



## SAFE ENVIRONMENT PROGRAM

2018 – 2019 Academic Year



CATHOLIC DIOCESE OF PEORIA, IL

### VERIFICATION STATEMENT FOR FACULTY, STAFF, & VOLUNTEERS

Retain in Parish/School Office(s)

Name: \_\_\_\_\_

School: \_\_\_\_\_ City: \_\_\_\_\_

I verify that I have read the contents of the following documents:

*(Please check to indicate that the document has been read)*

\_\_\_\_\_ Harassment (Policy C-401)

\_\_\_\_\_ Sexual Abuse of Minors (Policy C-402)

\_\_\_\_\_ Bullying Prevention (Policy D-147)

\_\_\_\_\_ Code of Pastoral Conduct

\_\_\_\_\_ Volunteers Code of Conduct *(school volunteers only)*

\_\_\_\_\_ Communication Policy

I agree to abide by the policies and procedures contained in the aforementioned documents. All of my questions regarding safe environment policies and procedures have been answered by the school administration.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

*Note to principal: Safe Environment Program Annual Update Verification Statements for all faculty, staff, and school volunteers are to be kept on file in the school office and are subject to review by the Office of Catholic Schools*

## **DIOCESE OF PEORIA HARASSMENT POLICY**

### **POLICY**

Harassment, including but not limited to, sexual harassment, of any employee or other person is unethical, is illegal and is prohibited. This policy is intended to clarify the roles and responsibilities of Diocesan or parish personnel who have administrative responsibility involving the diocese, a parish, a parish institution, school or organization in situations involving possible sexual harassment. It sets forth the Diocesan response to victims.

### **DEFINITION**

The term "harassment" includes, but is not limited to, slurs, jokes, or any other form of verbal, written, graphic, or physical conduct or advances which reflect adversely on an individual's race, color, sex, religion, national origin, citizenship, age, marital status, veteran status, or physical or mental handicap. Harassment under this policy includes sexual harassment which means any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment; or (4) such other conduct or actions as are defined as "harassment" under the Illinois Human Rights Act as amended from time to time. Further, retaliation against a complainant or witness who initiates a case under this policy is included within the term "harassment" as used herein and shall be handled under this policy.

### **PROCEDURE**

1. This policy encourages the reporting of harassment by the person harassed (the complainant) or any witness to harassment. It includes harassment by any cleric, religious, a lay person employed by or in the diocese or its parishes, or by any volunteer of the diocese or its parishes.
2. If a complainant believes that he/she has been harassed, he/she may wish first to deal with the harassment on an informal basis with the harasser. A witness to harassment may wish to do the same. However, if harassment continues, or if a single instance of harassment is of such magnitude that the complainant or witness feels that an informal resolution is inappropriate, the harassment should be reported by the complainant or witness to his/her supervisor, department head, principal, pastor, canonical pastor, Chancellor, or Vicar General of the Diocese of Peoria. The preceding sentence does not establish "steps" of giving notice and the complainant or witness can give notice to any of those identified people. The notice of

harassment should be given within ten (10) calendar days of the alleged harassment to promote a prompt and fair response.

3. Whoever receives the notice of alleged harassment from a complainant or witness should make a written account of what has been reported, the parties involved, the facts alleged, and the date of the report. This written report shall be given to the pastor, canonical pastor, Chancellor and Vicar General in a case at the parish level, and to the Chancellor and Vicar General in a case at the Diocesan level. The Chancellor shall immediately inform the Diocesan insurance carrier/administrator and the Diocesan attorney.
4. At the direction of the Chancellor and Vicar General, an investigation will be conducted of the alleged harassment. The Chancellor and Vicar General shall be responsible for determining who will serve in the investigatory role. This investigation shall include interviewing the complainant, the accused, any witnesses, and any pertinent third parties. In all cases, concern shall be shown for the alleged victim and family. Alleged offenders shall be considered for professional evaluation.
5. The Chancellor and Vicar General (in consultation with the local pastor/canonical pastor, if occurring in a parish setting) shall make an immediate determination of whether an alleged offender shall be limited in activity during the investigation. They may take such actions as they deem appropriate. Where the alleged offender is a paid employee and is to be temporarily suspended, this may be with or without pay. The alleged offender's supervisor shall be notified of the complaint, if appropriate.
6. If the harassment is alleged to have occurred at the Diocesan level, it shall be the responsibility of the Chancellor and Vicar General to determine if harassment has occurred, if harassment has not occurred, or if sufficient evidence does not exist to support a finding of whether harassment has occurred. If the alleged harassment has taken place at the parish level, it shall be the responsibility of the Chancellor, Vicar General, and pastor/canonical pastor to determine if harassment has occurred, if harassment has not occurred, or if sufficient evidence does not exist to support a finding of whether harassment has occurred.
7. If it is determined that harassment has occurred, the Chancellor and Vicar General, in cases at a Diocesan level, shall determine what disciplinary action is warranted. If it is found that harassment has taken place at a parish level, the Chancellor and Vicar General, in consultation with the pastor/canonical pastor, will determine what disciplinary action is warranted. The severity of the disciplinary action will relate to the nature, context and seriousness of the actions and can include disciplinary actions up to and including immediate termination and canonical sanction.
8. If it is determined that harassment has not occurred, the complaint and investigatory report shall not be made part of the alleged offender's general personnel file. If suspended, the alleged offender shall be fully reinstated with appropriate back pay and benefits.

9. The diocese shall notify an alleged offender's superior in the case of claims made against any non-Diocesan cleric or religious and shall keep that superior advised as to the status and outcome of the proceedings. If a claim of harassment is made in respect to a cleric of this diocese who is working in another diocese, the Bishop of that diocese shall be notified that a claim is pending against the cleric and be advised as to additional developments which occur in the case, including the final determination. In appropriate cases, future supervisors or superiors of Diocesan clerics working outside the diocese should be advised of past offenses against this policy.
10. If a cleric is advised in a confessional setting of harassment by laity, religious or nonreligious clergy employed by or in this diocese or in a Diocesan parish, by a cleric of this diocese, or by a volunteer in this diocese or in a Diocesan parish, the cleric shall not violate the seal of the confessional. A cleric faced with such a confession should encourage the penitent to make disclosure of the alleged harassment outside the confessional setting. The diocese recognizes that it is sometimes difficult to determine whether such information confided to a priest outside the confessional setting should be disclosed under this policy. In all such circumstances, clergy should consult privately with the Bishop or Vicar General to determine if information regarding harassment should be disclosed pursuant to this policy.
11. If a determination is made that sufficient evidence does not exist to determine whether or not harassment has occurred, the Chancellor and Vicar General (in consultation with the pastor/canonical pastor, if occurring in a parish setting) may still take such actions against the alleged offender as they deem appropriate under the circumstances.
12. Alleged victims who report harassment have the right to know the general disposition of the harassment investigation.
13. Notwithstanding any of the foregoing, the diocese may suspend its investigation and determination if a criminal or civil claim is filed or is threatened in respect to the incident(s) at issue to allow for appropriate legal handling of such claim.
14. It is against the policy of this diocese, and it is a civil rights violation, for a person, or for two or more persons, to conspire and/or retaliate against a person because that person has opposed that which he or she reasonably and in good faith believes to be unlawful discrimination, sexual harassment, discrimination based on citizenship status and employment, or because that person has made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing under the Illinois Human Rights Act. Any such retaliation shall not be tolerated and the person(s) accused of such retaliation shall be subject to investigation and disciplinary action under this Diocesan policy and/or under the Illinois Human Rights Act.
15. Aggrieved parties shall have the right at any time during the investigative process or upon resolution of a complaint to contact the Illinois Department of Human Rights at 222 S. College, Floor 1, Springfield, IL 62704, or the Illinois Human Rights Commission at William G. Stratton Office Building, Room 404, Springfield, IL 62706. Aggrieved parties shall be entitled to those rights and procedures established in Article 7A of the Illinois Human Rights Act (775 ILCS 5/7A) and by the Department and Commission.



