

**CONGREGATION *of* HOLY CROSS**

**MIDWEST PROVINCE**

**ABUSE RISK REDUCTION POLICIES**



***Men with Hope to Bring***

**Notre Dame, Indiana**

**CONGREGATION OF HOLY CROSS,  
MIDWEST PROVINCE  
ABUSE RISK REDUCTION POLICIES**

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# Congregation of Holy Cross Midwest Province

## **ABUSE RISK REDUCTION POLICIES**

### **Context and Introduction**

In conjunction with the Provincial Chapter of 2004, the Midwest Province promulgated *Policies and Procedures, 2004* which includes a section entitled *Sexual Misconduct*. However, since the acceptance of our *2004 Midwest Policies and Procedures*, there was continued intense public attention focused on issues of sexual abuse of minors by clergy and religious in the United States. The inappropriate sexual conduct by clergy and religious and the mishandling of accusations by bishops and superiors have caused grave pain, anger, confusion and scandal for the faithful of the Church.

Accordingly, since the 2004 publication of the Midwest Province policies, the Catholic Church in the United States has revised its directives to support the *2002 Charter for the Protection of Children and Young People*, and has requested that all dioceses and religious communities update their policies and procedures to further the protection of children. In addition, the Midwest Province, as a member community of the Conference of Major Superiors of Men (CMSM), desires to comply with updated standards outlined in *Instruments of Hope and Healing*. The purpose of *Instruments of Hope and Healing* is to provide a stringent plan to ensure that CMSM members and their organizations are safeguarding children and young people.

Given this need to update our province 2004 Policies relating to Sexual Misconduct, the Midwest Provincial Council approved a **POLICY ON RESPONSE TO ALLEGATIONS OF SEXUAL ABUSE OF MINORS** in 2013. These policies have again been updated, expanded and approved in October, 2018. It is now entitled **ABUSE RISK REDUCTION POLICIES**,

## **SEXUAL ABUSE OF MINORS**

### **Principles of Ethics and Integrity in Ministry with Youth**

As religious we are vowed to a life of consecrated chastity, revealing a pure and celibate love for all persons, male or female, young or old, by which we make present in our world God's own universal love. We are called to revere the vulnerable "little ones" of society, especially children and young people. Thus we hold ourselves and will be held by others to a very high and inviolable standard of ethical conduct and behavior.

Because children and minors, whether pre- or post-pubescent, are legally defined as incapable of consent, they are always assumed not to be free and, therefore, are unwilling partners. Sexual contact with them, no matter how slight, is always and everywhere abusive. Child sexual abuse is a crime in every jurisdiction in the United States.

As ministers of the Church we may encounter and occasionally be called to assist victims of sexual abuse. Our Holy Cross constitutions declare that “*our concern for the dignity of every human being as God’s cherished child directs our care to victims of every injury: prejudice, famine, warfare, ignorance, infidelity, abuse, natural calamity...*” (C2. 15) We know the deep scarring that occurs when trust in a parent or authority figure is violated by that authority’s sexual misconduct. Sexual abuse of children is violence with tragic repercussions for the victim.

We are called to undo the world’s violence, not increase it; to heal the broken, not create more victims; to educate in the faith, not undermine the Church’s mission. Sexual abuse of minors<sup>1</sup> is behavior we cannot tolerate. It injures innocent victims, destroys trust and credibility; corrodes the spirit. Its destructive effects expand beyond the victims themselves to many silent bystanders who will often not even know they have been injured for a long time. Then the sense of betrayal is even greater. Sexual abuse of minors by a religious subverts the mission of our whole Congregation and infects the brotherhood with sickness.

The Midwest Province is committed to the protection of children and young people. Wherever sexual abuse of a minor is alleged, the Midwest Province pledges to do everything possible to respond with compassion and understanding to the victim, whether still a minor or now an adult. Likewise, if the allegation is acknowledged or proven, with firm, consistent and effective resolve, we will assist the perpetrator to understand his actions, make amends and, where possible, reconcile himself to his religious vocation.<sup>2</sup>

The goal of this policy on the sexual abuse of minors is to enhance the future mission of the Congregation of Holy Cross as a religious community within the Church by:

- 1) clearly stating our response to the tragedy and horror of sexual abuse of minors by our religious;
- 2) describing the policies and procedures by which we will deal with situations in which a member of our province stands accused of sexual abuse of minors;

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<sup>1</sup> Sexual abuse of a minor, as defined by the Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests and Deacons, includes “sexual molestation or sexual exploitation of a minor and other behavior by which an adult uses a minor as an object of sexual gratification.” Sexual exploitation includes the sexualization of any pastoral relationship with a minor. It also includes, among other behaviors, the use of child pornography. A minor is defined as any person under the age of 18 years. (See appendices for further clarification.)

<sup>2</sup> “Though it may be long in coming, we must walk the journey with him through repentance, healing, forgiveness, and hopefully reconciliation.” (Improving Pastoral Care and Accountability in Response to the Tragedy of Sexual Abuse CMSM Annual Assembly, August 10, 2002.)

- 3) offering suggestions for the prevention of child sexual abuse by heightening awareness and increasing accountability in our community life; and
- 4) seeking healing for all concerned.

## **Procedures & Review Board**

The following procedures are established for cases involving accusations of sexual abuse of a minor against a religious brother, novice or postulant of the Midwest Province:

1. The province will establish a review board of at least five (5) lay members not from the Congregation, appointed by the provincial with the consent of his Council. They will be Catholic lay men and women noteworthy for their dedication to the Church, their integrity and good judgment. They must not be direct employees of the province or of a sponsored ministry. Two religious of the Congregation of Holy Cross will also be members. Members will serve five year terms which are renewable.

The functions of the review board will be (a) to advise the provincial in his assessment of all allegations of sexual abuse against minors, even anonymous or unspecified reports, and the steps to be taken, (b) to assist him in his determination of suitability for ministry; (C) to review policies of the province for dealing with sexual abuse; and (d) to offer advice on all aspects of these cases, whether retrospectively or prospectively.

The review board will be a consultative body to confidentially advise the provincial in the discharge of his responsibilities when allegations of sexual abuse by a religious arise. (See Appendix D for a more extended explanation of the make-up and functioning of this Board).

2. All cases involving alleged sexual abuse of a minor by a religious must be immediately reported to the provincial. When the provincial receives any allegation of sexual abuse of a minor (less than 18 years of age at the time of the misconduct), he will immediately report the accusation to the appropriate governmental agencies or authorities, either directly or through the province attorney. In all cases of sexual abuse of minors, the province will cooperate in any investigation by civil authorities. In every instance, the province will advise a victim and/or the victim's parents or guardian of their right to make a report to public authorities and support them in doing it. All religious will know and observe the reporting requirements of the state in which they minister. Whenever the provincial receives an allegation of sexual abuse of a minor, he should also immediately inform the review board.
3. When an allegation of sexual abuse of a minor is received, the provincial or the person(s) designated by him will promptly and objectively initiate a preliminary inquiry in harmony with canon law (*cf. Can. 1717-1719*) with due consideration for other investigatory procedures. In addition, the provincial or his designee will ensure: a) the alleged victim(s) and other pertinent parties is contacted, if possible, b) the accused religious is informed and heard and c) a report is made to the provincial, who will, in turn, shares this information with the review board.
4. The provincial may also appoint a competent person to coordinate assistance for the pastoral care of the victim(s) of the alleged abuse. If the preliminary inquiry determines that the

allegation seems well-founded, appropriate support for the immediate needs of the victim(s) will be planned expeditiously and with compassion. (See Victim Assistance Coordinator information under Responding to Allegations below.)

5. When there is evidence that sexual abuse of a minor has occurred, the provincial must immediately remove the accused religious from his assignment on a temporary basis (*Can. 1722*) until the investigation is completed. When applicable, the procedures to notify the Congregation for the Doctrine of the Faith will be followed.
6. In cases where allegations of sexual abuse of a minor seem credible, whether acknowledged or not by the religious, the provincial may arrange for a psychological assessment of the religious by competent professionals and, with their advice, determine what treatment, if any, is necessary and where it shall take place.
7. The religious who acknowledges or is found responsible for sexual abuse of a minor will be offered the necessary treatment with an eye towards rehabilitation, which may not, however, include restoration to active ministry in the Church. Any religious who refuses such treatment may be dismissed from the Congregation.
8. When treatment is ended, the provincial with the advice of the review board will provide the religious with a written "Plan for Supervision" which will detail any restrictions or stipulations on residence and ministry or other work to be imposed temporarily or permanently. A method of accountability for compliance with the plan will be included.
9. When even a single act of sexual abuse of a minor by a religious is admitted or is established after an appropriate process (even without criminal prosecution), the religious will be removed permanently from public ministry. If the case so warrants, after appropriate canonical consultation and with the advice of the review board, the provincial may institute any and all canonical processes deemed necessary for the protection of the Congregation and the Church, not excluding dismissal from the Congregation.
10. When any accusation of sexual abuse of a minor is proven to be unfounded, every possible step will be taken to restore the good name of the religious.
11. The accused religious may at any time request dispensation from his perpetual profession. A religious in temporary vows, a novice or a postulant, who is the subject of a seemingly credible accusation of sexual abuse, will be dismissed at the end of the appropriate investigation.
12. The provincial will notify the bishop of that place where the alleged sexual abuse of a minor by a religious occurred. The provincial will keep the bishop apprised periodically of his actions and the eventual outcome of the care of the religious and victim(s).
13. The provincial will take great care to assist the people of any ministry from which a religious has been removed, even temporarily, because of an accusation of sexual misconduct to understand the situation and to find healing. Timely disclosure is especially important in cases of alleged child sexual abuse. Sensitivity to the reputations of those who have made accusations and the religious accused is to be considered in making disclosures.



