



DIOCESE OF BELLEVILLE

Child Protection Policy

PROMISE TO
PROTECT



PLEDGE TO
HEAL

May 2019

Table of Contents

- Introduction** 1
- Section 1: Definitions** 2
 - 1.1 Accused 2
 - 1.2 Administrative Leave 2
 - 1.3 Appropriate Monitoring 2
 - 1.4 Background Checks 2
 - 1.5 Child, Children or Vulnerable Individuals 2
 - 1.6 Child Abuse
 - a. Physical Abuse 2
 - b. Sexual Abuse 3
 - c. Neglect 4
 - 1.7 Contact 4
 - 1.8 Credible Allegation 4
 - 1.9 Exempt Status 4
 - 1.10 Extern Clergy 5
 - 1.11 Faculties 5
 - 1.12 Men Religious and Women Religious 5
 - 1.13 Permanent or Temporary Care or Custody or Responsibility
For Supervision of a Child 5
 - 1.14 Personnel 5
 - 1.15 Provisional Status 5
 - 1.16 Volunteer 6
- Section 2: Education** 6
 - 2.1 Purpose and Objective 6
 - 2.2 Personnel 6
 - 2.3 Educational Curriculum 7
 - 2.4 Deadlines for Completing Training 8
 - 2.5 Availability of Training 8
 - 2.6 Educational programs for Students in Parochial Schools and
Religious Education Programs 8
 - 2.7 Assessment and Evaluation of Educational Efforts 9
- Section 3: Background Checks for Personnel** 9
 - 3.1 Completion of Clearance Requirements 9
 - 3.2 Applicants for Employment or Volunteer Services 10
 - 3.3 Authority of Vicar General 10
 - 3.4 Review and Approval by Office of Child Protection 11
 - 3.5 Updating Clearance Information 11
 - 3.6 Provisional Status 11
 - 3.7 Waivers of Comprehensive Clearance Information 11

Section 4: <u>Background Checks; Men Religious and Women Religious</u>	12
4.1 Members of Men Religious and Women Religious Who Are Within the Diocese of Belleville	12
4.2 Priests from Other Dioceses Who Are Ministering Within the Diocese of Belleville ...	12
4.3 Applicants for Priesthood or Permanent Diaconate Within the Diocese of Belleville ...	13
4.4 Guidelines for Granting Residence or Ministry to Extern Clergy, Men Religious and Women Religious	13
4.5 Provisional Status	13
4.6 Waivers of Comprehensive Clearance Information.....	13
Section 5: <u>Civil Reporting Requirements</u>	14
5.1 Who Must Report?	14
5.2 What Must be Reported?	14
5.3 To Whom Should Reports be Made?	15
5.4 What Specific Information Should be Reported?	15
5.5 Supporting Individuals Who Make a Report	15
5.6 Requirements for Further Cooperation	16
5.7 Immunity Protections for Those Making a Report	16
5.8 Recordkeeping	16
Section 6: <u>Diocese Reporting Requirements</u>	16
6.1 What Must Be Reported?	17
6.2 To Whom Should Reports Be Made?	17
Section 7: <u>Internal Diocese Procedures</u>	18
7.1 Allegations Against an Employee or Volunteer	18
7.2 Allegations Against A Priest or Deacon in Service Within the Diocese or Residing in a Diocese Rectory or Facility	20
7.3 Allegations Against an Individual who has No Association with the Diocese.....	22
7.4 Rights of the Individuals Making the Allegation and the Accused	22
7.5 Recordkeeping for Priests, Deacons and Diocese Employees.....	23
7.6 Diocese Review Board.....	23
Section 8: <u>Response to False Allegations</u>	24
8.1 Mental Health Services	24
8.2 Restoring the Good Name of Someone Falsely Accused	25
Section 9: <u>Pastoral Care and Assistance to Individuals Making Child Abuse Allegations</u>	25
9.1 Outreach to Individuals, Families and the Community	25
9.2 Director of Child Protection and Victim Assistance Coordinator	26

9.3	Counseling Assistance for Individuals Making Allegations and Their Families	26
9.4	Additional Forms of Pastoral Care	27
9.5	Measuring Accountability of Assistance to Individuals Making Allegations and Child Protection Outreach	27
Section 10: <u>Communications</u>		28
10.1	Public Awareness of Child Abuse Issues.....	28
10.2	Timeliness of Communications	28
10.3	Responding to the Media	28
10.4	Communicating with Directly Affected Communities	28
10.5	Communicating with the Broader Community	28
Section 11: <u>Measuring Progress and Accountability</u>.....		29
11.1	Responsibility for Implementation of Policy	29
11.2	Evaluation Process	29
11.3	Policy Compliance	29
11.4	Review and Effectiveness of the Child Protection Policy	29
Appendix A		30
	Step by Step Guide to Reporting	30
Appendix B		31
	Guidelines and Recommendations for the Review Board	31

INTRODUCTION

All Children have the right to be safe and protected from harm in any and all environments – home, school, religious institutions, neighborhoods and communities. The Catholic Diocese of Belleville (the “Diocese”) embraces this right to safety and is dedicated to promoting and ensuring the protection of all Children. The Diocese will do everything in its power to create a safe environment for Children and young people, to prevent their physical abuse, sexual abuse and neglect and to bring the healing ministry of the Diocese to bear wherever possible. It is the expectation of the Diocese that all individuals and entities under its auspices comply with the provisions stated in this Child Protection Policy (the “Policy”).

This Policy builds on a 1990 policy issued by the Diocese that was updated in 1993 with an additional policy document regarding clerical sexual misconduct with minors and further updated in 2003. This Policy continues and expands our concern for Children and reflects the provisions contained within the *Charter for the Protection of Children and Young People* that was initially approved by the United States Catholic Bishops at its November 2002 General Meeting, and last revised in June 2018, and the *Essential Norms for Diocese/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* that went into effect on May 15, 2006.

With renewed faith, we recommit ourselves to the original goals of this Policy:

- a. to reiterate and strengthen educative and screening procedures toward the goal of preventing Child Abuse;
- b. to identify and observe reporting requirements to civil and Diocese authorities;
- c. to address the spiritual, physical and emotional care of the abused Child and the family, as well as the affected Catholic community;
- d. to address the spiritual, physical and emotional care of the individual against whom the charge was made; and
- e. to address other actions to be taken when Child Abuse is alleged.

1 Definitions

The following are definitions used for the purposes of this Policy:

1.1 **Accused**

An individual charged with or alleged to have committed an act of Child Abuse, a violation of this Policy or a crime.

1.2 **Administrative Leave**

Relieving the Accused of assigned duties pending further notice from the Vicar General.

1.3 **Appropriate Monitoring**

Ongoing, in-person monitoring of the conduct and performance of individuals with Provisional Status (*see* Section 1.15) and individuals who are pursuing status as Personnel (*see* Section 1.14), but who have yet to complete the requisite clearance procedures. Individuals who serve as monitors are designated this responsibility by the local parish, school or agency office after they have received clearance through the required Background Checks as defined below that includes the required Child Protection training. An exception is made for priest-penitent confidentiality and due regard must be given to the seal of the Sacrament of Penance.

1.4 **Background Checks**

Background Checks consist of the individual completing the Child Abuse and Neglect Tracking System (CANTS) form, as well as the information requested within the Diocese's on-line criminal background check and Child protection software programs that include annual Child protection training sessions.

1.5 **Child, Children or Vulnerable Individuals**

Any individual under the age of eighteen (18). A Vulnerable Individual over the age of eighteen (18) is also covered by this policy – *mutates mutandis* (with the necessary changes) – when such a person is unable or unlikely to report Child Abuse without assistance because of impairment of physical or mental function or emotional status.