16. All personnel of the diocese and Diocesan parishes should also be aware that harassment can consist of harassment of employees or volunteers by third parties who are not employees of the diocese or parish. In such circumstances, the victim or a witness should advise his/her supervisor that such a problem exists, and the supervisor should take appropriate actions to terminate the harassment against the employee or volunteer. Notice of such harassment shall be given at the parish level by the supervisor to the pastor/canonical pastor, who shall also advise the Chancellor and Vicar General, and at the Diocesan level, the supervisor shall advise the Chancellor and Vicar General. The Chancellor and Vicar General shall monitor the case to determine what further steps may be required. Any employee or volunteer so harassed whose concerns are not addressed may proceed under this policy.
17. It is the policy of the diocese that victims must be treated justly. The Diocese presently offers a program of counseling to alleged victims of harassment. Any person who feels he or she has been harassed may contact the Chancellor and/or Vicar General to discuss the availability of counseling. The Diocese in its sole discretion shall determine whether to provide ongoing assistance and the extent thereof.
18. All clergy, religious and lay staff at the Diocese, Diocesan parishes, and Diocesan institutions should be acquainted with the seriousness of the harassment policies of the Diocese (including the Policy and Procedures Relating to Allegations of Sexual Abuse of Minors by Priests or Deacons or by Lay Employees or Volunteers). Pastors/canonical pastors should inform parish employees of this policy. The diocese shall so inform Diocesan employees.
19. The Chancellor and Vicar General shall determine on a case-by-case basis what public announcement is appropriate at any time regarding an investigation, determination, or sanction. Any requests for public comment shall be referred to the Chancellor and Vicar General.
20. If inquiries are made for a job reference for an offender, the diocese may advise the inquirer of the finding of the diocese. If a case is pending, the diocese may advise that a case is pending. In either case, the decision on whether to release such information shall be made by the Chancellor and Vicar General.
21. If the diocese is made aware the alleged offender is in a position which poses a public risk, after the diocese has made a determination that harassment has occurred or that sufficient evidence does not exist to warrant a finding, the Chancellor and Vicar General may advise the alleged offender's supervisors of the claim made to the diocese and the Diocese's determination.
22. This policy shall be made known to alleged victims who report harassment.
23. This policy shall be reviewed on an annual basis.
24. This policy shall prevail over other Diocesan or parish harassment policies.

**DIOCESE OF PEORIA**  
**POLICIES AND PROCEDURES RELATING TO ALLEGATIONS OF**  
**SEXUAL ABUSE OF MINORS BY PRIESTS OR DEACONS**  
**OR BY LAY EMPLOYEES OR VOLUNTEERS**

**I. PREAMBLE**

In accord with the “Charter for the Protection of Children and Young People”, the United States Conference of Catholic Bishops promulgated “Essential Norms for Diocesan/Eparchial Policies Dealing with the Allegations of Sexual Abuse of Minors by Priests or Deacons” as approved by the Apostolic See. The Charter addresses the Church's commitment to deal appropriately and effectively with cases of sexual abuse of minors by priests, deacons, and other church personnel (i.e., employees and volunteers). The Bishops of the United States have promised to reach out to those who have been sexually abused as minors by anyone serving the Church in ministry, employment, or a volunteer position, whether the sexual abuse was recent or occurred many years ago. They stated that they would be as open as possible with the people in parishes and communities about instances of sexual abuse of minors, with respect always for the privacy and the reputation of the individuals involved. They have committed themselves to the pastor/canonical pastoral and spiritual care and emotional well-being of those who have been sexually abused and of their families.

In addition, the Bishops will work with civil authorities, parents, educators, and various organizations in the community to make and maintain the safest possible environment for minors. In the same way, the Bishops have pledged to evaluate the background of seminary applicants as well as all Church personnel who have responsibility for the care and supervision of children and young people.

The Diocese of Peoria will implement these Norms diligently, compassionately, and fairly. This Policy and the procedures set forth herein will be reviewed on a regular basis, at least annually, by competent Diocesan authorities and Diocesan legal counsel. The following policies and procedures are intended to implement these goals.

**II. PROHIBITION OF SEXUAL ABUSE OF MINORS**

Under the Universal Law of the Church, the sexual abuse of minors by a cleric is a grave delict (offense) reserved to the Holy See, and the offender is subject to severe penalties, including dismissal from the clerical state, if the case so warrants. Even a single verified act of sexual abuse of a minor — past, present, or in the future — by a priest or deacon will lead to the permanent removal from the ministry. An act of sexual abuse of a minor by a lay employee or volunteer — past, present, or in the future — will lead to a permanent dismissal from any role within the Diocese or any Diocesan organization or institution.

Additionally, under both Federal and Illinois civil and criminal law, the sexual abuse of minors is a grave crime and an offender may be subject to severe penalties, including but not limited to incarceration, fines, and/or monetary damages.

### **III. CAVEAT AND OTHER OBJECTIONABLE CONDUCT**

Even conduct that does not constitute sexual abuse may be offensive or may create misunderstanding or embarrassment. Experience has shown that actions by a priest or deacon with minors such as hugging, patting, tickling, or similar “horseplay,” even if intended innocently, may be misconstrued. Priests and deacons must be especially careful, therefore, to avoid such conduct, especially when other adults are not present. The Diocese of Peoria will provide separately a Code of Conduct applicable to all personnel (use of such term includes volunteers working regularly with children) and all personnel will receive training regarding the Code of Conduct.

Similarly, lay employees and volunteers should refrain from engaging in any non-sexual physical contact with minors under their care, if there is any realistic possibility that the contact may be misunderstood by the minor or found objectionable by the minor’s parents.

### **IV. DEFINITION OF SEXUAL ABUSE OF MINORS**

- Sexual abuse of a minor includes sexual molestation or sexual exploitation of a minor and other behavior by which an adult uses a minor as an object of sexual gratification. This includes, but is not limited to, sexual contact with the intimate parts (genital area, groin, anus, inner thighs, buttocks, or breasts) of a minor for the purpose of sexual gratification or arousal or for the purpose of degrading or humiliating the minor. Deliberate touching of the intimate parts of a minor, a request to touch the intimate parts of the adult, the exposure of the intimate parts of the adult to a minor, or requesting the minor to expose his or her intimate parts also constitute sexual abuse. A minor is a person who has not yet reached his or her eighteenth birthday.
- The transgressions in question relate to obligations arising from Divine commands regarding human sexual interaction as conveyed to us by the Sixth Commandment of the Decalogue. Thus, the norm to be considered in assessing an allegation of sexual abuse of a minor is whether conduct or interaction with a minor qualifies as an external, objectively grave violation of the Sixth Commandment (Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State, USCCB, 1995, p. 6).
- A canonical offense against the Sixth Commandment (c. 1395, §2) need not be a complete act of intercourse. Nor, to be objectively grave, does an act need to involve force, physical contact, or a discernible harmful outcome. Moreover,

imputability (moral responsibility) for a canonical offense "is presumed upon external violation." (c. 1321, §3. Cf. cc 1322-27)

- If there is any doubt whether a specific act qualifies as an external, objectively grave violation, the writings of recognized moral theologians may be consulted and the opinions of recognized experts may be obtained (Canonical Delicts, p. 6). Ultimately, it is the responsibility of the Bishop of Peoria, with the advice of the Diocese's Sexual Misconduct Review Board, to determine if the allegation warrants further action.

## **V. DEFINITIONS**

- "Credible" allegation, accusation, or information means that, under all the circumstances known at the time of the determination, a prudent person would conclude that there is a significant possibility that an incident occurred or has been perceived as having occurred.
- "Diocese" encompasses the Roman Catholic Diocese of Peoria in accord with canon 369 of the Code of Canon Law; all parishes and other inferior canonical juridical persons whose competent ecclesiastical superior is the Bishop of Peoria or Administrator of the Diocese of Peoria; The Catholic Diocese of Peoria Corporation as chartered by the State of Illinois; all other corporations (including parish corporations) having the Bishop of Peoria or Administrator of the Diocese of Peoria as their presiding officer; and all institutions, agencies, and organizations sponsored by these canonical or civil entities.
- "Personnel" includes all persons (clergy, religious, and laity) who are employed by, or volunteer in any of the entities encompassed by the Diocese. Of special concern are those in supervisory capacities or in particularly sensitive areas, such as: those who work with or around children, the very elderly and the physically or mentally infirm, those who counsel others, and generally those who work with people who are less capable of protecting themselves.
- "Reasonable cause" means a prudent estimation based on trustworthy information that an incident occurred or has been perceived as having occurred.

