

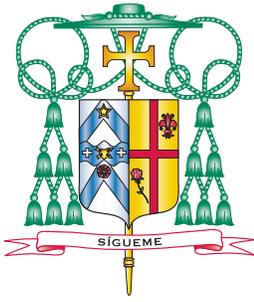


Ethics & Integrity in Ministry

Preventing Abuse and Providing Healing

EIM Policies

8th Edition: March 16, 2023
7th Edition: September 18, 2018
Revised September 1, 2016
6th Edition: August 1, 2015
Revised July 25, 2012
5th Edition: September 1, 2011
4th Edition: August 1, 2008
3rd Edition: December 6, 2005
Revised September 20, 2004
2nd Edition: May 1, 2003
Promulgated: January 1, 2002
Issued: August 19, 2001



Diocese of Austin

6225 East US 290 Highway SVRD EB
Austin, TX 78723
(512) 949-2415 · Fax (512) 949-2521
www.austindioocese.org

Office of the Bishop

January 1, 2023

Dear Sisters and Brothers in Christ:

In the summer of 2001, the Diocese of Austin inaugurated the **Ethics and Integrity in Ministry** (EIM) program – one of the first programs for the protection of children and youth in the United States. As of January 1, 2023, the diocese will implement VIRTUS® for the training and safety education of adults and youth, and VIRTUS® Online as the EIM database portal.

As your bishop, I remain committed to our shared effort to protect God's children – of all ages – and expect all who join in my ministry in the Diocese of Austin to act morally, ethically, and with integrity. I require diligent compliance with our EIM policies and procedures, which are reviewed annually and updated as needed.

All persons who engage in ministry in the Diocese of Austin (clergy, religious, employees, and lay volunteers) must complete the two-step EIM registration process through VIRTUS® Online in order to serve in ministry. The first step is to submit your profile and background history, agree to adhere to the diocesan Code of Ethics, and authorize the Diocese to run an initial background check. The second step is to sign-up for and participate in an in-person EIM workshop within the first 30 days of ministry. To remain compliant and eligible to continue serving in ministry you will need to reauthorize a background check and complete an online EIM refresher training every three years.

The EIM workshop for adults, Protecting God's Children®, gives insight into the victim's experience of sexual abuse, teaches skills for prevention and response, and reviews diocesan EIM policies and procedures. Age-appropriate education for youth, focusing on boundaries, respect for self and others, safety in relationships, and the sacredness of being a child of God is provided through VIRTUS' Empowering God's Children®.

EIM policies include reporting procedures and the diocesan response to allegations of: (i) abuse, exploitation, or neglect of a child, (ii) abuse of a child who is now an adult, (iii) abuse, exploitation, or neglect of an elderly person or a person with a disability, (iv) other breaches of ethical behavior expected of those in ministry.

You join tens of thousands of people in our diocese who have committed over the past 20 years to establishing a safe and ethical environment for our children and others. I am grateful for your response in living your baptismal call by joining my ministry and serving those who are entrusted to us. Wishing you God's blessings and with gratitude for your service, I remain

Gratefully in Christ,

Most Reverend Joe S. Vasquez
Bishop of Austin

Table of Contents

Section 1. Office of Ethics and Integrity in Ministry (EIM)	1
Section 2. Lay Review Board	2
Section 3. Ethical Conduct in Ministry	3
Section 4. Compliance Policies, Requirements and Procedures	5
Section 5. Guidance for Ministry Involving Minors, Elderly Adults and Adults with Disabilities	9
Section 6. Reporting Concerns of Abuse or Other Unethical Behavior	15
Section 7. Diocesan Response to Reports of Abuse or Other Unethical Behavior	19
Section 8. To Promote Healing and Reconciliation	22

Section 1. Office of Ethics and Integrity in Ministry (EIM)

The mission of the Ethics and Integrity in Ministry program is to protect the people of the Diocese of Austin from abuse and unethical behavior through education, action and reporting, and to listen to and learn from those who have experienced abuse in order to provide healing.

The EIM Office:

1. completes background check screening and provides training and education programs;
2. maintains a diocesan database for EIM compliance monitoring;
3. serves as a resource to clergy, employees and volunteers at parishes, schools and diocesan offices;
4. promotes implementation of EIM policies;
5. submits an annual audit which verifies diocesan compliance with the requirements of the Charter for the Protection of Children and Young People; and
6. serves the diocesan Lay Review Board in fulling its duties.

Additionally, the EIM Office receives Notices of Concern or complaints about possible unethical behavior in ministry and directs each Notice of Concern or complaint in accordance with EIM policies and procedures. For example:

- Notices of Concern involving possible abuse of a minor, elderly adult or adult with a disability are reviewed in accordance with the Charter; and
- Notices of Concern not involving minors or abuse, but involving other possible inappropriate conduct, are directed to the appropriate diocesan office for review.

The Coordinator of Victim Assistance and Pastoral Support (VAC) is responsible to the bishop but communicates directly with the EIM Office and the Vicar General and may also collaborate with the Lay Review Board and the bishop.

Office of Ethics and Integrity in Ministry

EIM Office | 6225 E US 290 HWY SVRD EB, Austin, TX 78723

Abby Turner, Associate Director

(512) 949-2447 | eim@austindiocese.org

Kathy McCormick, Coordinator of Victim Assistance & Pastoral Support (VAC)

(512) 949-2400 | eim-vac@austindiocese.org

EIM Policies www.austindiocese.org/eim-policies

Charter for the Protection of Children and Young People www.usccb.org/charter

Section 2. Lay Review Board

- A. The Ethics and Integrity in Ministry Lay Review Board (Review Board) assists the bishop as a confidential, consultative body in:
 1. addressing and responding to allegations of violations of the Charter for the Protection of Children and Young People (i.e., allegations of abuse by clergy against minors and previous abuse by clergy against minors who are now adults);
 2. addressing and responding to allegations of abuse by clergy against the elderly or adults with disabilities;
 3. developing policies and procedures regarding Ethics and Integrity in Ministry;
 4. educating parishes, Catholic Schools, and other diocesan agencies about:
 - a. the Charter for the Protection of Children and Young People;
 - b. creating a safe environment for minors, the elderly, and adults with disabilities;
 - c. ways to prevent abuse against minors, the elderly, and adults with disabilities; and
 - d. appropriate behavioral expectations for individuals involved in ministry.
- B. The Review Board may offer advice on all aspects of cases brought before it and in other matters the bishop determines appropriate and relevant. The Review Board may offer advice retrospectively and prospectively on such matters.
- C. As a consultative body to the bishop, the role of the Review Board is to be generally communicated to those in ministry in the diocese and to those who may submit Notices of Concern.
- D. The Review Board reviews the Policies on Ethics and Integrity in Ministry and recommends changes to the bishop.
- E. The bishop appoints the members to the Review Board.
- F. The Review Board will be composed of at least five persons of outstanding integrity and good judgment in full communion with the Church and will include:
 1. at least one priest who is an experienced and respected pastor of the diocese;
 2. a majority comprised of lay persons who are not in the employ of the diocese; and
 3. at least one member with particular expertise in the treatment of the sexual abuse of minors.
- G. The Review Board will meet regularly at least 3 times per year and as called by the bishop.
- H. The identity of the members of the Review Board is not made public, except as the bishop in consultation with the Review Board, determines appropriate or as may be required by law.
- I. All discussions regarding allegations and instances of abuse are confidential.
 1. Records of when the Review Board meets are maintained by the EIM Office.
 2. Minutes of the Review Board meetings are not maintained.
 3. Each Review Board member is to sign a confidentiality statement.

