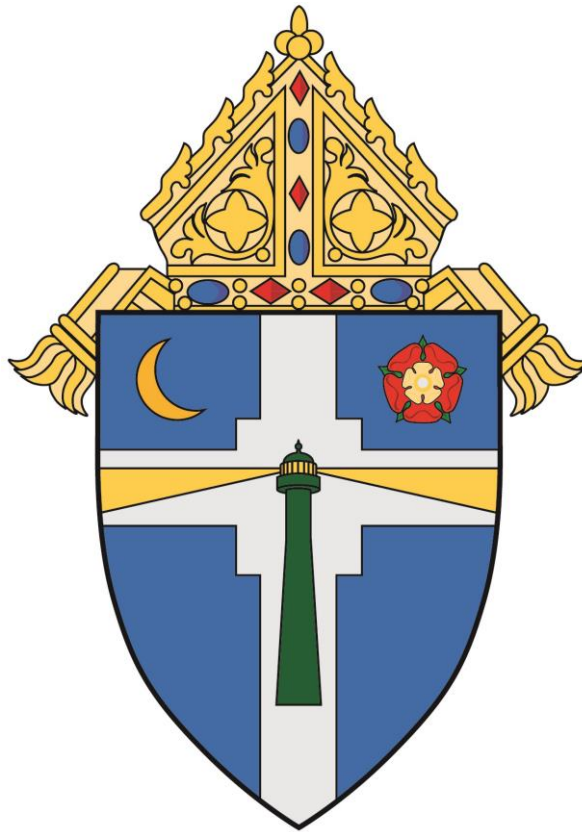


The Catholic Diocese of
Victoria in Texas



**Code of Pastoral Conduct
and
Policy Regarding *Sexual Abuse* of Minors
Handbook**



The Catholic Diocese of Victoria in Texas

Name: _____

Training Location: _____

Date of Attendance: _____

Name of Facilitator: _____

La traducción a español de este documento se encuentra disponible en la página de internet www.victoriadiocese.org

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The Catholic Diocese of Victoria in Texas

1505 E. Mesquite Lane Victoria, Texas 77901 361-573-0828

Office of the Bishop

July 1, 2023

Dear Sisters and Brothers in Christ:

In the summer of 2003, the Diocese of Victoria promulgated a groundbreaking program for the protection of children, youth, and adults. Under the guidance of the bishop, a group of professionals developed a safe environment program that recognized and proclaimed that the Church must first be a protector of all God's children. Our diocesan Safe Environment program was born of the Catholic belief that we are each called to protect those who are most vulnerable.

As Bishop of the Diocese of Victoria, I am committed to ensuring that all who serve in ministry in our parishes and schools do so with the strongest moral values and integrity. In doing so, we become active protectors of minors and the vulnerable from preventable harm. Agents of the Church, including volunteers working in any ministry, program, or organization that serves minors and vulnerable adults in any manner, or which functions at a time and place where minors are typically present, at any parish, Catholic school, or diocesan location, are required to maintain Safe Environment compliance.

Safe Environment compliance consists of two components: the submission of an online application/background check, which permits the diocese to run a background check or fingerprint checks in the case of school employees; and participation in a Safe Environment Training every three years. Additional information may also be found on the diocesan website.

Our Safe Environment Children's program also provides age-appropriate and doctrinally-sound education to our youth. Education of our young people strengthens them by providing tools for them to use as they mature into strong, healthy members of our church family.

As you participate in this process, you join more than 30,000 people in our diocese who have made a commitment to ensure the safety of children and vulnerable people in our parishes and Catholic schools. I am grateful for the many ways you live your baptismal call by offering your time and gifts to the service of God's people. It is through the efforts and collaboration of priests, deacons, religious men and women, employees, lay ministers and volunteers that we are able to serve those who are entrusted to us and to lead them in the ways of faith.

Let's keep each other in prayer.

Most Reverend Brendan J. Cahill, S.T.D

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A. Safe Environment

“SE” is the acronym used in these policies to refer to “Safe Environment.”

B. Diocese or DOV

The term “Diocese” or “DOV” means the Catholic Diocese of Victoria in Texas.

C. Policies or Policy

The terms “policies” or “policy” refer to these Safe Environment policies.

D. Agents of the Church

The following are included in the definition of “Agents of the Church”:

1. Priests and Deacons (Clergy) include:

- a. Clergy incardinated in the Diocese of Victoria;
- b. Clergy who are members of religious institutes or in other forms of consecrated life, and who are assigned to pastoral work in the diocese or who are otherwise engaged, with the Bishop’s consent, in the care of souls, the public exercise of divine worship, or other works of the apostolate in the diocese (c. 678);
- c. Clergy of other dioceses who the Bishop assigns to pastoral work in this diocese; and
- d. Clergy residing within the boundaries of the diocese, with the consent of the Bishop, including retired clerics and those who engage in part-time or supply ministry.
- e. Clergy seeking incardination into the DOV.

2. Seminarians, Deacon Aspirants or Candidates, and Religious include:

- a. All men enrolled in the seminary program of the DOV;
- b. All men enrolled in seminary programs of religious orders and who are temporarily serving in ministry in the diocese;
- c. All men enrolled in the permanent diaconate formation program of the diocese;
- d. Members of religious institutes, societies of apostolic life, or secular orders and movements engaged in the care of souls, the public exercise of divine worship, or other works of the apostolate (c. 678), legitimately operating in the diocese or living in the diocese as a retired religious, and continue to engage in part-time ministry or supply ministry;
- e. Transitional deacons and permanent deacons with canonical faculties to function in this diocese;
- f. Hermits and consecrated virgins legitimately residing within the diocese.

3. Lay Church Personnel (Laity) include:

- a. Paid employees;
- b. Independent contractors, including their employees and sub-contractors, that may provide their service at a time or place where minors are typically present; and
- c. Volunteers in any ministry, program or organization that serves minors and vulnerable adults in any manner, or which functions at a time and place where minors and vulnerable adults are typically present.

E. Minor

Minor means any person under the age of 18.

F. Vulnerable adult

For the purpose of the SE policy, from this point forward, vulnerable adults will be included in any “minor” verbiage/reference.

Persons 18 years of age or older who:

- habitually lack the use of reason, who are uniquely vulnerable to abuse because of physical or mental disabilities, and/or
- because of physical, mental, developmental, emotional or cognitive impairment, or the effects of recent life experiences are presently unable to exercise a reasonable adult’s degree of physical or emotional independence or mental insight and judgement,

Visit the Texas Council for Developmental Disabilities website <http://tcdd.texas.gov/> for the full definition of developmental disability.

G. Misconduct

Misconduct includes, but is not limited to, the behaviors noted below:

1. **Immoral conduct:** Conduct that is contrary to the discipline and teachings of the Roman Catholic Church and which may result in scandal to the faithful or harm to the ministry of the Roman Catholic Church. Agents of the Church are expected to act in ways, which promote the best interest of the organization. They are not to engage in, directly or indirectly, either on or off the job, in any conduct which is disloyal, disruptive, damaging to the organization, or contrary to the teachings of the Roman Catholic Church. **Refer to page 35 for reporting process.**
2. **Harassment:** The illegitimate and offensive use of power where the purpose or the effect is to create a hostile, intimidating, or offensive work environment.
 - a. Physical Harassment: Includes unwanted physical touching, contact, assault, deliberate intimidating interference, including impeding or blocking movements with normal work or movement.
 - b. Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.
 - c. Verbal Harassment: Includes derogatory comments, jokes, or slurs towards an employee. This can also include belligerent or threatening words spoken to an Agent of the Church.
 - d. Visual Harassment: Includes derogatory, demeaning, or inflammatory posters, cartoons, written words, drawings, novelties, or gestures.
3. **Exploitation:** Taking advantage of a person or relationship for the self-serving benefit of the service or ministry provider.
4. **Boundary Violations:** A set of behaviors concerning role, time, place, space, money, gifts, services, clothing, language, self-disclosure and physical contact. Diocesan guidance is clear that Agents of the

Church must not use their positions to establish or pursue a sexual or improper emotional relationship with a minor; they must treat minors with dignity and must protect minors from risk of harm posed by the conduct of another Agent of the Church. The safety of minors is paramount. If one has concerns about an Agent of the Church, it is necessary to immediately report it to the proper chain of command.

5. **Grooming:** An act of deliberately establishing an emotional connection with a minor to prepare the minor for abuse. “Grooming” is undertaken usually to carry out sexual abuse and/or other exploitation such as human trafficking, prostitution and pornography.

