



DIOCESE OF LINCOLN

OFFICE OF THE BISHOP

May 15, 2023
Saint Isidore

Dear brother bishops,

As the Episcopal Moderator of the American Heritage Girls (AHG) National Catholic Committee (NCC), I would like to take this opportunity to encourage the Catholic parishes, schools, and/or other institutions in your dioceses to charter AHG Troops.

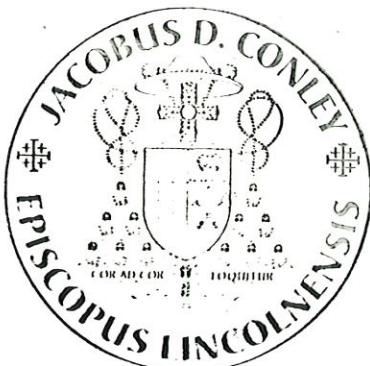
I fully recognize the financial and legal liability issues that have arisen across the United States as Catholic entities reconsider entering into charter agreements with scouting groups. This has been even more apparent in light of the Boy Scouts of America (BSA) bankruptcy case. However, I believe AHG scouting is different, and should be considered independently.

Most importantly, there are great spiritual benefits that can result from a connection between Catholic communities and AHG, which lays out its identity as a “national character development organization for young women that embraces Christian values and encourages family involvement” (from its vision statement). This outlook is very encouraging, especially as we look to foster lifelong engagement among our young people.

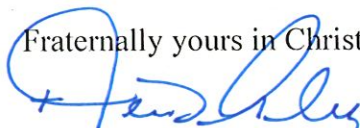
Furthermore, since AHG is not experiencing bankruptcy or other major challenges, the various financial and legal risks of entering into a formal chartered relationship is considerably lower compared with other scouting organizations.

In October 2022, Archbishop Cordileone of San Francisco, acting in his role as chairman of the Committee on Laity, Marriage, Family Life and Youth, shared a resource from USCCB staff on options available to diocese to navigate the legal, financial, and pastoral issues in the wake of the bankruptcy developments with BSA. That resource, which I am again enclosing with this letter, can provide some foundational support as you consider an AHG charter agreement.

Again, I sincerely hope you will strongly consider or continue supporting the chartering of American Heritage Girls Troops within your diocese. Should you have further questions or concerns, please do not hesitate to reach out to me.



Fraternally yours in Christ,


The Most Reverend James D. Conley
Bishop of Lincoln

Episcopal Moderator, American Heritage Girls,
National Catholic Committee



Secretariat of Laity, Marriage, Family Life and Youth

3211 FOURTH STREET NE • WASHINGTON DC 20017-1194 • 202-541-3040 • FAX 202-541-3176

October 6, 2022

Your Eminence / Your Excellency:

In response to the ongoing bankruptcy proceedings involving the Boy Scouts of America (BSA), many dioceses in the United States have contacted USCCB staff to express their concerns regarding continued partnership with the Boy Scouts. Though many dioceses wish to continue to charter Boy Scout troops, others would like to only permit the troops to use parish or school facilities, and some wish to cut ties with the BSA altogether. In addition to our discussions with representatives of the dioceses, we have discussed these issues with the National Catholic Committee on Scouting (NCCS) and the BSA organization. Though the USCCB cannot recommend a particular approach for any diocese, we write to share with you the information we have received and to describe the various options available.

Catholic dioceses wishing to continue to offer scouting in parishes and schools may choose from three options to partner with the Boy Scouts. In addition to the traditional charter model, the Boy Scouts are willing to enter into facilities-usage agreements or to pursue a hybrid model that allows partnership and oversight without requiring local Catholic leaders to assume ownership responsibility of the troops and their property. The three options are described below.

1. Charter Agreement

Under a charter agreement, the local pastor (or school official) has full control over the local Boy Scout unit. In this way, the Boy Scouts can be understood as part of the parish's pastoral ministries with children and youth. In this scenario, the parish would also own all the unit's property and assumes liability for any claims that arise out of scouting activities. The BSA does provide general liability insurance coverage and broad indemnification for any lawsuits brought against the parish for scouting activities. We strongly recommend that you consult local counsel and insurance carriers before approving the use of charter agreements with the BSA.