Review Board members are required to maintain EIM compliance expected of those who work or serve in ministry with minors and may self-impose additional educational requirements as a collective, consultative body.

Section 3. Ethical Conduct in Ministry

A. Ethical Conduct Expected of Those in Ministry.

It is essential that all persons who serve in ministry view their own actions and intentions objectively to assure that no observer has grounds to believe that unethical behavior exists. Those in ministry must strive to uphold ethical behavior in their day-to-day work and personal lives, both “in person” and through “virtual” interactions (online, in electronic communications, and through social media). All individuals required to be EIM compliant must sign an acknowledgment that they will conduct themselves within the behavioral expectations outlined in this policy.

1. **Code of Ethical Conduct in Ministry.** Individuals required to be compliant with EIM policies must:
 - a. strive to exhibit ethical behavior and integrity, free from any scandal;
 - b. conduct themselves in a moral manner that is consistent with the discipline, norms, and teachings of the Catholic Church;
 - c. accept personally the responsibility in the protection of all minors, elderly adults, and adults with disabilities from abuse;
 - d. adhere to applicable laws regarding the reporting of abuse of a minor, elderly adult, or an adult with disability;
 - e. report concerns about unethical behavior to the diocese and their pastor, principal, or supervisor; and
 - f. follow the diocesan policies on Ethics and Integrity in Ministry (EIM) and remain EIM compliant.

2. A commitment to follow the EIM Policies and Code of Ethical Conduct is made during the registration process and is repeated as part of the training programs.

3. **Unethical Conduct.** All individuals required to be compliant with diocesan policies must avoid engaging in or giving the appearance of engaging in unethical behavior, including but not limited to:
 - a. actions which are disruptive to ministry or worship;
 - b. grave insults such as racial, ethnic, religious, or gender/sexual-based insults, jokes, slurs, or displays of offensive materials;
 - c. grave breaches of confidentiality;
 - d. harming the reputation of others by:
 - 1) disclosing without legitimate cause the faults or failings of others to persons who have no cause to know, or
 - 2) knowingly making false allegations against another; or
 - e. intimidation, manipulation, or physical or verbal threats;
 - f. adultery, promiscuity, or co-habitation;
 - g. abuse or illegal use of alcohol, drugs, or gambling;
 - h. procurement of abortion, or participation in the procurement of abortion or euthanasia;
 - i. sexual advances or activity, or other sexual misconduct;
 - j. theft;
 - k. abuse, exploitation, or neglect;
 - l. acquisition, possession, or distribution of child or any other pornographic material;
 - m. assault or intentional physical harm to another; or
 - n. committing homicide.

B. Definitions.

1. "EIM" is the acronym for Ethics and Integrity in Ministry, the Diocese of Austin program that promotes a safe and ethical environment for ministry in the diocese.
2. "Ethical behavior" is behavior that is consistent with the morals and teachings of the Catholic Church.
3. "Integrity" is the quality of being honest, trustworthy and virtuous.
4. "Moral" is the most basic principle of the Christian moral life is the awareness that every person bears the dignity of being made in the image of God. He has given us an immortal soul and through the gifts of intelligence and reason enables us to understand the order of things established in his creation. God has also given us a free will to seek and love what is true, good, and beautiful. Sadly, because of the Fall, we also suffer the impact of Original Sin, which darkens our minds, weakens our wills, and inclines us to sin. (USCCB)
5. "Scandal" is an attitude or behavior which leads another to do or think evil. Scandal damages virtue and integrity. It is a grave offense if, by deed or omission, another is deliberately led into a grave offense. (Catechism of the Catholic Church, No. 2284)
6. "Abuse" includes but is not limited to acts or omissions by a member of Church personnel, a volunteer in ministry, or an independent contractor involved in ministry which
 - a. with regard to a minor, meet the definition of abuse, exploitation, or neglect as defined by Texas Family Code 261.001; or
 - b. with regard to an elderly adult or an adult with a disability, meet the definition of abuse, exploitation, or neglect as defined by Texas Human Resources Code 48.002.
7. "Minor" means any person under the age of 18.
8. "Elderly adult" means a person 65 or more years of age.
9. "Adult with a disability" means a person 18 to 64 years of age with a mental, physical, or intellectual or developmental disability that substantially impairs the person's ability to provide adequately for the person's care or protection.
10. For the purpose of these policies, "vulnerable adult or person" refers to 7-9 above.
11. "Church personnel" means:
 - a. clergy, which includes priests and deacons;
 - b. seminarians or deacon aspirants or candidates;
 - c. religious brothers and sisters;
 - d. employees of parishes, Catholic schools, or other diocesan agencies; and
 - e. adult volunteers serving in a ministry or group which requires EIM compliance.
12. "Compliance" is following, or conforming to, official requirements – in this case, of the diocese EIM policies. Persons who are EIM compliant have submitted EIM registration and attended all training as required, have an approved background check, and have acknowledged the Code of Ethical Conduct and committed to adhering to the EIM policies of the diocese.

Section 4. Compliance Policies, Requirements and Procedures

A. Compliance Policy for church personnel.

1. The following adult individuals must maintain compliance throughout service in ministry:
 - a. clergy;
 - b. seminarians and deacon aspirants and candidates;
 - c. religious brother and sisters;
 - d. employees of any parish, Catholic school, or other diocesan agency;
 - e. independent contractors who regularly provide services where minors, elderly adults, or adults with disabilities may be present;
 - f. members of any Catholic school board;
 - g. pastoral council members;
 - h. finance council members;
 - i. lay review board members;
 - j. any person who is considered to be a leader of a ministry, program, or organization;
 - k. members of any independent Catholic organization, or lay ecclesial association (in a parish, Catholic school or other diocesan agency) that may serve youth or vulnerable persons, even if the group's primary function is not necessarily to serve youth or vulnerable persons (e.g., Catholic Daughters of America, Knights of Columbus and Knights of Peter Claver and Lady's Auxiliary, Guadalupanas,, ACTS, and Marriage Encounter);
 - l. individuals who volunteer in the following types of ministry, programs, or organizations which provide services to, or at which minors, elderly adults, or adults with disabilities may be present, including, but not limited to:
 - 1) Catholic schools;
 - 2) religious education and faith formation (Elementary-High School);
 - 3) parish nursery and childcare, and mother's day out or pre-school programs;
 - 4) parish or school sponsored scouting groups, and other youth-focused programs (e.g. vacation bible school, youth sports, and similar activities);
 - 5) homeschooling organizations that use church property;
 - 6) RCIA;
 - 7) retreat ministry leaders;
 - 8) liturgical ministries (e.g., adult server/acolyte, hospitality/usher, children's liturgy, lector, extraordinary minister of Holy Communion, and choir/music ministry);
 - 9) homebound ministry (to nursing/assisted-living facilities and parishioner homes);
 - 10) hospital ministry;
 - 11) parish office or grounds;
 - 12) St. Vincent de Paul Society conferences;
 - 13) community service and one-on-one support ministries and groups (e.g. Gabriel Project and Stephen Ministry);
 - 14) restorative justice/prison ministry;
 - 15) thrift stores operating on parish or school property or under the auspices of a parish or school;
 - 16) food pantry and food distribution programs (e.g. Mobile Loaves & Fishes and Meals on Wheels);
 - 17) elder or respite-care ministry;
 - 18) transportation ministry;
 - 19) parish men's and women's groups that provide parish service; and
 - 20) parish event coordinators (e.g. festival/picnic/Jamaica leadership).
 - m. Schoenstatt Shrine volunteers;

