

POLICIES & PROCEDURES FOR THE PROTECTION OF CHILDREN & YOUNG PEOPLE

ROMAN CATHOLIC DIOCESE
OF TULSA & EASTERN OKLAHOMA

2024



January 8, 2024
Baptism of the Lord

Dear Brothers and Sisters in Christ,

Our children, youth, and vulnerable adults are treasures to the Church, and as such the Diocese of Tulsa has a sacred obligation to protect them. In compliance with the *Charter for the Protection of Children and Young People* issued by the USCCB, the Diocese of Tulsa continues to make every effort to ensure it employs the best practices in establishing a safe environment throughout the Diocese.

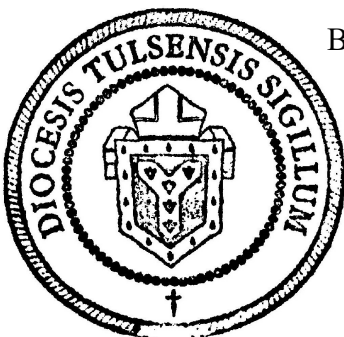
In order to continue our efforts to offer the safest environment possible for children, I am pleased to promulgate the new *Policies & Procedures for the Protection of Children & Young People* and related policies as particular law for the diocese. I fully support these initiatives and believe they will assist us in our great commission to evangelize the nations and form intentional disciples of Jesus Christ. I would ask that these new policies be widely distributed throughout the diocese and that priests and other leaders ensure that their communities are informed of the new policies and trained accordingly.

Each person who undergoes the safe environment training betters the entire community as each person becomes a valued ally in the effort to protect the most vulnerable among us. We have made great strides to ensure the safety and well-being of the children entrusted to our care. As this is an effort of the entire Diocese of Tulsa, I am grateful for your support and cooperation.

Sincerely yours in Christ,

Most Rev. David A. Konderla

Most Rev. David A. Konderla
Bishop of the Diocese of Tulsa & Eastern Oklahoma



Den. H. Garlick

Den. Harrison Garlick
Chancellor | In-House Counsel

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Select Abbreviations

Charter for the Protection of Children and Young People (“Charter”)

Codex Iuris Canonici or Code of Canon Law (“CIC/83”)

Essential Norms for Diocesan/ Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons (“Norms”)

M.P. *Sacramentorum Sanctitatis Tutela* (“SST”)

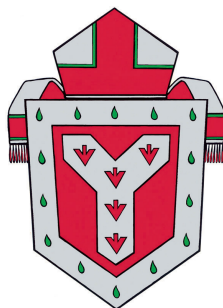
United States Conference of Catholic Bishops (“USCCB”)

M.P. *Vos Estis Lux Mundi* (“VELM”)

M. P. *As A Loving Mother*

M.P. *Pascite gregem Dei*

M.P. *Communis Vita*



GENERAL POLICIES & PROCEDURES FOR THE PROTECTION OF CHILDREN & YOUNG PEOPLE

I. GENERAL PROVISIONS

There are few offenses more serious than the sexual abuse of a minor, especially by a member of the clergy or other agent of the Church. Accordingly, it is the policy of the Diocese of Tulsa & Eastern Oklahoma (“Diocese”) to use every reasonable means to prevent the occurrence of sexual abuse, to treat with utmost seriousness any allegation of sexual abuse, and to alleviate, as far as possible, the suffering of all persons affected by sexual abuse if an incident should occur.

1. Key Commitments to the Protection of Children & Youth

In adherence to the 2018 *Charter for the Protection of Children and Young People* (“*Charter*”) issued by the United States Conference of Catholic Bishops (“USCCB”), to the motu proprio *Vos Estis Lux Mundi* (“*VELM*”), to *Sacramentorum sanctitatis tutela* (“*SST*”), and any other legislative texts promulgated by the Holy See, the Diocese commits to do the following:

- 1.1 Reach out in support of victims and to all other persons affected adversely by an incident and communicate a sincere commitment to their spiritual and emotional well-being (*Charter*, Art.1). The Diocese adopts a trauma informed victim-centered approach.
- 1.2 Respond with reasonable immediacy to all allegations of sexual misconduct (*Charter*, Art. 2).
- 1.3 Comply fully with the reporting requirements of the State of Oklahoma, the USCCB *Charter*, *VELM*, and cooperate with any investigation the civil authorities might undertake (*Charter*, Art. 4).

- 1.4 When indicated by circumstances, temporarily relieve from duty the accused person until the matter is more fully investigated as required by this policy. (*Charter*, Art. 5).
- 1.5 Require every person engaged in the service of the Church to comply with and otherwise support these *Policies and Procedures for the Protection of Children & Young People* (“Policies”); including, but not limited to, priests, deacons, non-ordained religious, lay employees, and Covered Volunteers (*Charter*, Art. 6).
- 1.6 With due respect for the privacy of individuals involved, deal as openly as possible with members of the community about the sexual abuse of minors by anyone who works for the Church. (*Charter*, Art. 7).
- 1.7 Educate all those involved with the appointment, hiring, and retention of personnel about procedures designed to prevent the exposure of children to unfit persons (*Charter*, Art. 12, 13).
- 1.8 Employ appropriate screening and evaluative techniques to assure the fitness of all diocesan, parish, and diocesan agency personnel and volunteers who have contact with minors (*Charter*, Art. 13).
- 1.9 Adhere to the procedures set forth in SST to address allegations of sexual abuse of minors committed by clerics.
- 1.10 Maintain, in conjunction with the ecclesial Province, Catholic Bishop Abuse Reporting (CBAR), a reporting structure for allegations concerning the diocesan bishop, as set forth in *VELM*.