## Prevention and Treatment

The Congregation of Holy Cross is committed to the prevention of child sexual abuse through appropriate education and screening, as well as sexual abuse prevention programs for those we serve in ministry. Because of the potentially devastating implications of sexual misconduct, everything possible must be done to prevent its occurrence, deal with the problems that arise in accordance with this policy, and heal the wounds caused by sexual abuse of minors. Though ultimate responsibility for dealing with particular cases of sexual abuse of minors falls to the provincial, all the religious of the province have a responsibility to keep it from occurring by the way they hold themselves accountable for their personal behavior and relationships.

As brothers we have obligations to the common good and to the welfare of one another.<sup>3</sup> If anyone is concerned about inappropriate thoughts or unhealthy attraction toward children, he is urged to seek help outside the internal forum. Among the behaviors which must cause us to seek help for ourselves is the use of child pornography. Child pornography cannot be produced except by sexually abusing children. Use of such pornographic material, including viewing child pornography via internet sources, participates in sexual violence against children. Though solitary viewing may not have a direct victim, it supports this reprehensible industry and often leads to other forms of sexual abuse by the user.

In the ministerial setting, a religious should not spend excessive time alone with minors or pay undue attention to children or adolescents beyond the requirements of his ministry. If we observe a brother involved in such questionable behavior with minors, we have a responsibility to question him directly and fraternally. If we are concerned that a brother is engaged in a ministerial relationship which is at risk for becoming exploitative or which appears to involve “grooming”, even unconsciously, for future exploitation, the religious must be confronted and we must share our concerns with the local superior or provincial. Thereby we might assist a brother before he engages in serious criminal action, violating the young and burdening the Church and community by this scandal.

In any instances when we have reason to believe that child sexual abuse has occurred, we must immediately inform the provincial and the appropriate governmental authorities. As stated previously, all religious must know and observe the reporting requirements of the state in which they minister. A list of Reporting Requirements by states where we serve is in **Appendix L**

Every effort will be made to screen individuals seeking to join the Province for potential problems. The Vocation Office will maintain the highest standards of due diligence to ensure adequate screening of applicants for potential sexual misconduct in accord with the “Guidelines for Screening Applicants”. These guidelines will be reviewed and updated on a regular basis in consultation with the Initial Formation Committee.

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<sup>3</sup> “Because of who we are as religious living lives in the witness of community, we are also called to compassionate responses to any among us who has committed this abuse. He is still our brother in Christ. We must share his burden. He remains a member of our family.” (CMSM Statement)

While those found responsible for child sexual abuse may not be returned to public ministry, treatment for these individuals is essential. At every step of treatment, however, the goal in the treatment process is therapeutic, not punitive. Every effort will be made to work with the religious and others concerned in this spirit.

## **Healing and Reconciliation**

The damage resulting from sexual abuse of minors is widespread. Healing in such situations must, therefore, take into account all of those affected: the victim(s), offender(s), and the communities in which the abuse took place. Beyond prevention and treatment, and even when the life-changing consequences of a violation cannot be changed, we, as believers in a Lord who came to reconcile the world, hold out hope for, and work toward, reconciliation in every situation, regardless how grave. Hopefully, healing and reconciliation will involve the restoration of the faith of the victim(s) and the renewal of trust in the Church, its religious and ecclesiastical ministry will be reinvigorated in the apostolate.

## **Note of Clarification Regarding Other Sexual Misconduct**

This policy reserves the right for the Provincial, in his discretion, to implement some or all of the above stated procedures in the event an allegation is made involving other behavior that would be classified as sexual misconduct but does not fall under the definition of sexual abuse of a minor. Furthermore, this policy may be applied as appropriate in cases of sexual exploitation of an adult.

# **ABUSE AND TREATMENT OF VULNERABLE PERSONS AND OF ADULTS**

## **Principles of Ethics and Integrity in Ministry with Adults**

A pastoral relationship is a relationship between a Brother and any person to whom such Brother provides pastoral care which includes instruction, counseling, advocacy, spiritual direction or spiritual guidance and/or when a Brother has received confidential or privileged information. The following are guidelines for maintaining integrity in pastoral relationships with other adults.

## **Boundaries in Ministry**

1. Sexual exploitation is sexual contact between a Brother and a person with whom the Brother has a pastoral relationship. Because of the pastoral nature of the relationship, all sexual contact is exploitation, regardless of the age of the parties involved or who initiates the contact. This includes consensual contact, forced physical contact, and sexually explicit conversations not related to counseling issues.
2. Brothers assume the full burden for setting and maintaining clear, appropriate boundaries in all pastoral relationships.
3. Physical contact in ministerial relationships should be respectful and consistent with the intent to provide a safe and comfortable environment.
4. Persons should be seen in “safe” settings during appropriate times. Meetings or counseling sessions should not be conducted at places or times that would tend to cause confusion about the nature of the relationship for the person being counseled.

## **Supervision**

Special programs or activities for vulnerable persons that are outside the normal structures and systems of supervision should receive special attention to insure proper supervision. Often this would include supervision by at least two adults. In co-ed situations, both male *and* female supervisors should be used. A Brother who holds an administrative position in a ministry shall be aware of all programs for vulnerable persons that are sponsored by the ministry and shall assure that there is proper supervision, following established supervisory regulations and guidelines (e.g. the faculty handbook) for that ministry.

To provide proper safeguards in pastoral relationships, the following guidelines are to be followed:

1. Unless formally trained (and licensed, if applicable), Brothers who provide pastoral counseling to others shall be required to refer individuals to professional services after no more than six sessions, or to obtain professional supervision in order to continue the counseling activity.

2. All Brothers practicing spiritual direction shall submit that ministry to peer or supervisory review with a spiritual advisor approved by the Provincial.
3. Brothers in ministerial relationships are responsible for seeking the counsel and pastoral guidance of a person of spiritual wisdom should they find themselves at risk of acting on sexual or romantic attraction to a parishioner, client or counselee. The same will apply should the Brother find himself the object of sexual or romantic attraction by a parishioner, client or counselee.
4. Brothers who provide counseling shall maintain a log of the times and places of sessions with each person being counseled.
5. Knowledge that arises from professional contact may be used in teaching or other public presentations. However, measures should be taken to absolutely safeguard both the individual's identity and the confidentiality of the disclosures.
6. If a Brother, acting as a pastoral counselor or spiritual director, discovers that there is a serious threat to the welfare of a minor or a vulnerable person, and that communication of confidential information to a parent or legal guardian is essential to the person's health and well-being, he should disclose the information necessary to protect the health and well-being of the vulnerable person.

### **Conflicts of Interest**

1. Conflicts of interest exist when a Brother takes advantage of a pastoral relationship in order to further his own personal, religious, political, or business interests.
2. A Brother should avoid situations that might present a conflict of interest between a counselor and a person being counseled. Even the appearance of a conflict of interest can call integrity and professional conduct into question.
3. If a conflict of interest exists or arises, the Brother should inform all parties. Resolution of the issues must protect the person being counseled.
4. The Brother must establish clear, appropriate boundaries with anyone with whom there is a business, professional, or social relationship.
5. Brothers shall not act beyond their competence in counseling situations and shall refer to other professionals when appropriate.

### **Responsibilities in Ministry – Knowing and Responding to Warning Signs**

1. Brothers are responsible for recognizing and respecting the power of the ministerial role. This includes use of non-violent and respectful speech and maintaining a courteous presence on all communication mediums. Brothers will never use their ministerial role to degrade or humiliate another person.
2. Brothers are responsible for giving and accepting feedback from others.
3. Brothers are responsible for developing resources to meet their own spiritual and emotional needs. They are to take care of their own health in order to avoid the serious impairment of judgment that is associated with sleep deprivation, nutritional imbalances and excessive workloads.

4. Brothers are responsible for maintaining boundaries with those they serve in ministry at all times. They are to avoid speaking graphically about sexual activities or encouraging others to do so in their presence.
5. Brothers are responsible for communicating to a superior when they have concerns about their own or others' relationships.
6. Brothers are responsible for recognizing the warning signs of boundary violations in themselves or others, and seeking help. Warning signs include:
  - a. Wearing special clothes when you know you are going to see a certain person.
  - b. Spending extra time grooming yourself when you know you are going to see a certain person.
  - c. Finding ways or reasons to be alone with a certain person.
  - d. Keeping aspects of your relationship with a person secret from others (such as how often you talk on the phone or see each other alone).
  - e. Giving and receiving special gifts from a certain person.
  - f. Neglecting to spend time with others because you want to spend more time with a certain person.
  - g. Sharing personal information about others with a certain person.
  - h. Sharing personal information or seeking help with personal problems from a certain person.
  - i. Excessively looking forward to seeing a certain person.
  - j. Fantasizing or daydreaming about a certain person.
  - k. Use of alcohol while in ministerial role with those for whom alcohol is inappropriate.

## **Confidentiality**

1. Information disclosed to a Brother during the course of counseling, advising, or spiritual direction shall be held in confidence whenever possible.
2. A breach of confidentiality occurs when a Brother discloses confidential or privileged information in the absence of compelling professional reasons or as required by law.
3. A Brother should discuss the nature of confidentiality and its limitations with each person in counseling during the first session and quarterly thereafter.
4. Information obtained in the course of sessions shall be confidential, except for compelling professional reasons or as required by law.
5. If there is clear and imminent danger to the client or to others, the Brother is obligated to disclose the information necessary to protect the parties involved and to prevent harm.
6. Before disclosure is made, if feasible, the Brother should inform the person being counseled about the disclosure and the potential consequences.
7. The Brother providing pastoral counseling services or spiritual direction should keep records of sessions, both to aid memory between sessions and for protection in documenting proposed or actual intervention. These notes are always kept confidential.