- n. personnel of independent organizations which operate on parish properties (e.g. Sacred Heart Clinic); and
 - o. individuals in any ministry or group as specified by a pastor, principal, or director of a diocesan agency.
2. The following adult individuals need not maintain compliance:
- a. parents who solely observe programs and activities in which their children are involved, and who do not volunteer or otherwise serve in ministry for their children's programs and activities (e.g., join their child for lunch once or twice per year, attend class parties, Mass and school/athletic performances); and
 - b. employees and contractors of companies that provide intermittent, non-ministry services (e.g., plumbing, electrical, and janitorial services) and who are supervised when on parish or school property and segregated from minors.

B. Compliance Policy for Persons from other Dioceses doing Ministry within the Diocese of Austin.

1. Individuals who wish to participate in a temporary, occasional ministry or program which requires EIM compliance must provide verification of compliance (including a cleared background check and EIM/safe environment training) from their home diocese for review and approval by the parish, school or diocesan organization responsible for the program. "Temporary" and "occasional" mean no more than 2 or 3 times a year. Examples include, but are not limited to:
- a. restorative Justice Ministry in TDC facilities located in the diocese;
 - b. retreat-type programs such as adult ACTS, Conquistandos de Cristo;
 - c. FOCUS and NET Ministry teams;
 - d. visiting grandparents wishing to volunteer at their child's school or VBS program.
2. Lay presenter approval is completed through the EIM Office. Persons applying for lay presenter approval must provide verification of EIM/safe environment compliance from their home diocese. If such verification is not provided, applicant may be approved for a one-time presentation in the diocese but would need to provide verification to participate in future events.

C. Compliance Policy for Minors.

Minors are not required to maintain compliance; however, high school seniors who will turn 18 during the course of the school year may submit EIM registration and attend a workshop while still 17 years old in order to continue service in ministry once they turn 18 years old. Upon turning 18 years old, compliance is required to remain eligible to serve in ministry.

D. Compliance Requirements.

1. To be compliant, an individual must:
- a. be 18 years of age or older;
 - b. prior to beginning service in any ministry which requires EIM compliance, complete the registration process through VIRTUS Online, the EIM database program;
 - 1) EIM accounts that were in full compliance as of January 1, 2023, were converted to VIRTUS Online.
 - c. authorize the diocese to obtain an initial criminal background check and to rerun a criminal background check at least every three years or more often as needed;
 - d. attend the in-person EIM Workshop no later than the 30th day after beginning service in ministry, and repeat attendance at least once every three year while serving;
 - e. adhere to the Diocese of Austin Policies on Ethics and Integrity in Ministry; and
 - f. be classified in the diocesan EIM database as

- 1) approved to engage in ministry; or
 - 2) approved with restrictions.
2. Compliance is required as set forth in this policy without regard to the mental or physical condition of the person serving in ministry.
 3. Compliance with safe environment requirements in another diocese does not qualify as EIM/safe environment compliance in the Diocese of Austin for ongoing parish, school or diocesan ministry.
 4. If the diocese, a parish, or other diocesan organization determines that an individual who must be EIM compliant is not compliant, the diocese, parish, or other diocesan organization will notify the individual that he or she may not serve in ministry until compliance is reestablished.

E. Compliance Procedures.

1. New applicants complete EIM registration through VIRTUS Online to initiate a background check and sign up for an initial EIM Workshop. Background checks and training history are processed and maintained through VIRTUS Online. Applicants requiring assistance with the registration processes may contact their parish or school EIM site administrator or the EIM Office.
2. Individuals are responsible for keeping their information current in the EIM database, including both personal information and ministry sites.
3. Background checks are rerun at least every three years and more frequently as needed throughout individual's service in ministry; applicant will be notified and required to login to account to consent to recheck. If applicant's background check expires, the account is archived, and applicant becomes ineligible to serve in ministry until background check is completed and approved.
4. New applicants must attend an in-person EIM Workshop no later than the 30th day after EIM registration, typically at the beginning of service in ministry. After the 30th day, if applicant has not attended a workshop the account is noted as non-compliant and applicant may no longer serve in ministry until they have attended a workshop.
5. To maintain compliance, individuals must renew/update training at least once every three years throughout their service in ministry. Applicant will be notified and required to login to account to complete online refresher training. If applicant's training expires, the account is archived, and applicant becomes ineligible to serve in ministry until refresher training is completed and approved.
6. The initial EIM Workshop, VIRTUS' Protecting God's Children®, and subsequent EIM refresher training, educates adults on how to become better protectors of children. Programs discuss sexual abuse of minors and other unethical behaviors, including reporting procedures for incidents of abuse or other unethical behavior, and related topics including warning signs of abuse, ethical behavior expected of those who serve in ministry and way to interrupt and prevent possible abuse or other unethical behavior.
7. *Persons who have experienced abuse may contact the EIM Office to arrange for an alternate EIM training option.*

8. EIM/safe environment/youth protection training completed in another diocese or youth serving organization does not fulfill DOA training requirements in most cases.
 - a. Persons who have attended a live VIRTUS Protecting God's Children® workshop in another diocese should request that their VIRTUS account be transferred to the Diocese of Austin.

F. Diocesan Procedure Regarding Registered Sex Offenders.

1. **Volunteering.** A registered sex offender is restricted from volunteering for any ministry which requires EIM compliance. The individual, with the full support of his/her pastor, may appeal this restriction to the Chancellor for review to determine if the individual may be approved to participate in a specified, limited ministry at the parish at a time when minors would not be present.
2. **Attendance at Parish or School Function.** Once a registered sex offender has been identified, the following must be applied by the pastor (parish) or principal (school):
 - a. Determine if the individual is on probation and communicate with the parole officer as needed to understand the conditions of probation which may limit activities individual may participate in.
 - b. Develop a safety plan for the individual if able to come to campus for particular activities (typically Mass and sacramental functions), to include the designation of an appropriate person to chaperone while on the parish or school campus.

G. Safety Education for Minors.

1. The diocese maintains appropriate education programs for children and youth to help them learn the basic concepts of personal safety regarding abuse prevention.
2. Each parish and Catholic school is required to provide diocesan approved abuse-prevention education every school year to meet the youth training requirements of the Charter for the Protection of Children and Young People (Article 12):

Empowering God's Children® (EGC) is a comprehensive program through which educators (teachers, catechists, and youth ministers) and parents provide children and youth foundational knowledge and tools to understand boundaries and boundary violation, and to help protect themselves if boundary violation occurs. The material is developmentally appropriate for each grade group (K-2, 3-5, 6-8 and high school), with content and activities that reinforce the message of each year's specific lesson.