H. Abuse

Abuse includes, but is not limited to, the behaviors noted below:

1. **Abuse:** Abuse includes physical abuse, sexual abuse, and emotional abuse. **Refer to page 39 for reporting procedures.**
2. **Sexual abuse:** Any contact of a sexual nature that occurs between an adult and a minor or between adults in a relationship where one party takes sexual advantage of the other, which is intended to produce sexual stimulation of the perpetrator. This includes, but is not limited to, sexual exploitation, sexual assault, fondling, making a minor watch sex acts or pornography, sexual physical contact, or using a minor in any aspect of the production of pornography. Sexual abuse also includes a minor who exerts power over another minor.
3. **Physical abuse:** Any non-accidental injury or trauma, by way of bodily contact, that is intentionally inflicted upon a person.
4. **Emotional abuse:** Any mental or emotional injury that results in an observable and material impairment in the person’s growth, development, or psychological functioning.
5. **Neglect:** The responsible person’s failure to provide for a person’s basic needs, or the failure to protect a person from harm.
6. **Child Pornography:** Agents of the Church will NOT possess, intentionally access, download or distribute child pornography. “Child Pornography” means any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where—the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; or such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

Principles of Safe Environment and the Diocesan Code of Conduct

Relationships among people are a foundation of Christian ministry and are central to Catholic life. Defining healthy and safe relationships is not meant to undermine the strength and importance of personal contact or the ministerial role. Healthy and safe relationships assist those who hold positions in the Church to demonstrate their love and compassion for children and adults in the most sincere and genuine relationships.

It is the intention of the diocese that relationships in ministry be experienced at all times as charitable and without intention to do harm or allow harm to occur. Therefore, the following Code of Conduct has been adopted. Agents of the Church are asked to carefully consider each standard in the code and within these policies before agreeing to adhere to the standards and continue in service to the diocese.

Code of Conduct

Those *who serve in ministry* in the DOV will, in their ministry and personal lives:

- exhibit the highest Christian ethical standards and personal integrity;
- conduct themselves in a moral manner that is consistent with the discipline, norms and teachings of the Catholic Church;
- support an environment that is free from harassment and does not take advantage of counseling, supervisory, or authoritative relationships;
- provide a professional work environment that is free from physical, psychological, written, or verbal intimidation or harassment;
- not act in an abusive or neglectful manner;
- avoid taking unfair advantage of a relationship for the benefit of themselves;
- accept their personal responsibility in the protection of minors from all forms of abuse;
- adhere to the requirements of the laws of the State of Texas regarding the reporting of any suspected/known abuse of a minor;
- share concerns about suspicious or inappropriate behavior with their pastor, their principal, the vicars general, the Superintendent of Catholic Schools, or the bishop; and
- follow the diocesan policies regarding SE.

Guidelines for Ethical Behavior and Integrity in Ministry

Agents of the Church enjoy a public trust and confidence. It is essential that they view their own actions and intentions objectively to assure that no observer has grounds to believe that immoral conduct exists. They have a responsibility to strive to uphold ethical behavior in their day-to-day work and personal lives. This expectation of ethical behavior exists for both “in person” and “virtual” interactions (which would encompass online, electronic communications, and social media).

A. Definitions

1. **“Ethical behavior”** is behavior that is consistent with the morals and teachings of the Catholic Church. It is fundamental to the mission of the diocese that Agents of the Church exhibit the highest ethical behavior.
2. **“Integrity”** is characterized by honesty, soundness of judgment and sincerity of manner. Agents of the Church are expected to maintain a high standard of integrity and an environment free from harassment.
3. **“Scandal”** is an attitude or behavior which leads another to do 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).

B. Prohibited Conduct

Agents of the Church may not engage in unethical or immoral conduct (or that which gives the appearance of such), and should report unethical or immoral conduct by those with whom they work. Examples include, but are not limited to:

- intimidation;
- harassment (including, but not limited to racial, ethnic, religious or gender/sexual-based insults, jokes, slurs, or displays of offensive materials);
- exploitation;
- breach of confidentiality;
- conflict of interest;
- physical or emotional abuse or neglect;
- sexual advances, exploitation, or sexual abuse;
- actions which are disruptive to the ministry and public worship;

- procurement or participation in the procurement of abortion, committing homicide, or euthanasia;
- acquisition, possession and/or distribution of child and/or adult pornographic material;
- adultery, promiscuity or co-habitation;
- at any time, during the supervision of minors, possess or be under the influence of alcohol;
- pose health risk to others;
- humiliate, ridicule, threaten, or degrade;
- use profanity in the presence of minors;
- touch a minor in a sexual or other inappropriate manner;
- stealing or any other form of theft; including misappropriation of church/school funds
- assaultive behavior or fighting;
- may not harm the reputation of others by disclosing, without legitimate cause, the faults or failings of others to persons who have no cause to know them; or
- making false allegations against another.

C. Pastoral Standards

Conduct for Pastoral Counselors and Spiritual Directors

1. Pastoral counselors and spiritual directors must respect the rights and advance the welfare of each person.
2. Pastoral counselors and spiritual directors must not step beyond their competence in counseling situations and will refer clients to other professionals when appropriate.
3. Pastoral counselors and spiritual directors should carefully consider the possible consequences before entering into a counseling relationship with someone with whom they have a pre-existing relationship (e.g., employee, professional colleague, friend, or other pre-existing relationship).
4. Pastoral counselors and spiritual directors should not audiotape or videotape sessions.
5. Pastoral counselors and spiritual directors must never engage in sexual intimacies with the persons they counsel. This includes consensual and nonconsensual contact, forced physical contact, and inappropriate sexual comments.
6. Pastoral counselors and spiritual directors must not engage in sexual intimacies with individuals who are close to the client—such as relatives or friends of the client—when there is a risk of exploitation or potential harm to the client. Pastoral counselors and spiritual directors should presume that the potential for exploitation or harm exists in such intimate relationships.

7. Pastoral counselors and spiritual directors assume the full burden of responsibility for establishing and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships.
8. Counseling sessions should be conducted in appropriate settings at appropriate times.
 - a. No sessions should be conducted in private living quarters.
 - b. Sessions should not be held at places or times that would tend to cause confusion about the nature of the relationship for the person being counseled.
9. Pastoral counselors and spiritual directors will maintain a log of the times and places of sessions with each person being counseled.
10. Pastoral counselors and spiritual directors will comply with all state and federal laws regarding child pornography.
11. Pastoral counselors and spiritual directors will respect confidentiality set forth in their profession's code of ethics or other relevant document.

Guidelines for Work or Service in Ministry with Minors

Individuals who work or provide service in church/school ministry with minors **in relationship to any ministry, program, or organization that serves youth in any manner, or which functions at a time and place where minors are typically present must be SE compliant.**

1. This includes, but is not limited to: Catechetical Ministry, Youth Ministry, Catholic schools, homeschooling organizations that use church property or identify as a parish ministry, homebound ministry, hospital ministry, parish nursery, and Mother's Day Out or pre-school programs, liturgical ministries (e.g. Children's Ministry, Extraordinary Ministers of Holy Communion to the homebound/medical facilities, etc.), Societies of St. Vincent de Paul, parish or school-sponsored scout groups and other activities or programs for youth.
 - a. The pastor or principal may require additional ministries or organizations to this listing at the local parish or school.

A. Screening of Those Who Work or Serve in Ministry with Minors

A POTENTIAL "AGENT OF THE CHURCH" MAY NOT BEGIN A DOV POSITION WITHOUT APPROVED CLEARANCE by the OFFICE OF SAFE ENVIRONMENT and the local SE Site Administrator.

A potential Agent of the Church must adhere to the following SE Compliance guidelines:

1. Submission (one-time) of the SE online application/background check

- a. PRIOR to beginning a position with the DOV, an approved clearance of potential Agent of the Church must be received by the Office of Safe Environment and the local SE Site Administrator.
- b. Potential school employees (and others who are required, at the request of the pastor/principal, bishop, chancellor/other authorized individuals) must also submit to a fingerprint check. PRIOR to beginning a school employment (and/or other required) position with the DOV, the fingerprint check approved clearance by the Office of Safe Environment and the local SE Site Administrator must be received
2. The potential Agent of the Church **MUST** complete the one-time application/background check AND training session PRIOR to beginning school employment position.

The SE background/fingerprint check clearance, SE training compliance, and adherence to the Safe Environment Policy are required for continued employment in the DOV.

