

Protecting the People of God

Terms and Definitions: These apply to all of the following policies as applicable. Sources include the 2020 edition of the *Accreditation Standards*, the 2020 revision of the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* (USCCB) and the 2018 version of the *Charter for the Protection of Children and Young People*.

A **minor** is any person under the age of 18. This also applies to persons who are developmentally disabled or have imperfect use of reason as mandated by the Congregation for the Doctrine of Faith.

A **member** is a person for whom the province is fully responsible according to canon law and the proper law of the institute. This includes those who are now deceased. It also includes those persons who are dispensed from vows but only for the duration of their vows.

A **candidate** is an individual who is applying for membership in the province.

A **novice** is a person who has entered the canonical novitiate year.

An **allegation** is “a first-person accusation of sexual abuse of a minor or venerable adult brought against a current member, former member, or deceased member which is reported to the Institute (province) through any form of communication, including any that are anonymous.”¹

An **established allegation** is defined as one in which: “Based upon the facts and the circumstances, there is objective certainty that the accusation is true and that an incident of sexual abuse of a minor or venerable adult has occurred.

[The judgement of the major superior must be based upon facts and circumstances discovered during the course of the investigation and not on simple opinion. An established allegation is not based upon a ‘preponderance of the evidence’, i.e. more likely to be true than not, which may be established by 51% or more of the evidence. An established allegation is in keeping with the canonical standard of ‘moral certitude’ which states that the major superior recognizes that the contrary (that the allegation is false) may be possible, but is highly unlikely or so improbable that the major superior has no substantive fear that the allegation is false].”²

Sexual abuse is defined as ‘contact or interaction between a minor or venerable adult and an adult when the minor or venerable adult is being used for sexual stimulation of the adult. This occurs when an adult engages a minor or venerable adult in any sexual activity, including direct sexual contact as well as sexual non-contact such as frottage, exhibitionism, and the distribution, downloading and/or intentional viewing of child pornography.’³

Sexual contact is defined as vaginal intercourse, anal intercourse, oral intercourse, the touching of an erogenous zone of another person (including but not limited to the thighs, genitals, buttocks, pubic region or chest) or mouth-to-mouth and/or French kissing for the purpose of sexual arousal or gratification.

¹ 2020 Accreditation Standards, pages 46-47

² Ibid

³ Ibid

Child Pornography is any activity which involves a graphic depiction of a minor that is sexually explicit.”⁴

Ecclesiastical ministry is any ministry or activity under the authority of a diocesan bishop.

Public ministry is any ministry or activity which is under the authority of a diocesan bishop and/or the sponsorship of a religious institute and/or with the permission of the major superior. It is also interpreted by the USCCB committee on the Protection of Children and Young People as being ‘any ministry that includes persons other than the priest himself.’⁵

Vulnerable adult is defined, using the terminology in Wisconsin civil statutes, as “any adult who has a physical or mental condition that substantially impairs his or her ability to care for his or her needs and who has experienced, is currently experiencing, or is at risk of experiencing abuse, neglect, self-neglect or financial exploitation”⁶

⁴ Ibid

⁵ 2009 Annual Report on the Implementation of the Charter for the Protection of Children and Young People, p 14

⁶ Wis. Stat. §55.01(1e)

Scope of these Policies⁷

Upon adoption by the Provincial Superior and his Council, these policies apply to the following people:

1. All candidates participating in the formation programs of the US Province;
2. Postulants and novices regardless of whether they are studying for the US Province or another entity of the Congregation of the Priests of the Sacred Heart;
3. Members in temporary or perpetual profession;
4. International members of the Congregation in public ministry within the US Province; and,
5. International members of the Congregation engaged in long term academic study in the USA.

These policies will be distributed to each person named above. All are required to sign a form indicating that they have received the policy statements, they have read and understand the policies and that they will abide by all of the conditions and requirements.

This signed statement is to be returned to the Provincial Secretary and will be maintained in the appropriate files. These statements will be renewed every five years.

⁷ Standard 8

Appropriate Behaviors with Minors and/or Vulnerable Adults

To protect the safety of minors and vulnerable adults, the Province requires each member, novice and candidate to follow the Province policies conscientiously in order to avoid even the appearance of impropriety in his conduct with others. We must remember that we live in a social climate in which even actions or gestures that are wholly innocent may give an appearance of impropriety. Each of us must be attentive to his own reputation and those of our confreres as these reputations are essential to the effective preaching of the Gospel.

Our relationships with minors and vulnerable adults are both professional and personal. For this reason, the following norms apply to both, ministerial relationships with minors or vulnerable adults and familial relationships with minors or vulnerable adults, recognizing that in certain family situations the application of the norms may require appropriate nuance. While it is impossible to legislate for every unique situation, these norms require members, novices and candidates to conduct all relationships with minors or vulnerable adults, including relatives, in public with the full knowledge and consent of their parents or guardians. Members, novices and candidates are to exercise the utmost prudence in every situation and/or relationship with minors or vulnerable adults.

