



CATHOLIC DIOCESE
— OF YOUNGSTOWN —

SAFE ENVIRONMENT POLICY

**FOR THE PROTECTION OF
CHILDREN, YOUNG PEOPLE, AND
VULNERABLE ADULTS**

INCLUDES

STANDARDS OF MINISTERIAL BEHAVIOR

(CONTAINS SEXUAL HARASSMENT POLICY)

**Promulgated August 1, 2020
Revised and Amended April 30, 2024**

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DIOCESE OF YOUNGSTOWN

David J. Bonnar

By the Grace of God and the Apostolic See
BISHOP OF YOUNGSTOWN

DECREE

By virtue of this decree, I hereby promulgate as particular law for the Diocese of Youngstown, the revised and amended edition of the *Safe Environment Policy for the Protection of Children, Young People, and Vulnerable Adults*, effective immediately. This *Policy* supersedes any existing policies in the diocese that deal with the issues of child protection and/or safe environments, insofar as they are not in conformity with this *Policy*.

Our revised and amended *Safe Environment Policy* remains in conformity with the *Charter* and the *Essential Norms* of the USCCB, as well as the *Ohio Revised Code*. This revised and amended edition was reviewed and recommended by the Diocesan Review Board and diocesan legal counsel.

This *Policy* requires that adults and children be instructed about ways to sustain and foster a safe environment through age-appropriate learning objectives. The adult curriculum will consist of the VIRTUS program, including the initial training entitled "Protecting God's Children," as well as continuing education modules. The children's curriculum is intended to supplement the information received in school in accord with the requirements of the State of Ohio. The curricula of our Catholic schools and religious education programs shall contain learning objectives intended to protect children from abuse, while also stressing the importance of personal health and development, and the teachings of the gospel with respect to human sexuality and morality.

I share Pope Francis' "conviction that everything possible must be done to rid the Church of the scourge of the sexual abuse of minors and to open pathways of reconciliation and healing for those who were abused." With a continued emphasis on education, screening, and reporting, our diocese remains dedicated to creating and maintaining a safe environment. We, as the Body of Christ, also renew our commitment to pastorally respond to victims/survivors and their families. In addition to the healing and caring presence of Jesus, we must also bring a commitment to the justice of the Gospel. As noted in the *Charter*, St. John Paul II said that the sexual abuse of young people is "by every standard wrong and rightly considered a crime by society; it is also an appalling sin in the eyes of God," and as a result, "there is no place in the priesthood or religious life for those who would harm the young." I strongly encourage anyone who has suffered or witnessed abuse perpetrated by representatives of the Church to immediately contact local authorities and the diocesan Victim Assistance Coordinator.

I pray that all may be one in working together to maintain a safe environment for our children, young people, and vulnerable adults, and that the Lord will bless our commitment to healing and justice.

Given at Youngstown, OH, this 30th day of April 2024.

Most Reverend David J. Bonnar
Bishop of Youngstown

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 the provisions of those documents. The *Charter* was revised by the USCCB in 2005. In 2007, the *Standards of Ministerial Behavior* were promulgated by the diocese and included in the 2008 revision of the *Child Protection Policy*. The *Charter* was again revised in 2018 by the USCCB. In light of these revisions to the *Charter* and considering the desire for a diocesan policy for those who minister to vulnerable adults, the 2008 *Child Protection Policy* was revised and renamed the *Safe Environment Policy* on August 1, 2020. The revised and amended edition of the *Safe Environment Policy for the Protection of Children, Young People, and Vulnerable Adults*, was promulgated on April 30, 2024.

The purpose of this policy is to protect children, young people, and vulnerable adults in our diocese from potential abusers, and to clarify the diocesan response in cases of alleged or actual sexual abuse. Although this policy is primarily focused on sexual abuse, other forms of abuse, such as physical, mental, verbal, and psychological abuse, should also be reported. The parents and guardians who entrust their families 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 children and/or vulnerable adults. By the actions required in this policy, “*We now re-affirm that we will assist in the healing of those who have been injured, will do all in our power to protect children and young people, and will work with our clergy, religious, and laity to restore trust and harmony in our faith communities...*” (*Charter*, Preamble). The healing and caring presence of Jesus must be brought to all victims of abuse. Similarly, the justice of the Gospel must be assured to those same persons, their parents, or guardians, and to those responsible for the abuse.

This policy is implemented:

- 1) to prevent child abuse and vulnerable adult abuse through education, awareness, and monitoring;
- 2) to adopt and ensure fair, objective, and consistent due process procedures for the alleged victims, their parent(s) or guardian(s), and the accused;
- 3) to ensure a prompt, pastoral response to an alleged child and/or vulnerable adult 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;
- 4) to define the actions to be taken by the diocese when any complaint or allegation of child/vulnerable adult abuse is received;
- 5) to educate clergy, religious, seminarians, persons in formation, employees, 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 all clergy, religious, seminarians, persons in formation, and employees, and for those volunteers who work with children and/or vulnerable adults, notification is hereby made that such persons are required to be compliant with this policy (cf. 1.2.13), and, at any time, might be required to provide a set of impressions of their fingerprints as part of a criminal records check. This notification is made in accordance with *Ohio Revised Code* 109.575. A violation of this policy will result in disciplinary action up to and including termination of employment or volunteer service and in some cases may constitute a crime under Ohio law. In all cases, the *Code of Canon Law*, 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* shall be followed. This policy will be reviewed and revised as needed.

GLOSSARY OF TERMS

ACCUSED PERSON

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

ADULT

An individual who is 18 years of age or older.

ALLEGATION

A claim that child/vulnerable adult abuse has or had occurred.

BISHOP

The Bishop of the Roman Catholic Diocese of Youngstown, or the Diocesan Administrator, as the case may be.

CHANCELLOR

The Chancellor is the primary record keeper for the diocese, reporting on and recording parish data and ensuring that the acts of the diocesan curia are drawn up, authenticated, arranged, and safeguarded.

CHANCERY OFFICE

The office of Diocesan Central Services.

CHARTER

The document, *Charter for the Protection of Children and Young People (Revised June 2018)*, 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.

CHAPERONE

An employee or volunteer who will supervise children or vulnerable adults on behalf of a parish, school, or institution of the Diocese of Youngstown. Chaperones must be over the age of 21 and are required to be in full compliance with this policy (cf. 1.2.13).

CHILD

A person who is under 18 years of age or a person with a physical or mental disability who is under 21 years of age. For purposes of this policy, the term “minor” is considered to be synonymous with the term “child”.

CHILD ABUSE

Consists of any of the following: 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 endangering a child as defined in Section 2919.22 of the *Ohio Revised Code*; or 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 use of restraint procedures on a child that cause injury or pain; or administration of prescription drugs to a child without the written approval and ongoing supervision of a licensed physician; or providing alcoholic beverages or controlled substances to a child; or commission of any intentional act that results in any injury or death to a child; or 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.

COMPLIANCE OFFICER

The person appointed by the pastor, principal, or supervisor who is responsible for ensuring that their parish, school, or institution is compliant with this policy.

CONFIDENTIALITY

A legally enforceable 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.

CREDIBLE

Determined that sufficient evidence exists to demonstrate that the allegation bears the “semblance of truth,” even if not proven conclusively.

DIOCESAN PASTORAL ASSOCIATE

The Diocesan Pastoral Associate is appointed by the bishop and serves collaboratively with the pastor to promote the vitality of parish life and the many dimensions of ministry. Their duties and responsibilities include: stewardship of the financial resources of the parish; oversight of liturgical, faith formation, and other pastoral ministries of the parish; supervision of parish professional lay ecclesial ministers and non-exempt staff; and management of parish properties.

DIOCESAN TASK FORCE

The Diocesan Task Force is a body consisting of the Bishop, the Vicar General, the Chancellor, the Vicar for Clergy, the Judicial Vicar, the diocesan attorney, the Safe Environment Coordinator, the Victim Assistance Coordinator, and others as requested by the bishop. This body will convene to review and to determine the initial and immediate response of the diocese to allegations of sexual abuse and/or other types of misconduct.

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. All employees in the Diocese of Youngstown, regardless of their level of contact with children or vulnerable adults, must be compliant with this policy (cf 1.2.13).

ESSENTIAL NORMS

a) The document, *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons (Promulgated May 2006)*, developed by the United States Conference of Catholic Bishops, which constitute particular law for all the dioceses/eparchies of the United States.

b) In this policy 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, norms are indicated by the words or phrases “shall,” “shall not,” “must,” and “must not.”

GUIDELINES

In this policy, guidelines are 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 exceptions and may call for the individual to exercise reasonable discretion. In this document, guidelines are indicated by the use of the words “recommend/should” or “not recommended/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.

LAY ECCLESIAL MINISTER (MINISTRY)

A general term for a variety of positions held by non-ordained people who provide substantial leadership in pastoral, catechetical, liturgical, and musical ministry. Such lay leaders collaborate with and are under the authority of priests and the bishop.

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.

MANDATED REPORTER

A person who is legally required to report any suspicion of child/vulnerable adult abuse or neglect to the relevant civil authorities. Common examples include, an attorney, health care professional, licensed school psychologist, marriage and family therapist, schoolteacher, school employee, school authority, and person, other than a cleric, rendering spiritual treatment through prayer in accordance with the tenets of a well-recognized religion. Additionally, a cleric or 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 is legally required to report abuse, etc. by another cleric or person, other than a volunteer, so designated. Any person who knows or has reasonable cause to suspect that a child or vulnerable adult has suffered abuse, etc. may report. Immunity extends to both mandated reporters and non-mandated reporters when a report is made in good faith. Whether they be a mandated or non-mandated reporter, in the Diocese of Youngstown all clergy, religious, seminarians, persons in formation, employees, and volunteers are required by policy to report any suspicion of child/vulnerable adult abuse or neglect to the relevant civil authorities and diocesan administrators. Failure to do so shall result in disciplinary action. Failure to report, when someone is required to do so by law (mandated reporter), can result in a misdemeanor charge.

OFFENDER

An individual who performed an act of child or vulnerable adult abuse.

OFFICE OF SAFE ENVIRONMENT

The diocesan office, directly under the authority of the Vicar General, that is tasked with implementing the requirements of this policy. This office is also responsible for providing all necessary policy booklets, forms, procedures, and instructions for personnel, as well as materials and opportunities for continuing education. This office also assists the parishes, schools, and institutions of the diocese with their responsibilities in the implementation of this policy.

OHIO REVISED CODE (ORC)

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

PARENT OR GUARDIAN

That person who possesses legal custody of a child or vulnerable adult.

PERSON IN FORMATION

This category includes clergy or lay persons who are in formation to become members of a religious order and men who are in formation for the permanent diaconate.

PERSONAL MINISTRY SERVICES

Advice or counsel of a pastoral, spiritual, or general nature intended to assist the recipient in understanding and responding to matters of concern. Such services do not involve professional counseling that would require specialized training or licensure.

POLICY

This Safe Environment 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.

PROMOTER OF JUSTICE

A diocesan judicial official appointed by the bishop for penal cases or contentious cases in which the public good could be at stake.

PRUDENCE/ DUE DILIGENCE

Carefulness, precaution, attentiveness, and good judgment as applied to action or conduct. What a reasonable person is reasonably expected to do in a specific situation.

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/vulnerable adult protection and cases of child/vulnerable adult abuse brought against priests or deacons.

SAFE ENVIRONMENT COORDINATOR

The person appointed by the bishop to manage the safe environment program of the diocese, which includes updating the policy, providing opportunities for further education, and tracking compliance.

SEMINARIAN

This category includes men who are in formation to be priests.

SEXUAL ABUSE

Any form of child/vulnerable adult abuse that consists of or involves sexual conduct or sexual contact as defined in the *Ohio Revised Code* 2907.01, the *Essential Norms*, or the *Code of Canon Law*.

STANDARDS

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 MINISTERIAL BEHAVIOR ADVISORY COUNCIL

The body tasked by the bishop with assessing allegations of misconduct that constitute violations of the “Standards of Ministerial Behavior” or other diocesan policies including, but not limited to, offenses involving fiscal mismanagement, misappropriation of funds and resources, or a failure to adhere to diocesan policy.

UNSUBSTANTIATED/NOT SUBSTANTIATED

Determined that sufficient evidence exists to demonstrate that the allegation is more than likely false, or did not occur as claimed, or could not possibly have occurred.

UNSUPERVISED ACCESS

Unsupervised access to a child or vulnerable adult means the person in question has access to a child or vulnerable adult and that either of the following applies:

- (1) no other person 21 years of age or older is present in the same room with the child or vulnerable adult; or
- (2) if outdoors, no other compliant person 21 years of age or older is within a 30-yard radius of the child or vulnerable adult or has visual contact with the child or vulnerable adult (*Ohio Revised Code* Section 109.574).