# **REPORTING OF SEXUAL MALTREATMENT**

## **Introduction**

This policy does not supersede any state or federal laws regarding maltreatment issues. If there are any contradictions with this policy, Brothers are obligated to follow state and federal laws regarding maltreatment reporting and responding. A list of Mandatory Reporting Requirements by State is in **Appendix L**.

## **Reporting by Members**

1. Whether suspected or actually observed, all Members are responsible for reporting their own or others' warning signs and boundary violations with minors or vulnerable persons to their local Director, who will contact the Director of the ministry and the Provincial as soon as possible. The Director of the ministry and the Provincial in consultation with members of the Response / Safety Team will determine the intervention with the reported Brother.
2. All Brothers shall directly report known or suspected current abuse of vulnerable persons to civil authorities within 48 hours regardless of state mandatory reporting laws. If the Brother needs help in doing this, he is responsible for seeking out someone in local or Province leadership who can help him make the report. The Brother shall inform the Director of the ministry and the Provincial that he has done so.
3. If a Brother has been accused of an abusive incident as described above, or is suspected of such behavior, the Provincial must be notified immediately. The individual who notifies the Provincial will follow all requirements that pertain to mandated reporters. If the accused is employed, the Provincial will confer with the Director of the ministry, who will keep the Provincial apprised of all actions taken by the institution that employs the Associate.
4. Reports of suspected or known abuse may be made confidentially (unless otherwise required to be disclosed by civil law) to any of the following:
  - a. Any member of the Province Response / Safety Team;
  - b. The local Director or local Superior;
  - c. The Provincial or a member of his Council.

## **Reporting In Ministry Settings**

Any Brother who suspects a colleague of an abusive action will immediately contact the appropriate person in authority and follow the policies of the ministry in which he or she is engaged, which includes legally mandated reporter requirements.

## **Reporting To Civil Authorities, Diocesan Bishops and Employers**

1. All new allegations of sexual abuse that may have been committed by a living or former Brother of the Province shall be promptly reported to civil authorities according to the laws in the jurisdiction in which the alleged incident occurred.

2. Allegations of sexual abuse will be reported to civil authorities
3. In cases where an adult clearly does not want his/her information shared with authorities, as long as it does not violate state law, the adult victim will be told they have the right to go to the authorities. The Province will then document that they have been advised of this right.
4. The Province will cooperate fully with investigations by civil authorities.
  - a. regardless of whether the person making the accusation is a vulnerable person or an adult at the time the allegation is received;
  - b. regardless of whether the accused Brother is living or dead, or whether he is a current or former Member of the Province;
  - c. regardless of whether the alleged victim's identity is known;
  - d. regardless of whether the allegations are believed to be credible at the time they are received.
5. The Provincial will inform the diocese/bishop and the organization/ministry where the alleged abuse took place. If an allegation is established or if a brother has admitted to the abuse of a minor, the Provincial will also inform the bishop and employer where the brother is currently working or residing.

If an allegation is established or if a brother has admitted to the abuse of a minor, the Provincial will also inform the bishop and the employer where the brother is currently working or residing.

### **Disclosing a Victim's Identity**

1. If the alleged victim is a vulnerable person at the time the allegation is received, his or her identity will be provided to the civil authorities.
2. If the alleged victim is an adult at the time the allegation is received and consents, his or her identity will be provided to the civil authorities.

### **Special Standards for Reporting Child Pornography**

See **Appendix C** for legal and canonical standards regarding Child Pornography

#### **1. Child Pornography on the Internet:**

Brothers are reminded that the actual viewing of child pornography, or knowing others who view child pornography and not reporting it, is a civil criminal offense.

A Brother who encounters child pornography on the Internet can call the police, who will either redirect him to the proper contact or help him file a report. He should also report the site address to his Internet Service Provider and his local or state FBI or Customs office listed in the community telephone directory. Child pornography can also be reported online by forwarding the site address to the National Center for Missing and Exploited Children (NCMEC) at [cybertipline.com](http://cybertipline.com). NCMEC will forward the report to the appropriate investigative agency for follow-up.

To collect the address (or URL) of a child-pornography web site, click on the address in the browser's address bar to highlight (select) the address. Then hold down the Control key and click

on the C key to copy the address. The address can then be pasted to a text file or email message by holding down the Control key and hitting the V key.

## **2. Child Pornography in the Mail:**

There is no free speech, First Amendment protection for child pornography. Pornographic pictures of children are not constitutionally protected speech. Such pictures are evidence of the sexual exploitation of children. If the pictures are sent through the U.S. Mail, it is a violation of federal law.

If a Brother obtains information about the use of the U.S. Postal Service to send child pornography, he is obligated to contact the U.S. Postal Inspection Service listed in the white pages of the local telephone directory. More information may be obtained at the **U.S. Postal Inspection Agency web page**.

# **RESPONDING TO ALLEGATIONS OF SEXUAL ABUSE OR MALTREATMENT**

## **Introduction**

The Brother receiving the allegation is to directly report the alleged sexual maltreatment of a minor to the appropriate state and/or local agencies *and* to report the allegation to the Provincial. It is then the sole responsibility of the Provincial or his designate to communicate the allegation to any person outside the religious community, or to do any subsequent investigation into the matter. Only the Provincial will report an allegation to the appropriate Diocesan office or Bishop, members of the press, or any other person. If approached by any party other than a fellow community member, the Brother is to say nothing and refer the questioner to the Provincial office.

Allegations of sexual abuse may come from a variety of sources, including alleged victims or their family members, diocesan offices, members of the community, a colleague in the workplace or from the alleged perpetrator. Because each case is distinct, the following is a general outline of the response system for allegations of abuse but is not a procedure that is to be followed in the same way for each unique case. The process is to be modified according to the nature of the allegation, the needs of the alleged victim and the circumstances of the accused Brother. In every case, the Provincial commits himself to dealing pastorally with, and protecting the rights of, all those involved.



## Protocols for Responding to Reports

1. If a Brother is reporting that an accusation has been made against him, the individual should only state, “I have been accused of (action) and I need legal representation.” (See Sections 11 and 12 below for additional assistance offered to the accused Brother).
2. The Provincial (or his delegate) will receive allegations of sexual abuse and coordinate assistance to anyone who brings an allegation of abuse by a Member of the Province. The Provincial offers to meet in person with the alleged victim as soon as possible, if he or she so desires. This is of primary importance in order to express the concern of the Province and to extend an offer of pastoral help. He will explain the subsequent actions the Province will take and give the alleged victim a copy of the “Explanation Sheet” (see Appendix E).
3. The Provincial will maintain contact with the Province’s insurance carrier throughout the process.
4. The Provincial will have earlier identified a **Response/Safety Team** that is responsible for responding to allegations of maltreatment by a Member. The team is advisory to the Provincial, and includes appropriate individuals from the Province administration, as well as someone representing the legal interests of the Province, and a licensed mental health care professional.

The task of the Response/Safety Team is to work with the Provincial:

- a. To insure that the alleged victim and all potential victims are safe from additional maltreatment;
  - b. To insure that civil authorities have been notified and pastoral outreach has been made to the alleged victim;
  - c. To recommend a pastoral outreach to the local community affected by the alleged actions of the accused;
  - d. To be available to participate in any internal investigative process. (Any investigation done by the team members will only be conducted with the knowledge and consent of the legal authority charged to investigate the allegation.)
  - e. To gather sufficient information to complete a preliminary report. The information would include the following:
    - i. Name of the alleged victim;
    - ii. Age of alleged victim;
    - iii. Address and phone number of alleged victim;
    - iv. Name of alleged perpetrator;
    - v. Approximate dates of alleged abuse;
    - vi. Nature, type, frequency and location of alleged abuse;
    - vii. Timeline of events surrounding the alleged abuse.
5. The Provincial may appoint a **Victim Assistance Coordinator** who has expertise in counseling and dealing with victims of sexual abuse. The Victim Assistance Coordinator is not a member of the Review Board. The Victim Assistance Coordinator may be a Member of the Province, a religious or a lay person. The Victim Assistance Coordinator maintains a professional relationship with the alleged victim and/or family and does not act officially as a therapist, attorney, or spiritual director.

