



Archdiocese *of* Omaha

Safe Environment Policies

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The Catholic Archdiocese of Omaha's Policy for the Protection of Children and Young People

January 2011

Introduction

"The salvation of souls ... is the supreme law in the Church." These words, found in the concluding canon of the 1983 Code of Canon Law, express with legal shorthand the mission and activity of the Church. However, the ultimate cause of the archdiocese's vigilance and diligence in the pastoral ministry of her ordained ministers, pastoral staff and volunteer personnel is found elsewhere than church law.

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

The archdiocese embraces her children and young people through a vigilance, care and ministry that arises from a pastoral heart, for the sake of the kingdom and as a witness to her Lord for the world. Through fidelity to the gospel the work of the Church to bring about the kingdom of God is sustained.

History of Archdiocesan Policy

The Archdiocese of Omaha published its first policy for protection of children and young people on March 1, 1990. It provided guidance for response in specific circumstances for more than a decade. At the same time, new demands in changing times and the continuing realization of the consequences of not living up to the gospel message emphasize the archdiocese's need for a greater vigilance, a more comprehensive response, better education and outreach efforts for the sake of children and young people entrusted to her care. The United States Conference of Catholic Bishops (USCCB) took unprecedented action in June 2002, and completed its work in November 2002 by creating and publishing the *Charter for the Protection of Children and Young People* (revised in 2005). The USCCB also obtained Vatican recognition for the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*. This document contains the particular law regarding prospective and response measures for priests and deacons in regard to the protection of children and young people. Within the structure of church law contained in the 1983 Code of Canon Law, these norms became effective for all Catholic dioceses in the United States on March 1, 2003.

The Archdiocese of Omaha publishes this revision of its original policy as part of its continuing commitment to its gospel and pastoral responsibilities. The revision gives new impetus for an effective and necessary response to the demands of new times in compliance with the *Charter for the Protection of Children and Young People* and the *Essential Norms*.

1. **Scope of Revised Policy**

In accord with the *Charter for the Protection of Children and Young People* and the *Essential Norms*, this revised policy (2014) addresses accountability, obligations and responsibility on the part of priests and deacons and all adults who have regular contact with children and young people in the name of the Church.

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

2. **Definitions**

2.1. Sexual abuse: (2011 *Charter for the Protection of Children and Young People*, footnote)

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

§1. The more grave delicts against morals which are reserved to the Congregation for the Doctrine of the Faith are:

1° the delict against the sixth commandment of the Decalogue committed by a cleric with a minor below the age of eighteen years; in this case, a person who habitually lacks the use of reason is to be considered equivalent to a minor.

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

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

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

If there is any doubt whether a specific act qualifies as an external, objectively grave violation, the writings of recognized moral theologians should be consulted, and the opinions of

recognized experts should be appropriately obtained (*Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995, p. 6). Ultimately, it is the responsibility of the diocesan bishop/eparch, with the advice of a qualified review board, to determine the gravity of the alleged act.

(State of Nebraska, 28-707)

“A person commits child abuse if he or she knowingly, intentionally, or negligently causes or permits a minor child to be:

- placed in a situation to be sexually exploited by allowing, encouraging, or forcing such minor child to solicit for or engage in prostitution, debauchery, public indecency, or obscene or pornographic photography, films, or depictions;
- placed in a situation to be sexually abused as defined in section 28-319 or 28-320.1.”

2.2. Child Pornography

(State of Nebraska, 28-1463.05)

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

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

(2) Any person who violates this section shall be guilty of a Class IIIA felony for each offense.

2.3. Adult: a person 21 years and older, able to supervise minors.

2.4. Young adult: a person aged 19 or 20, able to assist adults in supervising minors.

2.5. Minor: Under Nebraska law, a person not yet 19 years of age.

2.6. Vulnerable Adult: shall mean any person eighteen years of age or older who has a substantial mental or functional impairment or for whom a guardian has been appointed under the Nebraska Probate Code, or one who habitually lacks the use of reason.

2.7. Credible allegation: A claim based upon identifiable facts, such as specific names, places or time frames, details of incidents or names of corroborating persons.

2.8. Chancellor: Administrative assistant to the archbishop in charge of coordination of daily operations and communications for the archdiocese.

2.9. Victim Outreach and Prevention Manager: Person responsible for pastoral response and follow up, in the name of the Archdiocese, to victims of sexual abuse or misconduct by church employees and oversees all safe environment efforts.

2.10. Personnel: All ordained priests and deacons, all employees of archdiocesan departments, agencies, parishes and Catholic schools and lay volunteers who have regular contact with children and young people in the name of the Catholic Church.

2.11. Archdiocesan Review Board: A panel of Catholic women and men of the archdiocese prescribed by article 2 of the *Charter for the Protection of Children and Young People* and article 5 of the *Essential Norms*. This panel serves as the consultative body to the archbishop regarding the implementation and application of the *Charter for the Protection of Children and Young People*, review of particular allegations or cases, review of archdiocesan policies, practices and procedures for the creation of safe environments, proactive protection of

children and young people and prevention of the abuse of or misconduct with children by personnel (employee or volunteer) of the archdiocese.

3. Distribution of/Accessibility to Archdiocesan Policy

A copy (printed or electronic) of this revised policy, and other policies relating to specific aspects of the protection of children and young people shall be distributed to the following:

- All archdiocesan parishes
- All archdiocesan offices, ministries and commissions.
- All elementary and secondary schools in the archdiocese.
- Archdiocesan website

This policy shall be included in the personnel handbook for the Archdiocese of Omaha for both priests and lay employees.

4. Education and Training

4.1. Approved safe environment training shall be required for:

- all personnel of the archdiocese, i.e. priests, deacons, paid staff and volunteers who have regular (ongoing, unsupervised) contact with children and young people at the time they enter service in the name of the Church and at intervals thereafter of no more than 5 years. This training is currently known as *Circle of Care*.
- children and young people, in the age groups K through 12, prepared in age appropriate and sequential format in Catholic schools, religious education, youth ministry and other programs organized under the responsibility of the archdiocese. The archbishop has mandated that all children and young people participate in the approved safe environment *Circle of Grace* training each year.
- Catholic communities through printed materials and information provided on the archdiocesan website.

4.2. The Moderator of the Curia, in collaboration with the Office of the chancellor and the victim outreach and prevention manager, shall plan, oversee and assist the implementation of education and training programs in partnership with the Catholic Schools Office, other archdiocesan offices, and pastors of the archdiocese.

5. Personnel Criminal Background and Reference Checks

5.1. All prospective personnel (paid staff or volunteers) of the archdiocese who shall have regular contact with children and young people in the name of the Church need to be safe environment certified by completing the background check on-line and attending a safe environment training.

5.2. All prospective personnel (employees only) of the archdiocese shall submit, as part of the normal screening, interview and hiring process, references for their character, work history and performance. Pastors, school administrators, or others in charge of an interview process

are obliged to contact a candidate's references as part of the assessment of any candidate considered as a finalist for a position.

- 5.3. The Office of Victim Outreach and Prevention will share the results of the background check that show violations to the pastor or school administrator. Irregularities, incomplete information or concerns affecting the decision to approve for active ministry shall be resolved with the prospective personnel (employee or volunteer) by the pastor, school administrator or the immediate supervisor of the position in question before the position is offered.
- 5.4. The victim outreach and prevention office will be a resource to assist the parish/school in the resolution of the background check concerns.