Sexual abuse of a minor or a vulnerable adult is contrary to the Gospel and the teaching of the Roman Catholic Church. Members, novices and candidates are enjoined to protect minors and vulnerable adults from all forms of abuse and neglect to the best of their abilities.

The first step to prevention and protection requires maintaining appropriate boundaries. The following statements provide further guidance in this matter.

A Non-Inclusive Listing of Unacceptable Behaviors (some of these behaviors are illegal and subject to criminal prosecution):

1. Using, possessing or being under the influence of illegal substances while in the presence of minors or vulnerable adults.
2. Using, possessing or being under the influence of alcohol while supervising minors or vulnerable adults.
3. Providing or allowing minors or vulnerable adults to purchase or consume alcohol or illegal substances.
4. Using profanity in the presence of minors or vulnerable adults.
5. Speaking to minors or vulnerable adults in a manner that is harsh, threatening, intimidating, shaming, derogatory, demeaning or humiliating.
6. Involving minors or vulnerable adults in a discussion/conversation about sexual activities unless it is a specific job requirement. The member must have had specific training for this role.
7. Engaging in any sexually oriented conversation with minors or vulnerable adults unless these discussions are part of an age-appropriate, legitimate lesson or discussion regarding human sexuality and ethics. These lessons need to convey the Church's teachings on these topics. If the minors or vulnerable adults have specific questions that were not addressed or answered in these lessons, they should be referred to their parents or guardians for further clarification.
8. Being nude in the presence of minors or vulnerable adults.
9. Possessing or using sexually oriented or morally inappropriate materials (i.e. magazines, cards, photographs, videos, clothing).
10. Using computers or hand-held telecommunication devices to access, upload or download material that is sexually oriented or morally inappropriate. This includes electronic forms of child

pornography, virtual and real. It is noted that this behavior may be criminal and needs to be reported to the appropriate civil authority immediately upon discovery.

11. Sleeping in the same bed, sleeping bag or small tent with minors or vulnerable adults.
12. Engaging in sexual contact with a minor or vulnerable adult.
13. Members, novices and candidates are prohibited from having unaccompanied minor(s) or vulnerable adult(s) stay at their residence. Any request for an exception to this item (i.e. Come and See weekend at the Formation House) must be approved by the Provincial Superior in writing at least two (2) weeks in advance.

Off-site Events:

1. Members, novices and candidates are prohibited from transporting minor(s) or vulnerable adult(s) without expressed written permission from the parent or guardian.
2. Members, novices and candidates are prohibited from unnecessary and/or inappropriate physical contact with minor(s) or vulnerable adult(s) while in a vehicle.
3. Minor(s) or vulnerable adult(s) must be transported directly to their destination. No unplanned or unannounced stops will be made.
4. The facilities for changing clothes and showering for members and candidates should be separate from those for minor(s) or vulnerable adult(s).

Physical Contact:

1. There are some forms of physical affection utilized by adults to initiate inappropriate contact with minors or vulnerable adults. This contact often occurs when the adult and the minor or vulnerable adult are isolated from others. This contact must be avoided.
2. The following are offered as a guide to assist members, novices and candidates in maintaining a safe environment for all concerned. These examples of affection are **not** to be used by members and candidates in their role as public, ecclesial ministers.
 - a. Lengthy embraces;
 - b. Kissing on the mouth;
 - c. Holding minors or vulnerable adults on one's lap;
 - d. Touching buttocks, chests or genital areas;
 - e. Showing affection in isolated areas such as bedrooms, closets, secluded offices, staff-only areas or other private rooms;
 - f. Being in bed with a minor or vulnerable adult;
 - g. Touching knees or legs of minors or vulnerable adults;
 - h. Wrestling with or tickling minors or vulnerable adults;
 - i. Providing piggyback rides;
 - j. Any type of massage given to a minor or vulnerable adult by an adult;
 - k. Any type of massage given to an adult by a minor or vulnerable adult;
 - l. Any form of unwanted affection;
 - m. Compliments that relate to physique or the minor's or vulnerable adult's body development.

Physical Discipline:

Members, novices and candidates are prohibited from using physical discipline in any way for the behavioral management of minors or vulnerable adults. No form of physical discipline is acceptable. This includes spanking, slapping, pinching, hitting or any other physical force as a corrective agent.

