
***Diocese of San Angelo
Policies on Ethics and Integrity in
Ministry***

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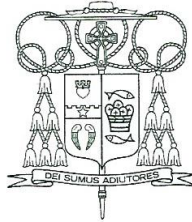
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Note: Quotations from the *Charter for the Protection of Children and Young People* are identified by the word Charter and a paragraph number. Quotations from the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* are identified by the word Norms and a paragraph number.

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Dear sisters and brothers in Christ,

In recent decades, the Catholic Church has faced the tremendous crisis of the sexual abuse of children and youth by some of its ministers. The damage caused by sexual abuse of minors is devastating and long-lasting. The Church in this country has established practices to bring healing from past abuse and protection from further harm. The 2002 United States Conference of Catholic Bishops' *Charter for the Protection of Children and Young People* and its *Essential Norms* led to the creation of our 2003 diocesan *Policy on Ethics and Integrity in Ministry*. With the goal of continual improvement of our practices, we have periodically revised our policy. This current edition reflects our most recent updates in 2025, and it is normative for all ministry of the Catholic Church in the Diocese of San Angelo.

Much has been accomplished to create a positive cultural change within the Church. I extend my most sincere gratitude to all those dedicated persons who work tirelessly to create a safe environment in our Church activities. However, we must never grow complacent. We must remain ever vigilant in the protection of children, making a renewed commitment each day to create a climate of safety for all minors entrusted to the Church's pastoral care.

We serve in the name of Jesus Christ. In the Gospel, Jesus uttered a grave warning for anyone who would lead the little ones astray, saying that it would be better for such a person "to have a great millstone hung around his neck and to be drowned in the depths of the sea" (Mt. 18:6). It is our grave obligation before God to do all that we can to safeguard the dignity of our precious children.

I ask all those involved in the ministry of the Church in the Diocese of San Angelo to study the principles and norms in this policy, and to follow them diligently. May Christ the Good Shepherd assist us in our solemn duty to care for the flock entrusted to us.

I hereby promulgate these Policies on Ethics and Integrity in Ministry as special legislation of the diocese. It shall take effect on March 1, 2025, and shall continue in effect until revoked by me or my successor.

Most Rev. Michael J. Sis
Bishop of San Angelo

Introduction

The Diocese of San Angelo, twenty-nine counties in West Texas, has always urged those who represent the Catholic Church, especially bishops, priests, deacons, employees and volunteers, to be holy, as Christ calls us to be. The Diocese expects integrity of its personnel and the ethical exercise of ministry in every aspect of ecclesial life.

This expectation was further specified in the area of responsible sexual behavior with our “Policy on Sexual Misconduct” of August 25, 1994. As noted in the Introduction,

Following the example of our Lord Jesus Christ, the Church is deeply concerned for the well-being of all people, and has a special concern for those who are most vulnerable. Sexual misconduct is a serious breach of the trust that should exist among all the members of the Church, and especially those who serve others as Church ministers, employees, and volunteers. Sexual misconduct is always a tragedy and calls for the Church to respond with compassion toward all those persons involved.

Therefore, the development and implementation of this policy has as its end the responsible conduct of Church personnel, the protection of the vulnerable, assistance for those who have been hurt, the proper care of those who fail to live up to the challenges that all face as sexual beings, and the respect for the good name of the Church.

To make them aware of the policy and to give instruction on proper boundaries in sexual relationships, workshops have been presented to thousands of clergy, religious, employees, and volunteers of the Diocese of San Angelo since the policy went into effect.

In 2002, the United States Conference of Catholic Bishops issued the *Charter for the Protection of Children and Young People*. This document was accompanied by *Essential Norms for Diocesan/ Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*. Both the *Charter* and *Norms* call for revisions to be made in diocesan policy in this important area. Therefore, this policy, which builds on the previous diocesan policy, highlights the protection of minors and reflects the spirit, requirements, and procedures outlined in the *Charter* and *Norms*.

Given this task of revising the existing diocesan policy, it was also thought opportune to expand the policy by including expectations of Church personnel in regard to any type of immoral behavior, not just sexual misconduct. In addition, forms to apply for working in the Church as an employee or volunteer, which include criminal background checks, are included, with a goal of providing a safer environment. It was also thought useful to provide means for dealing with inappropriate behaviors or violations of policy in a progressive discipline procedure, in order to surface and deal with problems before they escalate.

This expanded “Policy on Ethics and Integrity in Ministry” of the Diocese of San Angelo became effective on June 1, 2003, and has been revised in September 2005, June 2008, June 2009, September 2016, June 2020, and March 2025. The above referenced USCCB Documents, *Charter for the Protection of Children and Young People*, and *Essential Norms*, accompanied by *A Statement of Episcopal Commitment*, were revised in June of 2018. This 2025 revision of the Diocese of San Angelo Policies on Ethics and Integrity in Ministry reflects those documents, as well as Pope Francis’ 2019 Apostolic Letter *Vos estis lux mundi*, and supersedes all previous versions. The full text of the USCCB Charter & Norms can be found on the Diocese of San Angelo website (www.sanangelodiocese.org).

I. Principles of Ethics and Integrity in Ministry: Code of Ethics

Relationships among people are the foundation of Christian ministry and are central to Church life. Defining healthy and safe relationships is not meant, in any way, to undermine the strength and importance of personal contact or the ministerial role. Rather, it is to assist all who fulfill the many roles that create the living Church to demonstrate their love and compassion for children and adults in the most sincere and genuine relationships.

It is with the intention that relationships in ministry be experienced at all times as respectful and without intention to do harm or allow harm to occur, that the following Code of Ethics has been adopted by the Diocese of San Angelo. All Church personnel are asked to carefully consider each standard in the Code and within the Policies on Ethics and Integrity in Ministry before agreeing to adhere to the standards and continue in service to the diocese.

Church personnel will exhibit the highest Christian ethical standards and personal integrity.

Church personnel will conduct themselves in a manner that is consistent with the discipline and teachings of the Catholic Church.

Church personnel shall promote a professional work environment that is free from sexual harassment, exploitation, or abuse.

Church personnel will not take personal advantage of a pastoral counseling or spiritual direction relationship for the benefit of themselves.

Church personnel will not abuse anyone, sexually or in any other manner.

Church personnel will share concerns about suspicious or inappropriate behavior with minors with their pastor; with other parish leaders as appropriate (e.g., pastoral coordinator/associate, parochial vicar, director or coordinator of religious education, youth ministry coordinator, school principal); with the victim assistance coordinator; or with the bishop.

Church personnel will not possess, or in any way or by any means distribute, adult or child pornography.

Church personnel will report any suspected abuse or neglect of a minor to the Texas Department of Family and Protective Services.

Church personnel will accept their responsibility to protect minors and vulnerable adults from sexual harassment, exploitation, or abuse.

II. General Definitions

A. Church Personnel

For the purposes of this policy, the following are included in the definition of Church personnel:

1. Bishops.
Note: The bishop is accountable to the Pope and follows the guidelines of the USCCB documents “Affirming our Episcopal Commitments” (Appendix F) and “Statement of Episcopal Commitment” (Appendix G).
2. Priests incardinated and/or assigned in the Diocese of San Angelo, and those approved for temporary ministry in the diocese.
3. Permanent and transitional deacons assigned in this diocese, and those permanent deacons with canonical faculties to function while working in this diocese.
4. Seminarians and those enrolled in the Permanent Diaconate Formation Program.
5. Women and men religious working for the diocese, its parishes, schools, or agencies.
6. Individuals in other forms of consecrated life while they are residing in the diocese.
7. All paid personnel whether employed in areas of ministry or other kinds of services by the diocese, its parishes, schools, or other agencies; also, those who contract their services to Church agencies.
8. Volunteers. This includes any person who is invited to or offers to do Church related service as an act of free will, with diocesan or parochial approval.

B. Types of Misconduct

1. Abuse of a child or young person under the age of 18.
 - a. Abuse of a vulnerable adult. (A vulnerable person is 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 or otherwise resist the offense” (VE, Art 1: §2(b)).
2. Violations of Ethics and Integrity in Ministry Policy by immoral conduct, harassment, or exploitation.
3. Violations of Diocesan Guidelines for Youth/Peer Behavior.

SECTION ONE: POLICIES FOR THE PROTECTION OF CHILDREN AND YOUNG PEOPLE

III. Overview of Policies for the Protection of Children and Young People

B. Definitions of “Minor” and “Sexual Abuse”

1. Definition of Minor

- a. A minor is defined as anyone under the age of 18.
- b. For the purposes of this policy, the term “minor” also includes adults who would be considered uniquely vulnerable to abuse because they are “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 or otherwise resist the offense” (VE, Art 1: §2(b)).
- c. An incident involving perceived harm to a vulnerable adult will be addressed in as complete and compassionate a manner as possible within the allowances of the law, as though the individual were a minor.

2. Definition of Sexual Abuse (Norms, Preamble)

For purposes of these Norms, sexual abuse shall include any offense by Church personnel against the Sixth Commandment of the Decalogue with a minor as understood in CIC, canon 1395 §2, CCEO, canon 1453 §1 (*Sacramentorum sanctitatis tutela*, article 4 §1) and *Vos estis lux mundi* (Article 1).

If there is any doubt whether a specific act qualifies as an external, objectively grave violation, the writings of recognized moral theologians should be consulted, and the opinions of recognized experts should be appropriately obtained (Canonical Delicts, p. 6). Ultimately, it is the responsibility of the diocesan bishop/eparch, with the advice of a qualified review board, to determine the gravity of the alleged act.

C. Commitments of the Diocese

The Diocese of San Angelo is dedicated to the fulfillment of the following commitments defined by the United States Conference of Catholic Bishops:

1. To Promote Healing and Reconciliation with Victims of Sexual Abuse of Minors,
2. To Guarantee an Effective Response to Allegations of Sexual Abuse of Minors,

3. To Protect the Faithful of the Future.

D. Other Forms of Mistreatment or Neglect

Children, young people, and vulnerable adults will not be violated by any other form of mistreatment or neglect by Church personnel. Verbal, emotional, or physical punishment is considered unacceptable and inappropriate, and may not be used as a form of discipline. The dignity and rights of these individuals will be respected at all times.

IV. To Promote Healing and Reconciliation with Victims of Sexual Abuse

A. The Victim Assistance Coordinator (VAC) (Norms, 3).

1. The Victim Assistance Coordinator for the Diocese of San Angelo is to possess the skills, experience, and educational background which empowers him/her to understand the nature and purposes of the position of Victim Assistance Coordinator and directly assume the major responsibility for the ministry as designated by the diocesan bishop.
2. The Victim Assistance Coordinator shall aid in the immediate pastoral care of persons where there is reason to believe they have been sexually abused when they were minors by clergy or other Church personnel and will arrange for counseling with a qualified therapist, and for spiritual and social assistance as deemed appropriate.
3. The Victim Assistance Coordinator shall respond to an allegation and collaborate with the Diocesan Review Board, Safe Environment Coordinator, Promoter of Justice, and the bishop.

B. The Diocesan Review Board (Norms, 4 and 5).

1. The Diocesan Review Board will assist the diocesan bishop as a confidential consultative body in dealing with the sexual abuse of minors.
2. The Diocesan Review Board will assess allegations of sexual abuse of minors by Church personnel in order to advise the diocesan bishop. The assessment will be communicated to the victim and the accused.
3. The Diocesan Review Board offers advice on all aspects of these cases. The Board may offer advice retrospectively and prospectively on these matters.
4. The Diocesan Review Board will review the diocesan policy and procedures for dealing with

these allegations at least every two years, in order to recommend to the diocesan bishop any modifications.

5. The Diocesan Review Board will, if appropriate, provide a recommendation concerning fitness for ministry in particular cases.
6. The Diocesan Review Board will be composed of at least five persons of outstanding integrity and good judgment. The majority of the review board members will be lay Catholics who are not in the employ of the diocese; but at least one member should be a priest, who is an experienced and respected pastor of the diocese, and at least one member should have particular expertise in the treatment of the sexual abuse of minors.
7. Members of the Diocesan Review Board will be appointed for a term of five years, which can be renewed.