2. Distribution of Policies & Procedures

- 2.1 A copy of Policies shall be distributed to all parishes and other participating entities and placed on the Diocesan website. It is recommended that parishes and other participating entities place the Policies on their website and/or link to the pertinent Diocesan webpage. The *Code of Ethics Agreement: Child & Youth Protection & General Conduct* (“Code of Ethics”) and *A Quick Reference Guide: Reporting Procedures for Suspected Abuse or Neglect* (“Quick Reference Guide”) shall be integrated into VIRTUS online.
- 2.2 It is recommended that copies of *Code of Ethics Agreement: Child & Youth Protection & General Conduct* (“Code of Ethics”) and *A Quick Reference Guide: Reporting Procedures for Suspected Abuse or Neglect* (“Quick Reference Guide”) shall be placed in accessible and prominent areas of each school, parish, or Catholic entity. Such places may include convenient, known, and easily accessible locations in rooms in which minors gather in parishes, schools, and other Catholic entities or as otherwise designated by the Office of Child & Youth Protection or the Catholic Schools Office.
- 2.3 Catholic entities other than the parishes, the diocesan elementary schools, and the Chancery (e.g., San Miguel, Cascia Hall, and Monte Casino, and diocesan entities that are separately

incorporated from the Diocese e.g., Bishop Kelley High School, Catholic Charities, Calvary Cemetery, etc.) may have certain amendments and modifications to these Policies or may operate under their own child and youth protection policies. Persons serving at those entities should inquire with the Local Administrator (§ I.2.3) or equivalent position to under what policies govern. Any general questions on what policies control at a local Catholic entity may be directed to either the Director of Child & Youth Protection or the Chancellor.

II. PROCEDURES FOR PROTECTING MINORS FROM SEXUAL ABUSE

1. USCCB Charter Compliance

In adherence to the *Charter*, the Diocese through VIRTUS provides a web-based platform in English and Spanish that specializes in helping churches and religious organizations create safe environments for children, youth, and vulnerable adults. *Charter* compliance is mandatory for all Employees and Covered Volunteers who have or could have contact with children as defined in § II.2.1 and II.2.2 below. No Employee or Covered Volunteer may partake in any Church ministry or function without first completing the mandatory compliance requirements and receiving confirmation and clearance to serve by their Local Administrator.

2. Key Definitions

2.1 **Employee:** Any person who is employed, whether at-will or by contract, in ministry in the Diocese, whether part-time or full-time, who is given payment for services rendered. Minors serving as Employees shall comply with these policies in the same manner as a minor serving as a Covered Volunteer would (See § II.2.2(E) below).

A. **Independent Contractor:** Independent contractors who work with children (e.g., non-employee tutors, coaches, etc.) shall be treated as Employees under these Policies. The CYP Requirements and adherence to these Policies shall be a mandatory contractual obligation of the independent contractor in order to serve the parish, school, or Catholic entity. The *Facilities Use Agreement for Independent Contractors Who Work with Children* form agreement is available on the diocesan website. All other independent contractors (e.g., guest speakers, repairmen, vendors, lawn care, etc.) need not be treated as Employees, but must be actively supervised while on Church property. Church entities may develop policies and procedures to govern the supervision of said independent contractors, e.g., check-in policies, boundaries, and assigned supervisors.

2.2 **Covered Volunteer:** The default presumption is that all adult volunteers are deemed to be Covered Volunteers unless clearly shown otherwise. The term *Covered Volunteer* includes any nonemployee:

A. Who comes into contact with children in the performance of his or her ministry;

- B. Who is entrusted with the care and supervision of children including, but not limited to, any childcare workers;
 - C. Who is a leader or helper of any youth organizations associated with the Diocese or any parish, and/or who is granted permission to use Church grounds, such as scouts, campfire groups, athletic groups, and choirs;
 - D. Who may have contact or access to children, including, but not limited to, volunteers for an event with minors or parents who volunteer to drive and chaperone field trips;
 - E. Who is at least 16 years of age, if permissible by parochial policy, to volunteer to work with other minors, such as those involved in childcare (minors serving as Covered Volunteers may receive VIRTUS training only with parents' written permission—see § II.3.2(A) below for background check and supervision requirements).
- 2.3 **Local Administrator:** A local staff member or volunteer who collaborates with the Office of Child and Youth Protection and is responsible for using administrative access within VIRTUS to determine who has or has not completed the child & youth protection requirements—including background checks. The Local Administrator assists the Pastor, Principal, or other equivalent leader in establishing local policies and procedures that ensure that only those who have completed the requirements are eligible for employment or to volunteer.
- 2.4 **Director of Child & Youth Protection:** A diocesan position at the Chancery charged with coordinating diocesan compliance with the *Charter* and assisting all the Local Administrators throughout the Diocese in their mission to establish safe environments by enforcing the diocesan child and youth protection requirements. The Director of Child & Youth Protection is charged with reviewing and clearing all Employees and Covered Volunteers under these Policies in accordance with diocesan disqualifying offenses list. The Director of Child & Youth Protection is charged with promptly informing the Chancellor of all child and youth protection issues.
- 2.5 **Victims Assistance Coordinator:** A diocesan position that primarily assists in the coordination of counseling and professional assessment of alleged victims of sexual abuse.
- 2.6 **Pastoral Response Team:** A diocesan team of professionals that may be mobilized to meet the pastoral needs of a community affected by the allegation of an abuse of a minor.
- 2.7 **Minors, Children, Child:** All persons under eighteen (18) years of age (can. 97 §1; SST art. 6 § 1). In addition, as applicable, young adults who are of legal age but remain within the care of our parishes or schools under ministries oriented toward minors (e.g., members of youth groups and students at Catholic schools) are included under the terms *minors*, *children*, and *child*. In addition, “a person who habitually has the imperfect use of reason or with one to whom the law recognizes equal protection is to be considered equivalent to a minor” (can. 1398 § 1).