A Non-Inclusive Listing of Appropriate Types of Behavior:

1. Appropriate affection within limits between members/candidates and minors/vulnerable adults is a positive component of life and ministry. The following forms of affection are examples of acceptable behavior:
 - a. Hugs;
 - b. Pats on the shoulder or back;
 - c. Hand-shakes;
 - d. “High fives” and similar types of hand slapping;
 - e. Verbal praise;
 - f. Touching hands, shoulders and arms;
 - g. Arms around shoulders;
 - h. Holding hands while walking with small children;
 - i. Sitting beside small children;
 - j. Kneeling or bending down for hugs with small children;
 - k. Holding hands during prayer;
 - l. Pats on the head when culturally appropriate.
2. The following are examples of appropriate behavior related to public pools, beaches and water parks:
 - a. If possible, avoid changing clothes in public areas where minors or vulnerable adults will be present. Opt for an individual stall with a door, if possible.
 - b. Wear modest swimwear.
 - c. Maintain all of your normal boundaries while in the water and surrounding environment. [If you would not do something on dry land, avoid it in the water.]
 - d. Do not let children hug you or hang on you in the water.
 - e. Try to utilize the pool when minors and vulnerable adults are less likely to be present.
3. A good rule of thumb is to exercise prudence and discretion by practicing restraint and not initiating the physical contact.
4. It is prudent to seek parental permission for the above behaviors when conditions and timing so warrant this.

Training Programs:

1. Members, novices and candidates will be trained in appropriate behaviors. These may include (but are not limited to) training in Safe Environments, Virtus or other models utilized by the province or a particular diocese.
2. Members, novices and candidates will comply with Standard 9 of the 2020 edition of the Instruments of Hope and Healing for continuing education⁸.

⁸ Standard 9 defines various types of educational programs and establishes the requirements for ongoing education.

3. The leadership of the US Province requires all members, novices and candidates to attend province sponsored training. All persons in or preparing for public, ecclesial ministry will participate in this training in addition to training in the diocese where they live/work.
4. Written proof of all training hours need to be forwarded to the Provincial Secretary and will be included in the member's file.

Guidelines for Programs that Involve Minors and/or Vulnerable Adults:

1. Programs for minors and/or vulnerable adults in which members, novices and candidates are involved must be supervised by at least two adults who are physically present.
2. Those members in leadership roles (pastors, formation team, directors of agencies, local superiors) need to be aware of all programs sponsored by entities under their supervision in which members, novices or candidates are involved. It is prudent for a list of these activities to be maintained centrally. These programs should be examined on a regular basis to determine if adequate supervision and appropriate standards of conduct are employed.

Reporting Abuse

All members, novices and candidates are required to report any known or suspected abuse of a minor or vulnerable adult to the appropriate civil authorities (defined as the local police and/or the appropriate state social services department). **ALL MEMBERS, NOVICES AND CANDIDATES ARE MANDATED REPORTERS.** Failure to report suspected abuse may result in criminal prosecution.

All members, novices and candidates are required to report any known or suspected possession, downloading, uploading, distribution and/or intentional viewing of child pornography through the use of electronic equipment, including handheld devices. This report must be made to the local law enforcement and to the Provincial Superior. Failure to report this activity may result in criminal prosecution.

Any allegation of suspected abuse involving a member, novice or candidate will be referred to the appropriate law enforcement agency immediately.

Responding to Allegations

The Provincial Superior or his representative will respond when the province receives an allegation of sexual abuse or inappropriate behavior by a member, novice or candidate against a minor or vulnerable adult.

Allegation

The normal person to receive and respond to an allegation of inappropriate behavior and/or sexual abuse is the Provincial Superior. The Provincial Superior, if possible, should respond to the person making the report with care and compassion.

Initial Responses

The following steps must be taken upon receipt of any allegation.

1. If the allegation concerns someone who is a minor or vulnerable adult, the appropriate law enforcement authorities must be notified immediately.
2. If the allegation is historical and the person is no longer a minor, the laws of the appropriate jurisdiction regarding reporting will be followed. If one is in doubt, contact the state hotline for reporting.
3. If the party who has been named in the allegation is a current member, novice or candidate, the Provincial Superior will notify him of the allegation.
 - a. If the person is currently exercising public and/or ecclesiastical ministry, the person's ability to exercise this ministry will be rescinded temporarily⁹. This is not to be interpreted as a presumption of guilt. It is required by the USCCB's Charter and the Essential Norms.
 - b. The Local Ordinary will be informed of the allegation and that the person's ability to exercise public, ecclesiastical ministry has been temporarily rescinded.
 - c. The named party will be informed that he has a right to legal counsel, both civil and canonical.
4. If the named party is a former member, novice or candidate, the Provincial Superior will attempt to notify the person and, if appropriate, the Local Ordinary where the person currently resides. Proof of this attempt to communicate with the person will be maintained.
5. The Provincial Superior will notify the current civil and canon lawyers for the province.
6. If the alleged victim is known and identifiable, the Provincial Superior or his representative shall reach out to the person to assist in the process of healing. An independent agency may be utilized for this assistance. The agency will keep the Provincial Superior informed of its efforts to promote healing.
7. There may be situations where the province is unable to reach out to an alleged victim. This may occur if the person chooses to remain anonymous or has been identified because she/he is a plaintiff in a legal complaint against the province, its ministries and/or its members. Once the province becomes aware of the identity of the claimant, it will make every attempt to reach out to that person and provide pastoral care. It should be recognized that this desire to provide pastoral care may be limited during the course of civil or criminal litigation.

