



ROMAN CATHOLIC

DIOCESE of SPRINGFIELD-CAPE GIRARDEAU

Office of Child and Youth Protection

Safe Environment Policy and Procedures

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Office of Child and Youth Protection

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ROMAN CATHOLIC

DIocese of Springfield–CAPE GIRARDEAU

Office of Child and Youth Protection

Safe Environment Policy Statement

The Diocese of Springfield-Cape Girardeau and its Affiliates promote a zero-tolerance policy regarding sexual misconduct and are committed to creating and maintaining a safe environment for all of God's people, one that is free from any form of sexual misconduct, which is antithetical to the teachings of the Catholic Church.

For the purposes of this policy, sexual misconduct means any behavior of a sexual nature that occurs between diocesan personnel and a minor or an adult which includes sexual abuse, enticement, exploitation, and any other such behavior, or the appearance of any such behavior, whether in-person, verbal, written, or through the use of technology or other media, that is defined by and contrary to the moral teachings, doctrines and Canon Law of the Catholic Church; and/or unlawful as described by local, state, and federal laws.

This policy applies to all diocesan personnel, including clergy, seminarians, consecrated religious, diocesan, parish and school employees, and adult volunteers. Any violation of this policy will be grounds for discipline up to and including termination.

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ROMAN CATHOLIC

DIocese of SPRINGFIELD—CAPE GIRARDEAU

Office of Child and Youth Protection

Safe Environment Policy and Procedures

Introduction

The Diocese pledges most solemnly that it will work to its utmost for the protection of God's people to keep them free from sexual misconduct committed by diocesan personnel. The diocese will commit to this goal the resources and personnel necessary to accomplish this pledge. The diocese will do its best to ordain to the diaconate and priesthood and put into positions of trust only those who share this commitment.

Committed to this effort, the diocese pledges to work toward healing and reconciliation for those who have been injured and harmed physically, sexually, emotionally, and spiritually through the sexual misconduct by clergy or any other diocesan personnel. The diocese will strive to provide safe environment education and training for all children in our diocese, parish, or school sponsored programs. The diocese will require safe environment training and background screening for all adults who are employed or regularly volunteer in programs involving minors and vulnerable adults. And, the diocese will continue to develop, strengthen and enforce policies and procedures in these efforts to protect all children and adults.

"The Church today feels especially bound to work strenuously and with foresight for the protection of minors and their dignity, not only within her own ranks, but in society as a whole and throughout the world. She does not attempt to do this alone—for that is clearly not enough—but by offering her own effective and ready cooperation to all those individuals and groups in society that are committed to the same end.... The Church adheres to the goal of putting an end to the abuse, exploitation, trafficking, and all forms of violence against and torture of children."

Pope Francis, October 2017, Congress of 'Minor Dignity in the Digital World.'

History

In 1993, the Diocese of Springfield-Cape Girardeau adopted a Sexual Misconduct Policy for all personnel of the diocese. The document was revised subsequent to the adoption in 2002 of the *Charter for the Protection of Children and Young People* (hereafter *Charter*) and the 2006 *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* (hereafter *Norms*). In 2013, this document was revised subsequent to the adoption of the *Code of Conduct for Clergy, Employees, and Adult Volunteers of the Diocese, Parish, and Schools*. This document, now referenced as the *Safe Environment Policy and Procedures*, has been reviewed and revised to include appropriate references to Canon Law. It also reflects the modifications and revisions of the *Charter* in 2011 and 2018, the *Norms* outlined in 2019 by the Holy Father in the *Motu Proprio, Vos estis lux mundi* ("You are the light of the world"), the *Vademecum* of 2020, and the recommendations of the United States Conference of Catholic Bishops (USCCB) and the National Review Board.

These updated procedures are based on Catholic beliefs. They provide clarity for diocesan personnel on behaviors which are contrary to the teachings of the Catholic Church, Canon Law, and violate civil laws. Nothing contained herein, in whole or in part, is intended or to be interpreted to supersede civil laws.

I. Definitions, for purposes of this document (reference also *Additional Definitions*, p. 19):

- A. “Adult”** any person 18 years of age or older (other than students enrolled in high school).
- “**Vulnerable and/or Eligible Adults**” are persons over the age of 18 who are considered uniquely vulnerable, who are unable to protect their own interests or adequately perform or obtain services necessary to meet their essential human needs due to physical or mental disabilities (as defined by the laws of the State of Missouri).
- “**Vulnerable Person**” means any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact, even occasionally, limits their ability to understand or to want or otherwise resist the offense (as defined, Article 1, *Motu Proprio, Vos estis lux mundi*, 2019).
- B. “Child” or “Minor”** means any person under the age of eighteen, or who is considered by law to be the equivalent of a minor. For the purposes of this document, the term “minors” also includes high school students age 18 or older. Sexual abuse of a minor will be understood in accordance with the Charter*.
- C. “Diocese” or “diocesan”** means the Diocese of Springfield-Cape Girardeau as a corporate entity, including its parishes, schools, offices, agencies and other institutions which operate under the authority of the Bishop.
- D. “Diocesan Personnel”** means all clergy, seminarians, religious, diocesan, parish and school employees and adult volunteers who work or volunteer on a regular or part-time basis within any organization designated as a diocesan entity.
- E. “Semblance of Truth”** is a reason to believe or reasonable cause to suspect—where time, person, place, and plausibility are considered and/or determined.
- F. “Sexual Abuse”** means forcing someone, by violence or threat or through abuse of authority, to perform or submit to sexual acts; performing sexual acts with a minor or a vulnerable person; the production, exhibition, possession or distribution, including by electronic means, of child pornography (or Child Sexual Abuse Material), as well as by the recruitment of or inducement of a minor or a vulnerable person to participate in pornographic exhibitions (Article 1, *Motu Proprio, Vos estis lux mundi*, 2019). This includes any sexual conduct by diocesan personnel which is contrary to the moral teachings, doctrines and Canon Law of the Catholic Church (as noted below*); and/or unlawful as described by local, state, and federal laws (see *Additional Definitions*).
- G. “Sexual Misconduct”** For our purposes, sexual misconduct includes sexual abuse, enticement, exploitation, and other related behaviors, or the appearance of any such behavior, whether in-person, verbal, written or through the use of technology or other media, that are defined by and contrary to the moral teachings, doctrines and Canon Law of the Catholic Church; and/or unlawful as described by local, state, and federal laws (see *Additional Definitions*).

***Note:** For purposes of this document, the offense of sexual abuse of a minor will be understood in accordance with the *Charter*, the *Motu Proprio, Vos estis lux mundi*, 2019*, and the provisions of the *Sacramentorum sanctitatis tutela* (SST), Article 6, which reads:

§1. The more grave delicts against morals which are reserved to the Congregation for the Doctrine of the Faith are:

1◦ the delict against the sixth commandment of the Decalogue committed by a cleric with a minor (any person under the age of eighteen years or who is considered by law to be the equivalent of a minor) or a vulnerable person*.

2◦ the (production, exhibition*) acquisition, possession, or distribution by a cleric of pornographic images of minors (under the age of eighteen*), for purposes of sexual gratification, (regardless of the means used*);

§2. A cleric who commits the delicts mentioned above in §1 is to be punished according to the gravity of his crime, not excluding dismissal or deposition.

In view of the Circular Letter from the Congregation for the Doctrine of the Faith, dated May 3, 2011, which calls for “mak[ing] allowance for the legislation of the country where the Conference is located,” and reinforced again in Article 19, *Motu Proprio, Vos estis lux mundi*, 2019, the laws of the State of Missouri regarding legal age for defining child abuse and child pornography or Child Sexual Abuse Material, shall be applied for complying with civil reporting statutes and assessing suitability for ministry.

If there is any doubt whether a specific act qualifies as an external, objectively grave violation, the writings of recognized moral theologians should be consulted, and the opinions of recognized experts should be appropriately obtained (*Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995, p. 6). It is the responsibility of the diocesan Bishop, with the advice of a qualified Review Board, to ultimately determine the gravity of the alleged act.

II. To Promote Healing and Reconciliation (*Charter*, Article 1).

- A. The diocese is committed to ensuring that those who have stated that they have been harmed, together with their families, are to be treated with dignity and respect, and in particular, are to be welcomed, listened to, and supported (Article 5, *Motu Proprio, Vos estis lux mundi*, 2019).
- B. The diocese must respond promptly to any allegation where there is reason to believe that sexual misconduct by clergy or other diocesan personnel has occurred and will reach out to every person who has been the victim of sexual misconduct by anyone acting in the name of the Church, whether the misconduct was recent or occurred years in the past.
- C. The diocese must act with proper care and prudence to protect those who make such reports from any prejudice, discrimination, or retaliation, as a consequence for making the report. The information included in the report must be protected and treated in such a way to guarantee its safety, integrity, and confidentiality (Article 5, *Vos estis lux mundi*, 2019).
- D. The Victim Assistance Coordinator will aid in the immediate pastoral care of persons who claim to have been sexually abused or mistreated by clergy or other diocesan personnel. Those who make reports, the victim(s)/survivor(s) and their families should be offered spiritual assistance, provided medical assistance, including therapeutic and psychological assistance, counseling, or other such services agreed upon by the victim(s)/survivor(s) and the diocese.
- E. In cooperation with social service agencies and other churches, support groups for victim(s)/survivor(s) and others affected by abuse will be fostered and encouraged by the diocese and local parish communities.

- F. Through pastoral outreach to victim(s)/survivor(s) and their families, the Bishop will offer to meet with them. This pastoral outreach by the Bishop will also be directed to faith communities in which the sexual misconduct occurred.

III. Creating a Safe Environment (*Charter*, Article 9).

- A. **Education and Training.** The diocese will establish safe environment programs that address issues of sexual misconduct, reporting obligations and appropriate boundaries that all diocesan personnel are required to attend. The diocese will cooperate with parents, educators, civil authorities, and community organizations to provide education and training for children, youth, parents, ministers, educators and others about ways to make and maintain a safe environment for children.

The diocese will make clear to all members of the community the standards of conduct for all diocesan personnel in positions of trust with regard to sexual misconduct. Diocesan personnel, clergy, employees, catechetical leaders and other volunteers, may be required to read training bulletins and to complete other relevant training as assigned or provided by their supervisor or by the diocese. Any adult is encouraged and welcome to attend the safe environment programs held in the diocese (*Charter*, Article 12).

- B. **Background Screening** (*Charter*, Article 13). The diocese will conduct a local and national criminal screening of all diocesan personnel. A *Background Disclosure and Authorization* is to be completed and signed by all diocesan personnel by paper form. All paper signed authorization forms are to be submitted to the designated local Safe Environment Coordinator and sent to the Diocesan Office of Child and Youth Protection. A copy may be retained in a secure manner at the diocesan institution, parish or school. Random rescreening will be conducted periodically on all diocesan personnel. Thorough reference checks should also be conducted for potential diocesan personnel.

Disqualifying Offenses: When applicable, background screening reports indicating, but not limited to, physical or sexual abuse or misconduct, exploitation, violent crimes, domestic violence, impaired driving infractions, and/or substance abuse may result in exclusion, restricted access or other precautionary actions.

With regard to priests from other dioceses, religious priests, deacons, sisters and brothers working in the diocese, the Major Superior shall inform the Bishop, in accordance with Canon and civil law, of all information concerning any allegation of sexual misconduct. This will be done with due recognition of the legitimate authority of the Bishop; of the provisions of CIC, Canon 678 (CCE), Canons 415.1 and 554.2) and of CIC, Canon 679; and of the autonomy of the religious life (CIC, Canon 586). On its part, the Diocese of Springfield-Cape Girardeau shall, in writing, inform the Superior of any allegation of sexual misconduct of such personnel (*Norms* 12).

- C. **Code of Conduct.** All diocesan personnel are required to read and annually review *The Code of Conduct for Clergy, Employees and Adult Volunteers of the Diocese, Parishes and Schools*, complete the Background Questionnaire section and sign the Acknowledgement and Agreement, then submit that to the designated local Safe Environment Coordinator. This is to be recorded and sent to the Diocese Office of Child and Youth Protection.
- D. **Candidates for Ordination.** In addition, the Diocese will employ adequate screening and evaluative techniques in deciding the fitness of candidates for ordination. All candidates will also comply with required Safe Environment Training, Background Screening, and current Code of Conduct with Background Questionnaire.

II. Reporting an Allegation of Sexual Misconduct (*Norms 11, Charter, Article 4*).

Who Must Report. All diocesan personnel who are made aware of an allegation, has reason to believe or suspect that a minor or adult has been or may be subjected to abuse or neglect, or directly observes someone being subjected to conditions or circumstances which would reasonably result in abuse or neglect, shall immediately report to the **Missouri Child Abuse and Neglect Hotline 800-392-3738** or the **Adult Abuse and Neglect Hotline 800-392-0210**, as applicable, and as required by law.