A person who is compliant upon background or fingerprint check clearance must complete the required SE training PRIOR to beginning employment and MUST remain compliant.

3. Without exception, **all Agents of the Church must submit an SE online application/background check**. This creates the applicant's SE account and permits the diocese to conduct a background check to include a criminal background check, arrest records check, abuse registry check, and driving record check (for the State of Texas or any other US state where the applicant has resided) for the purposes of employment or volunteer services.
 - a. The employment age for the DOV is 18 years of age.
 - b. Employees of companies that provide contract services (e.g., plumbers, building/HVAC repairs) are to be intermittently monitored when on parish or school property and are encouraged to be segregated from minors and, therefore, are not required to complete the SE process to provide such a service.
4. Applicants may not begin volunteer work or service in ministry with a minor without background/fingerprint check clearance AND training.

Applicants new to this diocese, wishing to serve in ministry here, must complete/submit the required Diocese of Victoria SE online application/background check.

- a. Misrepresentation, falsification, or omission is cause for rejection of the SE application.
 - i. Dismissal from parish/school involvement may also occur in the event new disqualifying crimes are found during the online application/background re-check process.
5. **Analysis of Results/Disqualifying Offenses.** Individuals **convicted or individuals who presently have charges** of certain crimes *may be* prohibited from being assigned, employed, or engaged as a volunteer for the diocese, its parishes, or its schools.

- a. **Convictions of Certain Crimes:** These crimes include, but are not limited to: capital murder; first degree murder; second degree murder; manslaughter; sexual assault; kidnapping; incest; endangering the welfare of a child or vulnerable person; indecent exposure or lewdness in the presence of a minor; prostitution; child pornography and child exploitation. *If a background check reveals that a person has been convicted of such a crime, the bishop or his designee will notify the hiring authority that the person is not qualified to work or volunteer.*
 - i. Exceptions, requested on behalf of the applicant and in accordance with the appeal process, can be made on rare occasions. All exceptions must be reviewed and approved by either the bishop or his designee.

- b. **Convictions of other crimes, accusations or investigations of child abuse, and other types of misconduct:** Individuals convicted of other crimes involving moral turpitude, including, but not limited to drug-related crimes, assault and battery, theft, fraud, and perjury, and individuals found to have engaged in sexual harassment, sexual exploitation, or other misconduct or offense involving moral turpitude, may also be disqualified from service or ministry within the Church. The relationship between the crime or offense and the position with the Church, and evidence of rehabilitation will be considered if an appeal is made by the applicant.

- c. **A registered sex offender, who had a minor victim, may not come on school campus without express permission of the principal and/or pastor.** (Art. 62.064. ENTRY ONTO SCHOOL PREMISES; NOTICE REQUIRED. (a) In this article: (1) "Premises" means a building or portion of a building and the grounds on which the building is located, including any public or private driveway, street, sidewalk or walkway, parking lot, or parking garage on the grounds. (2) "School" has the meaning assigned by Section [481.134](#), Health and Safety Code. (b) A person subject to registration under this chapter who enters the premises of any school in this state during the standard operating hours of the school shall immediately notify the administrative office of the school of the person's presence on the premises of the school and the person's registration status under this chapter.) The DOV requires the school office to provide a SE compliant adult chaperone to accompany the person while the person is on the premises. This policy also includes parish visits during regularly-scheduled religious education programs. **THIS POLICY DOES NOT SUPERSEDE STATE MANDATES, RESTRICTIONS, OR PROBATIONS.** Texas law prohibits sex offenders who had a minor victim, who are on probation, parole, or mandatory supervision from living in or visiting a residence within 500 feet of a child safety zone. This includes schools, day care facilities, parks, playgrounds, youth centers, sports field, and more.

- d. **Appeal Process:** Individuals who apply and are not accepted for employment and/or volunteer positions will have the right of appeal as set forth in the Appeal Process.
 - i. The applicant will be notified of the initial decision.
 - ii. Upon written request for reconsideration, the applicant may provide a letter regarding explanation of circumstances, verification of expungement, references, etc., to the bishop or his designee. The letter must be written and postmarked within 10 days of receipt. At the discretion of the bishop or his designee, the applicant may be reconsidered for employment or volunteer positions. Results of reconsideration will be mailed to the applicant.

iii. All reconsideration decisions will be made by the bishop or his designee, and the decisions are final, unless otherwise notated.

6. In the case of new or recently registered parish/school persons and those who are unknown to the parish/school community, reference checks and/or in-person interviews are strongly recommended.
7. Agents of the Church may transfer their SE account from one parish or school within the diocese to another within the diocese and should update their SE account in the SE database to reflect their site change and any other information that has changed. The new SE Site Administrator will review the account to verify SE compliance (approved background check result and current workshop date) ***before*** any Agent of the Church begins service at the new site.
 - a. Verification of prior background checks and SE training from another diocese *does not* satisfy SE requirements for the DOV.
8. Background checks are automatically repeated every three years through the SE system. No action is required by the applicant to facilitate this process.
 - a. In the case of individuals who have been fingerprinted, fingerprint checks remain effective for as long as the applicant remains in active ministry. *If, at any point, an applicant is “archived” for non-activity, the process must begin anew.*
9. Termination of a parish and/or school employee: Consultation with the Director of Human Resources must precede (come before) termination, and the final decision will be made or rendered by the Diocesan Business Manager/Chief Financial Officer.

B. Training of Those Who Work or Serve in Ministry with Minors

SE compliance consists of two parts: submission (one-time) of the SE online application/background check AND initial training, with renewal training every three years.

1. **Without exception, all Agents of the Church must attend training after submitting the SE online application/background check PRIOR to serving in ministry with minors.**

C. Standards for Interactions with Minors

The following are standards regarding interactions with minors in church-sponsored programs. They are not necessarily designed or intended to address interactions within families.

1. Appropriate contact between adults and minors constitutes a positive part of church life and ministry. 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”, knuckle bumps or hand slaps;

- e. brief touching of hand, face, 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;
 - i. holding hands during prayer;
 - j. using a minor's home or family phone number for calls or messages to minors;
 - k. 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);
 - l. using parish or school phones and e-mail addresses to contact minors;
 - m. instructing minors to contact adult leaders via a parish or school phone number, and e-mail address, etc.;
 - n. ensuring at least two adults from the parish or school moderate any social network site; passwords and site names should be available to parish or school leadership; and
 - o. 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 or tags, home address, etc. should never be used).
2. In order to maintain the safest possible environment, examples of contact with minors that are not to be used in Church programs include, but are not limited to:
- a. long or inappropriate embraces;
 - b. kisses on the mouth;
 - c. holding minors on the lap or in one's arms, and holding younger minors should only be "as needed" (e.g. for comfort)
 - 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;
 - 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. inviting minors to be "friends, fans, etc." on personal social networking sites; and
 - m. 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. (Note: Even on personal sites not intended for ministry work, Church personnel should be aware and careful of the types of things posted).

3. Abuse and neglect of minors is contrary to the teachings of the Church and is prohibited. Church personnel have a responsibility to protect minors from all forms of abuse and neglect. Examples of prohibited behaviors include, but are not limited to:
 - a. the use of physical discipline, including spanking, slapping, pinching, hitting, or any other physical force for behavior management of a minor;
 - b. swearing at a minor, or speaking to a minor in a way that is harsh, threatening, intimidating, shaming, derogatory, demeaning or humiliating;
 - c. neglecting or physically, emotionally or sexually abusing a minor;
 - d. encouraging a minor to violate the law;
 - e. offering alcohol, tobacco products, illegal drugs or pornography to a minor;
 - f. inviting a minor to the private accommodations or residence of clergy, teachers or any adult supervisor without the presence of parent or legal guardian, or another program minister; or,
 - g. engaging in the following when in the presence of minors:
 - i. swearing or using vulgar language
 - ii. being under the influence of alcohol;
 - iii. using, possessing or being under the influence of illegal drugs;
 - iv. possessing or displaying sexually oriented or immoral printed or electronic materials (e.g. magazines, videos, films, clothing or internet sites);
 - v. discussing sexual activities or engaging in sexually-oriented conversations with minors unless the conversation is part of a legitimate lesson and discussion for teenagers regarding human sexuality issues (on such occasions, the lessons will convey to youth the Church's teachings on these topics and unanswered or unaddressed questions will be referred to the parent or guardian for clarification or counseling.);
 - vi. undressing or being nude;
 - vii. taking a shower with a minor;
 - viii. sleeping in the same bed, sleeping bag or tent with a minor, unless the adult is an immediate family member of the minor.
4. Agents of the Church who commit a prohibited behavior as outlined in these policies are subject to disciplinary action and may be suspended or excluded from ministry in the diocese.
5. Agents of the Church are required to complete an Adult Emergency Contact Form (**See Appendix 1**).