3. Empowering God's Children® (EGC) programs do not train minors to be volunteers in ministry and do not include human sexuality education.
4. Students are not required to attend EGC in order to receive sacraments or participate in ministry, but attendance is strongly encouraged and should be promoted by the parish or school.
5. Parents who do not want their child to attend an EGC program may sign an opt-out waiver and assume the responsibility of educating their children about abuse prevention. Resources are provided through the parish or school.

Section 5. Guidance for Ministry Involving Minors, Elderly Adults and Adults with Disabilities

A. Expected Behavior when Interacting with Minors, Elderly Adults and Adults with Disabilities.

One of the most effective ways to protect all of God's children from neglect and abuse and other unethical behavior is to understand and use proper interactions with minors and adults. This section of the EIM policies provides, in a small way, guidance on interacting with and supervising minors at parish and school events, as well as interacting with adults in appropriate manners. This knowledge is a foundation that helps all of us prevent, identify, assess, and report unethical behavior. We live in a church and a community that expects increased recognition of unethical behavior, and those who minister in the church, both clergy and laity, must be aware of proper behavior, as well as inappropriate behavior.

1. General Examples of Appropriate Behavior.

Individuals required to be EIM compliant may only use appropriate contact with minors. Physical contact should occur in public locations and be initiated by the other rather than by clergy or church personnel. Examples of appropriate contact with minors include but are not limited to:

- a. verbal praise;
- b. brief side hugs or arm around the shoulder;
- c. brief pat on the shoulder or upper back;
- d. hand-shakes, "high-fives" or knuckle bumps; or hand slaps;
- e. brief touching of hand, head, shoulder or arm of minor;
- f. holding hands while walking with small children;
- g. sitting beside small children;
- h. kneeling or bending down for a brief hug with small children; and
- i. holding hands during prayer.

2. General Examples of Inappropriate Behavior.

Individuals required to be EIM compliant must not use inappropriate contact with minors. Examples of inappropriate, and thus prohibited, contact with minors include but are not limited to:

- a. long or inappropriate embraces;
- b. kisses on the mouth;
- c. holding minors over three years old on the lap or in one's arms, and holding younger minors should only be "as needed" (e.g. for comfort) or at the invitation of the parent;
- d. touching knees, legs, buttocks, chests or genital areas;
- e. being alone in isolated areas such as closets, staff-only areas or other private rooms;
- f. touching or playing with hair of a minor;
- g. being on a bed with a minor (unless designated as "seating space" during daytime hours);
- h. wrestling with minors, tickling minors or piggyback rides;
- i. any type of massage, whether given by minor to adult or adult to minor;
- j. any form of unwanted affection; and
- k. comments that relate to physique, body development, express affection or involve other boundary violations (this includes comments that are positive or negative, oral or written via any form of media).
- l. the use of physical force, including spanking, slapping, pinching, hitting, or any other physical force with minor, particularly for behavior management of a minor;

- m. swearing at a minor, or speaking to a minor in a way that is threatening, intimidating, shaming, demeaning, or humiliating;
- n. abusing, exploiting, or neglecting a minor;
- o. encouraging a minor to violate the law;
- p. offering alcohol, tobacco products, illegal drugs, or pornography to a minor;
- q. inviting a minor to the private accommodations or a residence without the presence of parent or legal guardian, or another program minister; or
- r. engaging in the following while serving in a role in which they are responsible for the supervision of minors:
 - 1) swearing or using vulgar language to an offensive degree;
 - 2) using, possessing, or being under the influence of alcohol or illegal drugs; possessing or displaying sexually oriented or morally inappropriate printed or electronic materials (e.g. magazines, videos, films, clothing, or internet sites);
 - 3) discussing sexual activities or engaging in sexually-oriented conversations with minors unless the conversation is part of a legitimate lesson or discussion for teenagers regarding human sexuality issues; on such occasions the lessons must convey to youth the Church's teachings on these topics and questions will be referred to the parent or guardian for clarification or counseling.);
 - 4) undressing or being nude; taking a shower; or
 - 5) sleeping in the same bed, sleeping bag or tent with a minor, unless the adult is an immediate family member of the minor.

3. Use of Technology in Ministry.

Diocesan policies on Ethics and Integrity in Ministry apply to all interactions between adults and minors, and interactions between adults and elderly adults or adults with disabilities, whether face-to-face, written or oral communications, or using the Internet, mobile devices, social networks, and other digital communication methods.

- a. The use of the Internet, mobile devices, social networking sites, and other digital communication methods between minors and Church personnel is permitted for legitimate ministry-related purposes.
- b. Parishes, schools, and diocesan sites are encouraged to develop and publicize acceptable digital media use policies and procedures that provide for transparency and accountability.
- c. Information discussed or displayed on any parish, school or diocesan e-mail account, social media networking site must reflect the Catholic faith and should not call any teaching of the Church into question.
- d. Those involved in ministry should ensure any personal Internet or social media sites reflect Catholic values and should understand they are witnessing to the faith in their social networking whether public or private.
- e. The Diocese follows the USCCB Social Media Guidelines and the National Federation for Youth Ministry Recommended Technology Guidelines for Pastoral Work with Young People.
- f. **Appropriate Use of Technology in Ministry.** Individuals required to be EIM compliant may only use digital communication and media when interacting with minors in appropriate and approved manners. Examples of appropriate digital media use around or with minors includes but is not limited to:
 - 1) using a minor's home or family phone number for calls or messages to minors;
 - 2) copying parents or other adult leaders of the program or ministry on all e-mails, texts or postings to minors (although the technology method can be different);
 - 3) using parish or school phones and e-mail addresses for communications with minors;
 - 4) using group text apps to communicate with minors;

- 5) ensuring at least two adults from the parish or school moderate any site;
 - 6) ensuring passwords and site names are available to parish or school leadership; and
 - 7) securing permission of parents or legal guardians before posting photos of minors or details of ministry or program activities on any electronic media (identifying information such as names, tags, home address, and other identifying information should be avoided).
- g. **Inappropriate Use of Technology in Ministry.** Individuals required to be EIM compliant must not use digital communication and media inappropriately when interacting with minors. Examples of inappropriate use of digital media use around or with minors include but are not limited to:
- 1) inviting minors to connect with you on a personal social networking site (friend, follower, etc.) or accepting such requests from minors; and
 - 2) texting or calling, or using social media or networking sites, for personal or parish, school or diocesan communications with minors without other adults (parents or other adult moderators), included in messages.
- h. Note: Even on personal sites not intended for ministry work, those in ministry should be aware and careful of the types of things posted on their personal site.

