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Dear Priests, Deacons, Religious, Employees and Volunteers in the Diocese of Youngstown,

By this letter, I hereby promulgate the revised Child Protection Policy of the Diocese of Youngstown, effective June 15, 2008. This policy follows 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 Priests or Deacons*, developed by the United States Conference of Catholic Bishops in 2002 and revised in 2005. This policy has been reviewed and recommended by the Diocesan Review Board and the diocesan attorney.

While this policy applies to all priests, deacons, religious, employees and volunteers in our parishes, schools, offices, agencies and other institutions which operate under the authority of the diocesan bishop, it has special significance and importance for those who minister to children.

This policy states our commitment to protect our children through the education of those who serve them and also through the curriculum which educates the children themselves. Further, through this policy we provide the means by which reports of abuse may be made and the provisions to provide an effective pastoral response to those allegations. Pastoral outreach to victims of abuse and their families is a very important part of this policy.

Matthew's Gospel tells us that the disciples came to Jesus and asked:

*"Who is the greatest in the kingdom of heaven?" Jesus called a child, whom he put among them, and said, "Whoever welcomes one such child in my name welcomes me. If you put a stumbling block before one of these little ones who believe in me, it would be better for you if a great millstone were fastened around your neck and you were drowned in the depth of the sea. Occasions for stumbling are bound to come, but woe to the one by whom the stumbling block comes!"* (Matt. 18:1-2, 5-7)

I ask that you read this policy very carefully, and become familiar with all of its requirements. At the same time, I thank you for the ministry you provide to our children and young people.

Asking God's blessings on you and the service you give to the Diocese of Youngstown, I am

Yours in Christ,

A handwritten signature in black ink that reads "George V. Murry, S.J." with a small flourish at the end.

Most Reverend George V. Murry, S.J.  
Bishop of Youngstown

## II. INTRODUCTION

The Diocese of Youngstown first promulgated the "Child Abuse Policy" in 1994. In 1999, the policy was revised and renamed the "*Child Protection Policy*." With 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 Priests or Deacons*, written by the United States Conference of Catholic Bishops and approved by the Vatican in 2002, the diocesan policy was revised in 2003 to include provisions of those documents. The *Charter* was revised by the USCCB in 2005. In 2007, the Standards of Ministerial Behavior were promulgated and are now included in this 2008 revision of the *Child Protection Policy*.

The healing and caring presence of Jesus must be brought to all victims of child abuse. Similarly, the justice of the Gospel must be assured to those same children, their parents or guardians, and to those themselves responsible for the abuse.

*"Each diocese will have a written policy on the sexual abuse of minors by priests, deacons, as well as by other Church personnel." (Essential Norms)*

The purpose of this policy is to protect children in our diocese from potential abusers, and to clarify the diocesan response in cases of alleged or actual abuse. The parents and guardians who entrust their children to our care must be assured that every reasonable precaution will be taken by the diocese when it employs or accepts volunteer service from any person who will be ministering to the children.

*"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." (Charter)*

By the actions required in this policy, "...we re-affirm our deep commitment to creating a safe environment within the Church for children and youth." (Charter)

This policy is implemented:

- to prevent child abuse through education and awareness for all persons of the Diocese of Youngstown;
- to adopt and ensure fair, objective and consistent due process procedures for the alleged victims, their parent(s) or guardian(s) and the accused;
- to ensure a prompt, pastoral response to an alleged child abuse victim in the event of an allegation or complaint against a priest, deacon, seminarian, religious, person in formation, employee or volunteer of the diocese.
- to define the actions to be taken by the diocese when any complaint or allegation of child abuse is received;
- to educate clergy, religious, administrators, staff and volunteers in our parishes, schools, offices, agencies and other institutions which operate under the authority of the Diocesan Bishop about the policy and its implications and requirements.

While this policy applies to any person in the employ of the Diocese of Youngstown, and any person who volunteers his or her service in ministry, special attention is given to provisions regarding priests and deacons. For volunteers, notification is hereby made that such volunteers are required to provide fingerprints in order to conduct a criminal records background check. The background check will be made with the Ohio Bureau of Criminal Identification and Investigation; or the Federal Bureau of Investigation (for volunteers who have not resided in Ohio for at least five years.) This notice is made in accordance with Ohio Revised Code 109.575.

In all cases, 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 Priests or Deacons* will be followed.

This policy will be reviewed as needed.

### III. GLOSSARY OF TERMS

#### **ACCUSED PERSON**

An individual who is alleged to have performed an act of child abuse.

#### **ADULT**

An individual who is 18 years of age or older.

#### **ALLEGATION**

A claim that child abuse has or had occurred.

#### **BISHOP**

The Bishop of the Roman Catholic Diocese of Youngstown, or his equivalent in law.

#### **CHANCERY OFFICE**

The office of Diocesan Central Services responsible for management of the Child Protection Policy.

#### **CHARTER**

The document, *Charter for the Protection of Children and Young People*, developed by the United States Conference of Catholic Bishops, which outlines the goals, duties and responsibilities of dioceses in the United States in response to the issue of child abuse.

#### **CHILD/MINOR**

A person who is under 18 years of age or a person with a physical or mental handicap who is under 21 years of age.

#### **CHILD ABUSE**

Consists of any of the following:

- a) engaging in any sexual activity with a child as defined under Chapter 2907 of the Ohio Revised Code, or as defined by the *Essential Norms*; or
- b) endangering a child as defined in Section 2919.22 of the Ohio Revised Code; or
- c) denial, as a means of punishment, of proper or necessary subsistence, education, medical care, or other care necessary to a child for the child's health; or
- d) use of restraint procedures on a child that cause injury or pain; or
- e) administration of prescription drugs to a child without the written approval and ongoing supervision of a licensed physician; or
- f) providing alcoholic beverages or controlled substances to a child; or
- g) commission of any intentional act that results in any injury or death to a child; or
- h) infliction of physical or mental injury that threatens to harm a child's health, welfare or safety.

#### **CLERGY**

Ordained bishops, priests and deacons who are incardinated or serving in the Diocese of Youngstown.

#### **CONFIDENTIALITY**

A legally enforced expectation that a statement is private since it was made under circumstances showing that the speaker intended the statement only for the individual addressed. One of the circumstances leading to a determination of confidentiality may be the relationship between the speaker and the listener; another is the absence of other persons.

#### **CONFLICT OF INTEREST**

Occurs when individuals take advantage of a ministerial relationship to further their own personal, political or financial interest.

#### **DIOCESE**

The Roman Catholic Diocese of Youngstown.

## **DIRECTOR OF THE OFFICE OF VOWED RELIGIOUS**

The official delegate of the bishop responsible for overseeing all matters pertaining to religious women and men serving in or affiliated with the Diocese of Youngstown.

## **EMPLOYEE**

Any clergy, religious or lay person employed in the parishes, schools, offices, agencies and other institutions which operate under the authority of the diocesan bishop.

## **ESSENTIAL NORMS**

The document, *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*, developed by the United States Conference of Catholic Bishops, which constitute particular law for all the dioceses/eparchies of the United States. Norms indicate a mandatory statement that must be followed by individuals. Norms indicate a level of conduct below which no individual can fall. In this document, policies are indicated by the words or phrases “shall,” “shall not,” “must,” and “must not.”

## **GUIDELINES**

Statements to guide an individual in his or her actions. Guidelines are not as binding as norms, given that particular situations may allow for reasonable expectations and may call for the individual to exercise reasonable discretion. In this document, guidelines are indicated by the use of the words “should” or “should not.”

## **INCARDINATION**

The canonical affiliation of a priest or deacon to a particular diocese or approved institutes of consecrated life for the purpose of official ministry. Mutual rights and obligations arise from incardination.

## **LAICIZATION**

The process by which a priest or deacon is returned to the lay state.

## **LEGAL PRIVILEGE**

For purposes of this policy, a legal privilege may exist between an attorney and client; a physician and patient; or a cleric and penitent, which may restrict the reporting requirements set forth in Ohio Revised Code Section 2151.421.

## **LOCAL CHURCH COMMUNITY**

A parish, school or other ministry location.

## **OFFENDER**

An individual who performed an act of child abuse.

## **OHIO REVISED CODE (ORC)**

The statutes of the State of Ohio; in particular those sections currently in effect which apply to child abuse.

## **PARENT OR GUARDIAN**

That person who possesses legal custody of a child.

## **POLICY**

This Child Protection Policy and any provision of this policy requiring an action or standard of behavior on the part of specified persons or offices, agencies, parishes or institutions of the diocese. All parts of this policy are particular law of the Diocese of Youngstown, as defined by the Code of Canon Law.

## **RELIGIOUS**

Ordained clergy and non-ordained men and women who have taken vows in approved institutes of consecrated life.

**RESPONSIBLE SUPERVISOR**

For diocesan Central Services, the executive director or office director; for a parish, its pastor; for a school, its principal; for any other organization or institution, the person who is in charge.

**REVIEW BOARD**

The confidential, consultative body which is advisory to the bishop in matters pertaining to child protection.

**STANDARDS**

Guidelines and norms derived from more basic principles and values setting forth more specific conduct expected of an individual in more specific situations.

**VICAR FOR CLERGY**

The official delegate of the bishop responsible for overseeing all matters pertaining to clergy and religious men and women in the Diocese of Youngstown.