The charter agreement has been the traditional model used for partnerships with the BSA. As a chartering partner, the Catholic parish would own the unit and set the direction of the program, especially as it relates to faith formation. All adult leadership would receive the same safe-environment and other trainings required by the parish to ensure a safe and faithful environment for youth in scouting. This model also ensures that pastors and pastoral leaders can regularly instill Catholic values, spirituality, and moral teachings in their approach to accompanying young people through the scouting experience.

2. Facilities-Usage Agreement

Under a facilities-usage agreement, the BSA unit is not legally part of the parish and has no formal relationship with parish leadership, apart from an agreement that they may use parish or school facilities to host meetings and other scouting activities. Parishes and schools that have

a demand for scouting within their community but lack the resources to effectively manage scouting activities may find this approach helpful.

Though laws vary state to state, in many jurisdictions, dioceses or parishes may add provisions to facilities-usage agreements that allow for their termination if the conduct of scouting activities violates the moral teaching of the Catholic Church. Facilities-usage agreements also contain provisions requiring that the BSA will provide insurance coverage and indemnify the parish for any claims arising out of scouting activities. These agreements typically do not contain a requirement that the adult volunteers participate in parish safe environment training, though that varies by jurisdiction. Again, we strongly recommend that you consult with local counsel and your insurance carrier before approving the use of facilities-usage agreements with the BSA. With this model, pastors and pastoral leaders would not have any direct pastoral oversight or control over what is being taught or shared in the scouting units that are using their facilities.

3. Hybrid Model

There are three variations on the hybrid model. Each is covered by the same general liability insurance coverage and indemnification that BSA offers for claims arising from scouting activities. We recommend consulting with local counsel and your insurance carrier regarding each of these options should you wish to consider them.

- *Council Registered Units* – This allows the Boy Scouts’ Local Council to register the unit and have oversight, but still partner with the Catholic diocese. To use this option, the parish or diocese would sign an affiliation agreement between the Catholic organization, the Local Council, and the Boy Scouts of America.
- *New Charter Organization* – This option allows the unit to be chartered by another community organization. The community organization, in turn, might sign a facilities-usage agreement with the local Catholic parish or school. If the organization has a Catholic identity, this could ensure some measure of pastoral accountability for what is being taught or shared with the young people in the scouting unit.
- *Group of Citizens* – This option is intended as a short-term fix when a local unit loses its charter organization (e.g., if the diocese decides to cease having its parishes serve as chartering organizations). Under this scenario, a group of interested adults may form an organization that serves as the chartering organization and then enter an agreement with the diocese or parish that defines the Church’s level of involvement. That involvement can be defined with either an affiliation agreement or a facilities-usage agreement. Again, if the individuals have a Catholic connection and those individuals have a relationship with the local parish community, this option could be helpful for pastoral accountability.

As seen in these various scenarios, each of the options available to dioceses come with their own benefits and risks--legal, financial, and pastoral. While one option may have legal or financial benefit, the pastoral risks could be high; conversely, while one option may offer more

pastoral benefits for the community, the legal and financial risks could be high. We recommend a careful discernment of all the factors involved. No single option presented is completely free of some kind of risk.

To further aid you in this process, the Secretariat of Laity, Marriage, Family Life and Youth, with support from the Office of General Counsel, is offering a special workshop on Catholic scouting prior to the USCCB General Assembly in Baltimore that will take place on **Sunday, November 13, 2022, from 1:00-3:00 p.m. ET**. You can select this option when registering for the fall assembly meetings. In the meantime, should you have further questions, please do not hesitate to reach out to us.

Sincerely,

William J. Quinn

Solicitor | Office of the General Counsel

Paul E. Jarzembowski

Associate Director | Secretariat of Laity,
Marriage, Family Life and Youth