D. Guidelines for Personal Safety for Grades PK-12th Grade

The Catholic Church and our bishops strongly believe that the parent(s) is/are the first teacher(s) of the faith to their own child(ren), including issues related to abuse and abuse prevention. In support of these efforts, the Diocese has selected appropriate programs for our children and our youth to help them learn the basic concepts of personal safety in regard to sexual abuse.

The diocese provides annual abuse prevention and recognition training to minors as required by the Charter for the Protection of Children and Young People (Article 12). The Diocese is audited on this requirement annually by third parties of the United States Conference of Catholic Bishops. Each year, each parish, mission (if applicable) and Catholic school in the Diocese must provide the approved *Children's program* for PK-12^h grade students. Parents that decide not to allow their child(ren) to attend the required Children's program may sign an opt-out waiver and assume the responsibility of educating their child(ren) about this topic.

E. Minors Who Assist in Ministry

1. The opportunity for minors (9th-12th grade) to serve in a volunteer capacity within their parish or school is an important part of their Catholic education and a foundation for the beginning of a life of Catholic stewardship. When parishes provide opportunities for young people to share their time and talent in supervised ministerial settings as “helpers” (e.g., VBS, catechetical helpers, lunch buddies, retreat leaders, etc.), it is required that minors serving in this capacity attend the *Youth Code of Conduct (YCC)* program.
2. When a person turns 18 years of age, he/she are required to complete the SE process in order to serve, or continue to serve, in ministry to other minors.
 - a. A member of a youth ministry group that turns 18 prior to high school graduation, completing the youth ministry year, does not need to complete the SE process in order to remain a *member only* of the youth ministry group.

The Catholic Diocese of
Victoria in Texas

**Policies and Procedures When
Working with Minors**

Office of Youth and Young Adult Ministry

Office of Catechetical Ministry

Office of Catholic Schools

A. Supervision of Programs that Involve Minors

1. Program Supervision and Monitoring Guidelines (on-site)

- a. Required minor ratios must always be met. See Chart Below:

<u>Number of Minors</u>	<u>Number of SE Compliant Required Adults</u>
1-20	2
21-30	3
31-40	4
41-50	5
51-60	6
61-70	7
71+	Per Formula

- i. Agents of the Church volunteering/working/supervising a program or event involving elementary school aged (Pre K- 5th grade) minors must be 18+ years of age and SE compliant.
- ii. Agents of the Church volunteering/working/supervising a program or event involving jr. high and high school-aged (6th -12th grade) minors must be 21+ years of age and SE compliant.
- iii. An adult should avoid being alone with one minor or vulnerable person. If there is need for a confidential discussion, it should occur in a location that is in view of others.
- iv. All Catholic school classrooms, per TCCB-ED guidelines, must have at least one SE-compliant adult, and the principal or designee should be actively monitoring classrooms throughout the day. All other volunteers, aides, helpers, etc., must be SE compliant and age appropriate.
- v. Off-site school events and after-school programs will follow all standards required by SE ratio guidelines. TCCB-ED guidelines DO NOT apply to off-site school events or after-school programs.
- vi. Required ratio guidelines for on and off-site programs or events for minors are listed on page **21**.
- vii. Minor youth volunteers serving in volunteer/helper roles cannot be counted as adults in the ratio guidelines but must be counted as a minors in the ratio count.

vii. NOTES:

- As Catholic school teachers typically have more training and experience supervising larger groups of students than is required of volunteers for most parish programs or events, school classroom ratios may vary.
- State licensed day care programs must follow all SE ratios, or state ratios, if more stringent than SE ratios.
- In addition, all programs or events for special needs vulnerable adults also require a licensed medical professional to be present for the length of the program or event.

- b. Minors will be released only to parents, legal guardians and, upon written permission, other adults designated by parents, or legal guardians at the end of program or event. When there is a question about the propriety of releasing a minor, the immediate supervisor should be contacted before releasing the child.

2. Off-site Events and Chaperone Guidelines (day and overnight trips)

- a. Those involved in the supervision and transportation of minors for an off-site event must comply with the following:
- i. Any off-site event that involves minors will be supervised by the **required SE compliant adult ratio**. For minors, co-ed events should include male and female chaperones in proportion to the minors attending. The following ratios apply:

Detailed Co-Ed Ratio Chart can be found in Appendix 12.

Example of Co-Ed Required SE Ratios for Events:

44 high school students attend an overnight event. Out of the 44 students, 21 are female and 23 are male.

<u>Number of Students</u>	<u>Student Gender</u>	<u># of Required SE Compliant Chaperones</u>	<u>Required Chaperone Gender</u>
21	Female	3	Female
23	Male	3	Male

- ii. Minors serving in volunteer/helper roles cannot be counted as adults in the ratio guidelines but must be included in the number of minors who require chaperones.
- iii. Minors should only be transported with written permission of the parent or legal guardian.
- iv. Due to DOV's insurance policy, 11- 15 passenger vans may not be used for transportation.

- v. Chaperones assigned to transport minors must be at least 21 years old (proof of valid driver's license, completed DOV required transportation paperwork and insurance must be documented at the parish/school for each driver).
 - vi. When private vehicles are used to transport minors, a transportation plan should be provided to the driver to include route, pre-arranged stops and contact information for the vehicle occupants. No extra stops should be made unless approved by the director of the program, or the stop is out of necessity (e.g., fueling the vehicle, emergency first aid, restroom stop, etc.).
3. Parish or school leaders should be aware of the programs for minors that are sponsored by the parish or school. A list of these programs should be maintained by the parish or school and include activities, purpose, sponsors or coordinators of the programs, names of program volunteers, meeting times, and locations. The parish pastor or school principal should review these programs annually to determine whether they have adequate supervision, and the local SE Site Administrator should verify SE compliance of volunteers.
 - a. All new programs and media for minors should be reviewed and approved by the pastor or principal.
 4. Parents may observe programs and activities in which their children are involved at any time, in the role of parent rather than volunteer (e.g., join their child for lunch/classroom - once or twice per year- attend Mass and school/athletic performances, etc.). Parents who desire to have continuous (more than twice), ongoing contact or participation with their child's school or parish function(s), program(s)/event(s) or activities, and those who wish to volunteer, are required to complete the SE process.
 5. Multi-age organizations and ministries present particular challenges when the age span within the group is greater than a few years, and for those groups that include older teens and young adults.
 - a. Students in grades 9th - 12th in "mentor/helper" roles with younger children, must attend the Youth Code of Conduct (YCC), and are to be supervised by the SE-compliant adults responsible for the ministry.
 - b. Group members who turn 18 years of age during the youth ministry year who do not serve in any leadership role within the youth ministry program nor serve in any other ministry at the parish, may remain "classified" as minors for attendance and membership purposes until the end of the youth ministry year .
 - c. The diocese prohibits minors in any supervisory-type position.
 - d. Minors cannot be counted as chaperones in supervision ratios.

B. Required Documents and Record Retention

1. The Youth Ministry Leader/ Parish Catechetical Leader must have received signed Parental/Guardian Permission and Medical Consent forms for all youth that participate in events on and off of parish property. These forms must be updated annually. Visiting youth must complete emergency contact information form. See Appendix 2.