⁹ Canon 1722 and #6 of the Essential Norms

Process

It is the responsibility of the Provincial Superior to determine if the allegation meets the requirements for semblance of truth¹⁰. A member who is alleged to have committed inappropriate behaviors has the right to secure canonical and civil legal representation paid for by the province. A person has a right to their good name and a presumption of innocence during the process of investigation and determination¹¹.

The following process will be utilized whenever an allegation is received. Local law enforcement will be notified. It is important to note that a criminal investigation has priority which may cause a delay in the canonical investigation process. The province will attempt to avoid possible charges of tampering with witnesses, interfering with or obstructing a criminal case, etc. Further, the province will cooperate with any criminal investigation.

1. When possible, the province will strive to be compassionate to all concerned throughout the process of investigation. Assistance will be offered to the alleged victim. The assistance will be pastoral and therapeutic.
2. The services of an independent, professional, third party investigator will be contracted.
3. The Provincial Superior will request a complete psychological evaluation.
4. The Provincial Superior will use all available and appropriate information to determine if the allegation can be established as truthful.
5. The Provincial Superior will communicate his initial decision to the appropriate Review Board. He will forward support material pertinent for their review.
6. The input and consensus opinion of the Review Board will be incorporated into the Provincial Superior's final determination.
7. The Provincial Superior will formally communicate his findings as necessary and appropriate.

Decision if the person is a candidate, novice or member in temporary vows

The province will strive to be compassionate to all concerned throughout the process.

1. If the allegation against a candidate, novice or member in temporary vows **IS NOT** established as truthful (manifestly false), all efforts will be made to restore and/or repair his name and reputation. If the allegation **IS** established as truthful, the following will apply:
 - a. If the person is a candidate who has not entered the novitiate, he will be dismissed from the formation program.
 - b. If the person is a novice, he will be dismissed in accord with the process outlined in the SCJ Constitutions, 98.e.
 - c. If the person is in temporary vows, he will be restricted from all ministry and the ability to identify himself as a scholastic/brother will be prohibited.
 - d. He will not have access to minors or vulnerable adults and will be subject to a safety plan for the remainder of his temporary commitment.
 - e. Depending on the time remaining in his temporary commitment, the following steps may be undertaken:
 - i. The member in temporary vows may seek dispensation of vows from the General Superior¹²; or,

¹⁰ Canon 1717.1

¹¹ Canon 1717,2

¹² Canon 688 and SCJ General Directory #105

- ii. The Provincial Superior may petition the General for dismissal of the member in accord with Canon 695, 1-2; or,
- iii. The member's vows will expire and he will leave.

Decision if the member is a brother or scholastic in perpetual profession.

The province will continue to be compassionate to all concerned throughout the various dimensions of this situation. This is especially true once a determination has been finalized.

1. If the allegation **IS NOT** established as truthful (manifestly false), all efforts will be made to restore and/or repair the member's name and reputation. His permission to exercise public, ecclesiastical ministry will be returned.
2. If the allegation **IS** established as truthful (not manifestly false), the following will be invoked:
 - a. Permission to exercise ecclesial, public ministry will be revoked permanently. Permission to exercise ecclesial ministry within the confines of the religious institute may be revoked as well.
 - b. Contact with minors or vulnerable adults will be prohibited.
 - c. The member will not be permitted to wear any religious garb in public nor identify himself as a brother or frater.
 - d. A safety plan (as defined in the *Instruments of Hope and Healing*, Standards 19-25) will be established and enforced.
 - e. The member will undergo a risk assessment to determine the potential likelihood of repeated behavior of this type. This risk assessment will be used as one of multiple tools in the development and implementation of a safety plan.
 - f. This safety plan must be reviewed by the appropriate Review Board initially and on an annual basis.
 - g. A supervisory team will be established to monitor the member's behavior.
 - h. All civil and public requirements will be followed as required.
 - i. The appropriate Local Ordinary or the leadership of any organization or agency employing the member will be notified.
3. The member's right to appeal shall be respected and honored. The conditions stated above remain in effect until the appeal process has been exhausted and a final decree has been promulgated.

Decision if the member is an ordained deacon or priest.

Any allegation that involves a member who is ordained must be referred to the Congregation for the Doctrine of the Faith.¹³ The requirements of Canon Law regarding secrecy and the appropriate notary for the assembled documents during this process will be followed.