- 2.8 **Vulnerable Adult:** “Any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact, even occasionally limits their ability to understand or to want to otherwise resist the offence” (art. 1 § 2, b VELM). The definition of “vulnerable adult” is broader than the definition of adults who “habitually have an imperfect use of reason” (c. 1398 § 1,3°); thus, in certain cases, as determined by the Bishop of Tulsa, adults who qualify as “vulnerable adults” but not as “minors,” per these Policies,” will be addressed by policy and canonical considerations outside the scope of these Policies (VELM).
- 2.9 **Abuse – Offense:** The term “Abuse” includes neglect, non-sexual abuse, and sexual abuse. Oklahoma law mandates all adults must report the “abuse or neglect” of a minor to the Department of Human Services (“DHS”). Canonically, the revision of the new Book VI (M.P. *Pascite gregem Dei* 05./21) classifies a sexual abuse under the category of an offense against the Human Life, Dignity, and Liberty (“HLDL”) of another. For clerics, abuse of one’s authority in order to carry out sins related to the sixth commandment (cf. c. 1326 § 1,2°) constitutes Abuse. Furthermore, sexual sins with minors (under the age of 18) or those persons deemed equivalent to them (1398 § 1,1°), grooming or inducing for the purpose of pornographic performances (§ 1,2°), or acquiring, retaining, exhibiting or distributing child pornography (§ 1,3°) committed by a cleric, the canonical penalties are outlined in c. 1398. For non-clerics, namely consecrated persons or lay people holding a positions in the Church, who committed these offenses would also face a just penalty outlined in 1336 §§ 2-4 (1389 § 2).
- 2.10 **Boundary Violations:** The term boundary violation or misconduct, whether between an adult/child or child/child, refers to interactions or behaviors that do not meet the characteristics of Abuse but are nevertheless inappropriate. Church Personnel have a duty to report their own misconduct and the misconduct of others. Church Personnel must hold each other accountable for maintaining the highest ethical and professional standards. When there is an indication of misconduct by Church Personnel, the person who learns of the misconduct should notify his/her supervisor or other appropriate Church authorities. When there is an indication of misconduct between minors, redirection and verbal correction can be made in partnership with the parents of the minors involved.

3. **Child & Youth Protection Requirements**

- 3.1 The Child & Youth Protection Requirements are threefold: (1) the background check submission (2) adherence to policies, procedures, reporting procedures and ethical standards, and (3) the child & youth protection education. The requirements are facilitated through the VIRTUS online platform. New Employees and Covered Volunteers will need to create their own online VIRTUS account in coordination with their Local Administrator.
- 3.2 **Background Check Submission:** Each new person required to complete the Child & Youth Protection Requirements must provide the necessary personal information for a criminal background check. For the sake of the mandatory criminal background check, the VIRTUS online system will ask for a social security number from the applicant. If the

applicant does not have a social security number, he or she should insert all nines (9) in the spaces provided. The Local Administrator—and ultimately the local pastor, principal, or equivalent leader—is responsible for making reasonable efforts to confirm the background checks are completed.

- A. Minors: Applicants who are minors and are approved as either an Employee or Covered Volunteer shall not receive a background check and shall be supervised at all times by an adult Employee or adult Covered Volunteer; and
- B. No Social Security Number: Applicants who do not have a social security number and are approved as either an Employee or Covered Volunteer shall be supervised at all times by an Employee or Covered Volunteer whose compliance to the Child & Youth Protection Requirements included a valid social security number.
- C. Disqualifying Offenses: For the safety and well-being of the minors and vulnerable adults in our care, the Diocese of Tulsa adheres to the following:
 - a. No person convicted of any sex crime and no person registered with any State Sex Offender Registry may serve as an employee or volunteer in any capacity;
 - b. No person convicted of a violent crime and no person registered with the official Oklahoma Violent Offender Register may serve as an employee or volunteer in any capacity;
 - c. Persons with criminal activity on their record, not including the aforesaid categories, may be permitted under the following conditions:
 - i. the Pastor and Local Administrator for a location consults with the diocesan Director of Child & Youth Protection and, in mutual agreement, concludes the person may prudentially serve in either an Employee or a Covered Volunteer without posing a threat to minors, vulnerable adults, or to the parish/school at large;
 - ii. the VIRTUS Online account of the person in question is appropriately flagged as "CAUTION;"
 - iii. a note is inserted on the VIRTUS Online account of the person in question stating, "Contact the Director of Child & Youth Protection for the Roman Catholic Diocese of Tulsa & Eastern Oklahoma before placement in ministry or employment."

Per the Policies, there may be no exception to this list of disqualifying offenses unless written permission is given by the Office of the Chancellor & In-House Counsel for the Diocese.