**VICAR GENERAL**

The Vicar General of the Diocese of Youngstown; possesses that executive power in the entire diocese which belongs to the diocesan bishop in law, except for that which the bishop has reserved to himself or is specifically reserved to the bishop by law.

**VICTIM ASSISTANCE COORDINATOR**

The person appointed by the bishop to aid in the immediate pastoral care of persons who claim to have been sexually abused as minors by clergy or other Church personnel.

**VOLUNTEER**

A person who serves without pay in a parish, school or institution of the Diocese of Youngstown, regardless of their level of contact with children. This includes, but is not limited to, a catechist, scout leader, coach, server, coordinator, intern, student teachers and others in a similar capacity. Any volunteer who has unsupervised access to a child, which means the person in question has access to a child and that either of the following applies (1) no other person 18 years of age or older is present in the same room with the child; or (2) if outdoors, no other person 18 years of age or older is within a 30-yard radius of the child or has visual contact with the child (Ohio Statutes), must comply with this policy.

## IV. PREVENTION

The provisions of this section are intended to help ensure that no child is ever abused by an adult. Everyone in the community has a part to play: parents, clergy, teachers, religious educators, lay ministers, lay volunteers, including youth and adults who are not directly involved in work with children.

### A. EDUCATION

*“Dioceses will establish “safe environment” programs. They will cooperate with parents, civil authorities, educators and community organizations to provide education and training for children, youth, parents, ministers, educators and others about ways to make and maintain a safe environment for children.” (Charter)*

Therefore:

1. Employees and volunteers will learn about the causes, forms and symptoms of child abuse through reading, participation in workshops, staff discussions, and in-service programs. Resources are available through the Office of Religious Education Library.

2. Children will be instructed to protect themselves by learning about the potential risks and appropriate responses

a) The Office of Catholic Schools and the Office of Religious Education, in collaboration with other offices and agencies of the diocese, will develop or identify curricula, programs, and in-service opportunities which will be used in the training and certification of persons who work with children.

b) The curricula of Catholic schools and religious education programs will contain learning objectives intended to protect children and adolescents from abuse. Other youth programs in Catholic parishes and institutions which teach about personal health and development or human sexuality are likewise to include learning objectives on the topic of child protection.

3. Child protection will be addressed regularly in the usual in-service programs offered for employees and volunteers who work with children. Similar programs will be offered by the Department of Clergy and Religious Services.

4. Parents/guardians should learn about the causes, forms and symptoms of child abuse. Parishes and other institutions of the diocese shall assist with this recommendation by offering programs for parents/guardians.

5. Parents/guardians should strive diligently to develop good rapport with their children and to alleviate any tensions which may interfere with good communication. Parents/guardians shall also avail themselves of “teachable moments” to discuss with their children in a positive fashion the realities of child abuse.

*“Given the extent of the problem of 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.” (Charter)*

### B. SCREENING THOSE WHO WORK WITH CHILDREN

Persons who serve children and youth as employees or volunteers are among the faith community’s most valuable assets. They contribute so much to the spiritual, emotional, intellectual and physical well-being of young people.

*“Dioceses are to evaluate the background of all incardinated and non-incardinated priests and deacons who are engaged in ecclesiastical ministry in the diocese and of all diocesan 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. (Charter)*

Therefore:

1. Administrators shall take due precautions in order to assure that only those persons who are psychologically and temperamentally suited are chosen to work with children. No one under the age of 18 may serve without an adult present who is fully compliant with this policy.
2. Each applicant for employment in a position with contact with children in the parishes and institutions of the diocese shall supply to the hiring agent personal information adequate to assess his or her suitability for contact with children. Each applicant shall complete and sign the Authorization and Verification (Appendix 4), and Acknowledgement (Appendix 5). Each applicant shall supply the names of three references, at least one from the most recent employer and none from close friends or relatives. All clergy and/or religious who transfer from another diocese to a church community or institution in the Diocese of Youngstown for the purpose of employment for ministry in the Diocese of Youngstown shall present to the Diocese of Youngstown a letter/statement certifying their suitability for service in the diocese (cf. Appendix 3). Candidates for ordination for the Diocese of Youngstown must also sign the Authorization and Verification and Acknowledgement.
3. Each applicant for employment or volunteer service in a position with contact with children will provide his/her fingerprints in order that a criminal background check may be made.
4. All employees and volunteers agree that if they are arrested, charged, or convicted of any crime they will immediately report such information to the assistance coordinator.
5. Hiring agents shall speak with all persons named as references provided by applicants for employment and shall examine and verify the applicant’s employment history. The hiring agents shall submit all names of applicants to the Chancery for a check of the confidential register as described below.
6. The Chancellor shall maintain a permanent register of all employees and volunteers who have abused children, or about whom questions have been raised, in conjunction with employment or volunteer involvement at parishes and institutions of the diocese.

### **C. PREVENTIVE INTERVENTION**

Policies cannot in themselves restrain an adult from abusing children. Thus, adults bear responsibility to assist one another in avoiding abuse, and those at risk of abusing children must seek assistance to avoid behavior which may place a child at risk.

1. Anyone who observes another person behaving in a manner which may pose a potential risk to a child shall report the matter in confidence to the proper superior or supervisor promptly.
2. The proper superior or supervisor shall deal promptly with any situation of potential risk brought to his or her attention.
3. A parent, guardian or any adult who observes an employee or volunteer behaving in a manner which may pose a potential risk to a child will call the matter to the attention of that employee or volunteer. This may involve calling attention to circumstances which are inappropriate, even though not in themselves abusive, or reminding the employee or volunteer of particular provisions of this policy or challenging the person when guilty of affronts to a child.

4. Regarding clergy in particular:
- a) *“No priest or deacon who has committed an act of sexual abuse of a minor may be transferred for ministerial assignment to another diocese. Every bishop 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 a priest or deacon can be transferred for residence to another diocese, his 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 that he has been or may be a danger to children or young people.” (Essential Norms)*

*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 or 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). (Essential Norms, revised/recognition 1/1/2006).*

- b) *“Dioceses will develop systematic ongoing formation programs in keeping with the recent Conference document Basic Plan for the Ongoing Formation of Priests so as to assist priests in their living out of their vocation.” (Charter)*

5. All concerns must be reported.

Ohio Revised Code 2151.421(G) (1) provides that any person or institution making a report of known or suspected child abuse pursuant to paragraph A of that section (this is a mandated report) shall be immune from any civil or criminal liability that arises as a result of making the report. This immunity provision has been tested in the Ohio Courts and has been uniformly enforced.

If a person makes a report pursuant to paragraph B of that section (this is a permitted report, but not mandatory) that person will have the same immunity, provided they have acted in good faith.

## V. STANDARDS OF MINISTERIAL BEHAVIOR FOR CLERGY, EMPLOYEES AND VOLUNTEERS

*Prior to 2008 this section was a separate document.*

### Section 1 - Introduction

*There are to be clear and well-publicized diocesan/eparchial standards of ministerial behavior and appropriate boundaries for clergy and for other paid personnel and volunteers of the church in positions of trust who have regular contact with children and young people. (Charter, Article 6)*

These *Standards of Ministerial Behavior for Clergy, Employees and Volunteers* (Standards) apply to clergy, employees and volunteers of the Catholic Diocese of Youngstown (diocese).

This document, intended to comply with Article 6 of the *Charter* as stated above, is a set of minimum expectations. These Standards are not intended to prevent any group of professional ministers within the diocese from developing Standards for its own use, providing the group obtains appropriate approvals.

Standards of conduct are guidelines and norms derived from more basic principles and values setting forth more specific conduct expected of an individual in more specific situations. Standards of conduct are not solely guidelines, which allow for more discretion on the part of an individual, but may also include norms which are mandatory statements of what one must do in a certain situation.

Responsibility for adherence to these Standards rests primarily with the individual and within the community of accountability. Clergy, employees and volunteers who disregard these Standards may be subject to disciplinary action by the entity within the diocese that employs, supervises or authorizes their ministry. Corrective action may take various forms, from a verbal reprimand to removal from employment or service, depending on the specific nature and circumstances of the offense and the extent of the harm.

### Section 2 - Ministerial Behavior

#### Principles & Values

Persons who seek the service of the Lord in the Church are to be able to do so without any doubt of whose interests clergy, employees and volunteers serve. Clergy, employees and volunteers should avoid situations that might present a conflict of interest. Even the appearance of a conflict of interest can call integrity, professionalism and ministerial conduct into question.

Information disclosed in ministerial settings during the course of counseling, advising or spiritual direction is to be held in the strictest confidence possible.

Clergy, employees and volunteers working with youth are to maintain an open and trustworthy relationship with the youth with whom they are working.

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

Clergy, employees and volunteers must not engage in physical, psychological, written or verbal harassment of other clergy, employees, volunteers, parishioners or others, and must not tolerate such harassment by other clergy, employees and volunteers.

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

An environment of personal integrity in ministry requires that a culture of accountability among clergy, employees and volunteers be established and maintained in a spirit of understanding that individual conduct reflects the intention of the entire Church. Clergy, employees and volunteers have responsibility for maintaining the highest ethical and professional standards. Clergy, employees and volunteers are to report their own ethical or professional misconduct and the misconduct of others and must report sexual abuse of minors in accord with this policy.

Clergy, employees and volunteers are to have a sense of propriety regarding touch, and are to be aware of appropriate boundaries regarding touch.