The Victim Assistance Coordinator’s duties include the following:

- a. To listen with respect to the alleged victim and/or family;
- b. To offer support and professional resources to the alleged victim, the victim’s family and other affected persons, assisting with referrals to therapists and/or support groups;
- c. To explain to the alleged victim the Province’s response to the allegations raised;

- d. To offer to be present during meetings between the alleged victim and/or family and the Province, including the Provincial and/or the Review Board;
  - e. To coordinate all communications between the alleged victim and/or family and the Province, keeping all parties apprised of developments in the case
6. Upon receipt of an allegation of sexual abuse of a vulnerable person, the Provincial will promptly follow Province reporting procedures and report the allegation to civil authorities (see Reporting Procedures) if the person making the allegation has not already done so. Files of allegations will be created at the time the allegation is received and will contain information about how the allegation was handled.
  7. The Provincial and the Province will cooperate fully with any investigation by civil authorities.
  8. It is of primary importance that all contact with the alleged victim communicates the Province's compassion and desire to help. Therefore, as stated above, an offer is made to meet with the alleged victim. If the alleged victim is still a minor or other vulnerable person, contact is made with the parents or guardians of the alleged victim, as appropriate.
  9. If the alleged victim is a vulnerable person from a corporate ministry of the Province, the Provincial, in discussion with the Director of the ministry, will design a pastoral outreach to the alleged victim and his/her family. (see Victim Assistance Coordinator in #5 above.)
  10. The Provincial will maintain a compassionate and pastoral manner regardless of the demeanor of alleged victim, recognizing that the experience of abuse and difficulty of coming forward may bring out strong emotions during the disclosure process.
  11. The Provincial will notify the accused Brother of the allegation and its major details. He will take steps to ensure that the accused Brother receives the support and assistance he needs while the allegation is being investigated. This support may take the form of assigning a temporary mentor for the accused.
  12. The Provincial will inform the accused Brother of his right to seek canonical and civil counsel before any further conversation into the matter. The Provincial will arrange for legal representation for the accused Brother. The Provincial will advise the Brother not to discuss the facts of the allegation without first consulting with his attorney. This is to ensure that the civil rights of the accused and the confidentiality of the case are preserved.

## **Investigating Reports and Allegations of Abuse**

The province takes every report or allegation of sexual abuse seriously, including those that are made anonymously, and is committed to investigating them to the extent possible. In cases of potential sexual abuse where the civil authorities decide to investigate, the Province will cooperate fully with them and not take any steps that may interfere with their investigation.

The Province will only proceed with its full, internal investigation if the civil authorities do not proceed with an investigation, if they consent to the Province conducting a simultaneous internal investigation, or once their investigation is over. Where an internal investigation is not possible or necessary, the Province will document the reason why.

The Province will strive to maintain the rights of all concerned in the process of an investigation of sexual abuse of a minor.

## Internal Investigation

1. During investigations by civil authorities and/or by the Province, the brother who is the subject of the investigation will be temporarily removed from ministry responsibilities and duties. The accused will be instructed to have no further contact with the alleged victim or the alleged victim's family or friends. As necessary and appropriate, the Provincial will assist the Director of the institution that employs the accused brother.
2. As soon as the allegation is made, The Provincial asks the Response / Safety Team to independently gather information regarding the accusations. In the cases of verified or undisputed allegations, the Response/Safety Team may be asked to look into the matter so as to identify any other potential victims, and to obtain information to inform the on-going supervision plans for the brother who has abused. Internal investigations are conducted along a procedure suggested by Praesidium and adapted by the Response/Safety Team.
3. If abuse of a vulnerable person is confirmed through internal investigation, civil authorities shall be re-contacted and a follow-up report will be submitted, if requested. If internal investigation indicates the allegation is not credible, civil authorities will be contacted and given this additional information.
4. The Provincial will contact an advisory group who reviews cases for compliance with policy and civil law, called the Review Board. He will request that time be made to summarize a new case at the next Board meeting. The Provincial or his designate will also consult with the Review Board after receiving the final report from the Investigator.
5. Should a brother be found guilty of sexual misconduct, the Province will continue to provide for the pastoral care of the victim and the victim's family.
6. In the case of a brother found guilty of sexual misconduct, the Province will also provide for the pastoral care and treatment of the brother, offering him fraternal support in whatever penalties are imposed upon him by the legal system or restrictions imposed upon him by the Province.
7. The Provincial, in consultation with the Response / Safety Team and, subsequently, the Review Board, will make the decision whether to permanently remove a brother from his ministry.
8. Should an allegation be unsubstantiated, the Province will reinstate the accused brother to ministry and will work towards the restitution of his good name.
9. The Brother who is determined to be eligible for ministerial reassignment may be asked to continue in therapy for a specified period of time, initiate or continue a medication therapy, restrict his presence to non-target populations, or follow other actions as directed by the court and the Provincial. Regarding these conditions, the Brother will be directly accountable to the Provincial or his designate.
10. Province investigations will be documented. Documentation of province investigations will be stored in the office of the Provincial. Documentation of investigations is the property of the Province and shall remain with the office of the Provincial following election of a new Provincial.
11. Normally the Provincial will assign a member of the Response / Safety Team to be the Investigator, that is to review the allegations, question the parties involved, and act as the representative of the Province.
12. The Investigator will advise any parties that he/she represents the Province and that conversations with the Investigator are not subject to any attorney/client privilege.
13. The Investigator will advise the parties that, although pastoral care is available, the Investigator will not be the one to provide that care.

14. The Investigator, who shall obtain statements from the parties and any witnesses, will keep the Provincial informed regarding the status of the investigation.
15. The Provincial will maintain pastoral contact with the accused Brother throughout the entire process.
16. When he has received the completed investigation report, the Provincial will present the results of the investigation to the Brother for response.
17. The Provincial, in consultation with his Council and with the attorney for the Province, will determine the application of these policies for abusive actions that are alleged to have occurred beyond the statute of limitations as determined by civil law.

## **External Investigation**

If at the conclusion of an initial investigation, which may be performed by the Major Superior or his delegate, there is a “semblance of truth” to the allegations of sexual abuse against a brother, the Major Superior must ensure that the brother against whom the allegations are made has no access to minors during the pendency of a full investigation.

Once a “semblance of truth” has been established and the civil authorities have been consulted, the Major Superior will designate a trained, third-party individual to conduct a full investigation of the allegation. For purposes of this procedure, a third-party investigator is defined as someone who is not a member of the congregation.

The Province will collaborate with the third-party investigator to determine the scope of the internal investigation. In cases of an established or undisputed allegation, an investigation may be conducted to identify any other potential survivors and to inform the on-going supervision plans for the brother who has abused.

The province will provide any and all information requested by the third-party investigator, so long as it does not violate any privacy laws. This can include survivor statements, witness statements, correspondence, the brother’s file, other related documentation regarding additional concerns and similar behaviors, training records, disciplinary records, video footage, etc.

When conducting the full investigation, the third-party investigator will respect the following guidelines:

- The Investigator will advise any parties that he/she represents the Province and that conversations with the Investigator are not subject to any attorney/client privilege.
- The Investigator will advise the parties that, although pastoral care is available, the Investigator will not be the one to provide that care.
- The Investigator, who shall obtain statements from the parties and any witnesses, will keep the Major Superior informed regarding the status of the investigation.
- The Investigator will produce a written report and submit it to the Major Superior.
- The investigation report will be stored in the personnel file of the current, former or deceased brother who is the subject of the investigation.

## **Decision-Making**

1. Upon the conclusion of the investigation, the Provincial will exercise his judgment in delivering an appropriate response. If the accused Brother has admitted to the substance of the allegation, or in those cases where the allegation continues to be deemed credible or has been substantiated, the Provincial's response could include any of the following:
  - a. psychological and medical assessment and intervention;
  - b. restrictions on community life and personal activities;
  - c. limitations imposed on ministerial activities, including removal from public ministry.
2. In cases where the allegation has been deemed credible or has been substantiated, the Provincial will contact the appropriate diocesan offices to communicate the nature of the allegation and to inform the diocese of the procedure followed and the response of the Provincial to the allegation.
3. In cases where an allegation of sexual abuse of a vulnerable person is substantiated, the Brother may not return to public ministry.
4. If an allegation is deemed unfounded, the Provincial will coordinate communication with all appropriate parties so that reconciliation can take place where possible and repair of damage to reputations can be undertaken. Throughout the process, the Provincial is responsible for communicating with Province membership, the Diocese, and the general public. The Provincial will coordinate communication with the Director of the ministry of the accused.
5. If an investigation by civil authorities leads to a designation of the allegation as "unfounded" or "unable to determine," the Provincial will convene his choice of members of the Response / Safety Team to conduct any additional internal investigation and provide recommendations regarding the Brother.
6. In all instances, the final disposition of the matter rests with the Provincial, always recognizing the Brother's right to appeal to the Superior General.
7. It is the Provincial's responsibility to communicate the outcome of the internal investigation and the final disposition of the matter to the person who made the complaint, to the Brother involved, and to other parties, including Superior General, as deemed necessary and appropriate. Communication with the Brother's ministry community (i.e., school, agency, parish, etc.) is primarily the responsibility of the Director of that ministry, with assistance as necessary by the Provincial.
8. If at any time during the course of implementing these procedures, civil or criminal proceedings are initiated against the accused Brother, these "internal" procedures may be suspended immediately, to be resumed, if deemed necessary, only after the completion of the civil or criminal proceedings. In such a case, the Response / Safety Team shall recommend to the Provincial a possible course of action with respect to the accused Brother, in keeping with the intention of this policy and in the interests of justice.

## **Supervision and Care of Brothers Who Have Abused Vulnerable Persons**

### **Introduction and Purpose**

There are three levels of guidelines or "plans" for Province Members who need them (See Appendix F).

The remainder of the material in this section pertains specifically to those on *Safety Plans*.

These procedures describe the elements of a pastoral care framework that will be developed for each Member of the Province about whom an accusation of sexual abuse has been made which is substantiated or founded. Most of these procedures address cases where the accusation is that of abuse of a minor or another vulnerable person and where the Member, after professional assessment and treatment, is deemed to be 'high risk' by reason of his unresponsiveness to treatment or a diagnosis of pathology that may result in abusive behavior.

The purpose of this framework is to:

1. assure the public, especially children and vulnerable persons, of all reasonable measures to prevent any reoccurrence;
2. provide a structure within which the Member can continue his life in the Congregation as a vowed Member of a religious community;
3. provide appropriate care for the Member and the opportunity for such personal conversion and rehabilitation as may be needed;
4. guide superiors, the Brother, and others in determining work, place of residence, and other activities; and
5. communities in welcoming and supporting the Brother in his desire to continue his life as a Member within this framework.