- 3.3 **Policies & Procedures:** As part of the application, the applicant is required to acknowledge he or she has read, understood, and agreed to adhere to the applicable standards of the Policies available online on the diocesan website under Child & Youth Protection.
- 3.4 **Code of Ethics Agreement:** As part of the application, the applicant is prompted to read the required documents. The applicant is mandated to acknowledge he or she has read, understood, and agrees to adhere to the *Code of Ethics Agreement: Child & Youth Protection & General Conduct* available online in VIRTUS.
- 3.5 **Reporting Procedures for Suspected Abuse and Neglect:** Applicants will also be requested to read, understand, and agree to the *Quick Reference Guide: Reporting Procedures for Suspected Abuse and Neglect* available online in VIRTUS.
- 3.6 **Background Questionnaire:** As part of the application, the applicant is required to answer the Background Questionnaire available online in VIRTUS.
- 3.7 **Child & Youth Protection Education:** The applicant is required to participate in training concerning sexual abuse and complete any required materials.
- 3.8 **Responsibility:** It is essential that all pastors, school principals, Local Administrators, and other pertinent leaders ensure that every Employee and Covered Volunteer under their direction or supervision is in compliance with all Child & Youth Protection Requirements and any and all requirements in the Policies.
- 3.9 All the requirements in this Section 3 shall be known as the “Child & Youth Protection Requirements.”
- 4. Screening a Candidate to be a New Employee**
- 4.1 No applicant may engage in any Church related work or activity in any capacity until the Local Administrator confirms the completion of all Child & Youth Protection Requirements and informs the pastor, principal, or equivalent leader.
- 4.2 All applicants are recommended to complete an *Employment Application Form* available on the diocesan website or by contacting the diocesan HR Partner.
- 4.3 It is recommended a formal face-to-face interview be conducted.
- 4.4 Eligibility for employment is contingent upon a satisfactory background investigation. If, in the screening, there are any affirmative responses on the Background Questionnaire or questionable information in the criminal background check, the applicant shall not be approved unless a sufficient inquiry is made regarding the concern. Once the results of the background check investigation are obtained, they are to be compared against the disqualifying offences list. The Pastor and/or Principal is to be notified and the account is

to be flagged. The applicant shall not be approved unless permission is given by the Office of the Chancellor & In-House Counsel for the Diocese.

4.5 Those hiring should also consult the *Diocesan Personnel Handbook* or the diocesan HR Partner for any questions.

4.6 Applicants transferring from another diocese using VIRTUS may have their account and training transferred here. Transferred training will be considered providing it was completed in the last five (5) years.

5. Screening a Candidate to be a Covered Volunteer

5.1 No applicant may volunteer in any capacity until the Local Administrator confirms the completion of all Child & Youth Protection Requirements and grants permission to the applicant to volunteer in the parish.

5.2 Eligibility for volunteering is contingent upon a satisfactory background investigation. If, in the screening, there are any affirmative responses on the Background Questionnaire or questionable information in the criminal background check, the applicant shall not be approved unless permission is given by the Office of the Chancellor & In-House Counsel for the Diocese.

5.3 All entities may establish additional standards for applicants, such as: submission of resumes, references, or interviews, etc., if such additional standard do not conflict with these Policies or any other diocesan policy.

5.4 Applicants transferring from another diocese using VIRTUS may have their account and training transferred here. Transferred training will be considered providing it was completed in the last five (5) years.

6. Renewal of Child & Youth Protection Requirements for Clergy, Employees, and Covered Volunteers

6.1 Every five (5) years, Personnel (i.e., clergy, Employees, and Covered Volunteers) shall confirm they have read and understand the Code of Ethics, and the *Quick Reference Guide: Reporting Procedures for Suspected Abuse and Neglect*; they shall also complete the *Background Check Questionnaire*.

6.2 Every five (5) years, Personnel shall submit and complete a background check through the VIRTUS online interface. If, in the screening, there are any affirmative responses on the Background Questionnaire or questionable information in the criminal background check, the applicant shall not be approved unless written permission is given by the Office of the Chancellor & In-House Counsel for the Diocese.

6.3 Every five (5) years, Personnel shall participate in Child & Youth Protection Education.

- 6.4 Continued eligibility for employment or volunteer work and/or ministry is contingent upon completing the re-screening requirements *before* the five-year anniversary date and upon a satisfactory background investigation.
- 6.5 Personnel transferring from one entity subject to these Policies to another need not undergo renewals prior to the five (5) year term unless some local entity policy applies.
- 6.6 Background checks received from outside the Diocese (or entities participating in these Policies) is not sufficient and does not count toward the child and youth protection requirements under these Policies.

7. Employees or Covered Volunteers Driver Application

- 7.1 All Employees and those Covered Volunteers who drive shall adhere to the policies and procedures in the *Employee & Covered Volunteer Driver Application*.

8. Child & Youth Protection Education

- 8.1 The Diocese is committed to the prevention of child abuse and to identify and address child abuse once it has occurred. By raising the awareness and understanding of the issue of abuse among priests, deacons, religious, staff members, volunteers, and other adults who work with or have contact with children who are associated with the Diocese, and by increasing their knowledge and ability to address 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 become empowered to report abuse and encourage an environment that allows children to communicate any potential endangerment.
- 8.2 **Purpose and Objective:** Through both initial and ongoing education, the Diocese will provide specific training in the prevention, recognition, and reporting of child abuse. The objective of these programs will be accomplished through educational programs, such as seminars, workshops and meetings, provided by the Diocese and completed by all Employees and Covered Volunteers as defined herein.
- 8.3 **Child & Youth Protection Education for Adults:** Every Employee and Covered Volunteer must undergo the initial education as described above in the Child & Youth Protection Requirements (§ II.3.7).