Clergy, employees and volunteers are to be committed to a lifestyle that serves as an example of chastity in all relationships at all times.

Since all are called by Baptism to live the virtue of chastity, priests, deacons and vowed religious who are committed to a celibate lifestyle are called to be examples of chastity in all their relationships; deacons, employees and volunteers who are married are called to be models of marital chastity; and deacons, employees and volunteers who are single or widowed are called to be examples of chastity in single life.

### **Conflicts of Interest**

1. Clergy, employees and volunteers should disclose to concerned parties all relevant factors that potentially could create a conflict of interest.

Examples of such situations and behavior by Church personnel and volunteers include, but are not limited to:

- a. Conducting private business or other dealings with the Church or any of its members;
  - b. Accepting substantial (non-token) gifts for services or favors;
  - c. Employing or engaging in transactions with one's friends or relatives;
  - d. Soliciting personal loans or requests for financial assistance from parish members, vendors, parish organizations, or employees;
  - e. Acting with partiality toward employees or Church members; or
  - f. Violating a confidence of another for personal gain.
2. Clergy, employees 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.
    - a. Clergy, employees and volunteers should never take advantage of anyone to whom they are providing services in order to further their personal, religious, political, or business interests.
    - b. Clergy, employees and volunteers 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.
    - c. 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 should:
      - (1) clarify with all parties the nature of each relationship;
      - (2) anticipate any conflict of interest;
      - (3) take appropriate actions to eliminate the conflict; and
      - (4) obtain from all parties written consent to continue services.

3. Conflicts of interest may also arise when the independent judgment of clergy, employees and volunteers is impaired by:
  - a. prior dealings;
  - b. becoming personally involved; or
  - c. becoming an advocate for one person against another.

In these circumstances, clergy, employees and volunteers should advise the parties that he or she can no longer provide services and make a referral for continued ministry.

4. Clergy, employees and volunteers must avoid taking unfair advantage of counseling relationships with a minor for personal benefit or gratification

### **Confidentiality**

Clergy, employees and volunteers will maintain confidentiality within the scope of their duties and as delineated in any job descriptions and employee practices.

Information disclosed in ministerial settings during the course of counseling, advising, or spiritual direction will be held in the strictest confidence possible.

The following obligations of confidentiality are independent of the seal of confession. Under no circumstance whatsoever can there be any disclosure, even indirect disclosure, of information received through the celebration of the Sacrament of Reconciliation.

1. Information obtained in the course of counseling sessions will be confidential, except for compelling professional reasons or as required by law.
  - a. If there is clear and imminent danger to the person being counseled or to others, the pastoral counselor or spiritual director should disclose only the information necessary to protect the parties affected and to prevent harm.
  - b. Before disclosure is made, if feasible, the pastoral counselor should inform the person being counseled about the disclosure and potential consequences.
2. The pastoral counselor or spiritual director will discuss the nature of confidentiality and its limitations with each person in counseling.
3. The pastoral counselor or spiritual director will keep minimal records of the content of sessions.
4. While counseling a minor, the pastoral counselor or spiritual director may discover a serious threat to the welfare of a minor. If communication of confidential information to a parent or legal guardian is essential to the minor's health and well-being, the pastoral counselor or spiritual director will:
  - a. Attempt to secure written consent from the minor for the specific disclosure.
  - b. If consent is not given, the pastoral counselor or spiritual director will 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.
5. While counseling an adult, confidentiality is superseded by the obligation to report misconduct that threatens the safety, health and well-being of any person. Situations of abuse of a minor must be reported.
6. A breach of confidentiality occurs when confidential or privileged information is disclosed in the absence of compelling professional reasons or required by law.

## **Conduct With Youth**

1. Clergy, employees and volunteers must be aware of their own and others' vulnerability when working alone with youth. They should use a team approach to managing youth activities.
2. Clergy, employees and volunteers must not counsel or meet with a minor alone in a separate room unless there is a window on the door or the door is open, except in the case of the Sacrament of Reconciliation within a church building.
3. Physical contact with youth can be misconstrued and should occur:
  - a. only when completely nonsexual and otherwise appropriate, and;
  - b. never in private.
4. No child may be disciplined corporally or corrected with abusive language.
5. Clergy, employees and volunteers must avoid using inappropriate expressions of physical affection with minors, including but not limited to:

inappropriate or lengthy embraces; kisses on the mouth; holding minors on the lap; touching bottoms, chest or genital areas; sleeping in bed with a minor; wrestling with minors; piggyback rides; any type of massage given to or received from a minor; any form of unwanted affection; compliments that relate to physique or body development; any form of physical affection/contact given to a minor in private.
6. Clergy, employees and volunteers must faithfully represent the teachings of the Catholic Church with integrity in word and action, and thus:
  - a. must refrain from the illegal possession and/or illegal use of drugs;
  - b. must refrain from the use of alcohol when working with youth;
  - c. must never supply alcohol (except for distribution of Holy Communion under both species) or illegal drugs to minors;
  - d. must never use any form of tobacco in the presence of minors; and
  - e. must never obtain or possess sexually explicit or pornographic materials, nor participate in the distribution or receipt of pornographic materials through any medium or share these materials in any way with minors.
7. A sufficient number of adult chaperones (over the age of 21) who are in full compliance with this policy must be present for all youth trips, especially overnight trips. (Please refer to the *Diocesan Directory for Catechesis*.) Clergy, employees and volunteers must never be the sole chaperone for any youth trip.
8. Clergy, employees and volunteers must not provide shared, private, overnight accommodations 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.

When staying overnight with minors, no clergy, employee or volunteer shall sleep in the same bed, sleeping bag, small tent or room, with the exception of large dormitory accommodations (such as those at work camps or on a pilgrimage). Parents may sleep in the same room with their own children.
9. Clergy, employees and volunteers must never accompany minors to church or school-sponsored sporting events, movies, or other forms of entertainment without at least one other adult chaperone over the age of 21 present.
10. Clergy, employees and volunteers must refrain from intimate postings on blogs, MySpace.com, other similar online communications.

11. Clergy, employees and volunteers must never be present in locker rooms or other dressing rooms used by minors without another adult over the age of 21 present.
12. Clergy, employees and volunteers must never travel in a vehicle alone with a minor without prior express permission of the minor's parents or legal guardians, utilizing diocesan driver policies.
13. Clergy, employees and volunteers must not give expensive gifts or gifts of a personal nature to minors nor accept expensive gifts or gifts of a personal nature from minors without prior express permission of the minor's parents or legal guardians.

For the health and well-being of the youth in rare, emergency situations when accommodation is necessary, clergy, employees and volunteers must take extraordinary care to protect all parties from the appearance of impropriety and from all risk of harm.

Ideally, a team approach is to be used with minors.

### **Conduct Relating to Pastoral Counselors and Spiritual Directors**

1. Pastoral counselors and spiritual directors shall not overstep their competence in counseling situations and shall refer to other professionals when appropriate. The professional boundaries for church personnel are dictated by their training and/or certification from a recognized professional association of peers or licensure from the State of Ohio.
2. Pastoral counselors and spiritual directors shall set, communicate, and maintain clear, appropriate boundaries in all counseling and counseling-related relationships. This would include times and places of sessions.

### **Sexual Misconduct**

1. All clergy, employees and volunteers should behave in a professional manner at all times.
2. No clergy, employee or volunteer shall exploit another person for sexual purposes.
3. Clergy, employees and volunteers must avoid developing inappropriate intimate relationships with minors, other staff and parishioners.
4. All are required to report sexual misconduct in accordance with this policy.

### **Harassment**

1. Clergy, employees and volunteers must not engage in physical, psychological, written or verbal intimidation or harassment of any person at any time, particularly those whom they serve as well as other church personnel.
2. Clergy, employees and volunteers must not engage in sexual harassment or any inappropriate behavior of a sexual nature toward other persons.
3. Clergy, employees and volunteers must not discriminate against any individual on the basis of race, color, national origin, gender, sexual orientation, age, physical or mental disability, pregnancy, or military or veteran status, except when such status is a legitimate occupational qualification in accordance with civil or Church law.
4. While it is not possible to list all behavior that is considered to be harassment or sexually inappropriate, prohibited conduct includes, but is not limited to:

slurs, epithets, derogatory comments, unwelcome jokes, comments and trashing, inappropriate physical contact or gestures; sexual advances and emphasis on sexual or racial identity; displaying written materials, pictures or other items that are offensive or sexually suggestive; viewing sexually suggestive or otherwise inappropriate written materials, websites, electronic mail messages, or other items while on Church property or while performing other duties or engaged in ministry for the Church; other conduct that has the purpose or effect of unreasonably interfering with an individual's performance at work or creates an intimidating, hostile or offensive working condition.

5. Harassment can occur as a result of a single severe incident or a pattern of conduct that results in the creation of a hostile, offensive or intimidating work environment.
6. Clergy, employees and volunteers are required to report harassment, including sexual harassment, in accordance with the reporting policy in this document.
7. Clergy, employees and volunteers are prohibited from retaliating against individuals who make good faith reports of harassment.

### **Organizational Records and Information**

All clergy, employees and volunteers in parishes, schools and institutions of the diocese who are responsible for and/or have access to organizational records and information will abide by the following guidelines.