1.6 **Child Abuse**

Consists of any of the following:

- a. **Physical Abuse**, which includes:
 1. Any act which inflicts, causes to be inflicted or allows to be inflicted upon such Child physical injury, by other than accidental means, which causes death, disfigurement, impairment of physical or emotional health or loss or impairment of any bodily function. Such common injuries

- include but are not limited to bruises, human bites, bone fractures and burns;
2. Creates a substantial risk of physical injury likely to have the physical impacts listed in 1.6(a)(1) above. Examples include but are not limited to such incidents as choking or smothering a Child, shaking or throwing a small Child and violently pushing or shoving a Child into fixed objects. Other circumstances may include incidents of violence in which the Child was threatened, violations of orders for the perpetrator to remain apart from the Child, and a history of past sexual abuse that may place other Children at risk;
 3. Acts of torture, which is the deliberately and/or systematically inflicting cruel or unusual treatment resulting in physical or mental function or emotional suffering;
 4. Inflicting excessive corporal punishment, which may include bruises inflicted on a Child;
 5. Commits or allows to be committed the offense of genital mutilation; and
 6. Causes to be sold, transferred, distributed or given to a Child a controlled substance as prescribed, i.e., illegal drugs, except as prescribed by a physician.
- b. **Sexual Abuse**, which occurs when a person responsible for a Child's welfare commits any of the following acts:
1. Sexually transmitted diseases, which are acquired as a result of sexual penetration or conduct with an individual who was afflicted;
 2. Sexual penetration, which includes any contact between sex organ of one person and the sex organ, mouth or anus of another person. Typical acts include but are not limited to vaginal, oral and anal sex;
 3. Sexual exploitation, which is the sexual use of a Child for sexual arousal, gratification, advantage or profit. This includes but is not limited to such acts as explicit verbal enticements, acquisition, possession and/or distribution of Child pornography, self-masturbation in the Child's presence and forcing a Child to watch sex acts; and
 4. Sexual molestation, which is sexual conduct with a Child when such contact, touching or interaction is used for arousal or gratification of sexual needs or desires. Examples include but are not limited to fondling a Child or having the Child touch the perpetrator sexually.

- c. **Neglect**, which occurs when:
1. A person responsible for a Child deprives or fails to provide the Child with adequate food, clothing, shelter or needed medical treatment;
 2. When an adult provides inadequate supervision of the Child, which can occur when the Child is left either unsupervised or in the care of someone unable to supervise due to his/her condition;
 3. The Child's environment is injurious insofar as (i) the Child's environment creates a likelihood of harm to the Child's health, physical well-being or welfare and (ii) the likely harm to the Child is the result of a blatant disregard of parent or caretaker responsibilities; and
 4. An incident where the real, significant and imminent risk of harm would be so obvious to a reasonable parent or caretaker that it is unlikely that a reasonable parent or caretaker would have exposed the Child to the danger without exercising precautionary measures to protect the Child from harm.

1.7 Contact

Contact with a Child or Children in which the duration and scope in both time and exposure to the Child or Children is neither trivial nor limited and may occur on a routine and/or ongoing basis. Contact does not include persons who have a single, isolated and/or infrequent interaction with a Child or Children and who receive Appropriate Monitoring by an authorized person. Any individual performing service or work in a school is considered to have Contact.

1.8 Credible Allegation

Credible Allegation means that, under all the circumstances known at the time of the determination, a prudent person would conclude that there is a significant possibility that an incident occurred or has been perceived as having occurred. Thus, an allegation that, based upon the facts of the case, should meet one or more of the following thresholds:

- a. Believable and plausible;
- b. Reasonable and probable;
- c. Corroborated with other evidence or another source; and/or
- d. Acknowledged/admitted to by the Accused.

In making this determination, consideration should be given to the trustworthiness of the source.

1.9 Exempt Status

Exempt Status means priests, deacons, Men Religious and Women Religious, Volunteers and/or visitors to the Diocese who have temporary assignments and

perform duties that are of limited duration and scope in both time and exposure to a Child or Children. Exempt Status Personnel shall not be left unattended at any time in the presence of a Child or Children with Appropriate Monitoring provided at all times.

1.10 Extern Clergy

Extern Clergy means priests, deacons and Men Religious who are not incardinated with the Diocese of Belleville.

1.11 Faculties

Men Religious who request and are granted permission to become a member of the clergy of the Diocese in accordance with the written directives of the Bishop. Faculties will be granted only after a letter of permission from that clergy's Ordinary, in accord with the requirements of any pertinent agreement between the United States Conference of Catholic Bishops and the proper episcopal conference of that clergy member.

1.12 Men Religious and Women Religious

Men Religious and Women Religious is any man or woman who pronounces public vows and leads a life in common with the other members of the institute.

1.13 Permanent or Temporary Care or Custody or Responsibility for Supervision of a Child

Permanent or temporary care or custody or responsibility for supervision of a Child includes all Personnel or any adult who has been given responsibility for temporary care or supervision of a Child. The passing of responsibility may be by a parent or other adult with custodial responsibility, regardless of duration, for a parish, school or agency related activity.

1.14 Personnel

Personnel consists of bishops, priests, Men Religious, Women Religious, deacons, employees, contract workers and Volunteers associated with a parish, school or agency under the auspices of the Diocese.

1.15 Provisional Status

Personnel and Volunteers (as defined in Sections 1.14 and 1.16) of parishes, schools and/or agencies who have completed Background Checks, but those Background Checks are pending, can obtain "Provisional Status" from the Child Protection Office or appropriate parish, school or agency office, but Provisional Status individuals shall not be left unattended at any time in the presence of a Child or Children with Appropriate Monitoring provided at all times.

1.16 Volunteer

A Volunteer is an individual who provides without compensation an ongoing service or activity that is arranged through or by the parish, school and agency.

2 Education

Principle

The Diocese is committed to preventing Child Abuse before it occurs and to identifying Child Abuse once it has occurred. By raising the awareness and understanding of Child Abuse issues among priests, deacons, Men Religious and Women Religious, employees, contract workers, Volunteers and other adults who work with or have Contact (*see* Section 1.7) with a Child or Children under the care of a parish, school or agency and by increasing their knowledge and ability to deal effectively with Child Abuse issues once they arise, risks to Child safety can be greatly reduced. By educating Children on how to be safe and stay safe, the Diocese will enhance the ability of Children to protect themselves and encourage an environment that allows Children to communicate any potential endangerment.

2.1 Purpose and Objective

This Policy applies to the programs that provide specific training in the prevention, recognition and reporting of Child Abuse that are developed and/or offered by the Diocese and is:

- a. Required of all Personnel directly involved or in Contact with a Child, Children or Vulnerable Individuals;
- b. Required of all Children who participate in activities, services and programs under the auspices of Diocese; and
- c. Recommended of parents and other adults with custodial responsibilities who participate or have Children who participate in activities, services and programs under the auspices of Diocese.

The objectives of these programs are designed to prevent, recognize and appropriately report Child Abuse through educational programs, such as seminars, workshops and meetings, provided by the Diocese and completed by all Personnel on an annual basis who have contact with a Child, Children or Vulnerable Individuals.

2.2 Personnel

The following Personnel shall participate in an annual education program on Child Abuse specifically designed to address their area of service:

- a. All priests, deacons, Men Religious and Women Religious;
- b. All principals, assistant principals, teachers, guidance counselors, librarians, all Volunteers and Personnel at all levels, including aides,

- janitors, food service workers, school nurses and office personnel of all Catholic elementary, middle and high schools;
- c. All directors, catechists and staff of religious education programs;
- d. All Personnel providing Child care services; and
- e. All youth ministers, directors/coaches of Children’s activities (i.e. athletics, scout troops, choir, etc.) and similar Personnel who provide such services.

The Vicar General shall have the authority to direct additional Personnel (in addition to those specified in (a) through (e) above) to attend annual education programs.

2.3 Educational Curriculum

Priests, deacons, Men Religious and Women Religious shall attend scheduled training sessions that include but are not limited to the following subjects:

- a. Appropriate boundaries and established prohibitions in ministry;
- b. Nature of the Child Abuse problem;
- c. Signs and symptoms of Child Abuse in Children;
- d. Laws, policies and procedures to report Child Abuse allegations;
- e. Policies and procedures to prevent Child Abuse, including but not limited to those on any Church-owned property or at Church-sponsored events and activities;
- f. Types of disclosure and how to respond appropriately to allegations of Child Abuse;
- g. Policies and procedures to respond to allegations of Child Abuse;
- h. Ministering to adults and Children about the prevention of Child Abuse and exploitation;
- i. Ministering to individuals who have been the subject of Child Abuse; and
- j. Penitential privilege and/or seal of the Sacrament of Penance.

Children shall attend scheduled training sessions that include but are not limited to the following subjects:

- a. Basic safety skills;
- b. Recognition of dangerous and abusive situations;
- c. Appropriate and inappropriate physical contact and other interpersonal boundary violations;
- d. Ability to say “no” to unwanted situations;
- e. Ability to identify trusted adults with whom to speak;
- f. Importance of disclosure if inappropriate or unwanted actions are directed to self or others; and
- g. Recognition that abusive situations are never the fault of the Child.

Personnel and Volunteers shall attend scheduled training sessions that include but are not limited to the following subjects:

- a. Appropriate boundaries and established prohibitions in ministry;
- b. Nature of the Child Abuse problem in Children;
- c. Signs and symptoms of Child Abuse in Children;
- d. Laws, policies and procedures to report Child Abuse allegations;
- e. Policies and procedures to prevent Child Abuse, including but not limited to preventing it on any Church-owned property or at Church-sponsored events and activities;
- f. Types of disclosure and how to respond appropriately to allegations of Child Abuse; and
- g. Policies and procedures to respond to allegations of Child Abuse.