Child & Youth Protection education includes, but is not limited to, the following subjects:

- Appropriate boundaries and established prohibitions in ministry;
- Nature of the problem of child abuse;
- Signs and symptoms of child abuse;
- Laws, policies, and procedures to report child abuse allegations;
- Policies and procedures to prevent child abuse by Employees or Covered Volunteers or any others who come into contact with children;

- Policies and procedures to prevent child abuse on any Church-owned property or at Church-sponsored events and activities;
- Types of disclosure and how to respond appropriately;
- Policies and procedures to respond to allegations of child abuse;
- Policies and procedures for reporting child abuse allegations;
- Conversations between parents and children regarding a child's personal safety; and,
- Strategies for protecting children from potential abuse.

Opportunities for adult education may be completed by participating in online Protecting God's Children training in VIRTUS.

Monthly on-going education through reading bulletins issued by VIRTUS is provided for all: priests, deacons, school employees, local administrators, and leaders of parish religious education and youth ministry programs.

Other opportunities for education may include instruction for those who minister to the homebound, elderly, and otherwise vulnerable adult population. These opportunities are available upon request.

- 8.4 **Child & Youth Protection Education for Children and Youth in Parochial Schools and Religious Education Programs:** With the assistance of their Local Administrator, Principals, Directors/Coordinators for Religious Education and Youth Ministry Leaders will ensure that Empowering God's Children abuse prevention education training is conducted at both the elementary (K–6th grade) and middle/secondary (7th–12th grade) levels.

Empowering God's Children shall be conducted twice per year, every year, to children in all grades of every diocesan school, as well as to all children participating in parish religious education and youth ministry programs. The education shall take place no later than November during the first semester and April during the second semester. Education schedule and material will be made available by the Office of Child and Youth Protection.

Children shall attend scheduled training that includes, but is not limited to, the following subjects:

- Basic safety skills;
- How to report any behavior that makes them feel uncomfortable;
- Importance of reporting if inappropriate or unwanted actions are directed to self or others; and
- Recognition of dangerous and abusive situations;
- Appropriate and inappropriate physical contact and other interpersonal boundary violations;
- Ability to say "no" to unwanted situations;
- Ability to identify trusting adults with whom to report;

- Importance of reporting if inappropriate or unwanted actions are directed to self or others; and
- Recognition that abusive situations are never the fault of the child.

9. Duties & Expectations of the Local Administrator

- 9.1 **Ensuring Local Compliance:** The pastor, principal, or equivalent leader shall appoint a Local Administrator who is responsible for using their administrative access within VIRTUS online to monitor who has or has not completed the Child & Youth Protection Requirements. This person must complete all Child & Youth Protection Requirements before requesting administrative access to VIRTUS from the Office of Child & Youth Protection. The name and contact information of the appointed local administrator shall be communicated in writing by the pastor, principal, or diocesan leader to the Office of Child & Youth Protection. The Local Administrator should assist the pastor, principal, or equivalent leader in establishing local policies and procedures that ensure that only those who have completed the Child & Youth Protection Requirements are eligible for employment or to volunteer.

All newly appointed local administrators shall attend a training orientation with the Director of Child & Youth Protection. Yearly in-service meetings and workshops are recommended.

- 9.2 **Cultivating a Safe Environment:** In acknowledgement of the principle of subsidiarity, the best way to provide a Safe Environment for minors in the local community is through those serving in leadership in the local community. Local Administrators should view themselves as the front line of making all reasonable efforts to cultivate a Safe Environment. Background checks and online training sessions alone do not *make* someone safe. The Local Administrator, under the direction of their supervisor, should always be vigilant and aware of the people and communities they serve.
- 9.3 **Assisting in the Registration Process:** The Local Administrator is charged with assisting those individuals who present themselves to complete Child & Youth Protection Requirements. The Local Administrator should make available the *VIRTUS Registration Instructions* provided by the Office of Child & Youth Protection and respond to those who have questions about registration and who need assistance in navigating the VIRTUS website.
- 9.4 **Maintaining Confidentiality:** In the course of fulfilling his or her duty, the Local Administrator may have access to an applicant's confidential information. Local Administrators are held to the highest standards of professionalism and must hold in confidence all private information made known to them pursuant to the reporting procedures of the Diocese.

9.5 **Monitoring Child & Youth Protection Compliance:** Any adult who anticipates working with children or youth in the Diocese must complete the Child & Youth Protection Requirements, which must be completed prior to employment or volunteering.

9.6 **Yearly Audit Preparation:** The Local Administrator prepares and is responsible for the annual safe environment audit.

10. Filing & Record Requirement

10.1 **Confidentiality of Files:** Given the nature of the documents to contain confidential or sensitive information, access to the files shall be limited to the Local Administrator and those individuals delegated by the local Priest, Principal, or other diocesan leader. Though hardcopy files are not mandatory, any existing hardcopies shall be stored in a locked and secure location. Clergy files shall be handled separately and in accordance with Canon Law. See *CIC*, cc. 384, 486, 487.

10.2 **Document Retention:** The VIRTUS online interface automatically and permanently files and stores the completed documents. Paper copies need not be retained unless they are unavailable in VIRTUS.

10.3 **Master Record of Child & Youth Protection Requirements Statistics:** The VIRTUS online interface is used to keep a Master Record of all Employees and Covered Volunteers who have completed the Child & Youth Protection Requirements. All Master Records shall be kept current as personnel are removed or added. All schools and other Church entities will be subject to an annual audit of their Master Record for accuracy and completeness. The completion and maintenance of an accurate Master Record will be the responsibility of the Local Administrator under the Pastor, Principal, or other diocesan leader.