1. Sacramental Records
  - a. Sacramental records are confidential.
  - b. Sacramental records are not open to the public.
  - c. Only those employees/volunteers who have permission to search the records may do so.
  - d. Special care must be taken when issuing certificates from the sacramental register, especially regarding adoption and legitimacy of the individual.
  - e. Information from sacramental registers may be provided only for legitimate purposes, e.g., baptismal records needed in order to receive other sacraments, genealogy research.
2. Financial Records
  - a. Financial records are confidential.
  - b. Financial records are not open to the public
  - c. Only those clergy, employees and volunteers who have permission to access the records may do so.
  - d. Individual contribution records will be regarded as private and maintained in strictest confidence.
  - e. Information from financial records may only be released when required by the diocese or other appropriate agency.
3. Other Records/Information
  - a. Records at the diocesan offices, parishes, schools or institutions must be properly maintained and stored.
  - b. Confidentiality must be maintained in creating, storing, accessing, transferring and disposing of all records and information.

## **Reporting Ethical or Professional Misconduct**

1. When an uncertainty exists about whether a situation or course of conduct violates this document or other religious, moral, or ethical principles, clergy, employees and volunteers should consult with:
  - a. peers,
  - b. others knowledgeable about ethical issues, or
  - c. the Chancery Office.
2. When it appears that someone within the scope of one of these standards of conduct has violated one or more of these standards of conduct, then clergy, employees and volunteers:
  - a. Must report the issue to the individual's supervisor or next higher authority.
  - b. If it is a matter of sexual abuse of a minor, reporting must be done according to this policy.
3. Clergy, employees and volunteers must hold each other accountable for maintaining the highest ethical and professional standards.

## **Section 3 - Clergy, Employees and Volunteers**

### **Principles & Values**

Clergy, employees and volunteers are to exercise professional caution in all interactions with minors.

Employers and supervisors are to treat clergy, employees and volunteers justly in the day-to-day administrative operations of their ministries.

Clergy, employees and volunteers are to be responsible for their own spiritual, physical, mental and emotional health.

### **Priests and Deacons**

#### **Priests**

In addition to the guidelines and norms on pages 13-14 of this document, "Conduct with Youth," priests are to also follow these norms.

1. Whenever possible, a priest must avoid being alone with a minor, excluding the Sacrament of Reconciliation (normally taking place within the church), counseling and spiritual direction (normally occurring in the professional offices of the church or rectory with an open door or a closed door with a window).
2. Minors are permitted only in the public areas of a rectory and never in the private living quarters of a priest. Clergy, employees and volunteers must not encourage individual minors to stay overnight in a priest's private accommodations or residence. Minors are not permitted in any private residence, cabin, condominium, summer home or other dwelling leased or owned by a priest unless the minor is accompanied by his or her parents or guardians.
3. Pastors/administrators must not have minors employed or volunteering in rectories or parish offices if the situation exists where a minor is alone with an adult.
4. Priests must never accompany minors to movies, sporting events, or other forms of entertainment without at least another adult over the age of 21 present.

5. Priests must never be present in locker rooms or other dressing rooms used by minors without another adult over the age of 21 present. Likewise, priests must never change clothes or shower in facilities that are being used by minors.
6. All youth trips, especially overnight trips, must have a sufficient number of adult chaperones (over the age of 21) who are in full compliance with this policy. (Please refer to the *Diocesan Directory for Catechesis*.) A priest must never be the sole chaperone on any youth trip. When staying overnight with minors, no priest shall sleep in the same bed, sleeping bag, small tent or room, with the exception of large dormitory accommodations (such as those at work camps or on a pilgrimage).
7. Priests who find themselves attracted to minors or who frequently seek their companionship rather than that of adults must seek advice and assistance from the Vicar for Clergy, who may suggest a professional evaluation with a trained psychological expert.
8. Conversations or discussions of a topic of a sexual nature with minors must be limited to the priest's teaching office or made in response to specific questions.
9. Priests must report concerns about suspicious or inappropriate behavior of clergy, employees or volunteers with a minor to the Vicar for Clergy, in addition to following the reporting duties delineated under Ohio law and this policy.
10. With regard to minors within a priests' extended family or in cases where priests may have children, priests must follow these standards of conduct with due discretion, diligence and prudence, adapting those standards which should be adapted because of family relationships.

#### Deacons

1. Permanent Deacons should follow the same standards of conduct as priests with regard to relationships arising out of ministry. With regard to their own family and their own private dwellings, permanent deacons should follow these standards of conduct with due discretion, diligence and prudence, adapting those standards which should be adapted because of family relationship (note that standards 2, 4, and 5 will be the ones most likely where these adaptations must be made).
2. Transitional Deacons are held to the same standards as priests, and must follow these guidelines and norms.

#### **Administration & Authority**

1. Personnel and other administrative decisions made by clergy, employees and volunteers must meet civil and canon law obligations as well as reflect Catholic social teaching and this document.
2. Clergy, employees and volunteers must not use their positions in a way which exceeds or abuses legitimate authority.
3. A child may participate in an organized program sponsored by a parish or institution of the Diocese of Youngstown only with the written consent of the child's parent or guardian. Such consent should provide for emergency care of the child, as warranted by the program or activity.
4. A priest, deacon, religious, employee or volunteer must obtain the written consent of a child's parent or guardian before allowing the child to visit in the adult's home.

### **Well-Being of Clergy, Employees and Volunteers**

1. Clergy, employees and volunteers should be aware of warning signs that indicate potential problems with their own spiritual, physical, mental and/or emotional health.
2. Clergy, employees and volunteers should seek help immediately whenever they notice behavioral or emotional warning signs in their own professional and/or personal lives.
3. Clergy, employees and volunteers should address their own spiritual needs.
4. Clergy, employees and volunteers should be aware of national standards of behavior or codes of conduct that affect specific ministries, such as campus ministry, youth ministry, pastoral care of the sick, etc.

## VI. RESPONSE TO AN ALLEGATION OF CHILD ABUSE

The provisions of this section are intended to assure all persons who bring an allegation of child abuse against a priest, deacon, seminarian, religious, person in formation, diocesan employee or volunteer to the attention of the diocese that the allegation will be addressed promptly.

*“Dioceses 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 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.” (Charter)*

### A. REPORTING

#### 1. Reporting to the Diocese

Persons who feel that they have been a victim of child abuse by a priest, deacon, seminarian, religious, including those in formation, diocesan employee or volunteer, and persons who have reason to suspect that someone they know has been a victim, shall bring the allegation to the diocese. (cf. Ohio Revised Code requirements below)

To report:

- a) phone the assistance coordinator or other diocesan staff member at 330-744-8451
- or-
- b) write to the assistance coordinator or other diocesan staff member at 144 West Wood Street, Youngstown, OH 44503.

Explain the allegation and indicate by what means a response should be given (by phone, by letter, or in a meeting).

The assistance coordinator or other diocesan staff member will:

- a) listen to/read the description of the allegation
- b) describe to the reporter the steps of this diocesan policy
- c) report the allegation to the diocesan bishop, the Vicar for Clergy, the Vicar General, the Review Board and the diocesan attorney.

#### Requirement to Report:

Any person who witnessed an act of child abuse perpetrated by a priest, deacon, seminarian, religious, person in formation, employee or volunteer, or suspects that such an act has occurred or receives a report of such an act, must report the incident immediately. This does not apply to those persons whose knowledge is protected by legal privilege.

The assistance coordinator will notify the bishop, the Vicar General, the Review Board, the diocesan attorney, as well as any other diocesan official or local responsible supervisor who has reason to be aware of the situation, about any incident which has been reported.

#### 2. Reporting to Public Authorities

*“Dioceses are to report an allegation of sexual abuse of a person who is a minor to public authorities. Dioceses 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 are to cooperate with public authorities about reporting in cases when the person is no longer a minor.*

*“In every instance, dioceses are to advise victims of their right to make a report to public authorities and will support this right.” (Charter)*

The Ohio Revised Code (Section 2151.421) requires that any individual, acting in an official or professional capacity, shall report immediately any suspected or actual act of child abuse to the County Children’s Services Board or Agency, (Appendix 1) or to a police officer; anyone else may report suspected or actual abuse. Priests who learn the information through the Seal of Confession are exempt from this reporting requirement according to Canon 983.1 of the Code of Canon Law and according to civil law.

Section 2152.421 provides that anyone participating in good faith in making such a report shall be immune from civil or criminal liability. On the other hand, failure to report, when someone is required to do so, can result in a misdemeanor charge. All such reports to civil authorities are to be recorded in a special log kept in the office of the Vicar for Clergy or the Chancellor’s office.

## **B. PRELIMINARY INQUIRY**

*“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 the person against whom the charge has been made.” (Essential Norms)*

*“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. During the investigation the accused enjoys the presumption of innocence, and all appropriate steps shall be taken to protect his reputation.” (Essential Norms, revised/recognition 1/1/2006)*

Following the report to the assistance coordinator or other diocesan staff member, the diocesan bishop will appoint a member of his staff to conduct a general, preliminary inquiry to be made prior to an investigation. This will include interviews with the alleged victim, the parent(s) or legal guardian(s) of a minor child, the person making the initial report if different from the above, the accused person and any other person who may have knowledge of the situation.