V. To Guarantee an Effective Response to Allegations of Sexual Abuse of Minors

A. Standards of Ministerial Behavior

The following guidelines are intended to assist Church personnel in making decisions about interactions with minors in Church sponsored and affiliated programs. They are not designed or intended to address interactions within families. For clarification of any guideline or to inquire about behaviors not addressed here, contact the pastor, pastoral coordinator, principal or the Victim Assistance Coordinator at the Diocesan Pastoral Center.

1. Church personnel shall report uncontrollable or unusual behavior of minors promptly to parents.
2. Church personnel are prohibited from the use, possession, or being under the influence of alcohol or any illegal drugs while working with minors. They are also prohibited from the use of tobacco products including: smoking, vaping, and smokeless tobacco, while in the presence of minors.
3. Church personnel are prohibited from being in isolated one-on-one situations with minors. One-on-one situations must be observable at all times.
4. Two adults at least age 21 must be present in a vehicle when one or more minors are transported by Church personnel. At least one of the two adults must be the same gender as the youth being transported. In no case should only one adult be present with a minor in a vehicle, unless the adult is a parent or legal guardian. The exception to this is when multiple vehicles are traveling in a caravan to a youth event; in this case, there must be at least one adult at least age 21 in each vehicle. No unauthorized stops should be made.

5. Church personnel are prohibited from speaking to minors in a way that is harsh, threatening, intimidating, shaming, derogatory, demeaning, or humiliating. In addition, staff and volunteers are expected to refrain from swearing in the presence of minors.
6. Church personnel are prohibited from engaging in any sexually inappropriate conversations with minors except in sessions addressing human sexuality issues, when implementing a human sexuality curriculum in religious education or youth ministry programs. In addition, Church personnel are not permitted to discuss their own sexual activities or experiences with minors.
7. Church personnel should never be nude or immodestly dressed in the presence of minors in their care. The manner of dress for persons working in ministry should always be appropriate to the occasion or event, especially avoiding suggestive or revealing styles. Changing and showering arrangements for adults should be separate from arrangements for minors. When separate arrangements are not available, then adults and minors will shower at different times.
8. Church personnel are prohibited from possessing any sexually oriented or morally inappropriate printed or electronic materials (magazines, cards, videos, films, clothing, etc.) on Church property or in the presence of minors.
9. Church personnel are prohibited from occupying the same beds or sleeping bags with minors. Nor should they occupy the same bedrooms, hotel rooms, or tents with a minor unless the adult is an immediate family member of the minor. It is recommended that sleeping quarters for youth be segregated by age, such as middle school and high school.
10. When facilities such as dormitories, parish halls, gymnasiums or similar facilities must be used for sleeping quarters for events such as Search, large retreats, rallies, etc., youth will be separated by age groups and gender. Youth are to be supervised at all times by at least two or more adults who will sleep in the same general area, somewhat removed from the youth, but where they can still maintain order and safety, and provide adequate supervision.
11. Houses used as residences by priests and religious are not to be used as residences for others. Guests are limited to common areas of the residence and are restricted from the sleeping quarters of the priest or religious. Social gatherings which include minors may be allowed occasionally, but must be attended by at least two parents or adult volunteers, and must be restricted to the common areas of the residence. The only minors that are permitted to be overnight guests in the residence of a priest or religious are family members when accompanied by other adult family members.
12. Church personnel are to avoid giving scandal by their words, actions, or appearance.
13. The Diocese of San Angelo Policies on Ethics and Integrity in Ministry apply to

communications, conduct, relationships, and to electronic media including Internet access, email, chat rooms, phone conversations, photos, and pictures.

B. Appropriate Boundaries for Church Personnel

The Diocese of San Angelo has implemented policy for appropriate boundaries that will promote a positive, nurturing environment for our children's and youth ministries while protecting our children and our Church personnel from misunderstandings. The following guidelines are to be followed carefully by all Church personnel working in children's and youth programs.

1. Church personnel are prohibited from using corporal punishment for behavior management of minors. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force as retaliation or correction for inappropriate behaviors by minors.
2. Love and affection are part of Church life and ministry. There are many ways to demonstrate affection while maintaining positive and safe boundaries with children and young people. Some positive and appropriate forms of affection are listed below:
 - Brief hugs and side hugs.
 - Pats on the shoulder or back.
 - Hand-shakes.
 - "High-fives", hand slapping, and fist bumps.
 - Verbal praise.
 - Touching hands, faces, shoulders and arms of minors.
 - Holding hands while walking with small children.
 - Sitting beside small children.
 - Kneeling or bending down for hugs with small children.
 - Holding hands during prayer.
 - Pats on the head when culturally appropriate. (For example, this gesture should typically be avoided in some Asian communities).
3. The following forms of affection are not considered appropriate in ministry:
 - Inappropriate or lengthy embraces.
 - Kissing of any kind.
 - Holding minors over three years old on the lap.
 - Touching buttocks, chest, or genital area.
 - Showing affection in isolated areas of the program such as bedrooms, closets, staff only areas, or other private rooms.
 - Occupying a bedroom or a bed with a minor.
 - Touching knees or legs of minors.
 - Wrestling with minors.
 - Piggyback rides.
 - Any type of massage
 - Any form of unwanted affection.

- Suggestive comments that relate to physique or body development.

C. Diocesan Communications Policy

POLICY ON COMMUNICATIONS FOR CASES OF SEXUAL ABUSE WITH MINORS

Within the confines of respect for the privacy and the reputation of the individuals involved, the diocese of San Angelo will deal as openly as possible with members of the community in cases of ministerial misconduct. The diocese will, in all cases, strive to assist and support parish communities directly affected by ministerial misconduct involving minors.

Recognizing that the media have such potential to bring truth and beauty into the lives of billions of people, and because of their enormous power to shape humanity's destiny, the means of social communication are of great interest to the Church. The Diocese of San Angelo wants to engage the media in striving for a common goal—the truth. In dealing with the media, the diocese is guided by the words of Pope Saint John Paul II: “On this journey of human searching, the Church wishes to befriend the media, knowing that every form of cooperation will be for the good of everyone.”

There exists within human society a right to information that affects people individually or collectively, and according to the circumstances of each. The proper exercise of this right demands that the information communicated always be true and as complete as charity and justice allow. The manner of communication should be honorable and appropriate; this means that in the gathering and publication of news the norms of morality and legitimate rights and dignity of people must be held sacred. Today public opinion exerts massive force and authority over the private and public life of every class of citizen.

The diocese of San Angelo holds Communications to be a ministry that is based on truth, honesty, openness, and wisdom. The Office of Communications is the focal point for the diocese in developing, coordinating, promoting, and propagating news and educational information of religious interest to the public through the diocesan newspaper, the *West Texas Angelus*, and whenever deemed necessary through press releases to the print and electronic media. The Director of Communications of the diocese functions as the bishop's spokesperson. The bishop may, whenever he deems it necessary, communicate with parishioners through letters to pastors concerning administrative and disciplinary actions predicated on ministerial misconduct.

The Communications Office provides a liaison between the diocese and local, state, national, and international communication agencies. It assists and advises diocesan offices in matters of public relations or publicity. The office will be guided by a commitment to transparency and openness, as enunciated by the United States Conference of Catholic Bishops in its published Charter and Norms when dealing with the community at large and specifically with representatives of the media.

When dealing with cases of sexual abuse, especially of children and minors, great compassion and care will always be extended to the victims. In the matter of sexual abuse and/or misconduct by any employee or volunteer of the diocese, respect for the person and reputation of the individual alleged to be involved will always be honored. Disclosure to the community at large and specifically to the media will occur

only after thorough consultation with the bishop and his advisors. The diocese will always strive to be pro- active in dealing with the people of the diocese and the media by formulating timely and clear statements. The bishop or his representative will promptly reach out with honesty, compassion, and clarity to those communities directly affected by any case of sexual abuse or misconduct by an ordained person, employee or volunteer.

The following principles will guide communications with the people of the diocese and specifically with the press and electronic media, especially in cases involving sexual abuse or misconduct by any employee, or volunteer:

- a) Other than the bishop, the single spokesperson for the diocese is the Director of Communications. The spokesperson should foster a spirit of trust and rapport with the people of the diocese and with the print and electronic media that engenders an open and transparent policy. According to the need, the bishop may appoint another person to serve as his spokesperson in certain parts of the diocese.
- b) Communications with the media and the people of the diocese will occur only after deliberate consultation between the principal parties involved in the legal, civil, canonical, and pastoral issues of the particular case at hand. After its initial discussion of an allegation, the Diocesan Review Board may advise the bishop with regard to the purpose, contents, and recipients of his communication.
- c) The spokesperson of the diocese will have a truly pastoral concern for victims of sexual abuse or misconduct.
- d) All instances of alleged sexual abuse, especially of children and minors, anywhere in the diocese must be quickly communicated to the Victim Assistance Coordinator. This information should be handled as confidential in accordance with the guidelines mentioned above.

D. Reporting Inappropriate Behaviors or Policy Violations with Minors

1. Because the Diocese of San Angelo is dedicated to *preventing* the sexual abuse of minors, it is imperative for every member of the community to respond when adults behave inappropriately with minors, rather than waiting for an allegation of abuse to occur.
2. In the event that Church personnel observe any inappropriate behaviors on the part of other Church personnel, it is their personal responsibility to immediately report their observations. Anonymous reports will be given due consideration. Promises of confidentiality cannot be made.
3. Examples of inappropriate behaviors would be violations of standards of conduct for ministry with minors, neglecting to supervise minors, inviting or allowing minors to spend the night in their homes or private living quarters, inviting or taking minors on overnight trips without other adults, or making suggestive comments to minors. (See other examples above, pp. 13 - 15.)

4. Inappropriate behaviors or policy violations that relate to interactions with minors should be reported to one of the following:
 - a. The pastor of the parish;
 - b. Other parish leaders as appropriate (e.g., pastoral coordinator/associate, parochial vicar, director or coordinator of religious education, youth ministry coordinator, school principal);
 - c. The Victim Assistance Coordinator;
 - d. The diocesan bishop.
 - e. If the report involves a bishop (active or retired), then the report should be made to the following phone number or website.
 - (800) 276-1562 (National Hotline)
 - www.ReportBishopAbuse.org
 - f. If the alleged offender who is the subject of the report is the local diocesan bishop where the misconduct occurred, one may report to the metropolitan archbishop of the province in which the ordinary is domiciled or report to the Apostolic Nuncio to the United States or directly to the Holy See. VE, art. 3, §3. The contact number for the Apostolic Nuncio is (202) 333-7121, nuntiususa@nuntiususa.org. The metropolitan archbishop whose province includes the Diocese of San Angelo is the Archbishop of San Antonio, at (210) 734-2620, or 2718 Woodlawn Ave., San Antonio, TX 78228.
5. All reports of suspicious or inappropriate behavior with minors will be taken seriously. Diocesan procedures will be carefully followed to ensure that the rights of all those involved are protected. (See Appendix A).
6. When inappropriate behaviors are reported to a pastor or other parish leader, he or she is asked to gather additional information about the nature of the concern and contact the Victim Assistance Coordinator for consultation. The Victim Assistance Coordinator will also notify the bishop. Regardless of the outcome of initial information gathering, a Notice of Concern (Appendix B) must be completed and mailed or delivered to the Victim Assistance Coordinator's office.
7. If, at any point in gathering information about inappropriate behavior, a concern arises that there is a suspicion of abuse, the Texas Department of Family and Protective Services will be contacted and a report filed. See the following section on "Reporting Allegations of Sexual Abuse of Minors" for additional procedures in the event that there is a suspicion of abuse of minors.
8. If, at any point, policy violations with minors are confirmed, Church personnel will be subject to disciplinary action. Disciplinary action will follow the Progressive Discipline Procedure outlined in Appendix D of these policies. Procedures for clergy will be consistent with the appropriate norms of Canon Law.