6. Nebraska Statutes and Local Laws

- 6.1. 28-711 Child subjected to abuse or neglect; report; contents; toll-free number.
 - 6.1.1. When any physician, medical institution, nurse, school employee, social worker, or other person has reasonable cause to believe that a child has been subjected to abuse or neglect or observes such child being subjected to conditions or circumstances which reasonably would result in abuse or neglect, he or she shall report such incident or cause a report to be made to the proper law enforcement agency or to the department on the toll-free number established by subsection (6.2) of this section. Such report may be made orally by telephone with the caller giving his or her name and address, shall be followed by a written report, and to the extent available shall contain the address and age of the abused or neglected child, the address of the person or persons having custody of the abused or neglected child, the nature and extent of the abuse or neglect or the conditions and circumstances which would reasonably result in such abuse or neglect, any evidence of previous abuse or neglect including the nature and extent, and any other information which in the opinion of the person may be helpful in establishing the cause of such abuse or neglect and the identity of the perpetrator or perpetrators. Law enforcement agencies receiving any reports of abuse or neglect under this subsection shall notify the state central registry on the next working day by phone or mail.
 - 6.1.2. The department shall establish a statewide toll-free number to be used by any person any hour of the day or night, any day of the week, to make reports of abuse or neglect. Reports of abuse or neglect not previously made to or by a law enforcement agency shall be made immediately to such agency by the department.
- 6.2. The toll-free number for State of Nebraska, Department of Social Services is: 1-800-652-1999.
- 6.3. The reporting employee shall: inform his supervisor of the alleged misconduct and report to authorities as required by Neb. Rev. Stat. § 28-711.

7. Obligations to Report

- 7.1. Allegations involving someone who is NOT an archdiocesan school/parish employee or volunteer.
(If you have reasonable cause to believe a person who is NOT an archdiocesan school/parish staff or volunteer and has or most likely will abuse/neglect a minor.)

- 7.1.1. Any personnel (employee or volunteer) of the archdiocese shall comply with the reporting requirements of the Nebraska state law and any other requirements found in local laws when he/she has actual knowledge of or reasonable cause to suspect and incident of child abuse (physical, emotional, sexual) or child neglect (physical, emotional, educational, medical) has or will occur.
- 7.1.2. Important points to remember:
- Key personnel can help assess safety and may have additional information. After reviewing the concerns with key personnel, you are obligated to report if you still have reasonable cause to suspect child abuse/neglect even if there are differences of opinion.
 - It is important to develop a plan on how to address concerns which may include contacting the authorities.
 - Information should only be shared on a need-to-know basis.
- 7.1.3. The form “Archdiocesan Reporting Packet” is available on the secure website for administrators/directors/SE contact persons. You can consult with the victim outreach and prevention manager if you have any questions about your concerns or reporting obligations. The manager can be reached at 402-827-3798 or 888-808-9055.
- 7.2. Allegations involving someone who is an archdiocesan school/parish employee or volunteer. (If you have reasonable cause to believe a person who is an archdiocesan school/parish staff or volunteer and has or most likely will abuse/neglect a minor.)
- 7.2.1. Any personnel (employee or volunteer) of the archdiocese shall comply with the reporting requirements of the Nebraska state law and any other requirements found in local laws when he/she has actual knowledge of or reasonable cause to suspect and incident of child abuse (physical, emotional, sexual) or child neglect (physical, emotional, educational, medical) has or will occur.
- Information should only be shared on a need-to-know basis
 - The form “Archdiocesan Reporting Packet” is available on the secure website for administrators/coordinators
- 7.2.2. A report shall also be made to the chancellor or the Victim Outreach and Prevention manager.
- 7.2.3. The chancellor or the victim outreach and prevention manager of the Archdiocese of Omaha shall immediately notify the Vicar for Clergy and the archbishop regarding all allegations of child abuse or neglect by clergy.
- 7.2.4. The chancellor or the victim outreach and prevention manager will collaborate to provide pastoral outreach as the circumstances permits with due regard for law enforcement’s policies and procedures.

8. Internal Investigation of Allegations

- 8.1. Allegations of child abuse/neglect of a minor by a non-clergy archdiocesan staff or volunteer that DO pose an immediate risk or endangerment.
- 8.1.1.** Law enforcement is the primary investigator of these allegations. Refer to Section 7.2 and subsections (above).

- 8.2. Allegations of child abuse/neglect of a minor by a non-clergy archdiocesan staff or volunteer that DO NOT pose an immediate risk or endangerment.
 - 8.2.1. Allegations may arise that do not pose an immediate risk or endangerment to a minor. An allegation of this sort may involve an incident that happened a number of years prior to the time of the report.
 - 8.2.2. The chancellor or victim outreach and prevention manager shall inform the alleged victim of the right to notify law enforcement and offer respectful support of this right if it is exercised.
 - 8.2.3. The chancellor and victim outreach and prevention manager will cooperate with public authorities about reporting in cases when the alleged victim is no longer a minor and when the alleged offender is not an active volunteer or staff ministry. This cooperation is demonstrated by a Notification Form that will be sent by the archdiocese to the appropriate county attorney. The archdiocese will cooperate with law enforcement if it pursues an investigation of the past allegation and will not interfere in the process.
- 8.3. Allegations of child abuse/neglect of a minor involving Clergy:
 - 8.3.1. Investigation of CURRENT allegations:
 - 8.3.1.1. Any personnel (employee or volunteer) of the archdiocese who has actual knowledge of or who has reasonable cause to suspect an incident of sexual abuse or misconduct shall comply with the reporting requirements of the Nebraska state and any other requirements found in local law (SEE SECTION 7). A report shall also be made to the chancellor of the archdiocese who will notify the Vicar for Clergy and the archbishop.
 - 8.3.1.2. The archdiocese shall advise the alleged victim of his/her the right to make a report to law enforcement. The archdiocese shall respect and support the alleged victim's exercising this right. This shall comply with article 4 of the *Charter for the Protection of Children and Young People* and article 11 of the *Essential Norms*.
 - 8.3.1.3. There shall be no interference by archdiocesan officials with law enforcement investigations during the reporting process or as part of the pastoral response to those who may be affected by the reported abuse or misconduct.
 - 8.3.1.4. The victim outreach and prevention manager shall be informed about the abuse incident or allegations. The manager shall offer pastoral assistance to the alleged victim, family members and those affected by the circumstances in keeping with article 1 of the *Charter for the Protection of Children and Young People*.
 - 8.3.1.5. The archdiocese shall advise the alleged offender of his right to legal counsel, both civil and canonical. The archdiocese shall provide direction for the alleged offender to obtain such counsel. This shall comply with article 5 of the *Charter for the Protection of Children and Young People* and article 11 of the *Essential Norms*.
 - 8.3.1.6. When an allegation of sexual abuse or misconduct of a minor by a priest or deacon is received, an investigation of the accused offender shall be initiated in accordance with canon 1722 and certain precautionary measures may be invoked. This shall comply with article 5 of the *Charter for the Protection of Children and Young People* and articles 6 and 8 of the *Essential Norms*.
 - 8.3.1.7. When, after an appropriate process, admission of or sufficient evidence exists that demonstrates that sexual abuse or misconduct has occurred, the alleged offender shall be immediately relieved of pastoral ministry in the archdiocese and placed on administrative

leave pending the outcome of the law enforcement investigation and the canonical process. This shall comply with article 5 of the *Charter for the Protection of Children and Young People* and the articles 6 and 8 of the *Essential Norms*.