1. The purpose of the inquiry is to respond promptly to an allegation of child abuse in the most just and pastoral manner possible.
2. The inquiry will include:
  - a. Consultation with the diocesan attorney.
  - b. Providing a copy of this policy to the person making the complaint and explanation of the steps the diocese will take.
  - c. Informing the parent(s)/legal guardian(s) of the minor, or the adult making a claim of past abuse, of the obligation to report the allegation and the right to pursue the complaint through civil and criminal authorities or through the procedures established in this policy; and of their right to seek independent legal advice before choosing any of the options available.
  - d. If the parent/guardian or adult victim wishes to pursue civil and/or criminal action, the assistance coordinator will report the decision to the bishop. During the civil and criminal proceedings, the assistance coordinator will continue to monitor the case.
  - e. The assistance coordinator or other diocesan staff member will:
    - 1) Gather information about the allegation;
    - 2) Inform the accused of the procedures under this policy for administering such complaints and his/her right to have legal representatives.
3. Results of the preliminary inquiry will be reported to the bishop and the Review Board.

#### 4. Substantiated Allegation

If the allegation is substantiated, (even if not proven conclusively) the following steps are to be implemented immediately. The local church community will be notified that the accused person has been asked to take a leave of absence.

Additionally:

- a. When the accused is a diocesan priest or deacon:

In addition to removal from ministry, the accused priest or deacon is to undergo a psychological assessment, arranged by the Vicar for Clergy, and approved by the bishop.

- b. When the accused is a Religious:

If the Religious is a diocesan employee, the diocesan policy will be followed. If the Religious is not a diocesan employee, the Vicar for Clergy will explain the diocesan policy to the Superior of the alleged offender, who will be strongly advised to follow all procedures outlined in this policy.

#### 5. Unfounded Allegation

- a. If the name of the accused has been made known publicly, the appropriate diocesan office will issue a statement, in the name of the diocesan bishop and the Review Board, that a false accusation had been made.

- b. The original copy of the report is to be placed in the confidential file at the Chancery. All other copies are to be destroyed. Should the investigator learn later that the civil authorities have substantiated the charge, or if new evidence is uncovered, then the case is to be reopened.

### C. REMOVAL FROM MINISTERIAL DUTIES

*“There is no place in the priesthood or religious life for those who would harm the young.” (Pope John Paul II, quoted in the Charter)*

#### 1. Priests and Deacons

*“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 shall then apply the precautionary measures mentioned in canon 1722 or 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.*

*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.” (Essential Norms)*

- *“Diocesan 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 will be offered therapeutic professional assistance both for the purpose of prevention and also for his own healing and well-being.*
- *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. “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 will supply canonical counsel to a priest.” (Essential Norms)*

- *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.” (Essential Norms)*

*“If the allegation is not proven, every step possible is to be taken to restore his good name, should it have been harmed.” (Charter)*

## 2. Religious

If the accused is a religious, or is in religious formation, the Vicar for Clergy will contact the major Religious Superior to apprise the Superior of the complaint, and explain diocesan policy and procedures.

## 3. Seminarians and Permanent Deacon Candidates

If the accused is a seminarian or a permanent deacon candidate, he will be placed on immediate leave of absence, pending resolution of the complaint.

## 4. Employees

If the accused is an employee of the diocese (not covered above), he/she will be placed on immediate leave of absence with pay. The bishop reserves the right to take further appropriate employment-related action.

## 5. Volunteers

If the accused is a volunteer, he/she is required to immediately cease all voluntary responsibilities, pending resolution.

## SUMMARY:

1. The allegation is reported to the assistance coordinator or other diocesan staff member.
2. The provisions of this policy are explained to the reporter.
3. The allegation is reported to the bishop, the Review Board, the diocesan attorney and civil authorities.
4. The accused is placed on leave of absence pending results of a preliminary inquiry.
5. A preliminary inquiry takes place.
6. If the accusation is found to be credible, the bishop removes the accused from ministerial duties.
7. The diocese assists in providing therapeutic counseling and/or spiritual counseling.

## VII. HEALING AND RECONCILIATION

The Church community, under the leadership of the diocesan bishop or his delegate, must respond expeditiously and with compassion and care to the victim and the victim's family, to the local church community affected, to the larger community and to the offender. The primary objectives of this response are personal and communal healing and the prevention of any further abuse by the offender.

### A. The Victim

*"Each diocese 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 clergy or other church personnel." (Essential Norms/Charter)*

The assistance coordinator will consult with the civil agency which is investigating and responding to the reported incident. The diocese will make reasonable efforts to help victims receive immediate, competent, therapeutic assistance and spiritual support.

### B. The People in Parishes and/or Institutions

When accusations of child abuse by a priest, deacon, religious, employee or volunteer become known, the diocese will serve as a resource to the parish. Parish leaders are encouraged to offer suggestions to the bishop and his staff recommending how healing in the parish or institution can best be achieved. In turn, the bishop and his staff will reach out to the Church community which was being served by the person accused of child abuse.

### C. The Accused

Persons abusing children are exhibiting symptoms of serious psychological problems and/or illness. The diocese is therefore committed to helping provide reasonable and competent specialized therapy.

The diocese will encourage the accused to seek professional treatment, and to consult with their physician, health care provider and legal counsel.

## VIII. THE REVIEW BOARD

*“To assist diocesan bishops, each diocese will also have a review board which will function as a confidential consultative body to the bishop in discharging his responsibilities”. (Essential Norms)*

The functions of the Review Board may include:

- Advise the bishop in his assessment of allegations of sexual abuse of minors and in his determination of suitability for ministry.
- Review of the Diocese of Youngstown Child Protection Policy to ensure that it is consistent with the *Essential Norms* and the *Charter for the Protection of Children and Young People* of the United States Conference of Catholic Bishops and the Code of Canon Law of the Church.
- Offer advice on all aspects of these cases, whether retrospectively or prospectively.
- Suggest other ways in which the Diocese of Youngstown can effectively respond to sexual abuse; to suggest ways in which the Church can be reconciled and healed; and to suggest ways in which the diocese can appropriately relate to the larger community in this matter.

*“The 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 lay persons who are not in the employ of the diocese; but at least one member should be a priest who is an experienced and respected pastor of the diocese 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.” (Essential Norms)*

The membership of the Review Board of the Diocese of Youngstown consists of the persons required by the *Charter* and *Essential Norms*, as well as other persons from the community and of various faiths.

The Vicar for Clergy and the Chancellor will serve as staff resource persons to the Review Board. The Promoter of Justice will be invited to participate in Review Board meetings.

*“It is desirable that the Promoter of Justice participate in the meetings of the review board.” (Essential Norms)*

## **IX. ADDITIONAL DIOCESAN RESPONSIBILITIES**

### **A. Diocesan Central Office**

#### **1. Cooperation with Public Authorities**

Diocesan staff will cooperate with public authorities in their investigations, and will notify the assistance coordinator of these contacts.

#### **2. Resource for Diocesan Parishes, Schools, Institutions**

Diocesan offices, with the assistance of the Review Board, will assist parish, school and institution personnel with their responsibilities in the implementation of the Child Protection Policy of the Diocese of Youngstown.

The Chancery Office will provide all necessary policy booklets, forms, procedures and instructions for personnel.

#### **3. Record Keeping**

The Chancellor will keep complete and accurate records of the proceedings of the Review Board.

A dossier will be filed under the name of an accused person containing all pertinent information relating to the allegations, the status of the accused and any other pertinent information. The diocesan attorney will approve the contents of the dossier before it is placed in the file.

#### **4. Media/Public Relations**

The assistance coordinator will serve as the contact for media/public relations, and will refer requests for media interviews to the appropriate diocesan office.

Notices will be made on a regular basis in the diocesan newspaper and the diocesan newsletter encouraging persons who have been abused, or who know someone who has been abused by a priest, deacon, employee or volunteer of the diocese to contact the Victim Assistance Coordinator.

*“The diocese will develop a communications policy that reflects a commitment to transparency and openness.” (Charter)*

### **B. Parishes, Schools, and Institutions**

The leaders of parishes, schools and institutions of the diocese, especially ordained ministers and professional staff, occupy a critical position in the response to instances of child abuse. It is they who know the victims, their families and the local Church community. It is they who can offer a particularly effective ministry of healing, both short-term and long-term. It is the special responsibility of diocesan staff, along with the pastors, principals, directors of religious education and other administrators, to see that the provisions of this policy are implemented fully and carefully on the local level. It is also incumbent upon these persons and those who work with them to uphold the values enunciated in this policy, to listen well and to provide concrete means for healing. They are to be especially attentive to the pastoral needs of victims and their families.

At the same time, local leaders must recognize that their community is part of a larger Church family. Thus, they must look to the Review Board and appropriate officials of the diocese for guidance and direction and stand ready to offer advice to these persons. Specifically, all contact with the media is to be referred to the assistance coordinator.

A collaborative effort among parish leaders, the Review Board and diocesan officials, and an openness on the part of all involved, will lead to the most effective response to cases of child abuse. Such a response will itself be a powerful means for preventing future cases of child abuse.