9. Prohibition of Retaliation: There shall be no retaliation or adverse employment action against or silencing of clergy or other workers who, in good faith, report suspected sexual misconduct or assist in the investigation of such a report. Any person who suspects any such retaliation shall immediately report the same to the chancellor.

E. Reporting Allegations of Sexual Abuse of Minors

1. Without prejudice to the Divine Law concerning the seal of the Sacrament of Penance, in accordance with Texas Law, **any person who has cause to believe that someone currently a minor may have been or is being abused in any manner, physical or sexual, must report his or her suspicions** to the Texas Department of Family and Protective Services (TDFPS), or the local police/sheriff, within 48 hours of suspecting the abuse or neglect. Protective Services maintains a 24-hour Abuse Hotline at 1-800-252-5400 as well as a website at www.txabusehotline.org.
 - Reports concerning abuse by family members or the child's primary caregiver should be made to the TDFPS.
 - Reports involving abuse at schools, Churches, child care facilities, or by individuals not related to the child should be reported directly to the local police or sheriff departments.
 - If a child is in immediate danger, call 911 to make your report.

Following this procedure will facilitate more timely processing of a report. The Notice of Concern form (Appendix B) may be used to document this report.

Failure to report any suspected abuse of a minor in Texas is a crime punishable by fine, imprisonment, or both. Reports may be made confidentially or anonymously. A person who mistakenly reports any suspected abuse is immune from civil or criminal liability as long as the report was made in good faith and without malice. On the other hand, there may be serious criminal, civil, or Church repercussions to someone who knowingly makes a false report.

If the alleged victim is no longer a minor, the alleged victim must be advised of their right to make a report of sexual abuse to public authorities.

2. Any individual who has been abused sexually by Church personnel has the right to bring this matter to the attention of the diocesan bishop. Parents and guardians can speak on behalf of minors. Third party reports will be followed up by an attempt to speak with those directly involved.

Reports also can be made to the following:

- a. The pastor of the parish
- b. Other parish leaders as appropriate (e.g., pastoral coordinator/associate, parochial vicar, director or coordinator of religious education, youth ministry coordinator, school principal);
- c. The Victim Assistance Coordinator

- d. If the report involves a bishop (active or retired), then the report should be made to the following phone number or website.
 - (800) 276-1562 (National Hotline)
 - www.ReportBishopAbuse.org
- e. If the alleged offender who is the subject of the report is the local diocesan bishop where the misconduct occurred, one may report to the metropolitan archbishop of the province in which the ordinary is domiciled or report to the Apostolic Nuncio to the United States or directly to the Holy See. VE, art. 3, §3. The contact number for the Apostolic Nuncio is (202) 333-7121, nuntiususa@nuntiususa.org. The metropolitan archbishop whose province includes the Diocese of San Angelo is the Archbishop of San Antonio, at (210) 734-2620, or 2718 Woodlawn Ave., San Antonio, TX 78228.

Church officials will be sensitive to the needs and feelings of those who bring a complaint. Indeed, the first concerns are the protection of people from danger and the healing of those offended.

When an allegation is made regarding sexual abuse of a minor, the complainant should be informed that the complaint is taken seriously and the diocese will deal with the matter, according to these “Policies on Ethics and Integrity in Ministry.” The allegation is taken seriously and will be investigated and acted upon. At the same time, it is expected that allegations be based on fact and be an honest representation of the truth. The person who makes false accusations or allegations made with malice to hurt the reputation of Church personnel will be required to make a written and signed retraction. There could be criminal, civil, or Church responses to false reports and the damages they inflict. Anonymous reports will be given consideration; promises of confidentiality cannot be made.

The Church personnel receiving the complaint must pass it on promptly to the Victim Assistance Coordinator or diocesan bishop.

3. Church personnel are obliged to report to the Victim Assistance Coordinator or diocesan bishop any suspected or known abuse of minors that may have been perpetrated by Church personnel, so that prompt and proper steps may be taken to ensure the safety of alleged victims.
4. The Diocese of San Angelo will respond promptly to deal with any accusation of sexual misconduct brought against Church personnel. The willingness of the diocese to respond to an allegation is in no way a judgment of the person accused. Innocence is always presumed until the facts prove otherwise. The diocese will cooperate fully with civil authorities and follow reporting requirements as determined by Texas law. All complaints alleging misconduct are treated seriously, but especially if the allegation states that misconduct involved any Church personnel, the incident took place on Church property, or the incident occurred during an activity sponsored by the Church.
5. The diocese will keep the alleged victim and the accused informed of the progress of the investigation and follow-up. The diocese will offer pastoral assistance to victims according to the circumstances and the defined course of therapy.

6. When an allegation of sexual abuse of a minor by Church personnel, whether clergy or employee or volunteer, is received by the diocese, it will respond as follows:
 - a. The case is referred promptly to the Victim Assistance Coordinator (VAC). As noted in the *Charter*, he/she is “to aid in the pastoral care” (Article 2) of the complainant and family; he/she demonstrates that the diocese has a “sincere commitment to their spiritual and emotional well-being” (Article 1). The Victim Assistance Coordinator will gather the facts of the case, obtaining as much pertinent information as possible. The VAC will begin the discussion of counseling for the victim/family, advise them of the requirement by law to report the allegation to civil authorities, and inform the victim or parents of a minor that he/she will be their communication contact with the diocese.
 - b. The Victim Assistance Coordinator will immediately make a verbal report to the diocesan bishop. This will be documented by a written report.
 - c. The bishop will consult promptly with legal counsel regarding compliance with Texas law reporting statutes, if the alleged victim is currently a minor.
7. At the time the diocesan bishop receives the report from the Victim Assistance Coordinator, he will designate a Case Manager to assume direct, ongoing responsibility for the day-to-day management of the case. This person will be the Victim Assistance Coordinator, the chancellor, or another designee. He/She will work closely with the bishop on:
 - Reporting to civil authorities
 - Coordinating with the legal counsel of the diocese
 - Informing the diocesan insurance carrier
 - Collaborating with the diocesan Communications Director; the bishop and the Communications Director will be the only persons to speak for the diocese to the media
 - Serving as (or with) the Victim Assistance Coordinator to attend to the victim and family
 - Communicating with the affected school or parish
 - Maintaining the files, documenting the case
8. The bishop will initiate an internal investigation of the matter.
 - a. When there is reason to suspect sexual abuse of a person currently a minor has occurred, the civil authorities must be notified within 48 hours of suspecting the abuse. If the alleged victim is no longer a minor, the diocese will advise and support the person’s right to make a report to public authorities (Norms, 11).
 - b. When the allegation is against an employee or volunteer, the bishop will appoint an independent investigator to look into the case promptly and objectively. The independent investigator will coordinate his investigation and findings with the diocesan chancellor, as well as cooperate with civil investigating agencies. The principal responsibilities of the independent investigator are to determine the credibility of the allegation of sexual abuse by Church personnel, and to ensure objectivity in the diocesan investigation. Steps will be taken to protect the reputation and confidentiality of the accused during the investigation.

The accused will be advised (with due consideration to consultation with law enforcement authorities) to retain the assistance of legal and canonical counsel, and will be promptly notified of the results of the investigation.

The accused employee may be placed on administrative leave, with remuneration intact, pending the outcome of the investigation and the disposition of the case. A volunteer may be asked to cease serving, pending the outcome of the investigation. Innocence is presumed until guilt is admitted or established.

- c. When the allegation is against a priest or deacon, the matter will be handled according to the requirements of civil and canon law. See Appendix E.
 - d. If the allegation is against himself or another bishop, the bishop is obliged to inform the Apostolic Nuncio. See Appendix G.
9. The advice of the Diocesan Review Board may be sought by the diocesan bishop at any time during the investigation of the case and determination of its outcome.
 10. The diocese will cooperate with civil authorities during the investigation of the case. The diocese may suspend or delay its investigation at the behest of civil authorities.
 11. The diocese will arrive at its own determination about the findings and outcome of the investigation. The complainant and the accused will be notified of the results of the investigation. The documents of the investigation will be kept on file.
 12. The following are possible outcomes of the investigation:
 - a. Care will always be taken to protect the civil and canonical rights of all parties involved, particularly those of the alleged victim and the accused. When an accusation has proved to be unfounded, every step possible will be taken to restore the good name of the person falsely accused. The person who makes false accusations or allegations made with malice to hurt the reputation of Church personnel will be expected to make a written and signed retraction. If the person making a false accusation is involved in Church ministry, the person may be removed from the ministry.
 - b. If the civil and/or canonical investigation of the case is inconclusive, the diocesan bishop will seek the advice of the Diocesan Review Board about whether the accused may return to ministry and under what circumstances.
 - c. If sexual abuse of a minor is admitted or established, the procedures in the next section will be followed.
 - d. In the event that civil authorities have been involved and decide not to pursue a case, the diocesan bishop must still fulfill his canonical responsibilities.
 - e. When warranted, the case may be referred to the Holy See.

F. Procedures When Sexual Abuse of a Minor Is Admitted or Established

When sexual abuse of a minor by Church personnel is admitted or established by the diocese's internal investigation or through investigation and/or prosecution by law enforcement, the following procedures will

be followed:

1. If the accused is a religious or lay volunteer, the diocese will exercise appropriate action in accord with its relationship with the accused and the particular circumstances of the situation. A report will be made to TDFPS or law enforcement authorities as required by law (see page 18) if the victim is currently a minor. The volunteer may be required to cease his or her service pending the resolution of the case. Sensitivity to the accused's reputation will be respected, although to the extent the matter has become public in a parish or school, those who need to know will be informed. The accused volunteer will receive the pastoral care of the Church as warranted. If the sexual abuse of a minor is admitted or established, the volunteer will not return to any type of service on behalf of the Church. The documents of the case are kept on file.
2. If the accused is a religious or lay employee of the diocese, parish or school, the diocese will exercise appropriate action in accord with its relationship with the accused and the particular circumstances of the situation. A report will be made to TDFPS or other law enforcement authorities as required by law (see page 18) if the victim is currently a minor. The employee may be required to take paid administrative leave pending the outcome of the case. The duration of paid leave will be at the discretion of the bishop. Sensitivity to the accused's reputation will be respected, although to the extent the matter has become public in a parish or school, those who need to know will be informed. The employee will receive the pastoral care of the Church as warranted. If the sexual abuse of a minor is admitted or established, there will be termination of employment (respecting the contractual relationship with the employee) and the employee will not return to any type of service on behalf of the Church. The documents of the case are kept on file.
3. If the accused is a priest or deacon, the procedures in Appendix E will be followed.
4. If the accused is a bishop, a report to the Apostolic Nuncio, as outlined in Appendix G, will be done. The Diocesan Review Board may still participate in an advisory capacity in any case.

VI. To Protect the Faithful in the Future

A. Safe Environment Education and Training

1. Members of the clergy, religious, employees and all volunteers 16 years of age or older who have contact with minors (three or more times in any given year) will be required to participate in training which addresses their role in protecting minors in the Diocese of San Angelo. Volunteers under age 16 are encouraged to attend Safe Environment Training.
2. Church personnel are required to review the Diocese of San Angelo Policies on Ethics and Integrity in Ministry and agree to comply with Diocesan Code of Ethics.

3. The Diocese of San Angelo will offer sexual abuse prevention programs for the parents of children and young people in diocesan parishes and schools.
4. The Diocese of San Angelo will offer sexual abuse prevention programs for the children and young people in diocesan parishes and schools.
5. The Safe Environment Coordinator makes certain that every parish/mission has an established safe environment program as directed by the diocese.
6. The Safe Environment Coordinator shall develop and implement the appropriate infrastructure for screening and training of Church personnel and volunteers as well as monitor the compliance of parishes and the diocese.
7. Those interested in volunteering for ministry should contact their local parish.