2. Incident Report: It may be necessary to complete an Incident Report Form, found in the appendix of this document, for any incident including, but not limited to: accident or injury, medical emergency, suspicion of abuse or neglect, self-report of abuse or neglect, damage to property, any event that would best be documented for future reference.
 - a. The Incident Report Form should be completed by the person who directly witnessed the event. The original, Incident Report Form should be kept in a confidential file in the local parish office.
3. Event Information Forms: An Event Information Form (See Appendix 3) must be developed and signed by each parent for any off-site event. The Event Information Form is in addition to the permission and medical consent form. This Event Information Form must include the following information:
 - a. The reason for leaving the premises
 - b. Time
 - c. Location of the event
 - d. Phone number of the facility
 - e. Lead Adult responsible for the parish/school group
 - f. Cell phone number of lead adult
 - g. Planned activities
 - h. Whether transportation is provided by the parish/school
 - i. Name of the minor
 - j. Parent signature
4. Medication:
 - a. A Medication Log must be kept for any medication, prescription or over-the-counter, given to any youth during an event. The Medication Log must be kept in a locked file after the event. See Appendix 4.
 - b. Medication may be dispensed only by the designated/authorized adult in accordance with written instructions provided on the Medical Release Form by the parent/guardian. See Appendix 5.
 - c. Do not administer medication of any kind without checking the Medical Release Form for written parental/guardian permission, allergies or other medical conditions.
 - d. All medication should be labeled in their appropriate prescription or over the counter (OTC) bottles and should be surrendered to the designated/authorized adult prior to start of event. Minors may not be in the possession of the medication unless absolutely necessary. (Examples: Insulin, Asthma Inhalers or an Epinephrine Pen)

5. Record Retention: All permission and Medical Release Forms, Medication Logs, and Incident Report Form must be kept on file for a minimum of 2 years past the activity date(s) or until the person is 18 years of age, whichever is later.
6. Record of attendance must be kept for every event/class. If there is ever a question of the attendance of a minor at a particular event, attendance sheets will be monitored. Parishes and schools should set up procedures to notify parents of minor non-attendance by minors at an event for which the minor is registered or anticipated to attend.
 - a. Agents of the Church must remember that their responsibility to and for minors exists from the time of arrival until the time of departure from parish and/or school events. This includes BOTH on and off-site events.

C. Events and Retreats

1. Overnight lodging logistics should be planned, and the details and information communicated to parent or legal guardian.
 - a. A minor may not spend the night in the private accommodations or residence of clergy, teachers, or any adult supervisor.
 - b. Appropriate lodging options will vary with the event and may include, but are not limited to: a hotel room, lodge, bunk house, and/or multipurpose room. The lodging accommodations should be easily supervised by chaperones.
 - i. All sleeping, changing, and shower areas must be clearly segregated between males and females.
 - ii. All changing and shower areas must be clearly segregated between adults and minors. In the event that this is not possible, separate times should be designated for adult and minor bathroom and shower use.
 - iii. All sleeping areas should be segregated between adults and minors, taking appropriate supervision of minors into consideration.
 - c. In larger lodging rooms or cabins housing many minors, chaperones may sleep, if necessary, in the room on a cot or separate bed next to the doorway. Otherwise, chaperones should sleep in a nearby space and take turns monitoring minors' quarters.
 - d. Hotel rooms: chaperones may not stay in the same room with a minor or minors. All rooms should be on the same floor with chaperone rooms on either side of minors' rooms. Chaperones should conduct overnight room or hall checks.
 - i. A parent may stay in a room with his/her own child, but no other minors.

2. Use of private homes for minor activities: Parish and/or school events/meetings/gatherings/activities may not be held at a private home at any time UNLESS the pastor/principal has given written permission to do so. The permission must be granted for each event/meeting/gathering/activity.
3. Confidentiality: Adult leaders respect confidentiality, yet are not held to confidentiality in the same way as ordained ministers and licensed, certified counselors. In cases of confidentiality issues, inform the minor at the beginning of the dialogue that confidentiality will be kept, unless the minor is threatening to harm himself/herself or others or there is a legal duty to disclose information that is shared. In times when parental/guardian involvement is needed, share with the young person that you will continue to be of support.
4. Water safety: Certified lifeguard(s) must be present when swimming at a pool, public or private, a lake, or at the beach. Lifeguard Certification and Training must be verified. Lifeguard Certification and Training must include certification in American Red Cross CPR, First Aid, Automatic External Defibrillator and Lifeguard.
5. Physically - challenging activities: Training for adult sponsors/volunteers for the particular activity that is planned should precede participation in the activity by any minor participants. Examples include: ropes course, repelling, rafting, skiing, etc.
6. Required Documents: All minors participating must have a Medical Release Form signed by a parent/ legal guardian AND a Permission Slip/Event Permission Slip signed by a parent/ legal guardian.
 - a. For Out-of-State travel, each minor MUST have a Medical Power of Attorney document signed by a parent or legal guardian. See Appendix **6**.
 - b. Adults MUST have completed the Adult Emergency Contact Form.
 - c. A Crisis Management Plan must be completed. Please see the Crisis Management Section for more information.
7. Required Ratios: Please reference **page 21** of this document for required ratios for overnight events.
8. Transportation Policy: Please reference the policy beginning on **page 31** for more information.

D. Crisis Management

1. Each parish and school should create a Crisis Management Plan for parish and school regular activities and special events and trips. A sample Crisis Management Plan is included in the Appendix **7**.
2. Inclement weather
 - a. If outside at the onset of inclement weather, especially lightning, move all minors to an inside shelter and monitor weather conditions.

- b. In the case of a tornado warning, move minors to an interior hallway, closet, or bathroom away from windows and assume the “duck and tuck” position. If unable to leave due to the conditions, notify local authorities of your situation.
 - c. Be familiar with your parish and/or school disaster preparedness plan and follow all evacuation warnings, when facing various weather anomalies (hurricanes, flooding, tornado, etc.)
- 3. First Aid: Each parish/school youth program must have a well-stocked and easily accessible first-aid kit.
- 4. In case of missing person(s): Never leave other participants unsupervised to search for the missing person.
REFER TO YOUR PARISH OR SCHOOL CRISIS PLAN.
 - a. Determine if the person(s) is truly missing.
 - b. When reasonable measures have been taken and person has been deemed missing, the following steps should be followed:
 - i. Notify the local authorities (911, Police Department, Sheriff’s Department, Park Ranger, etc.)
 - ii. Notify the pastor of the parish or principal of the school.
 - iii. The pastor of the parish or the principal of the school or youth minister (refer to parish crisis plan) should contact the parent/guardian of missing person.
- 5. Medical Emergency: Call 911 immediately.
- 6. Refer Out: Acknowledge the limits of one’s own competence and willingly make referrals to other professionals whose work is in line with the moral and ethical beliefs of the Catholic Church.

E. Other

- 1. Drug and Alcohol Policies: Use of illegal drugs is prohibited at any church/school-sponsored event on church/school property.
 - a. Minors and adults participating in youth events will not be permitted to consume alcoholic beverages before or during those programs. This includes international trips, whose drinking ages are generally more lenient than those of the United States.
 - b. Allegations of drug or alcohol possession and/or usage should be immediately reported to the lead adult and should never be handled by a single adult.
 - c. Parents/Guardians should authorize, *in writing*, the consent to search bags of minors, prior to and during an event.

i. If an allegation of possession and/or use of alcohol or drugs are presented, the party or parties should be approached by at least two adults to determine the accuracy of the allegation. Adults are not to take possession of illegal substances. Notify parents of incident. If there is reasonable cause, the adults should immediately contact 911, if necessary.

2. Weapon Possession: In the case of weapon possession (fire arm, knives, etc.), minors should be told verbally, and in writing that possession of any weapon is absolutely prohibited on the premises of any church/school event in the DOV or at a diocesan or parish-sponsored event.
 - a. If a weapon is discovered, the local police should be called. It is imperative that the safety of all be safeguarded.
 - b. If there is an alleged weapon in the possession of someone attending an event, if safety permits, he or she should be approached in as discreet a manner as possible by two adults to determine if there is a weapon. At that point, the police and parents should be notified of the incident. If one cannot safely approach the individual, the police should be contacted immediately.
3. Incident/Accident Form: All parish/school incidents and accidents should be documented and kept in a file marked “confidential” at the parish/school office. (See Appendix 8).