## **VI. DISTRIBUTION OF POLICY**

- A copy of this Policy will be posted on the Website of the Diocese.
- This Policy will be incorporated into all Diocesan personnel guidelines and printed in the Employee Handbooks.
- This Policy will be communicated to the competent ecclesiastical superiors of all members of religious institutes and societies of apostolic life who serve as personnel of the Diocese.



- All clergy, religious and lay staff of the Diocese, Diocesan parishes, and Diocesan institutions should be acquainted with the seriousness of the sexual abuse policy of the Diocese. Pastor/canonical pastor should inform parish employees/volunteers of this policy. Principals should inform all school employees of this policy. The Diocese shall so inform Diocesan employees.
- This policy shall be made known to alleged victims who report sexual abuse.
- This policy shall prevail over any contradictory policy or procedure in the Diocese.
- A signed acknowledgment of receipt and understanding as well as an agreement to be governed by this policy will be required of all personnel of the Diocese. The signed acknowledgments of receipt and understanding of these guidelines will be returned by the above personnel to the superior or supervisor and filed in the appropriate personnel file. All priests incardinated in the Diocese of Peoria will be required to have a signed acknowledgment of receipt and understanding on file in the Office of the Chancellor. A copy of the required acknowledgment is attached to this policy as Appendix A.

## **VII. MAINTENANCE OF SAFE ENVIRONMENT AND PASTOR/CANONICAL PASTORAL CARE FOR VICTIMS**

### **A. SAFE ENVIRONMENT PROGRAM**

1. In order to guard against incidents of sexual abuse of minors by personnel of the Diocese, the Diocese will establish and maintain a Safe Environment Program designed to prevent, identify, and respond to abuse, to provide appropriate education and training to Diocesan personnel about inappropriate behavior and about warning signs of possibly abusive behavior.
2. The Bishop of Peoria will appoint a Safe Environment Director, who will be charged with operation of the Safe Environment Program and education training and monitoring of programs.
3. The Office of the Chancellor will assist in developing a protocol to be followed to evaluate the background of all Diocesan personnel who have regular contact with minors in their ministerial or employment duties. Depending upon the position involved, such background checks may include: fingerprinting, criminal records check, a records check through the Department of Children and Family Services, validation of Social Security number, verification of educational and professional degree(s), verification of previous employment, reference checks, mental health evaluation, illegal substance screening, and/or credit history check. The

Office of the Chancellor in conjunction with other Departments of the Diocese of Peoria will develop specific criteria for background checks depending on the position involved.

## **B. ASSISTANCE TO VICTIMS**

1. The Diocese of Peoria recognizes that sexual abuse of minors often causes serious and continuing emotional and psychological problems for the victim. Therefore, the Diocese is committed to providing victims of such misconduct with appropriate professional assistance to address these consequences of abuse by any personnel of the Diocese. The Bishop of Peoria will appoint a Victim Assistance Coordinator to provide such assistance. It is the policy of the Diocese that victims must be treated justly.
2. When credible accusations are made of sexual misconduct with a minor involving any personnel of the Diocese, contact by the Victim Assistance Coordinator with the alleged victim will be promptly initiated. Contact should be made for the purpose of offering whatever concern or solace may be needed, with no comment as to the truth of any accusation. Medical, mental health, and spiritual assistance may be offered according to the specific situation presented.
3. Under the direction of the Victim Assistance Coordinator, competent counselors and social workers will offer to provide for appropriate assistance to persons who make a credible claim that any personnel of the Diocese sexually abused them when they were minors. This outreach will be made regardless of whether the alleged abuse was recent or occurred many years in the past. The outreach will include the offer of counseling, spiritual assistance, support groups, or other social services agreed upon between the victim and the Diocese.

## **C. SEXUAL MISCONDUCT REVIEW BOARD**

1. The Diocese will maintain a Review Board that will function as a confidential consultative body to the Bishop of Peoria in discharging his responsibilities. The functions of this Board may include:
  - i. Advising the Bishop in his assessment of allegations of sexual abuse of minors and in his determination of suitability for ministry or dismissal from employment or service to the Diocese as a lay person;
  - ii. Reviewing Diocesan policies for dealing with sexual abuse of minors; and

- iii. Offering advice on all aspects of these cases, including the offering of assistance to victims whether retrospectively or prospectively.
- 2. The Review Board will be appointed by the Bishop and will be composed of at least five persons of outstanding integrity and good judgment. The members of the Review Board will be selected based on a variety of relevant skills and experience. The skills and experience may include psychology, social work, children's rights, law enforcement, Canon law, civil law, personnel administration, and pastor/canonical pastoral care. The majority of the Review Board members will be laypersons who are not in the employ of the Diocese. At least one member will be a priest who is an experienced and respected pastor/canonical pastor of the Diocese of Peoria. At least one member should have expertise in treating individuals who have been sexually abused as minors. The Bishop will appoint the members. The Promoter of Justice will participate in the meetings of the Review Board. The Bishop may designate a member to chair the Review Board in his absence.

#### **VIII. PROCEDURES FOR REPORTING TO THE DIOCESE SUSPECTED SEXUAL ABUSE OF A MINOR OR FOR MAKING A COMPLAINT OF SEXUAL ABUSE**

- A. Any personnel of the Diocese, including, but not limited to, mandated reporters who have actual knowledge of or who have reasonable cause to suspect sexual misconduct against a minor by any personnel of the Diocese (including a priest or deacon), must report that information (unless to do so would violate the priest/penitent relationship of the Sacrament of Penance). First and foremost, an individual should contact the Illinois Department of Child and Family Services at 1-800-252-2873. A report should also be made to Diocesan officials by contacting the Office of the Chancellor.
- B. The reporting statement may be made by telephone, by mail, or by e-mail. The reporting statement should include the name and contact information of the complainant, the name and position of the person alleged to have engaged in the misconduct, and the details of the incident or practice.
- C. If a cleric is advised in a confessional setting of sexual abuse by a cleric of this Diocese, he shall not violate the seal of the confessional. A cleric faced with such a confession should encourage the penitent to make disclosure of the alleged sexual abuse outside the confessional setting.

#### **IX. INVESTIGATION OF INCIDENT REPORTS AND INTERIM PROTECTIVE MEASURES**

##### **A. NOTIFICATIONS OF REPORT**

Once the Office of the Chancellor is in receipt of any report of sexual misconduct against a minor by any personnel of the Diocese of Peoria, the Bishop will be informed immediately. The Chancellor and/or Vicar General shall notify the alleged offender of the allegations made against him or her. The Chancellor and/or Vicar General shall notify the associate pastor/canonical pastor(s) of any pastor/canonical pastor so accused, or shall notify the pastor/canonical pastor of any associate pastor/canonical pastor so accused or the appropriate supervisor or religious superior, that charges have been made against the alleged offender. The Chancellor and/or Vicar General shall further notify the Diocesan attorney and insurance carrier/administrator as appropriate. They shall also notify, if applicable, religious superior or supervisor in the case of a lay employee, that charges have been made against the alleged offender and should keep the superior advised of the status and outcome of the proceedings.

**B. REQUIREMENT OF INVESTIGATION**

When an allegation of sexual abuse of a minor is received, a preliminary investigation will be initiated and conducted promptly and objectively. In the case of a priest or deacon, the investigation will be conducted in harmony with canon law including appointment of an Investigator for this purpose. The Diocese will obtain legal advice, both civil and canonical, as soon as possible. (c. 1717)

**C. CONFIDENTIALITY**

All personnel of the Diocese who are involved in the investigation and disposition of the report of sexual abuse, including the members of the Review Board, will refrain from publicly commenting on the report. Any public statements about the report or about any action taken in response to it may be made only with the explicit approval of the Bishop. Any media contact or inquiries regarding an incident of sexual misconduct by personnel of the Diocese must be directed to the Office of the Chancellor.