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 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. The Vicar General also serves as the delegate of the bishop responsible for overseeing all matters pertaining to child/vulnerable adult abuse in the Diocese of Youngstown. The Vicar General executes this responsibility by working closely with the Safe Environment Coordinator, the Victim Assistance Coordinator, and the Diocesan Review Board.

VICTIM ASSISTANCE COORDINATOR

The person appointed by the bishop to aid in the immediate pastoral care of persons who claim to have been abused as children or vulnerable adults 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 or vulnerable adults. This includes, but is not limited to, a catechist, scout leader, coach, server, coordinator, intern, student teacher, extraordinary minister of Holy Communion and others in a similar capacity. Any volunteer who has unsupervised access to a child or vulnerable adult, or who works directly with a child or vulnerable adult, or who is responsible for a child or vulnerable adult on behalf of the Diocese, must comply with this Policy.

VULNERABLE ADULT

Any person who is 18 years of age or older whose ability to perform the normal activities of daily living or to provide for his/her own protection is impaired due to a mental, emotional, physical or developmental disability or dysfunction. This includes both those who live at home and patients of health care facilities.

VULNERABLE ADULT ABUSE

Any act described above as child abuse that is directed toward or involves a vulnerable adult.

Part 1: PREVENTION

The provisions of this section are intended to help ensure that no child or vulnerable adult is abused and that those entrusted to the care of the Church are kept safe. Everyone in the community has a part to play: clergy, teachers, religious educators, lay ecclesial ministers, lay volunteers, and parents (including youth and adults who are not directly involved in work with children or vulnerable adults).

“Diocese/eparchies are to maintain “safe environment” programs which the diocesan/eparchial bishop deems to be in accord with Catholic moral principles. They are to be conducted cooperatively with parents, civil authorities, educators, and community organizers to provide education and training for minors, parents, ministers, employees, volunteers, and others about ways to sustain and foster a safe environment for minors.” (Charter, Article 12)

1.1 EDUCATION

- 1.1.1 All parishes, schools, and applicable institutions (hereafter institutions) in the Diocese of Youngstown shall provide their employees and volunteers with access to this policy in a paper or digital format.
- 1.1.2 All clergy, religious, seminarians, persons in formation, and employees, and any volunteers who interact with children or vulnerable adults, shall read this policy and complete and sign the Authorization and Verification and Acknowledgement forms (Appendix 9).
- 1.1.3 All clergy, religious, seminarians, persons in formation, and employees, and any volunteers who interact with children or vulnerable adults, shall learn about the causes, forms, and symptoms of sexual abuse by completing any safe environment training required by the diocese.
- 1.1.4 All clergy, religious, seminarians, persons in formation, and employees, and any volunteers who interact with children or vulnerable adults, shall complete any continuing education required by the diocese about the causes, forms, and symptoms of sexual abuse.
- 1.1.5 Volunteers who are not interacting with children or vulnerable adults are encouraged to participate in the safe environment training opportunities that are offered by the diocese.
- 1.1.6 The Diocesan Office of Safe Environment shall provide resources for further education about child/vulnerable adult sexual abuse that may be used by parishes, schools, and institutions in the diocese. These resources may include, without limitation, texts, workshops, in-service programs, bulletin or newsletter announcements, and recommendations for staff discussions.
- 1.1.7 Sexual abuse prevention shall be addressed regularly in the usual in-service programs offered for employees and volunteers who interact with children and/or vulnerable adults. Similar programs shall be offered by the Office of Clergy and Religious Services.
- 1.1.8 Parents/guardians of children or vulnerable adults are encouraged to learn about the causes, forms, and symptoms of sexual abuse by participating in the safe environment training opportunities that are offered by the diocese.
- 1.1.9 Parents/guardians are encouraged to develop a good rapport with their children/wards and to alleviate any tensions which may interfere with good communication. Parents/guardians are also encouraged to avail themselves of “teachable moments” to discuss with their children/wards in a positive fashion the realities of child/vulnerable adult abuse.
- 1.1.10 Children shall be instructed to protect themselves by learning about potential risks and appropriate responses to abuse. Diocesan programs with respect to this instruction are intended to supplement the information that children receive in school in accord with the requirements of the State of Ohio.

a) The Office of Catholic Schools and the Office of Faith Formation and Lay Ecclesial Ministry, in collaboration with other offices and agencies of the diocese and the State of Ohio, shall develop or identify curricula, programs, and in-service opportunities which will be used for the training of children.

b) The curricula of Catholic schools and religious education programs shall contain age-appropriate learning objectives intended to protect children from abuse at each grade level from pre-K through 12. 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/safe environment.

- 1.1.11 The diocese shall maintain and staff an Office of Safe Environment, which shall be tasked with implementing the requirements of this policy. This office shall also be responsible for providing all necessary policy booklets, forms, procedures, and instructions for personnel, as well as materials and opportunities for continuing education (cf. 1.1.6).
- 1.1.12 The Office of Safe Environment shall assist parish, school, and institution personnel with their responsibilities in the implementation of this policy.
- 1.1.13 Parishes, schools, and institutions shall cooperate with the Office of Safe Environment to ensure that they are creating and maintaining a safe environment.
- 1.1.14 All parishes, schools, and institutions in the diocese shall appoint a safe environment Compliance Officer who is responsible for ensuring that his or her parish, school, or institution is compliant with this policy. Compliance Officers shall also assist with diocesan safe environment audits. Additionally, the specific location's Compliance Officer is responsible for ensuring that the data from their location is accurate and up to date. This person may be an employee or volunteer, and this responsibility may be added to an existing position.

1.2 SCREENING

Persons who serve children or vulnerable adults 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 our community. Hiring agents must take precautions to ensure that only qualified persons are permitted to work with children and/or vulnerable adults.

"The diocesan/eparchial bishop is to evaluate the background of all incardinated priests and deacons. When a priest or deacon, not incardinated in the diocese/eparchy, is to engage in ministry in the diocese/eparchy, regardless of the length of time, the evaluation of his background may be satisfied through a written attestation of suitability for ministry supplied by his proper ordinary/major superior to the diocese/eparchy. Diocese/eparchies are to evaluate the background of all their respective diocesan/eparchial and parish/school or other paid personnel and volunteers whose duties include contact with minors. Specifically, they are to utilize the resources of law enforcement and other community agencies. Each diocese/eparchy is to determine the application/renewal of background checks according to local practice. In addition, they are to employ adequate screening and evaluative techniques in deciding the fitness of candidates for ordination." (Charter, Article 13)

"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, Article 16)

- 1.2.1 All clergy, religious, seminarians, persons in formation, and employees, and any volunteers who interact with children or vulnerable adults, shall submit to any background check that is required by the diocese.
- 1.2.2 No person with a criminal conviction for an offense listed in Appendix 3 shall be permitted to serve as an employee or volunteer in a position that involves regular contact with children or vulnerable adults, by any

parish, school, or institution in the Diocese of Youngstown. A person convicted of an offense listed in Appendix 3 may request an exemption to 1.2.2 that would allow them to have supervised contact with children or vulnerable adults.

- 1.2.3 Hiring agents shall screen all applicants for employment and any volunteers who will have contact with children or vulnerable adults (recommendations for screening are found in Appendix 5).
- 1.2.4 Hiring agents shall take due precautions in order to ensure that only those persons who are psychologically and temperamentally suited are chosen to interact with children and/or vulnerable adults.
- 1.2.5 No one under the age of 21 shall interact with children or vulnerable adults without an adult 21 years of age or older present who is fully compliant (cf. 1.2.13) with this policy. Persons under the age of 21 cannot be granted the status of compliant (cf. 1.2.13). However, the diocese encourages that any person between the ages of 18-20 who will regularly engage in supervised interactions with children or vulnerable adults, provided that they are not a High School student, complete all of the compliance requirements (cf. 1.2.13).
- 1.2.6 Each applicant for employment and those volunteers seeking a position involving contact with children or vulnerable adults in the parishes, schools, and institutions of the diocese shall supply to their hiring agent personal information adequate to assess their suitability for contact with children or vulnerable adults.
 - a) All applicants shall sign an authorization (Appendix 9) that authorizes their hiring agent to communicate any information discovered in the screening process to the necessary personnel where they will serve and/or the Diocesan Office of Safe Environment.
 - b) All applicants shall inform their hiring agent of crimes that will appear on their background check (Appendix 9).
 - c) All clergy and/or religious who transfer from another diocese to a parish, school, or institution in the Diocese of Youngstown for the purpose of employment for ministry shall present to the Diocese of Youngstown a letter/statement certifying their suitability for service in the diocese (Appendix 4).
 - d) All clergy, religious, seminarians, persons in formation, employees, and those volunteers who interact with children or vulnerable adults shall sign the Authorization and Verification and Acknowledgement forms (Appendix 9).
 - e) All clergy, religious, seminarians, persons in formation, employees, and those volunteers who interact with children or vulnerable adults shall provide any required background check(s) to the Diocesan Office of Safe Environment.
- 1.2.7 All clergy, religious, seminarians, persons in formation, and employees, and any volunteers who interact with children or vulnerable adults, shall agree that if they are arrested, charged, or convicted of any crime they will report such information to their supervisor within 24 hours and/or before presenting for work or volunteer duty. The supervisor shall then report this information to the Safe Environment Coordinator.
- 1.2.8 The Safe Environment Coordinator shall maintain a permanent register of all diocesan personnel (clergy or lay) who have sexually abused children or vulnerable adults, or about whom questions have been raised, in conjunction with employment or volunteer involvement at parishes, schools, and institutions of the diocese.
- 1.2.9 A dossier shall 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.
- 1.2.10 The Diocesan Safe Environment Coordinator shall conduct audits to ensure that parishes, schools, and institutions are compliant with this policy.

1.2.11 The Diocesan Safe Environment Coordinator shall maintain a database of all active compliant persons who are working or volunteering in the parishes, schools, and institutions of the diocese. The specific location's Compliance Officer is responsible for ensuring that the data from their location is accurate and up to date.

1.2.12 Regarding clergy in particular:

“No priest or deacon who has committed an act of sexual abuse of a minor may be transferred for ministerial assignment to another diocese/eparchy. Every bishop/eparch who receives a priest or deacon from outside his jurisdiction will obtain the necessary information regarding any past act of sexual abuse of a minor by the priest or deacon in question.

Before such a diocesan/eparchial priest or deacon can be transferred for residence to another diocese/eparchy, his diocesan/eparchial bishop shall forward, in a confidential manner, to the bishop of the proposed place of residence any and all information concerning any act of sexual abuse of a minor and any other information that he has been or may be a danger to children or young people.

In the case of the assignment for residence of such a clerical member of an institute or a society into a local community within a diocese/eparchy, the major superior shall inform the diocesan/eparchial bishop and share with him in a manner respecting the limitations of confidentiality found in canon and civil law all information concerning any act of sexual abuse of a minor and any other information indicating that he has been or may be a danger to children or young people so that the bishop/eparch can make an informed judgment that suitable safeguards are in place for the protection of children 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, Norm 12)

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

1.2.13 In order for a cleric, religious, seminarian, person in formation, employee, or volunteer to be in compliance with this policy, and therefore cleared to interact with children or vulnerable adults, the local Compliance Officer and the Safe Environment Coordinator must verify that the person has submitted the following requirements:

a) any required background checks (cf. 1.2.1);

b) any required safe environment training (cf. 1.1.3);

c) signed Authorization and Verification and Acknowledgement forms (Appendix 9) (cf. 1.1.2).

1.2.14 Parishes, schools, and institutions shall never permit persons who are not in compliance to interact with children or vulnerable adults.

1.2.15 Employees that do not interact with children or vulnerable adults shall also be compliant and should be compliant before they begin to work.

- 1.2.16 Retired and/or inactive clergy and religious are not always required to maintain their compliance, especially if they are not interacting with children or vulnerable adults. However, retired and/or inactive clergy and religious shall cooperate with documentation requests from the Diocesan Office of Safe Environment.

1.3 REPORTING SEXUAL OR NON-SEXUAL ABUSE OF A CHILD OR VULNERABLE ADULT

Policies cannot in themselves restrain an adult from abusing a child or vulnerable adult. Thus, adults bear the responsibility to assist one another in preventing sexual abuse, and those at risk of sexually abusing children or vulnerable adults must seek assistance to avoid behavior which may place a minor or vulnerable adult at risk. Although this policy is primarily concerned with sexual abuse, all forms of abuse, such as physical, mental, verbal, and psychological abuse, must be reported.