The Catholic Diocese of
Victoria in Texas

Communication with Minors

Office of Communications

A. Guidelines for Communications with Minors

Please see **Communications and Social Media Policy and Procedures** for complete policy. The following are only a few highlights of the policy:

1. **Communication with Minors:** The primary purpose of such communication shall be for providing information related to a ministry or event and not for socialization or other personal interaction. Any counseling of minors through such communication methods is not permitted. Personal social media accounts must not be used for ministry communication. Communication not directly related to an approved parish/school activity is considered inappropriate.
 - a. Written parental/guardian permission to communicate via social media or other electronic communications with a minor must be obtained. ***The diocesan approved consent form must be signed by a parent or guardian. (See Appendix 2 for Social Media Release Form.)*** Parents must be notified of the methods of communication being used by the ministry to communicate with minors, and **MUST BE COPIED AND INCLUDED IN SUCH COMMUNICATIONS.** Acceptable hours of communication with children shall be between 7:00 a.m. and 9:00 p.m.
 - b. When using ministry social media accounts, adults must not initiate “friend” requests with minors or seek friends. If minors form their own social media groups, adults should not join these groups. Online “chatting” and tagging pictures with minors is not permitted.
 - c. All communication with minors (in person, via social media, websites, text messages, etc.) must adhere to:
 - i. The Charter for the Protection of Children and Young People (<http://usccb.org/issues-and-action/child-and-youth-protection/charter.cfm>)
 - ii. The Children’s Online Privacy Protection Act (<http://www.ftc.gov/ogc/coppa1.htm>)
 - iii. The Diocese of Victoria in Texas, Safe Environment *Code of Pastoral Conduct and Policy Regarding Sexual Abuse of Minors*
2. **Usage/ Privacy/ Reporting:** There should be no expectation of privacy in anything created, stored, sent, viewed, or received using diocesan communication devices or personal laptops or personal computer equipment used for diocesan purposes. Anything created using diocesan communication devices is the property of the diocesan entity and is subject to review at any time with or without notice.
 - a. Accessing, downloading, possessing, or transmitting child pornography is absolutely prohibited. In accordance with applicable state and federal laws, and DOV policy, *Agents of the Church* will not possess, access, download, or distribute child pornography. All *Agents of the Church* are obligated by law to immediately notify the DOV and law enforcement of a violation of any of these laws.
3. **Communication of Confidential Material:** Unless expressly authorized to do so, a user is prohibited from reproducing, copying, sending, transmitting, or otherwise distributing proprietary information,

data, or other confidential information belonging to a diocesan entity. Unauthorized reproduction or dissemination of such material may result in severe disciplinary action, including possible termination of employment and /or volunteer services, as well as substantial civil and criminal penalties under state and federal laws.

4. **Protection of Children:** *Agents of the Church* will comply with all aspects of the Safe Environment Policy of the diocese. Agents of the Church are forbidden to post photos of any child under the age of 18 without verifiable consent of a parent or guardian. You may not disclose full name, home address, email address, telephone number, or any information that would allow someone to identify or contact a minor. ***The diocesan- approved consent form must be signed by a parent or guardian. (See Appendix 9.)*** The DOV and its affiliates will review alleged violations of the Children’s Online Privacy Protection Act and the Safe Environment Policy of the Diocese of Victoria, on a case-by-case basis.
5. **Enforcement Verification Statement:** The DOV and their respective administrators agree to enforce the policy set forth here and expect *Agents of the Church* to comply. Failure to comply with any of the provisions of the Social Media Policy will be grounds for discipline, up to and including termination of *Agents of the Church*.

The DOV reserves the right to make changes to this policy at any time, and, at its sole discretion.

The Catholic Diocese of
Victoria in Texas

Transportation of Minors & Adults

Office of Safe Environment

A. *Part A - Transporting Adults and/or Minors*

1. When transporting persons, prior to departure, the driver must ensure copies of medical releases and permission forms are provided for each passenger.
2. It is the responsibility of the driver to ensure that passengers adhere to the current State of Texas safety belt laws and regulations. Furthermore, if traveling out of state, all passengers are required to wear safety belts regardless of any exceptions in any other state.
3. Drivers must carry automobile liability insurance on the vehicle they are driving at the following limits: \$100,000 per individual/\$300,000 per accident/ \$50,000 property damage, unless using a vehicle owned by diocese/parish/school. A copy of the insurance declaration page must be provided annually. (See Appendix **10**)
4. Part A – Adult/Child Driver Information Form (Appendix **2**) must be kept on file for all drivers/vehicles when transporting adults and/or minors in their personal vehicles. This form must be updated and renewed (signed and dated) annually, or if/when a change with vehicle ownership or insurance occurs. Catholic Mutual Group or other persons designated by the DOV will make inspection of these files on a periodic basis.

Reminders when Transporting Minors and/or Vulnerable Adults (per DOV definition):

5. Drivers must have completed the appropriate Safe Environment requirements of the DOV ***and*** be approved to drive by the DOV Office of Transportation.
6. Two (2) adult chaperones, which are in compliance with the requirements of the Safe Environment policy of the DOV, must be present at all times in vehicles that are transporting minors.
7. In all vehicles transporting minors, all passengers, 18 years of age or older *and* out of high school, must comply with the SE policies of the DOV.
8. Minors who have a medical condition that is likely to require additional support/medication, must travel in the same vehicle with a parent or staff member who is trained in administering support/medication.
9. Sexual Misconduct - Any individual who has been convicted of sexual misconduct will be automatically prohibited from transporting minors in any vehicle for parish/school-sponsored events. These individuals are also prohibited from being a passenger in a vehicle transporting minors for parish/school-related events.

10. When transporting minors, a detailed itinerary must be provided to and approved by the pastor of the parish/school and the Safe Environment Site Administration to ensure that all adult chaperones are SE compliant and all necessary training has been taken. The itinerary should include, but is not limited to:
- a. All adult chaperones attending event
 - b. Time, Date, and Location of Event
 - c. Planned method of and route for transportation to and from event
 - d. Lodging accommodations
11. For travel outside of the United States, approval must be obtained from the bishop as well as the pastor/principal at least four (4) weeks in advance. (See Appendix **11**) A complete itinerary must also be on file at the parish office. Furthermore, additional provisions are recommended:
- Additional health insurance, if needed, for participants
 - Trip Cancellation Insurance for air travel
 - Check the US State Department for Warnings of Travel
 - Check Center for Disease Control for vaccination recommendations.

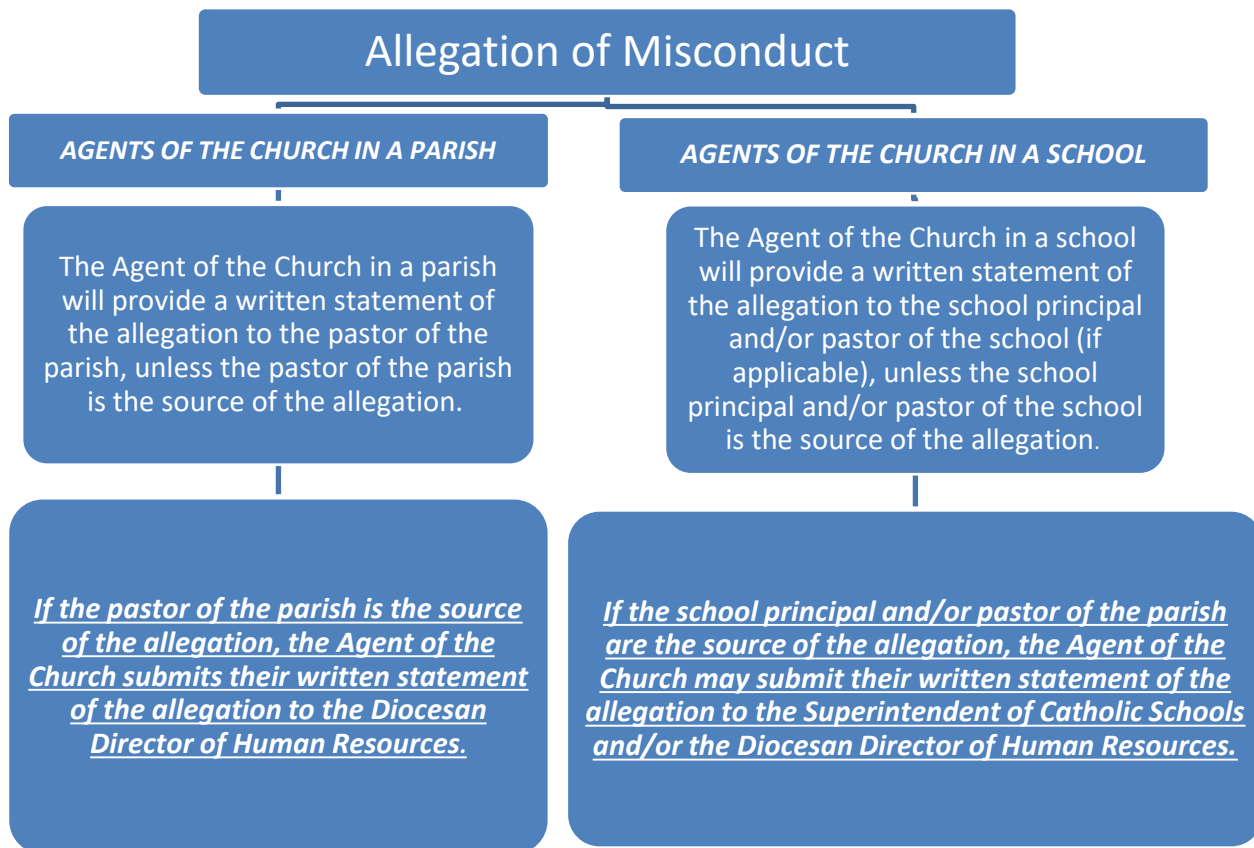
The Catholic Diocese of
Victoria in Texas

Allegations of Misconduct

Office of Human Resources

Reporting Process for Allegations of Misconduct

For any allegation of boundary violations, exploitation, harassment, and immoral conduct, an agent of the church must provide a written statement immediately (following the chain of command below).