**D. INTERIM MEASURES**

The Bishop of Peoria may immediately place on administrative leave the priest or deacon from ministry temporarily and may immediately suspend any lay employee or volunteer, if the circumstances appear to the Bishop to warrant immediate action pending completion of the investigation. The alleged offender may be requested to seek, and may be urged voluntarily to comply with, an appropriate medical and psychological evaluation at a facility mutually acceptable to the Diocese and to the alleged offender. This policy favors immediate restriction to protect any possibility of abuse. Clergy should understand that this policy is necessitated by their status.



#### **E. INVESTIGATION OF INCIDENT REPORTS**

1. Each reported incident will be promptly investigated under the direction of the Office of the Chancellor, with care taken not to interfere with any confidential or civil/criminal investigation, and with a high level of Christian care, concern, and confidentiality for the alleged victim, the family of the alleged victim, the person reporting the incident, and the alleged perpetrator. Ongoing information about the investigation of the incident will be provided to the Bishop of Peoria.
2. The alleged offender shall be given the opportunity to rebut before the Bishop or his designee any evidence against him.
3. Unless circumstances warrant in a particular instance, the investigation ordinarily will be conducted in accordance with the following guidelines.

#### **F. PROCESS FOR INVESTIGATION**

1. When there is a report made or cause to believe that sexual abuse by a priest, deacon, lay employee or volunteer of this Diocese is threatened or has occurred, notice should be given immediately to the Chancellor, Patricia M. Gibson, at (309) 671-1550; Vicar General, Monsignor Paul Showalter, at (309) 671-1550; or the Victim Assistance Coordinator, Deacon Bob Sondag, at (309) 671-1550. Any employee, cleric, non-Diocesan cleric, or religious of the Diocese or parish to whom such a report is made or who has reasonable cause to believe that sexual abuse by a lay person, religious, or non-Diocesan cleric employed by or in this Diocese or in a Diocesan parish is threatened or occurred has the responsibility to give such notice. Once the Chancellor and/or Vicar General have been notified, they shall immediately notify the Bishop.
2. Any person to whom alleged abuse by a priest, deacon, lay employee or volunteer of this Diocese is first reported should attempt to fully document the report. This should include a description of the alleged abuse, the date(s) of the alleged offense(s), the alleged offender(s), the alleged victim(s), and the manner and circumstances in which the report was first made. This report should be provided immediately to the Chancellor and/or Vicar General, who will inform the Bishop immediately.
3. All appropriate steps will be taken to protect the reputation of the alleged offender during the investigation. The alleged offender will be encouraged to retain the assistance of civil counsel (and in the case of a priest or deacon, canonical counsel).
4. If the alleged victim is not the source of the report, the Victim Assistance Coordinator will endeavor to contact the alleged victim to obtain

information directly from her or him. The alleged victim and any other witnesses will be encouraged to submit a written description of the incident or incidents, but it will be made clear that the report will be investigated even without a written complaint.

5. The Victim Assistance Coordinator will attempt to identify and contact any other persons, in addition to the alleged victim, who may have relevant knowledge about the allegation.
6. The Chancellor and/or Vicar General will promptly notify the alleged offender about the substance of the report. The Chancellor and/or Vicar General will interview the alleged person to obtain the offender's response to the allegations contained in the report. The offender will be informed of the right to obtain counsel in connection with the investigation and any ensuing proceedings.
7. The Chancellor and/or Vicar General will immediately notify the Bishop of any information developed in the course of the investigation that, in their judgment, warrants immediate attention. In all events, within approximately thirty days following the initial receipt of the report, the results of the investigation, even if not yet completed, will be conveyed to the Bishop and to the Sexual Misconduct Review Board.

#### **G. REPORT TO SEXUAL MISCONDUCT REVIEW BOARD**

The information conveyed to the Sexual Misconduct Review Board by the Chancellor, Vicar General and Victim Assistance Coordinator must include the following information:

1. Unless the allegations are already well-known or unless personally identifying information is otherwise necessary, an anonymous reference to the alleged offender together with a description of the alleged offender's age, current clerical assignment and date of ordination, if applicable, and a general history of prior assignments;
2. An anonymous reference to the alleged victim (as well as to the person who initially submitted the report, if not the alleged victim), describing the alleged victim's gender, current age, and age at the time of the alleged incident(s), marital status, and current employment;
3. A complete and thorough recapitulation of the facts as alleged by the victim or of any other person who reported the alleged incident, including:

- i. The circumstances that led to the person's decision to make the report, especially if the alleged incident occurred a long time in the past; and
  - ii. Any professional psychological counseling or treatment the alleged victim has received that may be related to the alleged incident.
4. A copy of any written statement submitted by the victim or any other person (with personally identifying information redacted to preserve the anonymity of the person);
5. A description of all efforts to locate and contact any other persons with relevant knowledge of the alleged incident, including any persons who may have been suggested as witnesses by the priest, deacon, lay employee or volunteer who is the subject of the report;
6. A complete and thorough recapitulation of the facts as reported by such other persons, including the witness's views about the probable credibility of the allegations;
7. A description of further investigative steps the Chancellor, Vicar General, and Victim Assistance Coordinator recommend be taken before the Review Board makes any final recommendations to the Bishop;
8. Any conclusions the Chancellor, Vicar General, and Victim Assistance Coordinator wish to offer about the weight of the allegations and the reliability and credibility of any persons who submitted information, including the alleged victim and the accused priest, deacon, lay employee or volunteer.

#### **H. RECOMMENDATIONS BY REVIEW BOARD**

After receiving the information obtained in the investigation, the Review Board:

May request that further information be pursued by Diocesan Officials, or immediately proceed to make a recommendation to the Bishop.

The recommendations the Review Board may make to the Bishop include (but are not limited to) the following:

1. The allegations are not supported by sufficient evidence or otherwise are not credible and the matter should be closed without adverse action regarding the alleged offender;
2. The allegations appear credible, but no final conclusions should be reached pending receipt of:

- i. A report of psychiatric or psychological evaluation of the alleged offender, if the alleged offender is willing to allow the release of such report to the Review Board;
  - ii. A similar report from the alleged victim's professional psychiatric or psychological counselor, if the alleged victim is willing to authorize their release to the Review Board; or
  - iii. Additional specific information that still may be available.
3. The allegations appear to be supported by sufficient, credible evidence and steps should be taken:
  - i. To remove the priest or deacon from the ministry, either by consent (including retirement) or in accordance with the procedures provided by canon law, if the priest or deacon contests the findings; or
  - ii. To terminate the employment of a lay employee or to terminate the service of a lay volunteer.

#### **I. DETERMINATION BY THE BISHOP**

1. The Bishop of Peoria and his advisors will review the report reflecting the results of the investigation as well as the recommendations of the Review Board. If the alleged claim appears substantiated, then after consultation with competent Diocesan officials the Bishop of Peoria will instruct the Chancellor and/or Vicar General to notify the alleged offender of the Bishop's determination and the alleged perpetrator may be permitted to freely resign from his/her ministry, or may be relieved from the exercise of any function or responsibility or ministry and/or employment in the Diocese and placed on administrative leave pending the outcome of any further investigation, including an outside investigation, such leave to be with or without pay and/or benefits as the Bishop may decide.
2. If sexual abuse has been found not to have occurred, the alleged offender shall be reinstated or placed as the Bishop deems appropriate. The information obtained during the investigation shall be retained confidentially and apart from the alleged offender's regular employment file.
3. If a determination is made that sufficient evidence does not exist to warrant a finding, the Bishop (in consultation with the pastor/canonical pastor, if occurring in a parish setting) may still take such actions against the alleged offender as they deem appropriate under the circumstances.