Parents and other adults with custodial responsibilities will be strongly encouraged to attend scheduled training sessions that are offered to all Personnel and Volunteers.

2.4 Deadlines for Completing Training

New Personnel and Volunteers who will have Contact with a Child, Children or Vulnerable Individuals shall enroll in appropriate Educational Curriculum (as specified in Section 2.3) at the earliest possible date and no later than ninety (90) days following the assumption of their duties. This requirement may be extended, voluntarily, to Personnel and Volunteers who do not work directly or have any Contact with a Child, Children or Vulnerable Individuals.

Pastors/parish life coordinators, principals and agency directors will ensure that all Personnel required to receive training do so within the requisite time period or are removed from Contact with a Child, Children or Vulnerable Individuals for failure to attend an appropriate training program.

2.5 Availability of Training

Training shall be available at both the local parish, school or agency level and Diocese organizational level. New Personnel and Volunteers may:

- a. Attend a regularly scheduled training session in the Diocese, parish, school or agency;
- b. Complete training through online web-based training courses (first year training requisite excepted); or
- c. Arrange for individual training if no other training is available.

2.6 Educational Programs for Students in Parochial Schools and Religious Education Programs

The Director of Education will ensure that age-appropriate Child Abuse prevention education programs are available at both the elementary (K–6th grade) and middle/secondary (7th–12th grade) levels.

Such programs shall be provided annually to Children in all grades of every parochial school in the Diocese, as well as Children participating in parish religious education programs.

2.7 Assessment and Evaluation of Educational Efforts

With a view toward assessing the progress of the educational efforts called for by this Policy, records shall be kept of:

- a. The number of training courses offered;
- b. The number of training courses attended by:
 1. Any priest or deacon;
 2. Personnel;
 3. Men Religious and Women Religious;
 4. Volunteers;
 5. Parents or other adults with custodial responsibilities; and
 6. Children.
- c. The number of web-based training courses;
- d. The number of attendees requesting additional training or assistance;
- e. Proportion of Personnel and Volunteers trained by deadlines as set forth within Section 2.4; and
- f. Participant evaluations of training content and learning opportunities.

3 Background Checks: Personnel and Volunteers

Principle

The Diocese recognizes that Background Checks are a critical element in ensuring the safety of Children and protecting them from inappropriate actions or behaviors of others. Therefore, all Personnel who come into Contact with a Child, Children or Vulnerable Individuals while working or volunteering for any parish, school or agency and/or program will undergo Background Checks (*see* Section 1.4).

3.1 Completion of Clearance Requirements

The pastor, parish life coordinator, principal or agency director will ensure that all Personnel and Volunteers in the parish, school or agency have completed Background Checks.

Personnel and Volunteers who have completed Background Checks, but are awaiting approval, can be granted Provisional Status by the Office of Child Protection or the appropriate parish, school or agency. Such individuals shall be subject to Appropriate Monitoring and not left unattended in the presence of a Child, Children or Vulnerable

Individuals until their status has been approved by the Office of Child Protection or the appropriate parish, school or agency personnel office.

The Office of Child Protection or the appropriate parish, school or agency personnel office will review all Background Check results, notify the pastor, parish life coordinator, principal or agency director of any unsuitable applicants, and maintain a list of all persons who have been refused employment or not allowed to provide volunteer services due to their Background Checks investigation.

In reviewing Background Check results, there may be occasions when it is believed that the results do not relate to the individual (a “false positive”). If it is believed that a false positive has occurred, such results will be reviewed by the Office of Child Protection to determine if further investigation will be conducted.

3.2 Applicants for Employment or Volunteer Services

All applicants for any position identified in Section 3.2 (a) through (d) below and current Personnel and Volunteers of any parish, school or agency who have Contact (as that term is defined within Section 1.7) with a Child, Children or Vulnerable Individuals shall complete the Background Checks. In addition, all current Personnel, which include but are not limited to Volunteers, will complete Background Checks. Employment or acceptance of services as a Volunteer is contingent upon favorable Background Checks.

- a. All principals, assistant principals, teachers, contract workers who have Contact with a Child, Children or Vulnerable Individuals, guidance counselors, librarians, employees (i.e. clerical, teacher aides, maintenance, food service) and all Volunteers of all elementary, middle and high schools under the auspices of the Diocese and/or any parish(es);
- b. All directors, coordinators, catechists and staff of religious education programs and all teachers of religious education;
- c. All persons providing Child care services through any parish, school or agency and/or other Catholic organizations; and
- d. All youth ministers, directors/coaches of Children’s activities (i.e. athletics, scout leaders, choir, etc.) and similar personnel having Contact with a Child, Children or Vulnerable Individuals and who provide such services through any parish, school or agency.

3.3 Authority of Vicar General

The Vicar General shall have the authority to designate additional Personnel who shall be required to complete Background Checks.

3.4 Review and Approval by Office of Child Protection

With the exclusion of the CANTS form, Background Checks for all Personnel will be reviewed by the appropriate parish, school or agency personnel office. All CANTS forms will be reviewed by the Office of Child Protection. If any information discovered during any part of the Background Checks, or at any other point in the review process is questionable, the pastor, parish life coordinator, principal and/or agency director will contact the prospective employee or Volunteer to clarify questions or findings. If the questionable information relates to Men Religious or Women Religious, the Vicar General or his designee shall be contacted to clarify questions or findings with the individual. If not previously completed, a fingerprint check may be requested from the individual.

Disqualifying information on all Personnel will be transmitted to the Office of Child Protection and also to the Vicar General, if the disqualifying information relates to Men Religious or Women Religious. If such information disqualifies the individual from employment or being a Volunteer, a copy of the information discovered in the investigation shall be provided to the prospective employee or Volunteer. Unless other sections of this Policy apply, no one may commence employment, Volunteer services or ministry within the Diocese until after written approval is received from the Office of Child Protection.

3.5 Updating Clearance Information

Personnel may be required periodically to complete and return to the Office of Child Protection or the appropriate parish, school or agency personnel office updated Background Checks.

3.6 Provisional Status

Personnel and Volunteers who have completed the Background Checks, but are awaiting approval, will receive Appropriate Monitoring until approval is received from the Office of Child Protection.

3.7 Waivers of Comprehensive Clearance Information

Personnel and Volunteers who seek Exempt Status and whose roles will be limited in scope and duration to preclude Contact (as that term is defined within Section 1.9) with a Child, Children or Vulnerable Individuals shall provide the Vicar General with written assurances of compliance with their governing host institution in order to be considered eligible for any service in which Contact with a Child, Children or Vulnerable Individuals may occur or is possible. Moreover, the Diocese shall remain vigilant in each of these situations. The Vicar General or his designee shall provide written approval of each instance to the Department of Child Protection in which requisite clearance procedures are waived, and approval shall be obtained prior to any involvement by the Personnel and/or Volunteers in any parish, school or agency.

4 Background Checks: Men Religious and Women Religious

Principle

The Diocese recognizes that Background Checks are a critical element in ensuring the safety of Children and protecting them from inappropriate influences. Therefore, all priests, deacons, Men Religious and Women Religious who come into Contact (as that term is defined within Section 1.7) with a Child, Children or Vulnerable Individuals while working for a parish, school or agency will undergo Background Checks. It is the responsibility of the Vicar General or his designee to ensure that all priests, deacons and Men Religious and Women Religious have completed Background Checks prior to beginning their work with a Child, Children or Vulnerable Individuals.

4.1 Members of Men Religious and Women Religious Who Are Within the Diocese of Belleville

All superiors of Men Religious and Women Religious proposing names of individual Men Religious and Women Religious for ministry or residence in parishes, schools, agencies and/or other Diocese institutions, as well as those simply requesting Faculties within the Diocese, are required to complete Background Checks and to state clearly in writing to the Office of the Bishop that there is no history which would render the individual unsuitable to work with a Child, Children or Vulnerable Individuals. A religious superior must state in writing that he/she has reviewed employment and Criminal History Records of the individual proposed.

The Vicar General or his designee will review all Background Check results. The Diocese will maintain a list of all priests, deacons, Men Religious and Women Religious within the Diocese who have been refused employment or not allowed to provide services due to unfavorable Background Checks and will provide a copy of the information discovered in the investigation to the individual. Additionally, all such individuals are expected to abide by this Policy should allegations of Child Abuse be made against any priest, deacon or any Men Religious or Women Religious while serving a parish, school or agency.

