

**POLICY, PROCEDURES, AND GUIDELINES
ON CHILD ABUSE
ARCHDIOCESE OF SAINT LOUIS**

June 2011

Introduction

The following Policy and Guidelines (“Policy”) have been developed by the Archdiocese of St. Louis (“Archdiocese”) to give guidance to employees, volunteers, religious, priests and deacons in the Archdiocese on the subject of prevention of child abuse and the protection of children and to address the needs of victims of child abuse. For purposes of the Policy, the Archdiocese of St. Louis includes schools, parishes and agencies of the Archdiocese (hereafter collectively referred to as “SPA”). The primary goal of the Archdiocese in this regard is to prevent child abuse, and the primary method of prevention is education and care in the hiring and evaluation of employees and volunteers. Since the possibility of child abuse has to be recognized, the Policy also covers the investigation and reporting of incidents of child abuse, and assistance to those affected by abuse.

Policy

The Archdiocese is committed to the prevention of child abuse and to assisting those who are affected by incidents of child abuse. The Archdiocese is also committed to complying with legal requirements for reporting child abuse. For purposes of this policy, child abuse means physical injury, sexual abuse, or emotional abuse inflicted on a child, other than by accidental means. See Appendix 11 for revised Missouri Statutes concerning Child Protection and Reformation. All employees, volunteers, religious, priests and deacons working in the schools, parishes, and agencies of the archdiocese are expected to support this Policy and to comply with the Guidelines developed to implement the Policy.

I. Prevention of Abuse

I.1. Safe Environment Program

The Archdiocese has developed a Safe Environment Program to ensure the safety of our children and youth, as required by the United States Conference of Catholic Bishops (“USCCB”) “Charter for the Protection of Children and Young People.” This program provides a framework for the Archdiocese to cooperate with parents, civil authorities, educators, and community organizations to make and maintain a safe environment for children.

The Safe Environment Program has components for children/youth, parents, employees, volunteers, religious, priests and deacons, and third party contractors doing business with the Archdiocese. Each of these components is discussed in turn.

Effective June, 2006 implementation of the Safe Environment Program in the Archdiocese was assumed by the newly created Safe Environment Program Office.

I.2 Safe Touch Program for Children and Youth

Students in schools, parish schools of religion and other educational programs in the Archdiocese are to attend age-appropriate safe touch education programs, approved by the Archdiocesan Child Safety Committee, that address child abuse and the need to report any attempted or actual abuse to their parents, teachers, principals or other appropriate persons. Parents are welcome to view the education materials in advance. If a parent has concerns or objections about such

material, these are to be addressed at the school and/or parish level, as appropriate. Parents will be given the opportunity to request their children not attend these education programs. If they do so request, parents will be given safe touch materials to present to their children at home. If parents request that their child(ren) not attend the program, and refuse to accept the safe touch materials, this information should be noted in the student (s)' file. See the Opt Out form in Appendix 10. The Safe Touch Program for Children and Youth will be coordinated and taught by a Lead Teacher designated by the principal or pastor.

I.3. Safe Touch Program for Parents

Parents in the Archdiocese are offered safe touch education programs on signs of abuse to look for in their children, which may alert them to a possible problem. The program must be made available to parents but parents do not have to attend the sessions. **Allowing parents to preview the Safe Touch Program can meet the standard of offering a safe touch program for parents.** The Safe Touch Program for Adults will be coordinated by a Lead Teacher designated by the principal or pastor.

I.4. Safe Environment Program for Employees, Volunteers, Religious, Priests and Deacons

The program requires that all employees, volunteers, religious, priests and deacons who work with or near minors on a regular basis - that is someone who would be working with or near minors three or more times a year, would be participating in an overnight program with minors, or would be on a list of persons eligible to be working with minors, even if it is not known whether or how often he/she would actually be scheduled - must do the following:

- (1) attend the "Protecting God's Children" program,
- (2) undergo a Child Abuse / Criminal Record check upon being hired, or volunteering, and in even numbered years thereafter, and
- (3) agree to abide by the Code of Ethical Conduct.

I.4.1 Training: Employees, volunteers, religious, priests and deacons who work with or near minors on a regular basis and or 18 years old and have graduated high school must attend the "Protecting God's Children" program. This program provides education regarding what signs to look for in the detection of abuse, both in circumstances and events that might indicate abuse and in the children themselves.