All of the elements below should be considered in designing a Safety Plan for the accused Member, depending on such factors as severity of the accusation(s), notoriety, age and health of the Member, and the recommendations of the Province's Review Board.

### **Evaluation and Therapy**

1. A Brother about whom a credible accusation has been made may be asked to submit to a professional evaluation as to his psychological condition and proclivity to harmful behavior in the future.
2. The Brother is free to not undergo an evaluation. If the Brother agrees to undergo an evaluation, the Provincial or his delegate will arrange for the evaluation.
3. Subsequent to that evaluation, the Brother may be asked to participate in such in-patient and/or out-patient treatment as recommended by the evaluating professionals, as well as such other physical, psychological, and spiritual rehabilitation as may be recommended by such professionals or the Review Board.
4. The Brother may be required to report to the Provincial in writing periodically (e.g., monthly, quarterly or annually, as appropriate to the situation), describing his progress in terms of work, therapy, spiritual direction, community life, and such other matters as may be appropriate.
5. A Brother may agree to have the information available to the Review Board.
6. Any information about a Brother who has been accused of abuse shall be kept confidential by those receiving it, except as required by law to be revealed.

### **Public Ministry as a Brother**

1. A Brother who has a substantiated allegation of abuse of a minor is not allowed to function publicly in external or public ministry associated with a religious congregation (e.g., school teaching, coaching, parish staff work), or any Church ministry.

2. The Provincial may further restrict the Brother regarding public display of religious garb and religious title.
3. For a Brother credibly charged with sexual abuse of an adult, the Provincial will consider the nature and circumstances of the allegation and the advice of the Response / Safety Team and the Review Board in determining removal from, suspension from, or restrictions on public ministry.

### **Appropriate Work**

1. If physically and mentally able, the Brother who has been removed from public ministry shall engage in appropriate work in support of the ministries of the Province or in other service to people in need.
2. Such employment might include the following:
  - internal work in a community of the Province, such as a place of retirement;
  - administrative work for the Province;
  - remunerative non-ministerial work to support the ministries of the Province, if appropriate;
  - service to people in need such as writing to prisoners, taping books for the sight-impaired;
  - telephone reassurance programs for shut-ins, working in a food bank or soup kitchen, or some other form of supervised social services.
3. Where appropriate, Brothers restricted or removed from public ministry may need vocational assessment and/or occupational counseling to assist in determining meaningful and useful work. The Provincial or his designate should consult with the Brother involved to determine his interests and capacities and to promote his initiative in developing work opportunities. The Province may employ the services of a career counselor to help the restricted Brother develop a plan for meaningful work in the future.

### **Place of Residence**

An at-risk Brother will be allowed to live only in a province community or another appropriate supervised place of residence, as determined by the Provincial.

No separate apartment, private home, or other domicile will be allowed as a long-term residence for an at-risk Member.

### **Community Support and Community Roles**

1. The local community can and should play an important part in helping a Brother who has been restricted and who wishes to continue his life as a religious.
2. After a Brother with a founded allegation has submitted to evaluation and appropriate treatment, Province communities should welcome the Brother as a fellow community member.
3. It may also be appropriate for the Provincial to appoint a mentor for the Brother who would assist and support the Brother in his efforts to maintain his program of care and treatment.
4. A Brother who has a credible charge of sexual maltreatment of a vulnerable person would not be allowed to serve as a local community director.
5. Upon the recommendation of the Provincial, the local director shall, as appropriate, inform all or part of the community in which such a Member shall live that a Brother is under restrictions, and the appropriate specific terms of his Safety Plan, so that the community can assist him in achieving his goals.

6. The assistance of an appropriate professional may be utilized to prepare communities to receive a Brother on a Safety Plan.)

### **Restrictions from Passive Voice**

When violations of our ethical standards occur or are credibly suspected, and even while investigations are being made, scandal can deepen if the Congregation confides to the religious an office, responsibility and authority, by election or appointment, even internally in the Congregation.

Therefore, the General Chapter of 2016 decreed that Statute 110 be amended to authorize the Superior General, and in accordance with Canon Law, to restrict a religious from holding certain positions of authority and responsibility in the Congregation:

In particular, after having obtained General Council consent, The Superior General may: Suspend, permanently or temporarily, in consultation with the respective major superior, the passive voice of a religious who is under investigation for any serious ethical misconduct as defined by congregational policy, or is determined guilty of a substantiated allegation. If, after investigation, the religious is cleared, then the passive voice will be restored. The suspension of passive voice of a religious should be reviewed with the respective major superior every ten years.

### **Contact with Others**

1. Under no circumstances will a Brother who has a credible charge of sexual maltreatment of a minor be allowed to be in the proximity of persons in his “target” population without the ongoing supervision of other adults present at the time.
2. This prohibition would include meals in restaurants, going to the movies, riding in automobiles, or private conferences in parish or community offices, community parlors, bedrooms of other Brothers, etc.
3. Similar prohibitions - as appropriate - may be applied to a Brother credibly accused of abuse of an adult.

### **Travel, Vacation, Retreat**

1. For a high risk Member, vacations alone or with vulnerable persons, even supervised, would not be permitted. Vacation will be restricted to various suitable community residences or travel with other Brothers.
2. Individual retreats at a location with no other retreatants would not be permitted for the high risk member. Retreats would be restricted to Holy Cross communities or retreat facilities, or other Catholic retreat facilities. The Holy Cross community or retreat facility or other Catholic retreat facility will be advised that the Brother is high risk and must agree to accept the Brother for the period of the retreat and to supervise him.
3. Other travel may be restricted to that related to assigned work or family visits; if appropriate, a Member companion for travel might also be required.
4. Additional specific permissions for travel may be required by the Provincial.
5. Doubts about specific travel should be referred by the local superior to the Provincial. Again, similar prohibitions may be applied to a Brother credibly accused of abuse of an adult.



## **Driving**

1. For all Brothers with a credible accusation, restrictions may be placed on driving alone or having use of a personal vehicle.
2. Some high risk Members may be required to request specific permissions for use of house cars from the local superior, to keep a driving log or to only drive with other Brothers.

## **Publications and Publicity**

*Restrictions on publications, letters to the editor, web-pages, radio and television appearances, and email* may be appropriate for the Member who has abused. Sensitivity for victims would dictate caution with regard to photographs of Brothers with a credible accusation being displayed in Province and Congregational publications and in institutions of the Province or Congregation, especially those in service to vulnerable persons. In some cases a Brother's use of mail and phone may need to be regulated.

## **Sharing Information with Members and Others**

1. The Provincial will determine whether and/or how to inform the Province membership—in general terms—of those Brothers who have been restricted.
2. The Provincial, in consultation with the Response/Safety Team, will determine whether and/or how to inform others who may have a need to know of those Brothers who have been restricted and their plan of safety. The Provincial will control the nature and amount of all communication with the public.

## **Reporting Misconduct with Adults**

1. Members are responsible for ensuring the ethics of ministry in the Province. Communication regarding misconduct by Brothers in ministry with adults is essential for continuing the integrity of these ministries.
2. Members shall report misconduct with adults to the Provincial. Reports of suspected or known misconduct may be made confidentially (unless otherwise required to be disclosed by canon or civil law) to any of the following:
  - the Chair of the Review Board
  - the local Superior;
  - the Provincial.
3. An anonymous, specific and verifiable letter of concern may be sent to any of the above. Anonymous concerns will be investigated to the extent that is feasible based on known information.

## **Social Media Policy**

### **Policy Statement:**

The Internet has changed the way we communicate and share information; providing various ways for individuals to establish and maintain contact. We know the Internet is an important educational and evangelizing tool as we continue our mission to be educators in the faith. It also allows us to connect with friends, donors, former students, co-workers, and potential vocations. Social media can

be a positive and effective communication tool when used with care and good judgement. In an address to the Pontifical Council for Social Communications, Pope Francis noted that “it is therefore important to know how to dialogue, and how to enter, with discernment into the environments created by new technologies, into social networks, in such a way as to reveal a presence that listens, converses, and encourages. Do not be afraid to be this presence, expressing your Christian identity as you become citizens of this environment.”

As Holy Cross religious, we may have opportunity to be strong, positive voices of encouragement, dialogue and hope, which can lead people to a more faith-filled perspective on life. This is especially true for Brothers involved in ministry with and to members of the younger generations who often find social media a primary way of relating and interacting with one another. We encourage those Brothers who have found ways to creatively utilize the power and reach of the Internet and social media to educate and serve youth and to spread the Good News to a world in great need of the merciful, compassionate and reconciling message of Jesus Christ.

To extend effectively the mission of the Congregation of Holy Cross through the Internet and new forms of social media, we should strive to promote charitable dialogue, respect and transparency in the content that is presented. Moreover, we should be especially alert to how our content might impact not only the reputation of people who are mentioned in our material, but also the good name of each Member and the Congregation of Holy Cross as a corporate body.