4.2 Priests from Other Dioceses Who Are Ministering Within the Diocese of Belleville

Bishops of priests and deacons from other Dioceses ministering or residing for more than a total of thirty days (consecutive and/or non-consecutive) within any calendar year in a Diocese of Belleville parish, partnership parish, school and/or agency, as well as any individual requesting Faculties within the Diocese of Belleville, must present the same written assurances and undergo the same Background Checks set

forth within this Policy, and are required to adhere to this Policy and the guidelines for transfers outlined in the *Essential Norms*.

If an Extern Clergy comes into the Diocese of Belleville for a total of thirty or fewer days (consecutive and/or non-consecutive) within any calendar year, he may be permitted to minister to the needs of the parish or institution, but he must, at least fourteen days prior to his visit, or as soon as practicable, transmit to the Chancery a Testimonial of Suitability issued by his governing Diocese Bishop or religious superior certifying that he is a priest or deacon in good standing, and is currently in full compliance with the Child Protection Policy of his governing diocese or religious community. The Testimonial of Suitability must state when the Extern Clergy's full compliance with the Child Protection Policy of his governing diocese or religious community is scheduled to expire.

4.3 Applicants for Priesthood or Permanent Diaconate Within the Diocese of Belleville

Individuals making application for the priesthood or a permanent diaconate, as well as priests seeking incardination, shall be required to complete the Background Checks, required Child protection training, and state in writing that they have no history which would render them unsuitable to work with Children. Additionally, all of the above individuals shall receive psychological testing in an effort to determine that they are suitable to work with Children.

4.4 Guidelines for Granting Residence or Ministry to Extern Clergy, Men Religious and Women Religious

If Section 4.2 does not apply, no pastor, parish life coordinator, associate pastor or director of any parish, school or agency within the Diocese is permitted to grant residence or full-time, part-time or regular weekend ministry to Extern Clergy, Men Religious or Women Religious until a letter has been received from the Vicar General assuring that the Background Checks have been completed and are consistent with the Diocese criminal-free history requirements.¹

4.5 Provisional Status

Men Religious and Women Religious who have completed Background Checks, but are awaiting approval, shall receive Appropriate Monitoring and not left unattended in the presence of a Child, Children or Vulnerable Individuals until approval is received from the Office of Child Protection.

4.6 Waivers of Comprehensive Clearance Information

Men Religious and Women Religious who seek Exempt Status and whose roles will be limited in scope and duration to preclude Contact with a Child, Children or

¹ The Diocese requires criminal histories in which there is no occurrence of misdemeanor and/or felony offenses that constitute any form of Child endangerment, abuse, assault, battery or any other violent crime.

Vulnerable Individuals shall provide the Vicar General or his designee with written assurances of compliance with their governing host institution in order to be considered eligible for any service in which Contact with a Child, Children or Vulnerable Individuals may occur or is possible. Moreover, the Diocese shall remain vigilant in each of these situations. The Vicar General or his designee shall provide written approval to the Office of Child Protection of each instance in which requisite clearance procedures are waived. Approval shall be obtained prior to any involvement in any parish, school or agency.

5 Civil Reporting Requirements

Principle

The Diocese recognizes that the protection of Children is a responsibility shared by the entire community, including the Church, parents, teachers, healthcare professionals, public safety officials, public and private social services agencies and the general public. The Diocese is committed to working with civil authorities to protect Children by preventing Child Abuse, reporting alleged incidents of Child Abuse, cooperating in investigations of allegations and any resultant judicial proceedings, as well as advising individuals of their right to report independently and supporting their exercise of that right, as specified in the *Charter for the Protection of Children and Young People*. The Diocese will act in accordance with standards that will at all times comply with those of civil law, and this Policy will be reviewed at least annually by the Vicar General in conjunction with the Review Board to ensure consistency with changes in civil law.

5.1 Who Must Report?

Any Personnel (*see* Section 1.14) who, in the course of performing employment or volunteer activities, makes observations or is presented with information that leads the individual to believe or suspect that any Child or Vulnerable Individual has been the subject of Child Abuse, shall make a report to the Illinois Department of Children & Family Services (“DCFS”) and if necessary, to the appropriate local law enforcement. The sole exception is that ordained priests shall not report any information subject to the priest-penitent privilege and due regard must be given to the seal of the Sacrament of Penance.

5.2 What Must be Reported?

Any suspected Child Abuse of a Child shall be immediately reported, regardless of where the incident occurred. Past incidents of Child Abuse that are alleged to have occurred when the individual was a Child, even if the individual is now an adult, also must be reported.

5.3 To Whom Should Reports be Made?

Under Illinois law, alleged Child Abuse must be reported to the DCFS via the Illinois Central Register Hotline (1-800-25-ABUSE or 1-800-252-2873).² Based upon certain criteria, the Hotline worker will determine whether or not to accept a report and initiate an investigation. If the Hotline worker accepts the report, the individual making the report will be required to complete a written confirmation of the report within forty-eight (48) hours on the appropriate form. If the Hotline worker does not accept the report, the Hotline worker will explain the basis for that decision.

5.4 What Specific Information Should be Reported?

The individual making a report should provide as much information as possible. The individual should not conduct an investigation in order to obtain more information than is readily available. The following information should be reported to the extent it is known:

- a. Name, address and age of Child;
- b. Name and address of the Child's parent(s)/caretaker(s) and siblings;
- c. Relationship of caretaker(s) to Child;
- d. Whereabouts of the Child;
- e. Details of the Child Abuse, including specifics of the incident(s), location and severity of injuries, any pattern of Child Abuse and any physical evident;
- f. Any explanation provided by the Child; and
- g. Any other relevant information that would expedite the investigation, such as directions to the Child's home (especially in rural areas) or information about potential risks to the investigator.

5.5 Supporting Individuals Who Make a Report

In addition to making a report, individuals shall inform the appropriate civil authorities and possibly the parent or adult with custodial responsibility of an individual making Child Abuse allegations of his/her right to making a report to the appropriate civil authority.³ All Personnel shall support all individuals in their exercise of this right.

² Any person who knowingly transmits a false report to the Department commits the offense of disorderly conduct under subsection (a)(7) of Section 26-1 of the Criminal Code of 2012. A violation of this subsection is a Class 4 felony. 325 ILCS 5/7.6.

³ In cases in which the individual designated to receive the report is the Accused, the report should be directed to the designee's superior.

5.6 Requirements for Further Cooperation

Upon request of any civil authority, individuals shall cooperate fully in any investigation of Child Abuse. This includes investigations of alleged Child Abuse of individuals who are now adults. Individuals shall also cooperate in any resulting judicial proceeding.

5.7 Immunity Protections for Those Making a Report

Any individual participating in good faith in the making of a report in accordance with the *Illinois Abused and Neglected Child Reporting Act*, 325 ILCS 5/1, et seq., shall have immunity from any liability, civil, criminal or otherwise that might result by reason of such action. This protection applies to those required and those permitted under Illinois law to make such reports, provided that such reports are made in good faith.

5.8 Recordkeeping

Accurate records of reports received, whether or not it was a Credible Allegation, and all actions taken and notifications by individuals in response to such reports, and evidence and relevant comments, shall be kept on file in strict and secure confidence. Copies of original statements provided to the authorities will be kept on file as set forth in Section 6.2 below. The responsibility for recordkeeping resides with the Office of Child Protection. However, records relating to clergy members will be kept in the Office of the Vicar General. For the protection of both the involved individuals and parishes, schools and agencies, records shall be kept *ad infinitum*. Continuity of information is essential and shall be assured. Such records, or portions of them, may be required in civil, criminal and canonical proceedings at the time of the allegation or at a later time.

6 Diocese Reporting Requirements

Principle

The Diocese believes unconditionally in the dignity of all Children and reasserts its condemnation of Child Abuse. Originating from this belief are expectations that there is:

1. the general duty to report knowledge or reasonable suspicion of Child Abuse, regardless of the consequences of such disclosure, and
2. the pastoral responsibility of the Diocese to establish, implement and enforce an internal program of clear, practical actions to require the reporting of suspected Child Abuse.

