Protection of Children and Young People and the Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priest or Deacons

First promulgated and approved by the U.S. Catholic bishops in November 2002 (and revised in 2005 and 2011), the Charter and Essential Norms set forth the practical and pastoral steps to be taken, and rules to be followed, by Dioceses in the United States to create a safe environment for children and young people in the Church.

### ***Child***

Any person under the age of eighteen (18).

## *Child Abuse*

Consists of any of the following:

1. Sexual Abuse includes any act or interaction which involves sexual contact involving a child and a parent or any other person who has responsibility for supervision of a child, whether or not it involves genital or physical contact, with or without the child's consent and even if initiated by the child, and whether or not physical injuries are sustained. Sexual abuse is defined to include, but not be limited to:
  - a. The perpetrator's intentional touching of the child's intimate parts including the genital area, female breast, groin, inner thigh and buttocks or the touching by a child of the perpetrator's intimate parts (including those listed above) for the purposes of sexual arousal or gratification.
  - b. Sexual intercourse (vaginal or anal), rape (vaginal or anal), oral/genital or oral/anal contact.
  - c. The intentional touching and/or displaying of one's own genitals or intimate parts including the female breast, the genital area, groin, inner thigh and buttocks in the presence and view of a child for the purposes of sexual arousal or gratification.
  - d. Permitting, causing, encouraging or assisting in the depiction of or posing for viewing by any person, either in person or by way of graphic means including digital or photographic image, of the partially or fully clothed body of a child in apparent observation of sex acts by others in the child's presence.
  - e. Displaying or distributing to a child any picture, photograph, book, pamphlet, digital image, movie, or magazine the cover or content of which is principally made up of descriptions or depictions of sexual acts or contacts, or which consists of pictures of nude or partially nude figures posed or presented in a manner which a reasonable person applying contemporary, community standards would find, taken as a whole, appeals to the prurient interest.

2. ***Physical Abuse*** includes any act which:

- a. purposely causes or inflicts physical injury to a child or
- b. intentionally causes mental injury or psychological injury to a child by intentionally engendering fear of physical injury to the child.

**It is the policy of the Diocese of Rockville Centre that corporal punishment of a child is prohibited in all entities of the diocese.**

Physical abuse does not include the appropriate physical restraint of a child who is attempting to injure another person or his/herself, or the appropriate physical direction of a child away from danger or the minimum restraint necessary to place a child in a “time out” or other appropriate limitation of movement to promote the safety of the child.

3. ***Neglect*** includes:

- a. Abandonment of a child by a parent, custodian or guardian.
- b. Lack of care by not providing appropriate and necessary food, shelter, clothing, education and supervision.
- c. Not providing care or control in respect to physical or emotional health; the refusal or inability to discharge parental or custodial obligations; and expressions of intention by parent, guardian or institution to discontinue care.

### ***Civil Authorities***

Representatives of the state charged with responsibility for the investigation of allegations of suspected child abuse including the state's child protection agency and local law enforcement agencies, which are responsible for investigating allegations of abuse when the victim is currently under the age of 18.

### ***Cleric***

A member of the clergy (e.g., deacon, priest or bishop).

### ***Credible Allegation***

An allegation that, based upon the facts of the case, meets one or more of the following thresholds:

- a. believable, plausible, reasonable and probable
- b. corroborated with other evidence or another source and/or
- c. acknowledged/admitted to by the accused.

### ***Criminal History Record Check***

A criminal background check that is designed to provide information on the existence and content of a criminal arrest record.

### ***Diocesan Personnel/Volunteers***

Priests, religious, deacons, bishops, lay employees, and certain contract workers employed by the Diocese of Rockville Centre or a related entity, and volunteers participating in Church endeavors.

### ***Laicization/Dismissal from the Clerical State***

Common term for the process of officially returning a cleric to the lay state. The cleric is prohibited from exercising the power of orders. The cleric is no longer bound by the rights or obligations of the clerical state. Laicization can happen in any of three ways:

1. ***Petitioning***  
The cleric petitions the Holy See to be returned to the lay state.
2. ***Dismissal through the Church's judicial penal process***  
Laicization is a penalty imposed for certain crimes committed.

### ***3. Involuntary Laicization***

Usually at the request of a bishop or religious superior, a cleric can be involuntarily laicized by an administrative process and by the Decree of the Holy See. This generally involves a cleric who is clearly unsuited to exercise ministry.

#### ***Lay Volunteer***

A person who provides without compensation an ongoing service or activity that is officially sanctioned by the parish, school or entity within the Diocese of Rockville Centre.

#### ***Promoter of Justice***

A canon (church) lawyer for disputed cases involving behavior that can endanger the public good and for penal (criminal) cases. The Promoter of Justice is bound by oath to provide for the public good. It is required that in each diocese, the diocesan bishop appoints a Promoter of Justice. (Canon 1430/1435)

#### ***Sexual Exploitation***

Sexual conduct between clergy and anyone else in a pastoral relationship with the clergyman and sexual conduct between any Church personnel and a person receiving pastoral counseling or spiritual direction.

#### ***Sexual Harassment***

Unwelcome sexual advances, requests for sexual favors, job-related threats for rejecting sexual advances (this type of harassment has been commonly described as quid pro quo sexual harassment), and other verbal or physical conduct of a sexual nature that has the purpose or effect of unreasonably interfering with an individual's work performance, or has the purpose of creating an intimidating, hostile or offensive working environment (this type of harassment has been commonly described as hostile environment sexual harassment).

***Sexual Misconduct***

Three related forms of sexual transgressions including:

1. sexual abuse
2. sexual exploitation
3. sexual harassment

As an inclusive term, “sexual misconduct” emphasizes the commonality among these aberrant behaviors and acts of abuse of power or authority in a sexual setting or to obtain sexual gratification.

***Temporary Care or Custody or Responsibility of a Child***

Includes all Diocese of Rockville Centre and related-entity personnel or any adult who has been given responsibility for temporary care or supervision of a child for a church, school or related activity.

## SECTION III: EDUCATION

### STANDARD

The Diocese of Rockville Centre is committed to preventing child abuse and to identifying child abuse once it has occurred. The goal of education is to provide information and skills to help staff, volunteers, children and parents prevent and respond to child abuse. In dealing effectively with child abuse issues, risks to children and young people are reduced. By educating children on what abuse is, how to report abuse and how to protect themselves, the diocese and related entities will empower children and foster an environment that encourages children to communicate any potential harm.

### OBJECTIVE

This policy applies to the programs that provide specific training in the prevention, recognition and reporting of child abuse that are developed and/or offered by or through the diocese and are:

- a. required of all diocesan and related-entity personnel /volunteers
- b. required of all children and youth who participate in activities, services and programs under the auspices of the diocese or a related entity and
- c. recommended for parents and other adults who participate or have children who participate in diocesan or related-entity activities, services and programs.

The objective of these programs is to prevent, recognize and appropriately report child abuse through educational programs, such as seminars, workshops, and meetings provided by the Diocese of Rockville Centre and completed by all diocesan or related-entity personnel / volunteers who have substantial contact with children and young people.

### EDUCATIONAL CURRICULUM

Diocesan clerics and religious shall attend scheduled in-service sessions that include but are not limited to the following topics:

- a. Appropriate boundaries and prohibitions in ministry
- b. Nature of child abuse problems

- c. Signs and symptoms of abuse in children and youth
- d. Laws, policies and procedures to report child abuse by clergy, Church personnel and volunteers and others who come in contact with children and young people
- e. Policies and procedures to prevent child abuse on any Church owned property or at Church sponsored events and activities
- f. Types of disclosures and how to respond appropriately
- g. Policies and procedures to respond to allegations of abuse
- h. Ministering to adults and children about the prevention of abuse and exploitation
- i. Ministering to victims of abuse
- j. Penitential privilege and seal of confession

Staff and volunteers shall attend scheduled in-service sessions that include but are not limited to the following areas:

- a. Appropriate boundaries and established prohibitions in ministry
- b. Nature of the abuse problem in children and youth
- c. Signs and symptoms of abuse in children and youth
- d. Laws, policies and procedures to report child abuse allegations
- e. Policies and procedures to prevent child abuse by clergy, church personnel and volunteers or others who come in contact with children and young people
- f. Policies and procedures to prevent child abuse on any Church-owned property or at Church-sponsored activities
- g. Types of disclosure and how to respond appropriately
- h. Policies and procedures to respond to allegations of abuse

Parents and other adults will be encouraged to attend scheduled awareness sessions that include but are not limited to the following topics:

- a. Appropriate boundaries and established prohibitions in ministry
- b. Nature of abuse problems in children and youth
- c. Signs and symptoms of abuse in children and youth
- d. Policies and procedures to prevent child abuse by clergy, church personnel and volunteers or others who come in contact with children
- e. Policies and procedures to prevent abuse on Church property or at Church-sponsored events and activities
- f. Policies and procedures to report child abuse allegations
- g. Types of disclosure and how to respond appropriately
- h. Policies and procedures to respond to allegations of abuse
- i. Conversations between children and parents regarding child's personal safety
- j. Strategies for protecting children from potential harm

Children and young people will attend scheduled programs that include but are not limited to the following topics:

- a. Basic safety skills
- b. Recognition of abusive and dangerous situations
- c. Appropriate and inappropriate physical contact and other interpersonal boundary violations
- d. Ability to say “no” to unwanted situations
- e. Ability to identify trusting adults with whom to speak
- f. Importance of disclosure if inappropriate or unwanted actions are directed to self or others
- g. Recognition that abusive situations are never the fault of the child

#### **GUIDELINES FOR COMPLETING IN-SERVICE**

New staff and volunteers will enroll in appropriate preventive education programs at the earliest possible date and no later than thirty (30) days following the assumption of their duties.