4. Notwithstanding any of the foregoing, the Diocese may suspend its investigation and determination if a criminal or civil claim is filed or is threatened in respect to the incident(s) at issue to allow for appropriate legal handling of such claim.

**J. ACTIONS TO ADDRESS INCIDENTS OF SEXUAL ABUSE OF MINORS BY PRIESTS OR DEACONS**

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. In addition, in appropriate cases, other canonical penalties may be imposed, which may include dismissal from the clerical state. Removal from ministry is required whether or not the cleric is diagnosed by qualified experts as a pedophile or ephebophile or as suffering from any other sexual disorder that may require professional treatment.

**K. NOTIFICATIONS OF DECISION**

1. If the alleged perpetrator is a clergyman incardinated in the Diocese of Peoria, the report and investigation will be referred to the Bishop of Peoria in accordance with Canon Law and subject to the provisions of canon 1722.
2. If he is a clergyman incardinated in another Diocese, the Bishop of Peoria will immediately refer the matter to his proper Ordinary for deliberation or further action.
3. If the alleged perpetrator is a member of a religious institute or a society of apostolic life, the Bishop of the Diocese of Peoria will immediately contact the competent ecclesiastical superior of such member for consultation on the proper procedure to be followed.
4. Alleged victims who report alleged sexual abuse have the right to know the general disposition of the sexual abuse investigation. Furthermore, the victim will be notified if any action has been taken as a result of the investigation.

**L. RECORDS**

The Diocese will keep appropriate written records of each reported incident, the investigation, and the results thereof. The records will be marked confidential and be kept in the custody of the Diocesan attorney.

**M. JURISDICTION**

In every case involving canonical penalties, the processes provided for in Canon Law must be observed, and the various provisions of Canon Law must be considered (cf. Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State, 1995; Letter from the Congregation for the Doctrine of the Faith, May 18, 2001). Unless the Congregation for the Doctrine of the Faith, having been notified, assumes direct responsibility for the case because of special circumstances, the Bishop of Peoria will proceed according to the directives of the Congregation for the Doctrine of the Faith (Article 13, "Procedural Norms" for Motu Proprio Sacramentorum sanctitatis tutela, AAS, 93, 2001, p. 787).

**N. WAIVER OF PERIOD OF LIMITATIONS**

Since sexual abuse of a minor is a grave offense, if the case would otherwise be barred by the statute of limitations prescribed by Canon Law, the Bishop of Peoria will petition the Congregation for the Doctrine of the Faith for a dispensation from this prescription, while indicating appropriate pastor/canonical pastoral reasons rendering so.

**O. ASSISTANCE OF COUNSEL**

For the sake of due process, the alleged offender is to be encouraged to retain the assistance of civil and canonical counsel. When necessary, the Diocese will supply canonical counsel to a priest or deacon. The provisions of canon 1722 will be implemented during the pending penal process.

**P. FINDING OF CULPABILITY**

When there is sufficient evidence that sexual abuse of a minor has occurred, the Congregation of the Doctrine of the Faith will be notified. The Bishop will then apply the precautionary measures mentioned in canon 1722; that is, the Bishop will remove the offender from the sacred ministry or from any ecclesiastical office or function, impose or prohibit residence in a given place or territory, and prohibit public participation in the Most Holy Eucharist pending the outcome of the process.

**Q. SANCTION IN LIEU OF DISMISSAL FROM CLERICAL STATE**

If the priest or deacon has either admitted culpability or been found culpable after a trial in accordance with Canon Law and if the penalty of dismissal from the clerical state has not been applied for (e.g., for reasons of advanced age or infirmity) or prescribed by the tribunal after a trial, 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 publicly as a priest.

**R. ADDITIONAL AUTHORITY OF THE BISHOP TO TAKE ADMINISTRATIVE ACTION**

In addition to the sanctions that the Bishop of Peoria or the Congregation for the Doctrine of Faith may impose under Sections 2, 6, and 7 of this Policy, the Bishop of Peoria has the executive power of governance, through an administrative act:

1. To remove an offending cleric from office, to remove or restrict his faculties, and to limit his exercise of priestly ministry. (see canons 35-58, 149, 157, 187-189, 192-195, 277 §3, 381, 383, 391, 1348, 1740-1747); and
2. To limit, suspend, or terminate the employment of any “at will” lay employee and to terminate the service of any lay volunteer.

**S. “SINGLE INCIDENT” POLICY**

Because sexual abuse of a minor 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 Bishop of Peoria will exercise this power of governance to ensure that any priest or deacon who has committed even one act of sexual abuse of a minor as described above will not continue in active ministry.

**T. POSSIBLE ADMINISTRATIVE MEASURES**

The Bishop may exercise his executive power of governance to take one or more of the following administrative actions relating to a priest or deacon (cc. 381, 129ff):

1. He may request that the offender freely resign from any currently held ecclesiastical office (cc. 187-189).
2. If the offender declines to resign and if the Bishop judges the offender to be truly not suitable (c. 149, §1) at this time for holding an office previously freely conferred (c. 157), then he may remove that person from office observing the required canonical procedures (cc. 192-195, 1740-1747).
3. For a cleric who holds no office in the Diocese, any previously delegated faculties may be administratively removed (c. 391, §1 and 142, §1), while any *de lege* faculties may be removed or restricted by the competent authority as provided in law (e.g., c. 764).
4. The Bishop may also judge that circumstances surrounding a particular case constitute the just and reasonable cause for a priest to be allowed to

celebrate the Eucharist with no member of the faithful present (c. 906); for the good of the Church and for the priest's own good, the Bishop may urge the priest to celebrate the Eucharist only under such circumstances and not to administer the sacraments.

5. Depending on the gravity of the case, the Bishop may dispense the cleric from the obligation of wearing clerical attire and may prohibit him from doing so (cc.85-88, 284).

Any of these administrative actions will be taken in writing and by means of decrees (cc. 47-58) so that the cleric affected is afforded the opportunity of recourse against them in accord with Canon Law (cc. 1734 ff).

#### **U. LOSS OF THE CLERICAL STATE**

A priest or deacon may at any time request a dispensation from the obligations of the clerical state. In exceptional cases, the Bishop may request of the Holy Father the dismissal of the priest or deacon from the clerical state ex officio, even without the consent of the priest or deacon.

#### **V. RESTRICTION ON TRANSFERS BETWEEN DIOCESES**

1. No priest or deacon who has committed an act of sexual abuse of a minor may be temporarily or permanently transferred (released or incardinated) for ministerial assignment to another Diocese/eparchy or religious province. Before a priest or deacon of the Diocese of Peoria may be transferred for residence to another Diocese/eparchy or religious province, the Bishop will forward in a confidential manner to the 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 requirement applies 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 other 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).
2. Before the Bishop of Peoria receives a priest or deacon from outside his jurisdiction, the Bishop will obtain the necessary information regarding any past act of sexual abuse of a minor by the priest or deacon in question.



**X. TRANSPARENCY AND OPENNESS; PROTECTION OF PERSONAL PRIVACY AND REPUTATION**

**A. DANGER OF FALSE ALLEGATIONS**

Care will always be taken to protect the rights of all parties involved, particularly those of the person claiming to have been sexually abused and the person against whom the charge has been made. When an accusation has proved to be unfounded, every step possible will be taken to restore the good name of the person falsely accused.

**B. PUBLICATION OF DIOCESAN ACTION**

When an allegation of sexual abuse of a minor has been verified, the Chancellor and/or Vicar General will publish an appropriate announcement of the action taken in response to the abuse. Particular announcements and information may be published to assist and support parish communities directly affected by ministerial misconduct involving minors. The Diocese will maintain a record, including information on the Diocesan Website, that lists the names of priests and deacons who have been removed from ministry under this Policy.

**C. CONFIDENTIALITY AGREEMENTS**

The Diocese will not enter into confidentiality agreements regarding allegations of sexual abuse of minors except for grave and substantial reasons advanced by the victim and noted in the text of the agreement.