6.1 What Must Be Reported?

Any individual who, in the course of performing employment or volunteer activities, makes observations or is presented with information that leads the individual to believe or suspect that any Child, Children or Vulnerable Individuals have been the subject of Child Abuse shall report under any of the following circumstances to the appropriate parish, school or agency official (as described in Section 6.2 below):

- Child Abuse occurring on the premises of a school (whether an agency of the Diocese or part of a parish);
- Child Abuse occurring on the premises of a parish, school or agency under the auspices of the Diocese or within Diocese-owned facilities;
- Child Abuse taking place in relation to any activities sponsored by the Diocese or the parishes, schools or agencies under the auspices of the Diocese; or
- Child Abuse where the alleged perpetrator is (or was) a priest, deacon, Men Religious or Women Religious, or other Personnel or Volunteer of the Diocese or the parishes, schools or agencies under its auspices.

The only exception is that priests shall not report any information subject to the priest-penitent privilege and due regard must be given to the seal of the Sacrament of Penance.

Any suspected Child Abuse of a Child under these categories shall be reported, regardless of the nature of the current age of the individual making the allegations, the position/role of the Accused or when the offense allegedly occurred.

6.2 To Whom Should Reports Be Made?

- a. If the alleged Child Abuse has not been reported to the DCFS Hotline or has been reported to the DCFS Hotline and the Hotline worker has accepted the report and initiated an investigation, the individual must immediately report the alleged Child Abuse and the outcome of the Hotline call, in person or by phone discussion, to the designated individual for the school, parish, agency or other Diocese entity.⁴

The designated individual must immediately convey this information, in person or by phone discussion, to the Vicar General or his designee or the Office of Child Protection, and if a school situation, to the Office of Education.

⁴ In cases in which the individual designated to receive the report is the Accused, the report should be directed to the designee's superior.

When the individual has completed the written report required by the Hotline, a copy of this report will also be forwarded to the Vicar General, the Office of Child Protection, and if school related, to the Office of Education.

In a case where the report relates to alleged Child Abuse by a priest, deacon or Men Religious or Women Religious from the Diocese, the Vicar General shall notify the Bishop. In the case of a priest, deacon, Men Religious or Women Religious who is not from within the Diocese, the individual's governing Bishop or provincial shall be notified. The Vicar General shall also confirm that the allegation has been reported to the appropriate civil authorities, and, when appropriate, shall designate a case-specific contact individual to coordinate with civil authorities in furtherance of the requirement in Section 5.6.

- b. If the alleged Child Abuse has been reported to the Illinois DCFS Hotline and the Hotline worker has elected not to accept the report, the individual shall make a report to the Office of Child Protection.

7 Internal Diocese Procedures

Principle

The Diocese will take all precautions necessary to ensure that Children are safe and protected from harm. Despite such preventive measures, allegations of suspected Child Abuse may occur. When allegations of suspected Child Abuse are made against any party, the Diocese will consider the rights and interests of all parties and adhere to procedures that: (1) minimize the potential for further injury, (2) maximize the potential for a speedy and just resolution and (3) remain responsive to the tenets of canon and civil laws. To assist the Diocese in implementing these precautions, the Diocese has established and regularly publicizes a separate internal hotline phone number (1-800-640-3044) to facilitate receipt of information for the reporting of Child Abuse by clergy. The Diocese's internal hotline phone number to report Child Abuse by any other Diocese-affiliated individual is 618-212-1201.

7.1 Allegations Against an Employee⁵ or Volunteer

- a. In response to a Credible Allegation of Child Abuse against an employee or Volunteer, the pastor of the parish, parish life coordinator, principal or agency director will:
 1. Contact the family of the individual making the allegation and offer spiritual care and support;

⁵ Employee in this context means any individual who is not a priest or deacon in service within the Diocese or residing in a Diocese rectory, convent or facility. See Section 7.2.

2. Contact the Victim Assistance Coordinator (*see* Section 9.2) to assure that treatment, support and essential assistance is provided to the individual in a timely manner;
 3. Inform the family of the individual making the allegation of the availability of assistance through the Victim Assistance Coordinator; and
 4. Function in a strict pastoral nature without regard to the truth of any allegation or the circumstances surrounding the alleged incident.
- b. The individual against whom a Credible Allegation has been made will receive prompt notification of the general nature of the allegation(s) by the pastor, parish life coordinator, principal or agency director and be placed on administrative leave pending outcome of investigations by civil authorities. Information shared with the Accused shall be limited to that which is sufficient to enable the Accused to respond to the allegation. Under no circumstances will information be shared that can compromise the civil investigation of the allegation. Whenever possible, civil authorities will be allowed the first contact with the alleged offender, unless such procedure would put the individual making the allegations and/or others at risk of harm. The individual against whom a Credible Allegation has been made is to be:
1. Directed to remain away from the school, agency, parish church, worship services or other location(s) which are the subject matter of the complaint until a resolution of the complaint is concluded;
 2. Directed not to contact or attempt to contact the individual making the allegation or the individual's family;
 3. Informed of the investigative process and the expectations for his/her cooperation and participation in said process; and
 4. Advised of his or her right to obtain his or her own attorney.
- c. If the employee or Volunteer is arrested and charged, a review of the facts will be made to determine if he or she should be placed on and/or continue on administrative leave. If an individual is entitled, compensation and benefits will only be continued for three months or until the preliminary report of the police is made, whichever occurs first. Thereafter, only benefits will continue, at the discretion of the Vicar General, up to a maximum of nine (9) months.
- d. If an employee or Volunteer admits guilt, does not contest guilt or there is a finding of guilt in criminal court or of liability in civil court, he or she will be terminated immediately. The pastor, parish life coordinator, principal or agency director should notify the Vicar General in writing so that the file of the employee or Volunteer may be

properly noted and adequate safeguards taken in an effort to ensure that the individual is not employed or utilized in any capacity in the future. The name will also be sent to the Office of Child Protection to be placed on a “Do Not Hire” list for Personnel. This information shall also become part of the permanent employment file of the employee and/or Volunteer.

- e. In instances where allegations of Child Abuse are determined not to be a Credible Allegation, a consultation by the pastor, parish life coordinator, principal or agency director with the Vicar General will take place to determine the most appropriate course of action and the disposition of the Accused. *See also* Section 8.2.

7.2 Allegations Against A Priest or Deacon in Service Within the Diocese or Residing in a Diocese Rectory or Facility

- a. In response to a Credible Allegation of Child Abuse by a priest or deacon in a parish, the Vicar General will immediately notify the Bishop or his designee via telephone or in-person conversation.⁶
- b. The Vicar General or his designee will:
 - 1. Contact the family of the individual making the allegation and demonstrate a sincere commitment to their spiritual and emotional well-being. This outreach may include counseling, spiritual assistance, support groups, and other social services agreed upon by the individual making the allegation and the Diocese;
 - 2. Contact the Victim Assistance Coordinator (*see* Section 9.2) to assure that treatment, support and essential assistance is provided to the individual making the allegation in a timely manner;
 - 3. Inform the family of the individual making the allegation of the availability of assistance through the Victim Assistance Coordinator;
 - 4. Function in a strict pastoral nature without regard to the truth of any allegation or to the circumstances surrounding the alleged incident; and
 - 5. Unless the suspected priest or deacon is deceased, previously removed from ministry and/or laicized, the Vicar General will immediately inform the Review Board Administrator who will

⁶ In cases in which the individual designated to receive the report is the Accused, the report should be directed to the designee’s superior.

call a meeting of the Review Board, so that the procedures of the Review Board can be initiated (*see* Section 7.6). If a suspected priest or deacon is deceased, previously removed from ministry and/or laicized, the Review Board will be informed of the allegation at the next available opportunity.

- c. The priest or deacon suspected of a Credible Allegation of Child Abuse, after civil authorities have been informed, will be:
1. Called for an immediate meeting with the Vicar General or his designee who will inform him of the nature of the allegation(s), unless the civil authorities deem otherwise. Civil authorities will be offered first contact with the Accused, except when such procedure would put the individual making the allegations and/or others at risk of harm;
 2. Informed of the investigative process, the expectations for his cooperation and participation in said process and that he will be afforded the presumption of innocence during the investigation of the allegation;
 3. Advised by the Vicar General or his designee of his right to obtain civil and canonical counsel;
 4. Requested to seek and voluntarily comply with a comprehensive psychological evaluation (at the discretion of the Vicar General or his designee); and
 5. Informed of additional restrictions imposed by the Bishop that he is required to follow in accordance with this Policy and canon law, including but not limited to: (a) remaining away from a parish or parishes and having no involvement in any of the administrative, pastoral or social activities of that parish or parishes; (b) residing in a place that has been approved by the Chancery, (c) refraining from wearing the clerical collar and otherwise presenting himself as a member of the clergy, (d) refraining from being in the presence of a Child without the presence of another adult, and/or (e) remaining in regular contact with an assigned priest assistance minister and following any additional restrictions of the assigned priest assistance minister.
- d. In response to a Credible Allegation against a priest or deacon as determined by the Bishop and informed by the Review Board (*see* Section 7.6), the Vicar General will notify the Congregation for the Doctrine of the Faith. The Congregation of the Doctrine of the Faith

will determine whether a church tribunal or the Congregation of the Doctrine of the Faith will adjudicate allegations.