10.4 **Master Record of Child & Youth Protection Education for Children Statistics:** The parish and school shall also keep a record of the number of children trained. The VIRTUS Educator tab is used to keep a Master Record of the number of minors who have undergone the Child & Youth Protection Education for Children. Said Master Record must be updated twice a year in accordance with the provisions above. See § 8.4 above.

10.5 **Use of Information:** The Diocese may not use information from the criminal records, juvenile records, or sexual misconduct registry information of a person obtained through this process for any purpose other than determining the fitness of that individual for work or volunteering within the Church. The results of the screening process will be communicated confidentially to the pastor, principal, or equivalent leader by the Director of Child & Youth Protection.

11. Standards of Conduct

Every pastor, principal, and equivalent leader is ultimately responsible to ensure that each parish and agency of the Diocese adheres to the Child & Youth Protection Requirements,

all other standards in the Policies, and to the *Code of Ethics Agreement: Child & Youth Protection & General Conduct*.

12. Office of Child & Youth Protection Support

- 12.1 The Office of Child & Youth Protection exists to support and serve the Local Administrators and their supervisors in their effort to provide a Safe Environment for minors. Questions about the Child & Youth Protection Requirements should be directed to the Director of Child & Youth Protection for the Diocese. Technical questions regarding the VIRTUS online interface should also be directed to the Director of Child & Youth Protection.
- 12.2 Support visits shall be made by the Director of Child & Youth Protection in-person or virtually no less than every three (3) years to assist Local Administrators with the responsibility of adhering to the requirements of the *Charter* and other diocesan policies. The *Diocesan Self-Insurance Support Checklist* will be used during the visit. Additional visits will be scheduled on an as-needed basis.
- 12.3 The Bishop of the Diocese, in his sole discretion, reserves the right, to audit any entity that adheres to these Policies regarding their compliance to these Policies.

III. ADMIN PROCEDURES FOR RESPONDING TO ABUSE ALLEGATIONS

1. Introduction

- 1.1 **Purpose & Scope:** It is the intent of the Diocese that all allegations of Abuse against a minor by clergy or other personnel subject to these Policies shall be dealt with in accordance with the norms prescribed herein, with civil law, and with the requirements set forth in the *Charter*, *Norms*, *VELM*, SST, and any other legislative texts promulgated by the Holy See.
- 1.2 **Confidentiality & Innocence:** In both civil and canon law, persons accused of crimes are presumed innocent until proven guilty. “As c. 1321 § 1 expressly stipulates: “Any person is considered innocent until the contrary is proved.” Persons have a basic right to privacy and to enjoy his or her good reputation without harm (c. 220). The canons on the Preliminary Investigation include a direct provision “care must be taken so that the good name of anyone is not endangered” (c. 1717.2). All the proceedings prescribed in this document are of the highest confidential nature (c. 1719; *Norms* § 6). “An obligation of silence about the allegations cannot be imposed on the one reporting the matter, on a person who claims to have been harmed, and on witnesses” (*VELM*).

2. Procedures for Addressing Allegations for Diocesan Administration

- 2.1 **Specific Procedures:** SST, *VELM*, Code of Canon Law and any other legislative texts promulgated by the Holy See may provide specific and controlling procedures pursuant to whether the accused is a cleric, whether the cleric is a bishop, or whether the alleged abuse is sexual. In all such cases, the specific procedures provided therein would control over the

general procedures set forth below. The general procedures, however, may also serve as a supplement and auxilium to the specific procedures on certain matters that are left to the discretion of the local ordinary or that must be particularized for our local church, i.e., Diocese.

2.2 **General Procedures:** In addressing an allegation of Abuse of a minor, the Diocesan Administration should consult these general guidelines in addition to any specific procedures (§ III.2.1) as application to the nature of the allegation. In sum:

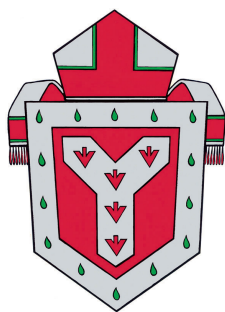
- A. **Receipt of Allegation of Abuse:** Oklahoma law states: “Every person having reason to believe that a child under the age of eighteen (18) years is a victim of abuse or neglect shall report the matter immediately to the Department of Human Services.” If the allegation is subject to mandatory reporting law of Oklahoma, the Vicar General, Chancellor, or Director of CYP should either make the report—in good faith and due care—or request whether a report was already made (i.e., DHS case number) Moreover for canonical inquiry, it should be determined whether the allegation of Abuse constitutes a *notitia de delicto* (i.e., *notitia criminis*), that is knowledge of a delict by a cleric subject to the process established in the Code of Canon Law (Preliminary Investigation, cc. 1717-1731, SST, 16, cf. *VELM*). Allegations against the diocesan bishop are addressed pursuant to *VELM*.
- B. **Victim Assistance Coordinator:** After DHS is notified the diocesan Victim Assistance Coordinator is contacted to coordinate outreach that may include counseling, spiritual assistance, and other social services.
- C. **Pastoral Response:** The Diocese has a “victim-centered approach” that should be expressed through pastoral care for the alleged victim and his or her family. The Diocese may offer professional counseling to the alleged victim and his or her family. The Diocese may also form a “Pastoral Team” of qualified individuals who, not being involved in the investigation, offer pastoral support to a community affected by an allegation of abuse. The Diocese will also offer pastoral support to the accused and, if a cleric, such efforts will be overseen by the Vicar for Priests.
- D. **Committee:** The committee to assist the Bishop with addressing any allegation of Abuse shall be: the Vicar General, the Chancellor (as legal counsel), the Director of CYP, canonical counsel, and any other pertinent party given the circumstances as determined by the Bishop.
- E. **Standard of Review:** Once the *notitia* is received, the committee shall assist the Bishop in determining whether the allegation is *saltem verisimilis* (i.e., bears the semblance of truth). Allegations which fail to meet this initial standard (for instance, the very plausibility proves unfounded) may not require further investigation (c. 1717§ 1). Omitting the preliminary investigation should occur only given the “manifest impossibility of the commission of a delict according to the norms of canon law.” The “semblance of truth” standard shall be adopted and applied to all allegations, clerical or lay, under these Policies.