I.4.2 Screening Archdiocesan Priests and Deacons: Priests and deacons who work with or near minors on a regular basis must undergo a Child Abuse / Criminal Record check prior to being placed in a position to have contact with minors. This screening requirement is completed by the Office of Priest Personnel for priests and the Office of Permanent Diaconate for deacons.

I.4.3 Screening Employees, Volunteers and Religious: Employees, volunteers and religious who work with or near minors on a regular basis must undergo a Child Abuse / Criminal Record check prior to being placed in a position to have contact with minors.

As stated above, for employees and volunteers, the following guidelines are to be followed when hiring an employee or recruiting a volunteer:

a. Utilize a standard application form developed by the Archdiocese, which requests information regarding any history of abuse. For employees, please refer to the **Employment Application** in Appendix 1 of this manual. For volunteers, please refer to the **Volunteer Application** in Appendix 2 of this manual.

b. Check references and other information from the application form as appropriate to the question asked and the position being sought.

c. A Child Abuse/Criminal Records check for prior history of abuse in Missouri must be made for each applicant. The check must be accomplished through the Missouri Family Care Safety Registry (FCSR). See Appendix 3 for the Worker Registration Form. Effective fall of 2010, the registration and screening process for background checks in the FCSR will be conducted on line. For information about the online process go to the FCSR home page at <http://health.mo.gov/safety/fcsr> or call the Safe Environment Office at 314.792.7271.

Employees or volunteers who have resided outside of the state of Missouri any time over the last five years will have to undergo a nationwide FBI finger print background check when they enter the Safe Environment Program as well as the FCSR screening. Subsequent checks will be FCSR screenings. If the out-of-state location is Colorado, Florida, Kansas, Illinois, or Texas, the employee or volunteer will only have a background check from that particular state, in addition to the FCSR screening.

d. **To ensure consistency throughout the Archdiocese, if the report from the FCSR is returned with information related to a past offense allegedly committed by an applicant, employee or volunteer, please contact Ms. Terry Edelmann, the coordinator of the Safe Environment Program at 314.792.7271 or terryedelmann@archstl.org for guidance.**

e. Records of persons not given positions because of concerns relating to placing them in contact with children should be maintained for five years. Records of persons given positions should be permanently maintained after employment has terminated.

f. In addition to the hiring and pre-employment screening process used for new employees, there should be an ongoing evaluation of all employees who work with or near minors on a regular basis. Every even numbered year, a Child Abuse / Criminal Records check through the Missouri FCSR will be conducted by the administrator of the SPA.

I.4.4 Code of Ethical Conduct: Employees, volunteers, religious, priests and deacons who work with or near minors on a regular basis must read the Code of Ethical Conduct and sign the Commitment to Ethical Conduct. Please refer to the **Code of Ethical Conduct for Clergy, Employees and Volunteers Working with Minors** in the Appendix 6 of this manual.

I.5. Safe Environment Program for Order Priests and Brothers and Women Religious Serving in SPA

Priests and brothers from religious orders and women religious who are in a position to work with or near minors on a regular basis in SPA in the Archdiocese must follow the same compliance regulations as other adults who work or volunteer with minors. In addition these priests and religious require a letter from their religious superior upon their arrival to the diocese stating there is nothing in their past that would prevent them from working with children. Order priests assigned to be pastors or associate pastors in the Archdiocese are to be cleared through the Catholic Center.

Religious order priests who occasionally help with support ministry at parishes must have their compliance monitored by the Office of Priest Personnel.

Religious order priests employed by high schools and agencies will be cleared according to guidelines adopted by the respective school and agency.

I.6 Safe Environment Program for Persons Associated with Home School Activities Conducted in Parish Facilities

Due to the unique structure of home school programs conducted in parish facilities, which by their very nature have almost all parents participate in some form, the following persons associated with home school programs must complete the requirements of the Safe Environment Program of the Archdiocese of St. Louis: (1) those persons who receive monetary compensation in connection with their efforts relating to home school programs conducted in parish facilities; (2) those persons who have an official role in home school programs (such as “director” or “secretary” or similar designations/representatives) and/or (3) those persons who may be in a position to be alone with a child or children (who is not their child) in parish facilities (all three groups collectively referred to as “Home School Agents”). The Safe Environment Program requires that Home School Agents do the following:

- (1) attend the “Protecting God’s Children” program,
- (2) undergo a Child Abuse / Criminal Record check, and
- (3) agree to abide by the Code of Ethical Conduct.