B. Supervision of Programs with Minors.

1. On-Site Events.

- a. There shall be **at least two** EIM compliant adults supervising any program involving minors.
- b. The majority of adults supervising a program or event involving minors must be 21+ years of age (at a minimum one adult must be 21+ years of age).
- c. One adult should never be alone with one minor.
- d. If there is need for a confidential discussion, it should occur in a location that is in view of others.
- e. If there is a need for an adult to enter a restroom (e.g., to assist a young child) or locker room when minors are present, then the adult should announce their purpose and be in and out based on the situation. Another adult should be notified and be present near the entrance when possible.
- f. The following ratios use an adults-to-minors formula with the understanding that there must always be a minimum of 2 EIM compliant adults present.
 - 1) Infants: 0-11 months – 2:10; 1 additional adult for every 1-5 additional minor
 - 2) Infants 12-17 months – 2:13; 1 additional adult for every 1-6 additional minor
 - 3) Preschool 18 months-4 years – 2:16; 1 additional adult for every 1-8 additional minor
 - 4) Elementary age: PreK-5th – 2:24; 1 additional adult for every 1-12 additional minor
 - 5) Middle school age: 6-8th – 2:30; 1 additional adult for every 1-15 additional minor
 - 6) High school age: 9-12th – 2:40; 1 additional adult for every 1-20 additional minor
 - 7) In the event a religious education or youth ministry class is short-staffed (does not meet the minimum ratio), the director/coordinator of the program, or a designee, must frequently and actively monitor all such classes, or combine classes into a larger common space.
- g. Catholic school classrooms shall have at least one EIM compliant adult and the principal or designee should be actively monitoring classrooms throughout the day. As Catholic school classroom teachers typically have more training and experience supervising larger groups of students than is required of volunteers for most parish programs or events, school ratios may be greater than those stated above.
 - 1) As State licensed day care programs (with specific training and supervision standards) are monitored by the State, ratios for licensed day care facilities may be

greater than those stated above. State licensed day care programs must always include a minimum of 2 EIM compliant adults supervising any one classroom, even if not required by state regulations.

- h. Minors may be released only to parents, legal guardians, or other adults designated by parents or legal guardians at the end of program or event (children may not be released to older minor siblings). When there is a question about the propriety of releasing a minor, the immediate supervisor should be contacted before releasing the child.
- i. Uncontrollable or unusual behavior of minors should be reported immediately to parents.

2. Off-Site Events.

- a. In general, ministries involving youth should avoid meeting in personal homes.
- b. Any off-site event that involves minors must be supervised by **at least two** EIM compliant adults.
- c. Co-ed events should include male and female chaperones in proportion to the minors attending.
- d. The following ratios use an adults-to-minors formula with the understanding that there must always be a minimum of 2 EIM compliant adults present.
 - 1) Elementary school age and younger: 2:12; 1 additional adult for every 1-6 additional minor
 - 2) Middle school age: 2:16; 1 additional adult for every 1-8 additional minor
 - 3) High school age: 2:20; 1 additional adult for every 1-10 additional minor
- e. A parent or legal guardian may not attend a field trip or event with their child if not EIM compliant. If attending, they must be serving as an approved chaperone by the parish or school and must be EIM compliant.
 - 1) Other children of a chaperone may not attend a field trip or event.
- f. A parish, Catholic school, or other diocesan agency should transport minors only with written permission of the children's parents or legal guardians.
- g. Parishes, Catholic schools, and other diocesan agencies should avoid the use of 15-passenger vans to transport persons.
- h. Drivers who transport minors must be at least 25 years old (proof of valid driver's license, vehicle registration and insurance must be documented at the parish or school for each driver), unless the diocese grants an exemption prior to the event.
- i. If only one adult is to be in a vehicle, there must be more than one minor present in the vehicle unless that minor is the adult's own child.
- j. When private vehicles are used to transport minors, a transportation plan should be provided to the drivers to include route, pre-arranged stops and contact information for the drivers.
 - 1) Such a plan avoids the need to caravan while in route.
 - 2) No extra stops should be made unless approved by the director of the program or the stop is out of necessity (e.g., fuel, first aid, restroom).
- k. Minors may not transport other minors to or from parish or school functions on behalf of the parish or school.
 - 1) It is recommended that minors be transported by pre-arranged group transportation for parish or school events rather than transport themselves.
 - 2) A minor who drives to a Catholic school each day should follow school safety precautions related to minors driving to school.

3. Overnight Events.

- a. When minors attend an event in which overnight lodging will occur, the details and information about the accommodations should be communicated to parents or legal guardians.
- b. A minor may not stay overnight in the private accommodations or residence of clergy, teachers, or any adult supervisor.
- c. When selecting lodging options, parishes and schools should consider those arrangements which are easily supervised.
- d. Lodging options are to be appropriate for the event and in accordance with custom and practices for such events. Typical accommodations may include hotels, retreat centers, lodges, bunk houses, or multipurpose rooms.
 - 1) Sleeping, changing, and shower areas must be clearly segregated between males and females and also clearly segregated between adults and minors.
 - 2) If different facilities are not available for proper segregation, separate times must be designated for use to achieve the required segregation.
- e. In larger lodging rooms or cabins housing many minors, chaperones may sleep, if necessary, in the room in a cot or separate bed next to the doorway. Otherwise, chaperones should sleep in a nearby space and take turns monitoring minors' quarters.
- f. Chaperones may not stay alone in the same hotel or other lodging room with a minor or minors.
 - 1) All lodging rooms should be on the same floor with the chaperones' rooms on either side of minors' rooms.
 - 2) When practical, chaperones should take turns staying awake to monitor rooms.
- g. A parent may stay in a lodging room with their own child, but not if another minor is in the same room.
- h. For inquiries concerning types of lodging and overnight accommodations, contact the diocesan EIM office.

4. Remote/Virtual Events.

- a. Diocese of Austin policies on Ethics and Integrity in Ministry apply to the use of telecommunication systems for remote, virtual distance learning and ministry events with minors in much the same manner as for in-person on-site, off-site and overnight ministry and events. Telecommunication between minors and Church personnel is permitted for legitimate ministry-related purposes and must reflect the Catholic faith and her teachings; transparency and accountability are required.
- b. For these guidelines, telecommunication refers to "communication at a distance" using phones, computer networks and the Internet for remote/virtual participation in catechetical, educational, social, and any other programs for minors sponsored or organized by any parish, Catholic school or organization in the diocese. Such technologies include video conferencing, virtual classrooms and group texts.
- c. Although developed specifically to address ministry with minors during pandemic, these policies will apply to any remote/online ministries or events developed by the parish/school in the future.
- d. All adults supervising any remote or virtual program involving minors must be EIM compliant, with a **minimum of two** EIM compliant adults present.
 - 1) Catholic school virtual classrooms shall have at least one EIM compliant adult, with frequent monitoring done by the principal or designee throughout the day.
- e. The majority of adults supervising a remote or virtual program involving minors must be 21+ years of age (at a minimum one adult must be 21+ years of age).
- f. One adult should never be alone with one minor in a remote or virtual setting; however, Catholic school teachers may meet individually with a student for educational purposes as long as a parent is present and/or the session is recorded.

