



CATHOLIC DIOCESE OF YOUNGSTOWN

BYLAWS OF THE REVIEW BOARD

INTRODUCTION

The Review Board of the Catholic Diocese of Youngstown is established under the *Charter for the Protection of Children and Young People* and the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegation of Sexual Abuse of Minors by Priests or Deacons*, as published by the United States Conference of Catholic Bishops. The functions of this board may include **a)** advising the diocesan bishop in his assessment of allegations of the sexual abuse of children or vulnerable adults and in his determination of suitability for ministry; **b)** reviewing diocesan policies for dealing with sexual abuse of children or vulnerable adults; and **c)** offering advice on all aspects of these cases, whether retrospectively or prospectively (*Essential Norms 4*).

SECTION 1 Membership and Tenure

- 1.1 The Bishop of Youngstown (“Bishop”), or his legal equivalent, shall appoint the members of the Review Board.
- 1.2 The Bishop shall fill all vacancies on the Review Board.
- 1.3 The Bishop may remove any member of the Review Board on his own initiative or at the request of the Chairperson.
- 1.4 A Review Board member shall be appointed for a term of five years, which can be renewed once (*Essential Norms 5*).
- 1.5 Review Board members should attend all scheduled meetings. A Review Board member who fails to attend a minimum of 75% of the scheduled meetings in a calendar year may be removed by the Bishop on his own initiative or at the request of the Chairperson.
- 1.6 Review Board members whose terms have expired should continue to serve until a successor is appointed and available to serve.

- 1.7 Review Board members shall serve without compensation, but may be reimbursed for expenses incurred in the course of their duties in accordance with applicable Diocesan policy.
- 1.8 The Review Board shall be composed of at least five (5) persons of outstanding integrity and good judgement (*Essential Norms 5*).
- 1.9 The Review Board shall consist of the following members:
- a) The majority of the review board members shall be lay persons who are not in the employ of the diocese (*Essential Norms 5*).
 - b) At least five of the Review Board members shall be in full communion with the Catholic Church (*Essential Norms 5*).
 - c) One member of the review board shall be a priest who is an experienced and respected pastor of the diocese (*Essential Norms 5*).
 - d) At least one member of the review board shall have particular expertise in the treatment of the sexual abuse of children (*Essential Norms 5*).
 - e) At least one member of the Review Board shall be of a different faith (*Safe Environment Policy 4.1.3*).
 - g) When possible, one member should be a survivor of sexual abuse, or a parent of a survivor of sexual abuse.
- 1.10 The Promoter of Justice shall be invited to participate in Review Board meetings (*Essential Norms 5*).
- 1.11 The Review Board shall consist of the following *ex officio* members, who shall serve as resource persons to the Review Board: Chancellor, Vicar for Clergy, Safe Environment Coordinator, and Victim Assistance Coordinator (*Safe Environment Policy 4.1.4*).
- 1.12 The Safe Environment Coordinator shall keep complete and accurate records of the proceedings of the Review Board (*Safe Environment Policy 4.1.6*).

SECTION 2

Officers

- 2.1 Annually the Review Board shall select one (1) member to serve as its Chairperson.
- 2.2 Members are eligible for reelection without limitation.
- 2.3 The Chairperson is elected by majority vote of the members.

- 2.4 The Chairperson shall act as a spokesperson for the Review Board and preside over the meetings of the Review Board.
- 2.5 The Chairperson and Safe Environment Coordinator shall draft the agenda for each meeting of the Review Board.
- 2.6 The Safe Environment Coordinator shall serve as the Secretary for the Review Board.
- 2.7 The Secretary shall provide for a written record of all meetings. The Secretary shall prepare the minutes for each meeting of the Review Board.
- 2.8 If the Chairperson is absent, the members present shall elect a member to preside over the meeting.