- F. **Preliminary Investigation:** If an allegation against a cleric, a religious, or a lay person who holds an ecclesiastical office fails to meet the standard of a “semblance of truth,” then no preliminary investigation is necessary (c. 1717 § 1; *VELM*). If it does meet the standard, then the Bishop should open and conduct a “preliminary investigation” pursuant to the procedures under canon law (c. 1717). The Bishop shall issue a decree opening the Canonical Preliminary Investigation and appoint a suitable person (cf. 1717§ 1 and c. 1719) . This person is disqualified from acting as judge in the subsequent penal process (1717§3). For lay persons who *do not* hold an ecclesiastical office, then a similar investigation shall occur subject to legal, HR, or similar guidelines. In any case, the Bishop may determine whether to hire an outside investigator to assist with the investigation. Any investigation shall not, under any circumstances, hinder the investigations of law enforcement or of DHS.
- G. **Notification & Precautionary Measures:** The Bishop, in consultation with the committee, has the particularly sensitive task to decide if and when to inform the person subject to the allegation. In this regard, there is no uniform criterion or explicit provision in law. Certain precautionary measures may be imposed in certain circumstances. These are not to be canonical penalties. Instead, an accused may be asked to refrain from exercising sacred ministries and offices and even to avoid or to compel residence in a certain place to prevent scandal, to protect the freedom of witnesses, and to guard the course of justice (c. 1722). Such precautionary measures should be imposed by a singular precept legitimately made known (cc. 49, 1319). There should be some attention that if the accused is a cleric that he does not lack what is needed for his basic support (cc. 280.2, 1350.1). Accused who are not subject to these canons shall be subject to analogous provisions under legal and HR.
- H. **Risk Management:** The Chancellor, as legal counsel, shall keep outside diocesan legal counsel and insurance updated on the overall pastoral and administrative response as warranted.
- I. **DRB Accountability:** The Chancellor or delegate shall promptly contact the Chairperson of the Diocesan Review Board (“DRB”) in accordance with the *Diocesan Review Board Policy*. The Bishop may determine whether the DRB is to be notified and consulted on allegations outside the scope of the *Charter*, i.e., concerning a lay perpetrator.
- J. **Representation:** For clerics, religious, and lay persons with ecclesiastical offices, during the preliminary investigation, “it is not obligatory to name an official advocate for him;” however, “if he considers it helpful... he can be assisted by a patron of his choice.” If the accused desires an advocate, the Diocese will pay reasonable expenses for the canonical representative. An accused cleric may seek his own civil legal counsel independent of that of the Diocese, at his own expense, but said counsel is not afforded any canonical standing or permitted any right to interfere in the preliminary investigation of the Diocese.

K. **Communications:** Communicate to the local entity affected, the Diocese, and the general public in an open and transparent manner, if applicable, about the allegation while respecting the privacy and reputation of the individuals involved (*Charter*, Art. 7; *Norms* § 6).

L. **Conclusion & Accountability:** If the accused is a cleric, religious, or lay person with ecclesiastical office, the preliminary investigation is concluded pursuant to canon law (c. 1717). Once the preliminary investigation is completed and if the case bears the resemblance of truth, the Bishop is to report the outcome of the investigation to the Dicastery of Doctrine of the Faith for further instructions (*Essential Norms* and *Praedicate Evangelium*). The report shall be presented to the Diocesan Review Board summarizing the pastoral and administrative response of the diocese to the sexual abuse allegation. The Bishop shall receive in turn written recommendations from the Board. See *Diocesan Review Board: Policy & Operating Guidelines*. A record of the preliminary investigation is archived according to c. 1719.

2.3 **Applicability to Other Allegations:** “In cases of improper and imprudent conduct, even in the absence of a delict involving minors, should it prove necessary to protect the common good and to avoid scandal” the Bishop may elect to invoke the committee mentioned herein and apply these general procedures—along with the pertinent canon law—to violations against the sixth commandment by clerics not involving minors.



SAFE ENVIRONMENT AUDIT: ANNUAL DUTIES & PROCEDURES

1. Introduction

- 1.1 In adherence to the *Charter for the Protection of Children and Young People*, the Diocese is committed to maintaining safe environment programs in accord with “Catholic moral principles” (*Charter*, Art. 12). The Diocese works “with parents, civil authorities, educators, and community organizations to provide education and training for children, youth, parents, ministers, educators, volunteers, and others about ways to make and maintain a safe environment for children and young people” (*Charter*, Art. 12).

The Diocese evaluates the background of all incardinated and non-incardinated priests and deacons, all diocesan, parish and school personnel and volunteers who come in contact with children in accordance with the *Charter*, Art. 13.