Pastors/parochial administrators, principals and related-entity directors will ensure that all personnel and volunteers required to receive training do so within the requisite time period or are removed from contact with children for failure to attend mandated training.

Parishes, schools and related-entity offices will maintain a roster of those who have completed the required training. A copy of this roster should also be forwarded to the Diocesan Office for the Protection of Children and Young People at 50 North Park Avenue, Rockville Centre, New York, 11570.

#### **CONTINUING EDUCATION PROGRAMS**

Continuing education programs are available at the local and diocesan organization level. Discussion groups, seminars and readily accessible on-line web-based monthly newsletters are provided for on-going education in the area of providing and maintaining safe environments.

**EDUCATIONAL PROGRAMS FOR STUDENTS IN  
DIOCESAN SCHOOLS AND RELIGIOUS EDUCATION PROGRAMS**

The Superintendent of Schools, Director of Faith Formation, and Director of Youth and Young Adult Ministry will ensure that age-appropriate abuse prevention education programs are available at both the elementary ( K-6th grade) and secondary (7th-12th grade) levels.

Such programs are provided annually to children in all grades of every elementary school in the diocese. Similar age appropriate programs are presented on an annual basis in the diocesan high schools. These programs will be made available to other Catholic schools and their participation will be strongly recommended.

**ASSESSMENT AND EVALUATION OF EDUCATIONAL EFFORTS**

With a view toward assessing the progress of the educational efforts called for by this policy, the following record keeping is required:

- a. The number of training courses offered
- b. The number of training courses by classification:
  - 1. Deacons, priests and bishops
  - 2. Staff members
  - 3. Volunteers
  - 4. Parents
  - 5. Children and Youth
- c. The number of web-based training courses
- d. Proportion of new staff and volunteers trained by deadline
- e. Complete roster of Church Personnel and Volunteers trained
- f. Participant evaluations of training content and learning opportunities

## **SECTION IV: EMPLOYMENT SCREENING CHURCH PERSONNEL AND VOLUNTEERS**

### **STANDARD**

The Diocese of Rockville Centre recognizes that background information including a criminal history record checks are a critical element in ensuring the safety of children and protecting them from inappropriate actions or behaviors of others.

All potential employees and volunteers of the diocese and related entities will a) complete an Employment Form or Volunteer Service Request Form, b) authorize a criminal history record check, and c) provide at least two references. (Sample forms are attached in Appendix D.)

Re-screening shall take place in the following situations: (1) where an individual is promoted to a position of materially greater responsibility and (2) where an individual has been separated from employment with the diocese or with a related entity for an extended period of time.

### **COMPLETION OF CLEARANCE REQUIREMENTS**

The pastor/parochial administrator, principal, related-entity director or hiring authority will ensure that all new employees and new volunteers in the parish, school or related-entity have complied with the pre-employment screening requirements. Screening requirements went into effect in September, 2003 for the diocesan Pastoral Center and have now been implemented in other diocesan entities.

The Pastoral Center's Office of Human Resources manages the initial background screening program for the diocese and related entities. The Director, Office for the Protection of Children and Young People reviews all background check results indicating possible criminal history, consults with the pastor/parochial administrator, principal or agency director regarding any unsuitable applicants and maintains a roster of persons found not suitable for employment or not allowed to provide volunteer services due to the results of the background investigation.

Current employees and volunteers of the Diocese of Rockville Centre or any related entity will complete an Application for Employment or Volunteer Services and will authorize a criminal history record check.

## **UPDATING CLEARANCE INFORMATION**

Diocesan and related-entity personnel and volunteers may be required periodically to complete and return to the appropriate personnel office an updated Application for Employment or Volunteer Services and Criminal History Record Check. All such personnel and volunteers have a continuing obligation to report to the Diocese any arrest or conviction occurring subsequent to the completion of the initial background screening.

## **PRIESTS FROM OTHER DIOCESES WHO ARE IN THE DIOCESE OF ROCKVILLE CENTRE**

Bishops of diocesan priests from other dioceses ministering or residing in a Diocesan parish or institution, as well as those simply requesting priestly faculties in the Diocese of Rockville Centre, are required to present the same written evaluation and background check material. Priests are required to adhere to the policies and procedures outlined in this document and the guidelines for transfers outlined in the Essential Norms.

## **APPLICANTS FOR PRIESTHOOD OR DIACONATE IN DIOCESE OF ROCKVILLE CENTRE**

Anyone applying for the priesthood or the diaconate or for incardination as a priest of the Diocese is required to complete the diocesan Application for Employment and provide authorization for a criminal history record check from every state in which he has lived or worked.

Additionally, he will undergo a complete psychological evaluation in an effort to determine whether he is suitable to work with minors.

## **GUIDELINES FOR GRANTING RESIDENCE OR MINISTRY TO NON-INCARDINATED PRIESTS OR RELIGIOUS PRIESTS**

No pastor/parochial administrator, associate pastor or director of any diocesan institution, related entity or facility in the Diocese of Rockville Centre is permitted to grant residence or full time or part time or regular weekend ministry to a non-incardinated priest or religious priest until proper authorization by the Chancery has been issued assuring that the required criminal history record check and background check have been obtained and are consistent with the policies and procedures of Diocese of Rockville Centre. Written testimonials and references from the bishop and home diocese or religious superior will be obtained.

In order to be considered for service in the Diocese of Rockville Centre, a non-incardinated priest or visiting seminarian will be required to provide the following: a) written approval from the Vicar for Clergy Personnel or other appropriate diocesan office and b) authorization for a criminal history investigation.

#### **COMPLIANCE AUDITS**

The Vicar General will authorize routine audits to assure compliance with this policy.

## SECTION V: DIOCESAN REPORTING PROCEDURES

### STANDARD

The Diocese of Rockville Centre is committed to fostering the safety and dignity of children and young people and reasserts its commitment to creating a safe environment for children and youth. Therefore, it is

1. the moral obligation of all to report knowledge or reasonable suspicion of child abuse and
2. the pastoral responsibility of the diocese to implement and enforce an internal program of clear, practical actions to require the reporting of suspected child abuse.

### REPORTING AN INCIDENT

When an allegation of sexual abuse of a child or minor is brought to any person working for the Church, he or she is

1. To urge the complainant to notify the legal authorities immediately and assist the person to do so if the complainant wishes;
2. To call the legal authorities immediately after receiving whatever information has been provided; and
3. To inform the Diocesan Office for the Protection of Children and Young People at (516) 678-5800 Ext. 573.
4. To forward the allegation immediately to the appropriate law enforcement agency which follows its own procedures. The Diocese of Rockville Centre 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. At all times, the diocese will advise and support a person's right to make a report to public authorities.

*In an effort to ensure a response to those who wish to report incidents of sexual abuse of minors by members of the clergy, the Diocese of Rockville Centre has installed a dedicated telephone line for the reporting of all cases. That phone number is (516) 594-9063. If the caller does not reach someone directly, messages can be left on an answering machine connected to the phone. Those messages will be retrieved by the Director of the Office for the Protection of Children and Young*

*People.*

All records of actions taken and notification by the diocese and/or other church authorities in response to reports, and of evidence and relevant comment, shall be kept on file in confidence. Such records, or portions of them, may be required for civil, criminal and/or canonical proceedings at the time of the allegation or future date.

The reporting procedure specified will be adhered to regardless of the nature of the offense, the current age of the alleged victim, position/role of the accused, when the offense allegedly occurred or any other factors that may be considered exceptions to this performance standard.