**D. OUTREACH TO AFFECTED PARISHES**

The Chancellor, Vicar General and Victim Assistance Coordinator will be responsible for taking immediate steps to assist and support parish communities directly affected by ministerial misconduct involving minors. The outreach may consist of a parish and/or school meeting at the affected parish, an offer of counseling to members of the affected community, explanation of the response process and informing the affected community of the action taken in response to the allegation.

**E. COMPLIANCE WITH CIVIL LAWS; REPORTING TO CIVIL AUTHORITIES ALLEGATIONS OR SUSPICIONS OF ABUSE OR MALTREATMENT OF MINORS**

1. The Diocese of Peoria will comply with all applicable civil laws with respect to the reporting to civil authorities all allegations of sexual abuse of minors and will cooperate in their investigation. The Diocese of Peoria requires all personnel of the Diocese to comply with these requirements.

2. The Diocese of Peoria will comply with all applicable civil laws with respect to the reporting to civil authorities all allegations of sexual abuse of minors and will cooperate in their investigation. The Diocese of Peoria requires all personnel of the Diocese to comply with these requirements.

#### **XI. OCCUPATIONS REQUIRED TO REPORT INCIDENTS OF CHILD SEXUAL ABUSE OR MALTREATMENT OR ENDANGERMENT**

All Diocesan personnel are required to report suspected child abuse, including sexual abuse, to the Diocese as set forth in this Policy. In Illinois, the Department of Children and Family Services requires that persons engaged in certain occupations report incidents of suspected child abuse, including sexual abuse, to state or local authorities. Occupations subject to these requirements include **medical personnel** such as physician, dentist, LPN, RN, medical social worker, emergency medical technician, nurse practitioner, chiropractor, hospital administrator; **school personnel** such as teacher, principal, school counselor, school nurse, school social worker, assistant principal, truant officer, school psychologist; **social service/mental health personnel** such as mental health personnel, social workers, psychologists, domestic violence personnel, substance abuse treatment personnel, staff of state agencies dealing with children such as Department of Human Services, Department of Public Aid, Department of Public Health, Department of Corrections, and Department of Children and Family Services; **law enforcement personnel** such as employees of the court, parole/probation officer, emergency services staff, police, states attorney and staff, juvenile officer; **coroner/medical examiner personnel**; **child care personnel** including all staff at overnight, day care, pre-school or nursery school facilities, recreational program personnel, foster parents; and **members of the clergy** which includes any member of the clergy that has reasonable cause to believe that a child known to him in a professional capacity may be an abused child.

In accordance with Illinois law (325 ILCS 5/4), all personnel of the Diocese of Peoria who are mandated reporters, including school personnel and members of the clergy, shall sign a statement acknowledging their status as mandated reporters prior to commencement of employment. The official DCFS form (**Cants 22 – Acknowledgment of Mandated Reporter Status for Employees** or **Cants 22a – Acknowledgment of Mandated Reporter Status for Clergy**) shall be used for this purpose. The signed acknowledgment form shall be retained by the employer (i.e. parish, school, institution or agency of the Diocese of Peoria) in each individual's personnel file.

## **BULLYING PREVENTION**

All elementary and secondary schools in the Catholic Diocese of Peoria shall actively seek to provide a supportive, caring environment in which all persons are safe from all forms of intimidation including bullying, which is unacceptable, unchristian, and strictly prohibited.

Although religious schools are exempt from the Illinois law and its application to bullying situations, for the purpose of *this* policy, Illinois law shall be used to define bullying in our diocesan schools:

Bullying, including cyber-bullying, is any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing the student in reasonable fear of harm to the student's person or property;
2. Causing a substantially detrimental effect on the student's physical or mental health;
3. Substantially interfering with the student's academic performance; and/or
4. Substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by the school (105 ILCS 5/27-23.7b).

Bullying conduct covered under this policy is conduct that occurs on school property or at school sponsored activities or events, while students are being transported or walking to and from school or school sponsored activities or events, while students are waiting at bus stops for transportation to and from school, or cyberbullying as defined hereinafter.

Cyberbullying under this policy is the bullying and/or intimidation of students through the use of the internet and/or social media sites on any electronic devices, whether on or off school campus or during non-school hours.

Adopted 7/2018

## **BULLYING PREVENTION**

Any reported bullying issue shall be promptly brought to the attention of the appropriate party, the pastor or principal or their designee, and thereafter investigated. Any student who engages in bullying and/or cyberbullying will be subject to appropriate discipline, up to and including suspension or expulsion and referral to local law enforcement. Behavioral interventions may be

included as a component of the disciplinary actions. This may include but is not limited to mandatory counseling.

Retaliatory behavior by a student accused of bullying will also incur consequences. False accusations of bullying will result in disciplinary action taken against the accuser.

#### Types of Bullying

1. Relational: ostracizing another student, psychological manipulation, and systematic actions to isolate, shun, or exclude.
2. Verbal: name calling, put downs, and/or the spread of rumors.
3. Physical: aggressive acts such as hitting, slapping, choking, kicking, spitting, or pushing, as well as the destruction of property or the writing of offensive notes/graffiti.
4. Cyberbullying: actions associated with one or more types of bullying utilizing email, instant messaging, social networks, text messages, or other means of electronic communications.

Bullying conduct may include but is not limited to:

- Physical acts such as inappropriate, unwanted, uninvited, or injurious physical contact with another; stalking; sexual assault; or destruction or damage to the property of another.
- Written or electronic communication of any type that incorporates language or depictions that would constitute bullying, using any medium including but not limited to cell phones, computers, websites, electronic networks, instant messaging, text messages, and emails.
- Verbal threats made to another; blackmail or demands for protection money.
- Non-verbal threats or intimidation such as aggressive or menacing gestures.
- Direct or indirect relationally aggressive behavior such as social isolation, rumor spreading, or damaging someone's reputation.
- Blocking access to school property or facilities.
- Stealing or hiding or otherwise defacing books, backpacks or other personal possessions.
- Repeated or pervasive taunting, name calling, belittling, mocking, putdowns, or demeaning humor related to a student's race, color, sex, ancestry, religion, disability, or other personal characteristics, whether or not the student actually possesses them, that could reasonably be expected to result in the disruption of school activities or create a hostile educational environment for the student.
- Any of the preceding conduct which occurs off school grounds when such conduct creates, or reasonably can be expected to create, a substantial disruption in the school setting and/or at school sponsored activities and events.

# CODE OF PASTORAL CONDUCT FOR PRIESTS, DEACONS, PASTORAL MINISTERS, ADMINISTRATORS, STAFF, AND VOLUNTEERS

## I. Preamble

Priests, deacons, pastoral ministers, administrators, staff, and volunteers in our parishes, religious communities/institutes, and organizations must uphold Christian values and conduct. The *Code of Pastoral Conduct for Priests, Deacons, Pastoral Ministers, Administrators, Staff, and Volunteers (Code of Pastoral Conduct)* provides a set of standards for conduct in certain pastoral situations.

## II. Responsibility

The public and private conduct of clergy, staff, and volunteers can inspire and motivate people, but it can also scandalize and undermine the people's faith. Clergy, staff, and volunteers must, at all times, be aware of the responsibilities that accompany their work. They must also know that God's goodness and grace supports them in their ministry.

Responsibility for adherence to the *Code of Pastoral Conduct* rests with the individual. Clergy, staff, and volunteers who disregard this *Code of Pastoral Conduct* will be subject to remedial action by the Catholic Diocese of Peoria. Corrective action may take various forms—from a verbal reproach to removal from the ministry—depending on the specific nature and circumstances of the offense and the extent of the harm.