If the situation appears to be an emergency, where the personal safety of a minor or an adult is at risk, the local law enforcement agency (911) should be called immediately.

All diocesan personnel are required to report known or suspected abuse or neglect and may also make a report to any law enforcement agency; however, this report shall not take the place of reporting to the Children’s Division or the appropriate civil authority.

No supervisor, administrator or other diocesan personnel may impede or inhibit any reporting; and no person making a report in good faith shall be subject to any sanction, including any adverse employment action, for making such report.¹

Nothing contained in this document, in whole or in part, is intended or to be interpreted to supersede civil laws or preclude reporting incidents of sexual misconduct to appropriate civil authorities as required by local, state, and federal laws.

A. Immunity. The law provides immunity from civil or criminal liability to those who are required to make reports to the Child or Adult Abuse and Neglect Hotlines, any law enforcement agency, or the juvenile office in the completion of an investigation or family assessment. Immunity is provided regardless of the outcome of the investigation or family assessment; however, it does not apply if a person intentionally files a false report.²

B. Failure to Report. Failure to report suspected abuse of a minor or adult by a person legally required to do so may subject the person to probation, a fine, and/or other legal action.³

Diocesan personnel who become aware of an allegation of sexual misconduct and fail to report it pursuant to this policy may be subject to disciplinary actions. Members of the clergy are required to report unless to do so would violate a privileged communication made to them in their professional capacity as spiritual advisors, confessors or comforters.

C. False Report. Any person who makes a false report, knowing that the report is false, or who acts in bad faith or with ill intent in making such report shall not have immunity from liability, civil or criminal.⁴ Any person who knowingly files a false report of vulnerable person abuse or neglect is guilty of a class A Misdemeanor.⁵

D. Required Reporting. The diocese requires diocesan personnel who become aware of an allegation of sexual misconduct to first immediately report the allegation to the appropriate civil authorities in compliance with state and federal laws as described in this policy and then to also immediately report the allegation to the Diocesan Director of the Office of Child and Youth Protection (OCYP).

¹ Section 210.115 Revised Statutes of Missouri (RSMO).

² Section 210.135, 192.2430, 630.164, 630.165 RSMO.

³ Sections 210.135, 210.140, 192.2405, 198.070, 630.162, 630.165 RSMO; Privileged Communication not Recognized, Exception; 210.165, Penalty for Violation; 352.400, Ministers Duty to Report.

⁴ Section 210.135 RSMO.

⁵ Sections 192.2400, 630.162, 630.165 RSMO.

- E. Reporting Allegations to the Diocese.** With respect for the reporting of an allegation of sexual misconduct to the diocese, there are a variety of methods for reporting such a complaint in a safe manner. Any person who alleges sexual misconduct on the part of diocesan personnel may report a concern or complaint by contacting any one of the following individuals by telephone, in person, online, or in writing (marked “Personal and Confidential”):
1. The Director of the Office of Child and Youth Protection, Diocese of Springfield-Cape Girardeau, 601 S. Jefferson Avenue, Springfield, MO 65806, (417) 866-0841; or at childandyouthprotection@dioscg.org.
 2. The Victim Assistance Coordinators are licensed mental health professionals and are laypersons not necessarily employed by the Diocese. The names of the Victim Assistance Coordinators are available through the Catholic Center, (417) 866-0841, and listed on the diocesan web site, www.dioscg.org, and in the Diocesan Directory.
 3. The TIPS online reporting system on the diocesan webpage: www.dioscg.org.
- F. Violations involving the Bishop** shall be forwarded to the respective Patriarch, Major Archbishop or Metropolitan of the Church, or the Holy See, and reported to the Catholic Bishop Abuse Reporting System at 800-276-1562 or <https://reportbishopabuse.org/>.

III. Posting and Publishing the Procedures for Reporting Allegations.

The diocese shall make its procedures for reporting allegations of sexual misconduct available in printed form and through periodic public announcements. The procedures for reporting allegations of sexual misconduct will be posted on the diocesan web site and periodically published in the diocesan newspaper, in the bulletins of all parishes of the diocese, and in the publications of all schools of the diocese. A poster provided by the diocese, with the procedures for reporting, is to be displayed in the clearly visible locations, entrances, public gathering spaces of each Church, parish hall and school.

IV. Diocesan Review Board.

- A. Authorization of Board.** The USCCB Charter calls for a Review Board in every diocese to function “as a confidential consultative body to the Bishop” (*Charter*, Article 2). The Review Board will advise the Bishop and diocesan administrators regarding allegations reported against diocesan personnel and other matters as requested by the Bishop (*Norms 4*, and *Diocesan Review Board By-Laws*).
- B. Composition of Board.** The Diocesan Review Board shall be composed of at least five persons appointed by the Bishop (*Norms 5*), the majority of whom shall be lay persons not in the employ of the Diocese.

The Promoter of Justice is a non-voting member of the Board.

At least one member shall be a priest, and at least one member shall have expertise in the treatment for victim/survivors of sexual misconduct.

The members shall be appointed for a term of five years, which can be renewed and extended at the request of the Bishop (*Norms 5*).

- C. Responsibilities of Board** (*Charter, Norms 4*). The functions of the Diocesan Review Board shall include, but are not limited to:
1. To function as a confidential consultative body to the Bishop in discharging his responsibilities.
 2. Advising the Bishop on all aspects of allegations of sexual misconduct by diocesan personnel, whether retrospectively or prospectively.
 3. Assisting the Bishop in his assessment of allegations of sexual misconduct by diocesan personnel, determining *Semblance of Truth*, making recommendations with regard to the determination of suitability for ministry, continued employment or volunteer service, and appropriate disciplinary action.
 4. Reviewing the diocesan policies and practices for providing a safe environment.
- D. For Cases Involving a Priest, the Promoter of Justice** must be a Priest, unless the Congregation for the Doctrine of Faith grants a special dispensation (John Paul II, *Sacramentorum Sanctitatis Tutela*, Article 12). The Promoter of Justice must have an unimpaired reputation, be proven in prudence and in zeal for justice, and possess a degree in Canon Law (CIC, c. 1453). The Promoter of Justice is responsible to see that the safeguards and requirements of the law are applied equitably and that the rights of the complainant and the accused are protected.

In accordance with these policies and procedures, the Promoter of Justice will:

1. Be present, to the extent possible, at all meetings of the Review Board to help ensure and safeguard the integrity of the process followed by the review board in fulfilling its duties; especially, with regard to matters related to Canon Law (*Norms 5; Charter, Article 2*);
 2. Be consulted prior to imposing administrative leave during the penal process;
 3. Act on behalf of the complainant in all judicial penal trials.
- E. Confidentiality of the Review Board.** In assisting the Bishop in arriving at the appropriate action following allegations of sexual misconduct by diocesan personnel, the work of the Review Board is confidential, with the exception of when an allegation of sexual misconduct is judged to have a *Semblance of Truth* and the allegation must be reported to appropriate civil authorities as required by the laws of the State of Missouri for all Mandatory Reporters, consistent with the Diocese's commitment to transparency and openness with respect always for the privacy and the reputation of the individuals involved (*Norms Preamble*).

V. Addressing an Allegation.

A. Compliance with State Laws and Cooperation with Civil Authorities.

1. The diocese and all diocesan personnel are to comply with local, state and federal laws with respect to reporting allegations of abuse and required to cooperate with all civil authorities in their investigation in accordance with state laws (*Norms 11*).

2. No investigation should commence until the State Child or Adult Abuse and Neglect Services and/or civil authorities have been notified, as required by law, and it is certain that the actions of the Diocese and the Bishop's Review Board would not interfere with their investigation.
 3. Every incident will be assessed, with care taken to not interfere with any civil or criminal investigation, and with a high level of Christian compassion, care, concern and confidentiality for the person reporting the incident, the alleged victim/survivor, the family of the alleged victim/survivor, and the accused.
 4. Upon receipt of an allegation of sexual misconduct by diocesan personnel, the Bishop, Vicar General, the Director of the Office of Child and Youth Protection, and diocesan legal counsel are to be notified immediately and consult as a team.
 5. **In the event a report is received concerning the Bishop**, in addition to notifying the civil authorities, as required by law, the report shall be forwarded to the respective Patriarch, Major Archbishop or Metropolitan of the Church, or the Holy See (Article 8, *Vos estis lux mundi*, 2019; the *Vademecum*, 2020).
- B. Statement of Rights for Victim/Survivor and the Accused.** The victim(s)/survivor(s), person making the report, and the accused will each be provided a statement explaining their respective rights during the process, informed of their rights to report to civil authorities and to retain the assistance of civil and/or Canonical counsel (*Norms 11*).
- C. Preliminary Investigation.**
1. When an allegation of sexual misconduct by a Priest or Deacon is received, the Bishop shall order a preliminary investigation in accordance with canon law, the universal law of the Church and of the Essential Norms approved for the United States, be initiated and conducted promptly and objectively (CIC, c. 1717; CCEO, c. 1468).
 2. **Presumption of Innocence.** During the investigation, the accused, whether clergy, deacon or other diocesan personnel, is to be accorded the presumption of innocence during the investigation of the allegation and all appropriate steps are to be taken to protect his or her reputation.
 3. **Protecting Privacy.** The Diocese will protect the privacy of the persons involved, as well as the confidentiality of their personal information, and shall not disclose the names of the victim(s)/survivor(s) or the person making the allegation without their prior knowledge and expressed consent, whenever possible, except when such disclosure is necessary for the investigation to be conducted or as required by law (Article 5, *Motu Proprio, Vos estis lux mundi*, 2019).
 4. **Informing the Accused of the Allegations.** The accused will be presented with a specific listing of the allegations and be permitted to respond to the allegations in person or in writing and to ask clarifying questions.
- D. Designating an Investigator.**
1. When conducting an investigation, the Bishop may establish a list of qualified persons from which he may choose those most suitable to assist in the investigation, according to the needs of the individual case, and, in particular, taking into account the cooperation that can be offered by the lay faithful pursuant to canons 228 CIC and 408 CCEO (Article 13, *Motu Proprio, Vos estis lux mundi*, 2019).

2. Any person assisting in the investigation is required to act impartially and must be free of conflicts of interest. If it is determined that they are unable to maintain the necessary impartiality required to guarantee the integrity of the investigation, he or she is obliged to recuse himself/herself.
3. The Director of the Office of Child and Youth Protection (OCYP), unless otherwise designated, shall oversee the investigation and act as the document historian, and may use the resources of the Diocesan Safe Environment Review Board and others to assist in the collection of all relevant facts regarding the allegation.

E. Collecting Information. The investigation includes collecting any relevant information regarding the facts and may include, but is not limited to, the following:

1. Requests for information from individuals and institutions that are able to provide useful elements for the investigation; interviews (which may be recorded or handwritten) with the alleged victim/survivor, the accused and any witnesses; or, accessing other available print or electronic information, materials and sources.
2. Both the alleged victim/survivor and the accused may be informed of and allowed to respond in writing to the evidence in the case.

F. Interviewing Minors/Vulnerable Adults. If it is necessary for the investigation to involve directly interviewing a minor or vulnerable adult, their parent or legal guardian, or authorized representative must also be present and their consent obtained. By law, any allegations of abuse involving minors or vulnerable adults must first be immediately reported to civil authorities and the interviews must not interfere with their investigation.

G. Updates. Updates on the investigation should be provided to the parties involved periodically (e.g., every 30 days) and the investigation should be completed in a timely manner, within ninety days or within the term otherwise specified (*Motu Proprio, Vos estis lux mundi*, 2019).

Upon its completion of the investigation, regardless of the determination, the reporter, victim(s)/survivor(s), and the accused shall be made aware of the determination.

H. Precautions and Actions During the Investigation.

1. When an allegation of sexual misconduct by clergy has been received, the Bishop shall then apply the precautionary measures mentioned in CIC, Canon 1720. The Bishop may withdraw the accused from exercising any ecclesiastical ministry or function, impose or prohibit residence in a given place or territory, and prohibit public participation in the Eucharist pending the outcome of the process (*Norms 6*).
2. During this process, the alleged offender may be requested to seek, and urged voluntarily to comply with, an appropriate medical and psychological evaluation at a facility mutually acceptable to the diocese and to the accused (*Norms 7*).
3. When an allegation of sexual misconduct by non-clergy diocesan personnel has been received and while the investigation is in process, the accused may be relieved of all responsibilities in the Diocese, Parish, School, or other Institution, and placed on administrative leave pending the outcome of the investigation.

VI. Confidentiality Agreements.

- A.** The Diocese will not enter into settlements which bind the parties to confidentiality, unless the victim/survivor requests confidentiality and only if this request is noted in the text of the agreement (*Charter*, Article 3).
- B.** An obligation to keep silent may not be imposed on any person with regard to the contents of his or her report (Article 4, *Motu Proprio, Vos estis lux mundi*, 2019).