The Provincial Superior will initiate an investigative process similar to what is outlined. However, unlike those instances for brothers, scholastics and novices, he does not have the final say in the matter.

The Provincial Superior is required to forward all materials, evidence, documentation and his *votum* to the General Superior. The General Superior is required to refer the entire dossier to the Congregation for the Doctrine of the Faith (CDF) for their review and final determination. Until such time as the CDF decides

¹³ Directives of the Congregation of the Priests of the Sacred Heart of Jesus on Sexual Abuse, promulgated by the General Superior with consent of his Council, protocol number 0533/2016, 19 December 2016.

on the merits of the allegation, the ordained member will remain without the ability to exercise public and/or ecclesiastical ministry of any sort or identify himself as an ordained priest or deacon by title or clothing.

It should be noted for all concerned that the CDF may review and consider this case as a possible penal action. Their decision must be followed.

Other

The Director of Communications for the US Province of the Priests of the Sacred Heart will be responsible for all contacts with the media. The Provincial Secretary is responsible for maintaining the full documentation of this situation securely in accord with established province policy.

Victim Assistance Coordinator

The Victim Assistance Coordinator is a person or agency that has been appointed by the Provincial Superior.

Victim assistance will be provided to the victims of abuse as determined by the Provincial Superior. The coordinator or agency should have expertise in counseling and dealing with persons who have experienced sexual abuse.

The Victim Assistance Coordinator may not be a member of the Review Board. The Victim Assistance Coordinator may be a member of the province if the member has been trained for this type of ministry.

The Victim Assistance Coordinator's duties include the following:

1. To listen with compassion and respect to the alleged victim and/or members of the family.
2. To offer support and professional resources, assisting with referrals to therapists and/or support groups.
3. To explain to the alleged victim the province's response to the allegations.
4. To offer to be present during meetings between the alleged victim and/or family and the Provincial Superior.
5. To coordinate all communications between the alleged victim and/or family and the Provincial Superior in order to keep all parties aware of the developments in the case.

The Victim Assistance Coordinator maintains a professional relationship with the alleged victim and/or family members. The Victim Assistance Coordinator may not act officially as a therapist, attorney or spiritual director.

Members Who Have Abused Minors or Vulnerable Adults

The Provincial Superior shall prepare a safety plan for any religious who is a brother or a scholastic who has sexually or physically abused a minor or vulnerable adult. This safety plan must be in place for the following:

1. Any religious who admits to sexually and/or physically abusing a minor or vulnerable adult.
2. Any religious who has been convicted of sexual or physical abuse of a minor or vulnerable adult.
3. Any religious who has a credible allegation against him of sexual or physical abuse of a minor or vulnerable adult.
4. Any religious for whom a safety plan exists may not be permitted to work in any position that allows access to minors or vulnerable adults, including any position within a parish or school, nor, in compliance with the USCCB's Charter and Essential Norms, in any public, ecclesiastical ministry. Such prohibitions will be written into the safety plan.

The Provincial Superior shall follow the plan of action determined by the Congregation for the Doctrine of Faith for any religious who is a priest or deacon. A safety plan may be implemented in the interim while the individual's dossier is being considered by the Congregation for the Doctrine of Faith.

Guidelines for Supervision of Members on Safety Plans

The Supervisor of a safety plan participant is appointed by the Provincial Superior. The Supervisor may be a member of the institute or a third party contracted for the purposes of supervision. The Supervisor will be qualified for this role by academic training or experience.

The Supervisor is an integral part of a positive, informed support system for the member who is on a safety plan. This plan was developed to ensure a safe environment for minors and/or vulnerable adults, the US Province and the member under supervision.

The Supervisor will be provided with:

1. Accurate knowledge of all allegations and problem behaviors of the member.
2. Accurate knowledge of all the treatment programs and aftercare requirements that are required by the safety plan.
3. Accurate knowledge of the restrictions, expectations and history of the safety plan.
4. The Supervisor should be aware of the member's potential arousal patterns and triggers for potential reoffending.
5. The Supervisor will be provided copy of the current safety plan.
6. The Supervisor should have copy of the following documents:
 - a. The current version of the *Charter for the Protection of Minors and Young People and the Essential Norms* developed by the USCCB;
 - b. The CMSM/Praesidium Accreditation Standards known as *The Instruments of Hope and Healing*;
 - c. The 2016 Directive of the General Superior (see footnote #11); and,
 - d. The policies defined and published by the Provincial Superior with his Council.

The Supervisor will:

1. Have regular meetings with the member for a formal review of compliance with the safety plan.
2. Maintain all documentation of compliance, non-compliance and consequences.
3. Maintain logs and records which are required by the safety plan.
4. Report all cases of non-compliance to the Provincial Superior or his delegate.
5. Provide the Provincial Superior with regular updates regarding the member's compliance with the safety plan.