**APPENDIX 1**

**GOVERNMENTAL CHILDREN'S SERVICES BOARDS  
IN COUNTIES OF THE DIOCESE OF YOUNGSTOWN**

<b><u>County</u></b>	<b><u>Phone Number</u></b>
Ashtabula	440-998-1811
Columbiana	330-424-7781
Mahoning	330-941-8888
Portage	330-296-2273
Stark	800-233-5437
Trumbull	330-372-2010

Diocese of Youngstown Victim Assistance Coordinator 330-744-8451

## APPENDIX 2

### OHIO REVISED CODE

#### 2151.421 Reporting child abuse or neglect

(A)(1)(a) No person described in division (A)(1)(b) of this section who is acting in an official or professional capacity and knows, or has reasonable cause to suspect based on facts that would cause a reasonable person in a similar position to suspect, that a child under eighteen years of age or a mentally retarded, developmentally disabled, or physically impaired child under twenty-one years of age has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the child shall fail to immediately report that knowledge or reasonable cause to suspect to the entity or persons specified in this division. Except as provided in section 5120.173 of the Revised Code, the person making the report shall make it to the public children services agency or a municipal or county peace officer in the county in which the child resides or in which the abuse or neglect is occurring or has occurred. In the circumstances described in section 5120.173 of the Revised Code, the person making the report shall make it to the entity specified in that section.

(b) Division (A)(1)(a) of this section applies to any person who is an attorney; physician, including a hospital intern or resident; dentist; podiatrist; practitioner of a limited branch of medicine as specified in section 4731.15 of the Revised Code; registered nurse; licensed practical nurse; visiting nurse; other health care professional; licensed psychologist; licensed school psychologist; independent marriage and family therapist or marriage and family therapist; speech pathologist or audiologist; coroner; administrator or employee of a child day-care center; administrator or employee of a residential camp or child day camp; administrator or employee of a certified child care agency or other public or private children services agency; school teacher; school employee; school authority; person engaged in social work or the practice of professional counseling; agent of a county humane society; person, other than a cleric, rendering spiritual treatment through prayer in accordance with the tenets of a well-recognized religion; superintendent, board member, or employee of

a county board of mental retardation; investigative agent contracted with by a county board of mental retardation; employee of the department of mental retardation and developmental disabilities; employee of a facility or home that provides respite care in accordance with section 5123.171 of the Revised Code; employee of a home health agency; employee of an entity that provides homemaker services; a person performing the duties of an assessor pursuant to Chapter 3107. or 5103. of the Revised Code; or third party employed by a public children services agency to assist in providing child or family related services.

(2) Except as provided in division (A)(3) of this section, an attorney or a physician is not required to make a report pursuant to division (A)(1) of this section concerning any communication the attorney or physician receives from a client or patient in an attorney-client or physician-patient relationship, if, in accordance with division (A) or (B) of section 2317.02 of the Revised Code, the attorney or physician could not testify with respect to that communication in a civil or criminal proceeding.

(3) The client or patient in an attorney-client or physician-patient relationship described in division (A)(2) of this section is deemed to have waived any testimonial privilege under division (A) or (B) of section 2317.02 of the Revised Code with respect to any communication the attorney or physician receives from the client or patient in that attorney-client or physician-patient relationship, and the attorney or physician shall make a report pursuant to division (A)(1) of this section with respect to that communication, if all of the following apply:

(a) The client or patient, at the time of the communication, is either a child under eighteen years of age or a mentally retarded, developmentally disabled, or physically impaired person under twenty-one years of age.

(b) The attorney or physician knows, or has reasonable cause to suspect based on facts that would cause a reasonable person in similar

position to suspect, as a result of the communication or any observations made during that communication, that the client or patient has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the client or patient.

(c) The abuse or neglect does not arise out of the client's or patient's attempt to have an abortion without the notification of her parents, guardian, or custodian in accordance with section 2151.85 of the Revised Code.

(4)(a) No cleric and no person, other than a volunteer, designated by any church, religious society, or faith acting as a leader, official, or delegate on behalf of the church, religious society, or faith who is acting in an official or professional capacity, who knows, or has reasonable cause to believe based on facts that would cause a reasonable person in a similar position to believe, that a child under eighteen years of age or a mentally retarded, developmentally disabled, or physically impaired child under twenty-one years of age has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the child, and who knows, or has reasonable cause to believe based on facts that would cause a reasonable person in a similar position to believe, that another cleric or another person, other than a volunteer, designated by a church, religious society, or faith acting as a leader, official, or delegate on behalf of the church, religious society, or faith caused, or poses the threat of causing, the wound, injury, disability, or condition that reasonably indicates abuse or neglect shall fail to immediately report that knowledge or reasonable cause to believe to the entity or persons specified in this division. Except as provided in section 5120.173 of the Revised Code, the person making the report shall make it to the public children services agency or a municipal or county peace officer in the county in which the child resides or in which the abuse or neglect is occurring or has occurred. In the circumstances described in section 5120.173 of the Revised Code, the person making the report shall make it to the entity specified in that section.

(b) Except as provided in division (A)(4)(c) of this section, a cleric is not required to make a report pursuant to division (A)(4)(a) of this

section concerning any communication the cleric receives from a penitent in a cleric-penitent relationship, if, in accordance with division (C) of section 2317.02 of the Revised Code, the cleric could not testify with respect to that communication in a civil or criminal proceeding.

(c) The penitent in a cleric-penitent relationship described in division (A)(4)(b) of this section is deemed to have waived any testimonial privilege under division (C) of section 2317.02 of the Revised Code with respect to any communication the cleric receives from the penitent in that cleric-penitent relationship, and the cleric shall make a report pursuant to division (A)(4)(a) of this section with respect to that communication, if all of the following apply:

(i) The penitent, at the time of the communication, is either a child under eighteen years of age or a mentally retarded, developmentally disabled, or physically impaired person under twenty-one years of age.

(ii) The cleric knows, or has reasonable cause to believe based on facts that would cause a reasonable person in a similar position to believe, as a result of the communication or any observations made during that communication, the penitent has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the penitent.

(iii) The abuse or neglect does not arise out of the penitent's attempt to have an abortion performed upon a child under eighteen years of age or upon a mentally retarded, developmentally disabled, or physically impaired person under twenty-one years of age without the notification of her parents, guardian, or custodian in accordance with section 2151.85 of the Revised Code.

(d) Divisions (A)(4)(a) and (c) of this section do not apply in a cleric-penitent relationship when the disclosure of any communication the cleric receives from the penitent is in violation of the sacred trust.

(e) As used in divisions (A)(1) and (4) of this section, "cleric" and "sacred trust" have the same meanings as in section 2317.02 of the Revised Code.

(B) Anyone who knows, or has reasonable cause to suspect based on facts that would cause a reasonable person in similar circumstances to suspect, that a child under eighteen years of age or a mentally retarded, developmentally disabled, or physically impaired person under twenty-one years of age has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or other condition of a nature that reasonably indicates abuse or neglect of the child may report or cause reports to be made of that knowledge or reasonable cause to suspect to the entity or persons specified in this division. Except as provided in section 5120.173 of the Revised Code, a person making a report or causing a report to be made under this division shall make it or cause it to be made to the public children services agency or to a municipal or county peace officer. In the circumstances described in section 5120.173 of the Revised Code, a person making a report or causing a report to be made under this division shall make it or cause it to be made to the entity specified in that section.

(C) Any report made pursuant to division (A) or (B) of this section shall be made forthwith either by telephone or in person and shall be followed by a written report, if requested by the receiving agency or officer. The written report shall contain:

(1) The names and addresses of the child and the child's parents or the person or persons having custody of the child, if known;

(2) The child's age and the nature and extent of the child's injuries, abuse, or neglect that is known or reasonably suspected or believed, as applicable, to have occurred or of the threat of injury, abuse, or neglect that is known or reasonably suspected or believed, as applicable, to exist, including any evidence of previous injuries, abuse, or neglect;

(3) Any other information that might be helpful in establishing the cause of the injury, abuse, or neglect that is known or reasonably suspected or believed, as applicable, to have occurred or of the threat of injury, abuse, or neglect that is known or reasonably suspected or believed, as applicable, to exist.

Any person, who is required by division (A) of this section to report child abuse or child neglect that is known or reasonably suspected or

believed to have occurred, may take or cause to be taken color photographs of areas of trauma visible on a child and, if medically indicated, cause to be performed radiological examinations of the child.

(D) As used in this division, "children's advocacy center" and "sexual abuse of a child" have the same meanings as in section 2151.425 of the Revised Code.

(1) When a municipal or county peace officer receives a report concerning the possible abuse or neglect of a child or the possible threat of abuse or neglect of a child, upon receipt of the report, the municipal or county peace officer who receives the report shall refer the report to the appropriate public children services agency.

(2) When a public children services agency receives a report pursuant to this division or division (A) or (B) of this section, upon receipt of the report, the public children services agency shall do both of the following:

(a) Comply with section 2151.422 of the Revised Code;

(b) If the county served by the agency is also served by a children's advocacy center and the report alleges sexual abuse of a child or another type of abuse of a child that is specified in the memorandum of understanding that creates the center as being within the center's jurisdiction, comply regarding the report with the protocol and procedures for referrals and investigations, with the coordinating activities, and with the authority or responsibility for performing or providing functions, activities, and services stipulated in the interagency agreement entered into under section 2151.428 of the Revised Code relative to that center.

(E) No township, municipal, or county peace officer shall remove a child about whom a report is made pursuant to this section from the child's parents, stepparents, or guardian or any other persons having custody of the child without consultation with the public children services agency, unless, in the judgment of the officer, and, if the report was made by physician, the physician, immediate removal is considered essential to protect the child from further abuse or neglect. The agency that must be consulted shall be the agency conducting the investigation of the report as determined pursuant to section 2151.422 of the Revised Code.