B. Supervision of Church Personnel Who Work with Minors

1. Parents are encouraged to be a part of any and all services and programs in which their children are involved in the Diocese of San Angelo. Parents have an open invitation to observe programs and activities in which their children are involved. However, parents who desire to participate in or have continuous, ongoing contact with their child's programs in the Church will be required to complete the volunteer application process.
2. Programs for minors must be directed by someone at least 25 years of age.
3. Church personnel under the age of 21 must work under the supervision and presence of someone at least 21 years of age. Chaperones must be at least 25 years of age. Pastors may make an exception to this policy if the chaperone is at least 21 years of age and deemed by the pastor to be sufficiently mature. Additional guidelines are defined in the Youth Ministry Handbook.
4. Church personnel in leadership roles must be aware of all programs for minors that are sponsored by a parish or school. A list of these programs should be maintained in the central office and include activities, purpose, sponsors or coordinators of the programs, meeting times, and locations. Leaders are to examine these programs and consider whether they have adequate supervision.
5. Because new programs for minors are far more likely to have difficulties than established ones, individual Church personnel should not be permitted to develop new programs for minors without proper review and consent within the parish or school. Requests to develop new programs are to be submitted in writing to the pastor or pastoral coordinator, or when appropriate, the Pastoral Council. Consideration is to be given to whether the plan for a new program includes adequate adult supervision and will be structured to comply with the guidelines for interactions with minors defined in number V, B, pages 13 and 14.

C. Screening of Church Personnel Who Work with Minors

1. All applicants for Church personnel positions as priests, deacons, seminarians, or employees; all applicants 18 years of age or older for volunteer positions in which Church personnel have contact with minors (schools, religious education programs, youth programs, and child care) (ongoing or frequent, unsupervised contact with minors); and all applicants who will work where they may encounter vulnerable adults (Extraordinary Ministers of Communion to the sick, home visits, hospital, and prison ministry) will be required to complete the following:
 - a. **A standard background check application** (age 18 and above) that includes a signed release of information to conduct a background check. Applicants will also be required to attend Diocesan Safe Environment Training and sign a Code of Ethics for Church personnel.
 - b. **A criminal records check**, based on the background check application, for the State of Texas and any other state where the applicant has resided during the past five years. **The criminal records check must be completed and approved prior to permitting Church personnel to work around minors or vulnerable adults.**
 - c. **Parents or guardians of youth (under age 18) wishing to volunteer must sign a document attesting to the youth's suitability for working in ministry, and giving the youth permission to work in parish or school ministry.** (See Appendix L) **This document will be maintained in the parish Safe Environment Files.** It is the responsibility of the parishes or schools to properly screen youth who wish to volunteer for ministry. This will be done through a face-to-face interview with the youth by the pastor or director of the ministry in which the youth will work.
2. It is the responsibility of the parish or school to conduct additional screening procedures, such as reference checks and face-to-face interviews for new applicants, as well as existing employees and volunteers who have held their positions for less than two years.
3. Volunteers for programs working with minors in parishes should be registered members of the parish for at least six months and known by parish leaders before being placed in a volunteer position with minors. After careful consultation, exceptions may be made for parents of minors in the specific programs in which their child or children are participating.
4. Criminal records checks are automatically updated by the diocese every fifth year of a Church personnel's employment or active volunteer position.
5. Church personnel who transfer within the diocese are strongly encouraged to request in writing for their personnel files to be transferred to the new parish or school.
6. Background Checks and records of Ethics Workshop attendance will be coordinated and maintained by the Diocesan Safe Environment Coordinator.

D. Provisions for Visiting Church Personnel

1. Youth Events: Policy on Accountability and Coordination

- a Youth events or retreats, sponsored by parishes for their youth, are ultimately the responsibility of the pastor/pastoral coordinator and the parish staff/volunteers. The pastor/pastoral coordinator and the parish staff/volunteers are also responsible for presenters invited for the event/retreat.
- b Youth events or retreats that are offered for other participants beyond the parish are the responsibility of the parish or group sponsoring them. They are also responsible for presenters invited to present the program.
- c Presenters from outside the diocese are required to present a Letter of Suitability for the specific event, issued by their diocesan bishop, testifying that they are Catholics in good standing and that they have no known legal or moral problems (in light of the *Charter and Norms*). This letter will be received by the Bishop's Office prior to the arrival of the presenter in this diocese. A copy of the letter will be forwarded to the respective pastor or pastoral coordinator to be placed in parish files.
- d The Office of Evangelization and Catechesis of the Diocese of San Angelo is responsible for programs for youth sponsored by the office. It is not accountable for other programs or other groups.
- e The Diocese of San Angelo requires that all events follow the guidelines delineated in the Diocesan Handbook for Youth Ministry. It requires that adults working with youth follow the Diocesan Policy for Ethics and Integrity in Ministry (including the standard application and background check, attendance at a Safe Environment Workshop, etc.).
- f It is recommended that parishes or other groups planning youth events consult the Office of Evangelization and Catechesis to avoid conflicts in programming and to coordinate efforts for the benefit of all concerned.

2. Priests and Deacons

- a Priests and deacons who enter the Diocese of San Angelo to preside at Mass or sacraments, preach, fill in for local priests, or any other ministry, are required to present a Letter of Suitability for the specific event, issued by their diocesan bishop or religious superior, testifying that they are priests or deacons in good standing who enjoy the faculties of their home diocese or religious community and that they have no known legal or moral problems (in light of the *Charter and Norms*). This letter will be received by the Bishop's Office prior to the arrival of the priest or deacon in this diocese. A copy

- of the letter will be forwarded to the respective pastor or pastoral coordinator to be placed in parish files.
- b. Priests serving in the Diocese of San Angelo may find it useful to request a similar letter, if they plan to travel and engage in ministry elsewhere. Please contact the Chancellor's office.

3. Other Visiting Church Personnel:

- a. Other visiting Church personnel, other than priests and deacons, who enter the Diocese of San Angelo to work in other ministries or events are required to present an appropriate Letter of Suitability, for the specific event, issued by their diocesan bishop, testifying that they are Catholics in good standing and that they have no known legal or moral problems (in light of the *Charter and Norms*).
- b. This letter will be received by the Bishop's Office prior to the arrival of the individual in this diocese. A copy of the letter will be forwarded to the respective pastor or pastoral coordinator to be placed in parish files.

Provisions for Children & Youth Photos/Video in Electronic Communications and all Forms of Media

1. General Guidelines

- a. Whenever an employee/volunteer is acting in their capacity as a representative of the Catholic Church, they shall abide by this electronic communication policy. Any violations of this policy and the following procedures are counter to the goals of creating a safe environment for our children and youth.
- b. No pictures, personal information, or contact information regarding minors should be posted or available on public websites, Facebook, newspapers, Church bulletins, or any other form of media without written permission from a parent or legal guardian.
- c. Written permission from parents or guardians must be obtained prior to posting pictures or identifying information of minors in any type of media. The "Diocese of San Angelo Promotional Release Form" (Appendix K) will be used for this purpose.
- d. All communication with minors must stay within appropriate boundaries that maintain a professional ministry relationship.
- e. Failure to observe this policy places young people and children at risk and can result in the termination of employment or volunteer status.

2. Social Networking

- a. Social networking has become the preferred method of communication for youth. Social networking may be used to connect minors with Church ministry.
- b. Ministry leaders utilizing social networking sites, either for ministerial or personal use, must be vigilant in representing themselves as ministers of the Catholic Church in all interactions that can be viewed publicly. Anything that could cause scandal to the ministry should be avoided.
- c. Adult ministers should establish separate sites and pages for personal and professional use. Personal pages and information should be neither advertised nor accessible to young people.
- d. If social networking sites are used to connect minors to Church activities and ministries, ministry leaders must set up a separate closed group site for dedicated parish use, and it must be approved by the pastor.
- e. Ministry sites must be completely separate from any personal site.
- f. A minimum of two adults in a functioning official organizational capacity must have full access to all organizational accounts/sites.
- g. Youth Ministry sites must be frequently monitored by those directing the youth programs.
- h. All information displayed on social networking sites must reflect the values of the Catholic faith and should always follow the teachings of the Church.
- i. Ensure that the “chat mode” is disabled on Church or organizational social websites.
- j. When presenting personal opinions and engaging in chats/discussions, it is essential for Church personnel to remember that even on the World Wide Web, others may recognize them as representing the values of the Catholic Church.

3. Electronic Communications

- a. Employees/Volunteers will ensure that all electronic communications with minors are of an appropriate nature.
- b. If an employee/volunteer receives an electronic communication of an inappropriate personal nature from a minor, the employee/volunteer is prohibited from responding to the minor. In order to prevent any appearance of impropriety, the employee/volunteer must notify his/her supervisor or pastor of this incident **immediately**, and forward the message for their review. The parent/guardian should be contacted by the supervisor or

pastor and informed of the inappropriate message.

- c. Parents should be informed that electronic communications are being used as a form of communication with the minors of the Church or organization and that these are standards of the youth ministry.

SECTION TWO: IMMORAL CONDUCT, HARASSMENT, AND EXPLOITATION

VII. Prevention of Immoral Conduct: Guidelines for Ethical and Moral Behavior

Because Church personnel enjoy a public trust and confidence, it is essential that Church personnel view their own actions and intentions objectively to assure that no observer would have grounds to believe that irregularity in conduct exists. All Church personnel are to uphold the standards of the Catholic Church in their day-to-day work and personal lives.

A. Definitions

1. See definition of Church Personnel under General Definitions, page 8 of this document.
2. Immoral conduct is defined as behavior that is contrary to the discipline and teachings of the Church and may result in scandal to the faithful or harm to the ministry of the Church. Specific standards of the diocese are defined below.
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*, n. 2284).

B. Standards of the Diocese

1. It is fundamental to the mission of the Diocese of San Angelo for Church personnel to exhibit the highest ethical standards and personal integrity. The purpose of this policy is to insure that all Church personnel follow the traditional strong moral and ethical standards of the Catholic Church. Church personnel should not engage in the following:
 - a. Formally rejecting Catholic Church teachings or the Christian way of life
 - b. Exhibiting actions that are disruptive to the ministry and public worship
 - c. Procuring or participating in abortion, homicide, or euthanasia
 - d. Possessing or viewing pornographic materials
 - e. Engaging in adultery or flagrant promiscuity
 - f. Abusing alcohol or abusing gambling
 - g. Possession or use of illegal drugs or drug paraphernalia
 - h. Stealing or any other form of theft, including misappropriation of Church funds
 - i. Sexual harassment, exploitation, or abuse
 - j. Physical assault and fighting
 - k. Disclosing the serious faults or failings of others to persons who have no cause to know them or making false allegations against another

VIII. Prevention of Harassment: Guidelines for Professionalism

A. Definitions

1. Harassment is an offensive use of power where the purpose or the effect is to create a hostile or intimidating work/ministry environment.
2. Harassment encompasses a broad range of physical, written, or verbal behavior that includes, but is not limited to, the following:
 - a. Physical abuse;
 - b. Racial insults;
 - c. Derogatory ethnic slurs;
 - d. Unwelcome sexual advances, solicitation or touching;
 - e. Sexual comments or sexual jokes;
 - f. Requests for sexual favors used as a condition of employment, or to affect other personnel decisions, such as promotion or compensation;
 - g. Display of offensive materials, such as suggestive posters or magazines.
3. Harassment may be severe and/or pervasive.
 - a. Severe conduct is sufficient to alter a work/ministry environment even though it may occur only once.
 - b. Pervasive conduct is a persistent pattern of offensive conduct.

B. Standards of the Diocese

1. Church personnel shall not engage in physical, psychological, written, or verbal harassment of employees, volunteers, or parishioners.
2. Church personnel shall promote a professional work/ministry environment that is free from physical, psychological, written, or verbal intimidation or harassment.

IX. Prevention of Exploitation: Guidelines for Pastoral Counseling or Spiritual Direction

A. Definitions

1. Exploitation in the context of this policy refers to Church personnel taking unfair advantage of the pastoral counseling or spiritual direction relationship for the benefit of the provider.
2. Sexual exploitation is sexual contact between Church personnel and the recipient of pastoral counseling or spiritual direction, regardless of who initiates the contact.