## **Guidelines:**

1. Think twice before publishing. Everything that is said in social media platforms should be thought of as being said in public. Once published, a post is potentially always available to others, even after it is deleted. Nothing posted on the Internet is private.
2. A Brother is always in a public role as a Holy Cross religious in whatever post or other Internet presence. There is no private, online persona. Assume the perception of those who read or view content produced by a Member is that the content represents the Congregation of Holy Cross in some manner.
3. Content should be useful and fit within the mission of the Brothers of Holy Cross as well as the specific mission of your ministry. Opinions should support and not contradict doctrines of faith and morals as proposed by the magisterium of the Church.
4. Content should contain nothing that could justifiably be perceived as giving unnecessary offense to other persons, groups, nations or institutions.
5. A Member should be aware of and comply with any protocols or guidelines established by the place or institution where he works and any professional organizations to which he belongs.
6. Members should be aware of and respect copyright and fair use laws. Nothing is to be posted as your own if it belongs to someone else. If it belongs to someone else, identify the source.
7. Members should respect the privacy of their fellow Holy Cross religious, as well as their colleagues at the institutions where they work or are assigned.
8. Any policies that one’s ministry or workplace has adopted with respect to ethical conduct in ministry with minors and ethical pastoral conduct with adults apply to your internet and social media presence.

9. All posting must be respectful and marked by Christian charity and respect for the truth. They should be on topic and presume the good will of other posters.
  - a. Posts referencing or showing photos of any activity which may be considered offensive or immoral in light of the Religious context in which we serve and which do not promote Catholic values are prohibited. As concrete examples;
    - i. No photo's re references to alcohol/drunkenness.
    - ii. No photo's or references to marijuana and illegal drugs.
    - iii. All photos or references of a Holy Cross religious, student, coworker, etc. with objectionable and sexually explicit poses or gestures are prohibited.
10. Any conduct that is impermissible under the law in any other forum is impermissible if expressed through social media posts, texts or E-mail.

As a concrete example; any material that is discriminatory, defamatory, libelous or malicious is forbidden. Cyber bullying is expressly forbidden.
11. Personal, proprietary and confidential information about the Congregation of Holy Cross, its sponsored ministries, employees and/or donors is not to be disclosed through any type of social media or any other electronic communication such as texting or E-Mail.
12. Brothers who participate in social media or blogging personally or professionally should not brand their social media posts as officially representing the view of Holy Cross.
  - a. Language matters. The tone and demeanor of language is important. All post in any social media outlet, regardless professional or personal context, must be conscious of language. No foul language, swearing or "locker room" talk is permitted. Any foul language, is strictly prohibited.
  - b. References to any person's physical appearance which can be read and understood to be exploitive or demeaning are strictly prohibited.
13. Policies contained in ones *Employees' Handbook* including, but not limited to, sexual harassment, harassment and workplace violence apply equally to all persons on social media sites, blogs and electronic communications, including texts and E-Mail. This includes comments posted or made during non-working times.
14. When communicating with minors through social media, texts and E-Mail Brothers are to abide by the standards set forth in the Children's Online Privacy Protection Act (<https://www.ftc.gov/enforcement/rules/rulemaking-regulatory-reform-proceedings/childrens-online-privacy-protection-rule>) and Midwest and Congregational Policies for Maintaining Ethical Ministry with Minors.
  - a. Members should not communicate with minors (other than relatives) using electronic media – including email, instant messaging, texting or social networking sites – except as a part of their professional responsibilities. If a minor contacts a Member, a polite response is permitted, but future communications should be avoided.
  - b. Brothers who have a "public presence" or maintain "public pages" on social media, such as Facebook, where anyone can "like" or "join" are permitted to have minors "liking" or "following" as long as they are not in contact with the minor.

- c. In legitimate electronic communication with a minor, do not make comments that are, or could be construed by an observer to be, harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning or humiliating.
  - d. Texting with minors is to be avoided but if it is done, Members are mandated to save copies of conversations.
  - e. Before deleting any entries from social media (i.e. posts and /or Facebook Inbox communications), a copy must be preserved and the date, time of the removal noted within the record and the owner/administrator of the site.
  - f. Members are not to post or distribute a minor’s personal identifiable information without verifiable consent of a parent or guardian.
    - i. Personal identifiable information includes photos, full name, home address, E-mail address, telephone number or any other information that would allow someone to identify or contact a minor.
    - ii. Verifiable consent can take the form of a release/permission form that includes the use of photographs; and E-mail from a parent or guardian; or spoken permission by a parent or guardian in the presence of another adult.
15. The Midwest Province requires Members to report any possibly or perceived violations of this policy to the Provincial or Local Superior so that the matter can be investigated immediately.
16. The Midwest Province reserves the right to modify this policy at any time with or without notice, and that action supersedes any prior rules and policies.

## **Appendix A**

### **Sexual Abuse of Minors**

The Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons explains the term “sexual abuse” as follows:

Sexual abuse of a minor includes sexual molestation or sexual exploitation of a minor and other behavior by which an adult uses a minor as an object of sexual gratification. Sexual abuse has been defined by different civil authorities in various ways, and these norms do not adopt any particular definition provided by civil law. Rather, the transgressions in question relate to obligations arising from divine commands regarding human sexual interaction as conveyed to us by the sixth commandment of the Decalogue. Thus, the norm to be considered in assessing an allegation of sexual abuse of a minor is whether conduct or interaction with a minor qualifies as an external, objectively grave violation of the sixth commandment. A canonical offense against the sixth commandment need not be a complete act of intercourse. Nor, to be objectively grave, does an act need to involve force,

physical contact, or a discernible harmful outcome. Moreover, “imputability [moral responsibility] for a canonical offense is presumed upon external violation...unless it is otherwise apparent”.

## **Appendix B**

### **Standards of behavior for member of the Midwest Province<sup>4</sup>**

The following behaviors are listed as minimal standards of behavior which provide guidelines for appropriate demeanor in ministering to children and adolescents. It is not an exhaustive list and does not exempt the religious brother from making prudent judgments in every particular situation. Religious should also consider these standards of behavior within a family setting.

1. Religious are prohibited from the use, possession, or being under the influence of alcohol or any illegal drugs while in their official ministerial capacity with children or young people.
2. Religious may occasionally be in a position to provide transportation for minors. The following guidelines should be observed:
  - a. Except for the spontaneous, casual “lift”, minors should never be transported without expressed parental permission. Parents should be notified, however, prior to the “lift.” Parents should know specifics regarding times and locations for a “lift”.
  - b. Minors should be transported directly to their destination. No unauthorized stops should be made.
  - c. Unnecessary and/or inappropriate physical contact while in the vehicles should be avoided. It is advised that students not sit next to the Brother in the vehicle
3. Religious are prohibited from engaging in any sexually oriented conversations with minors.
4. Religious should never be nude in the presence of minors. Changing and showering facilities or arrangements for religious should be separate from facilities or arrangements for minors.
5. Religious are prohibited from possessing any sexually oriented or morally inappropriate printed materials (magazines, cards, videos, films, clothing, etc.) especially in the presence of minors.
6. Religious are prohibited from sleeping in the same beds, sleeping bags or small tents with minors. When the sleeping quarters are the same, religious should always have another adult present.
7. Houses used for residences of religious are exclusively for the use of the religious. With the exception of occasional visits with immediate family members, minors are not permitted to be overnight guests in the residence of a religious. Specific recruitment programs like “come and

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<sup>4</sup> For the most part, these standards have been suggested to us by Praesidium, Inc., a national leader in abuse risk management.

see” would require clear boundaries as well as appropriate and adequate supervision by more than one Brother.

8. Physical contact with minors:

a. Appropriate affection between religious and those we serve in ministry, including minors, is a positive part of Church life. These are some appropriate examples:

- Side hugs or shoulder-to-shoulder hugs
- Pats on the shoulders or back
- Hand shakes
- “High fives” and hand slaps
- Verbal praise
- Arms around shoulders
- Sitting beside small children
- Kneeling or bending down for hugs with small children
- Pats on the head when culturally appropriate

b. Some forms of physical affection have been used by adults to initiate inappropriate contact with minors (grooming). These examples should be avoided by religious:

- Inappropriate or lengthy embraces
- Kissing on the mouth
- Touching bottoms, chests or genital areas
- Showing affection in isolated areas
- Sleeping in bed with a child
- Wrestling with minors
- Tickling
- Any type of massage
- Any form of unwanted affection
- Compliments that relate to physique or body development

## Appendix C

### Child Pornography

**In the United States it is a federal crime to possess any type of child pornography whether on a computer or in any other form. Any persons knowing of a violation of this law are obliged to report it to the proper authorities.**

Recent developments indicate that Congregation for the Doctrine of the Faith (CDF) includes the illegal involvement with child pornography as a grave delict to be included under *Sacramentorum Sanctitatis Tutela (SST)*. This would be considered a grave delict because creating a market for such pornography directly contributes to child abuse and exploitation. Pornography of children is an injury to the broader community’s value of human life. There is no specific canonical standard establishing which child pornography cases should be sent, but where a civil legal case has been pursued, such facts would warrant review by CDF as outlined in *SST*.

*(Source: Revised Guide to the Implementation of the U. S. Bishops' Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons.)*

## **Appendix D**

### **Review Boards**

The provincial may choose to use the services of a Regional or otherwise established Review Board which will handle the allegations of several religious communities in a given area. Such a Review Board would be established collaboratively and would exist solely to track cases, to provide advice, and to review policies, and has no independent power or authority. A quorum would consist of a majority of the membership.

The Review Board will ideally include representation from the following groups: professionals from the social sciences, (psychologists, counselors, victims' advocates and/or social workers), representatives from the legal or law enforcement profession or state protective services, and laity, preferably parents. When the Review Board meets to consider an allegation, the provincial from the province of which the accused is a member shall appoint a religious from that province who shall participate in the Review Board deliberations.