## SECTION VI: PRELIMINARY ECCLESIASTICAL INVESTIGATION

If the allegation is against a cleric, a preliminary ecclesiastical investigation in harmony with canon law is then initiated and the Promoter of Justice is informed.

### **Steps in the Preliminary Ecclesiastical Investigation**

1. The Preliminary Ecclesiastical Investigation according to the norms of Church law is initiated by the Bishop through the Diocesan Office for the Protection of Children and Young People.
2. All appropriate steps will be taken to protect the reputation and privacy of those involved: complainants, victim(s) and the accused.
3. Parties are encouraged to retain the assistance of civil and canonical counsel.
4. The accused is asked voluntarily to refrain from ministry while the investigation of the allegation is carried out.
5. Careful inquiry is made about the facts of the allegation to determine whether there is sufficient evidence that sexual abuse of a minor has occurred.
6. The accused 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 and to the accused.
7. A summary report of the results of the Preliminary Ecclesiastical Investigation will be provided to the Diocesan Bishop and the Promoter of Justice. The parties involved will be promptly notified of the results of the Preliminary Ecclesiastical Investigation.

## SECTION VII: CREDIBLE/ADMITTED ALLEGATIONS REGARDING A CLERIC

When there is a credible allegation that sexual abuse of a minor by a cleric has occurred:

1. The Diocesan Bishop shall, in writing, notify the accused cleric that the Diocesan Bishop is removing the accused cleric from his assignment. The Diocesan Bishop will prohibit the public exercise of ministry by the accused cleric, pending the outcome of the process.
2. The Congregation for the Doctrine of the Faith shall be notified. All directions given by the Holy See for each case will be followed.
3. The accused will be encouraged to retain the assistance of civil and canonical counsel. When necessary, the diocese will supply canonical counsel to a priest.
4. The allegation will be reviewed by the Diocesan Review Board, which advises the Diocesan Bishop in all aspects of the case. (See Appendix F)

*The Diocesan Review Board, established by the Diocesan 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 laypersons who are not in the employ of the Diocese of Rockville Centre. At least one member should be a priest who is an experienced and respected pastor of the Diocese. 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 (USCCB Norms).*

5. After consultation with the Promoter of Justice, the Diocesan Bishop decides, and documents his decision, to proceed administratively or to initiate an ecclesiastical trial. In either case, the norms of Church law and any direction from the Holy See will be carefully followed.
6. No cleric will be returned to pastoral ministry in the Diocese who has committed even a single act of sexual abuse of a minor or who evidences negative psychopathology that poses a danger to minors.

**When an act of sexual abuse by a cleric is admitted or is established by canonical process:**

1. The offending cleric will be removed permanently from ecclesiastical ministry. He will not be permitted to celebrate Mass publicly or to administer the sacraments. He is prohibited from wearing clerical garb, or presenting himself publicly as a cleric .
2. No permission will be given for the offending cleric to exercise ministry outside the Diocese of Rockville Centre.
3. The cleric may at any time request a dispensation from the obligations of the clerical state. In cases of serious scandal or harm, the Diocesan Bishop may request of the Holy Father the dismissal of the cleric from the clerical state *ex officio*, even without the consent of the cleric.

No cleric who is the subject of a credible accusation of sexual abuse of a minor will be temporarily released or incardinated or permanently transferred for ministerial assignment to another diocese/eparchy or religious province. Before a cleric of the Diocese of Rockville Centre may reside in another diocese/eparchy and religious province, the Bishop will forward to the local bishop/eparch of the proposed place of residence any and all information concerning any act of sexual abuse of a minor and any other information regarding past incidents of misconduct. This requirement will apply even if the cleric will reside in a local community of an institute of consecrated life or society of apostolic life.

In connection with a credible allegation of child abuse against a cleric, the Diocese of Rockville Centre will provide the alleged victim and the person accused with:

- a. A timely response to, investigation of and resolution of the allegation of abuse.
- b. An explanation of the diocesan process and specific procedures for dealing with allegations of child abuse, including reporting procedures.

- c. An opportunity to provide comments to the Diocesan Review Board.
- d. Identification of appropriate assistance to help the child or adult victim recover from the abuse experience and to ensure the psychological evaluation and treatment of the accused, as warranted.
- e. All possible protections of privacy, including protection of the identities of the accuser and the accused, should the accused be exonerated.
- f. Information pertaining to the outcome of the completed investigation.

## **SECTION VIII: ALLEGATIONS REGARDING LAY CHURCH PERSONNEL**

In the case of allegations against lay Church personnel (employees or volunteers), the diocese will strictly adhere to all applicable Church and civil law, as well as to all applicable employment and workplace policies, procedures and contracts, in the reporting, investigation and management of such allegations.

## **SECTION IX: DIOCESAN RESPONSE TO FALSE ALLEGATIONS**

### **STANDARD**

The Diocese of Rockville Centre recognizes the trauma and harm of false accusations. The diocese will strive to minimize any personal or professional adverse consequences of unsupported allegations and to preserve the future ministry opportunities of persons unjustly accused of child abuse.

### **MENTAL HEALTH SERVICES**

The diocese will provide the necessary mental health services to assist individuals wrongfully accused to address the consequences of accusations and to restore the effectiveness in their employment and /or volunteer services.

### **RESTORING THE GOOD NAME OF THE FALSELY ACCUSED**

The diocese will work with the accused to restore his/her good name.

### **INFORMING THE COMMUNITY**

The diocese will, in consultation with, and with consent from, the individual falsely accused, inform the faith community at the local parish, school or related entity of the outcome of the investigation.

## SECTION X: VICTIMS' ASSISTANCE

### STANDARD

The Diocese of Rockville Centre recognizes that a sacred trust is broken and profound harm is inflicted when clergy or other Church personnel or volunteers abuse children. The diocese further recognizes the Church's responsibility to reach out to every person who has been the victim of abuse as a minor by anyone working for the Church, whether the abuse was recent or occurred in the past, and notwithstanding any lack of liability under civil law. In order to promote healing, the diocese will offer compassionate and timely assistance to victims of child abuse, the victims' immediate families and the affected faith communities.

Through pastoral care, as well as ongoing education and training for clergy and other Church personnel/volunteers, the Diocese of Rockville Centre will continue to work to promote a safe community of faith.

### OUTREACH TO VICTIMS, FAMILIES AND THE COMMUNITY

The diocese will provide supportive responses to victims, families, parishes and communities that are essential to begin the healing process. These may include:

- a. expressions of compassion
- b. support groups
- c. acknowledgement and acceptance of feelings of anger, pain and mistrust
- d. education of the parish and the community in order to facilitate their understanding, acceptance and support of victims whose pain may require both immediate and ongoing intervention to repair the harm and promote the healing needed in their lives

### COUNSELING ASSISTANCE FOR VICTIMS AND THEIR FAMILIES

The Diocesan Office for the Protection of Children and Young People will facilitate assessment, counseling, and therapeutic interventions by competent counselors, as mutually agreed upon by the individual receiving supportive therapeutic intervention or the victim's parent/guardian in the case of a minor child and the diocese.

Generally, the reasonable cost of assessment and counseling for the victim and, in certain cases, family members will be assumed by the diocese under the following conditions:

- a. An initial assessment, found acceptable to the diocese, is made by a professional counselor.
- b. The assessment contains recommendations for duration of counseling including targeted measurable treatment goals and objectives.
- c. The recommendations are in accordance with the standard of care practiced in the community.
- d. Treatment plans and goals are monitored by a qualified professional counselor and reviewed no less than every six months.

## SECTION XI: COMMUNICATIONS

### STANDARD

The Charter for the Protection of Children and Young People, Article 7, states that “Each diocese/eparchy will develop a communications policy that reflects a commitment to transparency and openness.”

The Diocese of Rockville Centre’s policies and procedures governing all communication will promote cooperative, responsive, and candid relationships within the organization and in the community.

The diocese will engage the community and the communications media in its efforts to prevent child abuse, protect children, support families and inform the public. With respect for the privacy of the individuals involved, the diocese will communicate as openly as possible with all members of the media, faith community and general public regarding allegations of child abuse and related issues.

### PUBLIC AWARENESS OF CHILD ABUSE ISSUES

Through the diocesan website ([www.drvc.org](http://www.drvc.org)), *The Long Island Catholic* newspaper, the diocesan television station, *Telecare*, and parish bulletins, the diocese will disseminate information to increase awareness and understanding of the sexual abuse issue.

The Office for Public Information will disseminate information in order to increase the awareness and understanding of prevention, identification and treatment of child abuse and neglect.