- 8.3.1.8. The alleged offender may be asked to cooperate in, and may be urged to voluntarily comply with, medical and psychological evaluations by competent professionals or at a facility mutually acceptable to the archbishop and to himself.
- 8.3.1.9. The archdiocesan review board shall receive the facts and information sufficient to discuss the allegations of sexual abuse or misconduct by a priest or deacon so that it may provide appropriate consultation to the archbishop. This shall comply with article 2 of the *Charter for the Protection of Children and Young People* and articles 8 and 9 of the *Essential Norms*.
- 8.3.1.10. Notification of the allegation or incident shall be given to legal counsel and liability insurers for the archdiocese in accordance with the terms of applicable insurance policies.
- 8.3.1.11. The chancellor shall serve as spokesman for the archdiocese when an inquiry is made by the media or by the general public.
- 8.3.1.12. Notes, memoranda, or other written documentation of allegations of sexual abuse or misconduct by priests or deacons, the subsequent investigation and the results of actions taken shall be kept by the chancellor/ Vicar for Clergy. They shall be maintained in a secure place in the Chancery. Access to these materials shall be strictly limited to the archbishop, the chancellor, the Vicar for Clergy and those granted access by the archbishop.
- 8.3.2. Investigation of allegations of child abuse/neglect of a minor by clergy that do not pose an immediate risk or endangerment.
 - 8.3.2.1. Allegations may arise that do not pose an immediate risk or endangerment to a minor. An allegation of this sort may involve an incident that happened a number of years prior to the time of the report.
 - 8.3.2.2. The chancellor or victim outreach and prevention manager shall inform the alleged victim of his/her right to notify law enforcement and offer respectful support of this right if it is exercised.
 - 8.3.2.3. The chancellor and victim outreach and prevention manager will cooperate with public authorities about reporting in cases when the alleged victim is no longer a minor and the alleged offender is not in active ministry. This cooperation is demonstrated by a *Notification Form* that will be sent by the archdiocese to the appropriate county attorney. The archdiocese will cooperate with law enforcement if it pursues an investigation of the past allegation and will not interfere in the process. This shall comply with article 4 of the *Charter of the Protection of Children and Young People*.
 - 8.3.2.4. The chancellor shall inform the alleged offender of his right to legal counsel both civil and canonical. The chancellor shall notify all those named in 9.1.9. if necessary.
 - 8.3.2.5. The archbishop shall exercise his power of governance, in consultation with the archdiocesan review board, archdiocesan legal counsel and the victim outreach and prevention manager, regarding the alleged offender. Decisions and actions shall be in accord with the *Charter for the Protection of Children and Young People* and articles 6, 7, and 9 of the *Essential Norms*.

9. Action to be Taken When Admission or Evidence Exists

- 9.1. When sexual abuse/misconduct concerning a minor by a priest or a deacon is admitted or is established after an appropriate process in accord with canon law, certain consequences or actions provided for in canon law will pertain. This shall comply with article 5 of the *Charter for the Protection of Children and Young People* and article 8 of the *Essential Norms*.
- 9.2. Lay or religious personnel (employee or volunteer) of the archdiocese who admits to, does not contest, or is found guilty of an incident of sexual abuse or misconduct shall be immediately terminated from employment and any position of responsibility with the archdiocese.
- 9.3. Due regard is to be given to the protection of the rights and the reputations of all parties involved in these procedures, in accord with canon law.

Code of Conduct

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

January 2011

Introduction

The Nature of Pastoral Ministry

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

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

Pastoral care and pastoral ministry, therefore, is an exercise of significant moral responsibility and accountability. "Love the Lord your God with all your heart, with all your soul, with all your strength and with all your mind" and "Love your neighbor as you love yourself" (Luke 10:27) expresses both the vision and the strategy for pastoral care and pastoral ministry.

Ordained Ministers, Pastoral Staff, Lay Ministers

Among the members of the Church ordained priests and deacons have unique obligations, responsibilities and accountability with respect to pastoral care and ministry. Theirs is a vocation, received at the hands of a bishop, not only as baptized disciple of the Lord but as representative and leader of the community of faith. Through selfless service they strive to make Christ himself present in the experience of those served.

All who exercise pastoral care and pastoral ministry in the name of the Church – whether they be ordained, lay pastoral, or committed volunteers – are also stewards. Through the competent and compassionate use of their own personal gifts and talents, they are to strive for the continual renewal of the Body of Christ. For this reason, they are not to seek their own benefit or recognition. Instead, they are in a special way, under the inspiration of the scriptural covenants and the obligations of discipleship, to protect and serve the dignity and right relationships of each person among all persons. Embracing the principles and practices of integrity, generosity, compassion and justice ordained and lay ministers provide the faith community with gospel service and leadership.

Standards of Responsibility and Accountability

The following standards of responsibility and accountability respond to Article 6 of the *Charter for the Protection of Children and Young People*. They are informed by Sacred Scripture, the special commitment associated with the vocation to ordained ministry and the professional criteria for those who dedicate themselves to the care, education and formation or safety of children and young people.

1. Expectations of Ordained and Lay Ministers

- 1.1. As disciples of the Lord, all ministers have a responsibility for building up the Body of Christ and preserving the communion of the Church. (Canon 208 and 209)
- 1.2. All ministers, therefore, are to make a whole-hearted personal effort to lead a holy life in harmony with the gospels, represents the teaching of the Catholic Church and grow in the maturity of their human priesthood (Canon 217). In this way they become better able to promote the intellectual, emotional, psychological growth of other persons in the Church, as well as an increase in holiness of life. (Canon 210)
- 1.3. Ordained ministers have a special obligation to seek and to develop holiness in their personal lives because of their sacramental vocation and unique relationship as stewards of the mysteries of God in service of His people. (Canon 276.1)
- 1.4. Ordained ministers are to exercise a primary commitment to the pastoral care of persons and to their particular pastoral ministry as activities of God's covenant and authentic discipleship.
They are to include in their commitment to pastoral care and pastoral ministry the daily celebration of the Eucharist and the Liturgy of the Hours, annual retreats and spiritual/educational conferences, frequent celebration of the Sacrament of Reconciliation, daily personal prayer and devotional practices. (Canon 276.2)
- 1.5. All ministers, ordained ministers in particular, are obliged to improve their skills and knowledge through additional courses of study, pastoral conferences, as well as other pastoral and professional means and methods to increase their understanding of the doctrine and discipline of the Faith as well as the skills to become and grow as an effective pastoral minister. (Canon 229, 231 and Canon 279)
- 1.6. All ministers are obliged to exercise special concern for the dignity of each person and the justice that provides for each person's physical safety and well being, good reputation, privacy, defense and vindication of rights and a meaningful participation in the life of the community according their capacity and condition. (Canon 219, 220, 221, 222 and 223)

2. Disciplines and Practices of Ordained and Lay Ministers

- 2.1. Ordained and lay ministers exercise unique influence upon others in pastoral care and pastoral ministry. This influence, whether in presence, activity or word, is a power whose purpose is to inspire and evoke goodness as well as encourage and promote the flourishing of goodness in others, for Christ's sake.

The minister exercises both a representative and a symbolic status for the community of faith. Ordained and lay ministers are to be conscious at all times that they are always in an unequal power relationship with the people they serve because of their status.

- 2.2. Ordained and lay ministers exercise a unique authority in their presence and service among the members of the faith community. They exercise a commission, in their respective capacities, and are entrusted with the task of assisting the members of the faith community to know, receive and participate in the faith tradition of the community.

The ordained and lay minister are to have a personal commitment for the best interests of all whom they serve, especially children and young people, and to exhibit in personal and public practices their commitment to the spiritual and practical virtues of the members of the community.