VII. Notifications.

- A.** When *Semblance of Truth* has been determined, and/or there is sufficient evidence that sexual misconduct, as defined, has occurred, the Congregation for the Doctrine of the Faith will be notified (*Norms* 6).
- B.** When the investigation has been completed and the allegation has been determined to meet *Semblance of Truth*, the Diocese will be open and transparent in communicating with the public about the allegation of sexual misconduct by diocesan personnel within the confines of respect for the privacy and the reputation of the individuals involved. This is especially so with regard to informing parish and other church communities directly affected by the sexual misconduct (*Charter*, Article 7).
 - 1.** The Diocesan Legal Representative shall be informed of any allegations of sexual misconduct involving diocesan personnel when received, determined to have *Semblance of Truth*, or if reportable to comply with the laws of the State of Missouri.
 - 2.** The Diocesan Director of Communications, Media and Publications (DCMP) will be notified. All Published Statements and Media Releases will be approved and disseminated through the DCMP. Media inquiries should be directed to the DCMP.
 - 3.** Notification of the incident shall be given to insurers in accordance with the terms of applicable insurance policies.

VIII. Disciplinary Action When *Semblance of Truth* of Sexual Misconduct is Determined.

- A.** When, after an appropriate investigation in accord with Canon Law (*Norms* 6 and 8), an accused Priest or Deacon admits to or does not contest an allegation of sexual misconduct, as defined; the allegation of sexual misconduct is determined by the Review Board to meet the *Semblance of Truth*; or, the allegation of sexual misconduct is substantiated by civil authorities, for even a single act of abuse or misconduct, the following will pertain:
 - 1.** In every case when *Semblance of Truth* has been met, 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; cf. Letter from the Congregation for the Doctrine of the Faith, May 18, 2001*). These provisions may include a request by the priest or deacon for dispensation from the obligation of holy orders and the loss of the clerical state, or a request by the Bishop for dismissal from the clerical state *ex officio* even without the consent of the priest or deacon (*Norms* 10).

2. At all times, the Bishop has the executive power of governance, within the parameters of the universal law of the church, through an administrative act, to remove an offending cleric from office, to remove or restrict his faculties, and to limit his exercise of priestly ministry (*Norms 9*).
 3. For the sake of due process, the accused is to be encouraged to retain the assistance of civil and Canonical counsel (*Charter, Article 5, Norms 6*). When necessary, the diocese will supply Canonical counsel to a priest or deacon.
 4. An offending priest or deacon will be offered therapeutic professional assistance both for the purpose of prevention and also for his own healing and well-being (*Charter, Article 5*).
 5. If the penalty of dismissal from the clerical state has not been applied (e.g., for reasons of advanced age or infirmity), the offender is to lead a life of prayer and penance, and will not be permitted to celebrate Mass publicly, administer the sacraments, wear clerical garb or to present himself publicly as a priest (*Norms 8*).
 6. No priest or deacon who has committed an act of sexual misconduct may be transferred for a ministerial assignment in another diocese/eparchy (*Norms 12*).
 7. Before such diocesan priest or deacon can be transferred for residence to another diocese/eparchy, the Bishop shall comply with the provisions of *Norms 12 (Charter, Article 14)*.
- B.** When any non-clergy diocesan personnel admits to or does not contest an allegation of sexual misconduct, as defined; or, the allegation of sexual misconduct is determined by the Review Board to meet the *Semblance of Truth*; and/or the allegation of sexual misconduct is substantiated by civil authorities, he or she shall be immediately removed from any position of responsibility within the diocese and/or terminated from employment.

IX. Procedure When an Allegation is Found to be Unsubstantiated or False.

If, after conducting an appropriate investigation in accord with Canon and civil laws, a *Semblance of Truth* regarding the allegation cannot be established or the allegation has been determined to be unsubstantiated or false, compassionate support should be extended to the accused. Although there is a presumption of innocence during the investigation, the accused may be left with a tarnished reputation. Every step possible shall be taken to restore the good name of the person falsely accused and every effort will be made to return the individual to employment or service in the Diocese (*Norms 13*).

A. For Clergy.

1. The Bishop will make a formal announcement declaring the conclusion and outcome of the investigation detailing the process of the investigation.
2. Disseminate letters to the clergy and diocesan personnel, and/or parishioners, publish a statement and/or an article in the parish bulletin, diocesan newspaper, and/or through a media release acknowledging the outcome of the investigation.
3. Reinstate the cleric to all positions previously held.

4. The Bishop may accompany the cleric to his parish and concelebrate Mass when he is reinstated.
5. Meet with the presbyterate, the parish staff and community for an open discussion about the policies, the procedures, and the process.
6. Provide ongoing support and emotional care for the accused clergy.

B. For Diocesan Personnel Other than Clergy.

1. The Bishop may make a formal announcement declaring the outcome of the investigation detailing the process of the investigation.
2. Letters may be sent to the clergy, other diocesan personnel, parishioners, and parents of students (in cases involving a school), a formal statement and/or an article may be published in parish bulletins, the diocesan newspaper, and/or a media release acknowledging the outcome of the investigation.
3. The diocesan personnel may be reinstated to previously held position and role.
4. The Bishop, along with the pastor, principal, supervisor, and/or other diocesan personnel, may meet with the parish or school community and have an open discussion about the policies, the procedures and the process.
5. Provide ongoing support and emotional care for the accused person.

Note: Intentionally and knowingly making a false allegation may be subject to civil or legal action. The accused has the right to consult with legal counsel and pursue legal actions.

Our Pledge: Through these procedures, with regard to the Charter, the diocese pledges to the protection of God's people to keep them free from sexual misconduct committed by diocesan personnel. The diocese will strive toward healing and reconciliation for those victims of sexual misconduct committed against them by diocesan personnel. The diocese commits to maintain safe environment training programs and policies that address issues of sexual abuse, misconduct and boundary violations and will collaborate with parents, educators and community organizations to provide education and training for children, youth, parents, ministers, educators and others about ways to create and maintain a safe environment. The diocese will adhere to civil laws and reporting obligations, will cooperate with civil authorities in any formal investigation and subsequent actions, and will hold accountable those who have violated the laws and tenets of our faith, and in particular, the trust, safety, and well-being of all members of our church.

Policy adopted 1993; revised 2003, 2005, 2007, 2008, 2013, 2015, 2017, 2018, 2019, 2020, and 2021.

The Diocese of Springfield-Cape Girardeau and its Affiliates reserve the right to make changes to this policy at any time and at its sole discretion, and interpret and administer the policy in light of changing circumstances and events.

Additional Definitions: For the purposes of these policies and procedures, the following terms and respective definitions are being used. They are subject to unannounced revision with respect to changes in laws.

Bullying and Cyberbullying:

“Bullying” means any intimidation, unwanted aggressive behavior, or harassment that is repetitive or is substantially likely to be repeated and causes a reasonable person to fear for his or her physical safety or property; may consist of physical actions including gestures; cyberbullying; oral, electronic, or written communication; and, any threat of retaliation for reporting of such acts that substantially interferes with the educational performance, opportunities, or benefits of any person without exception; or substantially disrupts the orderly operation of school, {RSMO 160.775, 192.2400}.

“Cyberbullying” means bullying through the transmission of a communication including, but not limited to, a message, text, sound, or image by means of an electronic device, such as a telephone, wireless telephone, or other wireless communication device, computer, or pager, {RSMO 160.775}.

Care, custody, and control of the child, Those responsible for: includes, but is not limited to

- The parents or legal guardians of a child;
- Other members of the child’s household;
- Those exercising supervision over a child for any part of a twenty-four-hour day;
- Any adult person who has access to the child based on relationship to the parents of the child or members of the child’s household or the family; or
- Any person who takes control of the child by deception, force, or coercion.
- School Personnel, contractors, and volunteers, if the relationship with the child was established through the school or school-related activities, even if the alleged abuse or neglect occurred outside of school hours or off school grounds.

The term “abuse” is not limited to abuse inflicted by a person responsible for the child’s care, custody, and control as specified in section RSMO 210.110, but shall also include abuse inflicted by any other person.

Child/Minor: any person, regardless of physical or mental condition, under eighteen years of age, {RSMO 210.110 and 573.010}.

Child Abuse: any physical injury, sexual abuse or emotional abuse inflicted on any person under the age of 18 years of age (other than by accidental means) by those responsible for his or her care, custody, and control, except that discipline including spanking, administered in a reasonable manner, shall not be construed to be abuse, {Section 210.110.1, RSMO}.

Child pornography, or Child Sexual Abuse Material: any representation of a minor, regardless of the means used, involved in explicit sexual activities, whether real or simulated, and any representation of sexual organs of minors for primarily sexual purposes, (Article 1, Motu Proprio, Vos estis lux mundi, 2019; also see Sexual Offenses section of this document).

Conduct, Unwelcome: Conduct is considered “unwelcome” if the person did not request or invite it and considered the conduct to be undesirable or offensive. Unwelcome conduct may take various forms, including, name-calling, graphic or written statements (including the use of cell phones or the Internet), or other conduct that may be physically threatening, harmful, or humiliating. Unwelcome conduct does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Unwelcome conduct can involve persons of the same or opposite sex.

Participation in the conduct or the failure to complain does not always mean that the conduct was welcome. The fact that a person may have welcomed some conduct does not necessarily mean that they welcomed other conduct. Also, the fact that a person requested or invited conduct on one occasion does not mean that the conduct is welcome on a subsequent occasion.

Consent: “Consent” must be informed, voluntary, and mutual, and can be withdrawn at any time. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats, or duress is used. Whether a person has taken advantage of a position of influence over another person may be a factor in determining consent.

- Silence or absence of resistance does not imply consent.
- Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to that same sexual activity with another person.
- If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes impairment or incapacitation due to alcohol or drug consumption that meets this standard, or being asleep or unconscious.

Sexual contact between a minor/student or vulnerable adult and a teacher, employee, contracted employee, or other adult volunteer, will always be viewed as unwelcome, nonconsensual, and can be subject to criminal prosecution {RSMO 566.086}.

Eligible Adult and Vulnerable Person: An “**Eligible Adult**” is any person sixty years of age or older who is unable to protect his or her own interests or adequately perform or obtain services which are necessary to meet his or her essential human needs or an adult with a disability, as defined in section 192.2005, or, between the ages of eighteen and fifty-nine who is unable to protect his or her own interests or adequately perform or obtain services which are necessary to meet his or her essential human needs, {RSMO 192.2400}. “**Vulnerable person**” {as defined RSMO 630.005}, is any person in the custody, care, or control of the department that is receiving services from an operated, funded, licensed, or certified program. “**Vulnerable person**” means any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact, even occasionally, limits their ability to understand or to want or otherwise resist the offense, (2019, Motu Proprio, Vos estis lux mundi, Article 1).

Eligible Adult or Vulnerable Person, Abuse of: is the infliction of physical, sexual, or emotional injury or harm including financial exploitation by any person, firm, or corporation and bullying, {RSMO 192.2400, 630.155-630.165}.

Harassment: is the verbal or physical conduct that derogates or shows hostility or aversion toward an individual or group because of his or her race, color, religion, national origin, ancestry, physical or mental disability, or any other characteristic protected by law; or, any act with the purpose to cause emotional distress to another person, and such act does cause such person to suffer emotional distress, {RSMO 565.090}.

Harassment, Sexual: is unwelcome conduct of a sexual nature, including but not limited to unwelcome sexual advances; requests for sexual favors; or other verbal or nonverbal conduct of a sexual nature, including rape, sexual assault, and sexual exploitation. In addition, depending on the facts, dating violence, domestic violence, and stalking may also be forms of sexual harassment.

Hostile Environment: A “hostile environment” exists when sex-based harassment is sufficiently serious to deny or limit the person’s ability to participate in or benefit from programs or activities involving minors. A hostile environment can be created by anyone involved in any church or school program or activity (e.g., administrators, faculty members, other students, and third parties).

In determining whether sex-based harassment has created a hostile environment, the investigator considers the conduct in question from both a subjective and objective perspective. It will be necessary, but not enough, that the conduct was unwelcome to the person who was harassed. The investigator will also need to find that a reasonable person in that circumstance or position would have perceived the conduct as undesirable or offensive in order for that conduct to create or contribute to a hostile environment.

To make the ultimate determination of whether a hostile environment exists for any person, the following factors may be considered related to the severity, persistence, or pervasiveness of the sex-based harassment, including:

- The type, frequency, and duration of the conduct;
- The identity and relationships of persons involved;
- The number of individuals involved;
- The location of the conduct and the context in which it occurred; and,
- The degree to which the conduct affected one or more person’s education or their ability to participate in or benefit from a program or activity.