- g. The following ratios use an adults-to-minors formula with the understanding that there must always be a minimum of 2 EIM compliant adults present in remote or virtual sessions.
 - 1) Elementary age: PreK-5 th – 2:24; 1 additional adult for additional minors (1-12)
 - 2) Middle school age: 6-8 th – 2:30; 1 additional adult for additional minors (1-15)
 - 3) High school age: 9-12th – 2:40; 1 additional adult for additional minors (1-20)
- h. Because Catholic school classroom teachers typically have more training and student supervision experience than do volunteers for most parish programs or events, school ratios may be greater than those stated above.
- i. Video telecommunications should use a public location, or a communal location in the home, with a background clear of distracting or inappropriate items and messaging and in keeping with Catholic values.
- j. All leaders and participants in remote or virtual sessions should be attentive of attire and wear clothing appropriate to an in- person session.
- k. Telecommunications should use public platforms, be by invitation unique to each session/event and require admission by a program moderator (e.g. catechist, youth group leader, Scout leader).
- l. Two-way platforms for online teaching may include, but do not require, parent attendance. In such cases, if the parent is only responsible for their student (vs serving as a co-catechist), there is no EIM requirement.
- m. Sessions may be recorded by schools and ministry/event coordinators for auditing purposes and may not be published in any form, including any social media forums. Minors may not record sessions.
- n. Sessions may be recorded for purposes of repeating a lesson or meeting, or for other specified reasons, and recordings may be stored for a limited, defined period of time but are not to be permanently stored. Schools or parishes recording virtual sessions that include minors should create a retention policy.
- o. As with any use of technology, there is potential that conversations or stored data could be accessed by unauthorized persons.
- p. The parent/legal guardian will provide signed informed consent for their student to participate in remote/online ministry or events. This consent may be proved in a parish or school-specific consent form that includes these policies and a statement of consent specific to review of policies and permission.

5. Listing of Programs for Minors that are Sponsored by the Parish or School.

- a. The parish or school should maintain a list of all programs that identifies activities, purpose, sponsors or coordinators of the programs, names of program volunteers, meeting times, and locations.
- b. The parish or school should review these programs annually to determine whether they have adequate supervision and verify EIM compliance of new members.
- c. All new programs for minors should be reviewed and approved by the pastor or principal.

6. Building Designs.

Parishes and Catholic schools should review building design and remodeling projects to encourage visibility and compatibility with “best practices” for youth in spaces when necessary and appropriate (e.g. windows in doors, signage on restrooms identifying those for adults, etc.).

Section 6. Reporting Concerns of Abuse or Other Unethical Behavior

Classification of Reports. When the diocese receives a Notice of Concern alleging unethical behavior, the diocese classifies the information into one of the following categories: (1) information alleging abuse of a minor; (2) information alleging abuse of a minor who is now an adult; (3) information alleging abuse of an elderly adult or an adult with a disability; or (4) information alleging any other unethical behavior. The reporting procedure for each type of information follows. Guidance to address abusive or inappropriate interactions between minors is provided in (5).

1. Reporting possible abuse of a person who is currently a minor.

a. Legal requirement to report by individual who has reasonable cause to believe.

- Texas law requires any individual who has reasonable cause to believe a person who is currently a minor is being abused to report the information regarding possible abuse to:
- 1) any local or state law enforcement agency; or
 - 2) the Texas Department of Family & Protective Services (DFPS) by calling the 24-hour abuse hotline at 1-800-252-5400 or filing a report as instructed on the website at www.txabusehotline.org.

b. Additional reporting requirements for individuals who are required to be EIM compliant and have reasonable cause to believe.

When an individual who is required to be EIM compliant has reasonable cause to believe a person who is currently a minor is being abused, the individual must report the information regarding possible abuse to the authorities as required under a. above, and must additionally:

- 1) file a Notice of Concern with the Diocese of Austin; and
- 2) report the information to the pastor, principal, or supervisor.

c. Reporting requirements for individuals who are required to be EIM compliant and receive a report from another.

When an individual who is required to be EIM compliant receives information from another regarding possible abuse of a person who is currently a minor, the individual:

- 1) must refer the reporter to the reporting requirements under a. above;
- 2) must, if he or she has reasonable cause to believe the person is being abused and a question exists as to whether the allegation has been reported, report the allegation to law enforcement or DFPS;
- 3) must file a Notice of Concern with the Diocese of Austin; and
- 4) must report the information to the pastor, principal, or supervisor.

d. Reporting requirements for pastors, principals, and supervisors who receive a report from another.

When a pastor, principal, or supervisor receives information regarding possible abuse of a person who is currently a minor, he or she:

- 1) must refer the reporter to the reporting requirements under a. above;
- 2) must, if he or she has reasonable cause to believe the person is being abused and a question exists as to whether the allegation has been reported, report the allegation to law enforcement or DFPS;
- 3) must file a Notice of Concern with the Diocese of Austin if a question exists as to whether the allegation has been reported; and
- 4) must contact the diocesan legal staff for consultation regarding further steps (for example, placing an employee on administrative leave, removing a volunteer from ministry, notifying the parent, legal guardian, or caregiver, etc.).

2. Reporting possible abuse of a person who was a minor at the time of the alleged abuse but who is now an adult.

- a. **Reports by adults who suffered alleged abuse as a minor.** Any adult who was abused as a minor is urged to:
- 1) report the abuse to a local or state law enforcement agency; and
 - 2) file a Notice of Concern with the Diocese of Austin if the abuser is now or was at the time of the abuse a member of Church personnel, a volunteer in ministry, or an independent contractor involved in ministry.
- b. **Reports by individuals who have received information from others.** Any person who has reasonable cause to believe that an adult was a victim of abuse as a minor:
- 1) and determines in good faith that the disclosure of the possible abuse is necessary to protect the health or safety of a person who is currently a minor, elderly adult, or adult with a disability, must report the possible abuse to:
 - i. any local or state law enforcement agency; or
 - ii. the Texas Department of Family & Protective Services (DFPS) by calling the 24-hour abuse hotline at 1-800-252-5400 or filing a report on the website at www.txabusehotline.org; and
 - 2) is urged to file a Notice of Concern with the Diocese of Austin if the abuser is now or was at the time of the abuse a member of Church personnel, a volunteer in ministry, or an independent contractor involved in ministry.
- c. **Preference for privacy respected.**
If an adult who was a victim of abuse as a minor does not wish to report the prior abuse, the privacy of the adult must be respected unless otherwise required by b. above.

3. Reporting possible abuse of an elderly adult or an adult with a disability.

- a. **Legal requirement to report by individual who has reasonable cause to believe.**
Texas law requires any individual who has reasonable cause to believe a person who is an elderly adult or adult with a disability is being abused to report the information regarding possible abuse to:
- 1) any local or state law enforcement agency; or
 - 2) the Texas Department of Family & Protective Services (DFPS) by calling the 24-hour abuse hotline at 1-800-252-5400 or filing a report as instructed on the website at www.txabusehotline.org.
- b. **Additional reporting requirements for individuals who are required to be EIM compliant and have reasonable cause to believe.** When an individual who is required to be EIM compliant has reasonable cause to believe an elderly adult or an adult with a disability is being abused, the individual must report the information regarding possible abuse to the authorities as required under a. above, and must additionally:
- 1) file a Notice of Concern with the Diocese of Austin; and
 - 2) report the information to the pastor, principal, or supervisor.
- c. **Reporting requirements for individuals who are required to be EIM compliant and receive a report from another.** When an individual who is required to be EIM compliant receives information from another regarding possible abuse of an elderly adult or adult with a disability, the individual:
- 1) must refer the reporter to the reporting requirements under a. above;
 - 2) must, if he or she has reasonable cause to believe the person is being abused and a question exists as to whether the allegation has been reported, report the allegation to law enforcement or DFPS;
 - 3) must file a Notice of Concern with the Diocese of Austin; and
 - 4) must report the information to the pastor, principal, or supervisor.