“Dioceses/eparchies are to report an allegation of sexual abuse of a person who is a minor to the public authorities with due regard for the seal of the Sacrament of Penance. Diocesan/eparchial personnel are to comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities and cooperate in their investigation in accord with the law of the jurisdiction in question. ... Dioceses/eparchies are to cooperate with public authorities about reporting cases even when the person is no longer a minor. In every instance, dioceses/eparchies are to advise victims of their right to make a report to public authorities and support this right.” (Charter, Article 4)

- 1.3.1 If a person’s safety or life is in danger this shall be immediately reported to the police by calling 911.

- 1.3.2 Any cleric, religious, seminarian, person in formation, employee, volunteer, or adult in the Diocese of Youngstown who witnesses an act of child or vulnerable adult sexual or non-sexual abuse, or neglect, perpetrated by a cleric, religious, seminarian, person in formation, employee, volunteer, or any other person, or suspects that such an act has occurred, or receives a report of such an act, shall report the incident immediately (Appendix 1; Appendix 2). Persons shall report allegations of sexual abuse or other forms of abuse regardless of when the abuse is alleged to have occurred.

a) **Mandated Reporter:** those who are legally required to report any known or reasonably suspected child/vulnerable adult abuse or neglect to the relevant authorities shall make their report directly to the public children services agency or a peace officer in the county in which the child or vulnerable adult resides or in which such an act is occurring or has occurred. Immediately after this report is made, the mandated reporter shall inform the suspected offender’s supervisor and/or the location’s Compliance Officer, the Safe Environment Coordinator, and the Victim Assistance Coordinator.

i) *Ohio Revised Code 2151.421* requires that certain individuals, described in division (A)(1)(b) of the statute, acting in an official or professional capacity, shall report immediately any known or reasonably suspected of child/vulnerable adult abuse to the public children services agency or a peace officer in the county in which the child or vulnerable adult resides or in which such act is occurring or has occurred.

b) **Non-Mandated Reporter:** those who are required by diocesan policy to report any known or reasonably suspected child/vulnerable adult abuse or neglect (cf. 1.3.2) shall make their report directly to the public children services agency or a peace officer in the county in which the child or vulnerable adult resides or in which such act is occurring or has occurred. Immediately after this report is made, the non-mandated reporter shall inform the suspected offender’s supervisor and/or the location’s Compliance Officer, the Safe Environment Coordinator, and the Victim Assistance Coordinator.

c) **Exempt:** This provision does not apply to those persons whose knowledge is protected by legal privilege. For example, clerics 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.

- 1.3.3 *Ohio Revised Code 2151.421* provides that any mandated reporter shall be immune from any civil or criminal liability as a result of participating in the making of reports, and any non-mandated reporter shall be immune from such liability as a result of participating in the making of reports in good faith. These

immunity provisions have been tested in the Ohio Courts and have been uniformly enforced. On the other hand, failure to report, when someone is required to do so by law (mandated reporter), can result in a misdemeanor charge. Failure to report when required by this policy (non-mandated reporter) can result in disciplinary action, up to and including removal from employment or service.

- 1.3.4 Any cleric, religious, seminarian, person in formation, employee, volunteer, or adult in the Diocese of Youngstown who observes or learns of another person behaving in a manner which may pose a potential risk to a child or vulnerable adult, or who observes or learns of any violations of this policy that do not rise to the level of abuse or neglect, shall immediately report the matter to the suspected offender's supervisor and/or the location's Compliance Officer, who will then promptly notify the Safe Environment Coordinator.
- 1.3.5 Supervisors shall deal promptly with any situations of potential risk or concern, or policy violations. This includes immediately notifying the Safe Environment Coordinator. Risky behavior and/or policy violations shall result in appropriate corrective or disciplinary action. Corrective action may involve calling attention to circumstances which are inappropriate, even though not in themselves abusive, or reminding the person of particular provisions of this policy, or challenging the person when guilty of affronts to a child or vulnerable adult. Disciplinary action may take various forms, including a verbal or written reprimand or removal from employment or service, depending on the specific nature and circumstances of the offense and the extent of the harm.
- 1.3.6 A record of all reports concerning allegations of abuse or neglect made against a cleric, religious, seminarian, person in formation, employee, or volunteer of the diocese to civil authorities shall be kept in the Office of Safe Environment.
- 1.3.7 Notices shall be made on a regular basis in diocesan parish and school communications encouraging persons who have been abused, or who know of someone who has been abused by a priest, deacon, religious, seminarian, person in formation, employee, or volunteer of the diocese, to contact the Victim Assistance Coordinator.

Part 2: RESPONSE TO AN ALLEGATION OF CHILD/VULNERABLE ADULT ABUSE

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

"Dioceses/eparchies are to have policies and procedures in place to respond promptly to any allegation where there is reason to believe that sexual abuse of a minor has occurred. Dioceses/eparchies are to have a competent person or persons to coordinate assistance for the immediate pastoral care of persons who report having been sexually abused as minors by clergy or other church personnel." (Charter, Article 2)

2.1 INITIAL REPORT

- 2.1.1 In accordance with Section 1.3, allegations of abuse shall be reported to the Victim Assistance Coordinator by the reporter, or directly to the diocesan attorney by the reporter's attorney.
 - a) When reporting to the Victim Assistance Coordinator, the reporter shall submit a written and signed summary of their allegation, or they may elect to sign a summary of their allegation prepared by the Victim Assistance Coordinator.
 - i) The Victim Assistance Coordinator shall inform the reporter that they have the right to decline to answer any questions of clarification that are asked by the Victim Assistance Coordinator during the initial report.
 - ii) The Victim Assistance Coordinator shall inform the reporter of the diocese's obligation to report the allegation to civil authorities, which includes Children Services and/or law enforcement.

iii) The Victim Assistance Coordinator shall inform the reporter of his or her 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.

1) If the reporter wishes to pursue civil and/or criminal action, the Victim Assistance Coordinator shall report this decision to the diocesan attorney. During the civil and/or criminal proceedings, the diocesan attorney will continue to monitor the case.

2) If the reporter elects to be represented by legal counsel, the diocesan attorney shall be present at any meetings between the reporter and the Victim Assistance Coordinator.

iv) The Victim Assistance Coordinator shall provide the reporter with a copy of this policy and explain the steps that the diocese will take that are outlined in this policy.

v) When applicable, the Victim Assistance Coordinator shall inform the reporter that the diocese will make reasonable efforts to help them receive immediate, competent, therapeutic assistance from a licensed professional, and/or spiritual support. It is the sole responsibility of the reporter to inform the Victim Assistance Coordinator of their desire for the arrangement of therapeutic assistance with a licensed professional, and/or spiritual support.

vi) The Victim Assistance Coordinator shall clearly explain his or her responsibilities to the reporter. These responsibilities include answering any questions the reporter may have about this policy, the process, or the status of any type of investigation.

vii) The Victim Assistance Coordinator should convey the information contained in Section 2.1.1, a, i-vi to the reporter verbally and in writing.

b) When a report is made directly to the diocesan attorney by the reporter's attorney, diocesan legal counsel shall inform the reporter's attorney of any applicable information from Section 2.1.1, a, i-vii. The diocesan attorney shall report all received allegations to the Vicar General, the Safe Environment Coordinator, and the Victim Assistance Coordinator.

2.1.2 The Victim Assistance Coordinator shall inform the Safe Environment Coordinator of the initial report.

2.1.3 The Safe Environment Coordinator shall call an emergency meeting of the Diocesan Task Force to review the allegation.

2.2 INITIAL RESPONSE

"Care will always be taken to protect the rights of all parties involved, particularly those of the person claiming to have been sexually abused and of the person against whom the charge has been made." (Essential Norms, Norm 13)

"When an allegation of sexual abuse of a minor by a priest or deacon is received, a preliminary investigation in accordance with canon law will be initiated and conducted promptly and objectively (CIC, c. 1717; CCEO, c. 1468). During the investigation the accused enjoys the presumption of innocence, and all appropriate steps shall be taken to protect his reputation." (Essential Norms, Norm 6)

"Dioceses/eparchies are to be open and transparent in communicating with the public about sexual abuse of minors by clergy within the confines of respect for the privacy and the reputation of the individuals involved." (Charter, Article 7)

Report to Civil Authorities

- 2.2.1 The diocesan attorney or the Safe Environment Coordinator shall report the allegation to civil authorities, which includes Children Services and/or law enforcement.

Diocesan Task Force

- 2.2.2 The Diocesan Task Force shall meet to review the allegation and to determine the initial and immediate response of the Diocese. If the accused is a priest, deacon, religious, seminarian, or person in formation, lay employee, or lay volunteer currently in active ministry, or who is not in active ministry, or who is deceased, the Diocesan Task Force shall include, insofar as they are immediately available to convene, the Bishop, the Vicar General, the Chancellor, the Vicar for Clergy, the Judicial Vicar, the diocesan attorney, the Safe Environment Coordinator, the Victim Assistance Coordinator, and others as requested by the bishop.
- 2.2.3 If the accused is a religious, or is in religious formation, the Vicar General or Safe Environment Coordinator shall contact the major religious Superior to inform the Superior of the allegation and to explain diocesan policy and procedures. If the religious is a diocesan employee, the diocesan policy shall be followed. If the religious is not a diocesan employee, the Vicar General or Safe Environment Coordinator shall explain the diocesan policy to the Superior of the alleged offender, who will be strongly advised to follow all procedures outlined in this policy.

Leave of Absence Pending Investigation

- 2.2.4 When applicable, the bishop, after consultation with the Diocesan Task Force, shall ask the accused person to take a leave of absence pending the results of any investigation. If the accused refuses to take a leave of absence, they may be placed on administrative leave.
- a) If the accused is a priest, deacon, religious, seminarian, or person in formation, the Vicar General and Vicar for Clergy shall notify the accused:
- i) of the allegation made against them;
 - ii) that they are being asked to take a leave of absence with pay pending further investigation;
 - iii) of any other restrictions or expectations;
 - iv) of their right to have civil and/or canonical representation.
- b) If the accused is a lay employee, the employee's local supervisor shall notify the accused of the information in Section 2.2.4, a, i-iv.
- c) If the accused is a lay volunteer, the volunteer's local supervisor shall notify the accused of the information in Section 2.2.4, a, i-iv (omitting "with pay").
- d) The accused shall not contact the victim or the victim's family at any point during or after this process without permission from the bishop. Unauthorized contact with the victim or the victim's family shall result in disciplinary action.
- 2.2.5 The Safe Environment Coordinator shall notify the Diocesan Review Board that the accused person has been asked to take a leave of absence pending further investigation, and that the accused enjoys the presumption of innocence.
- 2.2.6 When necessary and/or applicable, the bishop, or his representative, after consultation with the Diocesan Task Force, shall notify the local Diocesan parish and/or school community that the accused person has been asked to take a leave of absence pending further investigation, and that the accused enjoys the presumption of innocence. Whenever possible the staff of the local Diocesan parish and/or school community should be notified before the broader public.

Report to the Media

- 2.2.7 The bishop, after consultation with the Diocesan Task Force, shall determine if and/or when a statement should be made to the media about an allegation. When made, this statement shall outline the steps taken by the diocese and will affirm that the accused enjoys the presumption of innocence.
- 2.2.8 Media statements, if applicable, shall be issued by the Director of Communications.
- 2.2.9 The Director of Communications shall ordinarily serve as the sole contact for media/public relations and, when necessary, may refer requests for media interviews to the appropriate diocesan personnel.

2.3 PRELIMINARY INVESTIGATION

- 2.3.1 When required by Canon Law, or when deemed necessary, the Diocesan Task Force, via the bishop, shall appoint a person to conduct a general preliminary investigation. The person may be a staff person or a third-party investigator. The purpose of the preliminary investigation is to respond promptly to an allegation of child/vulnerable adult abuse in the most just and pastoral manner possible. This preliminary investigation may include interviews with the alleged victim, the parent(s) or legal guardian(s) of a child or vulnerable adult, the person making the initial report if different from the above, the accused person, and any other person who may have relevant knowledge. The preliminary investigation may also focus on obtaining any information that would be of use to a future civil or third-party investigation.
- 2.3.2 The Diocesan Task Force shall determine if a third-party investigation should take place as a part of the preliminary investigation. The third-party investigation should include an interview with the alleged victim and with the accused. It should also include interviews with any other person who may have relevant knowledge.
- 2.3.3 When the accused is a diocesan priest or deacon, as part of the preliminary investigation, the accused may be asked to undergo a psychological assessment, arranged by the Vicar for Clergy, and approved by the bishop.
- 2.3.4 When the preliminary investigation is complete, if the accused is a priest or deacon, or when required by Canon Law, any documentation pertaining to the preliminary investigation, including the recommendation of the Review Board, shall be sent to the Dicastery for the Doctrine of the Faith for review. This shall happen regardless of the outcome of the preliminary investigation or the recommendation of the Review Board.