B. Standards of the Diocese

1. Church personnel shall not attempt to counsel outside or beyond their level of competence and credentials in pastoral counseling or spiritual direction. Church personnel shall defer to other professionals when appropriate.
2. Church personnel must never engage in sexual intimacies with the persons to whom they provide pastoral counseling or spiritual direction. This includes consensual contact, forced physical contact, and sexually explicit conversations not related to pastoral counseling or spiritual direction.
3. Church personnel must set and maintain clear, appropriate boundaries in all pastoral counseling or spiritual direction.
4. Physical contact should be respectful and consistent with the intent to provide a professional pastoral counseling or spiritual direction environment.
5. Pastoral counseling or spiritual direction shall be conducted in the Church or in a professional setting during normal business hours or early evening.
6. No pastoral counseling or spiritual direction sessions should be conducted in a bedroom area of private living quarters.
7. Church personnel should maintain a log of the times and places of pastoral counseling or spiritual direction.

C. Confidentiality

1. Information disclosed to Church personnel during the course of pastoral counseling or spiritual direction shall be held in strict confidence.
2. In accordance with the norm of canon law (c. 983), the sacramental seal of the Sacrament of Confession is inviolable; therefore, it is absolutely forbidden for a confessor to betray the confidence of any penitent, living or dead.
3. Information obtained in the course of pastoral counseling or spiritual direction sessions shall be confidential, except for compelling professional reasons or as required by law. The following would be considered compelling reasons to violate confidentiality:
 - a. There is a serious threat to the welfare of a minor.
 - b. If there is clear and imminent danger to the client or to others, the Church personnel is to disclose the information to state authorities necessary to protect the endangered parties.
 - c. Before disclosure is made, if feasible, the Church personnel should inform the person being counseled about the disclosure and the potential consequences.
4. The Church personnel providing pastoral guidance counseling or spiritual direction should keep minimal records of sessions.
5. If Church personnel discover during pastoral counseling or spiritual direction with a minor or an adult, that (a) there is a serious threat to the welfare of a minor, and (b) that communication of confidential information to a parent or legal guardian is essential to the child's health and well-being, the Church personnel shall disclose information necessary to protect the health and well-being of the minor.

X. Reporting Immoral Conduct, Harassment, or Exploitation

A. Standards

1. Church personnel have a duty to report violations of the Policies on Ethics and Integrity in Ministry.
2. When there is an indication of illegal actions by Church personnel, Church personnel will notify the police or other civil authorities immediately. Although it is not a legal requirement, the Diocese of San Angelo is better able to respond promptly if it is informed directly. Church personnel are encouraged to inform the diocesan bishop at the Diocesan Pastoral Center.

B. Reporting Procedures

1. When there is an indication that the actions of a Church personnel member may constitute immoral conduct, harassment or exploitation, report to one of the following:
 - a. The pastor of the parish;
 - b. Other parish leaders as appropriate (e.g., pastoral coordinator/associate, parochial vicar, director or coordinator of religious education, youth ministry coordinator, school principal);
 - c. The chancellor;
 - d. The diocesan bishop.
 - e. If the report involves a bishop (active or retired), then the report should be made to the following phone number or website.
 - (800) 276-1562 (National Hotline)
 - www.ReportBishopAbuse.org
 - f. If the alleged offender who is the subject of the report is the local diocesan bishop where the misconduct occurred, one may report to the metropolitan archbishop of the province in which the ordinary is domiciled or report to the Apostolic Nuncio to the United States or directly to the Holy See. VE, art. 3, §3. The contact number for the Apostolic Nuncio is (202) 333-7121, nuntiususa@nuntiususa.org. The metropolitan archbishop whose province includes the Diocese of San Angelo is the Archbishop of San Antonio, at (210) 734-2620, or 2718 Woodlawn Ave., San Antonio, TX 78228.
2. Allegations of immoral conduct, harassment, or exploitation will be taken seriously and diocesan procedures will be followed to protect the rights of all involved.
3. If there are questions about the applicability of these policies, consult the diocesan bishop at the Diocesan Pastoral Center.

4. If infractions of diocesan policy are confirmed, Church personnel will be subject to disciplinary action up to and including termination and possible prosecution. Disciplinary action will follow the Progressive Discipline Process outlined in Appendix D of these policies.

C. Dealing with Infractions

If infractions alleged cannot be dealt with at the parish level, diocesan procedures will be followed. These procedures will follow generally those listed above for complaints about sexual abuse of minors, with the necessary and appropriate changes.

It should be noted that the special procedures of the *Essential Norms* do not apply here. Rather, the material and procedures from the Code of Canon Law about canonical crimes and procedures would be used when needed. The criminal and civil laws to be followed will differ also for these cases, which do not involve sexual abuse of a minor.

Ordinarily the chancellor will be appointed as Case Manager to work with the bishop in the day-to-day management of the case (e.g., providing pastoral outreach to the complainant, investigating the case, and coordinating with attorneys, insurance carriers, diocesan Communications Director, and others) and keeping the file on the complaint.

SECTION THREE: CHILDREN / YOUTH PEER BEHAVIOR

(Catholic Schools, Religious Education, Other Youth Programs)

XI. Safe Environment in Children/Youth Peer Relationships

Church personnel will strive to ensure that children/youth model behavior that maintains a safe environment for themselves and others (children, youth, adults) and witnesses in word and deed their discipleship in Jesus Christ. *(Adapted from NFCYM Policy for Protecting Youth People)* An important component of Safe Environment Training for Children/Youth is Prevention Training that fosters a sense of safety, sensitivity, and responsibility in peer relations between children and youth. Christian behavior is integrated throughout the curricula of the Catholic School/Religious Education Program. Parents and students are to be made aware of expected behavior at the beginning of the year and integrated throughout. This will be accomplished through the use of the Diocesan Guidelines for Student Behavior and the Diocesan Safe Environment Program (Appendix J).

A. Standards of Behavior

1. In accord with the call to be faithful followers of Christ, and with the state law, the diocese will not tolerate any type of bullying or intimidation. Bullying and intimidation include engaging in written, electronic, or verbal expressions or conduct that has the effect of physically harming a student, damaging a student's property, or placing a student in fear of harm to one's self or property severe enough to create an intimidating, threatening, or abusive educational environment for a student.
2. Catholic Schools, Religious Education, and other youth programs are to have specific rules to deal with youth misbehavior.

B. Reporting Procedures

1. In the event of a serious incident between minors (one that sexually, physically, verbally, or psychologically harms another) who are supervised by Church personnel, an Incident Report needs to be completed, after first going through the proper levels of authority, and submitted to the appropriate level of authority that will deal with the incident. For reporting incidents, parish programs will use Appendix H and I; Catholic Schools will use the appropriate report form in the Manual of School Policies for the Diocese of San Angelo. Some examples of serious incidents might include but not be limited to:
 - Inappropriate sexual touching
 - Physical violence causing injury that requires professional medical care or hospitalization
 - Situations requiring a response from law enforcement officials. When necessary, incidents will be reported to the proper diocesan authority.

2. Steps to take in reporting a serious incident among children/youth regarding a sexual, physical, verbal, or psychological abuse incident between minors:
 - a. Gather all information and evidence on sequence of events.
 - b. Talk to teachers(s) or one in charge.
 - c. Talk to youth involved (all parties).
 - d. Talk to parent(s).
 - e. Talk to other involved parties and witnesses.
 - f. Send report to appropriate level of authority.
3. Parents of children and youth involved in serious incidents should always be informed of the incident and pending actions. Report of a serious incident should be made to one of the following listed in the appropriate categories below.

Catholic Schools

Teacher
Principal
Pastor
Superintendent of Schools
Diocesan Safe Environment Coordinator
Bishop

Religious Education Programs

Catechist
Director of Religious Education (DRE) or Coordinator of Religious Education (CRE)
Pastor
Director of Evangelization and Catechesis
Diocesan Safe Environment Coordinator
Bishop

Youth Ministry Programs

Youth Volunteer
Coordinator of Youth Ministry (CYM)
Pastor
Director of Evangelization and Catechesis
Diocesan Safe Environment Coordinator
Bishop

C. Disciplinary Measures

Children and youth involved in these incidents are to be disciplined by the proper level of authority according to the severity of the action, in accord with written rules of the Catholic School, Parish Religion or Youth Program, or other Church-sponsored programs. This might include a warning, reprimand, suspension, other appropriate actions or expulsion from the Catholic School, Religious Education, or other Youth Programs, in which the youth was a participant when the incident occurred. When necessary, law enforcement officials are to be contacted in accord with current civil laws.

Students involved in the Catholic Schools, Parish Religious Education, Youth Program, and other Church-sponsored programs must be made aware that they can report incidents involving either themselves or peers to any one of the following:

- Parent
- Teacher
- Principal
- Director or Coordinator of Religious Education (DRE or CRE)
- Coordinator of Youth Ministry (CYM)
- Pastor
- Diocesan Safe Environment Coordinator

D. Healing, Reconciliation, and Liability

Efforts should be taken by the appropriate level of authority to work for healing with youth and families involved or affected by serious incidents. Professional counseling, spiritual guidance, and other assistance should be provided if deemed appropriate. It is expected that the parents of children or youth who have caused injury to another child or youth will be liable for any costs incurred for medical care or counseling attributable to the incident.

CONCLUSION: THE CHURCH'S PASTORAL RESPONSE TO MISCONDUCT IN MINISTRY

A. Care of the Victim and/or the One Who Brings Allegations of Misconduct

1. The Diocese of San Angelo will take all allegations seriously and will immediately and thoroughly investigate allegations.
2. The Diocese of San Angelo will respond immediately and effectively to deal with any accusation of misconduct brought against Church personnel. This response to an allegation is in no way a pre-judgment of the person being accused. Innocence is always presumed until facts prove otherwise. Likewise, it is expected that an allegation brought by the victim or by a person's parent or legal guardian is based on fact, and is an honest representation of the truth. It is always important for all members of the Church to be sensitive to the needs and feelings of those who allege misconduct.
3. The Church will offer counseling services to the victim of misconduct to begin the healing process. This assistance may vary with circumstances and diocesan support will be determined in proportion to the defined course of therapy. The diocese will provide reasonable assistance as the need arises.

B. Care of Church Personnel Accused of Misconduct

1. The Diocese of San Angelo has a deep concern for any Church personnel accused of misconduct.
2. The diocese will take great care to ensure that a proper investigation is conducted following any allegation of misconduct. The rights of the accused to due process will be observed throughout the investigation process and every effort will be made to protect the interests of the accused from false allegations.
3. During investigations of allegations, the accused may be removed from contact with alleged victims to ensure the integrity of the investigation and the safety of alleged victims during the investigation. This action should in no way be interpreted as a presumption of guilt. Innocence is always presumed until facts prove otherwise. In the event that allegations are not founded, the accused Church personnel will be restored to his or her position as quickly as possible, and every step possible will be taken to restore the good name of the accused.
4. In the event that allegations are founded and the accused is not permitted to resume work within the diocese, the diocese will offer pastoral care to accused in accordance with Canon Law.

C. Care of the Community Affected by Misconduct

1. The diocese has a special concern for the parishes and other diocesan organizations served by personnel who are accused of misconduct.
2. The diocese will make every effort to provide pastoral care to the individuals within a parish or other diocesan organization that is affected by an incident or allegation of misconduct.

Appendix A. Process for Responding to Inappropriate Behavior or Policy Violations with Minors by Church Personnel

Inappropriate behavior or policy violations with minors by employees, volunteers, or clergy should be reported to the following:

- The pastor,
- Other parish leaders as appropriate (e.g. pastoral coordinator/associate, parochial vicar, director or coordinator of religious education, youth ministry coordinator, school principal).
- The Victim Assistance Coordinator.
- The bishop.

Pastors and other parish leaders must take concerns about inappropriate behavior with minors seriously. They are asked to contact the Victim Assistance Coordinator for advice and consultation.

In cases where there is confirmation that policies have been violated, the pastor or other parish leader should follow the Progressive Discipline Procedure in addition to any other information gathering.

In cases where there is no knowledge or suspicion of abuse and no confirmation that policies have been violated, the pastor or other parish leader is asked to gather additional information about the nature and extent of the suspicious or inappropriate behavior.

In cases where there is knowledge or suspicion of abuse, follow the procedures under **The pastor or other parish leader suspects abuse** in the box below.