**SECTION 3
Operating Procedures**

- 3.1 The Review Board shall meet biannually and whenever necessary at the call of the Safe Environment Coordinator.
- 3.2 The fiscal year of the Review Board shall be from July 1 through June 30.
- 3.3 A quorum of the Review Board shall consist of two-thirds of the membership.
- 3.4 All records of the Review Board shall be kept by the Safe Environment Coordinator in a secure location at the Diocesan offices.
- 3.5 Deliberation of matters before the Review Board shall be primarily and preferentially by discussion, and actions of the Review Board shall be taken by consensus of the members. If consensus is not reached, a matter presented to the Review Board shall be decided by vote, with each member having one vote, and a majority of the votes of the members present shall control.
- 3.6 The actions taken by the Review Board shall be formalized in minutes, which shall be prepared under authority of the Secretary.
- 3.7 All deliberation and actions taken by the Review Board shall be confidential.
- 3.8 The Review Board shall act as one body and members shall not investigate allegations or disclose information individually.

**SECTION 4
Assessing Allegations**

- 4.1 When an allegation is referred to the Review Board, the following procedures will be observed:

- a) The Safe Environment Coordinator shall call a meeting of the Review Board.
- b) The Safe Environment Coordinator, or another person designated by the Chancellor, shall present the allegations to the Review Board. The information presented to the Review Board may include any written statements presented by the alleged victim, the accused, or any other persons involved.
- c) The accused is to be accorded the presumption of innocence during the investigation of the allegation and all appropriate steps are to be taken to protect his or her reputation (*Charter, Article 5*).
- d) The Review Board may request information in addition to the information presented by the Safe Environment Coordinator. The additional information may consist of written materials or statements, and may include a personal appearance by the alleged victim, the accused, or any other person involved. The Chairperson shall request that the Victim Assistance Coordinator invite the person to the Review Board meeting.
 - i) A meeting with the alleged victim is at the invitation of the Victim Assistance Coordinator, who shall notify the alleged victim that he/she has the right to decline the invitation, or to invite any witnesses or produce any other evidence to substantiate their allegations.
 - ii) A meeting with a witness or other person having relevant information is at the invitation of the Victim Assistance Coordinator, who shall notify the person that he/she has the right to decline the invitation.
 - iii) A meeting with the accused person is at the invitation of the Victim Assistance Coordinator, who shall notify the accused that he/she has the right to decline the invitation, or to invite any witnesses or produce any other evidence to refute or respond to the allegations.
 - iv) The parties will be informed of their right to services of a canonical adviser and the Review Board will make one available if the person so desires.
 - v) No parties to the review process may be represented by a civil attorney in any meetings with the Review Board.
- d) After receipt of all information determined necessary by the Review Board, the members will make a recommendation to the Bishop stating the determination of the Review Board as to the allegations presented. If applicable, this recommendation shall include a note of any dissenting members.
 - i) An allegation is determined to be credible by a two-thirds majority of participating members.

ii) All members of the Board who participated in the deliberation will be listed in the report. Any dissensions will be noted.

iii) The report to the Bishop is confidential.

4.2 Upon receipt of the recommendation, the Bishop may accept or reject the recommendation of the Review Board.

SECTION 5

Assessing Fitness for Ministry

5.1 In the event that sexual abuse, or any other inappropriate action, is admitted or established, the Bishop may request the Review Board to assist the Bishop in assessing the fitness for ministry of the accused.

5.2 In the event that a person is seeking an exception to section 1.2.2 of the *Safe Environment Policy*, the Review Board may be asked to review the request and make a recommendation.

SECTION 6

Assessing Policies and Procedures

6.1 The policies and procedures of the Diocese shall be subject to review and modification by the Bishop, if appropriate or necessary. Any proposed amendments may be presented to the Review Board for consideration prior to adoption by the Bishop, and the Review Board shall provide the Bishop with any comments as to the proposed amendments.

6.2 The Review Board shall make a full review of the current policies and procedures of the Diocese at least one each fiscal year. The Review Board shall recommend to the Bishop any modification which the Review Board determines to be appropriate to ensure that the policies and procedures are in full compliance with the *Charter, Essential Norms*, and *Safe Environment Policy*.