The more severe the sex-based harassment, the less need there is to show a repetitive series of incidents to find a hostile environment. Indeed, a single instance of sexual assault may be sufficient to create a hostile environment. Likewise, a series of incidents may be sufficient even if the sex-based harassment is not particularly severe.

Mandated Reporter: any person, as designated by the laws of the State of Missouri, who has reasonable cause to suspect that an individual has been or may be subjected to abuse or neglect or observes them being subjected to conditions or circumstances which would reasonably result in abuse or neglect, who is required by law to immediately report or cause a report to be made to the Child or Adult Abuse and Neglect Hotlines.

Neglect is defined as the failure to provide, by those responsible for the care, custody, and control of a child or adult, the proper or necessary support, education as required by law, nutrition or medical, surgical, or any other care necessary for the child or adult’s well-being.

Sexual Abuse: means forcing someone, by violence or threat or through abuse of authority, to perform or submit to sexual acts; performing sexual acts with a minor or a vulnerable person; the production, exhibition, possession or distribution, including by electronic means, of child pornography or Child Sexual Abuse Material, as well as by the recruitment of or inducement of a minor or a vulnerable person to participate in pornographic exhibitions (as defined, Article 1, Motu Proprio, Vos estis lux mundi, 2019).

Sexual Abuse of a Child {as defined RSMO 192.2200 566.100}

- 1) Sexual Abuse of a child shall include, but is not limited to:
 - a) Any touching of the genitals, anus or buttocks of a child, or the breast of a female child, or any such touching through the clothing; any act involving the genitals of a child and the hand, mouth, tongue, or anus of another person; or any sexual act involving the penetration, however slight, of a child's mouth, penis, female genitalia, or anus by any body part of another person, or by any instrument or object;
 - b) Any conduct that would constitute a violation, regardless of arrest or conviction of: Chapter 566, RSMO, if the victim is less than eighteen (18) years of age; section 567.050, RSMO, if the victim is less than eighteen (18) years of age; sections 568.020, 568.060, 568.080, or 568.090, RSMO; sections 573.025, 573.035, 573.037, or 573.040, RSMO; or an attempt to commit any of the preceding crimes;
 - c) Sexual exploitation of the child, {RSMO 573.023}, which shall include:
 - i) Allowing, permitting, or encouraging a child to engage in prostitution, as defined by state law; or
 - ii) Allowing, permitting, encouraging, or engaging in the obscene or pornographic photographing, filming, or depicting of a child as those acts are defined by state law. This includes the storage or transmission of any data depicting said obscene or pornographic acts, images, or recordings.
- 2) Any reasonable interaction with a child, including touching a child's body for the purpose of providing the proper or necessary care or support of the child, shall not be considered sexual abuse. The touching of a child's body, including a child's genitals, buttocks, anus, or breasts for reasonable, medical, child rearing, or child care purposes shall not be considered sexual abuse.
- 3) It is not required to prove that the alleged perpetrator received sexual gratification or that there was an exchange or promise of anything of value as a result of the act of sexual abuse to establish sexual abuse under Chapters 210 or 211, RSMO.
- 4) The use of force or coercion is not a necessary element for a finding of sexual abuse.
- 5) Sexual abuse may occur over or under the child's clothes.
- 6) It is not required to prove that the child suffered trauma or harm as a result of the act of sexual abuse.
- 7) A child cannot consent to a sexual or sexualized act or interaction with a person responsible for that child's care, custody, and control.

Sexual Assault: is actual or attempted sexual contact with another person without that person's consent. Sexual assault includes, but is not limited to:

- Intentional touching of another person's intimate parts without that person's consent; or
- Other intentional sexual contact with another person without that person's consent; or
- Coercing, forcing, or attempting to coerce or force a person to touch another person's intimate parts without that person's consent; or
- Rape, which is penetration, no matter how slight, of (a) the vagina or anus of a person by any body part of another person or by an object, or (b) the mouth of a person by a sex organ of another person, without that person's consent.

Sexual Exploitation: occurs when a person takes sexual advantage of another person for the benefit of anyone other than that person without that person's consent. Examples of behavior that could rise to the level of sexual exploitation include:

- Prostituting another person;
- Recording images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness without that person's consent;
- Distributing images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to such disclosure and objects to such disclosure; and,
- Viewing another person's sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without that person's consent, and for the purpose of arousing or gratifying sexual desire.

Sexual Offenses as defined in the Missouri Revised Statutes, Chapters 210, 566, and 573.

Child Abuse: any physical injury, sexual abuse, or emotional abuse inflicted on a child other than by accidental means by those responsible for the child's care, custody, and control, except that discipline including spanking, administered in a reasonable manner, shall not be construed to be abuse, {RSMO 210.110}.

Child (or Juvenile) with Problem Sexual Behavior: any person, under fourteen years of age, who has allegedly committed sexual abuse against another child including, but not limited to, acts that are age or developmentally inappropriate and— (1) Involves force or threats of the use of force; (2) Are intrusive; (3) Are unwelcome; (4) Result in physical injury or cause emotional trauma to the victim child; or (5) Are coercive or manipulative, {RSMO 210.148}.

Child pornography (or Child Sexual Abuse Material), Possession of: knowingly or recklessly possessing any child pornography (or Child Sexual Abuse Material) of a minor less than eighteen years of age or obscene material portraying what appears to be a minor less than eighteen years of age, {RSMO 573.037, Definitions 573.010}.

Deviate Sexual Intercourse: any act involving the genitals of one person and the hand, mouth, tongue, anus of another person or a sexual act involving the penetration, however slight, of the penis or genitalia, or the anus by a finger, instrument, or object done for the purpose of arousing or gratifying the sexual desire of any person or for the purpose of terrorizing the complainant, {RSMO 566.010.1}.

Enticement of a Child: to persuade, solicit, coax, entice, or lure, whether by words, actions or through communications via the internet or any electronic communication, any person less than 15 years of age for the purpose of engaging in sexual conduct, {RSMO 566.151.1}.

Sexual Abuse: subjecting another person to sexual contact when that person is incapacitated, incapable of consent or lacks the capacity to consent, by the use of forcible compulsion, or without consent {RSMO 566.100, 566.101}. It is not required to prove that the alleged perpetrator received sexual gratification or that there was an exchange or promise of anything of value as a result of the act of sexual abuse to establish sexual abuse, {210, 211 RSMO}.

Sexual Conduct: sexual intercourse, deviate sexual intercourse, actual or simulated acts of human masturbation, physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or the breast of a female in an act of apparent stimulation or gratification, {RSMO 566.0200}.

Sexual Contact: any touching of the genitals or anus of another person or the breast of any female person, or such touching through the clothing, for the purpose of arousing or gratifying sexual desire of any person, {RSMO 566.010}.

Sexual Contact with a Student: by a teacher, employee, contracted employee, volunteer, or any adult associated with the school will always be viewed as unwelcome and nonconsensual. Sexual contact with a student is a Class E Felony and may be subject to prosecution, {RSMO 566.086}.

Sexual Intercourse: any penetration, however slight, of the female genitalia by the penis, {RSMO 566.010}.

Sexual Misconduct: A person commits the offense Sexual Misconduct involving a child if such person:

- knowingly exposes his or her own genitals to a child under the circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm to the child, or, for the purpose of arousing or gratifying the sexual desire of any person, including the child;
- knowingly coerces or induces a child to expose the child's genitals for the purpose of gratifying the sexual desire of any person, including the child; or,
- knowingly coerces or induces a child to expose the breasts of a female child through the internet or other electronic means for the purpose of arousing or gratifying the sexual desire of any person, including the child, {RSMO 566.083.1}.

Stalking: is a course of unwanted conduct that would cause a reasonable person to be frightened, intimidated, or emotionally distressed, to fear for their personal safety and sometimes for the safety of those close to them, {RSMO 565.225, 565.227}.

Examples include, but are not limited to the following:

- Persistent, unwanted contact such as unwanted texts, e-mails, or phone calls;
- Showing up unwanted at a person's home, school, or job;
- Sending unwanted gifts, cards, or letters;
- Unwanted posting or presence on social networking sites; or,
- Unwanted contact with complainant's friends, family, classmates, or co-workers.

Trafficking for the purpose of sexual exploitation: the recruiting, enticing, harboring, transporting, providing, obtaining, patronizing or soliciting, of any person for the purposes of commercial sex act which is induced by the use of force, abduction, coercion, fraud, deception, blackmail, or causing or threatening to cause financial harm, for the use or employment of such person in a commercial sex act, sexual conduct, a sexual performance, or the production of explicit sexual material as defined in RSMO 573.010, without his or her consent, or benefits, financially or by receiving anything of value, from participation in such activities, {RSMO 573.209}.



ROMAN CATHOLIC

DIocese of SPRINGFIELD–CAPE GIRARDEAU

Office of Child and Youth Protection

Policy and Guidelines for the Use of Technology, Email, and Social Media

POLICY STATEMENT: The Diocese of Springfield-Cape Girardeau and its Affiliates (defined as “parishes, schools, offices, agencies, and other institutions which operate under the administrative authority of the Bishop”) recognize that in today’s environment, with the increasing prevalence of the Internet, employees, clerics, religious men and women, and volunteers will use the Internet to conduct ministry work and to communicate with associates, colleagues, and friends. The Internet provides various ways for individuals to interact and has changed the way we communicate and share information. The Diocese of Springfield-Cape Girardeau views the Internet as an important educational and evangelizing tool to promote school and ministerial programs. The Diocese encourages administrators, pastors, and principals to support Internet use and to give diocesan personnel the necessary training and tools to interact safely and responsibly online. However, those using the Internet should bear in mind that certain comments and information may have a harmful effect on the Diocese of Springfield-Cape Girardeau, its reputation, its employees, and its members.

Diocesan personnel are called to high standards of ethical conduct and personal integrity. In our work, including as it relates to conduct, all have a sacred responsibility to uphold Church teaching. Furthermore, those in leadership roles and ministerial positions have a responsibility to lead a personal life that bears witness to Catholic teaching and avoids scandal. In light of this, diocesan personnel are required to adhere to the following policy regarding the use of Personal and Ministry Websites including Social Networks, Email, and Blogs.

DEFINITIONS FOR THE PURPOSE OF THIS POLICY:

Adult: Any person who is eighteen (18) years of age or older.

Blog: A type of Website, usually maintained by an individual, whose primary purpose is to offer commentary or news on events or subjects (e.g. Church teaching, theology, morals, etc.).

Child/Minor: means any person under the age of eighteen, or who is considered by law to be the equivalent of a minor. For the purposes of this document, the term “minors” also includes high school students age 18 or older.

Cleric: An ordained Priest or an ordained Deacon who is incardinated in the Diocese of Springfield-Cape Girardeau as well as a religious Priest or Deacon, or a Priest or Deacon incardinated in another Diocese, who is engaged in a ministry under the control or auspices of the Diocese of Springfield-Cape Girardeau or an Affiliate.

Diocesan personnel: All clergy, seminarians, religious, diocesan, parish and school employees and adult volunteers who work or volunteer on a regular or part-time basis within any organization designated as a diocesan entity.

Employee: Any person who is employed by the Diocese of Springfield-Cape Girardeau or an Affiliate. An employee may be a cleric, religious, or a lay-person who may also be a member of a religious institute.

Ministry Website: A Social Network Page, Blog or any Internet Website/tool created by diocesan personnel for the sole purpose of conducting Diocesan/Affiliate ministry.

Personal Website: A Social Network page, Blog, or any Internet Website/tool created by diocesan personnel primarily to share personal communication with friends and associates.

Religious: A consecrated religious woman (sister) or man (brother) who is engaged in ministry under the control or auspices of the Diocese of Springfield-Cape Girardeau or an Affiliate.

Social Networking Sites: A type of personal Website that is used by groups with a common interest for communication purposes.

Supervisor: The hiring and/or supervising agent: for parish staff, the pastor; for parish volunteers, the appropriate administrator (e.g. Parish Catechetical Leader or Director of Youth Ministry); for school personnel, the principal.

Volunteer: An adult who works without financial or material gain on behalf of the Diocese of Springfield-Cape Girardeau or its Affiliates who is not an employee, a cleric, or religious (for example, an intern, catechist, Scout leader, coach, student teacher and others in similar capacities).