(F)(1) Except as provided in section 2151.422 of the Revised Code or in an interagency agreement entered into under section 2151.428 of the Revised Code that applies to the particular report, the public children services agency shall investigate, within twenty-four hours, each report of child abuse or child neglect that is known or reasonably suspected or believed to have occurred and of a threat of child abuse or child neglect that is known or reasonably suspected or believed to exist that is referred to it under this section to determine the circumstances surrounding the injuries, abuse, or neglect or the threat of injury, abuse, or neglect, the cause of the injuries, abuse, neglect, or threat, and the person or persons responsible. The investigation shall be made in cooperation with the law enforcement agency and in accordance with the memorandum of understanding prepared under division (J) of this section. A representative of the public children services agency shall, at the time of initial contact with the person subject to the investigation, inform the person of the specific complaints or allegations made against the person. The information shall be given in a manner that is consistent with division (H)(1) of this section and protects the rights of the person making the report under this section.

A failure to make the investigation in accordance with the memorandum is not grounds for, and shall not result in, the dismissal of any charges or complaint arising from the report or the suppression of any evidence obtained as a result of the report and does not give, and shall not be construed as giving, any rights or any grounds for appeal or post-conviction relief to any person. The public children services agency shall report each case the uniform statewide automated child welfare information system that the department of job and family services shall maintain in accordance with section 5101.13 of the Revised Code. The public children services agency shall submit a report of its investigation, in writing, to the law enforcement agency.

(2) The public children services agency shall make any recommendations to the county prosecuting attorney or city director of law that it considers necessary to protect any children that are brought to its attention.

(G)(1)(a) Except as provided in division (H)(3) of this section, anyone or any hospital, institution, school, health department, or agency participating in the making of reports under

division (A) of this section, anyone or any hospital, institution, school, health department, or agency participating in good faith in the making of reports under division (B) of this section, and anyone participating in good faith in a judicial proceeding resulting from the reports, shall be immune from any civil or criminal liability for injury, death, or loss to person or property that otherwise might be incurred or imposed as a result of the making of the reports or the participation in the judicial proceeding.

(b) Notwithstanding section 4731.22 of the Revised Code, the physician-patient privilege shall not be a ground for excluding evidence regarding a child's injuries, abuse, or neglect, or the cause of the injuries, abuse, or neglect in any judicial proceeding resulting from a report submitted pursuant to this section.

(2) In any civil or criminal action or proceeding in which it is alleged and proved that participation in the making of a report under this section was not in good faith or participation in a judicial proceeding resulting from a report made under this section was not in good faith, the court shall award the prevailing party reasonable attorney's fees and costs and, if a civil action or proceeding is voluntarily dismissed, may award reasonable attorney's fees and costs to the party against whom the civil action or proceeding is brought.

(H)(1) Except as provided in divisions (H)(4) and (M) of this section, a report made under this section is confidential. The information provided in a report made pursuant to this section and the name of the person who made the report shall not be released for use, and shall not be used, as evidence in any civil action or proceeding brought against the person who made the report. In a criminal proceeding, the report is admissible in evidence in accordance with the Rules of Evidence and is subject to discovery in accordance with the Rules of Criminal Procedure.

(2) No person shall permit or encourage the unauthorized dissemination of the contents of any report made under this section.

(3) A person who knowingly makes or causes another person to make a false report under division (B) of this section that alleges that any person has committed an act or omission that resulted in a child being an abused child or a neglected child is guilty of a violation of section 2921.14 of the Revised Code.

(4) If a report is made pursuant to division (A) or (B) of this section and the child who is the subject of the report dies for any reason at any time after the report is made, but before the child attains eighteen years of age, the public children services agency or municipal or county peace officer to which the report was made or referred, on the request of the child fatality review board, shall submit a summary sheet of information providing a summary of the report to the review board of the county in which the deceased child resided at the time of death. On the request of the review board, the agency or peace officer may, at its discretion, make the report available to the review board. If the county served by the public children services agency is also served by a children's advocacy center and the report of alleged sexual abuse of a child or another type of abuse of a child is specified in the memorandum of understanding that creates the center as being within the center's jurisdiction, the agency or center shall perform the duties and functions specified in this division in accordance with the interagency agreement entered into under section 2151.428 of the Revised Code relative to that advocacy center.

(5) A public children services agency shall advise a person alleged to have inflicted abuse or neglect on a child who is the subject of a report made pursuant to this section, including a report alleging sexual abuse of a child or another type of abuse of a child referred to a children's advocacy center pursuant to an interagency agreement entered into under section 2151.428 of the Revised Code, in writing of the disposition of the investigation. The agency shall not provide to the person any information that identifies the person who made the report, statements of witnesses, or police or other investigative reports.

(I) Any report that is required by this section, other than a report that is made to the state highway patrol as described in section 5120.173 of the Revised Code, shall result in protective services and emergency supportive services being made available by the public children services agency on behalf of the children about whom the report is made, in an effort to prevent further neglect or abuse, to enhance their welfare, and, whenever possible, to preserve the family unit intact. The agency required to provide the services shall be the agency conducting the investigation of the report pursuant to section 2151.422 of the Revised Code.

(J)(1) Each public children services agency shall prepare a memorandum of understanding that is signed by all of the following:

(a) If there is only one juvenile judge in the county, the juvenile judge of the county or the juvenile judge's representative;

(b) If there is more than one juvenile judge in the county, a juvenile judge or the juvenile judges' representative selected by the juvenile judges or, if they are unable to do so for any reason, the juvenile judge who is senior in point of service or the senior juvenile judge's representative;

(c) The county peace officer;

(d) All chief municipal peace officers within the county;

(e) Other law enforcement officers handling child abuse and neglect cases in the county;

(f) The prosecuting attorney of the county;

(g) If the public children services agency is not the county department of job and family services, the county department of job and family services;

(h) The county humane society;

(i) If the public children services agency participated in the execution of a memorandum of understanding under section 2151.426 of the Revised Code establishing a children's advocacy center, each participating member of the children's advocacy center established by the memorandum.

(2) A memorandum of understanding shall set forth the normal operating procedure to be employed by all concerned officials in the execution of their respective responsibilities under this section and division (C) of section 2919.21, division (B)(1) of section 2919.22, division (B) of section 2919.23, and section 2919.24 of the Revised Code and shall have as two of its primary goals the elimination of all unnecessary interviews of children who are the subject of reports made pursuant to division (A) or (B) of this section and, when feasible, providing for only one interview of a child who is the subject of any report made pursuant to division (A) or (B) of this section. A failure to follow the procedure set forth in the

memorandum by the concerned officials is not grounds for, and shall not result in, the dismissal of any charges or complaint arising from any reported case of abuse or neglect or the suppression of any evidence obtained as a result of any reported child abuse or child neglect and does not give, and shall not be construed as giving, any rights or any grounds for appeal or post-conviction relief to any person.

(3) A memorandum of understanding shall include all of the following:

(a) The roles and responsibilities for handling emergency and nonemergency cases of abuse and neglect;

(b) Standards and procedures to be used in handling and coordinating investigations of reported cases of child abuse and reported cases of child neglect, methods to be used in interviewing the child who is the subject of the report and who allegedly was abused or neglected, and standards and procedures addressing the categories of persons who may interview the child who is the subject of the report and who allegedly was abused or neglected.

(4) If a public children services agency participated in the execution of a memorandum of understanding under section 2151.426 of the Revised Code establishing a children's advocacy center, the agency shall incorporate the contents of that memorandum in the memorandum prepared pursuant to this section.

(K)(1) Except as provided in division (K)(4) of this section, a person who is required to make a report pursuant to division (A) of this section may make a reasonable number of requests of the public children services agency that receives or is referred the report, or of the children's advocacy center that is referred the report if the report is referred to a children's advocacy center pursuant to an interagency agreement entered into under section 2151.428 of the Revised Code, to be provided with the following information:

(a) Whether the agency or center has initiated an investigation of the report;

(b) Whether the agency or center is continuing to investigate the report;

(c) Whether the agency or center is otherwise involved with the child who is the subject of the report;

(d) The general status of the health and safety of the child who is the subject of the report;

(e) Whether the report has resulted in the filing of a complaint in juvenile court or of criminal charges in another court.

(2) A person may request the information specified in division (K)(1) of this section only if, at the time the report is made, the person's name, address, and telephone number are provided to the person who receives the report.

When a municipal or county peace officer or employee of a public children services agency receives a report pursuant to division (A) or (B) of this section the recipient of the report shall inform the person of the right to request the information described in division (K)(1) of this section. The recipient of the report shall include in the initial child abuse or child neglect report that the person making the report was so informed and, if provided at the time of the making of the report, shall include the person's name, address, and telephone number in the report.

Each request is subject to verification of the identity of the person making the report. If that person's identity is verified, the agency shall provide the person with the information described in division (K)(1) of this section a reasonable number of times, except that the agency shall not disclose any confidential information regarding the child who is the subject of the report other than the information described in those divisions.

(3) A request made pursuant to division (K)(1) of this section is not a substitute for any report required to be made pursuant to division (A) of this section.

(4) If an agency other than the agency that received or was referred the report is conducting the investigation of the report pursuant to section 2151.422 of the Revised Code, the agency conducting the investigation shall comply with the requirements of division (K) of this section.