- 2.3. Ordained and lay ministers are obliged, in a special way, to a personal discipline of life that recognizes and preserves the personal and pastoral boundaries for the safe space in which each person can grow and mature. Ordained and lay ministers are never permitted to use their pastoral relationships to satisfy personal desires for attention, acceptance, prestige, profit or pleasure.

3. Areas of Responsibility and Accountability

- 3.1. Ordained and lay ministers are obliged, in the exercise of pastoral care and ministry, to respect each person's dignity so that each individual can take his proper place in building up the community of faith and working for the coming of the kingdom of God.

Parish organizations, meetings and activities are to be environments in which the mutual respect and support of each person's participation contributes to the growth of justice, charity and peace within the faith community.

- 3.2. Ordained and lay ministers are obliged to establish procedures, guidelines and practices that ensure safeguards for the successful completion of responsibilities, for the personal reputation of those involved and for the appropriate and required reports, audits or disclosures.
- 3.3. Ordained and lay ministers are obliged and accountable for establishing and maintaining proper personal and pastoral boundaries. These boundaries shall include the physical, emotional, relational and sexual aspects of interaction with staff and volunteers or in serving others in a pastoral ministry context.

Ordained and lay ministers are the primary and accountable persons for establishing and maintaining personal and pastoral boundaries in all relationships and circumstances.

- 3.4. Cognizant of the dignity and particular commitments within the sacraments of Marriage and Holy Orders, ordained and lay ministers are never to engage in physical intimacy or sexual contact of any form with those whom they serve.
- 3.5. Ordained and lay ministers are accountable for knowing and applying the practices contained in the personnel, administration, financial handbooks or policies designed for authentic pastoral care and ministry.
- 3.6. Ordained and lay ministers are obliged to observe confidentiality in all those matters involving the personal disclosure or reputation of individuals or involving information (electronic,

written or spoken) entrusted to them because of their office, position or responsibility, especially when it has a bearing on decisions or actions affecting the lives of others.

- 3.7. Confidentiality is not binding when information about clear and imminent danger to persons comes to light. Ordained or lay ministers are obliged to inform those at risk or those who know of the endangerment of others about the obligation to report to the appropriate law enforcement authority. They are obliged to notify the appropriate law enforcement authority when they learn such information themselves.

When the circumstances require persons of greater skill or competence to be called upon for assistance in the pastoral circumstance, information may be shared to facilitate effective pastoral care and ministry, protecting appropriately the identity and reputation of persons involved.

- 3.8. Apart from exceptional circumstances, there can be no release or disclosure of information received or obtained in the course of pastoral care or pastoral ministry without written, informed consent of those involved.
- 3.9. Priests have a singular and unbreakable obligation to hold all matters received in the Sacrament of Reconciliation in strictest confidentiality. Priests are not permitted to disclose the contents of the sacrament, even with the consent of the penitent.
- 3.10. Except for as conveyed during the Sacrament of Reconciliation, all information raising a reasonable cause to believe that physical or sexual abuse of children or young people has or is taking place must be reported to law enforcement as soon as possible. A similar report is to be made to the chancellor of the archdiocese.
- 3.11. Ordained and lay ministers are to be mindful of the obligations and rights of parents and guardians of children and young people. Communication and collaboration with parents and guardians is essential in creating and maintaining safe environments and practices for children and young people when they are entrusted to the care of the Church.

4. Contact and Conduct with Children and Young People

- 4.1. Ordained and faithful lay ministers are obliged to know, understand and adhere to the *Charter for the Protection of Children and Young People* (USCCB 2005), as well as all diocesan policies, procedures and training sessions regarding:
- Personal and pastoral boundaries.
 - Safe environment practices.
 - Legal determination for sexual abuse and misconduct in the State of Nebraska.
 - Identification and reporting of allegations of sexual abuse or misconduct to the proper law enforcement agency, the victim outreach and prevention manager, and the chancellor of the archdiocese.
- 4.2. Ordained and lay ministers are obliged to follow recognized professional guidelines when organizing and conducting activities and events with children and young people. These shall include, but not be limited to: a team approach, no fewer than two adults when in the presence of children or young people, appropriate parental/guardian permission and

authorization releases in writing, appropriate accountability structures to safeguard against compromising physical, emotional or relationship safety in every circumstance.

Ordained and lay ministers, as well as volunteers who assist them, are not to surrender their responsibility for the children and young people entrusted to them when there are visiting presenters or large numbers of people comprising many individual or smaller groups gather for special events. Special vigilance for the needs and safety of children and young people is to be used in these circumstances.

- 4.3. The Catholic Schools Office and all other archdiocesan offices shall collaborate with the Office of the chancellor and the victim outreach and prevention manager in developing and distributing age, activity or event appropriate guidelines for the protection of children and young people as well as training materials appropriate for adults who have regular contact or responsibilities for children and young people.

5. Responsibility for Collaboration with the Archdiocesan Victim Outreach and Prevention Manager

The archdiocesan victim outreach and prevention manager provides immediate pastoral assistance and outreach to the victims, immediate family or the affected parish/school community in the event of a report of sexual abuse or misconduct by clergy, staff, or volunteers.

Ordained and lay ministers are to collaborate with and give support to the Manager when assistance or pastoral outreach is necessary.

- 5.1. The archdiocesan victim outreach and prevention manager is not an investigator of allegations but provides pastoral care within the limits established by the response of the individual in need, the investigation of law enforcement personnel and Christian prudence.
- 5.2. Ordained and lay ministers are responsible for continuing communication with the victim outreach and prevention manager regarding maintenance and improvement in safe environment practices, training sessions for parish, school or program staff, volunteers and parents, age appropriate and sequential educational and formation activities for children and young people as well as the distribution of published literature regarding proactive and preventative measures.

Safe Environment Communication Policy and Procedures

Revised January 2011

Introduction

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

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

In 1992, the bishops of the United States developed and pledged themselves to a plan, based upon five principles, for addressing the brokenness brought about by misconduct and sexual abuse of minors. These five principles communicate a strategy for pastoral response, a hope for reform and renewal, a promise to embrace anew the work of the Lord, so that recognizing the kingdom's coming stir joyful hope.

These principles are:

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

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

1. The Church Community

- 1.1. The archdiocese's first commitment must be pastoral care for all of its members in the name of the Lord. Within pastoral care there shall be both initiatives and responses concerning the protection of children and young people, including but not limited to:
- policies and guidelines for creation and maintenance of safe environments in all church related activities for its children and young people;
 - information and education for children, young people, parents and parish communities regarding respect for the dignity of the person, appropriate boundary practices and identification of misconduct behaviors and patterns;
 - guidelines for response when misconduct or sexual abuse is detected, and procedures for reporting the misconduct or abuse;
 - guidelines and practices for communicating with affected parties in the pastoral situation and with the public, including the media;
- 1.2. The archdiocesan review board provides informed consultation and assistance to the archbishop, in accord with Article 2 of the *Charter for the Protection of Children and Young People* and numbers 4 and 5 of the *Essential Norms* in regard to the policies and procedures governing the protection of children and young people in the archdiocese.
- The review board may issue statements, reports or other forms of communication to pastors and priests of the archdiocese, to parish faith communities, to the general public or to media. Such communications shall take place after discussion and with the full knowledge of the archbishop.
- 1.3. The archdiocesan victim outreach and prevention manager is the representative of the Church to victims, their family members and to affected faith communities in providing immediate pastoral care for their spiritual and emotional well-being. The victim outreach and prevention manager can be contacted at (402) 827-3798, or 888-808-9055.
- The victim outreach and prevention manager shall coordinate immediate pastoral outreach, and the follow-up required in each situation, the chancellor, respecting the limitations of an existing law enforcement investigation or of the condition of victims or other affected persons.
- The victim outreach and prevention manager shall work with the chancellor in making arrangements for meetings between victims, their family members or affected parish communities and the archbishop. The archbishop may also determine a delegate to be more appropriate in certain circumstances.
- Articles 1 and 2 of the *Charter for the Protection of Children and Young People* shall serve as a framework for the response and outreach of the archdiocese as it communicates with victims, the faith communities and the public.