*The purpose of the Review Board is to:*

1. advise the provincial in his assessment of an allegation
2. ensure that the provincial has complied with all legal and canonical notifications, if possible
3. review the provincial's pastoral response to the individual making the allegation and, as appropriate, to his/her family
4. advise the provincial regarding his determination of the suitability of the accused for ministry
5. offer advice to the provincial on all aspects of any allegation of abuse by members of the Congregation, whether retrospectively or prospectively
6. annually review with the provincials any changes in the institutes' policies and compliance with certification under the Instruments of Healing and Hope program
7. review and assist the provincial in the development of safety plans (and modification thereof) for at risk members.

When the Review Board meets to consider a particular case, the provincial (or his delegate) of the province of which the accused is a member shall present the case to the board.

*Additional material on Review Board i.e., appointment of members, confidentiality, operating procedures, etc., is available from Province leadership upon request.*

# Appendix E

## **Explanation Sheet – For those who make allegations**

*(This sheet is given to all who make an allegation of sexual misconduct by a Province member.)*

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We have committed ourselves to treat all persons with safety and respect, and will take seriously any reports of inappropriate behavior on the part of our members. On behalf of all our members, we are truly sorry for your suffering at this time, and glad you have come forward, so we can help heal this situation. As we begin this process, we would like to suggest – and are willing to pay for – any counseling or therapy that you feel would be helpful during this period.

As this may be a confusing time for you, we wanted you to know the other things we will do as a result of your report. In some of the following actions we are bound by civil law. Other things we do are as a result of our own Province policy. In any of these actions, we will respect your confidentiality as much as possible. If you have a question about any of these actions, please ask us!

- The community member will be notified immediately that a report has been made alleging maltreatment. While he will be told the nature of the allegation, your privacy will be respected.
- Civil authorities will be notified of the report within 48 hours, unless you, as an adult, specifically request that no notification be made. To make these reports, we will need a lot of specific information from you regarding the incident.
- If civil authorities decide to conduct an investigation of their own, the Province will comply fully with their investigation. They will also need information from you regarding the incident.
- The members of the Province leadership team, the Province Response / Safety Team, and the Director of the ministry in which the accused Province Member works, will be notified immediately that a report has been made, and the community member will be removed from the ministry, and moved to a location where others will be safe, until a full investigation can be made.
- The Province will choose an Investigator and begin an investigation into the specifics of this report.
- An independent, confidential Review Board, who will not know any identifying information about you, will always review all the actions taken on your behalf, and give advice to Province leadership about what to do.
- You will be informed by the Provincial about the full results of any investigations into the incident, and the resulting permanent decisions which are made regarding the community member. In cases where an allegation is substantiated, the accused Brother will not return to public ministry.



## Appendix F

### Guidelines for Levels of Supervision in Province

In the Province, there are three types of plans that function as supports for the good behavior of members. Below, they are listed from most to least restrictive. While the first two plans (Safety and Supervised Care plans) are designed by the Response / Safety Team and examined by the Review Board, the Self-Care Plan is initiated by the Provincial. Only the Provincial may initiate a plan with a member.

**Safety Plan** The most restrictive level.

Those Brothers accused of a credible incident of sexual maltreatment of a minor or a vulnerable person, are placed on a Safety Plan when:

- they have admitted to the behavior, or
- an internal investigation proves the allegation true, or very likely, or
- an external investigation (conducted by civil authority) determines the allegation founded.

After the period of initial response with the accused (investigation and treatment, or civil measures), the specifics of the plan are determined by the members of the Response / Safety Team working in conjunction with the Provincial and the Review Board. The plan takes into account the nature of the maltreatment. In some cases, when the Brother has been cooperative with his plan for many years, and when the plan is comprehensive and holistic, the term “wellness plan” may be used.

**Supervised Care Plan** A less restrictive level.

Those Brothers accused of a credible incident of sexual maltreatment of a minor or a vulnerable person, are placed on a Supervised Care Plan when:

- a subsequent internal investigation determines the incident improbable, but the Brother appears to need restrictions in order to lessen the chances of additional allegations, or
- an external investigation by civil authorities is declined by the DA (i.e., due to statute of limitations, or the behavior does not fit the definition of sexual abuse), but the behavior or allegation is still a matter of concern to the community, or
- the Brother exhibits behavior which puts him or the community at risk of another allegation.

Supervised care plans generally follow the same format and supervision structures as safety plans. The specifics of the plan on this level are determined by the nature of the accusation and the behavior of the Brother.

**Self-Care Plan** The least restrictive level.

A self-care plan is intervention by the Provincial as a consequence of a wide variety of misbehavior or problematic behavior on the part of a Brother. A Brother on a self-care plan has not engaged in sexual maltreatment of any type. However, he may have engaged in boundary violations, behavior which puts him at risk for an allegation, or maltreatment as a result of alcohol misuse, mental illness

or other causes. He may be engaging in addictive disease of some sort, and needs the structure of a plan for recovery within community. The self-care plan is written, includes consequences and is signed, but supervision in this category is not formal. There is no third party oversight (i.e., a contracted regional supervisor or examination by the Review Board) required. The Provincial or his designate (i.e., the local director, or another member of the province) is the person who interacts with the Brother on a self-care plan.

## Appendix G

### Guidelines for Safety Plan Supervisors

Each Brother on a Safety Plan or Supervised Care Plan is assigned a local supervisor to monitor compliance with such a plan. This supervisor plays a dual role of supporting the Brother in his efforts to follow the plan, and that of monitoring the Brother's general conduct as well as his physical, emotional, and spiritual health. This requires the ability to be both supportive counselor and authority figure. With that in mind, it is important that the supervisor be an individual who is able to balance these two somewhat contradictory roles. In addition, the supervisor must have the knowledge and ability to identify boundary violations (both subtle and obvious) and to address them in a direct and timely manner.

The protocol below is intended to guide Supervisors and leadership in maintaining adequate documentation of ongoing adherence to Safety Plans by individual Brothers. Maintaining documentation will not only help maintain an institutional memory for each Brother's individual situation and progress, but it will also help in providing the necessary information to the Review Board for their annual review.

The Supervisor of a Brother on a Safety Plan is appointed by the Provincial.

The Supervisor may be a Member of the Province or a third party contracted for purposes of Supervision.

The Supervisor will be qualified by training or experience for the role of supervision.

The Supervisor is an integral part of a positive, informed support system for the Brother on a Safety Plan to ensure a safe environment for minors, vulnerable adults, the Congregation of Holy Cross and the Brother being supervised.

The Supervisor will be provided with:

- Accurate knowledge of the Brother's allegations and problem behaviors.
- Accurate knowledge of the Brother's treatment programs and aftercare requirements.
- Accurate knowledge of the rules, restrictions and expectations in the Safety Plan in accordance with all Province policies and procedures.
- Awareness of the Brother's potential arousal patterns.

- Familiarity with the Brother's schedule and whereabouts.
- Knowledge of and the consequences for violations of the Safety Plan.
- The ability to hold the Brother accountable for violations of the Safety Plan, including imposing consequences.
- The ability to intervene in any onset of a risky or problem behavior.

The Supervisor will:

- Meet monthly with the Brother for a formal review of compliance with the Safety Plan.
- Complete a report after each meeting, which will include significant observations and changes in the Brother's life that impact compliance, among other things.
- Share the information gathered in said meetings with the Provincial at least twice each year, so that the Review Board can also be made aware of all pertinent information for their annual review.
- Maintain all documentation of compliance and non-compliance.
- Maintain documentation of imposing consequences for non-compliance.
- Maintain all logs and records required by the Safety Plan (i.e. daily logs, travel logs, permission requests and authorizations, etc.)
- Report all cases of non-compliance to the Provincial.
- Provide quarterly written updates regarding the Brother's compliance with the Safety Plan including current strengths and challenges. The updates will include:
  - Dates of meeting with the brother.
  - Any concerns with the brother's use of alcohol or substances.
  - The successful or unsuccessful completion of treatments or programs such as ongoing therapy or 12 step meetings.
  - Any issues related to the internet or electronic communications.
  - Participation in spiritual directions.
  - Whether the brother has had any vacation or overnights and the details surrounding those events.
  - Whether the brother is completing and maintaining logs and documentation asked of him like vehicle sign-in/out sheets.
  - Any concerns generally with the brother's role in the community.
  - Any non-compliance with the Safety Plan, including policy violations or misconduct with the other brothers or staff.
  - Changes in the brother's health that may impact risk.
  - Aging concerns that impact the brother's life.

If a Brother on a Safety Plan experiences any significant change in behavior or health, or new allegations surface, his Safety Plan must be reviewed as soon as possible by the Provincial. Any adjustments to the Safety Plan must be communicated to the supervisor and Review Board immediately.

The Brother on a Safety Plan may be required to report to the Provincial in writing periodically (e.g., monthly, quarterly or annually, as appropriate to the situation), describing his progress in terms of work, therapy, spiritual direction, community life, and such other matters as may be appropriate.

The Major Superior:

The Major Superior will provide a written compliance report annually to the Review Board that includes the following:

- The brother's overall response to the Plan;
- Information about any violations of the Safety Plan;
- Information about any other boundary violations or misconduct.

It is assumed that the Supervisor's quarterly reports are the basis for this report and that those reports will be made available to the Review Board.

The Major Superior will answer any questions the review board has.

After discussion the Review Board may determine no farther recommendations are necessary or may list any recommendations or concerns.