### APPROPRIATENESS OF COMMUNICATIONS

Communications with the media and the broader diocesan community are to be timely, open and comprehensible. All communications will occur within the margins of respect for the privacy and reputation of those involved, and canon and civil laws.

### RESPONDING TO THE MEDIA

The director of the Office of Public Information will be responsible for coordinating all media contacts. Those media inquiries made to schools, parishes or related entities should be referred to the Office of Public Information or responded to after consultation with that office so that information disseminated will be accurate, comprehensible and up-to-date.

The director will consult with relevant persons in the handling of these inquiries.

Every effort will be made to respond openly without jeopardizing aspects of any legal investigation/litigation or breaching elements of confidentiality for either the alleged victim or accused.

**COMMUNICATING WITH THE AFFECTED COMMUNITIES**

The Diocese of Rockville Centre recognizes the need to support parishes and/or schools directly affected by sexual abuse of a minor. The Vicar General, in coordination with the relevant diocesan offices, including the Office for the Protection of Children and Young People and the Office of Public Information, , as well as with parish, school or related-entity leadership, works to ensure that all receive timely, accurate and appropriate communication from the diocese, parish, school or related entity.

## **SECTION XII: PERFORMANCE IMPROVEMENT**

### **STANDARD**

In order to restore the trust and confidence of victims, the faith community and the public in the Church's ability to prevent child abuse and identify and heal those who have been abused, the Diocese of Rockville Centre will continuously evaluate and modify its procedures to assure the effectiveness of its child protection efforts to determine whether it is meeting the needs of the Church, the faith community and the victims and their families.

### **RESPONSIBILITY FOR IMPLEMENTATION OF THE POLICY**

The Diocese of Rockville Centre through the diocesan Office for the Protection of Children and Young People and the members of the Diocesan Bishop's Cabinet will be responsible for the effective and timely implementation of this policy.

### **ONGOING EVALUATION**

The ultimate safety of children and young people are best served when the diocese and related entities continually evaluate and identify systems, processes and areas of risk that precede and contribute to child abuse. The diocese will, on an ongoing basis, study the opportunities of improvement in operation systems, processes and risk areas and develop, implement and monitor plans of correction and prevention that reflect these opportunities.

### **ANNUAL REPORT**

Each Cabinet Secretary and related entity in the diocese will submit an annual report to the Diocesan Bishop summarizing actions taken to implement the Diocese of Rockville Centre's policy for the Protection of Children and Young People. The report will identify any specific child abuse allegations that occurred in each one's area of responsibility and the extent to which the policy was followed. The report should include performance improvement activities such as employee and volunteer training, community education and outreach to victims as well as systems changes that were implemented to prevent child abuse in the future.

## **POLICY COMPLIANCE**

All church personnel and volunteers of the Diocese of Rockville Centre are expected to adhere to this policy. Failure to adhere to this policy will result in disciplinary action.

## **ANNUAL REPORT TO THE PARISHIONERS**

The Diocesan Bishop will present a public report of the status of child protection activities in the diocesan newspaper and through the diocesan website. .

# APPENDIX A: CHARTER

## Charter for the Protection of Children and Young People Revised Edition

### Charter for the Protection of Children and Young People

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 General Meeting, and this second revision was approved at the June 2011 General Meeting. 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 *recognition* 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 General Meeting and then again in 2011. This revised edition, containing all three documents, is authorized for publication by the undersigned.

– Msgr. David J. Malloy, STD  
General Secretary, USCCB

## Preamble

Since 2002, the Church in the United States has experienced a crisis without precedent in our times. The sexual abuse 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. 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.

Again, with this 2011 revision of the *Charter for the Protection of Children and Young People*, we re-affirm our deep commitment to creating 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 commissioned a study of the causes and context of this problem. 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 long-lasting. We apologize to them for the grave harm that has been inflicted on them, and we offer our help 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 His Holiness, Pope 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).

Along with the victims and their families, the entire Catholic community in this country has suffered because of this scandal and its consequences. In the last nine years, 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 even to the possibility of false accusations. We share with them a firm commitment to renewing the image 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. Words alone cannot accomplish this goal. It will begin with the actions we take in our General 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 have felt 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 have relied first of all on Almighty God to sustain us in faith and in the discernment of the right course to take. We have received fraternal guidance and support from the Holy See that has sustained us in this time of trial.

We have relied on the Catholic faithful of the United States. Nationally and in each diocese, the wisdom and expertise of clergy, religious, and laity have contributed immensely to confronting the effects of the crisis and have taken 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 have received from them.

We acknowledge and affirm the faithful service of the vast majority of our priests and deacons and the love that their 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 those victims of clergy sexual abuse and their families who have trusted us enough to share their stories and to help us appreciate more fully the consequences of this reprehensible violation of sacred trust. 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 nine 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 secure 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 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, has been completed. 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.
- Victims' assistance coordinators are in place throughout our nation to assist dioceses in responding to the pastoral needs of those who have been injured by abuse.
- Diocesan/eparchial bishops in every diocese are advised and greatly assisted by diocesan 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 it seems that the scope of this disturbing problem of sexual abuse of minors by clergy has been reduced over the last decade, the harmful effects of this abuse continue to be experienced both by victims and dioceses.

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 six 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 God's kingdom 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 His Holiness, Pope 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 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. Dioceses/eparchies 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 His Holiness, Pope 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." 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 note) 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 in positions of trust who have regular contact with children and young people.

**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 the sexual abuse of a minor.

### **To Ensure the Accountability of Our Procedures**

**ARTICLE 8.** By the authority of the United States Conference of Catholic Bishops, the mandate of the Ad Hoc Committee on Sexual Abuse is renewed, and it is now constituted the Committee on the Protection of Children and Young People. It becomes a standing committee of the Conference. 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. 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, especially the laity, at both the diocesan and national levels, needs to 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. The Board and Committee on the Protection of Children and Young People will meet jointly several times a year. The Board will review the work of the Secretariat of Child and Youth Protection and make recommendations to the Director. It will assist the Director in the development of resources for dioceses. The Board will offer its assessment of the Causes and Context study to the Conference, along with any recommendations suggested by the study.

**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 children, youth, parents, ministers, educators, volunteers, and others about ways to make and maintain a safe environment for children and young people. Dioceses/eparchies are to make clear to clergy and all members of the community the standards of conduct for clergy and other persons in positions of trust with regard to children.

**ARTICLE 13.** Dioceses/eparchies are to evaluate the background of all incardinated and nonincardinated priests and deacons who are engaged in ecclesiastical ministry in the diocese/eparchy and of all diocesan/eparchial and parish/school or other paid personnel and volunteers whose duties include ongoing, unsupervised contact with minors. Specifically, they are to utilize the

resources of law enforcement and other community agencies. In addition, they are to employ adequate screening and evaluative techniques in deciding the fitness of candidates for ordination (cf. United States Conference of Catholic Bishops, *Program of Priestly Formation* [Fifth Edition], 2006, no. 39).

**ARTICLE 14.** Transfers of clergy who have committed an act of sexual abuse against a minor for residence, including retirement, shall be as in accord with Norm 12 of the Essential Norms. (Cf. *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 formation and for the ongoing formation of priests. 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*, the Program of Priestly Formation, the Basic Plan for the Ongoing Formation of Priests, and the results of the Apostolic Visitation. 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 wish to reaffirm once again that the vast majority of priests and deacons serve their people faithfully and that they have the esteem and affection of their people. They also have our love and esteem 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 avail themselves of the proven ways of avoiding sin and growing in holiness of life.

It is with reliance on prayer and penance that we renew the pledges which we made in the original 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 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 two 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.

## NOTE

\* 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:
  - a. 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.
  - b. 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.

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# APPENDIX B: ESSENTIAL NORMS

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

*Office of the President*

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Most Reverend William S. Skylstad, DD

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.<sup>1</sup> 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).<sup>2</sup>

## 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.<sup>3</sup>
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.<sup>4</sup>

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).<sup>5</sup>

- 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.<sup>6</sup> 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.<sup>7</sup>

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.<sup>8</sup>

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. For purposes of these Norms, 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;
    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.”

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b. 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.

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. 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<sup>o</sup>-2<sup>o</sup>, 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 deure 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<sup>o</sup>-2<sup>o</sup>, 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 province, 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.

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Issued by USCCB, June 16, 2011

# APPENDIX C: INCIDENT REPORT FORM

**IMPORTANT:**

All incidents and alleged incidents of child abuse must be reported to the Director of the Office for the Protection of Children and Young People. This appendix contains a sample form for use in this regard. Send the completed Form to: Director , Office for the Protection of Children and Young People, Diocese of Rockville Centre, 50 North Park Avenue, Rockville Centre, New York 11570-4184 Tel: (516) 678-5800 Ext 573.