- e. A priest or deacon who admits guilt, does not contest guilt or there is a finding of guilt in criminal court or of liability in civil court, will be permanently removed from ministry and not allowed to function or represent himself as a priest or deacon and may be laicized. Individuals found not guilty may also be removed from ministry if the Bishop deems them to be a danger to a Child, Children or Vulnerable Individuals. The Bishop may also impose additional restrictions, including but not limited to those as set forth in Section 7.2(c)(5) and imposing or prohibiting residence in a given place or territory. These matters may be appealed in accordance with the Code of Canon Law. If the priest or deacon resides outside of the Diocese, the Bishop will forward any and all information concerning any act of Child Abuse to the local or governing bishop/eparch and/or ordinary (if applicable), as well as any additional information that he possesses.
- f. In the case of a priest or deacon from another Diocese, the Vicar General or his designee will, after a Credible Allegation of Child Abuse, immediately direct the individual to leave the Diocese, parish, school or agency and will notify the appropriate and/or governing Bishop or superior advising of the individual's immediate removal.

7.3 Allegations Against an Individual Who has No Association with the Diocese

- a. In response to an allegation of Child Abuse committed by an individual who has no association with the Diocese, the pastor, parish life coordinator, principal or agency director should:
 - 1. Contact DCFS and the family of the individual making the allegation and offer information and support;
 - 2. Notify and cooperate with civil authorities as requested; and
 - 3. Notify the Office of Child Protection.

All individuals who suspect Child Abuse and have a duty to report Child Abuse as defined in civil law (*see* Section 5.1) should do so in a manner consistent with statutory guidance.

7.4 Rights of the Individuals Making the Allegation and the Accused

Following an allegation of Child Abuse, the Diocese may provide the individual making the allegation, and if a Child, that Child and his/her family, and the individual Accused with:

- a. A timely response to, investigation of and resolution of the allegation of Child Abuse;
- b. An explanation of the Diocese's overall process and specific procedures for dealing with allegations of Child Abuse, including its policy on reporting to civil authorities;
- c. An opportunity to provide comments to the Review Board through the Review Board Administrator relevant to the nature of the allegations either in person or in writing;
- d. Identification and offering of appropriate assistance to help the Child/adult remediate the Child Abuse experience and to ensure the psychological evaluation and treatment for the Accused, as warranted;
- e. Discretion in the conduct of the investigation and, to the extent possible, protection of the privacy and good name of both the individual making the allegations and the Accused; and
- f. Information pertaining to the outcome of the investigation, once it has been concluded.

7.5 Recordkeeping for Priests, Deacons and Diocese Employees

Accurate records of Child Abuse reports received, whether or not Credible Allegations, all actions taken, all notifications by individuals in response to such reports, and all evidence and relevant comments, shall be kept on file in strict and secure confidence. Copies of statements provided to the authorities will be kept on file. The responsibility for recordkeeping resides with the Office of Child Protection and the Victim Assistance Coordinator. However, records relating to clergy members will be kept in the Office of the Vicar General. For the protection of both the involved individuals and parishes, schools and agencies, records shall be kept *ad infinitum*. Continuity of information is essential and shall be assured. Such records, or portions of them, may be required in civil, criminal and canonical proceedings at the time of the allegation or at a later time.

7.6 Diocese Review Board

The Review Board was formed in responsive to Norm 4 of the *Essential Norms for Diocese/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* and has the responsibility to review Diocese/eparchial policies for dealing with Child Abuse.

When a priest or deacon is suspected of past or recent Child Abuse, the Bishop shall consult with the Review Board. The Review Board will advise the Bishop or his designee in its assessment of the allegations of Child Abuse and its determination on

the priest or deacon's suitability for ministry and offer advice on all aspects of these cases, whether retrospectively or prospectively.

In addition to its consultative functions regarding Child Abuse cases and policy, the Review Board may advise the Bishop on matters of non-sexual abuse and/or neglect.

The Review Board shall be comprised of between six and the eleven members, with a majority of the Review Board not employed by the Diocese, Parish and/or a School. All Review Board members will be appointed by the Bishop and will serve until they are removed by the Bishop or resign. The Review Board members shall report directly to the Bishop in carrying out its broad mandate to:

- a. At least annually, review policies and procedures relating to the Policy and recommend ways in which the Policy can be strengthened, improved and/or modified;
- b. Oversee the implementation of the Policy throughout the Diocese and its ministries;
- c. Assist in developing appropriate mechanisms to ensure compliance with the Policy;
- d. Assess the effectiveness of assistance efforts to the individual making the allegations by the Diocese and make recommendations for improvement; and
- e. Review and advise on standards of conduct for those in positions of trust and on education, training and outreach programs for priests, deacons and Men Religious and Women Religious, Personnel, educators and others, as well as safe environment programs for Children.

8 Response to False Allegations

Principle

As in the recognition of significant trauma experienced by individuals making Child Abuse allegations, the Diocese recognizes the trauma and harm of false allegations. The Diocese will strive to minimize any personal or professional adverse consequences of unsupported allegations and to preserve the future ministry opportunities of Personnel falsely accused of Child Abuse, in accord with canon law.

8.1 Mental Health Services

The Diocese will provide the necessary mental health services to assist Personnel wrongfully accused to address the consequences of Child Abuse allegations and to restore the effectiveness in their job duties and/or volunteer services.

8.2 Restoring the Good Name of Someone Falsely Accused

The Diocese will work with the Accused to restore his or her good name and reputation and, in consultation with and with consent of the falsely accused, may inform the faith community and the local parish of the outcome of the investigation process and need for spiritual support and restorative justice in the wake of the false accusation.

9 Pastoral Care and Assistance to Individuals Making Child Abuse Allegations

Principle

The relationship between the Church and its members is sacred. The Diocese recognizes that this sacred trust is broken and profound harm is done when individuals connected with the Church commit Child Abuse. The Diocese further recognizes the Church's pastoral responsibility to assist every individual who comes and states they have been the subject of Child Abuse by anyone acting in the name of the Church or under the auspices of the Diocese, whether the Child Abuse was recent or occurred many years ago. In order to repair harm and promote healing, the Diocese may offer compassionate and timely pastoral care to individuals subject to Child Abuse, the individual's immediate family and/or the affected faith communities. Through this pastoral care, as well as ongoing education and training for priests, deacons, Men Religious, Women Religious, Personnel and other individuals connected with the Church, the Diocese will work diligently to promote safe, healthy communities of faith.

9.1 Outreach to Individuals, Families and the Community

The Diocese will provide restorative responses to individuals making Child Abuse allegations, families, parishes and communities that are essential to begin the healing process. These may include, but are not limited to:

- a. Open discourse about Child Abuse that allows education, healing and reconciliation;
- b. Expressions of compassion, and if appropriate, a profound sense of solidarity and concern;
- c. Acknowledgement and acceptance of feelings of anger, pain and mistrust as part of the healing process;

- d. Education of the parish and the community in order to facilitate their understanding, acceptance and support of individuals whose pain may require both immediate and ongoing intervention to repair the harm and promote the healing of their lives; and
- e. Pastoral counseling for an affected faith community.

9.2 Director of Child Protection and Victim Assistance Coordinator

The Diocese shall designate a Director of Child Protection and/or a Victim Assistance Coordinator⁷ who will receive notification of all allegations of Child Abuse, promptly inform the individual making the allegation of his/her rights and obligations, and who will organize and direct timely and responsive pastoral care provided by the Diocese.

The Director of Child Protection and/or the Victim Assistance Coordinator will serve as the liaison with any individual who alleges Child Abuse, will explain policies and reporting requirements and will ensure that the individual receives appropriate pastoral care. The Director of Child Protection and/or the Victim Assistance Coordinator will meet with the individual, their families, and the affected parish and faith communities and will monitor their pastoral needs to confirm that the appropriate care is available for the appropriate period of time.

9.3 Counseling Assistance for Individuals Making Allegations and Their Families

Pastoral care to individuals alleging harm by Child Abuse may be offered assistance in a variety of ways to bring healing to all those affected including, but not limited to, information about the availability of mental health services and support. The Director of Child Protection and/or the Victim Assistance Coordinator will facilitate assessment, counseling and therapeutic interventions by accredited and competent counselors, as mutually agreed upon by the individual receiving pastoral care or the individual's parent or other adult with custodial responsibility in the case of a Child and the Diocese.