AGENTS OF THE CHURCH AT THE DIOCESAN LEVEL:

The Agent of the Church at the diocesan level will provide a written statement of the allegation to the Diocesan Director of Human Resources, unless the Diocesan Director of Human Resources is the source of the allegation.

If the Diocesan Director of Human Resources is the source of the allegation, the Agent of the Church at the diocesan level submits their written statement of the allegation to the Diocesan Director of Safe Environment.

The Catholic Diocese of
Victoria in Texas

Allegations of Abuse

Office of Safe Environment

Coordinator of Pastoral Care and Outreach

Office of Human Resources

Allegations or Concerns of Abuse

A. Reporting Requirements

1. Allegation of Abuse of Minors, including Vulnerable adults

- a. In accordance with Texas law, any citizen who has cause to believe a minor or vulnerable adult is being, or may have been, abused, is required to report the information within 48 hours to the Texas Department of Family and Protective Services (TxDFPS). If minor or vulnerable adult is in immediate danger, call 911 or local civil authorities (police/sheriff's office/law enforcement) and then report to TxDFPS. To report child or elder abuse, TxDFPS maintains a 24-hour abuse hotline at 1-800-252-5400; or a report may be made on their web site at www.txabusehotline.org. *This reporting requirement is the same for allegations against Agents of the Church, a parent, guardian or any other person.*
- i. If Agents of the Church are involved, first contact civil authorities (see above).
- ii. Reporting Procedures for Suspected or Known **Sexual Abuse** of a Minor (person under 18 years of age) or Vulnerable Adult by a Member of the Clergy Contact:
 - The Texas Department of Family and Protective Services, within 48 hours, at (800) 252-5400, www.txabusehotline.org, or local police department. If person is in immediate danger call 911.
 - and
 - Coordinator of Pastoral Care and Outreach,
Diocese of Victoria, (361) 827-7186, pastoralcare@victoriadiocese.org.
 - or
 - Bishop or Chancellor of the Diocese of Victoria, (361) 573-0828.Written allegations can be mailed to Office of the Bishop, P.O. Box 4070, Victoria, TX 77903 marked "Personal and Confidential".

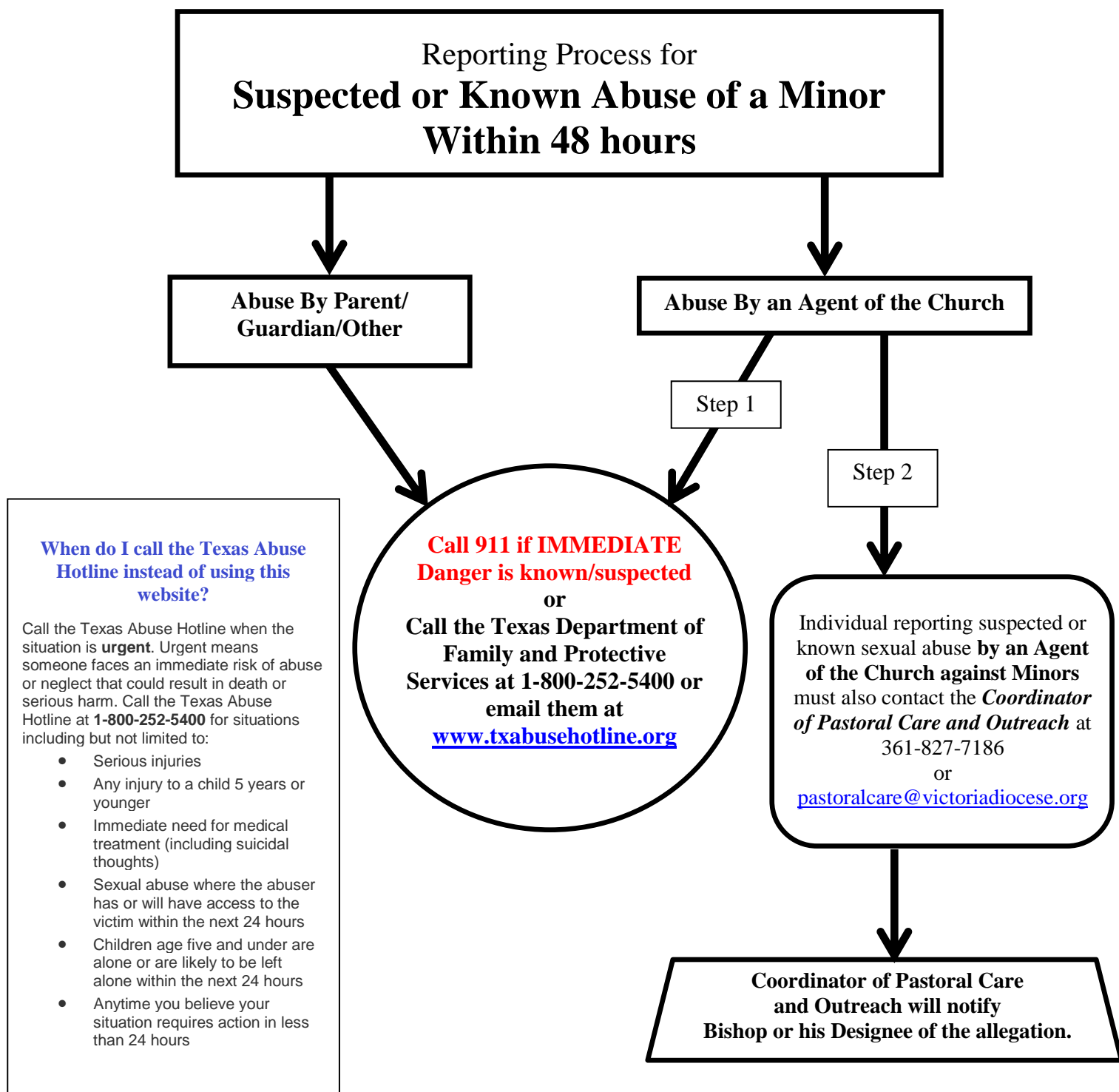
If sexual abuse by a member of clergy has occurred in another diocese, the Diocese of Victoria will help bring your concerns to church officials. For assistance contact Shannon Thomas at (361) 827-7186 or pastoralcare@victoriadiocese.org.

- iii. **The investigation of allegations of sexual abuse is the responsibility of Texas Department of Family and Protective Services or local law enforcement.** The bishop or his designee may also conduct an independent investigation.
- iv. Reports of suspected or known sexual abuse by Agents of the Church may be made anonymously to diocesan authorities, such reports will be kept confidential unless otherwise required to be disclosed by canon and/or State or Federal law. However, disclosure of the informant's name may be necessary to conduct an appropriate investigation or take other action. All reports regarding sexual abuse of minors and past sexual abuse of adults who were abused as minors will be reported to appropriate authorities.
- v. Reports of past abuse by Agents of the Church, particularly priests or deacons, will be addressed in conformity with the DOV, canon law, and the Essential Norms for

Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons.

2. Allegation of an SE Policy Violation

- a. Any suspected or observed violation of a SE policy, will be reported to any of the following persons:
 - i. the immediate supervisor;
 - ii. the pastor of the parish or principal of the school
 - iii. Office of Safe Environment, if necessary
 - iv. Office of Human Resources, if necessary



Reports may be made anonymously, if needed, to both Texas Department of Family and Protective Services and diocesan representatives. However, such reports may not receive any reply as there will be no way to determine the original complainant. While confidentiality will be supported in most instances, if a witness/informant has disclosed their name and if required by law, or at the sole discretion of the Bishop or his designee, disclosure of the informant's name may be necessary to conduct an appropriate investigation or take other action.



Policy Regarding Sexual Abuse of Minors



The Catholic Diocese of Victoria in Texas

The Diocese of Victoria recognizes that sexual abuse of minors constitutes a breach of trust in human relationships and that it can have significant consequences for the victim and his/her family and for the church community at large. The Diocese of Victoria sets forth the following policy and procedure regarding sexual abuse of minors for the reasons stated above.