## Diocese of Rockville Centre: Office for the Protection of Children and Young People

Name: ..... (Accused)  Address ..... ..... .....	Name: ..... (Accuser)  Date of Birth.....  Gender.....  Address ..... ..... .....
Person Reporting:.....  Date Reported:.....  Date of Birth.....	Allegation of Sexual Abuse  Sexual Abuse .....  Sexual Assault.....  Rape/Sodomy.....  Other Sexual Assault.....  Other.....
Incident Date: .....  Incident Time:.....  Location: <input type="checkbox"/> Rectory <input type="checkbox"/> Church Property <input type="checkbox"/> Off grounds <input type="checkbox"/> Vehicle <input type="checkbox"/> Other/specify: _____	
Narrative Description:    Description of Incident (Who? What? Where? Why? How?) Provide names of witnesses, etc. (if needed, use additional paper)	

Signature/ Title: .....

Date: .....

Follow-up: Specify Findings for Follow-up, Actions Taken, Recommendations, Interventions, Policy and Procedure changes.

Contributing Factors for Incident:

- Alcohol Use/Abuse
- Substance Abuse \_\_\_\_\_

Notifications:

	Person Contacted	Date	Person Making Contact
Bishop's Office/Delegate		___/___/___	
Local Police Precinct _____		___/___/___	
Nixon Peabody, LLP		___/___/___	

# APPENDIX D: EMPLOYMENT AND VOLUNTEER APPLICATION FORMS

## EMPLOYMENT FORM

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### PASTORAL CENTER HUMAN RESOURCES

THE DIOCESE OF ROCKVILLE CENTRE, IN ACCORDANCE WITH NEW YORK STATE AND FEDERAL LAWS, IS AN EQUAL OPPORTUNITY EMPLOYER AND THEREBY ASSURES ALL QUALIFIED APPLICANTS EQUAL CONSIDERATION FOR EMPLOYMENT WITHOUT REGARD TO RACE, COLOR, RELIGION\*, ANCESTRY, NATIONAL ORIGIN, GENDER, AGE, MARITAL STATUS, VETERAN'S STATUS, PHYSICAL OR MENTAL DISABILITY. NO QUESTION ON THIS APPLICATION IS INTENDED TO SECURE INFORMATION TO BE USED IN A DISCRIMINATORY MANNER.

\*HOWEVER , BECAUSE OF THE RELIGIOUS NATURE OF THE TASKS INVOLVED MANY POSITIONS WILL BE FILLED SOLELY BY QUALIFIED ROMAN CATHOLICS IN GOOD STANDING WITH THE CHURCH.

### APPLICATION FOR EMPLOYMENT

Please complete all pages of this application, sign and date. Personnel interviewers may assist you in completing this application at your request.

Name .....  
Last First Middle

Home Phone..... Office Phone: .....

Address .....  
Street Location (Not PO Box)

For checking prior records, provide other names you have used: .....

Position Applied for..... Salary Desired.....

How far is your commute to our location in terms of miles? \_\_\_\_\_ i n terms of time? \_\_\_\_\_

Are you looking for full time work?  YES  NO

Are you willing to work on a per diem or part time basis?  YES  NO

Are you willing to work on a temporary basis?  YES  NO

Circle the days you can work: M T W T F S S

List times you are available each day.....

When would you be available to start .....

How did you hear of this position with the Diocese? .....  
.....  
.....

**PERSONAL DATA**

Are You Under 18?  YES  NO

If Under 18, would you obtain a school work permit?  YES  NO

Can you provide documentation establishing eligibility to work in the United States?  YES  NO

Have you ever been discharged for any reason other than lack of work?  YES  NO

If Yes, please explain .....  
.....  
.....

Has your application for surety bond ever been denied?  YES  NO

If Yes, please explain .....  
.....  
.....

Have you ever been convicted of a crime other than a minor traffic violation?\*

YES     NO

If Yes, please explain (attach a separate sheet if necessary .....

.....  
.....

\*Conviction of a crime is not an automatic bar to employment

**SPECIAL SKILLS (if applicable)**

List foreign languages you know and indicate your level of proficiency and fluency:

Foreign languages you : .....Speak  
Read.....  
Write.....

What computer software do you know? .....

Typing.....wpm Shorthand .....wpm Dictaphone/Transcription .....wpm

Supervisory experience:..... mos./yrs.

If you have Supervision experience, explain the number and the positions of those you supervised? .....

Do you have any professional licenses or certifications? If yes, please list them

Drivers License Type:  Chauffeur  Commercial  Regular

Restrictions

## EMPLOYMENT HISTORY

Even if you have submitted a resume, please complete this section of the Application. List all previous work experience. Begin with any present positions and work back to your first position. The Diocese reserves the right to verify all information including salary except information concerning your present employer, which will be verified after hire, unless you advise us that such contact, is permissible before hire.

May we contact your present employer?  Yes  No

To .....	From .....
Employer Name, Address and Telephone .....	
Reason for Leaving..... <input type="checkbox"/> Laid Off <input type="checkbox"/> Fired	
Resigned Mo/Yr .....	Start Salary ..... End Salary .....
Your Job Title ..... Name of your Direct Supervisor .....	
To .....	From .....
Employer Name, Address and Telephone .....	
Reason for Leaving..... <input type="checkbox"/> Laid Off <input type="checkbox"/> Fired	
Resigned Mo/Yr .....	Start Salary ..... End Salary .....
Your Job Title ..... Name of your Direct Supervisor .....	
To .....	From .....
Employer Name, Address and Telephone .....	
Reason for Leaving..... <input type="checkbox"/> Laid Off <input type="checkbox"/> Fired	
Resigned Mo/Yr .....	Start Salary ..... End Salary .....
Your Job Title ..... Name of your Direct Supervisor .....	
To .....	From .....
Employer Name, Address and Telephone .....	
Reason for Leaving..... <input type="checkbox"/> Laid Off <input type="checkbox"/> Fired	
Resigned Mo/Yr .....	Start Salary ..... End Salary .....
Your Job Title ..... Name of your Direct Supervisor .....	

**Account Here for All Intervals of Unemployment Between Jobs and Between School & Jobs**

From	To	State What You Were Doing	Name and Address of Person Who Can Confirm This Information (Other Than Relative)
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

**Previous Employment references (Previous supervisors Accepted)**

Name/Occupation	Company Name	
Complete Address	Yrs Known	Telephone No.
Name/Occupation	Company Name	
Complete Address	Yrs Known	Telephone No.
Name/Occupation	Company Name	
Complete Address	Yrs Known	Telephone No.
Name/Occupation	Company Name	
Complete Address	Yrs Known	Telephone No.

**APPLICANT SHOULD READ THE FOLLOWING CAREFULLY**

1. By signing this application for employment, I authorize the Diocese or its agents to conduct personal and professional background screenings, which include criminal record checks prior to and during my employment, to communicate with all schools, former employers and personal references and to investigate and confirm the facts that I have stated. I realize that inquiries may be made which will provide information concerning my character, credit standing, driving history and general reputation.
2. I understand and agree that my failure to pass a drug test if requested (before placement or during an assignment) to the Diocese's satisfaction, my failure to meet a bonding company requirements, evidence of any misrepresentation of the data set forth in this application, or evidence of any withholding of facts or circumstances that would, if disclosed, affect my application unfavorably may lead to the termination of my employment with the Diocese.

3. I agree, if employed, to become familiar and comply with the code of conduct, Diocesan Child Protection Policy and other policies, rules and regulations of the Diocese. I agree to maintain a satisfactory attendance and punctuality record.
4. I agree to provide the Diocese any documentation of identity and employment eligibility, as required by the Immigration Reform and Control Act of 1986 (IRCA), within three days of my first day of employment. Upon request, I agree to voluntarily furnish a set of my fingerprints.
5. I understand and agree, if employed by the Diocese, my employment will be at will and without fixed term. The Diocese or I may terminate said employment at any time with or without cause, and with or without notice. I further understand that no representative of the Diocese is authorized to enter into any agreement for employment for any specified period of time unless a specific written communication is identified as an employment agreement and it is signed and duly executed by a representative of the Diocese of Rockville Centre authorized to enter into such an agreement.
6. I have read the entire application and have been given an opportunity to review it. I understand and agree to all of its contents. I certify that all answers given on this application are true and complete to the best of my knowledge, and I understand that misrepresentation or omission on this application in any detail is grounds for disqualification from further consideration or for dismissal from employment in accordance with the policy of the Diocese.

Date .....

Signature of Applicant.....