I.6.1 Training: Home School Agents must attend the “Protecting God’s Children” program. This program provides education regarding what signs to look for in the detection of abuse, both in circumstances and events that might indicate abuse and in the children themselves.

I.6.2 Screening Home School Agents: Home School Agents must undergo a Child Abuse / Criminal Record check prior to being permitted to participate in Home School Programs in parish facilities.

A Child Abuse / Criminal Records check for prior history of abuse in Missouri should be made for each Home School Agent.

This check may be accomplished through the **Missouri Family Care Safety Registry (“FCSR”)** (please refer to the **FCSR Memorandum** and the **FCSR Worker Registration Form**). This check will provide information from open records from the Missouri Criminal Record Repository and information from the Missouri Division of Family Services’ Central Registry.

If the Home School Agent currently resides or recently resided in another state, they will have to undergo a nationwide FBI finger print background check when they enter the Safe Environment Program as well as the FCSR screening. Subsequent checks will be FCSR screenings. If the out-of-state location is Colorado, Florida, Kansas, Illinois, or Texas, the employee or volunteer will only have a background check from that particular state, in addition to the FCSR screening.

I.6.3 Code of Ethical Conduct: Home School Agents must read the Code of Ethical Conduct and sign the Commitment to Ethical Conduct (please refer to the **Code of Ethical Conduct for Clergy, Employees and Volunteers Working with Minors** in the Appendix 6 of this manual). The Code of Ethical Conduct must be balanced with the fact that some of those who sign the Code are also parents of students in the program and in this context, the provisions of the Code should be interpreted broadly to accommodate the parental relationship.

I.6.4 Reporting: Each Director of the home school program for each parish must work with the parish safety coordinator to ensure that the Home School Agents have completed the Safe Environment Program requirements.

I.7 Safe Environment Program for Contractors

Contractors are those individuals who work in schools, parishes or agencies who are in a position to have contact with children but who are not directly employed by the school, parish or agency. These individuals could be working for a company or group contracted to provide specific services. Examples include individuals working for a cafeteria service, bus company, maintenance firm, or latch key program.

I.7.1 Screening: It is important to make sure that these individuals are screened with regard to any past history of child abuse. **The responsibility for such screening rests with the employer, not with the administrator of the school, parish or agency.** The administrator is only responsible to determine that the contracted firm undertakes the screening at the appropriate time. Administrators should require evidence that such an evaluation has occurred. For example, firms could be asked to supply a copy of the employee’s screening form from the State of Missouri. If a firm does not cooperate in this screening effort, another firm should be sought.

a. A records check for prior history of child abuse in Missouri should be made for new independent contractor personnel who will have contact with children at a school or parish of the Archdiocese by the firm employing the individual. The Archdiocese of St. Louis, not the State

of Missouri, requires this check. This check is accomplished through the Missouri Family Care Safety Registry.

b. Employees or volunteers who have resided outside of the state of Missouri any time over the last five years will have to undergo a nationwide FBI finger print background check when they enter the Safe Environment Program as well as the FCSR screening. Subsequent checks will be FCSR screenings. If the out-of-state location is Colorado, Florida, Kansas, Illinois, or Texas, the employee or volunteer will only have a background check from that particular state, in addition to the FCSR screening.

c. The administrator should request verification each year from the employer of the independent contractor personnel working at the school, parish or agency that all new employees have been screened. New employees should be evaluated immediately upon hire and prior to the employee being assigned to the school, parish or agency.

d. In addition to the hiring and pre-employment screening process used in hiring new employees there should be an ongoing evaluation of independent contractor personnel who are working with or who are in a position to have contact with children. Every even numbered year the employer should send a request to the Missouri Family Care Safety Registry.

I.7.2 Code of Ethical Conduct: The Safe Environment Program also requires that all contractors working with the Archdiocese who may have contact with minors sign a Code of Ethical Conduct (please refer to the **Code of Ethical Conduct for Employees of Companies, Contractors, Vendors, Consultants and Any Other Entity Providing Goods or Services to the Archdiocese of St. Louis and any of its Members** in Appendix 9 of this manual). Good judgment should be the rule. Certain types of Contractors are exempted, while others are not. For guidance please refer to **Guidance Regarding Contractors Signing the Code of Ethical Conduct** in Appendix 9 of this manual.