Criminal/Civil Investigation

- 2.3.5 If criminal/civil authorities decide to investigate the allegation, diocesan staff shall cooperate with the criminal/civil investigation and shall notify the Safe Environment Coordinator if they are contacted.
- 2.3.6 The preliminary investigation shall automatically pause if and/or when a criminal/civil investigation begins. The bishop may resume the preliminary investigation at any time.

2.4 SUBMISSION TO THE REVIEW BOARD

- 2.4.1 The Safe Environment Coordinator, upon an official request from the bishop, shall submit the results of the preliminary investigation to the Review Board (*see Part 4 for details about the Review Board*).
- 2.4.2 The Safe Environment Coordinator shall provide the bishop with the recommendation of the Review Board.

2.5 CREDIBLE ALLEGATION OF CHILD/VULNERABLE ADULT ABUSE

- 2.5.1 If after the conclusion of the preliminary investigation, the submission of the recommendation of the Review Board, and, when applicable, the conclusion of any other process required by Canon Law, the allegation is deemed credible, the following steps shall be taken:
- a) The accused shall be notified that the allegation was deemed credible.
 - i) If the accused is a priest, deacon, religious, seminarian, or person in formation, the Vicar General and Vicar for Clergy shall notify the accused.
 - ii) If the accused is a religious, or is in religious formation, the Vicar General or Safe Environment Coordinator shall contact the major religious Superior to notify the Superior that the allegation was deemed credible.
 - iii) If the accused is a lay employee or volunteer, the local supervisor shall notify the accused.
 - b) The Victim Assistance Coordinator shall inform the reporter that their allegation was deemed credible. If the reporter is represented by legal counsel, the diocesan attorney shall inform the reporter's counsel.
 - c) When necessary and/or applicable, the bishop, or his representative, shall notify the local Diocesan parish and/or school community that the allegation was deemed credible. Whenever possible the staff of the local Diocesan parish and/or school community shall be notified before the broader public.
 - d) When deemed necessary by the Diocesan Task Force, the Director of Communications shall issue a press release to the media noting that the allegation was deemed credible.
- 2.5.2 A credible allegation means that it was determined that sufficient evidence exists to demonstrate that the allegation bears the "semblance of truth," even if not proven conclusively.
- 2.5.3 After the allegation is deemed credible, and when applicable, any other process required by Canon Law shall be followed (e.g., a submission of the preliminary investigation to the Dicastery for the Doctrine of the Faith; a penal case; etc.).
- 2.5.4 Once all applicable processes have come to a conclusion, and if the credible allegation was made against a cleric, the cleric's name shall be added to the public list of clergy who have been credibly accused of sexual abuse of a minor.

Procedures for 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, Article 5)

2.5.5 *Priests and Deacons*

a) When there is sufficient evidence that sexual abuse of a minor has occurred, the Congregation of the Doctrine of the Faith shall be notified. The bishop/eparch shall then apply the precautionary measures mentioned in CIC, canon 1722, or CCEO, canon 1473—i.e., withdraw the accused from exercising the sacred ministry or any ecclesiastical office or function, impose or prohibit residence in a given place or territory, and prohibit public participation in the Most Holy Eucharist pending the outcome of the process. (Essential Norms, Norm 6)

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

i) *“Diocesan/eparchial policy is to provide that for even a single act of sexual abuse of a minor— whenever it occurred—which is admitted or established after an appropriate process in accord with canon law, the offending priest or deacon is to be permanently removed from ministry and, if warranted, dismissed from the clerical state. In keeping with the stated purpose of this Charter, an offending priest or deacon is to be offered therapeutic professional assistance both for the purpose of prevention and also for his own healing and well-being.” (Charter, Article 5)*

ii) *“In every case involving canonical penalties, the processes provided for in canon law must be observed, and the various provisions of canon law must be considered (cf. Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State, 1995; Letter from the Congregation for the Doctrine of the Faith, May 18, 2001). ... For the sake of canonical due process, the accused is to be encouraged to retain the assistance of civil and canonical counsel. When necessary, the diocese/eparchy will supply canonical counsel to a priest.” (Essential Norms, Norm 8a)*

iii) *“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, Norm 8b)*

2.5.6 **Religious:** If the accused is a religious, or is in religious formation, the Vicar General or Safe Environment Coordinator shall contact the major religious Superior and inform them that the accused is being permanently removed from ministry in the diocese.

2.5.7 **Seminarians and Permanent Deacon Candidates:** If the accused is a seminarian or a permanent deacon candidate, he shall be permanently removed from the seminary and/or program and any other ministry in the diocese.

2.5.8 **Employees:** If the accused is an employee of the diocese (not covered above), he/she shall be terminated without pay and will be ineligible for any future employment in the diocese. The bishop reserves the right to take further appropriate employment related action.

2.5.9 **Volunteers:** If the accused is a volunteer, he/she shall be permanently removed from ministry in the diocese.

2.6 UNSUBSTANTIATED ALLEGATION

iv) *“If the allegation is deemed not substantiated, every step possible is to be taken to restore his good name, should it have been harmed.” (Charter, Article 5)*

2.6.1 If after the conclusion of the preliminary investigation, the submission of the recommendation of the Review Board, and, when applicable, the conclusion of any other process required by Canon Law, the allegation is determined to be unsubstantiated/not substantiated, the following steps shall be taken:

a) The accused shall be notified that the allegation was determined to be unsubstantiated/not substantiated.

i) If the accused is a priest, deacon, religious, seminarian, or person in formation, the Vicar General and Vicar for Clergy shall notify the accused.

ii) If the accused is a religious, or is in religious formation, the Vicar General or Safe Environment Coordinator shall contact the major religious Superior to notify the Superior that the allegation was determined to be unsubstantiated/not substantiated.

- iii) If the accused is a lay employee or volunteer, the local supervisor shall notify the accused.
 - b) The Victim Assistance Coordinator shall inform the reporter that their allegation was determined to be unsubstantiated/not substantiated. If the reporter is represented by legal counsel, the diocesan attorney shall inform the reporter's counsel.
 - c) When necessary and/or applicable, the bishop, or his representative, shall notify the local Diocesan parish and/or school community that the allegation was determined to be unsubstantiated/not substantiated. Whenever possible the staff of the local Diocesan parish and/or school community shall be notified before the broader public.
 - d) If the name of the accused was made public, the Director of Communications shall issue a press release to the media noting that the allegation was determined to be unsubstantiated/not substantiated.
- 2.6.2 An unsubstantiated/not substantiated allegation means that it was determined that sufficient evidence exists to demonstrate that the allegation is more than likely false, or did not occur as claimed, or could not possibly have occurred.
- 2.6.3 If the allegation is determined not to rise to level of abuse, but is deemed to be a credible allegation of misconduct, the bishop, in consultation with the Diocesan Task Force, the person's supervisor, and/or the Standards of Ministerial Behavior Advisory Council (cf 5.11.4, 5.11.5), will determine the appropriate corrective action. Corrective action may take various forms, from a verbal or written reprimand to removal from employment or service, depending on the specific nature and circumstances of the offense and the extent of the harm.
- 2.6.4 The original copy of the report is to be placed in the confidential case files at the Chancery. All other copies are to be destroyed. Should the diocese learn later that the criminal/civil authorities have substantiated the charge, or if new evidence is uncovered, then the case is to be reopened.

Part 3: 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.

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

"Dioceses/eparchies are to have a competent person or persons to coordinate assistance for the immediate pastoral care of persons who report having been sexually abused as minors by clergy or other church personnel." (Charter, Article 2)

3.1 The Victim & The Victim's Family

- 3.1.1 The Victim Assistance Coordinator shall inform the victim that the Diocese will make reasonable efforts to help them receive immediate, competent, therapeutic assistance from a licensed professional, and/or spiritual support. When applicable, the same offer may be extended to the family of the victim.
- 3.1.2 When possible, the diocesan attorney shall consult with the civil agency which is investigating and responding to a reported incident. The diocese shall make reasonable efforts to help victims receive immediate, competent, therapeutic assistance from a licensed professional, and/or spiritual support.

3.2 The People in Parishes, Schools, and Institutions

- 3.2.1 When accusations of abuse by a priest, deacon, religious, employee or volunteer become known, the diocese shall serve as a resource to the affected 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 shall reach out to the community that was being served by the person accused of sexual abuse.
- 3.2.2 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/vulnerable adult 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 faith formation, 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.
- 3.2.3 At the same time, local leaders must recognize that their community is part of the larger Church. Thus, they must look to the appropriate officials of the diocese for guidance and direction, while also being ready to offer advice to these persons. Specifically, all contact with the media is to be referred to the Director of Communications.
- 3.2.4 A collaborative effort among parish leaders and diocesan officials, and an openness on the part of all involved, will lead to the most effective response to cases of child/vulnerable adult abuse. Such a response will itself be a powerful means for preventing future cases of abuse.

3.3 The Accused

- 3.3.1 Persons abusing children or vulnerable adults are exhibiting symptoms of serious psychological problems and/or illness. The diocese is therefore also committed to helping the accused and shall make reasonable efforts to help them receive immediate, competent, specialized therapy or therapeutic assistance from a licensed professional, and/or spiritual support. The diocese shall encourage the accused to seek professional treatment, to consult with their physician or health care provider, to consult with their spiritual director, and to consult with legal or canonical counsel.

Part 4: THE REVIEW BOARD

“To assist diocesan/eparchial bishops, each diocese/eparchy will also have a review board which will function as a confidential consultative body to the bishop/eparch in discharging his responsibilities”. (Essential Norms, Norm 4)

4.1 The Functions of the Review Board

- 4.1.1 The Review Board shall have the following tasks:
- a) Advise the bishop in his assessment of allegations of the sexual abuse of children/vulnerable adults by priests and deacons and in his determination of suitability for ministry.
- i) The bishop may also ask the review board to advise his assessment of allegations of sexual abuse of children or vulnerable adults by religious, seminarians, persons in formation, employees, or volunteers of the Diocese of Youngstown and in his determination of suitability for ministry.
- b) Offer advice on all aspects of these cases, whether retrospectively or prospectively.

- c) Review the *Safe Environment Policy* and other diocesan policies and procedures to ensure that they are 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.
- d) Suggest other ways in which the Diocese of Youngstown can effectively respond to 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.
- 4.1.2 *“The review board, established by the diocesan/eparchial bishop, will be composed of at least five persons of outstanding integrity and good judgment in full communion with the Church. The majority of the review board members will be lay persons who are not in the employ of the diocese/eparchy; but at least one member should be a priest who is an experienced and respected pastor of the diocese/eparchy in question, and at least one member should have particular expertise in the treatment of the sexual abuse of minors. The members will be appointed for a term of five years, which can be renewed.” (Essential Norms, Norm 5)*
- 4.1.3 The membership of the Review Board of the Diocese of Youngstown shall consist of the persons required by the *Charter* and *Essential Norms*, as well as other persons from the community and of various faiths.
- 4.1.4 The Promoter of Justice, Safe Environment Coordinator, and Victim Assistance Coordinator shall serve as staff resource persons to the Review Board.
- 4.1.5 The Safe Environment Coordinator shall serve as the Recording Secretary for the Diocesan Review Board and shall keep complete and accurate records of the proceedings of the Review Board.

Part 5: STANDARDS OF MINISTERIAL BEHAVIOR

A) INTRODUCTION

These *Standards of Ministerial Behavior* (Standards) apply to clergy, religious, seminarians, persons in formation, employees, and volunteers of the Catholic Diocese of Youngstown (diocese).

These Standards, intended to comply with Article 6 of the *Charter*, are a set of minimum expectations for those in ministry. These Standards contain guidelines and norms derived from more basic principles and values. Guidelines, indicated by the use of the words “recommend/should” or “not recommended/should not,” allow for more discretion on the part of an individual. Particular situations may allow for reasonable exceptions and may call for the individual to exercise reasonable discretion when considering how to apply the guideline to a specific situation. However, norms, indicated by the words or phrases “shall/shall not” or “must/must not,” 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. Those who disregard these Standards may be subject to disciplinary action by the entity within the diocese that employs, supervises, or authorizes their ministry or activity. Corrective action may take various forms, from a verbal or written reprimand to removal from employment or service, depending on the specific nature and circumstances of the offense and the extent of the harm. Violations of these Standards may also be referred to the Standards of Ministerial Behavior Advisory Council for review.

Additionally, these Standards are not intended to prevent any group of professional ministers (i.e. groups or organizations that have chapters at multiple parishes or schools) within the diocese from developing standards for their own use; provided that the group obtains appropriate approvals from its local supervisor and the Diocesan Office of Safe Environment.