---

FOR OFFICE USE ONLY

Payroll Processor:     Form I-9     W-4 Information     EEOC

HR Input by:             Education     Skills             Screening             Virtus

Test Scores: wpm ..... Word..... Excel ..... Powerpoint ..... Access.....

NOTES: .....

.....

.....

.....

HR 112R - 8/16/10

VOLUNTEER FORM

Volunteer Service Request Form

Entity: .....

REQUEST

Please complete all this information, sign and date it. Please print.

Name .....  
LAST FIRST MIDDLE

Home Phone #: .....Cell Phone #: .....

Social Security Number:.....Date of Birth.....

E-Mail Address: .....

Address .....  
STREET LOCATION (NOT PO BOX)

For checking prior records, provide other names you have used:

.....

Ministry or Ministries Requested: .....

How long have you been a member of our parish or school community? .....

Circle the days you can volunteer: M T W T F S S

List times you are available each day: .....

Have you previously volunteered for a church ministry? If YES, please list the date(s), parish or school name and location, and the ministry you performed.

.....  
PARISH/SCHOOL LOCATION MINISTRY PERFORMED

.....  
PARISH/SCHOOL LOCATION MINISTRY PERFORMED

.....  
PARISH/SCHOOL LOCATION MINISTRY PERFORMED

List any training for church ministry you have received:

.....  
.....

Have you ever been discharged from volunteering for any reason?

YES  NO

If Yes, please explain.....

Have you ever been convicted of a crime other than a minor traffic violation?

YES  NO

If Yes, please explain.....

Do you currently use illegal drugs?  YES  NO

Are you aware of any situation that would affect your ability to serve as a volunteer?

YES  NO

If Yes, please explain.....

What level of education have you attained?  <ES0  ES  HS  AA/AS  BA/BS

MA/ MS  >MA/ MS

List foreign languages you know and indicate level of proficiency and fluency:

Speak .....

Read.....

Write.....

What computer software do you know? .....

Typing wpm .....

Drivers Licence Type  Chauffeur  Commercial  Regular

Date .....

Signature of Volunteer.....

Request to serve as a volunteer:  Approved  Denied

.....  
APPROVED MINISTRY VL DEPT. ID

Start Date \_\_\_\_/\_\_\_\_/\_\_\_\_ Supervisor.....

Conditions:.....

Request Approved by: .....  
SIGNATURE DATE

Print Signer's Name and Title .....

**PLEASE READ THE FOLLOWING CAREFULLY UPON APPROVAL OF YOUR REQUEST**

7. I have read this entire form. I understand and agree to all of its contents. I certify that all answers given on this form are true and complete to the best of my knowledge, and I understand that falsification in any detail is grounds for disqualification from further consideration or for dismissal from any volunteer role with a parish, school or other entity.

8. I agree to inform the parish, school or other entity of any changes to the foregoing information.

9. I acknowledge my responsibility to become familiar and comply with the Diocesan Child Protection Policy, which consists of the Code of Pastoral Conduct and the Volunteer's Code of Conduct, and be responsible to follow the policies and procedures it contains.

10. I understand that I must comply with the policies, rules and precepts of the entity I serve.

Date .....

Signature of Applicant.....



BACKGROUND CHECK AUTHORIZATION

SCREENING CONSENT AND DISCLOSURE FORM

PLEASE PRINT If necessary, please use additional paper to answer questions below

ENTITY: .....  Parish   
School

NAME: .....  
FIRST LAST MIDDLE

GENDER:  Male  Female HEIGHT: \_\_\_\_\_ ' \_\_\_\_\_ ”

EYE COLOR: .....

RACE:  Am. Indian/Alaskan Native  Asian  Black or African American  
 Hispanic or Latino  Pacific Islander  White

OTHER (MAIDEN, SURNAME, ALIAS) NAME(S) USED:  
.....  
.....

CURRENT ADDRESS:  
.....  
.....

PRIOR ADDRESSES within the last 10 years:  
.....  
.....

PHONE #: ..... SS#:.....

DATE of BIRTH: .....

RELEASE AUTHORIZATION

- 1. In connection with my application and continuation as a Volunteer or Employee I understand the Entity named above (hereafter "Entity") or its designee will obtain information as to my possible criminal history, valid social security number and/or registration on any state's sex abuse registry from ADP Screening and Selection Services, 301 Remington St., Fort Collins, Co 80524 1-800-367-5933 or HireRight, 4500 S. 129th E. Avenue Suite 200, Tulsa, OK 74134-5885. 1-877-858-4165.
- 2. I acknowledge that a telephonic facsimile (FAX) or photographic copy of this Release Statement shall be as valid as the original.
- 3. I hereby authorize, without reservation, any law enforcement agency, institution or information service bureau contacted by the Entity or its designee, to furnish the information requested by the Entity or its designee. I understand that the Roman Catholic Diocese of Rockville Centre, New York (the "Diocese") provides administrative services to the Entity and, in such capacity, is an entity for the purposes of this Release Statement.
- 4. I understand that information obtained in the reports may be used by the Entity in making a continued volunteer or employment decision. I further understand that failure to consent to the release of reports detailing a possible criminal background and a social security number validation will render me ineligible for consideration and, if hired, for continuing my status as a volunteer or employee with the Entity.

I understand that the information requested above is the information required by law enforcement agencies and other entities for positive identification purposes when checking public records. I understand that, to the extent such information is not public information, it is confidential and will not be used for any other purposes. I hereby release the Entity and the Diocese, and the Bishop thereof, and all of their employees and agents, and all persons, agencies, and entities providing information or reports about me, from any liability arising out of requests for or release of any of the above-mentioned information or reports.

SIGNATURE: .....

TODAY'S DATE: .....

## Article 23-A of the New York State Correction Law

In sum, Article 23-A provides the following:

- No application for employment shall be denied or acted upon adversely by reason of an individual's having been previously convicted of one or more criminal offenses unless: (1) there is a direct relationship between the criminal offenses and the specific employment sought or held by the individual; or (2) the continuation or granting of the employment would involved an unreasonable risk to property or the safety or welfare of specific individuals or the general public.
  
- In making an employment – related determination concerning an individual who has a criminal offense in his/her background, an employer shall consider such factors as the following:
  - the public policy of New York State to encourage the employment of persons previously convicted of one or more criminal offenses;
  - the specific duties and responsibilities of the employment sought or held by the person;
  - the bearing the criminal offense(s) will have on the individual's fitness or ability to perform job responsibilities;
  - the time that has elapsed since the occurrence of the criminal offense or offenses;
  - the age of the individual at the time of occurrence of the criminal offense or offenses;
  - the seriousness of the crime(s) respecting there was a conviction;
  - any information presented in regard to the individual's rehabilitation and good conduct; and
  - the legitimate interest of the employer in protecting property, and the safety and welfare of individuals or the general public.

- At the request of any person previously convicted of a criminal offense, who has been denied a license or employment, the employer shall provide, within thirty days of a request, a written statement setting forth the reasons for such a denial.
- Article 23-A is enforceable by the New York State Division of Human Rights.

# APPENDIX E: CODE OF PASTORAL CONDUCT

## Code of Pastoral Conduct For Priests, Deacons, Pastoral Ministers, Administrators, Staff, and Volunteers

### Table of Contents

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  - 4. Sexual Conduct
  - 5. Harassment
  - 6. Parish, Religious Community/Institute, and Organizational Records and Information
  - 7. Conflicts of Interest
  - 8. Reporting Ethical or Professional Misconduct
  - 9. Administration
  - 10. Staff or Volunteer Well-being
- IV. Volunteer's Code of Conduct

### I. PREAMBLE

Priests, deacons, pastoral ministers, administrators, staff, and volunteers in our parishes, religious communities/institutes, and organizations must uphold Christian values and conduct. The diocesan Code of Pastoral Conduct for Priests, Deacons, Pastoral Ministers, Administrators, Staff, and Volunteers (Code of Pastoral Conduct) provides a set of standards for conduct in certain pastoral situations.

### II. RESPONSIBILITY

The public and private conduct of clergy, staff, and volunteers can inspire and motivate people, but it can also scandalize and undermine the people's faith. Clergy, staff, and volunteers must, at all times, be aware of the responsibilities that accompany their work. They must also know that God's goodness and grace supports them in their ministry.

Responsibility for adherence to the Code of Pastoral Conduct rests with the individual. Clergy, staff, and volunteers who disregard this Code of Pastoral Conduct will be subject to remedial action by the Diocese of Rockville Centre. Corrective action may take various forms—from a verbal reproach to removal from the ministry—depending on the specific nature and circumstances of the offense and the extent of the harm.