## III. Pastoral Standards

### 1. Conduct for Pastoral Counselors and Spiritual Directors

*Pastoral Counselors and Spiritual Directors must respect the rights and advance the welfare of each person.<sup>1</sup>*

- 1.1 Pastoral Counselors and Spiritual Directors shall not step beyond their competence in counseling situations and shall refer clients to other professionals when appropriate.
- 1.2 Pastoral Counselors and Spiritual Directors should carefully consider the possible consequences before entering into a counseling relationship with someone with whom they have a pre-existing relationship (i.e., employee, professional colleague, friend, or other pre-existing relationship). [See Section 7.2.2]
- 1.3 Pastoral Counselors and Spiritual Directors should not audiotape or videotape sessions.
- 1.4 Pastoral Counselors and Spiritual Directors must never engage in sexual intimacies with the

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<sup>1</sup>Pastoral Counselors and Spiritual Directors: Clergy, staff, and volunteers who provide pastoral, spiritual, and/or therapeutic counseling services to individuals, families, or other groups.



persons they counsel. This includes consensual and nonconsensual contact, forced physical contact, and inappropriate sexual comments.

- 1.5 Pastoral Counselors and Spiritual Directors shall not engage in sexual intimacies with individuals who are close to the client—such as relatives or friends of the client—when there is a risk of exploitation or potential harm to the client. Pastoral Counselors and Spiritual Directors should presume that the potential for exploitation or harm exists in such intimate relationships.
- 1.6 Pastoral Counselors and Spiritual Directors assume the full burden of responsibility for establishing and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships.
- 1.7 Physical contact of any kind (i.e., touching, hugging, holding) between Pastoral Counselors or Spiritual Directors and the persons they counsel can be misconstrued and should be avoided.
- 1.8 Sessions should be conducted in appropriate settings at appropriate times.
  - 1.8.1 No sessions should be conducted in private living quarters.
  - 1.8.2 Sessions should not be held at places or times that would tend to cause confusion about the nature of the relationship for the person being counseled.
- 1.9 Pastoral Counselors and Spiritual Directors shall maintain a log of the times and places of sessions with each person being counseled.

## **2. Confidentiality**

*Information disclosed to a Pastoral Counselor or Spiritual Director during the course of counseling, advising, or spiritual direction shall be held in the strictest confidence possible.*

- 2.1 Information obtained in the course of sessions shall be confidential, except for compelling professional reasons or as required by law.
  - 2.1.1 If there is clear and imminent danger to the client or to others, the Pastoral Counselor or Spiritual Director may disclose only the information necessary to protect the parties affected and to prevent harm.
  - 2.1.2 Before disclosure is made, if feasible, the Pastoral Counselor or Spiritual Director should inform the person being counseled about the disclosure and the potential consequences.
- 2.2 Pastoral Counselors and Spiritual Directors should discuss the nature of confidentiality and its limitations with each person in counseling.
- 2.3 Pastoral Counselors and Spiritual Directors should keep minimal records of the content of sessions.
- 2.4 Knowledge that arises from professional contact may be used in teaching, writing, homilies,

or other public presentations only when effective measures are taken to absolutely safeguard both the individual's identity and the confidentiality of the disclosures.

- 2.5 While counseling a minor, if a Pastoral Counselor or Spiritual Director discovers that there is a serious threat to the welfare of the minor and that communication of confidential information to a parent or legal guardian is essential to the child's health and well-being, the Counselor or Spiritual Director should:
- Attempt to secure written consent from the minor for the specific disclosure.
  - If consent is not given, disclose only the information necessary to protect the health and well-being of the minor.

Consultation with the appropriate Church supervisory personnel is required before disclosure.

**These obligations are independent of the confidentiality of the confessional. Under no circumstances whatsoever can there be any disclosure—even indirect disclosure—of information received through the confessional.**

### **3. Conduct With Youth**

*Clergy, staff, and volunteers working with youth shall maintain an open and trustworthy relationship between youth and adult supervisors.*

- 3.1 Clergy, staff, and volunteers must be aware of their own and others' vulnerability when working alone with youth. Use a team approach to managing youth activities.
- 3.2 Physical contact with youth can be misconstrued and should occur (a) only when completely nonsexual and otherwise appropriate, and (b) never in private.
- 3.3 Clergy, staff, and volunteers should refrain from (a) the illegal possession and/or illegal use of drugs and/or alcohol at all times, and (b) the use of alcohol when working with youth.
- 3.4 Clergy should not allow individual young people to stay overnight in the cleric's private accommodations or residence.
- 3.5 Staff and volunteers should not provide shared, private, overnight accommodation for individual young people including, but not limited to, accommodations in any Church owned facility, private residence, hotel room, or any other place where there is no other adult supervision present.
  - 3.5.1 In rare, emergency situations, when accommodation is necessary for the health and well-being of the youth, the clergy, staff, or volunteer should take extraordinary care to protect all parties from the appearance of impropriety and from all risk of harm.
  - 3.5.2 Use a team approach to managing emergency situations.

### **4. Sexual Conduct**

*Clergy, staff, and volunteers must not, for sexual gain or intimacy, exploit the trust placed in them by the faith community.*

- 4.1 Clergy, religious, staff, and volunteers who are committed to a celibate lifestyle are called to be an example of celibate chastity in all relationships at all times (this includes absolute fidelity to their spouse, if married [even if separated]). Any sexual relationship or exploitation of a minor (under 18 years old), or vulnerable adult is not only prohibited, it is a violation of the law. Accessing, viewing and/or distribution of pornography is not tolerated. Viewing, possessing and/or distributing child pornography is illegal.
- 4.2 Staff and volunteers who provide pastoral counseling or spiritual direction services must avoid developing inappropriately intimate relationships with minors, other staff, or parishioners. Staff and volunteers must behave in a professional manner at all times.
- 4.3 No clergy, staff, or volunteer may exploit another person for sexual purposes.
- 4.4 Allegations of sexual misconduct should be taken seriously and reported first to civil authorities if the situation involves a minor and then to the Victim Assistance Coordinator of the Diocese of Peoria.

The Catholic Diocese of Peoria's procedures will be followed to protect the rights of all involved.

- 4.5 Clergy, staff, and volunteers should review and know the contents of the child abuse regulations and reporting requirements for the State of Illinois and should follow those mandates.

## **5. Harassment**

*Clergy, staff, and volunteers must not engage in physical, psychological, written, or verbal harassment of staff, volunteers, or parishioners and must not tolerate such harassment by other Church staff or volunteers.*

- 5.1 Clergy, staff, and volunteers shall provide a professional work environment that is free from physical, psychological, written, or verbal intimidation or harassment.
- 5.2 Harassment encompasses a broad range of physical, written, or verbal behavior, including without limitation the following:
  - Physical or mental abuse.
  - Racial insults.
  - Derogatory ethnic slurs.
  - Unwelcome sexual advances or touching.
  - Sexual comments or sexual jokes.
  - Requests for sexual favors used as:
    - a condition of employment, or
    - to affect other personnel decisions, such as promotion or compensation.
  - Display of offensive materials.
- 5.3 Harassment can be a single severe incident or a persistent pattern of behavior where the purpose or the effect is to create a hostile, offensive, or intimidating work environment.

- 5.4 Allegations of harassment should be taken seriously and reported immediately to the Victim Assistance Coordinator.

The Catholic Diocese of Peoria's procedures will be followed to protect the rights of all involved.

## **6. Parish, Religious Community/Institute, and Organizational Records and Information**

*Confidentiality will be maintained in creating, storing, accessing, transferring, and disposing of parish, religious community/institute, or organizational records.*

- 6.1 Sacramental records shall be regarded as confidential. When compiling and publishing parish, religious community/institute, or organization statistical information from these records, great care must be taken to preserve the anonymity of individuals.
- 6.2 Most sacramental records older than 70 years are open to the public.
- 6.2.1 Information regarding adoption and legitimacy remains confidential, regardless of age.
- 6.2.2 Only staff members who are authorized to access the records and supervise their use shall handle requests for more recent records.
- 6.3 Parish, religious community/institute, or organization financial records are confidential unless review is required by the Catholic Diocese of Peoria or by law. Contact the Office of the Chancellor upon receipt of any request for release of financial records.
- 6.4 Individual contribution records of the parish, religious community/institute, or organization shall be regarded as private and shall be maintained in strictest confidence.