PROCEDURE

As established by the United States Conference of Catholic Bishops and adapted by the Diocese of Springfield-Cape Girardeau:

Key Rules for Establishing Sites:

- Abide by all diocesan/parish policies including the Diocesan Safe Environment Policy and Procedures and the Code of Conduct.
- Electronic communications, via text, email, or other means, should always be generated from official diocesan, parish, school, or agency accounts and devices.
- Electronic communications with students/minors should also include the parents of the student/minor, the entire group/class, and/or other appropriate staff (e.g., Principal, Pastor, Supervisor, or Colleague).
- Adults should refrain from using personal email accounts or cellphones when communicating/text-messaging with individual students/minors.
- Appropriate and professional boundaries must be maintained when communicating with students/minors.
- Keep all communications brief, to the point, and in compliance with the Diocesan Safe Environment Policy and Procedures and the Code of Conduct.
- Be aware that even personal communication by diocesan personnel reflects upon the Church and that you may be held responsible for any electronically communicated and publicly expressed opinions.
- Do not claim to represent the official position of the organization or teachings of the Church, unless authorized to do so.
- Identify yourself. Do not misrepresent yourself, use pseudonyms or name of the parish, school, or program, etc., as your identity, unless authorized to do so.
- Abide by all applicable laws and regulations (e.g., copyright, fair use and IRS financial disclosure regulations).
- Do not divulge confidential information about others. Using the name, address, or other personal identifying information of minors (anyone under age 18) is prohibited without the expressed written consent of the Parent/Guardian (signed Media Release Statement).
- Obtain permission or written consent when citing others, posting photos, or videos, or links to their material.
- Do not create a Website or Web page designed to look like an official Diocesan, Affiliate, Agency, Institution, or School posting without the written permission of the Director of Communications, Principal, Pastor, or Agency, Institution Administrator, or other designated official.
- Do not use insignia (logos/school seals, etc.), mottos, or another “corporate” or “official” badging and visual branding without written permission of the Diocese, Affiliate, Principal, or Pastor.
- At least one institutional representative (the pastor, principal, or another designated diocesan official) listed on any Website/Blog/Post, must also be an administrator of and monitor the site.
- Adults may not create a Website/Blog/Personal Post with photos of students/minors, link or create gateways to Webpages or blogs belonging to students/minors. Students/Minors should not be on any personal “buddy” or “friends list” of an adult.
- It is the sole responsibility of all diocesan personnel to protect their login credentials and passwords at all times. Be sure to log off all electronic devices to ensure unauthorized access is prevented.
- Be cautious of “Links”: Do not identify a Website on a Web page as “Catholic” without approval. Sites must be vetted for content.

Ministry Websites

The Diocese of Springfield-Cape Girardeau and its Affiliates support the creation of Ministry Websites as a means to conduct Diocesan/Affiliate ministry. The use of Ministry Websites is encouraged when conducting Diocesan/Affiliate educational and evangelizing programs. Supervisors who approve individuals to create a Ministry Website for dispersal of information are responsible for monitoring the Ministry Website.

Ministry Email/Blogs

The Diocese of Springfield-Cape Girardeau and its Affiliates support the use of Email and Blogging as a ministry communication tool. It is an excellent platform for creating and distributing information. Although Emailing and Blogging is a powerful communication tool, Ministry Email or Blogs may not be used for:

1. Conducting outside business;
2. Defaming the character of any individual or institution;
3. Causing harm and/or embarrassment to the Diocese of Springfield-Cape Girardeau or Affiliates; or
4. Divulging any personal information about anyone, particularly children, that could jeopardize their safety or well-being in any way.

Personal Websites

The Diocese of Springfield-Cape Girardeau and its Affiliates recognize that diocesan personnel may create Personal Websites as a medium of self-expression. However, they must be aware that anything published on a Personal Website is no different from making such information available in any public forum. Any information that causes or has the potential to cause harm and/or embarrassment to the Diocese of Springfield-Cape Girardeau or its Affiliates should be avoided.

Personal sites of diocesan personnel should also reflect Catholic morality and values. Businesses are cautioning their employees that, while employees have a right to privacy and confidentiality regarding what their employers know about them, an employee's use of social networking—because of its very nature—means he or she relinquishes some privacy and could be construed as representing the company's ethics and values. Likewise, diocesan personnel are encouraged to understand that they are witnessing to the faith through all of their social networking, whether "public" or "private."

Personal Email/Blogs

In the event an employee, cleric, religious identifies himself/herself as, or is understood to be an employee or cleric of the Diocese of Springfield-Cape Girardeau or its Affiliates on a Personal Email/Blog (or other Website with a similar purpose), to help reduce the potential for confusion, the employee is required to put the following notice in a reasonably prominent place on the Website/Email/Blog:

"The views expressed on this Website/Email/Blog are mine alone and do not necessarily reflect the views of my employer."

Even with this notice, any information that causes or has the potential to cause harm and/or embarrassment to the Diocese of Springfield-Cape Girardeau or its Affiliates should be avoided.

Password-Protected Sites

Both Ministry Websites and Personal Websites may involve the use of a username/password or other such means to access all or portions of the site. In the event that a cleric, employee, religious, or volunteer gives a student/minor access to a Website that is not otherwise openly accessible to the public, that same access must also be shared with/provided to the child's parent/guardian when requested.

Be aware, every person is responsible for protecting their own passwords, for logging off any electronic device, email or social media platform, and to prevent unauthorized access.

Social Networking Websites

Because of the increasing popularity of social networking Websites, parish use of these Websites is permitted as a means to effectively communicate for ministry and education purposes.

Social networking should not be used for the primary purpose of befriending people or socializing. Rather, it is to be directly related to academics, ministry, and evangelization.

Every effort should be made in order to provide a safe and secure environment and to avoid even the appearance of impropriety when using the Internet as a ministry tool. To achieve this goal, the following guidelines should be adhered to when using social networking Websites for programs that involve youth under the age of 18.

The use of social networking sites is not recommended for groups that include students younger than high school age.

- Always obtain the permission of the Diocese, Pastor, or Principal before using a social networking medium for a parish program. Be specific which platform: i.e. Facebook, Twitter, Instagram, etc.
- Inform parents in writing that the parish is planning to use a social networking site; and obtain releases engendering necessary permissions for specific posts. Provide parents necessary passwords and access.
- Establish a parish account; never use a personal account.
- The site administrator must be an adult and at least ONE Supervisor, Pastor, or Principal. The site administrator is considered to work with minors and thus should have completed the Safe Environment Training in accordance with diocesan policy, and signed a current Code of Conduct.
- It is recommended that the site be set up as a public rather than private site in order to allow for transparency in all communications and postings. The administrator should pre-approve or regularly monitor all comments and postings. Any inappropriate content should be deleted and the person who posted it should be contacted and reminded that improper content is not acceptable.
- Post rules of conduct on the site.
- The main purpose of the site should be for general communication about group events rather than for chatting or socializing.
- All information displayed on the site should reflect and uphold the Catholic faith.
- Write as if you are certain others will read it. Communications can easily be shared with others for whom they are not intended.
- Keep copies of any communications sent to youth. ALWAYS send copies of all communication to parents and supervisors, as well as youth members.
- Do not invite a minor to be a “friend.” The minor must make the request.
- Always follow diocesan rules regarding taking and posting photographs. Do not “tag” any pictures (to identify someone in a photo for the purposes of Social Networking).
- Use caution and deliberate carefully when posting photos/videos/audio on social media sites. Never personally ID youth—“global” identification is preferred, e.g. “third grade students in St. Ambrose School, Chaffee, and marked Veteran’s Day with local community.”
- The name, address, or other personal identifying information of minors is forbidden under diocesan policy. Always obtain necessary releases for any social media post.
- STRONGLY consider archiving component/time-frame for post/project releases ensuring that no archival of posts occurs. **Specifically, YouTube, Instagram, Facebook, Twitter. Once a post is submitted, it is always on the Internet/searchable unless an administrator removes it after 30 days, etc. Even then, it may remain visible. Be cautious and vigilant.
- Consider how pop-up advertising comes into play. Choose sites that have this at a minimum and those that conform to Christian morality and other appropriate contexts. **YouTube, for example, “suggests” other posts for users that are not always appropriate. Other sites may prove more ideal.
- Be prudent, intentional, and aware.

Confidential and Proprietary Information

Consistent with our policy on “Confidentiality” as stated in the employee handbook, diocesan personnel are prohibited from disclosing information that is understood to be proprietary or held in confidence by the Diocese of Springfield-Cape Girardeau or its Affiliates without proper knowledge and consent of the appropriate authority. Also, upon resignation or termination, if an employee or cleric has identified himself/herself as an employee or cleric of the Diocese of Springfield-Cape Girardeau or its Affiliates on a personal Website, he/she should remove mention of the Diocese of Springfield-Cape Girardeau or its Affiliates from their Website.

Trademarks and Logos

Diocesan personnel may use Diocesan or Affiliate trademarks or logos on Personal Websites only in ways that clearly promote or call positive attention to Diocesan events, Websites, or organizations associated with the trademark or logo after receiving prior authorization from the Director of Communication, Media and Publications.

Diocesan personnel may not use Diocesan or Affiliate trademarks or logos on their Personal Websites in any way that could reasonably suggest Diocesan or Affiliate sponsorship or agreement with any views expressed. Employees are similarly prohibited from providing a link or otherwise referring to the diocesan Website on their personal Website, social networks, or blogs without receiving prior authorization from the Director of Communications, Media, and Publications.

Inappropriate Language and Images

The Diocese of Springfield-Cape Girardeau and its Affiliates will not tolerate diocesan personnel posting obscene, harassing, offensive, derogatory, defamatory, or otherwise potentially-scandalous comments, links, and/or images which reflect discredit or cause harm and/or embarrassment to the Diocese of Springfield-Cape Girardeau or its Affiliates, employees, members, vendors, partners, agencies, parishes or schools. Employees are reminded of their obligations under the diocesan “*Code of Conduct*”, as stated in the diocesan employee handbook. In particular, diocesan personnel should not take any action against the Church, its teachings, or its leaders on social media; nor affiliate with any organization or movement with an animus toward the Church or which is directed or has as its prime principles the criticism, rejection, or disrespect of the Church.

Right to Review

The Diocese of Springfield-Cape Girardeau and its Affiliates reserve the right to review the Personal Website of any diocesan personnel if there are reasons to believe that this and other related policies are being violated.

Protection of Children

Diocesan personnel of the Diocese of Springfield-Cape Girardeau and its Affiliates will comply with all aspects of the Children’s Online Privacy Protection Act: (<https://www.ftc.gov/enforcement/rules/rulemaking-regulatory-reform-proceedings/childrens-online-privacy-protection-rule>) and the Safe Environment Policy and Procedures of the Diocese of Springfield-Cape Girardeau: (<http://dioscg.org/index.php/about/child-youth-protection/>).

Diocesan personnel are forbidden to post or distribute personal identifiable information including pictures of any child under the age of eighteen (18) without verifiable consent of a parent or guardian. Personal identifiable information includes full name, photos, home address, Email address, telephone number, or any information that would allow someone to identify or contact a child. Verifiable consent can take the form of a release/permission form that includes use of photographs, an Email from a parent or guardian, or verbal permission by a parent or guardian witnessed by another authorized adult.

The Diocese of Springfield-Cape Girardeau and its Affiliates will review alleged violations of the Children’s Online Privacy Protection Act, the *Safe Environment Policy and Procedures*, or any of the Policies of the Diocese of Springfield-Cape Girardeau on a case-by-case basis.

In the event that a provision of *this Policy and Guidelines for the Use of Technology, Email and Social Media* cannot be reconciled with the *Safe Environment Policy and Procedures* of the Diocese of Springfield-Cape Girardeau, the provisions of the *Safe Environment Policy and Procedures* of the Diocese of Springfield-Cape Girardeau will be in force.

Enforcement

The Diocese of Springfield-Cape Girardeau, its Affiliates and their respective administrators intend to enforce the policy set forth here and expect all diocesan personnel to comply. Failure to comply with any of the provisions of this *Policy and Guidelines for the Use of Technology, Email and Social Media* will be grounds for discipline, up to and including termination, if an employee or cleric, or removal from position, if a volunteer.

The Diocese of Springfield-Cape Girardeau and its Affiliates reserve the right to make changes to this policy at any time and at its sole discretion, and interpret and administer the policy in light of changing circumstances and events.

APPROVED on September 1, 2015 by Most Reverend James V. Johnston, Diocese of Springfield-Cape Girardeau.
REVIEWED, REVISED, and APPROVED on June 28, 2017 by Most Reverend Edward Rice, Diocese of Springfield-Cape Girardeau. Revised 2019, 2020.

A suggestion of online resources here:

**“Social Media Best Practices and Guidelines,” United States Conference of Catholic Bishops

**“Schools must weigh risks and benefits of social media for networking,” by Sr. Mary Angela Shaughnessy, SCN, JD, PhD

NOTE from Leslie Eidson, Director of Communications, Media, and Publications, leidson@dioscg.org:

The Diocese of Springfield-Cape Girardeau gratefully acknowledges the generosity of the Archdiocese of St. Louis, Diocese of Beaumont, and Archdiocese of Seattle in their guidelines as a resource for the development of this policy; and the USCCB for resource material in the development of this policy.

To follow: Various releases for use in Schools, Parishes, and Affiliates, etc., as signed pages indicating the understanding of the policy. Particularly, school forms to be issued to both parents and students.