### III. PASTORAL STANDARDS

#### 1. Conduct for Pastoral Counselors and Spiritual Directors<sup>2</sup>

*Pastoral Counselors and Spiritual Directors must respect the rights and advance the welfare of each person.*

- 1.1 Pastoral Counselors and Spiritual Directors shall not step beyond their competence in counseling situations and shall refer clients to other professionals when appropriate.
- 1.2 Pastoral Counselors and Spiritual Directors should carefully consider the possible consequences before entering into a counseling relationship with someone with whom they have a pre-existing relationship (i.e., employee, professional colleague, friend, or other pre-existing relationship). [See Section 7.2.2]
- 1.3 Pastoral Counselors and Spiritual Directors should not audiotape or videotape sessions.
- 1.4 Pastoral Counselors and Spiritual Directors must never engage in sexual intimacies with the persons they counsel. This includes consensual and nonconsensual contact, forced physical contact, and inappropriate sexual comments.
- 1.5 Pastoral Counselors and Spiritual Directors shall not engage in sexual intimacies with individuals who are close to the client—such as relatives or friends of the client—when there is a risk of exploitation or potential harm to the client. Pastoral Counselors and Spiritual Directors should presume that the potential for exploitation or harm exists in such intimate relationships.

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Pastoral Counselors and Spiritual Directors: Clergy, staff, and volunteers who provide pastoral, spiritual, and/or therapeutic counseling services to individuals, families, or other groups.

- 1.6 Pastoral Counselors and Spiritual Directors assume the full burden of responsibility for establishing and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships.
- 1.7 Physical contact of any kind (i.e., touching, hugging, holding) between Pastoral Counselors or Spiritual Directors and the persons they counsel can be misconstrued and should be avoided.
- 1.8 Sessions should be conducted in appropriate settings at appropriate times.
  - 1.8.1 No sessions should be conducted in private living quarters.
  - 1.8.2 Sessions should not be held at places or times that would tend to cause confusion about the nature of the relationship for the person being counseled.
- 1.9 Pastoral Counselors and Spiritual Directors shall maintain a log of the times and places of sessions with each person being counseled.

## **2. Confidentiality**

Information disclosed to a Pastoral Counselor or Spiritual Director during the course of counseling, advising, or spiritual direction shall be held in the strictest confidence possible.

- 2.1 Information obtained in the course of sessions shall be confidential, except for compelling professional reasons or as required by law.
  - 2.1.1 If there is clear and imminent danger to the client or to others, the Pastoral Counselor or Spiritual Director may disclose only the information necessary to protect the parties affected and to prevent harm.
  - 2.1.2 Before disclosure is made, if feasible, the Pastoral Counselor or Spiritual Director should inform the person being counseled about the disclosure and the potential consequences.
- 2.2 Pastoral Counselors and Spiritual Directors should discuss the nature of confidentiality and its limitations with each person in counseling.
- 2.3 Pastoral Counselors and Spiritual Directors should keep minimal records of the content of sessions.

2.4 Knowledge that arises from professional contact may be used in teaching, writing, homilies, or other public presentations only when effective measures are taken to absolutely safeguard both the individual's identity and the confidentiality of the disclosures.

2.5 While counseling a minor, if a Pastoral Counselor or Spiritual Director discovers that there is a serious threat to the welfare of the minor and that communication of confidential information to a parent or legal guardian is essential to the child's health and well-being, the Counselor or Spiritual Director should:

- Attempt to secure written consent from the minor for the specific disclosure.
- If consent is not given, disclose only the information necessary to protect the health and well-being of the minor.

Consultation with the appropriate Church supervisory personnel is required before disclosure.

**These obligations are independent of the confidentiality of the confessional. Under no circumstances whatsoever can there be any disclosure – even indirect disclosure – of information received through the confessional.**

### **3. Conduct With Youth**

Clergy, staff, and volunteers working with youth shall maintain an open and trustworthy relationship between youth and adult supervisors.

- 3.1 Clergy, staff, and volunteers must be aware of their own and others' vulnerability when working alone with youth. Use a team approach to managing youth activities.
- 3.2 Physical contact with youth can be misconstrued and should occur (a) only when completely nonsexual and otherwise appropriate, and (b) never in private.
- 3.3 Clergy, staff, and volunteers should refrain from (a) the illegal possession and/or illegal use of drugs and/or alcohol at all times, and (b) the use of alcohol when working with youth.

- 3.4 Clergy should not allow individual young people to stay overnight in the cleric's private accommodations or residence.
- 3.5 Staff and volunteers should not provide shared, private, overnight accommodation for individual young people including, but not limited to, accommodations in any Church-owned facility, private residence, hotel room, or any other place where there is no other adult supervision present.
- 3.5.1 In rare, emergency situations, when accommodation is necessary for the health and well-being of the youth, the clergy, staff, or volunteer should take extraordinary care to protect all parties from the appearance of impropriety and from all risk of harm.
- 3.5.2 Use a team approach to managing emergency situations.

#### **4. Sexual Conduct**

Clergy, staff, and volunteers must not, for sexual gain or intimacy, exploit the trust placed in them by the faith community.

- 4.1 Clergy, religious, staff, and volunteers who are committed to a celibate lifestyle are called to be an example of celibate chastity in all relationships at all times.
- 4.2 Staff and volunteers who provide pastoral counseling or spiritual direction services must avoid developing inappropriately intimate relationships with minors, other staff, or parishioners. Staff and volunteers must behave in a professional manner at all times.
- 4.3 No clergy, staff, or volunteer may exploit another person for sexual purposes.
- 4.4 Allegations of sexual misconduct should be taken seriously and reported to Diocesan Office for the Protection of Children and Young People (516-678-5800 ext. 216/573) and to civil authorities if the situation involves a minor.

The Diocese of Rockville Centre procedures will be followed to protect the rights of all involved.

4.5 Clergy, staff, and volunteers should review and know the contents of the child abuse regulations and reporting requirements for the state of New York and should follow those mandates.

## 5. Harassment

*Clergy, staff, and volunteers must not engage in physical, psychological, written, or verbal harassment of staff, volunteers, or parishioners and must not tolerate such harassment by other Church staff or volunteers.*

5.1 Clergy, staff, and volunteers shall provide a professional work environment that is free from physical, psychological, written, or verbal intimidation or harassment.

5.2 Harassment encompasses a broad range of physical, written, or verbal behavior, including without limitation the following:

- Physical or mental abuse.
- Racial insults.
- Derogatory ethnic slurs.
- Unwelcome sexual advances or touching.
- Sexual comments or sexual jokes.
- Requests for sexual favors used as:
  - a condition of employment, or
  - to affect other personnel decisions, such as promotion or compensation.
- Display of offensive materials.

5.3 Harassment can be a single severe incident or a persistent pattern of behavior where the purpose or the effect is to create a hostile, offensive, or intimidating work environment.

5.4 Allegations of harassment should be taken seriously and reported immediately to the Diocesan Office for the Protection of Children and Young People.

The Diocese of Rockville Centre procedures will be followed to protect the rights of all involved.

## **6. Parish, Religious Community/Institute, and Organizational Records and Information**

Confidentiality will be maintained in creating, storing, accessing, transferring, and disposing of parish, religious community/institute, or organizational records.

6.1 Sacramental records shall be regarded as confidential. When compiling and publishing parish, religious community/institute, or organization statistical information from these records, great care must be taken to preserve the anonymity of individuals.

6.2 Most sacramental records older than 70 years are open to the public.

6.2.1 Information regarding adoption and legitimacy remains confidential, regardless of age.

6.2.2 Only staff members who are authorized to access the records and supervise their use shall handle requests for more recent records.

6.3 Parish, religious community/institute, or organization financial records are confidential unless review is required by the diocese or a supervising institution or an appropriate government agency. Contact the financial oversight department of the diocese upon receipt of any request for release of financial records.

6.4 Individual contribution records of the parish, religious community/institute, or organization shall be regarded as private and shall be maintained in strictest confidence.

## **7. Conflicts of Interest**

*Clergy, staff, and volunteers should avoid situations that might present a conflict of interest. Even the appearance of a conflict of interest can call integrity and professional conduct into question.*

7.1 Clergy, staff, and volunteers should disclose all relevant factors that potentially could create a conflict of interest.

7.2 Clergy, staff, and volunteers should inform all parties when a real or potential conflict of interest arises. Resolution of the issues must protect the person receiving ministry services.

7.2.1 No clergy, staff, or volunteer should take advantage of anyone to whom they are providing services in order to further their personal, religious, political, or business interests.

7.2.2 Pastoral counselors should not provide counseling services to anyone with whom they have a business, professional, or social relationship. When this is unavoidable, the client must be protected. The counselor must establish and maintain clear, appropriate boundaries.