## **7. Conflicts of Interest**

*Clergy, staff, and volunteers should avoid situations that might present a conflict of interest. Even the appearance of a conflict of interest can call integrity and professional conduct into question.*

- 7.1 Clergy, staff, and volunteers should disclose all relevant factors that potentially could create a conflict of interest.
- 7.2 Clergy, staff, and volunteers should inform all parties when a real or potential conflict of interest arises. Resolution of the issues must protect the person receiving ministry services.
- 7.2.1 No clergy, staff, or volunteer should take advantage of anyone to whom they are providing services in order to further their personal, religious, political, or business interests.
- 7.2.2 Pastoral counselors should not provide counseling services to anyone with whom they have a business, professional, or social relationship. When this is unavoidable, the client must be protected. The counselor must establish and maintain clear, appropriate boundaries.

7.2.3 When pastoral counseling or spiritual direction services are provided to two or more people who have a relationship with each other, the Pastoral Counselor or Spiritual Director must:

- Clarify with all parties the nature of each relationship,
- Anticipate any conflict of interest,
- Take appropriate actions to eliminate the conflict, and
- Obtain from all parties written consent to continue services.

7.3 Conflicts of interest may also arise when a Pastoral Counselor's or Spiritual Director's independent judgment is impaired by:

- Prior dealings,
- Becoming personally involved, or
- Becoming an advocate for one (person) against another.

In these circumstances, the Pastoral Counselor or Spiritual Director shall advise the parties that he or she can no longer provide services and refer them to another Pastoral Counselor or Spiritual Director.

## **8. Reporting Ethical or Professional Misconduct**

*Clergy, staff, and volunteers have a duty to report their own ethical or professional misconduct and the misconduct of others.*

8.1 Clergy, staff, and volunteers must hold each other accountable for maintaining the highest ethical and professional standards. When there is an indication of illegal actions by clergy, staff, or volunteers, you should notify the proper civil authorities immediately.

Also notify the Office of the Chancellor.

8.2 When an uncertainty exists about whether a situation or course of conduct violates this *Code of Pastoral Conduct* or other religious, moral, or ethical principles, it is advisable to consult with the Office of the Chancellor

8.3 When it appears that a member of clergy, a staff member, or a volunteer has violated this *Code of Pastoral Conduct* or other religious, moral, or ethical principles:

- Report the issue to a supervisor or next higher authority, or
- Refer the matter directly to the Office of the Chancellor.

8.4 The obligation of Pastoral Counselors and Spiritual Directors to report client misconduct is subject to the duty of confidentiality. However, any agreement or duty to maintain confidentiality must yield to the need to report misconduct that threatens the safety, health, or well-being of any of the persons involved except as provided for in Section 2.5.

## **9. Administration**

*Employers and supervisors shall treat clergy, staff, and volunteers justly in the day-to-day administrative operations of their ministries.*



- 9.1 Personnel and other administrative decisions made by clergy, staff, and volunteers shall meet civil and canon law obligations and also reflect Catholic social teachings and this *Code of Pastoral Conduct*.
- 9.2 No clergy, staff, or volunteer shall use his or her position to exercise unreasonable or inappropriate power and authority.

## **10. Staff or Volunteer Well-being**

*Clergy, staff, and volunteers have the duty to be responsible for their own spiritual, physical, mental, and emotional health.*

- 10.1 Clergy, staff, and volunteers should be aware of warning signs that indicate potential problems with their own spiritual, physical, mental, and/or emotional health.
- 10.2 Clergy, staff, and volunteers should seek help immediately whenever they notice behavioral or emotional warning signs in their own professional and/or personal lives.
- 10.3 Clergy, staff, and volunteers must address their own spiritual needs. Support from a Spiritual Director is highly recommended.
- 10.4 Inappropriate or illegal use of alcohol and drugs is prohibited.



# VOLUNTEERS CODE OF CONDUCT

Our children are the most important gifts God has entrusted to us. As a volunteer, I promise to strictly follow the rules and guidelines of this Volunteer's Code of Conduct as a condition of my providing services to the children and youth of our \_\_\_\_\_ [parish/school] and the Catholic Diocese of Peoria.

## As a volunteer, I will:

- Treat everyone with respect, loyalty, patience, integrity, courtesy, dignity, and consideration.
- Avoid situations where I am alone with children and/or youth at activities.
- Use positive reinforcement rather than criticism, competition, or comparison when working with children and/or youth.
- Refuse to accept expensive gifts from children and/or youth or their parents without prior written approval from the pastor or administrator.
- Refrain from giving expensive gifts to children and/or youth without prior written approval from the parents or guardian and the pastor or administrator.
- Report suspected abuse to the pastor, administrator, or appropriate supervisor and The Department of Children and Family Services. I understand that failure to report suspected abuse to civil authorities is, according to the law, a misdemeanor.
- Cooperate fully in any investigation of abuse of children and/or youth.

## As a volunteer, I will not:

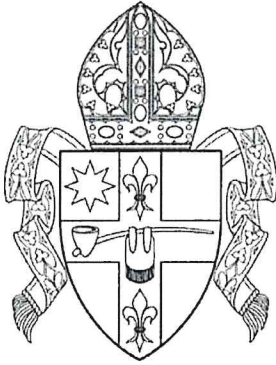
- Smoke or use tobacco products in the presence of children and/or youth.
- Use, possess, or be under the influence of alcohol at any time while volunteering.
- Use, possess, or be under the influence of illegal drugs at any time.
- Pose any health risk to children and/or youth (i.e., no fevers or other contagious situations).
- Strike, spank, shake, or slap children and/or youth.
- Humiliate, ridicule, threaten, or degrade children and/or youth.
- Touch a child and/or youth in a sexual or other inappropriate manner.
- Use any discipline that frightens or humiliates children and/or youth.
- Use profanity in the presence of children and/or youth.
- Access, view and/or distribute pornography, including, but not limited to child pornography.

I understand that as a volunteer working with children and/or youth, I am subject to a thorough background check including criminal history and fingerprinting. I understand that any action consistent with this Code of Conduct or failure to take action mandated by this Code of Conduct may result in my removal as a volunteer with children and/or youth.

\_\_\_\_\_  
Volunteer's Printed Name

\_\_\_\_\_  
Volunteer's Signature

Dated: \_\_\_\_\_



## **Catholic Diocese of Peoria**

412 NE Madison Avenue  
Peoria IL 61603

### ***Communication Policy***

It is the policy of the Catholic Diocese of Peoria to maintain an atmosphere of trust, openness and cooperation with the members of our Diocese regarding any matter involving the Sexual Abuse Policy. Furthermore, it is the goal of the Diocese to be continually committed to promoting a safe environment in all Catholic institutions and organizations throughout the 26 counties.

1. All information regarding the Diocesan Sexual Abuse Policy, procedures, safe environment programs, civil and diocesan authorities will be posted on the diocesan website: [www.cdop.org](http://www.cdop.org).
2. The safe environment program will be advertised and promoted through the diocesan monthly mailings, parish bulletin announcements and brochures to be made available in every parish in the Diocese. Contact information will include the Diocesan Chancellor, Victim's Advocate, Illinois Department of Children and Family Services and will be made available in all brochures.
3. The safe environment program schedules are available through local diocesan parishes, schools and agencies.
4. The Diocesan newspaper, *The Catholic Post*, will publish the sexual abuse policy on a regular basis.
5. The Bishop of the Catholic Diocese of Peoria will hold a press conference (secular media and Diocesan media) or issue an official statement in the event that a new program is developed related to the Sexual Abuse Policy.
6. A press release will be distributed to the secular and Diocesan media when a priest, religious or lay employee of the Diocese has been removed because of credible allegations of sexual abuse of a minor. If an interview is requested by a member of the media, the Director of Communications will act as the Diocesan spokesperson.
7. Press releases and/or press conferences will occur for the purpose of communicating the ongoing developments of the case. At the end of the investigation, the Diocese will release its findings and status of the person(s) involved.
8. The person(s), parish and/or school involved will be offered appropriate counseling from a behavioral health provider.
9. A Diocesan pastoral report will be released to all Catholic households in the Diocese of Peoria. The goal of the report will be to highlight the past work of the Diocese, the Diocesan finances, including any legal settlements and to promote any future projects.