“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 with regard to their contact with minors”. (Charter, Article 6)

B) MINISTERIAL BEHAVIOR

5.1 GENERAL PRINCIPLES & VALUES

- 5.1.1 Clergy, religious, seminarians, persons in formation, employees, and volunteers have a responsibility for maintaining the highest ethical and professional standards.
- 5.1.2 An environment of personal integrity in ministry requires that a culture of accountability be established and maintained among clergy, religious, seminarians, persons in formation, employees, and volunteers in a spirit of understanding that individual conduct reflects the intention of the entire Church.
- 5.1.3 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall report their own ethical or professional misconduct and the misconduct of others. They shall report abuse (sexual or non-sexual) or neglect of children and/or vulnerable adults in accord with this policy (cf. 1.3).
- 5.1.4 Persons who seek the service of the Lord in the Church are to be able to do so without any doubt of whose interest clergy, employees and volunteers serve. All clergy, religious, seminarians, persons in formation, employees, and volunteers shall 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.
- 5.1.5 Information disclosed in ministerial settings where personal ministry services are being provided shall be held in the strictest confidence possible.
- 5.1.6 Confidentiality shall be maintained in creating, storing, accessing, transferring, and disposing of parish, religious community/institute, or organizational records.
- 5.1.7 Clergy, religious, seminarians, persons in formation, employees, and volunteers working with children or vulnerable adults shall maintain an open and trustworthy relationship with those with whom they are working.
- 5.1.8 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall not, for sexual gain or intimacy, exploit the trust placed in them by the faith community.
- 5.1.9 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall have a sense of propriety regarding touch and are to be aware of appropriate boundaries regarding touch.
- 5.1.10 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall not engage in sexual, physical, psychological, written, or verbal harassment of any person, and shall not tolerate such harassment by their colleagues.
- 5.1.11 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall be committed to a lifestyle that serves as an example of chastity in all relationships at all times.
- 5.1.12 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, civilly divorced, or widowed are called to be examples of chastity in single life.

5.2 CONFLICTS OF INTEREST

- 5.2.1 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall 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 the confidence of another for personal gain.

5.2.2 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall inform all parties when a real or potential conflict of interest arises. Resolution of the issues must protect the person receiving personal ministry services.

a) Clergy, religious, seminarians, persons in formation, employees, and volunteers shall never take advantage of anyone to whom they are providing personal ministry services in order to further their personal, religious, political, or business interests.

b) Clergy, religious, seminarians, persons in formation, employees, and volunteers shall not provide personal ministry services to anyone with whom they have a business, professional, or social relationship. When this is unavoidable, the recipient must be protected. The provider must establish and maintain clear, appropriate boundaries.

c) When personal ministry services are provided to two or more people who have a relationship with each other, the provider shall:

- i) clarify with all parties the nature of each relationship;
- ii) anticipate any conflict of interest;
- iii) take appropriate actions to eliminate the conflict; and
- iv) obtain from all parties written consent to continue services.

5.2.3 Conflicts of interest may also arise when the independent judgment of clergy, religious, seminarians, persons in formation, employees, or 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, religious, seminarians, persons in formation, employees, and volunteers shall advise the parties that he or she can no longer provide services and make a referral for continued ministry.

5.2.4 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall not take unfair advantage of counseling relationships with children/vulnerable adults for personal benefit or gratification.

5.3 CONFIDENTIALITY

- 5.3.1 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.
- 5.3.2 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 child or vulnerable adult must be reported regardless of when they occurred.
- 5.3.3 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall maintain confidentiality within the scope of their duties and as delineated in any job descriptions and employee practices.
- 5.3.4 Information disclosed in ministerial settings during the course of providing personal ministry services shall be held in the strictest confidence possible.
- 5.3.5 Information obtained in the course of providing personal ministry services shall be confidential, except for compelling professional reasons or as required by law.
- a) If there is clear and imminent danger to the person receiving personal ministry services or to others, the provider shall disclose only the information necessary to protect the parties affected and to prevent harm.
- b) Before disclosure is made, if feasible, the provider shall inform the person receiving personal ministry services about the disclosure and potential consequences.
- 5.3.6 The provider shall discuss the nature of confidentiality and its limitations with each person receiving personal ministry services.
- 5.3.7 The provider should keep minimal records of the personal ministry services provided.
- 5.3.8 While providing personal ministry services to an adult or child/vulnerable adult, the provider may discover a serious threat to the welfare of such person. If communication of confidential information to a parent or legal guardian is essential to such person's health and well-being, the provider shall:
- a) Attempt to secure written consent from the person for the specific disclosure.
- b) If consent is not given, the provider shall disclose only the information necessary to protect the health and well-being of the person. Consultation with the appropriate diocesan supervisory personnel is required before disclosure.
- 5.3.9 A breach of confidentiality occurs when confidential or privileged information is disclosed in the absence of compelling professional reasons and not required by law. A breach of confidentiality may result in disciplinary action up to and including termination of employment.
- 5.3.10 Providers of personal ministry services shall not overstep their competence and training and shall refer to other professionals when appropriate. The professional boundaries for diocesan personnel are dictated by their training and/or certification from a recognized professional association of peers or licensure from the State of Ohio, if applicable.
- 5.3.11 Providers of personal ministry services shall set, communicate, and maintain clear, appropriate boundaries in all relationships. This would include times and places of contacts.

5.4 CONDUCT WITH CHILDREN AND VULNERABLE ADULTS

- 5.4.1 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall exercise professional caution in all interactions with children and vulnerable adults.

- 5.4.2 Clergy, religious, seminarians, persons in formation, employees, and volunteers must be aware of their own and others' vulnerability when interacting with children/vulnerable adults alone and shall use a team approach to manage such activities.
- 5.4.3 Whenever possible there should be two compliant adults (cf. 1.2.13) in a room with children/vulnerable adults at all times for the protection of all parties.
- 5.4.4 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall not interact or meet with a child or vulnerable adult alone in a separate room unless there is a window in the door, or the door is open, except in the case of the Sacrament of Reconciliation within a church building.
- 5.4.5 Physical contact with children/vulnerable adults can be misconstrued and shall occur:
- a) only when completely nonsexual and otherwise appropriate, and;
 - b) never in private.
- 5.4.6 No child or vulnerable adult shall be disciplined corporally or corrected with abusive language.
- 5.4.7 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall never use inappropriate expressions of physical affection with children/vulnerable adults, including but not limited to: inappropriate or lengthy embraces; kisses on the mouth or other parts of the body; holding on the lap; touching bottoms, chest or genital areas; tickling; sleeping in bed with a child/vulnerable adult; wrestling; engaging in contact sports or competitions with children/vulnerable adults; piggyback rides; any type of massage given to or received from a child or vulnerable adult; any form of unwanted affection; compliments that relate to physique, body development, or physical appearance; any form of physical affection/contact given to a child/vulnerable adult in private.
- 5.4.8 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall faithfully represent the teachings of the Catholic Church with integrity in word and action, and thus:
- a) shall refrain from the illegal possession and/or illegal use of drugs;
 - b) shall refrain from the use of alcohol when interacting with children/vulnerable adults;
 - c) shall never supply alcohol (except for the distribution of Holy Communion under both species) or illegal drugs to children/vulnerable adults;
 - d) shall never use any form of tobacco in the presence of children/vulnerable adults; and
 - e) shall never obtain or possess sexually explicit or pornographic materials, nor participate in the distribution or receipt of pornographic materials through any medium or share such materials in any way with children/vulnerable adults.
- 5.4.9 A child or vulnerable adult shall only participate in an organized program sponsored by a parish or institution of the Diocese of Youngstown with the written consent of such person's parent or guardian. Such consent should provide for emergency care of such person as warranted by the program or activity.
- 5.4.10 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall obtain the written consent of such person's parent or guardian before allowing such person to visit in the adult's home.
- 5.4.11 Any person who interacts with children/vulnerable adults alone or who is responsible for children/vulnerable adults, including chaperones, on behalf of a parish, school, or institution in the diocese must be a compliant adult 21 years of age or older (cf. 1.2.13).

- 5.4.12 An adult who is not in full compliance (cf. 1.2 13) shall never be permitted to interact with a child/vulnerable adult alone or in a capacity that makes such person responsible for children/vulnerable adults on behalf of a parish, school, or institution of the diocese.
- 5.4.13 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. The ratio is 1 adult to 6 children for field trips or overnight trips and 1 adult to 10 children for on campus events. All youth trips require at least two chaperones. In all references to youth trips or youth activities, youth shall mean children and vulnerable adults.
- 5.4.14 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall never be the sole chaperone on any youth trip.
- 5.4.15 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall not provide shared, private, overnight accommodations for individual children or vulnerable adults 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.
- 5.4.16 When staying overnight with children/vulnerable adults, no cleric, religious, seminarian, person in formation, 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), with a child or vulnerable adult. Parents/guardians may sleep in the same room with their own children/wards with the permission of the program supervisor.
- 5.4.17 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall never accompany children/vulnerable adults to church or school-sponsored sporting events, movies, or other forms of entertainment without at least one other compliant adult chaperone over the age of 21 present.
- 5.4.18 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall follow all of the norms and guidelines related to communicating with children or vulnerable adults via social media and other forms of electronic communication as described in Part 5, Section D of this policy.
- 5.4.19 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall never be present in locker rooms or other dressing rooms used by children/vulnerable adults without another compliant adult over the age of 21 present.
- 5.4.20 Clergy, religious, seminarians, and persons in formation, employees, and volunteers shall never change clothes or shower in facilities that are being used by children or vulnerable adults.
- 5.4.21 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall never travel in a vehicle alone with a child or vulnerable adult without prior express permission of such person's parents or legal guardians, utilizing diocesan driver policies. Whenever possible it is recommended that each vehicle have two chaperones present.
- 5.4.22 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall not give expensive gifts or gifts of a personal nature to children/vulnerable adults nor accept expensive gifts or gifts of a personal nature from children/vulnerable adults without prior express permission of such person's parents or legal guardians.
- 5.4.23 In the event of a large gathering of adults and children/vulnerable adults, such as a parish festival or dinner, only those volunteers who have the potential of being alone with children/vulnerable adults or who are directly responsible for children/vulnerable adults that are not under the supervision of a parent/guardian are required to be in full compliance (cf. 1.2 14).
- 5.4.24 At an activity that is sponsored by, or for, youth, and where youth are present, alcohol shall not be present.

5.4.25 For the health and well-being of the youth in rare emergency situations, when accommodation is necessary, clergy, religious, seminarians, persons in formation, employees, and volunteers shall use their best efforts to protect all parties from the appearance of impropriety and from all risk of harm.

5.5 OTHER NORMS FOR CLERGY, RELIGIOUS, SEMINARIANS, & PERSONS IN FORMATION

5.5.1 In addition to the guidelines and norms in section 5.4, clergy, religious, seminarians, and persons in formation are to also follow these norms.

a) Whenever possible, a priest must avoid being alone with a child or vulnerable adult, excluding the Sacrament of Reconciliation (normally taking place within the church), or providing personal ministry services (normally occurring in the professional offices of the church or rectory with an open door or a closed door with a window).

b) Children/vulnerable adults are permitted only in the public areas of a rectory and never in the private living quarters of a priest. Clergy, religious, seminarians, and persons in formation shall never allow children or vulnerable adults to stay overnight in a priest's private accommodations or residence. Children and vulnerable adults are not permitted in any private residence, cabin, condominium, summer home, or other dwelling leased or owned by a priest unless the child or vulnerable adult is accompanied by his or her parent(s) or guardian(s).

c) Pastors/administrators must not have children or vulnerable adults employed or volunteering in rectories or parish offices if the situation exists where a child or vulnerable adult is alone with an adult.

d) Clergy, religious, seminarians, and persons in formation who find themselves attracted to children or vulnerable adults 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.

e) Conversations or discussions of a topic of a sexual nature with children/vulnerable adults must be limited to the cleric's teaching office or made in response to specific questions.

f) Clergy, religious, seminarians, and persons in formation shall report concerns about suspicious or inappropriate behavior of clergy, employees, or volunteers with a child or vulnerable adult as delineated under Ohio law and this policy.

g) With regard to children/vulnerable adults within the extended family of a cleric, religious, seminarian, or person in formation, or in cases where the previously mentioned have children, these standards of conduct shall be followed with due discretion, diligence, and prudence, adapting those standards which should be adapted because of family relationships.

5.5.2 In addition to the guidelines and norms in section 5.4 and 5.5.1, Deacons are also to follow these norms.

a) Permanent Deacons shall 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.

b) Transitional Deacons are held to the same standards as priests and must follow these guidelines and norms.

5.6 SEXUAL AND OTHER FORMS OF MISCONDUCT & HARASSMENT

5.6.1 Harassment can be racial, ethnic, religious, sexual, or age related. This includes unwelcome remarks, gestures, physical conduct, or the display or circulation of written material or pictures derogatory to either sexual, racial, ethnic, or religious groups. Harassment is unwelcome verbal or physical conduct that

embarrasses, denigrates, or shows hostility toward a person because of race, color, religion, sex, national origin, age, or disability.