- d. **Reporting requirements for pastors, principals, and supervisors who receive a report from another.** When a pastor, principal, or supervisor receives information regarding possible abuse of an elderly adult or adult with a disability, he or she:
- 1) must refer the reporter to the reporting requirements under a. above;
 - 2) must, if he or she has reasonable cause to believe the person is being abused and a question exists as to whether the allegation has been reported, report the allegation to law enforcement or DFPS;
 - 3) must file a Notice of Concern with the Diocese of Austin if a question exists as to whether the allegation has been reported; and
 - 4) must contact the diocesan legal staff for consultation regarding further steps (for example, placing an employee on administrative leave, removing a volunteer from ministry, notifying the parent, legal guardian, or caregiver, etc.).
4. **Reporting concerns about failure to maintain ethical behavior and integrity in ministry (other than abuse of a minor, elderly adult, or adult with a disability).**
- a. **Reports by individuals who are not required to be EIM compliant and have cause to believe.** When an individual who is not required to be EIM compliant has cause to believe a member of Church personnel, a volunteer in ministry, or an independent contractor involved in ministry has failed to maintain ethical behavior and integrity in ministry (as defined in the EIM policies), that individual is urged to file a Notice of Concern with the Diocese of Austin.
- b. **Reporting requirements for individual who are required to be EIM compliant and have cause to believe.** When an individual who is required to be EIM compliant has cause to believe a member of Church personnel, a volunteer in ministry, or an independent contractor involved in ministry has failed to maintain ethical behavior and integrity in ministry (as defined in the EIM policies), that individual must report the information to the pastor, principal, or other supervisor.
- 1) If the information concerns the pastor, principal, or other supervisor, the person may report the information to the appropriate diocesan official or, if the person is unsure of which diocesan official to notify, file an EIM Notice of Concern.
 - 2) If the matter involves possible criminal activity, scandal, or other grave matter, the pastor, principal, or other supervisor should contact diocesan legal staff for possible further action and reporting to law enforcement.
 - 3) If the matter is considered to be a workplace or human resources matter, members of Church personnel should follow steps in their respective employee manuals.
 - 4) The pastor, principal, or supervisor may contact the appropriate diocesan official for consultation regarding further steps and whether to file a Notice of Concern or take other action.
- c. **Reporting requirements for individuals who are required to be EIM compliant and receive a report from another.** When an individual who is required to be EIM compliant receives information from another regarding a possible failure by a member of Church personnel, a volunteer in ministry, or an independent contractor involved in ministry to maintain ethical behavior and integrity in ministry, that individual should urge anyone with first-hand knowledge of the possible failure to report the information to the pastor, principal, or other supervisor.
- 1) If the information concerns the pastor, principal, or other supervisor, the person may report the information to the appropriate diocesan official or, if the person is unsure of which diocesan official to notify, file an EIM Notice of Concern.
 - 2) The pastor, principal or other supervisor receiving the information should inform the reporter to urge the person with first-hand knowledge to file a Notice of Concern with the Diocese of Austin.

- 3) If the matter is considered to be a workplace or human resources matter, members of Church personnel should follow steps in their respective employee manuals.
- 4) The pastor, principal, or supervisor may contact the appropriate diocesan official for consultation regarding further steps and whether to file a Notice of Concern or take other action.

5. Guidance regarding abusive or inappropriate interactions between minors.

Minors should be expected to demonstrate behavior that reflects the values of our Catholic faith, respects the dignity of each person and maintains a safe environment for themselves and others (children, youth and adults), as modeled by the adults who serve in parishes and schools in the Diocese of Austin.

- a. Standards of Behavior.** The diocese will not tolerate any type of bullying or intimidation including, but not limited to: written, electronic or verbal expressions or conduct that has the effect of physically harming another, damaging property or placing another in fear of harm to self or property severe enough to create an intimidating, threatening or abusive educational environment for a student. Catholic schools and parish youth programs should provide guidance regarding behavioral expectations and consequences for misbehavior.
- b. Reporting concerns of abusive or inappropriate interactions between minors that may cause sexual, physical or psychological harm.**
 - 1) A minor should report concerns about an inappropriate or dangerous interaction between themselves and a peer, or between two or more peers, to an adult at the parish or school.
 - 2) An adult must report, to appropriate parish or school personnel, any concern about inappropriate or dangerous interactions between minors that is told them by a minor or that they witness directly. A diocesan Notice of Concern should be submitted to provide details about the incident. Examples include, but are not limited to:
 - i. sexual touching,
 - ii. physical violence that causes injury, and
 - iii. situations requiring a response from law enforcement.
 - 3) The pastor or principal should consult with the diocesan Chancellor, Superintendent of Schools or the Vicar General immediately regarding the procedure for gathering information and investigating.
 - 4) Parents of minors involved in concerns of inappropriate or dangerous interactions should always be informed of the incident and pending actions.
- c. Response**
 - 1) Minors involved should be disciplined by the appropriate level of authority. This could include warning, suspension or expulsion for the minor alleged to cause harm. When necessary, law enforcement is to be contacted.
 - 2) Efforts should be taken by the appropriate level of authority to work with those involved for healing and reconciliation. Professional counseling, spiritual guidance and other assistance should be provided if deemed appropriate.

Section 7. Diocesan Response to Reports of Abuse or Other Unethical Behavior

A. Response to Reports Involving Abuse of a Minor, Elderly Adult, or Adult with a Disability.

1. Diocesan Report to and Cooperation with Legal Authorities.

- a. The diocese complies with the legal requirements for reporting abuse to federal, state, and local authorities.
- b. The diocese complies with authorities in investigations involving allegations of abuse.
- c. Church personnel, volunteers, and independent contractors may not investigate allegations of abuse unless directed to do so by governmental authorities or diocesan legal staff.

2. Diocesan Response to and Care of Individuals Reporting and Victims of Alleged Abuse of a Minor, Elderly Adult, or Adult with a Disability.