7.2.3 When pastoral counseling or spiritual direction services are provided to two or more people who have a relationship with each other, the Pastoral Counselor or Spiritual Director must:

- Clarify with all parties the nature of each relationship
- Anticipate any conflict of interest
- Take appropriate actions to eliminate the conflict, and
- Obtain from all parties written consent to continue services.

7.3 Conflicts of interest may also arise when a Pastoral Counselor's or Spiritual Director's independent judgment is impaired by:

- Prior dealings,
- Becoming personally involved, or
- Becoming an advocate for one (person) against another.

In these circumstances, the Pastoral Counselor or Spiritual Director shall advise the parties that he or she can no longer provide services and refer them to another Pastoral Counselor or Spiritual Director.

## **8. Reporting Ethical or Professional Misconduct**

*Clergy, staff, and volunteers have a duty to report their own ethical or professional misconduct and the misconduct of others.*

8.1 Clergy, staff, and volunteers must hold each other accountable for maintaining the highest ethical and professional standards. When there is

an indication of illegal actions by clergy, staff, or volunteers, you should notify the proper civil authorities immediately, your supervisor and the Diocesan Office for the Protection of Children and Young People (516) 678-5800 Ext 573.

8.2 When an uncertainty exists about whether a situation or course of conduct violates this Code of Pastoral Conduct or other religious, moral, or ethical principles, consult with:

- Peers,
- Others knowledgeable about ethical issues, or the Diocesan Office for the Protection of Children and Young People

8.3 When it appears that a member of clergy, a staff member, or a volunteer has violated this Code of Pastoral Conduct or other religious, moral, or ethical principles:

- Report the issue to a supervisor or next higher authority, or
- Refer the matter directly to the Diocesan Office for the Protection of Children and Young People (516) 678-5800 Ext 573.

8.4 The obligation of Pastoral Counselors and Spiritual Directors to report client misconduct is subject to the duty of confidentiality. However, any agreement or duty to maintain confidentiality must yield to the need to report misconduct that threatens the safety, health, or well-being of any of the persons involved except as provided for in Section 2.5

## **9. Administration**

*Employers and supervisors shall treat clergy, staff, and volunteers justly in the day-to-day administrative operations of their ministries.*

9.1 Personnel and other administrative decisions made by clergy, staff, and volunteers shall meet civil and canon law obligations and also reflect Catholic social teachings and this Code of Pastoral Conduct.

9.2 No clergy, staff, or volunteer shall use his or her position to exercise unreasonable or inappropriate power and authority.

9.3 Each volunteer providing services to children and youth must read and sign the Volunteer Code of Conduct before providing services.

## 10. Staff or Volunteer Well-being

*Clergy, staff, and volunteers have the duty to be responsible for their own spiritual, physical, mental, and emotional health.*

- 10.1 Clergy, staff, and volunteers should be aware of warning signs that indicate potential problems with their own spiritual, physical, mental, and/or emotional health.
- 10.2 Clergy, staff, and volunteers should seek help immediately whenever they notice behavioral or emotional warning signs in their own professional and/or personal lives.
- 10.3 Clergy, staff, and volunteers must address their own spiritual needs. Support from a Spiritual Director is highly recommended.
- 10.4 Inappropriate or illegal use of alcohol and drugs is prohibited.

#### IV. VOLUNTEER'S CODE OF CONDUCT

Our children are the most important gifts God has entrusted to us. As a volunteer, I promise to strictly follow the rules and guidelines in this Volunteer's Code of Conduct as a condition of my providing services to the children and youth of our [parish, school, facility, diocese, etc.].

##### **As a volunteer, I will:**

- Treat everyone with respect, loyalty, patience, integrity, courtesy, dignity, and consideration.
- Avoid situations where I am alone with children and/or youth at Church activities.
- Use positive reinforcement rather than criticism, competition, or comparison when working with children and/or youth.
- Refuse to accept expensive gifts from children and/or youth or their parents without prior written approval from the pastor or administrator.
- Refrain from giving expensive gifts to children and/or youth without prior written approval from the parents or guardian and the pastor or administrator.
- Report suspected abuse to the pastor, administrator, or appropriate supervisor and the New York State Central Registry (1-800-342-3720). I understand that failure to report suspected abuse to civil authorities is, according to the law, a misdemeanor.
- Cooperate fully in any investigation of abuse of children and/or youth.

##### **As a volunteer, I will not:**

- Smoke or use tobacco products in the presence of children and/or youth.
- Use, possess, or be under the influence of alcohol at any time while volunteering.

- Use, possess, or be under the influence of illegal drugs at any time.
- Pose any health risk to children and/or youth (i.e., no fevers or other contagious situations).
- Strike, spank, shake, or slap children and/or youth.
- Humiliate, ridicule, threaten, or degrade children and/or youth.
- Touch a child and/or youth in a sexual or other inappropriate manner.
- Use any discipline that frightens or humiliates children and/or youth.
- Use profanity in the presence of children and/or youth.

I understand that as a volunteer working with children and/or youth, I am subject to a thorough background check including criminal history. I understand that any action inconsistent with this Code of Conduct or failure to take action mandated by this Code of Conduct may result in my removal as a volunteer with children and/or youth.

Volunteer's Printed Name.....

Volunteer's Signature.....

Date.....

---

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## APPENDIX F: GUIDELINES DIOCESAN REVIEW BOARD

- The Diocesan Review Board will convene after an allegation of sexual abuse of a minor by a cleric of the Diocese of Rockville Centre has been received and the Preliminary Ecclesiastical Investigation has been completed.
- The Diocesan Review Board will review the following:
  1. The complete written record of the allegations made against the cleric.
  2. A detailed description of the interviews of alleged victim(s) and the response of the cleric to the allegation.
  3. Information pertinent to the allegation from the personnel file.
  4. The accused cleric and/or the alleged victim(s) may choose to present their comments (through civil or canonical counsel of they so choose), in person or in writing to the Diocesan Review Board.
- The Diocesan Review Board will assess the credibility of the allegations and whether or not the allegations conform to the definition of sexual abuse of a minor.
- The Diocesan Review Board will evaluate the suitability of the cleric for future ministry.
- The Diocesan Review Board will forward their recommendations to the Diocesan Bishop for consideration in determining the disposition of the case.
- A summary indicating the purpose of the meeting, the individuals in attendance, and individual written recommendations will be retained by the Director of the Office for the Protection of Children and Young People.

## APPENDIX G: MANDATORY REPORTING IN NEW YORK STATE

New York State requires mandated reporters to report suspected child abuse or maltreatment immediately, by telephone, at any time of day, seven days a week. In addition, a written report must be filed within 48 hours of the oral report. It is a Class A misdemeanor for a mandated reporter not to report when there is reasonable cause to suspect child abuse or mistreatment.

### **Mandated Reporters of Child Abuse, Maltreatment and Neglect are:**

- physicians
- surgeons
- medical examiners
- coroners
- dentists, dental hygienists
- emergency medical technicians
- optometrists
- osteopaths
- Chiropractors
- Podiatrists
- Residents, Interns
- Peace officers, Police officers, other law enforcement officials
- Christian Science practitioners
- Hospital personnel engaged in the admission, examination, care, or treatment of children
- Employees or volunteers in a residential care facility defined by State Statute 412(7)
- Providers of family or group family day care
- Any other child care or foster care workers
- District Attorneys or Assistant District Attorneys or investigators employed in the office of the D.A. or other law enforcement official
- Substance Abuse Counselors
- Psychologists
- Psychiatrists
- Other mental health professionals
- Registered Nurses
- School officials, Teachers
- Social service workers
- Day care center workers

**PERSONS/AGENCIES TO CONTACT WHEN CHILD ABUSE/NEGLECT IS SUSPECTED**

- 1. New York State Child Protective Services:**
  - Child Abuse and Maltreatment Reporting Center: 1-800-342-3720
  
- 2. Nassau County Police Department**
  - Special Victims Unit 516-573-7960
  
- Suffolk County Police Department**
  - Special Victims Unit 631-852-6272
  
- 3. District Attorneys' Office**
  - Nassau 516-571-3800
  - Suffolk 631-853-416

## **APPENDIX H: MANDATORY CLERGY REPORTING IN NASSAU COUNTY**

Under Title 50 of the Local Laws of Nassau County, all clergy are required to make a report, or to cause a report to be made, within three (3) business days, to the Nassau County District Attorney when they have reasonable cause to suspect that a minor is or has been the victim of sexual abuse or other unlawful conduct. Under this local law, “clergy” includes all clerics (as defined in this policy). Failure to report is a class A misdemeanor. No provision of the law applies to matters discussed between a priest and penitent.