2. The Media

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

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

- 2.2. The chancellor of the archdiocese shall serve as the archdiocesan spokesman when issues, allegations or incidents regarding the protection of children or young people occur in the archdiocese.

At the direction of the archbishop and in collaboration with the Moderator of the Curia, the archdiocesan victim outreach and prevention manager, the editor of the archdiocesan newspaper and the archdiocesan legal counsel, the chancellor shall provide timely, accurate information to parish communities, to the presbyterate of the archdiocese and to the general public through print and electronic media.

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

- 2.3. All communication, whether in spoken or written format, shall observe and respect the privacy and reputation of the persons involved and shall adhere to the pertinent canon and civil law requirements.
- 2.4. Pastors, school administrators, program directors and lay leaders shall refer media inquiries or the concerns from individuals or groups regarding the incident or issue to the chancellor of the archdiocese.
- 2.5. Pastors, school administrators, program directors and lay leaders shall work with the chancellor and the archdiocesan victim outreach and prevention manager so that timely, appropriate and responsible action is taken to ensure the protection of children and young people.

3. The Parish, School and Other Programs Communication Procedures and Protocols

- 3.1. Each parish, school and the diverse number of child and youth programs use a variety of means to inform, educate, build community and serve the diverse needs of its people. Pastors, school administrators, directors of programs and lay leaders have a special responsibility to use these communication tools for the protection of children and young people.
- 3.2. Each parish, school and child or youth program shall have and publicize a basic procedure that permits a pastor or administrator to communicate in a clear and timely manner with staff and

volunteers when concerns, issues or incidents about the protection of children and young people occur.

This procedure shall also provide an effective and timely communication pathway for information and concerns regarding the protection of children and young people or reports of misconduct to reach pastors and administrators.

This procedure shall also provide directions for an effective and timely communication contact with the rest of the pastoral community or the general public.

This procedure shall include, but not be limited to, the Nebraska statute requirement for reporting incidents or circumstances which give reasonable cause to believe that misconduct or abuse has or could occur.

4. Anonymous Communication and Rumors

- 4.1. Anonymous telephone calls, other electronic communications, or hard copy memoranda and letters are often considered unreliable, even nuisance, forms of communication. However, when anonymous communication contains specific names, circumstances and timelines that raise questions, suspicions, or concerns for the pastor, administrator, director, or pastoral staff, there is an accountability to seek clarification or verification for these reactions.
- 4.2. There should be timely contact and communication with the chancellor and the victim outreach and prevention manager in circumstances of this type.
- 4.3. Rumors, gossip and passing information that cannot otherwise be verified is part of the human condition. The best response to rumors and gossip is timely, clear and accurate information in keeping with a parish or school communication plan and procedure.

5. Building Safe Environments Through Pastoral Care

- 5.1. Safe environment certification, awareness, and practices are to be provided to all newly hired employees and newly active volunteers within each parish faith community. All priests and deacons, all employees, and all volunteers having regular contact with children and young people in the name of the Church shall be required to maintain their safe environment certification.
- 5.2. Pastors, administrators and staff personnel, in service of the Christian community, shall develop and maintain the means and methods for creating community wide awareness for the protection of children and young people in their midst.

Parishes and schools will appoint a SE contact person. The SE contact person will be the liaison with the victim outreach and prevention manager to ensure that SE policies and protocols are being implemented within the parish or school.

Parishes, schools, religious education, and youth ministry programs, in collaboration with and having resource support from the chancellor, the victim outreach and prevention manager, and archdiocesan departments, are encouraged to distribute additional educational and informational materials or offer training opportunities as part of their pastoral care and ministry.

Review Board

Mission Statement and Procedures

Revised September 2011

Preface

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

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

Mission of the Review Board

It is the mission of the review board to serve the People of God in the Archdiocese of Omaha by assisting the archbishop in his responsibilities for the protection of children and young people. The board is charged with advising the archbishop in the work of the just handling of allegations of sexual abuse, the prevention of further abuse, the healing of those who have been injured, and the recreation of a sense of trust among the faithful and larger community.

General Responsibilities of the Review Board

The review board is responsible to the archbishop providing consultation to him in his service to those who have been injured by sexual abuse, the alleged offenders, and the people of the archdiocese. The general responsibilities of the board are to:

1. provide consultation to the archbishop in his assessment of the validity of allegations of sexual abuse of minors;

2. review the implementation and application of the Archdiocesan Policy for the Protection of Minors to assure compliance with the *Charter for the Protection of Children and Young People* and the *Essential Norms*;
3. assist the archbishop and chancellor in the oversight of the victim outreach and prevention manager position;
4. provide consultation to the archbishop regarding an offender's suitability for ministry;
5. review with the archbishop all programs, policies and procedures that relate to the *Charter* within the archdiocese;
6. offer advice on all aspects of cases of sexual abuse of minors, whether retrospectively or prospectively;

Membership

The review board shall consist of no less than five, no more than 12 members of outstanding integrity and good judgment in full communion with the Church appointed by the archbishop. The majority should be lay persons, none of whom are in the employ of the archdiocese. Members serve without compensation, except for reimbursement for expenses. At least one member shall be a priest who is an experienced and respected pastor. Members are appointed for a term of six years, which can be renewed.

The Promoter of Justice shall participate in meetings of the review board when appropriate in considering cases, to assist and advise the board. The Promoter of Justice is not a voting member of the review board.

Conduct of Business

1. Officers. The board shall elect from its membership a chairperson, a vice-chairperson, and a secretary who shall serve one-year terms.

a. Officers may serve more than one term.

b. The chairperson shall preside at the meetings of the board.

The vice-chairperson shall preside in the absence of the chairperson.

c. The secretary shall be responsible for the written recording of the discussion and the actions of the board and prepare, in consultation with the chairperson, the agenda for the meetings.

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

3. Procedures. The board may adopt procedures to govern details of its activities, such as the frequency of meetings and confidential maintenance of records and any other business it may conduct.

4. The Review Board may designate subcommittees to address specific areas of work.

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

Board Duties

1. Review of allegations. The review board shall receive a comprehensive report from the archdiocesan investigator and the Victim Outreach and Prevention manager of all allegations of abuse of minors by priests or deacons. Victim and family inquiries to the board or board member will be directed to the victim outreach and prevention manager/chancellor for pastoral outreach.

2. Consultation on allegations. The board shall provide consultation to the archbishop regarding validity of allegations and suitability for ministry.

3. Policy compliance. For all allegations, the board shall determine whether the archdiocesan policy on sexual abuse was followed regarding the reporting to civil authorities, the outreach to the victims, the outreach to parish communities, and the appropriate action, in accord with Canon Law and prudent judgment, toward clergy alleged to have caused the abuse.

4. Policy Review. The board shall periodically review the archdiocesan policy on sexual abuse. A report of the recommendations for any changes in the policy shall be sent to the archbishop.

5. Communication to the people of the archdiocese. The board shall communicate regularly with the people of the archdiocese, reporting on all matters that are not confidential.