Information gathering may include, but not be limited to the following:

- Talking with the person who brought the concern.
- Talking with minors and parents who have direct contact with the person who may have acted inappropriately.
- Talking with the person who may have acted inappropriately.
- Talking with other adults who work closely with the person who may have acted inappropriately.
- Visiting the program if at all possible.

If policy violations have been confirmed, the progressive discipline policy should be followed. Possible outcomes following initial gathering of information.

The pastor or other parish leader discovers the concern was unfounded.

- A *Notice of Concern* (App D) is completed and mailed or delivered to the Victim Assistance Coordinator's Office.
- The person who is the subject of concern is shown the Notice of Concern and informed about the situation.
- Even in cases where the concern was unfounded, the confidentiality of all involved must be protected.
- The person who brought the concern is informed about the information gathered and the result.

The pastor or other parish leader cannot reach a conclusion.

- A *Notice of Concern* (App D) is completed and mailed or delivered to the Victim Assistance Coordinator's Office.
- The person who is the subject of concern is informed of the concerns that have arisen and how the investigation will occur.
- The person who is the subject of concern may be placed on leave with pay or temporarily removed from a volunteer position until more information can be gathered.
- The Victim Assistance Coordinator will notify the bishop and arrange notification of the Diocesan Review Board. The Victim Assistance Coordinator will confer with the bishop to define the scope and activities of the investigation and an investigation will begin immediately.

The pastor or other parish leader suspects abuse.

- A *Notice of Concern* (App D) is completed and mailed or delivered to the Victim Assistance Coordinator's Office. Every effort will also be made to contact the Victim Assistance Coordinator by telephone.
- The Victim Assistance Coordinator will notify the bishop and develop an immediate response plan. TDFPS or appropriate law enforcement is called and the suspected abuse is reported or it is confirmed that the report has already been made.
- The Church personnel may be temporarily removed from service pending an investigation by TDFPS or appropriate law enforcement or an internal investigation by the diocese.
- The family of the minor who may have been abused is contacted by the Victim Assistance Coordinator or designee to assist with the child's and family's pastoral needs.

Appendix B. Notice of Concern

Does this incident require reporting to the TDFPS? _____

If 'Yes,' has this been reported to TDFPS at (800) 252-5400 or the police or sheriff?

If yes, Report # _____ Time/Date of Report _____

Please Provide Detailed Incident Information Below.

Describe the incident and include the following: What happened, where it happened, when it happened, who was involved, who was present, who was notified? If reported to TDFPS, what was their recommendation about investigating? Use additional pages, if necessary.

Has this situation ever occurred previously? ____ **What action was taken?** How was the situation handled, who was involved, who was questioned, were police called?

What is the follow-up plan? Does anyone else need to be notified? Will the situation need monitoring? Would you like someone to call you to discuss this situation?

Submitted by: _____ Telephone number _____
(Printed Name)

Location and address: _____

Signature: _____ Date _____

Reviewed by: _____ (Victim Assistance Coordinator's Signature)

Appendix C. Formal Warning Document

Church Personnel Name _____ Position: _____

Purpose:

_____ Formal Warning _____ Probation

Date of Previous Counseling _____

Statement of the problem: (Violation of policies, Standards, Poor Performance)

Prior discussions or cautions of the problem: (oral or written; include dates)

Statement of diocesan policy on the subject:

Summary of corrective action to be taken by Church personnel:

Consequences of failure to complete and maintain corrective action:

Signature of Supervisor: _____ Date _____

Signature of Church personnel: _____ Date _____

Appendix D. Progressive Discipline Procedure

A. Standards of the Diocese

1. It is the policy of the Diocese of San Angelo to maintain the highest quality personnel who exhibit exemplary conduct and superior performance. To this end, all Church personnel shall be informed by their pastor, pastoral coordinator, director or coordinator of religious education, or principal (hereafter, “parish leaders”) of what is expected of them in the performance of their roles and how their performance will be monitored.
2. If Church personnel performance does not meet established standards of the Diocese of San Angelo, parish leaders shall address the problem(s) in a timely and equitable manner, by (1) Counseling, (2) Formal Warning, and (3) Termination.
3. All documents associated with the Progressive Discipline Procedure shall be retained in the personnel file.
4. Procedures for progressive discipline of clergy will be consistent with this appendix and the appropriate norms of canon law.

B. Steps in Progressive Discipline

1. Counseling. A large portion of performance deficiencies are identifiable and can usually be addressed and resolved through informal counseling between the parish leaders and the Church personnel. Effective counseling includes the following:
 - a. Clear identification of the problem with specific examples,
 - b. A mutually agreed-upon action plan to resolve the problem,
 - c. Documentation of the counseling and communication which is kept in the personnel file of the individual who receives counseling.
2. Formal Warning. Formal Warnings should be initiated when (1) counseling fails to resolve the problem, or (2) the problem is of such a serious nature that immediate and formal resolution is required.
 - a. Formal Warnings should follow the format provided in the “Formal Warning Document.” (See Appendix C). The document should include:
 1. A specific statement of the problem,
 2. Reference to any counseling that was attempted,
 3. A statement of the policy that was violated,

4. A summary of corrective actions to be taken,
 5. A statement of the consequences of failure to resolve the problem(s),
 6. A reasonable time frame for resolution (often 15 to 30 days).
 - b. Formal Warnings should be presented at a meeting with the parish leader(s).
 - c. Church personnel should be required to sign the Formal Warning Document.
 - d. Formal Warning Documents and all accompanying materials should be stored in the personnel file of the individual who receives the warning.
 - e. If Formal Warnings relate to inappropriate behavior with minors, Formal Warning Documents will be mailed or delivered to the Victim Assistance Coordinator's office.
3. Termination. Termination should be administered under one of two conditions:
 - a. Failure to improve conduct subsequent to Formal Warning, or
 - b. Serious and major offenses, including but not limited to, violations of the Policies on Ethics and Integrity in Ministry.

Appendix E. Procedures for Allegations Against Clergy

When an allegation of sexual abuse is brought against a priest or deacon, the procedures found in the Code of Canon Law (1983), the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons, Sacramentorum sanctitatis tutela*, and related decrees must be followed, in addition to prevailing criminal and civil law.

The procedure is spelled out in this Appendix, with the caveat that each case may present its own differences and challenges.

At any time, State criminal proceedings and/or civil litigation may be involved, as well as canonical processes. The Catholic Church must operate in all three spheres. The Diocese of San Angelo recognizes the right of the accused priest or deacon to seek legal recourse.

The Allegation

1. When an allegation of sexual abuse of a minor by a priest or deacon is received by the diocese, the bishop will respond as follows:

- The case is referred immediately to the Victim Assistance Coordinator (VAC). As noted in the *Charter*, he/she is “to aid in the pastoral care” (Article 2, Norm 3) of the complainant and family; the bishop demonstrates that the diocese has a “sincere commitment to their spiritual and emotional well-being” (Article 1). The VAC will gather the facts of the case, obtaining as much pertinent information as possible. The VAC will offer counseling for the victim/family, advise them of their right to report to civil authorities, and inform the victim or parents of a minor that he/she will be their communication contact with the diocese. The VAC will immediately make a verbal report to the diocesan bishop. This will be documented by a written report.
- If the bishop believes that the VAC report warrants further action, the bishop will appoint a priest (or deacon if the alleged is a deacon) investigator to begin a Preliminary Investigation and look into the case promptly and objectively. The investigator will coordinate his investigation and findings with the diocesan chancellor, as well as cooperate with civil investigating agencies. The principal responsibilities of the investigator are to determine the credibility of the allegation of sexual abuse by a member of the clergy, ensure objectivity in the diocesan investigation, and recommend to the bishop whether or not the Preliminary Investigation warrants initiation of the Penal Process. If the alleged victim is a minor, a report will be made to appropriate civil authorities and the diocesan investigation will be suspended until such time that the bishop can be assured that the diocesan investigation would not interfere with the investigation being conducted by law enforcement officials.
- The bishop may seek the advice of the Diocesan Review Board (Norm 4)
- The bishop issues a decree initiating the Preliminary Investigation to determine if the allegation constitutes a “report of a delict (canonical crime) with at least a semblance of truth” (c. 1717; Norm 6)

- The bishop approves the canonical counsel for the accused priest or deacon (c. 1717; Norm 6)
- The bishop reports to civil authorities if required by law (Norm 11, Charter 4) or if the person involved is a minor (Charter 4)
- The bishop or his designee notifies civil counsel and the insurer.

2. When the diocesan bishop receives the report from the Victim Assistance Coordinator, he will designate a Case Manager (the Victim Assistance Coordinator, the chancellor, or other designee) to conduct the day-to-day management of the case. The Case Manager will work closely with the bishop on

- Reporting to civil authorities
- Coordinating with the legal counsel of the diocese
- Informing the diocesan insurance carrier
- Collaborating with the diocesan Communications Director; the bishop and the Communications Director will be the only persons to speak for the diocese to the media
- Serving as (or with) the Victim Assistance Coordinator to attend to the victim and family
- Communicating with the affected school or parish
- Maintaining the files, documenting the case

3. If the accused cleric/religious is from another diocese or a member of a religious institute, the Preliminary Investigation, the removal from ministry and/or revocation of permission to serve in the diocese will be coordinated with the proper bishop or religious superior. If the bishop determines that a religious cleric may no longer exercise a ministry that involves the care of souls, the public exercise of divine worship, or some other work of the apostolate (c. 678.1) within the diocese, the cleric's faculties will be revoked and his proper superior will be requested to recall the cleric immediately (cc. 679; 682.2). The diocese or religious institute of the accused retains its rightful autonomy and responsibility to address issues pertaining to its internal affairs, such as psychological assessment, treatment and aftercare for the cleric/religious, as well as possible dismissal from the clerical state.

4. If a bishop is accused of sexual abuse of a minor or has, in some way, fostered this behavior of a fellow bishop or priest or deacon by failing to address such behavior appropriately, he is to report to or be reported to the Apostolic Nuncio. (Ref Section One V. D. 2)

The Preliminary Investigation

Upon being informed of an allegation of sexual abuse against a priest or deacon, the bishop initiates the Preliminary Investigation of a penal process (cc. 1717-1719). In some documents, this is also called the "prior investigation" or the "internal investigation." The investigation is to be "conducted promptly and objectively" (Norm 6).

The process begins, as noted above, when the bishop initiates the investigation to determine if the allegation constitutes a "report of a delict with at least a semblance of truth (c. 1717; Norm 6), unless such an inquiry seems entirely superfluous (c. 1717.1). He does so by issuing a decree (c. 1719).

1. The bishop names a delegate to conduct the investigation and gather evidence in the case (c. 1717); this investigator cannot later act as a judge if a judicial process is initiated (c. 1717.3). If the accused is a priest then the investigator must be a priest. This investigator is

- Inquire about the facts, circumstances, and imputability
- Ascertain specifically the date of birth of the alleged victim and the date of the alleged abuse, in order to determine the applicability of c. 1395.2 (on the age of the victim) and the status of prescription (i.e., “statute of limitations” in Canon Law)
- Make a report of the evidence to the bishop

2. The bishop seeks the advice of the Diocesan Review Board regarding the facts and findings of the investigation and seeks their advice regarding the probable nature of the allegation (Norm 4). The bishop may seek the advice of the Diocesan Review Board at any time during the investigation. It is desirable that the Promoter of Justice participate in the meetings of the Review Board (Norm 5).

3. Everyone must respect the right to privacy and to a good reputation of all parties associated with the incident under investigation, especially of the victim and the accused cleric (Norm 6; c. 1717.2).

4. The investigator is to inform the complainant and other witnesses in writing

- Of the Church’s concern in taking the allegation seriously and responding appropriately
- Where the complainant and witnesses can be heard
- That the complainant and witnesses must provide a written statement and respond to specific questions that will be posed by the investigator
- That all the testimony will be given under oath, recorded verbatim, and signed before a priest notary (c. 483.2)
- That the complainant or witnesses may request and will be provided with canonical counsel if desired
- That the complainant and witnesses may be advised by civil legal counsel. It should be noted that if the alleged victim is advised by legal counsel not to participate in the investigation, it may render it impossible for the Church to impose a canonical penalty on the cleric.
- If the complainant or witnesses are invited to appear before the Diocesan Review Board, they may decline or request to meet only the investigator or a representative of the Review Board in a location and atmosphere that is comfortable to all parties.