- 5.6.2 Sexual harassment committed by clergy, religious, seminarians, persons in formation, employees, and volunteers is not to be tolerated. Such activity is contrary to basic Christian ethical principles and is a violation of the ministerial relationship of trust between clerics, church workers, and volunteers and those they serve. Sexual harassment is offensive to the individual and the values of the Gospel instructions and the Church's teachings on the dignity of the human person.
- 5.6.3 For purposes of this policy, sexual harassment shall mean:
- a) unwelcome sexual advances or requests for sexual favors or verbal or physical conduct of a sexual nature in the workplace, educational institutions, or elsewhere;
 - b) threats, demands, or suggestions (whether explicit or implied) that a job, salary, or other situation is dependent on the toleration of or submission to sexual advances;
 - c) inappropriate conduct that could not have occurred but for the sex of the other person;
 - d) conduct contrary to the moral doctrine and teachings of the Catholic Church and the *Code of Canon Law*;
 - e) notwithstanding the foregoing, nothing set forth herein is intended, nor shall be construed, to create a cause of action other than as specifically provided by applicable federal, state, or local laws, and the Diocese of Youngstown, its parishes, schools, and institutions, expressly reserve any and all rights and protections afforded to them by the United States Constitution, the Constitution of the State of Ohio, and applicable law, including, without limitation, the free exercise of religion.
- 5.6.4 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall behave in a professional manner at all times.
- 5.6.5 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall never exploit another person for sexual purposes.
- 5.6.6 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall avoid developing inappropriate intimate relationships with other clergy, religious, seminarians, persons in formation, employees, and volunteers.
- 5.6.7 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall never develop or encourage inappropriate intimate relationships with children or vulnerable adults
- 5.6.8 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall not engage in sexual harassment or any inappropriate behavior of a sexual nature toward other persons.
- 5.6.9 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 work environment.
- 5.6.10 Harassment can take many forms, including behavior which is not welcome, and which is personally offensive, including, but not limited to, the following examples of harassment:
- a) abusing the dignity of a person by insulting or degrading (sexual or other) remarks or conduct;

- b) conduct which has the purpose or effect of interfering with work performance, or creates an intimidating, hostile or offensive environment;
 - c) retaliation for reporting the offensive behavior.
- 5.6.11 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall not discriminate against any individual on the basis of race, color, national origin, sex, age, physical or mental disability, pregnancy, or military or veteran status, or any other characteristic protected by applicable federal, state, or local laws, except when such status is a bona fide occupational qualification in accordance with civil or Church law. Notwithstanding the foregoing, or any other provision in this Policy, the Diocese of Youngstown, its parishes, schools, and institutions, expressly reserve any and all rights and protections afforded to them by the United States Constitution, the Constitution of the State of Ohio, and applicable law, including, without limitation, the free exercise of religion.
 - 5.6.12 Harassment can occur as a result of a single severe incident or a persistent pattern of conduct where the purpose or effect is to create a hostile, offensive or intimidating work environment.
 - 5.6.13 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall 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.
 - 5.6.14 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall hold each other accountable for maintaining the highest ethical and professional standards.
 - 5.6.15 Educational sessions on these and related matters should be an on-going part of the continuing formation of clergy, religious, seminarians, persons in formation, employees, and volunteers.
 - 5.6.16 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall report harassment, including sexual harassment, to their local supervisor and/or Compliance Officer. Reports may also be made directly to the Safe Environment Coordinator who will forward the report to the applicable local or diocesan supervisor for an investigation.
 - 5.6.17 Clergy, religious, seminarians, persons in formation, employees, and volunteers who consider themselves to be victims of harassment, sexual harassment, or who are offended by inappropriate jokes, comments, or other conduct in the workplace should make it clear to the offender that such behavior is offensive to them and shall immediately report the behavior to their local supervisor. The local supervisor will arrange for an investigation to take place. Reports may also be made directly to the Safe Environment Coordinator who will forward the report to the applicable local supervisor for an investigation.
 - 5.6.18 Supervisors and/or Compliance Officers shall notify the Office of Safe Environment when they receive a report of harassment or sexual harassment.
 - 5.6.19 When the one accused of harassment or sexual harassment is a religious or person in formation, the Vicar General or Safe Environment Coordinator shall notify the person's religious superior and the necessary diocesan officials of the accusation. Additionally, a copy of any disciplinary action is to be forwarded to the Safe Environment Coordinator who will then notify the bishop, the Vicar General, and the accused person's religious superior.
 - 5.6.20 If the one accused of harassment or sexual harassment is a priest, deacon, or seminarian the complaint is to be made to the Victim Assistance Coordinator who will then immediately notify the bishop, the Vicar General, the Vicar for Clergy, and the Safe Environment Coordinator. The Vicar General and/or the Vicar for Clergy will arrange for the investigation of the complaint. (Should the complaint involve the Vicar General or the Vicar for Clergy, it is to be made to the Victim Assistance Coordinator and the bishop, who will arrange for an investigation to take place. Should the complaint involve the bishop, it is to be made to the Victim Assistance Coordinator and the Vicar General, who shall proceed in accordance with Canon Law.) If the complaint is admitted or established, the priest or deacon will be notified that his permission to

minister in the Diocese has been suspended, either permanently or pending the completion of appropriate therapy.

5.6.21 Verified incidents of harassment or sexual harassment of co-workers or others contacted in the course of work by lay employees or volunteers will result in disciplinary action up to and including termination of employment or volunteer service.

5.6.22 Only with the permission of the bishop may:

a) A lay employee or volunteer who was terminated due to sexual harassment be re-employed;

b) A priest, deacon, or religious from another diocese whose permission to function here was suspended due to sexual harassment return to ministry in the Diocese of Youngstown;

c) A seminarian who lost diocesan sponsorship due to sexual harassment regain diocesan sponsorship.

These will occur only if there is an affirmative evaluation from the counselor indicating the problem that led to the offense is controlled and that there is no further danger of harassment, and a positive recommendation from the supervisor.

5.6.23 When the person accused of sexual harassment is a priest or deacon, the bishop may submit the case to the Diocesan Review Board and/or the Standards of Ministerial Behavior Advisory Council to assist with his determination of suitability for ministry.

5.6.24 To the extent possible, all information received in connection with the filing, investigation, and resolution of allegations will be treated as confidential except to the extent it is necessary to disclose particulars in the course of the investigation or when compelled to do so by law. All individuals involved in the process should observe the same standard of discretion and respect for the reputation of everyone involved in the process.

5.6.25 Diocesan policy and state and federal law prohibit retaliation against an individual for reporting harassment or sexual harassment, or for participating in an investigation. The Diocese will not tolerate retaliation in any form against any cleric, religious, seminarian, person in formation, employee, or volunteer who files an allegation, serves as a witness, assists an allegation, or participates in an investigation of harassment or sexual harassment. Retaliation is a serious violation that can subject the offender to sanctions independent of the merits of the harassment or sexual harassment allegation. Allegations of retaliation should be directed to the supervisor or person in charge of personnel.

5.6.26 Clergy, religious, seminarians, persons in formation, employees, and volunteers are prohibited from retaliating against individuals who make good faith reports of harassment or sexual harassment.

5.6.27 The welfare of the victim is of primary concern. To that end, the diocese will offer to help the individual deal with the experience he or she has undergone, including professional counseling, as warranted.

a) When counseling is warranted, the diocese, or parish/institution, will provide for such counseling when the offender was a priest, seminarian, deacon, woman or man religious, employee or volunteer of the Diocese of Youngstown at the time the harassment or sexual harassment occurred.

b) When it is necessary, the bishop or Vicar General, working in conjunction with the pastor, institution supervisor, office or program director, and/or Dean, will determine how the diocese will assist the local parish, school, or institution to respond to an allegation of harassment or sexual harassment. Depending on the circumstances involved, the bishop may also consult with the Review Board, the diocesan attorney, and others before coming to a determination.

C) ADDITIONAL RESPONSIBILITIES

5.7 ORGANIZATIONAL RECORDS AND INFORMATION

5.7.1 Clergy, religious, seminarians, persons in formation, employees, and volunteers in parishes, schools and institutions of the diocese who are responsible for and/or have access to organizational records and information shall abide by the following guidelines.

a) Sacramental Records

- i) Sacramental records are confidential.
- ii) Sacramental records are not open to the public.
- iii) Only those employees/volunteers who have permission to search the records may do so.
- iv) Special care must be taken when issuing certificates from the sacramental register, especially regarding adoption and legitimacy of the individual.
- v) Information from sacramental registers may be provided only for legitimate purposes, e.g., baptismal records needed in order to receive other sacraments, genealogy research.

b) Financial Records

- i) Financial records are confidential.
- ii) Financial records are not open to the public.
- iii) Only those clergy, employees, and volunteers who have permission to access the records may do so.
- iv) Individual contribution records will be regarded as private and maintained in strictest confidence.
- v) Information from financial records may only be released when required by the diocese or other appropriate agency.

c) Personnel Records

- i) Personnel records are confidential
- ii) Personnel records are not open to the public
- iii) Only those clergy, employees, and volunteers who have permission to access the records may do so.

d) Safe Environment Records

- i) Safe environment records are confidential
- ii) Safe environment records are not open to the public
- iii) Only those clergy, employees, and volunteers who have permission to access the records may do so.

e) Other Records/Information

i) Records at the diocesan offices, parishes, schools or institutions must be properly maintained and stored.

ii) Confidentiality appropriate to the situation must be maintained in creating, storing, accessing, transferring, and disposing of all records and information.

5.8 ADMINISTRATION & AUTHORITY

5.8.1 Employers and supervisors shall treat clergy, religious, seminarians, persons in formation, employees, and volunteers justly in the day-to-day administrative operations of their ministries.

5.8.2 Personnel and other administrative decisions made by clergy, religious, seminarians, persons in formation, employees, and volunteers must meet civil and canon law obligations as well as reflect Catholic social teaching and this policy.

5.8.3 Clergy, religious, seminarians, persons in formation, employees, and volunteers must not use their positions in a way which exceeds or abuses legitimate authority.

5.9 PERSONAL WELL-BEING

5.9.1 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall be responsible for their own spiritual, physical, mental, and emotional health.

5.9.2 Clergy, religious, seminarians, persons in formation, employees, and volunteers should be aware of warning signs that indicate potential problems with their own spiritual, physical, mental and/or emotional health.

5.9.3 Clergy, religious, seminarians, persons in formation, employees, and volunteers should seek help immediately whenever they notice or become aware of behavioral or emotional warning signs in their own professional and/or personal lives.

5.9.4 Clergy, religious, seminarians, persons in formation, employees, and volunteers should address their own spiritual needs.

5.9.5 Clergy, religious, seminarians, persons in formation, 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.

D) SOCIAL MEDIA AND ELECTRONIC COMMUNICATION

5.10 USE OF SOCIAL MEDIA AND ALL FORMS OF ELECTRONIC COMMUNICATION

5.10.1 These standards apply to all clergy, religious, seminarians, persons in formation, employees, and volunteers of parishes, schools, and institutions of the Diocese of Youngstown. Those who use the various forms of social media, e-mail, or the Internet shall use these forms of communication for appropriate ministry and not to develop personal relationships with others, or with those whom they serve, especially children and/or vulnerable adults.

5.10.2 “Social media,” for the purposes of this document, refers to Internet, network, and mobile-based tools for sharing information and communicating in interactive dialogue. Social media is a constantly developing field which currently includes but is not limited to: Facebook, Twitter, YouTube, TicToc, LinkedIn, blogs, Yelp, Foursquare, Flickr, Instagram, texting, and various mobile device “apps.”

- 5.10.3 Because technology is constantly evolving, the technical principles in this section shall apply to new forms of communication developed after the issuance of these standards. A change in technology does not exempt clergy, religious, seminarians, persons in formation, employees, and volunteers from diocesan principles and standards.

No Privacy in Electronic Communications

- 5.10.4 Electronic mail, social media, or Internet communications, and Internet browsing in a parish, school, or institution is not private. Such communications and Internet use in the course of ministry or with persons served in ministry, that are made using the Internet service, hardware or software owned, leased, or licensed by any diocesan parish, school, or institution (with or without permission) are subject to oversight and scrutiny and may be monitored, reviewed, or accessed without the knowledge or consent of the sender or recipient.
- 5.10.5 All computers, cell phones, and other digital or electronic devices owned or leased by an entity may be inspected at any time without any advance notice, including such devices assigned to an individual for his or her exclusive use.