Parental/Guardian Consent and Media Release Form

Dear Parent/Guardian:

In completing and signing this Parental Consent and Media Release Form, it is hereby understood that, as part of the catechesis and education in parishes and schools, my child/student may be engaged in live and/or recorded electronic communications and activities, such as group email, group texting, social media, and/or audio-video conferencing (using only the specific platforms designated below).

These activities and images may be recorded and included in official Diocesan, Parish, or School Webpage or Social Media posts, materials and campaigns, as well as other media initiatives (e.g., Print or Electronic News Media, Newsletters, Webpages, Fund-Raising, Promotional and Development Efforts, Grant Applications, and Video, PowerPoint or other Electronic or Media Presentations), only in compliance with the Diocesan *Policy and Guidelines for the Use of Technology, Email and Social Media* and other related policies, without compensation to child or parents/guardians.

Photographs, video and audio conferencing and recordings, social media posts, and other print and electronic media may be available for an undetermined amount of time, unless otherwise noted: _____
and restricted to specific groups of people: _____
and, for a specific purpose: _____

- ✚ Parents/Guardians who have completed and are in compliance with the Safe Environment requirements, Training and Background Screening, and have submitted the current Code of Conduct for Adults to the Parish/School Safe Environment Coordinator may request to participate in video/audio conferencing sessions involving their child. Parents/Guardians may, at any time, request copies of materials sent to their child regarding electronic communications.
- ✚ I understand that, due to the nature of the electronic communication and media platforms, confidentiality and/or protections from unauthorized dissemination cannot be guaranteed.
- ✚ I understand that any photographs, audio-video recordings will only be used by the Diocese, Parish or School in a legal manner and that in no way will my child be depicted in an unethical manner.
- ✚ I verify that I am aware of, understand, and agree to comply with the *Policy and Guidelines for the Use of Technology, E-Mail, and Social Media*:
<http://dioscg.org/wp-content/uploads/2019-2020-Policy-and-Guidelines-for-the-Use-of-Technology-Email-and-Social-Media.pdf>.
- ✚ I understand that unauthorized personal (one-on-one) conversations between diocesan personnel and minors violate the *Policy and Guidelines for the Use of Technology, E-Mail, and Social Media*, and that I may report any concerns or violations to the Diocesan Office of Communications, Media and Publications, the Diocesan Office of Child and Youth Protection, Law Enforcement, or the Missouri Child Abuse and Neglect Hotline **800-392-3738** or **844-CAN-TELL**.
- ✚ This Consent and Release is effective for the current academic year, beginning July 1 and ending June 30 the following year, and may be revoked by parent/guardian at any time by written notice.

Child/Student Name: _____ DOB: _____

Parish/School/Group and Location: _____

Permission is granted for these contact preferences (initial and complete):

___ Group Email for Parent/Guardian: _____ Child: _____

___ Group Text for Parent/Guardian: _____ Child: _____

___ Video/Audio Conferencing Platform: _____

___ Designated Social Media Platform: ___ Facebook ___ Twitter ___ Instagram ___ YouTube

___ **NO, I do not consent to my child being contacted through any electronic communication.**

Parent/Guardian Name (printed): _____ Phone No: _____

Parent/Guardian Signature: _____ Date: _____

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ROMAN CATHOLIC

DIocese of **SPRINGFIELD-CAPE GIRARDEAU**

Office of Child and Youth Protection

POLICY ADDRESSING HARASSMENT, DISCRIMINATION, AND RETALIATION BY EMPLOYEES, OTHER STUDENTS OR THIRD PARTIES

The Diocese of Springfield-Cape Girardeau, rooted in gospel values and the teachings of the Roman Catholic Church, is committed to maintaining an environment free of unlawful harassment, discrimination, violence, or retaliation in our parishes and schools by employees (including Clergy, Principals and Teachers, or any other adults who are involved in youth activities), other students (including minors active in parish and school activities and programs), or third parties (volunteers and other adults who may have regular contact with employees or students/minors). Diocesan personnel are called to high standards of ethical conduct and personal integrity and have a responsibility to behave in a manner that bears witness to Catholic teaching. Everyone has the right to participate, learn, and work in a safe atmosphere that promotes equal opportunities and prohibits harassment and discriminatory practices with respect to Canon Law, all other Diocesan Policies, *The Safe Environment Policy and Procedures*, and all related civil laws.

The Diocese of Springfield-Cape Girardeau requires that any known or suspected child abuse or neglect be immediately reported to the Missouri Child Abuse and Neglect Hotline 800-392-3738 or 844-CAN-TELL. Making a report to Child Protective Services does not preclude the need for any further investigations.

The Diocese of Springfield-Cape Girardeau expects that all relationships among persons on any parish or school campus or engaged in any church-related programs on or off campus will be respectful and free of bias, prejudice, and harassment. All members of the Diocese of Springfield-Cape Girardeau community share responsibility for avoiding, discouraging, and reporting of any form of unlawful harassment, discrimination, violence or retaliation.

The Safe Environment Policy and Procedures of the Diocese of Springfield-Cape Girardeau includes references to Canon Law, as well as applicable civil laws regarding child sexual abuse, neglect and sexual misconduct, and reflects the recommendations of the USCCB National Review Board. The Policies of the Diocese of Springfield-Cape Girardeau, and civil laws that are intended to protect children and adults from violence or abuse are considered applicable and appropriate for these purposes.

Policy Coordinator

The Bishop and the Diocese of Springfield-Cape Girardeau, and the Superintendent of Catholic Schools for the Diocese of Springfield-Cape Girardeau may, with the approval of the Catholic School Board, designate one or more other persons to serve as Policy Coordinator(s). The Policy Coordinator should remain independent to avoid conflicts of interest and will report directly to the Diocese and Catholic Schools Senior Leadership Team (which includes the Bishop, the Vicar General, the Chancellor, and the Superintendent).

The Policy Coordinator is to remain knowledgeable and informed of and coordinate compliance with all relevant Federal, State and local Laws and Regulations. The Policy Coordinator must: (1) be informed of reports and complaints of any alleged violations involving sexual harassment and violence; (2) have the authority to coordinate and conduct the investigation in a timely manner; (3) make initial, interim, and final reports to the parties involved; (4) monitor outcomes and the compliance with any disciplinary or other remedial actions; and (5) identify and address any patterns and effects on the parish or school environments.

Harassment

Harassment, of any kind, is in total disregard to the culture of the Diocese of Springfield-Cape Girardeau, is strictly prohibited, and will not be tolerated. Under this policy, harassment is: verbal or physical conduct that derogates or shows hostility or aversion toward an individual or group because of his or her race, color, religion, national origin, ancestry, physical or mental disability, or any other characteristic protected by law; is severe, persistent or pervasive, and adversely affects or substantially interferes with an individual's ability to participate in or benefit from a program or activity; or creates an intimidating, hostile or abusive environment.

Harassing conduct includes, but is not limited to:

- Name-calling, derogatory comments, remarks, epithets, jokes, rumors, ethnic slurs, negative stereotypes, and hostile acts;
- Bullying—repeated intimidation, unwanted aggressive behavior, or harassment that causes a person to fear for his or her physical safety or property; may consist of physical actions, including gestures, or oral, cyberbullying, electronic, or written communication, and any threat of retaliation for reporting of such acts {as defined in RSMO 160.775, 192.2400};
- Following, stalking {as defined in RSMO 565.225, 565.227};
- Graffiti, written or graphic material (including digital/social media) that derogates or shows hostility or aversion toward an individual or group or that is placed on walls or elsewhere on the school premises, or published on social media or other publicly accessible medium;
- Threatening comments, intimidating gestures or physical acts of aggression or assault.

Sex-based Harassment

Sex-based harassment constitutes discrimination and is unlawful under applicable civil laws and regulations. Conduct must be sufficiently severe, pervasive and persistent, and adversely affects or substantially interferes with an individual's ability to participate in or benefit from a program or activity; or such that it creates an intimidating, hostile or abusive environment. Not all behavior with sexual connotations constitutes unlawful sexual harassment.

Depending on the circumstances, sexual harassment, whether directed toward individuals of the same or opposite sex, may include, but not limited to the following:

- Unwelcome comments about an individual's body, sexual activity or sexual attractiveness, or overly personal conversation, sexually derogatory or degrading slurs or epithets;
- Name calling, sexual rumors, sexual jokes and stories, graffiti, drawings, pictures, or other communications (including on digital/social media) of a sexual nature or based on sex;
- Acts of verbal, nonverbal, written, graphic depictions or physical conduct based on sex or sex stereotyping, but not involving conduct of a sexual nature;
- Unwelcome sexual advances, leering, sexual flirtations or propositions, requests or pressure of any kind for sexual favors, activities or contact;
- Displaying sexually suggestive objects; posting explicit sexual images or pornography;
- Sexual Exploitation—viewing, recording, or distributing (e.g., video, photograph, or audio) of another person's sexual activity, intimate body parts, or nakedness, in a place where that person would have a reasonable expectation of privacy, and if the individual viewing, recording or distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent or objects to such disclosure;
- Conditioning grades, promotions, requests for or rewards and privileges on submission to sexual favors, activities or contact, regardless of the seriousness of the request (e.g., to say "I was just joking" does not excuse the statement);
- Punishing or reprimanding persons who refuse to comply with sexual requests, activities or contact;
- Intimidating or threatening stance or proximity, cornering or blocking of normal movements.

Sexual contact between a minor/student or vulnerable adult and a teacher, employee, contracted employee, or other adult volunteer, will always be viewed as unwelcome, nonconsensual, and can be subject to criminal prosecution {RSMO 566.086}.

Discrimination

Every human being is created in the image of God and redeemed by Jesus Christ and therefore is invaluable and worthy of respect as a member of the human family. Every person, from the moment of conception to natural death, has inherent dignity and a right to life consistent with that dignity. Human dignity comes from God, not from any human quality or accomplishment. Diocesan personnel have a responsibility to provide an environment that is free from all forms of abuse and maltreatment and free from unlawful behaviors, harassment, discrimination, violence, or retaliation in our diocesan, parish, and school-sponsored programs and activities as described in the Code of Conduct and related policies; and, to uphold and maintain the highest standards of professional, ministerial, and moral behavior, in accordance with the moral teachings, doctrines, and Canon Law of the Catholic Church; and local, state, and federal laws.

Physical Violence

Physical violence includes any act of physical aggression or force which involves the knowingly and intentionally or recklessly touching of another person's body in any manner that could cause harm or injury, verbal threats and/or physical gestures seen as threatening violence or with the intent to cause harm. This includes physically blocking, hitting, punching, slapping, biting, pulling, shoving, grabbing and/or using an object to cause harm or injury to another person.

Sexual Violence

Sexual violence is an act of physical aggression or force or the threat thereof which involves the touching of another's intimate parts, or forcing a person to touch any person's intimate parts, whether that person is the same or opposite sex. Intimate parts include the primary genital area, groin, inner thigh, buttocks or breast, as well as the clothing covering these areas.

Sexual violence may include, but is not limited to:

- Physical contact of a sexual nature, including touching, patting, grabbing, pinching, or rubbing of intimate parts of oneself or another person's body;
- Coercing, threatening, forcing or attempting to coerce or force the touching of anyone's intimate parts, or the clothing covering these areas;
- Threatening or forcing exposure of intimate apparel or body parts by removal of clothing;
- Coercing, threatening, forcing or attempting to coerce or force sexual intercourse or a sexual act on another;
- Physical sexual acts of aggression, assault, or violence, including criminal offenses, such as rape, sexual assault, sexual battery, sexual coercion;
- Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent due to the person's age, intellectual disability, or use of drugs or alcohol (see Definitions).

Sexual violence is a criminal matter and victims of sexual violence are strongly encouraged to make a report to law enforcement agents immediately. Victims should also file a complaint and request an investigation if a student, employee, or volunteer of the Diocese of Springfield-Cape Girardeau perpetrated the act of violence whether the incident occurred on or off campus. In all cases, victims of sexual violence will be directed to seek services from community medical and crisis counseling providers, advocates, and other appropriate support services.

Retaliation

The Diocese of Springfield-Cape Girardeau encourages the reporting of all perceived incidents of harassment, discrimination, violence, or retaliation. It is the policy of the Diocese of Springfield-Cape Girardeau to investigate such reports. The Diocese of Springfield-Cape Girardeau prohibits retaliation against an individual who reports harassment, discrimination, violence, or retaliation, or participates in an investigation of such reports.

Retaliation against an individual for reporting harassment, discrimination, or violence, or for participation in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment, discrimination, or violence itself, will subject an individual to disciplinary action. Acts of retaliation should be reported immediately and will be investigated and corrective action taken promptly. Corrective action may include, but is not limited to: warning, suspension, expulsion, and in egregious situations, the involvement of law enforcement officials.