The reasonable cost of assessment and counseling for the individual making the allegation and, in certain cases, family members will be assumed by the Diocese provided that:

- a. An initial assessment, found acceptable by the Diocese, is made by a qualified professional counselor;

⁷ The establishment of the Victim Assistance Coordinator for the Diocese is responsive to Norm 3 of the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*. Norm 3 states, "Each diocese/eparchy will designate a competent person to coordinate assistance for the immediate pastoral care of persons who claim to have been sexually abused when they were minors by priests or deacons."

- b. The assessment contains recommendations for length of counseling and treatment goals;
- c. The recommendations are in accordance with the standard of care practiced in the community; and
- d. Treatment plans and goals are routinely monitored and reviewed no less than every six months.

9.4 Additional Forms of Pastoral Care

Appropriate pastoral care may also include medical evaluation and treatment, spiritual guidance, identification of support groups and other social services and resources for healing, depending upon the circumstances and particular needs of the individual making the allegations, which shall be determined and mutually agreed upon by the individual or the individual's parent or other adult with custodial responsibility in the case of a Child and the Diocese.

9.5 Measuring Accountability of Assistance to Individuals Making Allegations and Child Protection Outreach

Progress reports on assistance to individuals making allegations of Child Abuse will be prepared on a biannual basis by the Office of Child Protection and/or the Victim Assistance Coordinator and submitted to the Vicar General. These reports will address both case-specific and institutional issues including, but not limited to:

- a. Identification of the individual's needs;
- b. Availability and provision of services and support that is responsive to the needs of the individuals making allegations;
- c. Financial costs accrued to the assistance program for individuals making allegations;
- d. Availability and provision of resources for guidance, support and intervention with secondary individuals such as family members and friends;
- e. Availability of and access to Child protection training programs for Personnel and schools to meet training requisites; and
- f. Compliance with provisions of this Policy.

10 Communications

Principle

The Diocese's policies and procedures governing its internal and external communications should promote the development of cooperative, responsive and candid relationships. The Diocese should engage the community and inform the media of its efforts to prevent Child Abuse, protect Children, support families and inform the public. Within the confines of respect for privacy of the individuals involved, the Diocese will communicate as openly as possible with members of the media, faith community and general public regarding allegations of Child Abuse and related issues. In the Diocese, the Vicar General or his designee is responsible for Communications.

10.1 Public Awareness of Child Abuse Issues

The Diocese will work with the faith community and the general public to disseminate information in order to increase the awareness and understanding of the prevention, identification and treatment of Child Abuse.

10.2 Timeliness of Communications

Communications with an affected parish, school and/or agency, the media and the broader Diocese community are to be timely, open and clear. All communications shall occur within the confines of respect for the privacy and reputation of those involved, as well as any applicable canon and civil laws.

10.3 Responding to the Media

The Vicar General or his designee is responsible for coordinating all media contacts. All media inquiries made to parishes, schools and/or agencies should be referred to that office or responded to in consultation with that office. The Vicar General or his designee will consult with, guide and coordinate relevant individuals in the handling of media inquiries.

10.4 Communicating with Directly Affected Communities

Recognizing the importance of supporting parishes, schools and/or agencies directly affected by misconduct involving the victimization of a Child, Children or Vulnerable Individuals, the Vicar General or his designee will coordinate with the relevant offices, such as the Offices of Youth Ministry, Education and Child Protection, parish, school and/or agency directors, to ensure parishioners, school and/or agency families receive timely, factual and pastorally appropriate communication.

10.5 Communicating with the Broader Community

The Diocese may communicate with pastors and/or parish life coordinators at other parishes, particularly those where an Accused previously served, pastoral center staff,

school principals and/or agency directors, in order to assist them in reaching out pastorally to all parishioners and school and agency families within the Diocese.

11 Measuring Progress and Accountability

Principle

In order to restore the trust and confidence of individuals who are the subject of Child Abuse, parishioners, all Catholics and the public at large in the Church's ability to prevent Child Abuse and identify and heal those who have been abused, the Diocese shall be accountable for its efforts and performance in these matters. The Diocese shall evaluate the effectiveness of this Policy at regular intervals to determine whether it is meeting the needs of the Church, the faith community and the individuals who are the subject of Child Abuse and their families in the most effective and responsive way possible.

11.1 Responsibility for Implementation of Policy

The Diocese is responsible for the effective and timely implementation of this Policy.

11.2 Evaluation Process

The Vicar General will establish an evaluation process for this Policy. The process will include data needed to assess the effectiveness of assistance efforts to individuals making Child Abuse allegations, professional in-service training activities, supervisory support for this Policy, outreach and educational programs.

11.3 Policy Compliance

All Personnel under the auspices of the Diocese are expected to adhere to this Policy. Each applicable parish, school or agency personnel policy shall clearly state that corrective actions will be taken and consequences will result from failure to adhere to this Policy.

11.4 Review and Effectiveness of the Child Protection Policy

This Policy will be reviewed by the Diocese's Review Board one year following the date of its enactment and at least annually thereafter. This review shall include: (1) an assessment of the adequacy of the reports and methods that have been implemented to measure progress and accountability, (2) the effectiveness of the Policy and its related components, and (3) recommendations for amended measures and methods of progress and accountability of the Policy.

Appendix A

Step By Step Guide to Reporting

1. Gather pertinent information: the Child's full name, date of birth, age, phone number, address, reason for suspecting Child Abuse, abuser's full name, age, date of birth, address phone number, and information whether the Child is protected from the offender. The Department of Children and Family Services will take your call even if you have only the Child's name and address and suspected perpetrator's name.
2. Call the State of Illinois toll free Child Abuse Hotline:
1-800-25-ABUSE or 1-800-252-2873⁸
3. A Hotline worker will either:
 - a. take your call, or
 - b. take your name and number and will return the call as soon as possible.
4. Identify yourself as a mandated or permitted reporter.
5. Give the pertinent information.
6. The hotline worker will determine if there is adequate information for a report.
7. If there is adequate information for a report, the hotline worker will electronically transmit the report to the DCFS field office responsible for the area in which the Child resides.
8. Local law enforcement and/or the applicable State's Attorney's Office should also be notified of Child Abuse allegations and/or criminal activities. *See* the DCFS Manual for Mandated Reporters for additional guidance.
9. You will receive a form entitled "Written Confirmation of Suspected Child Abuse/Neglect Report for Mandated Reporters," which you will be asked to complete and return to the local DCFS office and Illinois DCFS in Springfield.
10. Comply with the internal Diocese reporting obligations as set forth within this Policy and Section 6.

⁸ Any person who knowingly transmits a false report to the Department commits the offense of disorderly conduct under subsection (a)(7) of Section 26-1 of the Criminal Code of 2012. A violation of this subsection is a Class 4 felony. 325 ILCS 5/7.6.

Appendix B

Guidelines and Recommendations for the Review Board

Preamble

The Review Board is established in accordance with the *Essential Norms of Diocese Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* as approved by the United States Conference of Catholic Bishops in November 2002 and given *recognitio* of the Apostolic See on December 8, 2002 and revised in May 2006.

The applicable norms are set forth in Norms 4, 5 and 6 in the official document. The provisions are as follows:

1. To assist the Bishop, the Diocese will have a Review Board that will function as a confidential consultative body to the Bishop in discharging his responsibilities as to Child protection. The functions of the Review Board may include:
 - a. Advising the Bishop in his assessment of allegations of Child Abuse of a Child, Children or Vulnerable Individuals by any priest, deacon and Men Religious and Women Religious of the Diocese and in the determination of the individual's fitness for ministry;
 - b. Offering advice on all aspects of the cases, whether retrospectively or prospectively; and
 - c. Reviewing Diocese policies for dealing with Child Abuse.
2. The Review Board will be comprised of between six and eleven individuals of outstanding integrity and good judgment in full communion with the Church appointed by the Bishop and will serve until they are removed by the Bishop or resign. The majority of the Review Board shall be lay Catholics who are not in the employ of the Diocese, Parish and/or School and two members of the Review Board shall be priests of the Diocese. The lay Catholics and/or remaining members may also include a psychiatrist, a psychologist or social worker, one of whom may have expertise in the treatment of Child Abuse, and an attorney. The Review Board may also include two representatives of the church at large, including but not limited to a parish council member, a parent and/or an individual or parent of an individual who has been the subject of Child Abuse.