- a. After receiving a Notice of Concern alleging abuse of a minor, elderly adult, or adult with a disability, the Office of Ethics and Integrity and Ministry will inform the individual who made the report that:
 - 1) the diocese received the report;
 - 2) the report has been or will be referred to a specific office or diocesan official for further review;
 - 3) the individual will be contacted as appropriate to provide or receive additional information; and
 - 4) the State of Texas requires that persons who have reasonable cause to believe abuse of a minor, elderly adult, or adult with a disability has occurred or is occurring must report the matter to the appropriate law enforcement official.
- b. The diocese will follow the Charter for the Protection of Children and Young People in the case of any alleged abuse against a minor by a priest, deacon, or religious brother or sister. Canon law will govern cases where abuse of an elderly adult or an adult with a disability is alleged against a priest, deacon, or religious brother or sister.
- c. After an initial review by the appropriate office or diocesan official, an individual reporting alleged abuse of a minor, elderly adult, or adult with a disability will be asked to meet with the Coordinator of Victim Assistance and Pastoral Support or other diocesan official, as appropriate.
 - 1) The Coordinator of Victim Assistance and Pastoral Support or other diocesan official will inform the individual reporting alleged abuse of a minor, elderly adult, or adult with a disability who the individual may contact for any inquiries while an investigation or review is in progress.
 - 2) The Coordinator of Victim Assistance and Pastoral Support may interview the individual making an allegation of abuse of a minor, elderly adult, or adult with a disability.
 - 3) As requested by the vicar general, the Coordinator of Victim Assistance and Pastoral Support may assist in arranging for counseling or other pastoral support.
- d. The diocese will provide a response to the individual reporting alleged abuse of a minor, elderly adult, or adult with a disability at the conclusion of any review or investigation and will, as appropriate, provide updates regarding pending matters.
- e. The diocese may offer counseling or other pastoral support to persons who were victims of abuse or who suffered other material harm by those involved in ministry.
 - 1) The amount and type of any assistance offered varies with the facts or circumstances of each case.
 - 2) The diocese may seek reports from the counselor or other person providing such support only for the purposes of acknowledging that the assistance is progressing and helpful.

- f. Those who seek restitution or compensation for alleged abuse or other injuries should discuss such issues with their own legal counsel.

3. Diocesan Action Toward and Care of Individuals Accused of Abuse of a Minor, Elderly Adult, or Adult with a Disability.

- a. The diocese will timely inform the accused of an allegation it receives and will inform the accused of any initial action to be taken during the review or investigation.
- b. The diocese will follow the Charter for the Protection of Children and Young People in the case of any alleged abuse against a minor by a priest, deacon, or religious brother or sister, and the bishop, in reaching final decisions, shall be guided by the appropriate norms of canon law.
 - 1) No priest or deacon who has committed an act of sexual abuse of a minor may be transferred for a ministerial assignment in another diocese (from Essential Norms for Allegations of Sexual Abuse of Minors, #12).
 - 2) When a priest or deacon who has committed an act of sexual abuse of a minor wishes to relocate to this or another diocese for residence, all provisions of Essential Norm #12 will be followed regarding the procedures for such a move. The priest or deacon's bishop or major superior shall forward all pertinent information regarding any past act of sexual abuse of a minor by the cleric, as well as the proposed place of residence, and any additional information needed by the bishop of the diocese of intended residence to make an appropriate determination as to whether suitable safeguards are in place to ensure the protection of children and young people.
- c. The diocese will follow canon law in the case of any alleged abuse against an elderly adult or an adult with a disability by a priest, deacon, or religious brother or sister.
- d. The diocese will suspend from ministry any individual under criminal or governmental agency investigation for abuse of a minor, elderly adult, or adult with a disability during the pendency of the investigation. In accordance with rights afforded to the accused under canon law, the bishop may, if the bishop in his judgement determines appropriate, suspend from ministry any person during the pendency of any other review or investigation regarding an allegation of failing to maintain ethical behavior and integrity in ministry.
- e. At the conclusion of any investigation, the diocese will make a determination as to any further action necessary. Those involved in ministry who fail to maintain ethical behavior may be suspended or excluded from engaging in ministry in the diocese and be subject to other civil, criminal, or canon law action.
- f. At any time a person is removed from ministry (pending or after an investigation or review), the Office of Ethics and Integrity in Ministry will indicate a "restricted" status in the diocesan EIM database.
- g. The rights of the accused shall be taken into consideration throughout the review or investigation. Every effort will be made to protect the legitimate interests of the accused.
- h. The bishop may offer counseling or other pastoral support to the accused during or after the review or investigation.

4. Diocesan Communications with and Care of a Community Affected by an Allegation of Abuse of a Minor, Elderly Adult, or Adult with a Disability.

- a. When a parish, Catholic school, or other diocesan agency is affected by an allegation of abuse of a minor, elderly adult, or adult with a disability, the bishop may, at his discretion, share information about the allegation in a pastorally appropriate manner, while respecting the privacy and confidentiality of all individuals involved and subject to applicable criminal, civil, and canon law.

- b. As determined necessary, the diocese may provide pastoral support to the members of the affected parish, Catholic school, or other diocesan agency affected by an allegation of abuse of a minor, elderly adult, or adult with a disability.

B. Response to Reports Not Involving Abuse of a Minor, Elderly Adult, or Adult with a Disability.

1. **Workplace Matters.** When an allegation of unethical behavior not involving abuse of a minor, elderly adult, or adult with a disability is a workplace or human resources matter, the diocese will refer the information to the appropriate person at the parish, Catholic school, or other diocesan agency to be addressed in accordance with the applicable employee manual.
2. **Non-Workplace Matters.** When an allegation of unethical behavior not involving abuse of a minor, elderly adult, or adult with a disability is not a workplace or human resources matter, the diocese will review information and refer the matter to the appropriate diocesan office.
 - a. A diocesan representative will contact the individual who made the report to:
 - 1) acknowledge that the diocese received the report;
 - 2) share the name of the office or diocesan official to whom the report has been referred; and
 - 3) clarify that the individual may be contacted as appropriate to provide or receive additional information.
 - b. The diocese will review the information and, if necessary, conduct additional investigations to determine if a material failure to maintain ethical behavior in ministry occurred.
 - c. At the conclusion of its review, the diocese will make a determination as to whether further action is necessary.
 - d. Depending on the nature of the matter reported, the diocese may initiate temporary safeguards pending its review of the matter, including but not limited to temporary suspension from ministry or temporary reassignment to other duties.
 - e. If appropriate under civil, criminal, and canon law, the diocese will share the final determination with the person filing the notice of concern.
 - f. The diocese may offer counseling or other pastoral support if appropriate. Those who seek restitution or compensation for alleged abuse or other injuries should discuss such issues with their own legal counsel.

Section 8. To Promote Healing and Reconciliation

The archangel Raphael is traditionally viewed as God's angel of healing and has been adopted as the patron of the Office of Ethics and Integrity in Ministry.

Article 1 of the Charter for the Protection of Children and Young People requires dioceses to reach out to victim survivors of abuse, and their families, and demonstrate a sincere commitment to their spiritual and emotional well-being. The first obligation of the Church with regard to the victims is for healing and reconciliation.

The Diocese of Austin takes firm action with those who fail to maintain ethical behavior in ministry and fosters healing by providing pastoral support to victims of such conduct. The diocese may offer counseling or other pastoral support to persons who have experienced abuse or who suffered other material harm by those involved in ministry.

Contact the EIM Office at eim@austindiocese.org for counseling resources in your area.

Persons who wish to serve in ministry in the diocese but may have difficulty completing the EIM training due to an experience of abuse, may contact the EIM Office to request an alternative EIM training option.

Please visit austindiocese.org/resources-information to find articles and links to healing and support programs.