Individuals and Conduct Covered

This policy applies to all minors and adults of the Diocese of Springfield-Cape Girardeau community, including all employees and persons hired to provide contracted services, and volunteering at parish and school activities and all other programs where minors/students may be present. Conduct prohibited by this policy is unacceptable in all academic, educational, extracurricular, athletic, and other activities and programs involving youth and children of the schools and parishes, whether those programs occur on campus, on a bus, or at another location away from the parish or school campus. Individuals who violate these policies will be subject to disciplinary action, up to and including suspension or expulsion if a student; suspension or termination of employment if an employee; dismissal if a volunteer; and in egregious situations or when required by law, reported to law enforcement officials.

In keeping with the Diocese of Springfield-Cape Girardeau's mission to create citizens built upon the teaching mission of Jesus Christ, and in accordance with provisions in the school's Acceptable Use Policy (and with respect to Diocesan policies, the *Safe Environment Policy and Procedures* and the *Policy and Guidelines for the Use of Technology, Email and Social Media*), the use of parish or school computers, other electronic devices, or the parish or school network to harass others, whether the harassment occurs on or off campus, is prohibited.

The Diocese of Springfield-Cape Girardeau, in accordance with its obligations under civil laws and regulations, reserves the right to investigate reports of harassment, discrimination or violence occurring between minors/students and other members of the parish or school community, regardless of whether the alleged incident occurred during or outside regular school hours; on or off parish or school grounds; or using school/parish-owned or personally-owned electronic devices (e.g., postings to digital media, electronic forums such as Snapchat, Facebook, etc., or text messages). Disciplinary actions may include, but are not limited to demerits, restrictions on computer use, exclusion, suspension, and expulsion.

Reporting an Incident of Harassment, Discrimination, Violence, and/or Retaliation

The Diocese of Springfield-Cape Girardeau encourages prompt reporting of complaints, concerns, and all perceived incidents of harassment, discrimination, violence, or retaliation, regardless of the offender's identity or position, so that rapid and corrective action can be taken. Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment, discrimination, violence, or retaliation.

All employees of the Diocese of Springfield-Cape Girardeau are required to immediately report in writing to the designated Policy Coordinator any suspected harassment, discrimination, violence, or retaliation of a minor/student regardless of whether it is based on the employee's own observations, on information from the minor/student, the parent or the minor/student, or a third party.

An employee who observes such acts is expected to intervene, unless circumstances would make such intervention dangerous. All reports of harassment, discrimination, violence, or retaliation will be investigated (see Report Form).

The Policy Coordinator, upon receiving an allegation or suspected harassment, discrimination, violence or retaliation that involves a minor/student, shall immediately notify the Pastor of the Parish or Principal of the School. Immediately upon receiving the allegation, the Diocesan Leadership Team or School Superintendent shall notify the Director of OCYP.

Informal Complaint Procedure

The informal complaint procedure is intended to stop inappropriate behavior, investigate and facilitate resolution through informal means. It is not a precursor to the filing of a formal complaint and may be terminated at any time in order to move to the formal process.

As an initial step, an individual who believes he or she has been subject to harassment or discrimination is encouraged to promptly advise the alleged offender that his or her behavior is unwelcome and request that it be discontinued, as long as he or she feels comfortable doing so. In some cases, an offender may not realize his or her behavior is offensive and being perceived as harassment. This action alone may sometimes resolve the problem. The Policy Coordinator is available to support an individual taking this initial step.

The Diocese of Springfield-Cape Girardeau recognizes that an individual may prefer to pursue the matter through informal or formal complaint procedures. If, for any reason, an individual does not wish to address the offender directly, or if addressing the offender does not successfully end the offensive conduct, the individual should notify, orally or in writing, the Pastor, the Principal of School, the Superintendent of Catholic Schools, the Policy Coordinator, or any other member of the Diocese of Springfield-Cape Girardeau Leadership Team (identified at the end of this policy). Students may also report incidents to the school nurse, counselor, or to a teacher. All reports will be filed with the school's Policy Coordinator, who will either facilitate an informal resolution or appoint another individual to facilitate an informal resolution.

An informal resolution may involve meeting with the alleged offender to discuss the unwelcome nature of the behavior, or, if both parties agree, facilitating a meeting between the complainant and the alleged offender to work out a mutual resolution. In cases involving minors/students, this may only be done with the consent of the parents or legal guardians of both parties involved.

The informal complaint procedure is not intended for victims of sexual violence. An individual who is a victim of sexual violence and has filed a police report may also file a complaint under the Diocese of Springfield-Cape Girardeau's formal complaint procedures.

Victims of sexual violence should NOT approach the offender under any circumstances in an attempt to resolve the matter, and should file a police report as soon as possible after the attack has occurred.

Formal Complaint Procedure

If an individual who believes he or she has been subject to harassment, discrimination, violence, or retaliation chooses not to utilize the informal procedure, or feels that the informal procedure is inadequate or has been unsuccessful, he or she may proceed to the formal procedure.

Any complaint against an employee or volunteer shall be handled through the formal procedure. All reports of harassment, discrimination, violence, or retaliation, made orally or in writing to any employee of the Diocese of Springfield-Cape Girardeau must be immediately reported to the Policy Coordinator.

Members of the Leadership team and the Policy Coordinator are responsible for investigating all reports of harassment, discrimination, violence, or retaliation. Investigations will be launched immediately upon the filing of a complaint and are to be completed promptly.

Typically, the investigation will begin with an interview of the complainant to obtain information regarding the identity(ies) of the alleged offender(s), any potential witnesses, the offensive conduct, the context in which the incident occurred, how the conduct adversely affects the individual or creates a hostile or abusive environment, and the desired resolution. The complainant will be offered an opportunity to submit any evidence that he or she believes relevant to the investigation within five (5) school days.

Within five (5) school days of receiving the initial complaint, the alleged offender will be informed of the allegations and will be offered an opportunity to submit a written response to the allegations. The alleged offender's response and any supporting materials must be submitted within three (3) school days. The investigator will then review the relevant documents and conduct additional interviews as necessary to determine whether there has been a violation of this policy. For instance, the investigator may conduct interviews with the alleged offender, the parent(s) or legal guardian(s) of the parties, and/or other individuals who may have observed the alleged conduct or may have other relevant knowledge.

During the investigation, the investigator will keep both parties apprised of the status of the investigation, to the extent permitted under the Family Educational Rights and Privacy Act (FERPA). The complainant will not be required to appear in the same room as the accused. Because the complainant and the accused are likely to be minor students, there will be no direct cross examination by the students or their parents.

Upon receiving a complaint, the investigator will consider whether any interim measures should be taken during the investigatory phase of the complaint process to protect the complainant from further harassment, discrimination, violence, or retaliation.

For example, the investigator, in conjunction with the Pastor, School Principal and other members of the Leadership team, may determine that it is necessary to make modifications in class schedules for the complainant or alleged perpetrator, assign a hall/classroom monitor, provide academic support or recalculate certain course grades for the complainant, impose an interim suspension or alternative placement for the alleged perpetrator.

The Schools and Parishes of the Diocese of Springfield-Cape Girardeau must make a good faith effort to conduct a fair, impartial investigation in a timely manner. In certain situations, the investigation may require additional time to complete. When applicable, an investigator may take into account the results of any investigations conducted by the Children's Division or law enforcement agency.

In determining whether there has been a violation of policy, an investigator will consider a variety of factors, including but not limited to the nature of the conduct, the age and maturity of the parties, the frequency of the conduct, the relationship between the parties, whether the conduct was sufficiently severe, pervasive and persistent, and adversely affects the complainant; or creates a hostile or abusive environment.

Upon completion of the investigation, the investigator will prepare a report that summarizes the evidence gathered, states whether there was a policy violation, and the recommendations.

According to Federal Regulations, schools may choose between the preponderance of the evidence or a clear and convincing standard. However, "the standard of evidence for evaluating a claim of sexual misconduct should be consistent with the standard the school applies in other misconduct cases." The determination will be based on the totality of the circumstances and will be based on the 'preponderance of the evidence' (i.e., it is more likely than not that a policy violation occurred), and will not take into account any 'past relationships' of the complainant.

The investigator's recommendations may include discipline of the alleged offender up to and including warning, education and counseling, exclusion, suspension or expulsion if a student; awareness training, suspension or termination of employment if an employee; or dismissal if a volunteer; and in egregious situations or when required by law, reported to law enforcement officials.

Both parties will then be provided written notice of the outcome of the investigation. Notification must include any initial, interim, or final decision by the institution; any sanctions imposed by the institution; and the rationale for the result and the sanctions.

For all proceedings in elementary and secondary schools, the school should inform the reporting party (parents or the legal guardians of students under the age of 18 and directly to students who are 18 years of age or older), whether it found that the alleged conduct occurred, any individual remedies offered to the reporting party or any sanctions imposed on the responding party that directly relate to the reporting party, and other steps the school has taken to eliminate the hostile environment, if the school found one to exist.

If either party is dissatisfied with the outcome, he or she may appeal to the Pastor or the Principal by filing a written notice of appeal within five (5) school days of the date of the written notice of the outcome of the investigation.

Within 10 (ten) school days of receiving the notice of appeal, the Pastor, School Principal or other designated authority will review the report prepared by the investigator, the investigator's file, and any other documents or materials provided by the parties and affirm, reverse, or revise the determination and recommendations of the investigator. To the extent the Pastor or School Principal determines the parties should be heard, the complainant will not be required to appear in the same hearing room as the accused.

Where there has been a policy violation, the Diocese of Springfield-Cape Girardeau will make every reasonable effort to stop any conduct in violation of these policies and prevent recurrence. Where appropriate, the Diocese of Springfield-Cape Girardeau will also take steps to remedy the effects of any violation. Any remedial measures will be determined on a case-by-case individualized basis.

Confidentiality and Recordkeeping

The Diocese of Springfield-Cape Girardeau will make all reasonable efforts to protect the privacy of all parties involved in an investigation and to keep the complaint and investigation confidential.

Confidentiality of the filing of complaints, the identity of subjects and witnesses of any complaint and of any action taken as a result of such complaint is essential to the effectiveness of this policy. Only those individuals necessary for the investigation and resolution of the complaint shall be given information about it.

The right to privacy and confidentiality of complainants, subjects, witnesses, and investigators will be vigorously protected and violations of such confidentiality may itself be grounds for disciplinary action; however, confidentiality cannot be guaranteed. Certain information involving minors and students may or may not be protected, as specific details may be revealed when necessary and in order to fully investigate the complaint.

In accordance with its regular recordkeeping practices, the Diocese of Springfield-Cape Girardeau Office of Child and Youth Protection will maintain records of all complaints of harassment, discrimination, violence, or retaliation.

False Claims of Harassment, Discrimination, Violence, and/or Retaliation

In order to cover all possibilities of misconduct, the Diocese of Springfield-Cape Girardeau reserves the right to take disciplinary actions for individuals who have falsely accused another of harassment, discrimination, violence, and/or retaliation. This does not mean that a complaint will be considered "false" solely because it cannot be corroborated.

The Diocese of Springfield-Cape Girardeau requires that any known or suspected child abuse or neglect be immediately reported to the Missouri Child Abuse and Neglect Hotline 800-392-3738 or 844-CAN-TELL. Making a report to MO CA/N does not preclude any further investigations.

Failure to report suspected child abuse or neglect by a person legally required to do so may subject the person to probation, a fine, and/or imprisonment {RSMO 210.115, Reports of abuse; 210.135, Immunity from liability; 210.140, Privileged Communication not Recognized, Exception; 210.165 Penalty for Violation; 352.400, Ministers Duty to Report}. Additionally, in accordance with RSMO 210.165.2, any person who intentionally files a false report of child abuse or neglect is guilty of a Class A Misdemeanor.

Conclusion

The Diocese of Springfield-Cape Girardeau has developed these policies to ensure that all minors involved in parish and diocesan youth activities or enrolled in our Catholic Schools can participate, grow and learn in an environment that is safe, compassionate, caring, and Christ-like, free from harassment, discrimination, violence, and/or retaliation. The Diocese of Springfield-Cape Girardeau will make every reasonable effort to ensure that all necessary persons are familiar with these policies and procedures and aware that any complaint in violation of such policies and procedures will be investigated and resolved appropriately. In addition to any individuals previously mentioned in this policy, complaints of harassment, discrimination, violence, or retaliation may be submitted to any of the following administrators:

Pastor:

Principal:

Assistant Principal:

Superintendent of Catholic Schools:

Director, Office of Child and Youth Protection:

APPROVED on June 1, 2018 by Most Reverend Edward Rice, Diocese of Springfield-Cape Girardeau. Revised 2019, 2020, 2021. The Diocese of Springfield-Cape Girardeau and its Affiliates reserve the right to make changes to this policy at any time and at its sole discretion, and interpret and administer the policy in light of changing circumstances and events.