To reasonably achieve these goals, each year the Chancery audits the safe environment practices of the parishes, schools, and other Catholic institutions. The annual audit information is then shared with the USCCB and a third-party auditing firm. In addition, every three years an onsite audit is conducted, in which the auditors come to the Diocese and conduct a holistic audit. In both the annual audit and the triennial onsite audit, the auditors will make a formal finding of whether the Diocese is in compliance with the *Charter*.

- 1.2 The Bishop of the Diocese, in his sole discretion, reserves the right to have audited at any time any and all entities that adhere to these Policies.
- 1.3 The purpose of this document is to give a general description of the policies, procedures, duties, and expectations of the annual Safe Environment Audit. Diocesan entities are mandated to participate in the annual audit. The Director of Child & Youth Protection, an employee of the Chancery, oversees the Safe Environment Audit.

2. Preparation for the Safe Environment Audit

- 2.1 The parish or other diocesan entity shall keep the Master Record of all Employees and Covered Volunteers who have completed the Child & Youth Protection Requirements in the VIRTUS online system (See, *General Policies & Procedures of Children & Young People*, II.10.3).

In general, Child & Youth Protection Requirements statistics should include:

- A. Total number of people required to comply with Child & Youth Protection Requirements.
- B. Total number of people who completed Child & Youth Protection Requirements.
- C. Total number of people who need to complete Child & Youth Protection Requirements.

- 2.2 The parish and school shall keep a record of the number of children trained each year. The data shall be recorded directly under the Educator tab in VIRTUS by the local administrator, or his/her designee. Data for the first semester shall be recorded no later than December 1 and data for the second semester no later than May 1, unless otherwise communicated by the Office of Child & Youth Protection (See, *General Policies & Procedures of Children & Young People*, II.8.4 and II.10.4).

In general, Child & Youth Protection Education for Children statistics should include:

- A. Number of Children who regularly attend Catholic School and/or Religious Education Classes K-8.
- B. Number of Children who attend Empowering God's Children Classes K-8.
- C. Number of Youth who regularly attend Catholic School and/or Religious Education Classes 9-12.
- D. Number of Youth who attended Empowering God's Children Classes Grades 9- 12.
- E. Number of Children who parents declined having their children attend the Empowering God's Children Classes.
- F. Parents who have signed the OPT out form and are on file in the Parish.
- G. Number of Parents who have been offered and received copies of the lessons to teach at home.

- 2.3 The official third-party auditing company of the USCCB sets the requisite parish statistics by releasing a new Safe Environment Audit Form each year. The form is typically released by June 1 each year. Please note the Chancery relies on the release of these forms to begin the annual Safe Environment Audit. The required information and questions presented to the parishes and other diocesan entities is subject to minor revisions on an annual basis. No parish or diocesan entity should submit their Safe Environment Audit information until the new forms have been received and released by the Chancery.

3. Distribution of the Annual Safe Environment Audit Packet

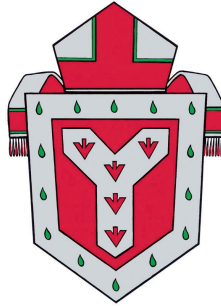
- 3.1 Once available, the Office of Child & Youth Protection at the Chancery will email the updated Safe Environment Audit Forms to the parishes and other diocesan entities. The Annual Safe Environment Audit Forms is generally available in the month of May.
- 3.2 Once available, the current year forms will also be placed on the diocesan website. Forms from previous audit years are not in compliance with current USCCB standards and cannot be accepted.

4. Submission Requirements of the Annual Safe Environment Audit Packet

- 4.1 The deadline for the Annual Safe Environment Audit is June 30th unless otherwise communicated by the Director of Child & Youth Protection. Parishes, schools, and other diocesan entities are encouraged to incorporate this date into their annual calendars.
- 4.2 Submitted Annual Safe Environment Forms are required to have the signature of the Pastor, the Principal, or other diocesan leader. The signature requirement is a mandate from the national auditors. Any forms submitted without a signature are not in compliance and cannot be accepted.

5. Chancery Support

Please direct any questions to the Director of Child & Youth Protection at the Chancery.



POLICIES & PROCEDURES FOR THE PROTECTION OF CHILDREN & YOUNG PEOPLE STATEMENT OF CONSENT & UNDERSTANDING

I hereby represent that I have received, read, and understand the *Policies & Procedures for the Protection of Children & Young People* of the Diocese of Tulsa, and I agree to strictly adhere to and actively support these policies as a condition of my employment or appointment.

I specifically understand that an investigation into my background may be conducted by the Diocese of Tulsa or by a parish, agency or department of the Diocese of Tulsa as a condition of employment, appointment or retention for which I am being considered. Accordingly, I hereby consent to the release of otherwise confidential information and records concerning me by any government or law enforcement agency, and by any former employer or supervisor with or for whom I have been employed, to the Diocese of Tulsa, or any parish, agency or department thereof, to be used in considering my fitness for employment, appointment or retention. It is understood that such information shall be treated by the Diocese, its parishes, agencies and departments as strictly confidential, and shall be used only for the purpose of considering my appointment, employment or retention. It is further understood that this consent is not intended to permit or include the release of any records or information obtained or compiled by any attorney, physician, counselor or other health care professional in the course of performance of any professional services for or on my behalf.

These Policies are attested to via the VIRTUS Online platform.

End of Policy

January 8, 2024
Baptism of the Lord