5. The bishop may examine at this time whether it is expedient for him or the Victim Assistance Coordinator to propose remedies for the damage resulting from sexual abuse, as appropriate, and, with the consent of the parties, to resolve equitably the question of damages (c. 1718.4), for example, by offering counseling.

6. The bishop, according to circumstances, may place the accused on administrative leave with standard diocesan remuneration intact, pending the outcome of the investigation. According to the Norms, at all times, the diocesan bishop has the executive power of governance, through an administrative act, to request that the accused freely resign from any currently held ecclesiastical office, to remove an offending cleric from office, to remove or restrict his faculties, and to limit his priestly ministry (Norms 9). To do so, the bishop must follow canon 1722:

- To prevent scandals, to protect the freedom of witnesses, and to guard the course of justice
- Having heard the promoter of justice
- Having cited the accused in writing and having heard from him in writing or in person (c. 50)
- Can exclude the accused from the sacred ministry or from some office or ecclesiastical function, can impose or forbid residence in some place or territory, or even can prohibit public participation in the Most Holy Eucharist
- Issues a decree (cc. 35-58), which the accused must follow even if he appeals
- Once the cause ceases, all these measures must be revoked.

7. The investigator is to inform the accused cleric in writing of the allegation being brought against him, noting

- That the accused cleric has a right to and is encouraged to seek legal counsel with whom he should consult prior to any conversations about this matter
- That the accused cleric has a right to and is encouraged to seek canonical counsel with whom he should consult prior to any conversations about this matter; indeed, the diocese must provide canonical counsel when necessary (Norm 8A)
- That the accused cleric has the right to speak to his bishop and can admit to the offense if he so chooses. He cannot be compelled, however, to confess the offense or take an oath (c. 1728.2) or to say anything self-incriminating.
- The accused cleric may be invited to appear before the Diocesan Review Board. While he has a right to be heard and to present whatever information he may wish to the Board, he cannot be compelled to appear before the Board, to take an oath, or to confess the alleged offense (c. 1728.2). He has a right to have canonical counsel present (Norm 6).
- The accused cleric will be promptly notified of the results of the investigation (Norm 6).

8. The investigator may include documents as evidence.

9. The investigator will make a written report to the diocesan bishop.

10. The bishop determines the probable nature of the delict and issues a decree closing the Preliminary Investigation (c. 1719). If he decides there is sufficient evidence, he will follow “The Penal Process” below. If he decides there is not sufficient evidence, he will follow the steps in “Proceeding, Without Sufficient Evidence” below.

The Penal Process

1. The diocesan bishop must decide how to proceed, based on sufficient evidence (c. 1718.1) and the probable knowledge that a canonical crime (delict) has been committed. This decision is based on moral certainty concerning the sufficiency of the evidence; it is not based on having judged the accused as guilty.

2. The diocesan bishop, if there is no ongoing criminal investigation or the canonical actions would not interfere with the civil investigation (Charter 4, Norm 11),

- Promptly notifies the accused of the results of the investigation and advises him again to retain civil and canonical counsel (Norm 6).
- Applies the precautionary measures of canon 1722 (see above, Preliminary Investigation, #6).
- Notifies the Dicastery of the Doctrine of the Faith that there is a report of a reserved delict, which has at least the semblance of truth, that sexual abuse of a minor has occurred (Norm 6). His letter (votum) should include the description of the case and deal with imputability. He will request a derogation from the statute of limitations (or prescription) if the case so warrants, giving the reasons for his request, whether it is expedient in light of canon 1341 to set in motion the process for declaring or inflicting a penalty and whether the case ought to be handled by extra-judicial decree or a formal trial (see # 5 below). The Dicastery for the Doctrine of the Faith must respond before the case can proceed.
- May request or urge the alleged offender to seek and voluntarily comply with an appropriate medical and psychological evaluation at a facility mutually acceptable to the diocese and the accused. The cleric is free to accede to the request or to refuse it; because of the right to privacy (c. 220) a refusal cannot be used against him. He is free to decide whether or not to release medical or psychological reports to the bishop or others. The Dicastery for the Clergy has also decreed that medical records cannot be used as evidence in a penal case without the direct consent of the person accused (June 9, 1998).

3. The diocesan bishop, with regard to the victim, may propose remedies for damages, through the Victim Assistance Coordinator, if this has not already been done above (see Preliminary Investigation, #5). Settlement would require the consent of the parties (c. 1718.4).

4. The documents from the investigation are to be kept in the secret archive of the curia if they are not necessary for the penal process (c. 1719). The Dicastery for the Doctrine of the Faith may require that the documents be sent to them.

5. Anticipated Outcomes:

As noted in Article 5 of the *Charter*, when even a single act of sexual abuse by a priest or deacon is admitted or is established after an appropriate process in accord with canon law, the offending priest or deacon will be removed permanently from ecclesiastical ministry, not excluding dismissal from the clerical state, if the case so warrants (c. 1395.2). One of the following outcomes is anticipated.

First, the priest or deacon may at any time request a dispensation from the obligations of the clerical state, according to the Substantial and Procedural Norms of the Dicastery for the Doctrine of the Faith, October 14, 1980, and subsequent decrees. This includes a dispensation from the obligation of celibacy. The bishop should offer the assistance of canonical counsel.

Second, the Dicastery for the Doctrine of the Faith, having been notified, may call the case to itself because of special circumstances (Norm 8A)

Third, the Dicastery for the Doctrine of the Faith may direct the diocesan bishop how to proceed

(Norm 8A):

- The bishop, in exceptional cases, may request of the Holy Father the dismissal of the priest or deacon from the clerical state *ex officio et in poenam*, even without the consent of the priest or deacon (*Charter*, 5). This procedure might be used in a case in which guilt has been established and the diocese is unable to conduct a judicial trial.
- The Dicastery for the Doctrine of the Faith (DDF) will authorize the bishop to use the administrative penal process of canon 1720, with referral to the DDF for dismissal by decree (*Sacramentorum sanctitatis tutela* 13, 17; cc. 1718, 1720, 2/7/03 decisions of Pope John Paul II).
- The DDF will notify the bishop of its decision that the bishop should proceed with the judicial penal process (a canonical trial) to be held for the imposition of a penalty, either at first instance before a local tribunal or before the Apostolic Tribunal of the Dicastery of the Doctrine of the Faith. In conducting this trial, the canons concerning delicts and penalties and penal processes found in the Code of Canon Law are to be observed, as well as other documents listed in Norms 8A and related decrees from the Holy See.

Fourth, if the penalty of dismissal from the clerical state has not been applied (e.g., for reasons of advanced age or infirmity), the offender ought to lead a life of prayer and penance. He will not be permitted to celebrate Mass publicly or to administer the sacraments. He is to be instructed not to wear clerical garb, or to present himself as a priest. (Norm 8B)

Fifth, according to Norm 9, at all times the diocesan bishop has the executive power of governance, through an administrative act, to remove an offending cleric from office, to remove or restrict his faculties, and to limit his exercise of priestly ministry. Because sexual abuse of a minor is a crime in the universal law of Church (c. 1395.2) and is a crime in all jurisdictions in the United States, for the sake of the common good and observing the provisions of canon law, the diocesan bishop shall exercise this power of governance to ensure that any priest who has committed even one act of sexual abuse of a minor shall not continue in active ministry (see associated footnotes for Norm 9).

6. Statute of limitations, called “prescription” in canon law: “If the case would otherwise be barred by prescription, because the sexual abuse of a minor is a grave offense, the bishop shall apply to the Dicastery for the Doctrine of the Faith for derogation from the prescription, while indicating the appropriate pastoral reasons” (Norm 8A).

In summary, for the United States, canonical penal prescription for an offense against the sixth commandment with a minor by a cleric becomes as follows:

- for offenses committed before November 27, 1983: five years from the date of offense.
- for offenses committed on or after November 27, 1983 and prior to April 24, 1994 (USA only): five years after the victim has completed the eighteenth year.

- for offenses committed on or after April 25, 1994 (USA): as long as the denunciation was made before the one who suffered the injury had completed the twenty-eighth year.
- For offenses committed since April 30, 2001 (Universal Church): until the one who suffered the injury has completed the twenty-eighth year.

7. Errors: The Dicastery of the Doctrine of the Faith has the faculty, in cases legitimately brought to the Dicastery, to sanate acts, if procedural laws have been violated by inferior tribunals acting on the mandate of the same Dicastery or under article 13 of the motu proprio *Sacramentorum sanctitatis tutela*. (DDF, February 7, 2003).

8. Appeals against administrative acts of the Dicastery of the Doctrine of the Faith and all other recourses against such acts must be referred to the Ferial IV of the Dicastery for the Doctrine of the Faith. No other recourse is permitted for these cases. (DDF, February 14, 2003)

Proceeding, Without Sufficient Evidence

1. If the proofs gathered are insufficient in the estimation of the diocesan bishop to establish the probability of a canonical crime, the bishop will
 - Promptly notify the accused of the results of the investigation (Norm 6).
 - Have the option of consulting the Dicastery of the Doctrine of the Faith for assistance.
 - Consult the Diocesan Review Board about suitability for ministry (Norms 4A).
 - If necessary, take the appropriate administrative action described in Norm 9 (See above, Preliminary Investigation, #6).
2. When the accusation has proved to be unfounded, every step possible will be taken to restore the good name of the person falsely accused (Norms 6, 13).

Transfer for Ministry or Residence

“No priest or deacon who has committed an act of sexual abuse of a minor may be transferred for ministerial assignment to another diocese/eparchy or religious province. Before a priest or deacon can be transferred for residence to another diocese/eparchy or religious province, his bishop/eparch or religious ordinary shall forward in a confidential manner to local bishop/eparch and religious ordinary (if applicable) of the proposed place of residence any and 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. This shall apply even if the priest or deacon will reside in the local community of an institute of consecrated life or society of apostolic life (or, in the Eastern Churches, as a monk or religious, in a society of common life according to the manner of religious, in a secular institute, or in another form of consecrated life or society of apostolic life). Every bishop/eparch 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.” (Norm 12).

Appendix F. Affirming Our Episcopal Commitments

THUS SHOULD ONE REGARD US: AS SERVANTS OF CHRIST AND STEWARDS OF THE MYSTERIES OF GOD. NOW IT IS OF COURSE REQUIRED OF STEWARDS THAT THEY BE FOUND TRUSWORTHY (1 COR 4:1-2).

The document *Affirming Our Episcopal Commitments* was developed by the Committee on Clergy, Consecrated Life and Vocations of the United States Conference of Catholic Bishops (USCCB). It was approved by the full body of bishops as a formal statement of the same at its June 2019 General Meeting and has been authorized for publication by the undersigned.

Msgr. J. Brian Bransfield, STD
General Secretary, USCCB

The authority and responsibilities of a bishop arise fundamentally from the grace of the sacrament of Holy Orders. For the bishop to exercise his authority and responsibilities properly, however, he must be conformed to the heart of Christ, who “humbles himself” for our sake (Phil 2:8). In the exercise of sacred power, the bishop must show himself to be rich in humanity in imitation of Jesus, the perfect man. To this end, his conduct should radiate those virtues and human gifts which arise from charity and are rightly valued in our society. These gifts and human virtues bear fruit in pastoral prudence, in wise care of souls and in good governance” (*Apostolorum successores*, 2004, no. 47).

In keeping with the promises made at his episcopal ordination, a bishop is to guide others to holiness, to welcome the stranger, the poor, and all those in need. He is to act as a good shepherd, especially attentive to those on the peripheries. Some bishops have failed in keeping to these promises by committing acts of sexual abuse or sexual misconduct themselves. Others have failed by not responding morally, pastorally, and effectively to allegations of abuse or misconduct perpetrated by other bishops, priests and deacons. Because of these failures, the faithful are outraged, horrified, and discouraged.