Further expectations:

1. The Supervisor is expected to hold the member accountable for any and all violations of the safety plan as well as impose consequences. Violations are to be reported to the Provincial Superior.
2. The Supervisor will intervene when possible to prevent the onset of a risky or problem behavior.

Electronic Communications

Introduction

No matter what format or device SCJs utilize to share our thoughts, either verbal or written, there are some guidelines to remember. This policy will help as we strive to act ethically and appropriately.

We are PUBLIC Figures

As members of the US Province of the Congregation of the Priests of the Sacred Heart, we are public figures. We represent our religious institute and the church whether we are in public ministry or not. We freely chose this identity with our profession. It is who we are regardless of the medium.

The Congregation's core values call forth compassion and prophetic witnessing to the love of the Sacred Heart. We strive to promote the dignity of all whom we meet or interact.

Our words and images speak about the values we collectively hold and reflect back upon the Congregation and the church. Proper conduct is vital in all conversations whether these are face to face with another, by telephone, in emails or text messages and in electronic postings such as Facebook, Twitter, blogs or comments posted online.

General Guidelines

Electronic forms of communication are permanent and global. Once the message, photograph or image has been posted, it is available to an audience beyond the original recipient. A permanent footprint is established that cannot be deleted given today's technology.

In posting your thoughts, words and images within this public forum, it is necessary to be prudent and careful. Electronic conversations must mirror personal, face to face contacts. If there would be hesitation in saying something personally, it should not be said electronically. Always consider how the recipient might react and respond.

If one's ministry requires a SCJ to communicate electronically with minors and/or vulnerable adults, it is necessary to be extraordinarily cautious. There are some specifics that need to guide this interaction.

1. Be transparent and accurate in identifying yourself.
2. Communicate with all minors or vulnerable adults through the ministry's established electronic presence (web page or Facebook page of the parish, school, and public institution). Do not use private email, text, social media or other communications with minors or vulnerable adults.
3. The content must be shared with the minor's parent or guardian when possible.
4. The content needs to be related to your ministry and be specific.
5. You are not the parent or guardian. It is not your responsibility to track the minor's entries on Facebook, Twitter or other similar sites.
6. Know and follow the guidelines established for electronic communications established by your particular ministry and/or the province.

Because of the anonymous reality of electronic media and communications, it is possible that minors and/or vulnerable adults will access your postings or interact with you without acknowledging that they are minors or vulnerable adults. This is a case where it is better to be safe rather than sorry.

Guarding against Inappropriate Behavior

SCJs are public people and required to identify themselves as such.

Pornography is an offense against the vow of celibate chastity. The Holy See has proclaimed that child pornography is a moral delict and an extremely grave offense. All attempts to access pornography electronically are prohibited and subject to possible criminal prosecution.

On-line gambling is prohibited.

Refrain from abusive language of any form, harassment or insulting and degrading behavior.

Electronic communications are not a valid medium for administration of any sacrament or matters concerning the internal forum.

Considerations for Social Networking

Social networking is used by minors and vulnerable adults for a variety of reasons. Because of the degree of anonymity involved, caution and prudence are essential values to practice.

Be respectful of others. If you would hesitate to share your thoughts or material in a public situation do not share them on social networks.

Sacraments and issues of internal forum are interactions involving persons within the context of the faith community. These are not matters for social networking.

Being Safe

Be truthful and transparent; do not represent yourself as anyone other than who you are and specifically do not represent yourself as a minor.

Harassment and abuse of any type, insulting behavior or degrading postings are not consistent with the Gospel values or the love of the Sacred Heart and must be avoided.

Be aware that others could use your thoughts and images without your knowledge and consent. Since your content could go “viral”, ensure that it is something you would be proud to say in a public forum.

Friending, Invitations and Being Included

Do not invite minors or vulnerable adults to be your “friend” or accept their invitation(s).

Respect the privacy of others. Tracking, tailing or continuous following of a person via their pages, postings or entries is not appropriate.

Concluding Remarks

Once adopted by the provincial and his council, this policy is subject to revision. As technology and devices change, this policy will be further developed and refined. SCJs are public people by our own choice. We are required to act and speak appropriately throughout all of our interactions.

Boundary Violations

Research has demonstrated that boundary violations are frequent precursors to abusive behavior. Boundary violations are warning signs that one's conduct is inappropriate.

Common violations include the following scenarios.¹⁴ [Please note that these are not all inclusive.]