Open and Transparent Electronic Communication or Use of Social Media by Church Personnel and Volunteers

- 5.10.6 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall discuss with supervisors and pastors their planned use of social media, e-mail communication, or the Internet before applying it to an area of ministry, especially with children or vulnerable adults.
- 5.10.7 If clergy, religious, seminarians, persons in formation, employees, and volunteers do use electronic communications to communicate with children or vulnerable adults, then a permission slip granting permission for direct electronic communication shall be issued to the parents or guardians. Electronic communication is not to take place until the signed permission slip is received by the parish, school, or institution.
- 5.10.8 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall carefully compose appropriate communication, especially communication that is intended for children or vulnerable adults, to eliminate any wording that could be interpreted as sexually suggestive and copy an adult who is a ministerial supervisor on the communication so that it is public and verifiable.
- 5.10.9 When the director of a ministry determines that communication via electronic, digital, or social media is appropriate to ministry, each entity promoting that ministry should provide all employees and appropriate volunteers in the program with individual email addresses and/or other access accounts which indicate the name of the entity and the specific ministerial function. There are two methods for providing email to church personnel and volunteers.
- a) Preferred method – entities should provide email accounts specific to the domain of their parish/school/institution web site (e.g., @youngstowndioocese.org or DRE@stgeorge.com).
- b) Other method – supervisors could establish a web-based account (e.g., stgeorgeDRE@gmail.com). The password in this case should be known by the supervisor and the individual church personnel or volunteer.
- 5.10.10 Clergy, religious, seminarians, persons in formation, employees, and volunteers should use these official ministry e-mail addresses or accounts for communications and social media access rather than their personal addresses or accounts to communicate with persons related to their ministry, especially children and vulnerable adults.

Supervision of Electronic Communications

- 5.10.11 A supervisor or other designated person of an entity shall have the ability to access the communications pertaining to the work of every employee or volunteer. Access should be made available by the system administrator using the system's administrative functions.

- 5.10.12 The sharing of individual passwords is never recommended to gain access to an account, except with a supervisor. In the event that an individual's official email is web-based (e.g., Gmail, Ymail, AOL, etc.), a common password to that account should be known by the individual and the supervisor.
- 5.10.13 Employees and volunteers should not use the entity's hardware, Internet portal, or software for personal communications not related to the entity.
- 5.10.14 The use of personal social media, as opposed to that of an employer or entity, for ministry related communications may be an occasion for disciplinary action, including termination of employment or status as a volunteer, especially if there is violation of the norms in this policy.
- 5.10.15 Evidence of the accessing, storing, or transmitting of pornographic images is cause for immediate disciplinary action, including termination of employment or status as a volunteer.
- 5.10.16 Any evidence of criminal activity, such as suspected child pornography, found on an entity computer by any person shall be immediately reported to law enforcement officials, the Safe Environment Coordinator, as well as to the appropriate supervisor.

Guides for the Use of Electronic Communication and Social Media

- 5.10.17 Electronic communication should be brief, simple, and clear as to its stated purpose of business.
- 5.10.18 Personal remarks other than common courtesies appropriate in the situation, especially when addressing children or vulnerable adults, should be avoided. Excessive familiarity or a purely social relationship is not appropriate in ministry; adults in ministry may develop a cordial and supportive relationship with children or vulnerable adults but must refrain from excessive familiarity or friendship with such persons.
- 5.10.19 When using any form of social media, e-mails, or the Internet, all policies contained in this policy apply. This especially applies to rules of confidentiality, conduct with children or vulnerable adults, sexual conduct, and harassment.
- 5.10.20 Clergy, religious, seminarians, persons in formation, employees, and volunteers are to see that their own personal social networking site does not contain any material that is pornographic, indecent, or inconsistent with the teachings of the Catholic Church.
- 5.10.21 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall refrain from intimate postings on blogs, social media platforms, and other similar online communications.
- 5.10.22 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall not post on their own personal social networking sites any image of a child or vulnerable adult with whom they are working or have previously worked in a parish or entity. When sharing a photo that includes such a person on the entity's social networking site, written permission shall be obtained from the person's parent or legal guardian. The identity of such person shall never be included as part of the picture or description without written permission from such person's parent or legal guardian.
- 5.10.23 Clergy, religious, seminarians, persons in formation, employees, and volunteers shall not examine or patrol the social networking sites of any children or vulnerable adults with whom they work, monitor their behavior on those sites, or seek out such person's personal site for details of his or her personal life.

Administrative Matters

- 5.10.24 Copyrighted Material: Use of an entity's system or systems for unauthorized copying of copyrighted software or content is expressly prohibited. Moreover, proprietary information belonging to others must not be placed on an entity's system without the prior written approval of the owner. Any cleric, religious, seminarian, person in formation, employee, or volunteer who violates these rules may be disciplined.

- 5.10.25 If clergy, religious, seminarians, persons in formation, employees, or volunteers receive notice, in writing or otherwise, or become aware that an entity's system(s) is being used or is proposed to be used to create, disseminate, store, upload or download any messages, communications or other material in violation of copyrights, trademarks, patents, intellectual property or other property rights of any party, such persons shall inform the entity director or his or her designee in writing of such use or proposed use. The entity may remove or disable access to any material that is claimed to be infringing or to be the subject matter of infringing activity.
- 5.10.26 The entity may establish a policy or policies to protect information from unauthorized and inappropriate access, publication or modification; such a policy may also supplement, but not contradict this policy, to address particular activities, ministries, staff, expertise in technology, system or site, its own hardware and software.
- 5.10.27 All clergy, religious, seminarians, persons in formation, employees, and volunteers must adhere to any such policy or policies. Failure to adhere to such policy or policies may be an occasion for disciplinary action, including termination of employment or status as a volunteer.
- 5.10.28 Any site or system established by an entity must have an adult as the administrator of the system or site; the administrator is to be selected by the director of that entity.

E) REPORTING ETHICAL OR PROFESSIONAL MISCONDUCT

- 5.11.1 When an uncertainty exists about whether a situation or course of conduct violates these standards or other religious, moral, or ethical principles, clergy, religious, seminarians, persons in formation, employees, and volunteers should consult with the Office of Safe Environment.
- 5.11.2 When it appears that someone within the scope of one of these standards of conduct has violated one or more of these standards, clergy, religious, seminarians, persons in formation, employees, and volunteers:
- a) Must report the issue to the individual's supervisor or next higher authority and, when applicable, the Office of Safe Environment.
 - b) If it is a matter of abuse or neglect of a child or vulnerable adult, reporting must be done according to this policy (cf. 1.3).
- 5.11.3 Those who disregard or violate these Standards may be subject to disciplinary action by the entity within the diocese that employs, supervises, or authorizes their ministry or activity. Corrective action may take various forms, from a verbal or written reprimand to removal from employment or service, depending on the specific nature and circumstances of the offense and the extent of the harm.

The Standards of Ministerial Behavior Advisory Council

- 5.11.4 The bishop, in consultation with applicable staff members, may refer any allegation of violations of these Standards to the Standards of Ministerial Behavior Advisory Council.
- 5.11.5 The Standards of Ministerial Behavior Advisory Council assesses allegations of misconduct that constitute violations of these Standards or other diocesan policies including, but not limited to, offenses involving fiscal mismanagement, misappropriation of funds and resources, or a failure to adhere to diocesan policy. The Advisory Council also provides an official recommendation to the bishop regarding the fitness for ministry of the accused, possible responses to or rehabilitation for the offender, and types of assistance that may be provided to any victims.
- 5.11.6 The Advisory Council shall consist of the Vicar General, the Chancellor, the Vicar for Clergy, the Safe Environment Coordinator, a member of the Diocesan Review Board, and others as requested by the bishop.

APPENDIX 1
INSTRUCTIONS FOR REPORTING ABUSE

If a person's safety or life is in immediate danger report this to the police by calling 911.

STEP 1: REPORTING TO CIVIL AUTHORITIES

To report the abuse or suspected abuse of an adult, call your local police agency.

To report the abuse or suspected abuse of a child or vulnerable adult, call the Children Services Agency of your County and your local police agency.

Children Services Agencies in Counties of the Catholic Diocese of Youngstown

<u>County</u>	<u>Phone Number</u>
Ashtabula	440-998-1811
Columbiana	330-424-7781
Mahoning	330-941-8888
Portage	330-296-2273
Stark	330-455-5437
Trumbull	330-372-2010

You may also call 855-O-H-CHILD (855-642-4453). This is an automated telephone directory that will link callers directly to a child welfare or law enforcement office in their County. Reports can be anonymous.

STEP 2: REPORTING TO THE CATHOLIC DIOCESE OF YOUNGSTOWN

To report abuse or suspected abuse by a priest, deacon, seminarian, religious, person in formation, employee, or volunteer of the Diocese of Youngstown contact the Victim Assistance Coordinator.

Contact Information for the Diocesan Victim Assistance Coordinator

By phone at the Diocesan Response Line: 330-718-1388

By phone at the Diocese of Youngstown: 330-744-8451 x293

By mail at:
Catholic Diocese of Youngstown
Attn: Victim Assistance Coordinator
144 West Wood Street
Youngstown, OH 44503

APPENDIX 2
**SUGGESTED WRITTEN REPORT OF AN ALLEGATION OF ABUSE
OF A MINOR OR VULNERABLE ADULT**

Reporting Party

Name: _____ Date of Report: _____
Address: _____
Telephone: _____ Email: _____
Relationship of Reporting Party to Minor/Vulnerable Adult: _____

Minor/Vulnerable Adult

Name: _____ Date of birth: _____
Address: _____ Male or Female: _____
Parent/Guardian: _____
Address: _____ Telephone: _____
Is (are) the parent/guardian aware of the allegation? _____
Where is the minor/vulnerable adult now? _____

Suspected Perpetrator

Name: _____ Age: _____
Address: _____ Male or Female: _____
Relationship to Minor/Vulnerable Adult: _____
Position in the Diocese of Youngstown (clergy/employee/volunteer, etc.): _____
Where is the alleged perpetrator now? _____
Is the alleged perpetrator aware of the allegation? _____
Does the alleged perpetrator have current access to the minor/vulnerable adult or other children/vulnerable adults?

Report to Civil Authorities

Was a report made to law enforcement (police or sheriff)? _____
If yes, name person or department to whom reported: _____
If applicable, which Children’s Service Agency was contacted? _____

Reason for Report

Please attach a signed letter that describes the alleged abuse, when and where the alleged abuse occurred, and any circumstances surrounding the alleged abuse.

Was any electronic communication or media device involved with the alleged abuse? _____

If so, what device? _____ Is the device mobile? _____

Has the device been secured? _____ Where is the device? _____

Please provide the name, address, and telephone number of any other individuals who have knowledge of the alleged abuse.

Submission of Report

(Signature of the Reporter) (Date Signed)

Printed name of the person who received this report: _____

Position of the person who received this report: _____

(Signature of the person who received this report) (Date Signed)

This report must be sent to the Victim Assistance Coordinator of the Catholic Diocese of Youngstown. Please keep a copy for your records.

APPENDIX 3
**CRIMINAL OFFENSES THAT DISQUALIFY APPLICANTS FROM WORKING
WITH CHILDREN AND VULNERABLE ADULTS
IN THE CATHOLIC DIOCESE OF YOUNGSTON**

The *Ohio Revised Code* imposes particular requirements upon religious and charitable organizations which use volunteers who have unsupervised access to children on a regular basis. Specifically, a requirement for parental notification exists in the event a volunteer will have unsupervised access to children and has been convicted of or has pleaded guilty to one of the offenses listed in *Ohio Revised Code* section 109.572(A)(1)(a). Please consult the *Ohio Revised Code* for detailed descriptions of the following offenses.