Background Checks of Employees and Volunteers

1. Introduction

As part of our commitment to providing a safe and secure environment for all children and young people who participate in activities sponsored by the Church, we will conduct background checks of all applicants for employment, applicants for seminary training, seminarians, compensated individuals, and certain volunteers.

In developing this program, our foremost concern was the protection of children and young people in the Church. However, we were also mindful of the privacy interests and rights of those screened and the relevance of particular crimes to certain positions within our Church. Thus, the fact that an individual was convicted of a crime is not an automatic bar to ministry within the Church. For example, a single conviction of driving while intoxicated more than five (5) years ago, would not automatically disqualify an individual from teaching religious education in a parish. The following are the minimum standards expected of all Church personnel (employee or volunteer). The archdiocese, parishes, and schools have discretion to implement additional background checks. For example, a motor vehicle record check may be required of all Church personnel (employee or volunteer) who drive as part of their employment, service, or ministry with the Church. These standards and the accompanying forms are subject to change. We will attempt to notify those responsible for conducting screening as soon as possible prior to the effective dates of any changes.

2. Parish and Archdiocesan Personnel

2.1. Current Parish and Archdiocesan Employees Who Work with Children.

2.1.1. Applicable Personnel:

All regularly salaried and hourly wage personnel, part-time and full-time, 19 years and older, of parishes who regularly have contact with individuals under the age of 19. Individuals in this category include, but are not limited to, all clergy, religious men and women, seminarians, directors, coordinators and facilitators of religious education, pastoral associates, religious education teachers, music ministers, camp counselors, and youth ministers.

2.1.2. Screening Protocol:

2.1.2.1. Background Check:

All individuals in this category must be safe environment certified by going to the safe environment data on-line platform and completing background check information and signing up for safe environment training. Individuals will be SE certified once these steps are successfully completed. Victim Outreach and Prevention Office will review any background check that has a violation on it and share it with the hiring authority. In the case of a parish, the

pastor will make the final decision as to whether the individual is qualified to continue as an employee. In the case of the archdiocese or as it affects any clergy or seminarian, the chancellor will make the final decision as to whether the individual is qualified to continue in his or her position.

2.2. Applicants for Paid Parish and Archdiocesan Personnel Positions.

2.2.1. Applicable Positions:

Applicants for all regularly salaried and hourly wage personnel, part-time and full-time, 19 years and older, of the archdiocese or its parishes. Individuals in this category include, but are not limited to, applicants for the following positions: directors, coordinators and facilitators of religious education, pastoral associates, religious education teachers, music ministers, camp counselors, youth ministers, cemetery workers, maintenance personnel, administrators, secretaries, and bookkeepers.

2.2.2. Screening Protocol:

2.2.2.1. Employment Application:

All individuals in this category must complete an Application for Employment.

2.2.2.2. Background Check:

All individuals in this category must be safe environment certified by going to the safe environment data on-line platform and completing background check information and signing up for safe environment training. Individuals will be SE certified once these steps are successfully completed. Victim Outreach and Prevention Office will review any background check that has a violation on it and share it with the hiring authority. In the case of a parish, the pastor will make the final decision as to whether the individual is qualified to continue as an employee. In the case of the archdiocese or as it affects any clergy or seminarian, the chancellor will make the final decision as to whether the individual is qualified to continue in his or her position.

2.2.2.3. References Check:

All applicants must undergo references checks. References must include three people unrelated to the applicant, including the applicant's most recent employer. These references checks may be conducted verbally (over the telephone) or in written form. If they are conducted in written form, the applicant must complete three (3) reference check forms by signing and dating the Authorization for Release of Information, inserting the names and addresses of the references, and inserting their own names and addresses where noted. The references must include the most recent employer (prior to the parish or archdiocese). The parish or archdiocese should then send the forms, along with self-addressed stamped envelopes to the references. If the reference checks are conducted verbally, written records of the discussion with the references must be maintained. Contact the victim outreach and prevention manager if the response by the reference indicates any of the following: (1) that the applicant has been investigated for allegations of neglect, sexual abuse, harassment, exploitation, or another form of sexual

misconduct; (2) that the reference has reservations about the applicant working with children; (3) that the reference would not hire the individual; or (4) that there is a concern about the applicant working with children and young people.

2.3. Parish and Archdiocesan Volunteers Who Work with Children.

2.3.1. Applicable Personnel:

This category includes all volunteers (19 years and older) who regularly have contact with minors (those under the age of 19) including, but not limited to, clergy, religious men and women, pastoral associates, teachers and aides, directors, coordinators and facilitators of religious education, religious education teachers and aides, youth ministry volunteers, Boy Scout & Girl Scout leaders, Catholic Youth Organization volunteers, children or youth choir directors, and parish outreach workers.

2.3.2. Screening Protocol:

2.3.2.1. Background Check:

All individuals in this category must be safe environment certified by going to the safe environment data on-line platform and completing background check information and signing up for safe environment training. Individuals will be SE certified once these steps are successfully completed. Victim Outreach and Prevention Office will review any background check that has a violation on it and share it with the hiring authority. In the case of a parish, the pastor will make the final decision as to whether the individual is qualified to continue as a volunteer. In the case of the archdiocese or as it affects any clergy or seminarian, the chancellor will make the final decision as to whether the individual is qualified to continue in his or her position.

3. Catholic School Personnel:

3.1. Current Catholic School Paid Personnel.

3.1.1. Applicable Personnel:

This category of personnel includes all employees 19 years and older who are employed by the Archdiocesan Catholic School Offices, a parish school, or a Catholic school. This category includes, but is not limited to, teachers, administrators, aides, coaches, secretaries, bookkeepers, cafeteria workers, librarians, and maintenance personnel.

3.1.2. Screening Protocol:

3.1.2.1. Screening Form:

Individuals in this category of personnel must complete a Notification, Authorization and Screening Form, regardless of whether the individual also has completed an employment application.

3.1.2.2. Background Check:

All individuals in this category must be safe environment certified by going to the safe environment data on-line platform and completing background check information and signing up for safe environment training. Individuals will be SE certified once these steps are successfully completed. Victim Outreach and Prevention Office will review any background check that has a violation on it and share it with the hiring authority. In the case of a school, the principal will make the final decision as to whether the individual is qualified to work as an employee or volunteer. In the case of the Catholic Schools Office, the superintendent of schools will make the final decision as to whether the individual is qualified to continue in his or her position.

3.2. Applicants for Catholic School Personnel Positions.

3.2.1. Applicable Positions:

All applicants 19 years and older or positions within the Archdiocesan Catholic Schools or the Archdiocesan Catholic Schools Office, including, but not limited to, administrators, teachers, secretaries, coaches, maintenance personnel, aides, cafeteria workers, and librarians.

3.2.2. Screening Protocol:

3.2.2.1. Employment Application:

Applicants for all Archdiocesan Catholic School Personnel Positions must complete employment applications.

3.2.2.2. Background Check:

All individuals in this category must be safe environment certified by going to the safe environment data on-line platform and completing background check information and signing up for safe environment training. Individuals will be SE certified once these steps are successfully completed. Victim Outreach and Prevention Office will review any background check that has a violation on it and share it with the hiring authority. In the case of a school, the principal will make the final decision as to whether the individual is qualified to work as an employee or volunteer. In the case of the Catholic Schools Office, the superintendent of schools will make the final decision as to whether the individual is qualified to continue in his or her position.