1. Too much physical contact is being witnessed. Physical contact may include hugging, touching or roughhousing with minors or vulnerable adults.
2. Communication is too frequent. This interaction may involve a variety of times and media:
 - a. One to one conversations occur with the minor or vulnerable adult during or outside scheduled ministerial activities.
 - b. Conversations are in person or conducted by private email accounts or social networking sites.
 - c. Conversations are held in private and unobserved by adults.
3. Too few differences in behavior.
 - a. The person is acting "like one of the kids" instead of being an adult.
 - b. The person prefers the company of minors or vulnerable adults instead of one's peers.
 - c. The person is sharing personal information which is not appropriate to the relationship.
4. Too much special attention is being given to an individual minor or vulnerable adult.
5. Too many personal questions are being asked of the minor or vulnerable adult. These questions may reference personal relationships that the minor or vulnerable adult has with others or identification issues.
6. There are few, if any, limits being set in place.
 - a. The person is allowing the minor(s) or vulnerable adult(s) free reign without question or restrictions.
 - b. The person allows the minor(s) or vulnerable adult(s) to set the rules of interaction.
 - c. Parents and guardians are not informed.

¹⁴ Adapted from "Six Common Boundary Violations", Praesidium Inc, 2007.

Responding to Boundary Violations and/or other Inappropriate Behavior

Any member of the US Province who observes any action of a confrere which is contrary to the policy statement “Appropriate Behaviors with Minors and/or Vulnerable Adults” or who receives an oral or written report of such activity from another person, must inform the Provincial Superior immediately. The member who observes these activities is strongly encouraged to let the confrere know of his concerns and that the Provincial Superior has been contacted.

Even a single occurrence of inappropriate behavior or boundary violation constitutes an important warning sign which needs to be addressed appropriately and quickly.

If the behavior is observed again, regardless of the time frame between episodes, the Provincial Superior must be informed of the repetition.

In all cases the Provincial Superior will ensure that the necessary steps to interrupt and terminate the inappropriate behavior will be taken. His remedies will be informed by Canon Law, established norms of the Holy See offices and/or the USCCB as well as particular law defined by the congregation and the province.

Screening and Background Checks

Introduction

Aware of the needs of the broader Church, while balancing the increasing demands for even more stringent screening with the right of privacy for our members, the Province strives to be fair in its response to requests and requirements for background screening. It is the intention of the provincial leadership and administration to satisfy these criteria without undue hardship. This document will help define that attempt.

Standard 5 requires the Province to conduct a series of background checks for individuals applying for candidacy. These screenings are conducted during the application process prior to the person being presented to the Admission Board.

Members of the United States Conference of Catholic Bishops require proof that criminal background checks have been conducted before they grant permission to exercise public priestly ministry within their respective jurisdictions. Many are requiring this screening to be conducted again after a set number of years.

Response of the Province

The province will conduct a series of screening from public records on each member every five (5) years. The series of screenings will include:

1. A criminal background check by an independent agency; and,
2. Completed national sex offender registry check.

In addition to these screenings for the safe exercise of ministry, we are accountable to the Congregation and the Province in terms of our use and maintenance of property and financial assets. To assist in developing higher levels of transparency, the following screenings will be conducted simultaneously:

1. Driver's license and motor vehicle activity record; and,
2. Credit check.

Once a person has entered candidacy and/or has professed temporary vows, he will be screened again when the process of screening membership of the province is conducted on the five year schedule.

Screenings of public records will be conducted with the assistance of the Human Resource Director of the Priests of the Sacred Heart Development Office in Hales Corners. Results will be delivered to the Provincial Secretary and will be maintained in the member's file. They will be replaced when the next series of screenings has been conducted.

The Provincial Superior or his delegate reserves the right to share the results with legal counsel (civil and canonical) should questions or concerns arise.

Ongoing Education Hours – Appropriate Behaviors

For Members of the US Province:

1. In accord with Standard 9, members of the US Province need to continue their training in appropriate behaviors.
2. All members of the province who are involved in public ministry need to report their training hours in writing to the Provincial Secretary (or his delegate). The number of required hours depends upon the accreditation period. A copy of any certification of completion or attendance certificate should be sent to the Provincial Secretary to be included in the file.
3. The minimum requirement is five (5) hours during each accreditation cycle.
4. Members in active ministry who have faculties in a particular diocese must fulfill the mandate of that particular diocese as well. These hours may be used to fulfill #3 above.
5. All members of the province are mandated reporters of known or suspected abuse. Each member needs to provide documentation that he has been trained in this duty.
6. The Provincial Secretary will maintain documentation of all completed hours of training in each person's file.

For Members of the US Province who are returning to the USA:

1. As members return from international ministry, it is recommended that time be provided that will allow them to reintegrate with the Province and with the US Church. The following guidelines serve to assist this reintegration.
 - a. The member and the provincial superior will spend time discussing the needs of the province, the member's experience abroad as well as his intentions and interests in future ministry.
 - b. Time will be provided the member to transition back into the life of the province. If a reintroduction program is deemed helpful, time will be provided and participation encouraged.
 - c. Before the member returns to public ministry, he must obtain further training in appropriate behaviors with minors and/or vulnerable adults and young people. He is obligated to meet the minimum requirement of five (5) hours.
 - d. The Provincial Secretary will maintain documentation of the completed hours.