We, the bishops of the United States, have heard the anger expressed by so many within and outside of the Church over these failures. The anger is justified; it has humbled us, prompting us into self-examination, repentance, and a desire to do better. We will continue to listen.

Today, in a spirit of pastoral responsibility and contrition, we affirm once more the commitments we made when we were ordained bishops, including the commitments to respond directly and appropriately to cases of sexual abuse of minors or vulnerable persons, sexual misconduct, and the mishandling of such cases by bishops. “This responsibility falls, above all, on the successors of the Apostles . . . and demands from [us] a commitment to follow closely the path of the Divine Master” (*Vos estis lux mundi*, 2019 preamble).

1. We will continue to reach out to the victims/survivors of sexual abuse by the clergy and their families in support of their spiritual and emotional well-being. Realizing that we might not always be the best suited to offer such care, we will do all that is within our authority and ability to help victims/survivors find the care and healing they need.
2. We pledge our full support for and adherence to the provisions outlined in the Holy Father's Apostolic Letter *moto proprio*, *Vos estis lux mundi*, which hold bishops accountable to higher moral standards because the pastoral care of the faithful has been entrusted to them.
3. We will promote and disseminate widely – in our Churches, seminaries, diocesan or eparchial newspapers, parish bulletins, websites, social media, and other appropriate venues – information on how a person can report to an independent, third-party entity any instances of the sexual abuse of a minor or vulnerable persons by a bishop. While safeguarding confidentiality of all persons involved, every effort will be made toward transparency and keeping the person submitting the report, and when permitted the accused, apprised of the status of the case.
4. We are also committed, when we receive or when we are authorized to investigate such cases, to include the counsel of lay men and women whose professional backgrounds are indispensable.
5. We will amend, where necessary, our diocesan or eparchial codes of conduct for ministers so that they state unequivocally that they apply to bishops as well as to all those serving the Church in our diocese or eparchy.
6. We will also make sure that these codes of conduct contain clear explanations as to what constitutes sexual misconduct with adults as well as what constitutes sexual harassment of adults.
7. Both our Baptism and ordination call us to chaste living. We will be always mindful that there can be no “double life,” no “special circumstances,” no “secret life” in the practice of chastity.
8. “The bishop cannot ignore or leave undone the task of holding up to the world the great truth of a holy and chaste Church, in her ministers and in her faithful. When situations of scandal [and sin] arise, especially on the part of the Church's ministers,” we promise to “act firmly and decisively, justly and serenely” (*Apostolorum successores*, no. 44). We commit ourselves “to ensuring that those who state that they have been harmed, together with their families, are to be treated with dignity and respect, and, in particular, are to be: welcomed, listened to and supported, including through provision of specific services; offered spiritual assistance; offered medical assistance, including therapeutic and psychological assistance, as required by the specific case: (*Vos estis lux mundi*, art. 5, §1).

We understand “scandal” not only in terms of how such allegations damage the image of the Church, but more so in how such sinful behavior injures the victim and causes others to lose faith in the Church. Our first response will be to provide for the pastoral care of the person who is making the allegation as well as follow the established Church and civil procedures to investigate. This will be done in cooperation with lay experts and civil authorities.

9. We will “participate, whenever possible, in formation gatherings arranged by various ecclesial bodies” (*Apostolorum Successors*, no. 54), especially those offered by the USCCB, in regard to best practices in preventing and dealing with sexual abuse of minors and vulnerable persons, and sexual misconduct with or sexual harassment of adults, seeking the help of experts in these fields.
10. Finally, when proposing names for the office of bishop, we will offer candidates truly suitable for the episcopacy. “For a bishop as God’s steward must be blameless, not arrogant, not irritable, not a drunkard, not aggressive, not greedy for sordid gain, but hospitable, a lover of goodness, temperate, just, holy, and self-controlled...” (Titus 1:7-8)

In his personal letter to the U.S. bishops in January 2019, Pope Francis reminded us that the consequences of our failures cannot be fixed by being administrators of new programs or committees. They can only be resolved by humility, listening, self-examination, and conversion. It is our hope that by obeying the Word of God and embracing what the Church expects of us, we will imitate Christ, the Good Shepherd.

U.S. Conference of Catholic Bishops
May 7, 2019

Appendix G. A Statement of Episcopal Commitment

U.S. Conference of Catholic Bishops

We bishops pledge again to respond to the demands of the *Charter* in a way that manifests our accountability to God, to God's people, and to one another. Individually and together, we acknowledge mistakes in the past when some bishops transferred, from one assignment to another, priests who abused minors. We recognize our roles in the suffering this has caused, and we continue to ask forgiveness for it.

Without at all diminishing the importance of broader accountability, this statement focuses on the accountability which flows from our episcopal communion and fraternal solidarity, a moral responsibility we have with and for each other.

While bishops are ordained primarily for their diocese or eparchy, we are called as well to protect the unity and to promote the common discipline of the whole Church (CIC, c. 392; CCEO, c. 201). Participating in the college of bishops, each bishop is responsible to act in a manner that reflects both effective and affective collegiality.

Respecting the legitimate rights of bishops who are directly accountable to the Holy See, in a spirit of collegiality and fraternity we renew our commitment to the following:

1. Within each of our provinces, we will assist each other to interpret correctly and implement the *Charter for the Protection of Children and Young People*, always respecting Church law and striving to reflect the Gospel.
2. We will apply the requirements of the *Charter* also to ourselves, respecting always Church law as it applies to bishops. Therefore, if a bishop is accused of the sexual abuse of a minor, the accused bishop is obliged to inform the Apostolic Nuncio. If another bishop becomes aware of the sexual abuse of a minor by another bishop or of an allegation of the sexual abuse of a minor by a bishop, he too is obliged to inform the Apostolic Nuncio and comply with applicable civil laws.
3. In cases of financial demands for settlements involving allegations of any sexual misconduct by a bishop, he, or any of us who become aware of it, is obliged to inform the Apostolic Nuncio.
4. Within each of our provinces, as an expression of collegiality, including fraternal support, fraternal challenge and fraternal correction, we will engage in ongoing mutual reflection upon our commitment to holiness of life and upon the exercise of our episcopal ministry.

In making this statement, we firmly uphold the dignity of every human being and renew our commitment to live and promote the chastity required of all followers of Christ and especially of deacons, priests and bishops.

This Statement of Episcopal Commitment will be reviewed by the Committee on Clergy, Consecrated Life and Vocations upon the next review of the *Charter*.

June 2018

Appendix H

DIOCESE OF SAN ANGELO, TX CHILDREN / YOUTH BEHAVIOR INCIDENT REPORT

(To be completed by Adult Supervisor)

I. Identification of the Incident:

Name of Injured/Minor _____ Date of Incident _____

Address: _____

City: _____ Phone: _____

Time of Incident _____ Location of Incident _____

Parish / City / Phone _____

II. Nature of the Incident *(i.e. physical injury, verbal abuse, etc.):*

Describe in detail the incident involved in this report: *(How and Why Incident Occurred)*

Name(s) of witnesses: _____

III. Action(s) Taken:

Adult Supervisor _____

Signed

Date

Appendix I

Parish Input Form Completed by DRE / CRE / CYM / Staff

Date Incident Reported to DRE / CRE / CYM: _____

Results of Investigation by DRE / CRE / CYM: _____

Conclusion(s): _____

Action(s) Taken: _____

DRE / CRE / CYM Signature: _____ **Date:** _____

Date Sent to Pastor: _____

Date Sent to Office of Evangelization and Catechesis: _____

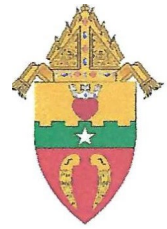
Date Sent to Diocesan Safe Environment Coordinator: _____

Appendix J. Diocesan Guidelines for Expected Peer Behavior for Children and Youth

1. Students will strive to ensure that their behavior maintains a safe environment for themselves and others (children, youth, adults) and witnesses in word and deed their discipleship in Jesus Christ.
2. Students are to respect one another and not engage in any type of bullying or intimidation. Bullying and intimidation include engaging in written, electronic, or verbal expressions or conduct that has the effect of physically harming a student, damaging a student's property, or placing a student in fear of harm to one's self or property severe enough to create an intimidating, threatening, or abusive educational environment for a student.
3. Students are to act in a Christian manner that will not cause physical injury to another student.
4. Students are to respect each other by not touching other students in an inappropriate or immoral way.
5. Students will not damage the property of another student.

Students enrolled in the Catholic Schools, Parish Religious Education and Youth Programs, and other Church-sponsored programs must be made aware that they should report abuse involving either themselves or peers to: Teachers, Principals, DRE or CRE, Youth Coordinator, Pastor, or the Diocesan Safe Environment Coordinator.

Appendix K. Diocese of San Angelo Promotional Release Form



For good and valuable consideration, the undersigned hereby grants to _____ (*parish/school*) ("Diocese") the irrevocable and unrestricted right to make, use, and/or publish any and all photographs, videos, and other images of me or my minor child _____ (*child's name*) ("Subject"), or images in which Subject may be included, now existing or hereafter made, in any case, with or without identifying Subject for editorial, advertising, news, or any other purpose and in any manner and medium; to alter the same without restriction; and to copyright the same. On behalf of myself and/or my child, I specifically waive all rights to privacy and confidentiality with respect to name, likeness, voice, photographs, images, video recordings, audio recordings and identifying information.

Further, the undersigned hereby releases and agrees to fully and unconditionally protect, indemnify, and defend _____ (*parish/school*), and the Roman Catholic Diocese of San Angelo, and their respective officers, agents, and employees, (collectively, "Indemnitees") and hold each Indemnatee harmless from and against any and all costs, expenses, attorney's fees, claims, damages, demands, suits, judgments, losses, or liability for injuries to property, injuries to persons (including Student) and from any other costs, expenses, attorney fees, claims, suits judgments, losses, or liabilities of any and every nature whatsoever arising in any manner, directly or indirectly, out of, in connection with, in the course of, or incidental to the use or publication of any photographs, videos, or other images of Student, REGARDLESS OF CAUSE OR OF THE JOINT, COMPARATIVE, OR CONCURRENT NEGLIGENCE OF THE INDEMNITEES.

I/We _____ parents/guardians/conservators of

Name of minor

Birth date

to the use of any videotapes, photographs, slides, DVDs, audiotapes, or any other visual or audio reproduction (in perpetuity, unless otherwise revoked by us in writing and delivered by certified mail), return receipt requested to:

Diocese of San Angelo, 804 Ford St., San Angelo, TX 76905

We understand that these materials are being used for promotion of ministry of the Diocese of San Angelo which may include recruitment and fundraising efforts, recording of the school's history and events, or news media and broadcasts, to the exclusion of any other commercial use whatsoever. No personally identifying information, nor a child's educational records, shall be published.

Signature of both Parents/Guardians/Conservators:

Date _____

PROMOTIONAL RELEASE FORM NEEDS TO BE FILLED OUT ONE TIME DURING THE MINOR'S ENTIRE TIME IN THE PARISH/SCHOOL. It does not need to be filled out each year or for each ministry event. This form, once filled out and signed, will be kept on file at the parish until the minor's 20th birthday.

Updated March 2025

Appendix L. Diocese of San Angelo Parent/Guardian Permission for Youth to Participate in Ministry

By means of this letter, I grant permission for my son/daughter, _____
(Child/Youth's Name)
to participate in ministry at _____ parish/mission/event. This
permission is valid until such time as I formally withdraw it by written notification to the
parish/mission/event.

I attest that _____ :
(Child/Youth's Name)

- Is a person of good moral character and reputation.
- I know of nothing which would in any way limit or disqualify him/her from this ministry.
- I am unaware of anything in his/her background which would render him/her unsuitable to work with minor children.

Date: _____

Signature of Parent or Guardian

Printed Name of Parent or Guardian

Pastor or Program Director Signature

Printed Name of Pastor or Program Director

Printed Name of Parish & City