<u>Section</u>	<u>Description</u>
2903.01	Aggravated murder
2903.02	Murder
2903.03	Voluntary manslaughter
2903.04	Involuntary manslaughter
2903.041	Reckless homicide
2903.06	Aggravated vehicular homicide; vehicular homicide; vehicular manslaughter
2903.08	Aggravated vehicular assault
2903.11	Felonious assault
2903.12	Aggravated assault
2903.13	Assault
2903.16	Failing to provide for functionally impaired person
2903.21	Aggravated menacing
2903.34	Patient abuse or neglect
2905.01	Kidnapping
2905.02	Abduction
2905.05	Criminal child enticement
2905.11	Extortion
2905.32	Trafficking in persons
2907.02	Rape
2907.03	Sexual battery
2907.04	Unlawful sexual conduct with a minor
2907.05	Gross sexual imposition
2907.06	Sexual imposition
2907.07	Importuning
2907.08	Voyeurism
2907.09	Public indecency
2907.19	Commercial sexual depiction of a minor
2907.21	Compelling prostitution
2907.22	Promoting prostitution
2907.23	Procuring (Enticement or solicitation to patronize a prostitute; procurement of a prostitute for another)
2907.25	Prostitution; prostitution after positive HIV test
2907.31	Disseminating matter harmful to juveniles
2907.32	Pandering obscenity
2907.321	Pandering obscenity involving a minor or impaired person
2907.322	Pandering sexually oriented matter involving a minor or impaired person
2907.323	Illegal use of a minor or impaired person in nudity-oriented material of performance
2911.01	Aggravated robbery
2911.02	Robbery
2911.11	Aggravated burglary
2911.12	Burglary; trespass in a habitation when a person is present or likely to be present
2919.12	Abortion with informed consent prohibited (Unlawful abortion)
2919.22	Endangering children

2919.24	Contributing to unruliness or delinquency (of a child)
2919.25	Domestic violence
2923.12	Carrying concealed weapons
2923.13	Having weapons while under disability
2923.161	Improperly discharging firearm at or into habitation or school safety zone (or with intent to cause harm or panic to persons in a school building or at a school function)
2923.17	Unlawful possession of dangerous ordinance; illegally manufacturing or processing explosives
2923.21	Improperly furnishing firearms to a minor
2923.42	Criminal gang activity
2925.02	Corrupting another with drugs
2925.03	Trafficking offenses; aggravated trafficking in drugs
2925.04	Illegal manufacturer of drugs; illegal cultivation of marihuana; methamphetamine offenses
2925.041	Illegal assembly or possession of chemicals for the manufacture of drugs
2925.05	Aggregated funding of drug trafficking; funding of marihuana trafficking
2925.06	Illegal administration or distribution of anabolic steroids
2925.13	Permitting drug abuse
2925.22	Deception to obtain a dangerous drug
2925.23	Illegal processing of drug documents
2925.24	Tampering with drugs
2925.31	Abusing harmful intoxicants
2925.32	Trafficking in harmful intoxicants; improperly dispensing or distributing nitric oxide
2925.36	Illegal dispensing of drug samples
2925.37	Possession of or trafficking in counterfeit controlled substances
3716.11	Adulteration of food (placing harmful or hazardous objects in food or confection)

APPENDIX 4
**MODEL FOR A LETTER/STATEMENT ON THE SUITABILITY OF A RELIGIOUS
OR A NONINCARDINATED PRIEST SEEKING EMPLOYMENT OR ASSIGNMENT
IN THE CATHOLIC 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.

(Signature)

(Date)

APPENDIX 5
NORMS AND GUIDELINES FOR HIRING AGENTS

- 1) Hiring agents shall have their Compliance Officer submit the names of all applicants for employment, and any volunteers who seek to interact with children or vulnerable adults, to the Safe Environment Office for a check of the permanent register of all diocesan personnel (clergy or lay) who have abused children or vulnerable adults, or about whom questions have been raised.
- 2) Hiring agents shall inform the applicant that their being hired is dependent on whether or not they pass a criminal background check.
- 3) Hiring agents should make a reasonable effort to speak with the references provided by the applicant. The hiring agent should keep a record of these communications.
- 4) Hiring agents should investigate and confirm the applicant's employment history. The hiring agent should keep a record of this investigation.
- 5) Hiring agents should conduct an interview with qualified applicants before they are hired. If possible, this interview should be fact-to-face.
- 6) Hiring agents should learn about screening techniques and strategies to apply while conducting interviews.

APPENDIX 6
DIOCESAN POLICY FOR PARTICIPATION IN CHURCH LIFE
BY SEX OFFENDERS

These guidelines are not meant to isolate or discriminate against any individual. They provide protective boundaries in the parish environment for the safety of children, adults, and offenders.

Limitations

1. Known sex offenders must comply at all times with the rules established by their Community Corrections Officer.
2. Known sex offenders may only attend scheduled public liturgies (e.g., Mass, Communal Penance services, etc.). They may not participate in parish activities such as the social hour following Mass, parish dinners, or any activity other than liturgical celebrations.
3. Known sex offenders may not serve on committees of the parish or participate in other publicly advertised parish events, nor may they be present on parish property at any time, even if accompanied by a guardian, other than to attend Mass or another liturgy.

Notifications

1. It is required that selected parish staff as well as selected ushers and others on a need to know basis are made aware of all known sex offenders that attend Mass in a particular parish. Pictures of the offender may be distributed to selected parish staff, ushers, and others as determined by the pastor.
2. We reserve the right to notify all parents/guardians to ensure that they are aware of the sex offender's background.
3. According to the discretion of the pastor or parish leader, neighboring parishes may be notified as well.

Supervision

1. An adult guardian, who is selected from among parishioners and approved by state guideline and the pastor, must supervise known sex offenders at all times while on parish property. This includes visits to the restroom before, during or after Mass.
2. The adult guardian must be at least 21 years of age and of the same sex as the sex offender and may not be related to the offender by blood, adoption, or marriage.
3. The guardian(s) must agree to submit to a criminal background check, which must be completed and cleared before a guardian may supervise the offender. The adult guardian(s) may not fulfill the function of guardian(s) if he or she has been convicted of or pled guilty to a disqualifying offense with regard to working around children or vulnerable adults as defined by the *Ohio Revised Code*.
4. The guardian(s) will also be required to sign a document agreeing to follow, at all times, the supervisory guidelines.
5. A parish may require a known sex offender to sit in a specific spot in the church for monitoring purposes. A known sex offender may not sit next to an unrelated child or vulnerable adult while on parish property. If a child or vulnerable adult sits next to the sex offender, the offender must move to another seat.

APPENDIX 7
GUIDELINES FOR IMPLEMENTATION IN PARISHES OF THE DIOCESAN POLICY FOR PARTICIPATION IN CHURCH LIFE BY SEX OFFENDERS

Parish leadership may become aware of a Sex Offender in three ways:

1. A sex offender may come forward and disclose his/her criminal record.
2. A sex offender may apply to volunteer in the parish and in the course of processing the background check the offender's criminal history is revealed.
3. A member of the parish community may be aware of the sex offender's status and come forward with information.

Though our primary goal is the protection of children and vulnerable adults and the safety of all parishioners, we recognize the inherent dignity and value of each human person. Consequently, our first response must always be charity and pastoral concern, even for those who have committed grave crimes. Therefore it is necessary that the following procedures must be followed by Pastors and other Parish Leadership, in order to maintain and safeguard the rights of all individuals involved.

1. The pastor or parish leader is required to meet with the offender and review the *Policy for Participation in Church Life by Sex Offenders*. This meeting should never be delegated to another parish staff member or volunteer. Again, it is important that these forms not be mailed or given by the parish secretary. The forms should be reviewed by the pastor or Diocesan Pastoral Associate and the offender together, in order to ensure that he or she clearly understands the parameters of the agreement.
2. Complete the *Church Participation Agreement Form* with the offender completing the top half of the form and a parish representative completing the remainder of the form. It must be signed by a Pastor, Priest Administrator, or Diocesan Pastoral Associate and kept on file in the parish office.
3. A parishioner must be identified by parish leadership as a supervisor or guardian for each sex offender. These guardians must complete a clear background check and sign a *Sex Offender Supervision Guardian Agreement Form*.
4. If applicable, the Community Corrections Officer (CCO) must be notified of the offender's presence in the parish community and informed of the supervision plan.
5. When the forms are completed, a copy must be on file in the Parish Office and a copy must be sent to the Safe Environment Office at the Diocese.
6. Pastors and Parish Leaders may determine, using their best judgement, that certain other individuals may need to be aware of the presence of a sex offender in the parish (for example, Directors of Religious Education, Youth Ministers, Catechists, etc.).

**CATHOLIC DIOCESE OF YOUNGSTOWN
CHURCH PARTICIPATION AGREEMENT FORM**

Name (Print): _____

Parish/City: _____

Probation Officer: _____ Phone: _____

The *Policy for Participation in Church Life by Sex Offenders* in the Diocese of Youngstown has been clearly explained to me and I agree to comply with each guideline.

I understand that failure to comply with the policy will mean I may no longer be able to attend Mass at _____ Catholic Church.

(Signature) (Date)

Mass Attendance Allowed: _____ Yes _____ No

Assigned Seating Required: _____ Yes _____ No

If yes, please identify the location of the assigned seating:

(Signature of Pastor/Priest Administrator/Diocesan Pastoral Associate) (Date)

(Signature of Safe Environment Coordinator) (Date)

For Parish Use Only

Approved Guardian(s):

- | | |
|-----------------|--------------------------------|
| 1. _____ | BC Clearance Date _____ |
| 2. _____ | BC Clearance Date _____ |
| 3. _____ | BC Clearance Date _____ |

**CATHOLIC DIOCESE OF YOUNGSTOWN
SEX OFFENDER SUPERVISION GUARDIAN AGREEMENT FORM**

Name of Offender (Print): _____

Parish/City: _____

Guardian Name: _____

Phone: _____

The *Policy for Participation in Church Life by Sex Offenders* in the Diocese of Youngstown has been clearly explained to me and I agree to be a guardian for the individual listed above. I agree to follow all of the supervisory guidelines as defined.

(Signature) (Date)

Approved Guardian Checklist

Is the guardian related to the offender? _____ Yes _____ No

(Background Check Clearance Date)

(Guardian Agreement Form Received Date)

(Signature of Pastor/Priest Administrator/Diocesan Pastoral Associate) (Date)

(Signature of Safe Environment Coordinator) (Date)

APPENDIX 8
OHIO REVISED CODE
REPORTING CHILD ABUSE OR NEGLECT

For the most current edition of this section of the Ohio Revised Code
(Section 2151.421), please visit:
<https://codes.ohio.gov/ohio-revised-code>.

APPENDIX 9
AUTHORIZATION AND VERIFICATION FORM

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)(a), including but not limited to; contributing to unruliness or delinquency of a child (2919.24); unlawful sexual conduct with a minor (2907.04); gross sexual imposition (2907.05); sexual imposition (2907.06); importuning (2907.07); voyeurism (2907.08); public indecency (2907.09); pandering obscenity involving a minor (2907.321); pandering sexually oriented matter involving a minor (2907.322); illegal use of minor in nudity-oriented material or performance (2907.323); 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. I further certify that I have never been discharged from employment or a volunteer position because of any activity covered by the foregoing statutes.

If you have been convicted or pled guilty to any of the above offenses, or any offenses listed in The *Ohio Revised Code* section 109.572 (A)(1)(a) (Appendix 3), *or any criminal offense*, please list the crime and explain the circumstances thereof below or on a separate sheet.

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, if required, 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, and that the results of these background checks will be made known to the necessary personnel at the parish, school, and/or institution where I will serve and to the Office of Safe Environment of the Diocese of Youngstown.

1. Have you ever abused or sexually exploited a child or vulnerable adult?
Yes _____ No _____
2. Has any civil or criminal complaint or any other written complaint ever been made against you relating to child or vulnerable adult abuse or exploitation?
Yes _____ No _____
3. Have you ever been arrested or convicted for any crime (please list the crime(s) and explain the circumstances thereof below or on a separate sheet)?
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 or vulnerable adult 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 below or on a separate sheet. If you have additional questions contact the Safe Environment Coordinator 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: _____

ACKNOWLEDGEMENT FORM

I hereby acknowledge that I have received, or was given access to, a physical or electronic copy of the *Safe Environment Policy* of the Catholic Diocese of Youngstown and 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 Form (Appendix 9).

I understand that if I am an employee of a parish, school, or institution in the Catholic Diocese of Youngstown, or if I am a volunteer that works with children or vulnerable adults for a parish, school, or institution of the Catholic Diocese of Youngstown, I am required to submit a background check of criminal records, which may require me to provide my fingerprints through the Webcheck process in order to receive a background check through the Ohio Bureau of Criminal Investigation and/or the FBI and that I will fully cooperate in providing all information and signing all documents necessary to conduct any required background check of criminal records, and that I am required to participate in the VIRTUS in-service training, *Protecting God's Children*.

I understand and acknowledge that I am under a continuing duty to promptly supplement the above information. I agree that the authorization granted by me to the Diocese of Youngstown herein shall be continuing so long as I am employed by or affiliated in any way with any parish, school, or institution of the Diocese.

Signature: _____ Date: _____

Print Name: _____

Date of Birth: _____

Address: _____

Email Address: _____ Phone: _____

Parish/School/Institution (and city): _____

Position or Ministry: _____

As noted above, if you have been convicted of or pled guilty to any criminal offense that would appear on a background check, please list the crime(s) and explain the circumstances thereof below or on a separate sheet.

APPENDIX 10
RELATED LINKS AND INFORMATION

United States Conference of Catholic Bishops

www.usccb.org

USCCB Secretariat of Child and Youth Protection

<https://www.usccb.org/committees/protection-children-young-people>

Ohio Revised Code

<https://codes.ohio.gov/ohio-revised-code>

Diocese of Youngstown

<https://doy.org/>

Diocese of Youngstown – Safe Environment Resources

<https://doy.org/safe-environment/>