## Appendix H

### Sample of Safety Plan Review by Review Board

1. Date of Review
2. Name of brother being reviewed
3. Summary of documents available for review
  - a. Safety Plan.
  - b. A written compliance report completed by the Major Superior. The compliance report including a summary of the Member's overall response to the Safety Plan, information about violations of the Safety Plan, and information about any other boundary violations or misconduct.
  - c. The supervisor's quarterly report (including pertinent content as per policy).
4. The Major Superior was available to answer any questions the Review Board had.
5. Following a discussion of the above items, the Review Board has determined:

No further recommendations are necessary

The following recommendations should be considered [List concerns or recommendations below.]

Review Board Chair Signature: \_\_\_\_\_

## Appendix I

### Regarding Pornography and Violence

“Sex and violence” in popular entertainment has been a recurring theme for more than a century. Just after the World War II era, consumer psychology discovered the principle that “sex sells.” Because of the advances in film and television technology, and challenges to censorship based on the First Amendment right to “freedom of speech,” our society has become inured to increasing amounts of sex and violence in the media.

While the preference for violence and pornography is not exclusively a male problem, it is significantly an appetite of our gender. Many studies have shown that preference for violence in entertainment is most characteristic of males. The ratio of male to female visitors to Internet pornography sites is 72% male to 28% female. It is estimated that there are now over 40 million adults in the US who *regularly* visit pornographic web sites (See <http://internet-filter-review.toptenreviews.com/internet-pornography-statistics.html#anchor6>).

As consecrated religious men, our goal is to reflect the loving, positive presence of Christ in every interaction. We believe that viewing graphic violence or any type of pornography is in conflict with our professed belief in the innate dignity, the holiness and calling, of every human being. The deliberate viewing of pornographic images, whether online or on film or in magazines, is participation in the violence done to humans made in the image of God.

We acknowledge the pervasive themes of sex and violence in media in our country, and have compassion for all who, at some point in their lives, for whatever reason, become compulsive in their desire for this type of entertainment.

We stand ready to help any Province member who discloses his concern about his desire for viewing violent or pornographic images (See Prevention and Treatment section above)

## Appendix J

### Support and Accountability for Visiting Religious/Priests Living in Midwest Province Houses

#### Policy Statement:

The policy regarding brothers living and/or working in other provinces of the congregation is comprised of Statutes 47, 57 and 88 found in the Constitutions and Statutes of the Congregation of Holy Cross: *Religious living in a house or residence under the jurisdiction of a province other than their own should participate as fully as possible in the daily life of the local community. Such religious should be members of the local chapter, be included in the process of selecting the local superior or director and be considered for membership on the local council (S 47). A religious*

*working in a district belonging to a province other than his own retains his right to participate in the election of the provincial of his own province (S 57). When a religious works in a province other than his own, the provincials concerned should determine among other matters his remuneration, his relation with authority, including the annual visit, and his rights including exercise of active and passive voice after they have consulted with him (S 88).*

The 2016 Chapter decreed that the Superior General ensure that jurisdictions of the Congregation that arrange exchanges for improving our mission that involve religious ministering outside of their home jurisdiction, have in place an agreement accepted by the respective Superiors and their Councils. The agreements must have the approval of the Superior General. The agreements should be reviewed by all interested parties at the renewal of the agreement.

In the Midwest Province, similar agreements will be made for religious from other Religious Communities who will reside as guests/visitors in a house of the Midwest Province.

### **Guidelines:**

The following guidelines will be considered as part of a total agreement:

1. The Midwest Provincial must receive must have the written permission of the Visitor's Major Superior.
2. The Visitor's Major Superior must send a letter to the Midwest Provincial affirming the Visitor's good standing and suitability and attesting to the lack of reports of inappropriate behavior with minors
3. The Visitor's Major Superior must also provide his written opinion regarding the Visitor's moral, intellectual, physical, and psychological attributes.
4. The Visitor's Major Superior must also provide a list of work/volunteer assignments and ministries in which the Visitor participated, especially those involving youth, and the name of the Visitor's supervisor.
5. The Midwest Provincial should request reference letters from said supervisors in which the supervisor attests to the Visitor's cooperation, collaboration, and competence during the Visitor's employment.
6. The both Major Superiors will sign an agreement that includes:
  - a. The reason why the Visitor will be residing in the Midwest Province house.
  - b. A description of the Visitor's role and expectations regarding his residence at the Midwest Province house.
  - c. Any and all work or volunteer assignments and ministries the Visitor will be participating in, especially those involving youth.
  - d. Indication of a probationary period, if any, expectations during that period, and any violation that would merit immediate removal of the Visitor from the Midwest Province house.
7. The Midwest Province will provide the Visitor with a copy of its Policy on the protection of youth and minors, and request that the Visitor sign a document acknowledging its receipt and agreeing to adhere to the Policy. A copy of this document should be kept in the Visitor's file and be easily accessible by the Provincial.

8. The Midwest Province will provide the Visitor with an orientation program regarding the its Policy on the protection of youth and minors, as well as other pertinent information established by the Province for such Visitors, e.g., criminal background check, educational training, etc.
9. The Visitor will complete (if not already completed) an educational training program covering basic concepts of the protection of youth and minors and the state's mandatory reporting requirements before he initiates any work with minors.
10. The Midwest Provincial will communicate with any local supervisor(s) assigned to the Visitor in his work/volunteer assignments every year.
11. The Visitor will be assigned a mentor/supervisor within the local community and will meet with said mentor/supervisor as needed.
12. The Visitor is expected to participate in the community life at his residence including:
  - a. Community mass/meetings
  - b. Prayer
  - c. Social gatherings
  - d. Trainings
13. For visiting religious from Institutes that are currently accredited by Praesidium, these guidelines will be amended through mutual agreement of both major superiors to avoid redundancy of records and communication.

## **Appendix K**

### **Educational Plan for Returning and International Members**

Any Brother returning from ministry outside the U.S. or for international Members coming for ministry within the U.S., will do the following before they begin to practice any public ministry:

1. Read and acknowledge receipt of the Midwest Province Abuse Risk Reduction Policies, including the Standards of Behavior for Province Members as well as a statement agreeing to adhere to them.
2. Complete an educational program that includes the following topics before they begin practicing any public ministry:
  - a. Information about both preferential and situational type sexual offenders. Warning signs of both types of offenders must be clearly stated in the materials.
  - b. Information regarding self-protection from false allegations of sexual abuse of a minor, including what to do if one is concerned about being falsely accused.
  - c. Information about child pornography, including its nature as a criminal offense and as an offense considered under the United States Conference of Catholic Bishops document, Charter for the Protection of Children and Young People.
  - d. Information regarding abuse with vulnerable adults, including its nature as an offense considered under the United States Conference of Catholic Bishops document, Charter for the Protection of Children and Young People.
  - e. Information on how to make a report to the civil authorities of known or suspected sexual abuse of a victim who is currently a minor in the jurisdictions where the Brother is assigned.

3. It is well known that acceptable interpersonal behaviors and practices differ between cultures. For this reason and to help our Brothers succeed and minister in a pastoral, yet safe manner within the U.S., Brothers will participate in an enculturation program. Said program will help Brothers become familiar with cultural values within the U.S. and therefore help them manage interactions in their ministries.
4. Once the Brother completes the foundational program described in 2 above, he will continue to participate in all child protection education programs required by the Institute and the Arch/diocese(s) in which he serves.

## **Appendix L**

### **Requirements for Mandatory Reporting by State**

The reporting requirement imposed on a mandatory reporter (e.g. doctor, social worker, or teacher) suspecting child abuse varies by state regulations. Those brothers who maintain professional licensee are required to follow state laws. In addition, the States of Florida, Indiana, New Jersey, and Texas require that any citizen who suspects child abuse must file a report. Below are the state reporting requirements regardless of professional status or license:

**ARIZONA:** Rev. Stat. § 13-3620 Any other person who reasonably believes that a minor is a victim of abuse or neglect may report.

**COLORADO:** Rev. Stat. § 19-3-304 Any other person may report known or suspected child abuse or neglect.

**FLORIDA:** Ann. Stat. § 39.201 Any person who knows or has reasonable cause to suspect that a child is the victim of childhood sexual abuse...**shall report** such knowledge or suspicion to the Department of Children and Family Services

**ILLINOIS:** Stat. Ch. 325, § 5/4 Any other person who has reasonable cause to believe that a child is abused or neglected may report.

**INDIANA:** Ann. Code § 31-33-5-1 Any person who has reason to believe that a child is a victim of abuse or neglect **must report.**

**MICHIGAN:** Comp. Laws § 722.624 Any other person, including a child, who has reasonable cause to suspect child abuse or neglect, may report.

**NEW YORK:** Soc. Serv. Law § 414 Any other person who has reasonable cause to suspect that a child is abused or maltreated may report.

**OHIO:** Rev. Code § 2151.421 Any other person who suspects that a child has suffered or faces a threat of suffering from abuse or neglect may report.



**OREGON:** Rev. Stat. § 419B.015 Any person may voluntarily make a report.

**TEXAS:** Fam. Code § 261.101 A person who has cause to believe that a child has been adversely affected by abuse or neglect **shall immediately make a report.**

For more about the laws in your state for reporting child abuse/neglect, the following website may be a helpful resource:

<https://www.childwelfare.gov/topics/systemwide/laws-policies/state/>

It is a link to a document produced by Child Welfare Information Gateway for the U.S. Department of Health and Human Services, Children's Bureau, Washington, D.C.

## Appendix M

### **Acknowledgement: POLICY ON RESPONSE TO ALLEGATIONS OF SEXUAL ABUSE OF MINORS**

I acknowledge having received and read the policies contained in this document. I understand the policies and procedures and hereby voluntarily commit by myself to support and abide by these policies, and to conduct myself in complete accordance with them.

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Name of Ministry/Residence: \_\_\_\_\_