For Members of the Congregation who belong to another province, district or region:

1. It is highly encouraged and recommended that members who are in the USA for long term study (i.e., Graduate work) and living within our residences obtain education in appropriate behavior. This will assist them in understanding the state of affairs within the Roman Catholic Church in the USA. A minimum of five (5) hours of study is recommended.
2. If the member wishes to engage in occasional public ministry, a minimum of five (5) hours of training is required. Documentation will be maintained by the Provincial Secretary.
3. If a member of the international Congregation expresses an interest or desire to participate in the ministry of the US Province for more than one year, the requirements of General Directory 100.10 will be fulfilled.
 - a. The process of transferring him to the US Province will be completed in a timely manner.
 - b. The member will acknowledge that he has received copy of the province's policies and will abide by them.

- c. The member is obligated to obtain a minimum of five (5) hours of training in appropriate behaviors.
- d. Documentation will be maintained by the Provincial Secretary.

Role of the Provincial Superior

The Provincial Superior has several unique duties and responsibilities regarding the implementation and supervision of The Instruments of Hope and Healing. His attitude and demeanor help shape the direction of the Province and our members.

Transition of Leadership¹⁵

The outgoing Provincial Superior has the following tasks to accomplish:

1. He will review the last five (5) years of activity with the incoming Provincial Superior. This review will include the following information:
 - a. Those members who are on safety plans, conditions and their current status;
 - b. Those members who are on wellness plans due to boundary violations, conditions imposed and their current status;
 - c. Report of any allegations of inappropriate behaviors and/or boundary violations that have occurred in the last five years; and
 - d. The efforts of the Province to maintain its accreditation.
2. He will inform the incoming Provincial Superior about suspected boundary violations which may have occurred in the last five years and what actions were taken to interrupt these behaviors.
3. He will provide information to the incoming Provincial Superior regarding the Province's Victim Assistance Coordinator and the Province's involvement with the Community Review Board.
4. He, or his delegate, will inform the incoming Provincial Superior where the pertinent files, policies and responses are located and who is responsible for their maintenance.

Review Board¹⁶

The Provincial Superior, or his delegate, will meet with the Community Review Board at least annually.

1. He will seek the review board's recommendations and thoughts regarding current safety plans, wellness plans and possible revisions to the policies of the US Province.
2. He will provide the review board with information regarding any new allegation that was received since the board's last session.
3. The above information will be provided in writing.

Transparent Communications with Bishops and Employers¹⁷

The Provincial Superior has the obligation to be transparent in his communications with bishops, those who employ members of the US Province, local faith communities and the general public.

1. The Provincial Superior will communicate the following information if and when an allegations is received when a member is engaged in public ministry:
 - a. A report or allegation regarding the member has been received and has met the criteria for semblance of truth;
 - b. If the criteria for semblance of truth has been met, the member has been removed from public ministry;

¹⁵ Standards 3 and 10

¹⁶ Standard 16

¹⁷ Standards 15 and 20

- c. An investigation has been initiated and the appropriate criminal justice agencies have been notified; and,
 - d. The final decision of the Provincial Superior after he has consulted with the review board and other professionals when the investigation and/or legal activities have been concluded.
- 2. The Provincial Superior, or his delegate, will inform all concerned whenever an allegation has been established or the member admits to the activity. Concerned parties include the US Province, law enforcement, persons where the member was engaged in ministry and the general public.
- 3. If it is necessary to move a member who is on a safety plan to a living care facility outside the Province's established houses, the Provincial Superior will inform the appropriate managers and care providers. Information should be provided regarding current conditions and restrictions.
- 4. If a member who is on a safety plan is transferred from one ecclesiastical jurisdiction to another, the Provincial Superior will inform both ordinaries of this shift in residence.

Annual Communications

- 1. The Provincial Superior, or his delegate, will inform the General Superior and the Province membership each year about the Province's actions and responses as these relate to the various standards. This communication will provide the following information:
 - a. The Province's current accreditation status and when the next accreditation visit will occur;
 - b. Our involvement with the local review board;
 - c. The need for continuing education of those in public ministry and what topics might be beneficial; and,
 - d. If any new allegations were received and how these were resolved.
- 2. The Provincial Superior, or his delegate, will communicate with those local ordinaries where the Province has established community houses or members in public ministry. This letter will inform the local ordinary of the people in that jurisdiction and how to contact the Provincial Superior if the need arises.
- 3. The Provincial Superior, or his delegate, will provide similar information to those agencies or institutions that employ our members.