I.7.3 Code of Ethical Conduct for Student Volunteers or Working with Minors: Young people under the age of 18, or *who are still* in high school, who work or volunteer with or near minors as part of a high school service project or any other parish program or activity must sign the **Code of Ethical Conduct for Student Volunteers working with Minors**. Parents or guardians must also sign this form. See Appendix 8 of this manual.

I.8. Minimum Age for Lead Chaperones for Events involving Minors:

For purposes of compliance, someone who is 18 years old and out of high school is considered an adult. However, when someone is serving as the lead chaperone for an event involving minors he/she must be at least 21 years old, and his/her fitness must be determined by the SPA sponsoring the youth event.

I.9. Background Evaluations For Undocumented Volunteers:

Undocumented volunteers, who by the nature of their presence in this archdiocese cannot be subject to the same Safe Environment Program-required background checks performed on other adults in this archdiocese, must adhere to the following guidelines if they want to volunteer around children:

Every effort must be made to ensure there is no documentation for the individual. If the individual claims to have no documentation when he/she really does, he/she must stop volunteering immediately.

There must be a waiting period of six months after the initial request to volunteer before the individual can begin to volunteer

The volunteer service must be performed in tandem with another adult who is in full compliance with the Safe Environment Program

There must be two or more local character references, not from the same family.

Both other components of Safe Environment Program compliance – the Protecting God’s Children workshop and the reading and signing of the Code of Ethical Conduct – must be completed. **This policy will be reviewed in April, 2010.**

I.10. Policies for Registered Sex Offenders

I.10.1 Guidelines for Mass

Certainly no one should ever be denied participation in liturgy but a few precautions are in order. The registered sex offender should attend the same Mass each Sunday and ideally attend a service that is not a crowded, family Mass. Also the individual must sit in the same area every Sunday. In the discretion of the Pastor, an usher may be alerted to the individual’s presence.

The individual may not participate in any special role in the Mass or in any parish ministry. Such participation would likely result in the ability for the individual to have contact with minors and/or could put the individual in a position where he/she could develop a relationship of trust with minors.

I.10.2 Guidelines for Sex Offender Participation at Parishes and Schools

The decision of whether to allow a person who is a registered sex offender, or who is otherwise known to be a sex offender, to enter parish property shall be made by the Pastor. The decision of whether to allow a person who is a registered sex offender, or who is otherwise known to be a sex offender, to enter an archdiocesan high school shall be made by the Chief School Administrator.

I.10.3 Guidelines for School/Parish Activities and Activities Involving Archdiocesan High Schools

If a person who is a registered sex offender, or who is otherwise known to be a sex offender, has a close relative (e.g. child, step-child, grandchild, sibling, niece or nephew) in a Catholic school

or Catholic parish-related program, he/she may be allowed to attend activities or programs for that close relative (e.g. parent-teacher conferences, athletic events, school plays) provided that the individual agrees to abide by the “**Parish Safety Plan For the Protection of Minors**” (Appendix 14) or the “**High School Safety Plan For the Protection of Students,**” (Appendix 15) as appropriate.

The “Parish Safety Plan For the Protection of Minors” requires that the individual must always be accompanied by one or more of his/her adult-age companion(s) who must be identified to the Pastor. Companions should also be made known to the head of the school or activity the individual may want to attend.

The “High School Safety Plan For the Protection of Students” requires that the individual must always be accompanied by one or more of his/her adult-age companion(s) who must be identified to the Chief School Administrator.

Violation of a safety plan could result in the individual being banned from attending future activities.

A sex offender may not hold a volunteer or employee position at a parish or school and has a responsibility to make himself/herself known to the Pastor or to the Chief School Administrator. *(Reference: Parish Safety Plan For the Protection of Minors [Appendix 14] and High School Safety Plan For the Protection of Students [Appendix 15])*

I.11. Audits:

The Safe Environment Program Office and independent auditors hired by the USCCB will audit parishes and the Archdiocese on a regular basis still to be determined to ensure that all three requirements of the Safe Environment Program have been met. Please refer to the **Internal Audit Form** used by the Archdiocesan Internal Audit office in Appendix 9 of this manual. Archdiocesan High Schools and certain agencies of the Archdiocese are also accountable for ensuring that all Safe Environment Program requirements have been met, and this information will be provided to USCCB auditors.