Review Board Mission Statement and Procedures

1. **Mission:** It is the mission of the review board to serve the People of God in the Diocese of Victoria by assisting the bishop in his responsibilities for the protection of children and young people. The board is charged with advising the bishop in the work of the just, investigating and responding to allegations of sexual abuse, the prevention of further abuse, the healing of those who have been injured, and the rebuilding of a sense of trust among the faithful and larger community.
2. **Membership:** A review board of at least five, but no more than 12 members, appointed by the bishop, will function as a confidential consultative body to assist him in discharging his responsibilities.
 - a. The bishop will appoint individuals as specified in the *Essential Norms for Diocesan Policies Dealing with Allegations of Sexual Abuse of Minors by Priests and Deacons* as approved December 8, 2002 (hereafter cited as “Essential Norms”).
 - b. The majority of the review board will be lay members who are not in the employ of the diocese, with at least one member being a priest, and at least one member having particular expertise in the area of sexual abuse of minors.
 - c. The members of the review board are to be appointed for a five-year term, and may be renewed at the discretion of the bishop. Terms may be staggered.
3. **Responsibilities/Duties of the Review Board:** The review board is responsible for providing consultation to the bishop in his service to those who have been injured by sexual abuse, the alleged offenders, and the people of the diocese. The general responsibilities of the board are to:
 - a. provide consultation to the bishop in his assessment of the validity of allegations of sexual abuse of minors;
 - b. review the implementation and application of the Diocesan Policy for the *Charter for the Protection of Children and Young People* and the *Essential Norms*

- c. assist the bishop and chancellor in the oversight of the victim outreach;
 - d. provide consultation to the bishop regarding an offender's suitability for ministry;
 - e. review with the bishop all programs, policies and procedures that relate to the *Charter* within the diocese;
 - f. offer advice on all aspects of cases of sexual abuse of minors, whether retrospectively or prospectively.
4. **Board Duties:** Review of allegations. The review board will receive a comprehensive report from the diocesan investigator, selected by the bishop, and the Coordinator of Pastoral Care and Outreach of all allegations of abuse of minors by priests or deacons. Victim and family inquiries to the board or board member will be directed to the Coordinator of Pastoral Care and Outreach.
- a. Consultation on allegations. The board will provide consultation to the bishop regarding validity of allegations and suitability for ministry.
 - b. Policy compliance. For all allegations, the board will advise whether the diocesan policy on sexual abuse was followed regarding the reporting to civil authorities, the outreach to the victims, the outreach to parish communities, and the appropriate action, in accord with canon law and prudent judgment, toward clergy alleged to have caused the abuse.
 - c. Policy Review. The board will periodically review the diocesan policy on sexual abuse. A report of the recommendations for any changes in the policy will be directed to the bishop.

Coordinator of Pastoral Care and Outreach

1. The Diocese of Victoria has appointed a Coordinator of Pastoral Care and Outreach for the immediate pastoral care of persons who allege sexual abuse by priests or deacons.
2. The Coordinator of Pastoral Care and Conduct will offer means of spiritual care and support to individuals and families of victims of abuse.

Reporting and Investigation

The Diocese of Victoria will respond promptly (within 72 hours) to any allegations where there is reason to believe that sexual abuse of a minor has occurred. All reporting complies with the following procedures:

1. Civil Reporting Requirements

- a. Any instance of known or suspected sexual abuse of a minor must be reported to the civil authorities within 48 hours. This report should be made to the Texas Department of Family and Protective Services at 1-800-252-5400.
- b. To report an incident involving the production, possession, distribution, or receipt of child pornography, file a report on the National Center for Missing & Exploited Children (NCMEC)'s website at www.cybertipline.com, or call **1-800-843-5678**. Your report will be forwarded to a law enforcement agency for investigation and action.
 - a. This suspected sexual abuse of a minor, if diocesan personnel are involved, must also be reported to the appropriate diocesan authority, specifically, the Coordinator of Pastoral Care, the Bishop of Victoria, the Chancellor or their Designee.

2. Internal Diocesan Procedures When Allegations Are Made Against Priests and Deacons

- a. The bishop of the Diocese of Victoria will be immediately notified.
- b. The diocese will comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities and will cooperate in their investigation.
- c. When an allegation of sexual abuse of a minor by a priest or a deacon is received, a preliminary investigation, conducted by the bishop or his designee, in keeping with canon law will be initiated and conducted promptly and objectively.
- d. The accused will be encouraged to retain the assistance of civil and canonical counsel and will be promptly notified of the results of the investigation.
- e. When there is sufficient evidence that sexual abuse of a minor has occurred; the Congregation for the Doctrine of the Faith will be notified.
- f. Likewise, when there is sufficient evidence of sexual abuse of a minor, the bishop will then remove the accused from the sacred ministry or from any ecclesiastical office or function, impose or prohibit residence in a given place or territory, and prohibit public participation in the Most Holy Eucharist pending the outcome of the process.
- g. The alleged offender may be requested to seek and comply with an appropriate medical and psychological evaluation at a facility mutually acceptable to the Diocese of Victoria and the accused.

- h. When a process of imposition of canonical penalties is called for as a result of the outcome of the primary investigation of 4.3.3 above and the response from the Congregation for the Doctrine of Faith, the procedures of canon law will be observed, in accord with the provisions of “Essential Norms”, No. 8.
- i. The offending priest or deacon will be removed permanently from ecclesiastical ministry when even a single act of sexual abuse by said priest or deacon has been admitted or established, in accord with canon law.
- j. All applicable state and federal laws will be followed in regards to access, possession and distribution of child pornography.
- k. No priest or deacon who has committed an act of sexual abuse of a minor may be transferred for ministerial assignment to another diocese or religious province without the approval of the bishop.
 - i. Before a priest or deacon can be transferred for residence to another diocese or religious province, his bishop or religious ordinary will forward, in a confidential manner, to the local bishop, or religious ordinary of the proposed place of residence all information concerning any act of sexual abuse of a minor and any other information indicating that he has been or may be a danger to children or young people.
 - ii. Every bishop or religious ordinary who receives a priest or deacon from outside his jurisdiction will obtain the necessary information regarding any past act of sexual abuse of a minor by the priest or deacon in question.
 - iii. Care will always be taken to protect the rights of all parties involved, particularly the rights of the person alleging sexual abuse and of the person against whom the charge has been made.
 - iv. When an accusation has proved to be unfounded, the bishop and/or his designee will take reasonable steps to restore the good name of the person falsely accused.
 - v. If the individual is a member of a religious congregation, the president, provincial superior, or general superior will be contacted and the investigation process will be handed over to the appropriate authority prior to 1982. The Diocese of Victoria does not conduct investigations into alleged sexual abuse prior to becoming a diocese.

Release of Information

1. The Diocese of Victoria will not enter into confidential agreements except for grave and substantial reasons brought forward by the victim/ survivor and noted in the text of the agreement.
2. Only the bishop or his designee will respond to any news or other media inquiries regarding specific allegations of sexual abuse of a minor by church personnel.
3. Decisions regarding any public statement(s) or the release of any information must be made on a case-by-case basis.
4. In any case, the designated spokesperson will adhere to the diocesan commitment in dealing with alleged incidents of sexual abuse of a minor in a responsibly open manner, still respecting the sensitivity, privacy and confidentiality of the victim and the accused party.
5. The Office of Safe Environment will direct all SE related media contacts to the diocesan Director of Communications for professional courtesy and response when appropriate.
6. The staff of the affected faith community will be made aware of the requirement to direct all media inquiries to the diocesan Director of Communications.

Appendix 1 Adult Emergency Contact Form

Appendix 2 Visiting Youth Emergency Contact Form

Appendix 3 Field Trip/Event Permission Slip

Appendix 4 Event Medication Log

*Appendix 5 Policy for Administration of Medication by Diocese of Victoria Designees
a. Youth Permission Form/Medical Release*

Appendix 6 Medical Power of Attorney

Appendix 7 Parish Crisis Plan (Sample)

Appendix 8 Incident/Accident Form

Appendix 9 Video/Photo/Media/Audio Release (Social Media Release Form)

Appendix 10 Part A-Adult/Child Driver Information Form (Includes “article” drivers)

Appendix 11 Request for Permission to Travel with Youth Outside of the United States

Appendix 12 Co-Ed Required SE Ratios for Events