3.2.2.3. Reference Checks:

All individuals in this job category must undergo a references check. These references checks may be conducted verbally (over the telephone) or in written form. If they are conducted in written form, the applicant must complete three (3) reference check forms by signing and dating the Authorization for Release of Information, inserting the names and addresses of the references, and inserting their own names and addresses where noted. The references must include the most recent employer (prior to the school). The school should then send the forms, along with self-addressed stamped envelopes to the references. If the reference checks are conducted verbally, written records of the discussion with the references must be maintained.

At a minimum, all reference checks must include the questions listed in the reference check form. Contact the victim outreach and prevention manager if the response by the reference indicates any of the following: (1) that the prospective employee has been investigated for allegations of neglect, sexual abuse, harassment, exploitation, or another form of sexual misconduct; (2) that the reference has reservations about the employee working with children; (3) that the reference would not hire the individual; or (4) that there is a concern about the employee working with children and young people.

3.2.3. Face-to-Face Interview:

All applicants must be interviewed in person. While it is important to obtain as much information about the applicant's ability to perform the job and suitability for the position, the interviewer should not ask any questions that are illegal or inappropriate.

3.3. Catholic School Volunteers.

3.3.1. Applicable Positions:

All individuals 19 years and older who regularly volunteer at or for a Archdiocesan Catholic school, including but not limited to, teacher aides, cafeteria workers, bus monitors, coaches, crossing guards, library volunteers, and other non-paid school personnel.

3.3.2. Screening Protocol:

3.3.2.1. Background Check:

All individuals in this category must be safe environment certified by going to the safe environment data on-line platform and completing background check information and signing up for safe environment training. Individuals will be SE certified once these steps are successfully completed. Victim Outreach and Prevention Office will review any background check that has a violation on it and share it with the hiring authority. In the case of a school, the principal will make the final decision as to whether the individual is qualified to work as a volunteer. In the case of the Catholic Schools Office, the superintendent of schools will make the final decision as to whether the individual is qualified to continue in his or her position.

4. Analysis of Results

4.1. Convictions of Certain Crimes.

Individuals convicted of certain crimes will prohibit them from being assigned, employed, or engaged as a volunteer for the archdiocese, its parishes, or its schools. These crimes include, but are not limited to: capital murder; first degree murder; second degree murder; manslaughter; aggravated felonious sexual assault; felonious sexual assault; sexual assault; kidnapping; incest; endangering the welfare of a child or incompetent; indecent exposure or lewdness in the presence of a child under 16 years old; prostitution; child pornography and computer pornography; and child exploitation. If a background check reveals that a person has been convicted of such a crime, the victim outreach and prevention manager will notify the hiring

authority that the person is not qualified to work or volunteer. Exceptions can be made on rare occasions.

All exceptions must be reviewed and approved by the victim outreach and prevention manager, the chancellor and the parish/school.

4.2. Convictions of Other Crimes

4.2.1. Accusations or Investigations of Child Abuse, and Other Types of Misconduct:

Individuals convicted of other crimes involving moral turpitude, including, but not limited to drug-related crimes, assault and battery, theft, fraud, and perjury, and individuals found to have engaged in sexual harassment, sexual exploitation, or other misconduct or offense involving moral turpitude, may also be disqualified from service or ministry within the Church. The victim outreach and prevention manager will share the results of a background check with the hiring authority and the hiring authority will review such situations on a case-by-case basis. The hiring authority will consider, among other factors, the nature of the crime or offense, the date on which the crime or offense took place, the relationship between the crime or offense and the position with the Church, and evidence of rehabilitation.

5. Confidentiality of Records

5.1. Background Check Documentation

Parishes, schools, and the archdiocesan administration must maintain employment applications, screening forms, reference check forms, and other personnel documentation regarding applicants, volunteers, and employees in locked files with access limited only to those with a legitimate need to know. The Safe Environment Records Office, under the supervision of the victim outreach and prevention manager, may maintain copies of criminal records or other personnel information regarding parish, school, and archdiocesan administration personnel. The Manager will limit access to those records to those with a legitimate need to know.

5.2. Confidentiality of Information.

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

6. Certification Revocation

6.1. In the interest of protecting children, the archdiocese has the authority to revoke a current certification.

Technology Guidelines for Schools and Parishes

Working with Children/Youth

Technology as a valuable vehicle to communicate the gospel message to our children/youth when proper guidelines are followed and safe guards are established. As Pope Benedict XVI noted in his message for the 2010 World Communications Day, *“This new form of media, if adequately understood and exploited can offer priests and pastoral workers a wealth of information and content that was difficult to access before, and facilitate forms of collaboration and a greater communion in ways that were unthinkable in the past. If wisely used, with the help of experts in technology and communication culture, the new media can become-for priest and all pastoral workers- a valid and effective instrument for authentic and profound evangelization and communion.”*

Pope Benedict XVI

*The Priest and Pastoral Ministry in the Digital World:
New Media at the Service of the Word*

Values that Safeguard Pastoral Practices when using Media

(Recommended Technology Guidelines for Pastoral Work with Young People developed by the National Federation for Catholic Youth Ministry, USCCB Social Media Guidelines)

As ministry leaders employ new ways to reach out to young people (and others), questions may arise as to the proper use of technology and social networking media. Additionally, communication technologies and the Internet will continue to evolve and school personnel, religious educators, and youth ministry leaders will need to keep pace with the latest tools and potential threats. Interactions in the virtual world need to be transparent with healthy boundaries and safe environment practices must be adhered to as they are in the “physical” world. Nothing should be communicated through technology that would not be stated “face to face”. The development of comprehensive guidelines that strike a balance between safety and pastoral effectiveness must be guided by the below essential values.

All technological interaction/communications need to be:

Prudent- Technology is prudent when it encourages forethought and weighs the merit of the communication in light of the pastoral effectiveness and potential risk.

Reasonable- The use of technology needs to be practical, sound and considered a normative practice or standard.

Transparent- All technological communications needs to be clear, intelligible and observable and requires us to be open to the scrutiny of others.

Accountable- Social media provide tools for building community. Membership in communities also requires accountability and responsibility. Users of social media expect site administrators to allow dialogue, to provide information, and to acknowledge mistakes. The explosion of information available to social media consumers has meant that they often only use information from trusted sites or sites recommended by those whom they trust.

Church and Ministry Websites

Web 2.0: The term “Web 2.0” is commonly associated with Web applications that facilitate interactive information sharing. A Web 2.0 site allows its users to interact with other users, to change website content, to provide reaction to content, to share the site’s content with others, or to filter content being provided by the site creator. This is in contrast with non-interactive websites, where users are limited to the passive viewing of information that is provided to them. (USCCB Social Media Guidelines)

** Example: Amazon.com’s inclusion of users’ reviews and offering of recommendations based on the consumer’s past use of the site make it a Web 2.0 site.*

Ministry website:³ An Internet website/tool created by employees, clerics, and volunteers for the sole purpose of conducting diocesan/affiliate business (USCCB Social Media Guidelines)

Recommended Best Practices

- All Catholic parishes, schools and organizations websites need to accurately reflect Catholic teaching and be updated regularly by a minimum of two authorized adults. These websites should not contain personal or contact information about young people or staff/volunteer.
- Official logo or image should appear on the site to distinguish it as the organization’s official site and not that of a specific person.
- Communication with visitors to the site should be through the official organizational e-mail.
- Written permission must be obtained prior to posting photographs or other identifying information of minors.
- In photographs of youth activities, youth should not be “tagged” or identified by name in the photograph.
- Include a brief code of conduct on your organizational website. (Example is USSCCB Facebook code of conduct: “All post and comments should be marked by Christian charity and respect for the truth. They should be on topic and presume the good will of other posters. Discussion should take place primarily from a faith perspective. No ads please. Always block anyone who does not abide by the code of conduct”.)