(L) The director of job and family services shall adopt rules in accordance with Chapter 119. of the Revised Code to implement this section. The department of job and family services may enter into a plan of cooperation with any other governmental entity to aid in ensuring that children are protected from abuse and neglect. The department shall make recommendations to the attorney general that the department determines are necessary to protect children from child abuse and child neglect.

(M)(1) As used in this division:

(a) "Out-of-home care" includes a nonchartered nonpublic school if the alleged child abuse or child neglect, or alleged threat of child abuse or child neglect, described in a report received by a public children services agency allegedly occurred in or involved the nonchartered nonpublic school and the alleged perpetrator named in the report holds a certificate, permit, or license issued by the state board of education under section 3301.071 or Chapter 3319. of the Revised Code.

(b) "Administrator, director, or other chief administrative officer" means the superintendent of the school district if the out-of-home care entity subject to a report made pursuant to this section is a school operated by the district.

(2) No later than the end of the day following the day on which a public children services agency receives a report of alleged child abuse or child neglect, or a report of an alleged threat of child abuse or child neglect, that allegedly occurred in or involved an out-of-home care entity, the agency shall provide written notice of the allegations contained in and the person named as the alleged perpetrator in the report to the administrator, director, or other chief

administrative officer of the out-of-home care entity that is the subject of the report unless the administrator, director, or other chief administrative officer is named as an alleged perpetrator in the report. If the administrator, director, or other chief administrative officer of an out-of-home care entity is named as an alleged perpetrator in a report of alleged child abuse or child neglect, or a report of an alleged threat of child abuse or child neglect, that allegedly occurred in or involved the out-of-home care entity, the agency shall provide the written notice to the owner or governing board of the out-of-home care entity that is the subject of the report. The agency shall not provide witness statements or police or other investigative reports.

(3) No later than three days after the day on which a public children services agency that conducted the investigation as determined pursuant to section 2151.422 of the Revised Code makes a disposition of an investigation involving a report of alleged child abuse or child neglect, or a report of an alleged threat of child abuse or child neglect, that allegedly occurred in or involved an out-of-home care entity, the agency shall send written notice of the disposition of the investigation to the administrator, director, or other chief administrative officer and the owner or governing board of the out-of-home care entity. The agency shall not provide witness statements or police or other investigative reports.

Effective Date: 01-30-2004; 09-16-2004; 04-11-2005; 05-06-2005; 08-03-2006; 09-21-2006

For the complete text of the Ohio Revised Code, go to [codes.oh.gov.org](http://codes.oh.gov.org)

**APPENDIX 3**

**MODEL FOR A LETTER/STATEMENT  
ON THE SUITABILITY OF A RELIGIOUS  
OR A NONINCARDINATED PRIEST  
SEEKING EMPLOYMENT OR ASSIGNMENT  
IN THE DIOCESE OF YOUNGSTOWN**

Dear (Receiving Bishop or Major Superior),

Under the guidelines proposed by the United States Conference of Catholic Bishops, Conference of Major Superiors of Men, Leadership Conference of Women Religious and Council of Major Superiors of Women Religious and the policies of this (arch)diocese/religious institute, I certify the suitability of **(name)**, a member in good standing of this religious institute **(institute)** a cleric in good standing of this (arch)diocese for assignment as **(assignment)** in (Diocese or work or religious institute).

The reason that **(name)** is being proposed for this assignment is **(reason)**. For this ministry **(ministry)**, he/she possesses these special talents or experiences: **(talents or experiences)**. I expect that he/she will serve temporarily or for **(number)** years. (Seek a permanent position/membership in your diocese/institute).

Furthermore, I have carefully reviewed our personnel and other records which we maintain, and I have consulted with some who served with him/her in the works he/she has been assigned under our authority. Based on these inquiries, I am able to the best of my ability assure you that **(name)** is a person of good moral character and reputation and is qualified to serve in an effective and suitable manner in your diocese/institution. In addition, also based on inquiry and to the best of my knowledge, I assure you that nothing in his/her background in any way would limit or disqualify him/her from this assignment.

I hereby grant him/her permission to seek to exercise the proposed assignment.

A curriculum vitae including name, date of birth, place and date of profession of vows/ordination; place(s) and date(s) of formation/seminary studies; and previous assignment(s) is enclosed.

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Signature

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Date

**APPENDIX 4**

**AUTHORIZATION AND VERIFICATION**

I hereby attest and certify that I have never been convicted of nor pled guilty to: any offense specified in Ohio Revised Code section 109.572 (A) (1); child abuse in violation of section 2919.24; endangering children in violation of section 2907.04; gross sexual imposition in violation of section 2907.05; sexual imposition in violation of section 2907.06; importuning in violation of section 2907.07; voyeurism in violation of section 2907.08; public indecency in violation of section 2907.09; any offense of violence, or any existing or former offense of any municipal corporation, this state, any other state of the United States that is substantially equivalent to any of the above offenses. (If you have been convicted or pled guilty to any of the above offenses, please explain the circumstances thereof on a separate sheet.)

I further certify that I have never been discharged from employment or a volunteer position because of any activity covered by the foregoing statutes.

I hereby authorize any present or former employer, person, firm, corporation or government agency to answer any and all questions and to release or provide any information within their knowledge or records. With regard to my medical and/or psychological records, I authorize any physician or health care provider to release any information pertaining to my involvement in child abuse or sexual exploitation of other persons, including children. I agree to hold any and all persons harmless and free of any liability for releasing any information that is within their knowledge and records. I further authorize the Diocese of Youngstown to conduct a background check of criminal records and agree that I will provide my fingerprints for this purpose, and that I will fully cooperate in providing all information and signing all documents necessary to conduct such a check.

- 1. Have you ever abused or sexually exploited a child?  
Yes \_\_\_\_\_ No \_\_\_\_\_
  
- 2. Has any civil or criminal complaint or any other written complaint ever been made against you relating to child abuse or exploitation?  
Yes \_\_\_\_\_ No \_\_\_\_\_
  
- 3. Have you ever been arrested or convicted of a crime of child abuse or exploitation, or any other felony?  
Yes \_\_\_\_\_ No \_\_\_\_\_
  
- 4. Have you ever terminated your employment or volunteer service or had your employment or volunteer service terminated for reasons relating to allegations or civil or criminal complaints of child abuse or exploitation against you?  
Yes \_\_\_\_\_ No \_\_\_\_\_
  
- 5. Have you ever received any medical or psychological treatment, including counseling, involving your abuse of children or sexual exploitation of other persons including children?  
Yes \_\_\_\_\_ No \_\_\_\_\_

If you answer "yes" to any of the above five questions please provide additional information on a separate sheet. If you have additional questions contact the Chancellor at 330-744-8451.

I hereby attest and certify that the above information provided by me is true and correct to the best of my knowledge. I understand that misrepresentations or omissions may disqualify my application or result in my immediate dismissal.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_ Witness \_\_\_\_\_

Address \_\_\_\_\_

Email Address \_\_\_\_\_ Phone \_\_\_\_\_

**APPENDIX 5**  
**ACKNOWLEDGEMENT**

I hereby acknowledge that I have received a copy of the Child Protection Policy of the Diocese of Youngstown, that I have read it, understand its meaning and agree to conduct myself in accordance with the policy. I have also personally read and completed the Authorization and Verification, Appendix 4.

I understand that if I work with children I am required to provide my fingerprints through the Webcheck process in order to receive a background check through the Ohio Bureau of Criminal Identification and Investigation, and that I am required to participate in the in-service training, Treasured Gifts from God.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_

Address \_\_\_\_\_

Email Address \_\_\_\_\_ Phone \_\_\_\_\_

Parish or School (and city) \_\_\_\_\_

Position or Ministry \_\_\_\_\_

NOTE: Priests, Deacons, Religious, Employees and Volunteers who are fully compliant with the 2003 *Child Protection Policy* and the 2007 *Standards of Ministerial Behavior* are considered compliant with this 2008 *Child Protection Policy*. It is not necessary for these persons to sign this Acknowledgement nor the Authorization and Verification (Appendix 4).

Persons new to ministry as of June 15, 2008, must sign both the Authorization and Verification (Appendix 4) and this Acknowledgement, and submit it to their pastor, principal, DRE or other supervisor.

## RELATED LINKS and INFORMATION

UNITED STATES CONFERENCE OF CATHOLIC BISHOPS  
3211 Fourth Street, NE, Washington, DC 20017-1194

[www.usccb.org](http://www.usccb.org)

USCCB Secretariat of Child and Youth Protection

Email: [ocyp@usccb.org](mailto:ocyp@usccb.org)

Charter for the Protection of Children and Young People

[www.usccb.org/charter.shtml](http://www.usccb.org/charter.shtml)

Essential Norms

[www.usccb.org/norms.shtml](http://www.usccb.org/norms.shtml)

Ohio Revised Code

[codes.oh.gov.org](http://codes.oh.gov.org)

Diocese of Youngstown

[www.cathdoy.org](http://www.cathdoy.org)

Diocese of Youngstown Victim Assistance Coordinator

[Nancy Yuhasz 330-744-8451, ext. 235](tel:330-744-8451)  
[nyuhasz@youngstowndiocese.org](mailto:nyuhasz@youngstowndiocese.org)