3. The Bishop shall designate one Review Board member as chairperson. The chairperson will ordinarily convene and preside at meetings of the Review Board. If the chairperson is unable to perform his/her duties, another Review Board member will perform the duties.
4. The Bishop, the Bishop's designee, other individuals designated by the Bishop or the Review Board Administrator may attend those portions of meetings during which information is presented to the Review Board and the Review Board makes its recommendations. They may attend other portions of the meetings subject to the direction of the Review Board. All other individuals may attend meetings only upon the invitation or with the consent of the Review Board and subject to such limitations the Review Board might require.
5. The meetings shall reflect the pastoral character of this process, which is consultative and advisory, not adversarial and adjudicative. The meetings of the Review Board are not hearings.
6. Nothing within this Policy and/or its procedures shall be interpreted as to abridge an individual's right to legal or canonical counsel.
7. When an allegation of Child Abuse⁹ by a priest, deacon, Men Religious or Women Religious is received, a preliminary investigation in harmony with canon law will be conducted promptly and objectively (c. 1717). All appropriate steps shall be taken to protect the reputation of the Accused during the investigation. The Accused will be encouraged to retain the assistance of civil and canonical counsel and will be promptly notified of the results of the investigation. When there is a Credible Allegation that Child Abuse has occurred, the Bishop shall apply the precautionary measures as mentioned in canon 1722 – i.e., remove the Accused from the sacred ministry or from any ecclesiastical office or function, impose or prohibit residence in a given place or territory and prohibit public participation in the Most Holy Eucharist pending the outcome of the process. In addition, the Congregation for the Doctrine of the Faith shall be notified.

Review Board Administrator

The Review Board Administrator will assist the Review Board in the performance of their duties:

1. The Review Board Administrator shall be a lay professional who may have appropriate qualifications in psychology, social work and/or a related

⁹ A vulnerable individual over the age of eighteen (18) is also covered by this Policy – *mutates mutandis* (with the necessary changes) – when such a person is unable or unlikely to report abuse without assistance because of impairment of physical or mental function or emotional status.

field that includes substantial experience in investigating and analyzing allegations of Child Abuse.

2. The Review Board Administrator will be assigned a number of duties that will be outlined in this Section of the Policy.
3. The Review Board Administrator will be charged with answering and reviewing any phone calls that come to the hot line telephone number.
4. The Review Board Administrator shall receive and analyze information and allegations of Child Abuse by a priest, deacon, Men Religious or Women Religious. The Review Board Administrator shall report all allegations to the appropriate civil authorities and cooperate with official investigations.
5. The Review Board Administrator will assist the Review Board by preparing and submitting such reports pertaining to the Child Abuse allegations, requests and such other information as may be appropriate.
6. The Review Board Administrator shall communicate in an appropriate manner with the individual making the allegation, the Victim Assistance Coordinator (if this is another individual), the Accused and such other individuals the Bishop or the Review Board may designate.
7. When allegations of suspected Child Abuse are made against any party, the Diocese will consider the rights and interests of all parties and adhere to procedures that:
 - a. minimize the potential of further injury;
 - b. maximize the potential for speedy and just resolution;
 - c. remain responsive to the tenets of civil and canon laws; and
 - d. assist in providing restorative pastoral responses to all involved to begin the healing process as set forth in Chapter 9.

Review Board Guidelines

Upon receipt of an allegation, the Review Board Administrator shall promptly comply with all civil reporting requirements related to Child Abuse, including the Illinois Abused and Neglected Child Reporting Act. The Review Board Administrator shall provide the individual making the allegation with information about reporting such allegations to public authorities.

Ordinarily, the Review Board Administrator also shall promptly do the following:

1. Report the allegation to the Office of Child Protection and/or the Victim Assistance Coordinator;

2. Report the allegation to the Vicar General who shall then inform the priest or deacon within the Diocese and request his explanation in accordance with Section 7.2;
3. Investigate whether the safety of Children requires the immediate withdrawal of the Men Religious or Women Religious within the Diocese from their assignment and promptly communicate a recommendation to the Bishop; in making this recommendation, the Review Board Administrator may consult with the Bishop, his designee and individuals designated by the Bishop;
4. Schedule and give effective notice of a first-stage review meeting of the Review Board to occur no later than seventy-two (72) hours or as soon as practicable after a Credible Allegation is received that presents an imminent danger to a Child, Children or Vulnerable Individuals; and
5. The Review Board Administrator shall review the file of the Accused, make appropriate inquiries about the allegation and prepare a report of all available information for presentation to the Review Board at the first-stage review meeting.

When the Review Board meets, it shall meet to conduct a first-stage review:

1. At the meeting, the Review Board shall determine:
 - a. Whether the Review Board Administrator's original recommendation about withdrawal of the Accused from their ministerial assignment adequately provides for the safety of Children;
 - b. Whether the preliminary actions taken by the Bishop or his designee were appropriate; and/or
 - c. What further action should be taken with respect to the allegations of Child Abuse.
2. The Review Board shall consider the Review Board Administrator's report, information provided by the Bishop's designee or other individuals identified by the Bishop and any other information which the Review Board believes to be helpful and is able to obtain.
3. The Review Board shall determine whether a Credible Allegation has been received and that the individual engaged in Child Abuse as defined in Section 1.6 of this Policy, and on the basis of this determination shall make recommendations to the Bishop about the following:
 - a. If the individual has already been withdrawn from ministry pending inquiry, whether such withdrawal should continue; if the withdrawal should not continue, whether any restrictions should be imposed on the individual prior to returning to ministry.

- b. If the individual has not been withdrawn from ministry, whether the individual should be withdrawn, whether the individual should continue in his/her assignment and, if so, whether further action by the Review Board Administrator is required.
 - c. Whether the case may be closed at this stage of the proceedings or held open pending action by the public bodies, further inquiry by the Review Board Administrator or further action by the Review Board; and
 - d. If the individual's conduct does not constitute Child Abuse, whether further action is warranted and suggestions as to such actions.
 - e. There is always the possibility of false allegations or unsubstantiated claims made for whatever reason. It is important for all individuals to know that both civil and canon law (cc. 1390-1391) provide penalties for the crime of falsehood in which individuals become victims of false denunciation or calumny.
4. If an act of Child Abuse by an individual is admitted or deemed to be a Credible Allegation at the conclusion of this process, the Bishop will take the appropriate canonical action.
5. After the first-stage review, the Review Board Administrator shall conduct such additional inquiry as the Review Board Administrator believes appropriate or as may be directed by the Review Board, including interviews of witnesses, review of documents (including documents reflecting action taken by public bodies) and a request for the psychiatric evaluation of the Accused. The Review Board Administrator shall prepare one or more written reports of these inquiries for the Review Board. These reports should include descriptions of actions taken by the Review Board Administrator, such additional inquiry as may be required and identification of information that was not available to the Review Board Administrator and why that information was not available.
6. There shall be a second-stage review which ordinarily shall be initiated and scheduled to occur no earlier than thirty (30) and no later than one hundred and twenty (120) days after completion of the first-stage review. The Review Board may delay scheduling the second-stage review for a good reason, such as, but not limited to, awaiting the completion of action by public bodies:
 - a. At the second-stage review, the Review Board shall determine:
 - (1) Whether prior determinations as to ministry by the individual should be altered; and
 - (2) What further action, if any, should be taken with respect to the allegations of Child Abuse.

- b. The second-stage review may be initiated by the individual who was withdrawn from ministry or by the Review Board in any matter it deems appropriate.
 - c. The Review Board shall consider the Review Board Administrator's reports, information provided by the Bishop's designee or other individuals identified by the Bishop, and any other information which the Review Board believes to be helpful and is able to obtain, including information pertinent to the allegation from the personnel file of the Accused.
 - d. The Accused and their advocate will be informed of the material that will be presented to the Review Board.
 - e. The Review Board will be required to assess the credibility of the allegations and whether the allegations conform to the definition of Child Abuse as defined herein.
 - f. If the conduct of the Accused does not constitute Child Abuse, but is otherwise inappropriate, whether further action appears desirable and suggestions as to possible further action.
 - g. The Review Board may be asked to comment on the suitability of the Accused for future ministry.
 - h. The Review Board is authorized to further investigate allegations and ask the Review Board Administrator to conduct further interviews of individuals who may have been subject to Child Abuse or witnesses as it deems necessary and appropriate in each particular case.
7. The Review Board Administrator will present the recommendations of the Review Board to the Bishop.
8. The deliberations of the Review Board will be strictly confidential and no detailed minutes will be taken or maintained. Summary notes indicating the purpose of the meeting, the individuals in attendance, and the decisions made and the next steps may be recorded and retained in the office of the Review Board Administrator. All documents given to the Review Board will be collected at the end of each meeting and returned to the Review Board Administrator.