Social Networking Websites

Social network: A social network is a Web 2.0 site that is entirely driven by content of its members. Individuals are allowed flexibility in privacy settings; in posting text, photos, video, links, and other information; and in level of interaction with other members. (USCCB Social Media Guidelines)

* Examples: Facebook, LinkedIn, MySpace, Twitter, YouTube, and Flickr are often included in lists of social networking sites, although sometimes YouTube and Flickr are designated as multimedia sharing sites, while Twitter is currently more often designated as a micro-blogging application.

Personal website: A social network page, blog, or any Internet website/tool created by employees, clerics, and volunteers primarily to share personal communication with friends and associates. (USCCB Social Media Guidelines)

Recommended Best Practices

- Adult ministers should establish separate sites and pages for personal and professional use. Personal pages and information should neither be advertised nor accessible to minors.
- Those in ministry roles should not “friend” minors in their personal social networking account unless there is an established familial relationship.
- Adult ministers need to be vigilant in representing themselves as ministers of the Catholic Church in all interactions that can be viewed publicly. Anything that would cause scandal to the ministry should be avoided.
- Be aware of the social networking sites’ terms of use, age restrictions, and privacy options/controls.
- Parents should be notified in writing that the parish is planning to use a social networking site for a parish or school program.
- Site must be monitored frequently to allow for quick response to urgent or crisis concerns.
- It is recommended that the “no tagging” option be set on the original social networking site.
- The site should not contain personal or contact information (including photos) of staff/volunteer.

E-Mail and Texting/Instant Messaging

E-Mail: A system for sending and receiving messages electronically over a computer network, as between personal computers. A message or messages sent or received by such a system.

Texting: The sending of text messages via cell phones or other mobile devices

Sexting “Sexting” means sex texting — sending or receiving a text message that has sexual content.

Instant Messaging: often shortened to simply “IM” or “IMing,” is the exchange of text messages through a software application in real-time.

Recommended Best Practices

- The same boundaries observed in oral/personal communication should be adhered to when communicating via e-mail/texting.
- E-mail, texting and instant messaging can be saved or forwarded to others. Avoid engaging in any posting or communication that would be misconstrued or misinterpreted.
- All communication sent digitally is NOT CONFIDENTIAL and may be shared with others.
- E-mail, texting and instant messaging should only be used in one's professional role and parents should be informed of using this technology for communication purposes for ministry.
- Communications should occur in appropriate timeframes for ministry.
- It is encouraged to e-mail, text or instant message the parent/guardian the same communication.
- Minister should use supervise and use caution when allowing children/youth access to their phones/computers etc.

Blogging

Blog: A blog (a contraction of the term "web log") is a type of website, usually maintained by an individual, with regular entries of commentary, descriptions of events, or other material such as graphics or video. Entries are commonly displayed in reverse-chronological order. "Blog" can also be used as a verb, meaning to maintain or add content to a blog. (USCCB Social Media Guidelines)

* Examples: There are many types of blogs on sites throughout the Internet. They are common for celebrities, writers, journalists, etc. WordPress is one of the more popular tools used to create blogs.

Micro-blog: This form of multimedia blogging allows users to send brief text updates or to publish micromedia such as photos or audio clips, to be viewed either by anyone or by a restricted group, which can be chosen by the user. These messages can be submitted by a variety of means, including text messaging, instant messaging, e-mail, digital audio, or through a Web interface. The content of a micro-blog differs from a traditional blog in that it is typically smaller in actual size and aggregate file size. A single entry could consist of a single sentence or fragment, an image, or a ten-second video. (USCCB Social Media Guidelines)

* Example: Twitter is a form of micro-blogging in which entries are limited to 140 characters.

Recommended Best Practices

- Professional/ministry based blogs should only be utilized to promote upcoming events/programs for the purpose of providing resources and information within the ministry setting and should reflect the teachings of the Catholic Church.
- Blogs are an effective way to distribute fliers for events and programs.
- The blog needs to be monitored by at least 2 adults and no minor names or information should be posted.
- Extreme caution should be taken that so that information regarding personal blogs is not available to minors.

Online Video and Chat Rooms

Online Video: Internet video sites are called websites that show content in the form of videos. These internet sites oftentimes permit watchers to look at the wide array of videos that are hosted with their internet site*.

Chat Room: A place online where a group of people can get together and chat about a particular subject or just to chat. Usually you will need to sign in at least so you have a name in the room and then you can see who else is in the room. Some chat rooms allow you to talk to one individual without the others seeing your conversation

Recommended Best Practices

- At no time is one to one video or chat room interaction appropriate between adults and minors.
- It is recommended that streaming video be used for education, communication and promotional purposes.
- Always remember that, even on the worldwide web, others may recognize us as representing the Catholic Church when we post our personal opinions or engage in discussions.

Securing Private Information

Recommended Best Practices

- Have qualified IT personnel create and manage any secure web forms to safeguard private information.
- If possible, have all financial transactions “in real time” that is, on a commerce website that can process the credit card transaction on line, thus assuring that no financial data will be communicated to the parish/organization.
- Acquire a third party secure certificate (for example, VeriSign, Geo Trust, etc.) for any web server that will handle SSL (“https ://”) transmissions.

From the National Federation for Catholic Youth Ministry

www.nfcym.org/resources/technology/gu

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

Certain steps need to be followed when a school becomes aware that a registered sex offender (RSO) has a close relative (e.g. child, step-child, grandchild, sibling) attending school.

A registered sex offender who is parent/guardian:

- *has the legal right to review his/her child's educational record. He/she may do so by contacting the principal for an appointment.*
- *has the right to communicate with his/her child's teacher; he/she may do so by phone, mail, or e-mail, or by making an appointment to see the teacher after hours when no other children are present.*
- *is not allowed on school premises at any time while children are present. This includes walking his/her child to and from the school building. He/she may pick up or drop off his/her own child as long as the RSO parent remains in the vehicle at all times. No other school children (other than his/her own) may be dropped off or picked up from school by the RSO parent.*
- *The RSO parent may not attend any school event off of school grounds which children are present (e.g. field trips, sporting games).*
- *The RSO parent may not volunteer at any school event.*

Registered Sex Offenders Attending Parish Liturgies/ Activities Guidelines

The registered sex offender (RSO) needs to meet with the pastor /principal who will determine if he/she is banned from campus or allowed to attend with the following guidelines and restrictions:

- 1) *Liturgies which the RSO can attend will be designated by the pastor/principal. An identified companion will accompany the RSO to the service.*
- 2) *The RSO may not hold a volunteer or employee position but may participate as a member of the assembly for religious events, or as a spectator for athletic events etc.*
- 3) *The RSO must make himself/herself known to the parish pastor/principal who in turn will communicate this information to persons who can be expected to monitor the RSO's activity.*

- 4) *The individual must always be accompanied by one or more adult companion(s) who must be known to the head of the ministry whose event the RSO may want to attend.*
- 5) *The RSO and his/her companion(s) must remain in the designated area for the activity.*
- 6) *The RSO and his/her companion(s) must agree to any other restrictions mandated by the pastor/principal.*
- 7) *Violation of any of these guidelines could result in the RSO being banned from attending an activity and from the campus.*
- 8) *The pastor/principal will have full control of any and all restrictions including the right to change the restrictions as needed for the safety of the parish/school.*