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ROMAN CATHOLIC

DIocese of SPRINGFIELD—CAPE GIRARDEAU

Office of Child and Youth Protection

POLICY ADDRESSING HARASSMENT, DISCRIMINATION, AND VIOLENCE BY EMPLOYEES, OTHER STUDENTS OR THIRD PARTIES

The Diocese of Springfield-Cape Girardeau, rooted in gospel values and the teachings of the Roman Catholic Church, is committed to maintaining an environment free of unlawful harassment, discrimination, violence, or retaliation in our parishes and schools by employees, other students, or third parties. Everyone has the right to participate, learn, and work in a safe atmosphere that promotes equal opportunities with respect to all other Diocesan Policies, *The Safe Environment Policy and Procedures*, and applicable Federal, State and Canon Laws. Any known or suspected child abuse or neglect be immediately reported to the Missouri Child Abuse and Neglect Hotline 800-392-3738 or 844-CAN-TELL.

This policy applies to all minors and adults of the Diocese of Springfield-Cape Girardeau community, including all employees, persons hired to provide contracted services, and volunteers at parish and school activities and programs where minors and students may be present.

Conduct prohibited by this policy is unacceptable in all academic, educational, extracurricular, athletic, and other activities and programs involving youth and children of the schools and parishes, whether those programs occur on campus, on a bus, or at another location away from the parish or school campus. A harasser may be a minor/student or an adult.

Harassing conduct is defined as severe, persistent or pervasive, and adversely affects or substantially interferes with an individual's ability to participate in or benefit from a program or activity; or creates an intimidating, hostile or abusive environment.

Examples of harassment, discrimination, violence, or retaliation include, but are not limited to, the following:

- Name calling, slurs, epithets, verbal abuse, derogatory or degrading descriptions, rumors, jokes, or stories that are based on sex, race, national origin, ethnicity, or physical or mental disability;
- Graffiti, drawings, pictures, or other written or graphic material of a sexual nature or hostile to an individual or group;
- Viewing, recording, or distributing audio or video recordings of another person without their knowledge or consent;
- Unwelcome sexual advances, comments about an individual's body, sexual activity or attractiveness;
- Touching oneself or touching, patting, grabbing or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
- Coercing or demanding sexual acts; implied or overt threats or promises of preferential treatment;
- Threatening, intimidating or physical acts of violence; bullying and cyberbullying; stalking;
- Sexually violent behavior, rape, sexual assault, sexual battery, or sexual exploitation, enticement or coercion.

The Diocese of Springfield-Cape Girardeau encourages prompt reporting of complaints, concerns, and all perceived incidents of harassment, discrimination, violence, or retaliation, regardless of the offender's identity or position, so that rapid and corrective action can be taken.

If any words or actions make you feel uncomfortable or fearful, immediately report, orally or in writing, your concerns to the pastor, principal, teacher, counselor, or the Policy Coordinator.

The Diocese of Springfield-Cape Girardeau will make all reasonable efforts to protect the privacy of all parties involved in an investigation and to keep the complaint and investigation confidential. Confidentiality cannot be guaranteed; however, rights to privacy will be respected as much as possible.

We take all reports seriously and will take appropriate action to investigate such claims to eliminate that harassment, discrimination, sexually violent behavior, or retaliation, and discipline any persons found to have engaged in such conduct.

This is a summary of the diocesan policy against harassment, discrimination, violence, or retaliation. A complete copy of the policy is available at the Diocese of Springfield-Cape Girardeau, Office of Child and Youth Protection upon request.

Contact:

Director, Office of Child and Youth Protection

Policy Coordinator 417-866-0841



ROMAN CATHOLIC

DIocese of Springfield-Cape Girardeau

Office of Child and Youth Protection

**REPORT FORM FOR VIOLATIONS OF POLICY
ADDRESSING HARASSMENT, DISCRIMINATION OR VIOLENCE**

Complainant: _____ Phone: _____

Parent/Guardian Name: _____

Home Address: _____

Time and Date of this report: _____

Nature of the alleged incidents: _____

Harassment Discrimination Sexual Violence Retaliation

Name(s) of alleged offender(s): _____

If the alleged incident was toward another person, identify that other person and their contact information:

Date(s), time(s) and place(s) the incident occurred? _____

Describe the incident as clearly as possible, including such things as what force, if any, was used, any verbal statements (i.e. threats, requests, demands, etc.), what, if any physical contact was involved. Attach additional pages as necessary.

List any witnesses who were present: _____

This complaint is based upon my honest belief that _____
has acted as set forth above. I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge.

(Complainant's signature)

(Date)

(Parent/guardian signature)

(Date)

(Diocesan Representative)

(Date Received)



ROMAN CATHOLIC

DIOCESE of SPRINGFIELD–CAPE GIRARDEAU

Office of Child and Youth Protection

The Code of Conduct for Clergy, Employees and Adult Volunteers of the Diocese, Parishes, and Schools

The Safe Environment Policy:

The Diocese of Springfield-Cape Girardeau and its Affiliates promote a zero-tolerance policy regarding sexual misconduct and are committed to creating and maintaining a safe environment for all of God's people, one that is free from any form of sexual misconduct, which is antithetical to the teachings of the Catholic Church.

For the purposes of this policy, sexual misconduct means any behavior of a sexual nature that occurs between diocesan personnel and a minor or an adult, which includes: sexual abuse, enticement, exploitation, and any other such behavior, or the appearance of any such behavior, whether in-person, verbal, written, or through the use of technology or other media, that is defined by and contrary to the moral teachings, doctrines, and Canon Law of the Catholic Church; and/or unlawful as described by local, state, and federal laws.

This policy applies to all diocesan personnel, including clergy, seminarians, consecrated religious, diocesan, parish and school employees, and all adult volunteers. Any violation of this policy will be grounds for discipline up to and including termination.

The Diocese of Springfield-Cape Girardeau has established this Code of Conduct for Clergy, Employees and Adult Volunteers of the Diocese, Parishes, and Schools to foster and maintain an atmosphere of trust and safety in its ministry to all minors and adults. Diocesan personnel have a responsibility to provide a safe environment and actively protect minors and adults from all forms of abuse and are expected to uphold and maintain the highest standards of professional, ministerial, and moral behavior.

A. Reporting Violations

Any known or suspected **abuse or neglect of a minor** must first be immediately reported to the **Missouri Child Abuse and Neglect Hotline at 800-392-3738**.

Any known or suspected **abuse or neglect of an adult** must first be immediately reported to the **Missouri Adult Abuse and Neglect Hotline at 800-392-0210**.

In situations of immediate danger, call 911.

Diocese of Springfield-Cape Girardeau

Known or suspected abuse may also be reported to law enforcement in addition to making a report to the MO Child Abuse and Neglect Hotline or to the MO Adult Abuse and Neglect Hotline.

- **Failure to Report Abuse or Neglect is a Class A Misdemeanor for any person who is required under the law to report.**
- **No supervisor may interfere with or impede the reporting of suspected abuse.**
- **Filing a False Report is a Class A Misdemeanor.**

All diocesan personnel are required to also report violations of *The Code of Conduct for Clergy, Employees and Adult Volunteers of the Diocese, Parishes, and Schools* to the Director of the Office of Child and Youth Protection at childandyouthprotection@dioscg.org or **(417) 866-0841** or through the **TIPS** online reporting system, which is available on the diocesan website www.dioscg.org.

Violations involving the Bishop should be reported to the **Catholic Bishop Abuse Reporting System at 800-276-1562** or <https://reportbishopabuse.org/>.

B. General Guidelines

Diocesan personnel who regularly engage in activities involving minors or vulnerable adults are required to complete the designated safe environment training, comply with the background screening, and be current and compliant with the Code of Conduct. All diocesan personnel are expected to maintain an environment that is free from unlawful behaviors, harassment, discrimination, violence, or retaliation in our diocesan, parish, and school-sponsored programs/activities as described in this Code of Conduct and related policies.

The guidelines contained herein are intended to assist diocesan personnel in making decisions about their interactions with minors or adults in diocesan, parish, or school-sponsored and affiliated programs and are not designed or intended to address the interactions within families.

Nothing contained in this policy, in whole or in part, is intended or to be interpreted to supersede civil laws.

Safe Environment Policy and Procedures

C. Definitions

Abuse is any physical injury, sexual abuse or exploitation, or emotional abuse inflicted on a person other than by accidental means, by those responsible for his or her care, custody, and control. *(The use of physical discipline or physical force in any way for the behavior management, retaliation or correction of a minor by diocesan personnel is prohibited; section K.)*

Adult: any person 18 years of age or older (other than students in school). **Vulnerable or eligible adults** are persons who are considered uniquely vulnerable, who are unable to protect their own interests or adequately perform or obtain services necessary to meet their essential human needs due to physical or mental disabilities, and as defined by the statutes of the State of Missouri. **“Vulnerable person”** means any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact, even occasionally, limits their ability to understand or to want or otherwise resist the offense, (as defined, 2019, *Motu Proprio, Vos estis lux mundi*, Article 1).

Child or Minor: any person under the age of 18, or who is considered by law to be the equivalent of a minor. For the purposes of this document, the term “minors” also includes high school students age 18 or older.

Diocesan personnel: includes all clergy, seminarians, consecrated religious, diocesan, parish and school employees and all adult volunteers who work or volunteer on a regular or part-time basis within any organization designated as a diocesan entity.

Mandated Reporter: any person, as designated by the laws of the State of Missouri, who has reasonable cause to suspect that an individual has been or may be subjected to abuse or neglect or observes them being subjected to conditions or circumstances which would reasonably result in abuse or neglect, who is required by law to immediately report or cause a report to be made to the Child or Adult Abuse and Neglect Hotlines.

Neglect is defined as the failure to provide, by those responsible for the care, custody, and control of a child or adult, the proper or necessary support, education as required by law, nutrition or medical, surgical, or any other care necessary for the child or adult’s well-being.

Sexual misconduct: for the purposes of this document, means any behavior of a sexual nature that occurs between diocesan personnel and a minor or an adult, which includes sexual abuse, enticement, exploitation, and other such behavior, or the appearance of any such behavior, whether in-person, verbal, written, or through the use of technology or other media, that are defined by and contrary to the moral instructions, doctrines and Canon Law of the Catholic Church, or unlawful as defined by civil laws.

D. Ensuring a Safe Environment

The Diocese of Springfield-Cape Girardeau has established a policy to promote a positive, nurturing, and safe environment for all ministries to protect minors and adults, as well as diocesan personnel, from misconduct or misunderstandings. This and related policies and guidelines are to be carefully followed by all diocesan personnel.

Diocesan personnel must take precautions to avoid any activities, or the appearance of such activities, that violate, contradict, or are contrary to the moral teachings, doctrines, and Canon Law of the Catholic Church, diocesan policies and guidelines, or are unlawful as defined by civil laws.

E. Education and Training

Diocesan personnel who regularly engage in activities involving minors or vulnerable adults are required to attend and complete the designated safe environment training. Clergy, employees, catechetical leaders, and other volunteers may be required to read monthly training bulletins, and/or complete other relevant training when assigned and/or requested by their supervisor or by the diocese. Diocesan personnel are required to annually review *The Code of Conduct for Clergy, Employees and Adult Volunteers* as part of their ongoing training.

F. Background Screening

Background Disclosure and Authorization: All diocesan personnel over the age of 18 must complete, sign, and submit the Background Disclosure and Authorization. The diocese will conduct a national and local criminal background screening of all diocesan personnel. Random and periodic rescreening will be conducted on all diocesan personnel.

Thorough reference checks should also be conducted for potential diocesan personnel.

Disqualifying Offenses: When applicable, background screening reports indicating, but not limited to physical or sexual abuse, sexual misconduct, exploitation, violent crimes, domestic violence, impaired driving infractions, or substance abuse may result in exclusion, restricted access, or other precautionary actions.

The Background Disclosure and Authorization and the Code of Conduct forms are to be submitted to the designated local parish or school Safe Environment Coordinator. These documents may be retained in a secure manner at the parish, school, or the diocesan institution, and copies also forwarded to the Diocesan Office of Child and Youth Protection.

G. The Code of Conduct for Clergy, Employees and Adult Volunteers

Diocesan personnel, which includes clergy, religious, diocesan, parish or school employees, and all adult volunteers who regularly engage in activities involving minors or vulnerable adults are to annually read and sign *The Code of Conduct for Clergy, Employees and Adult Volunteers of the Diocese, Parishes, and Schools*. When completed and signed, the Code of Conduct is to be submitted to the designated local Parish or School Safe Environment Coordinator who then sends a copy to the Diocesan Office of Child and Youth Protection.

Minors who are employed or volunteer are required to read, sign and submit *The Code of Conduct for Minors Volunteering or Working with Younger Children*.

H. Dissemination

The Safe Environment Policy and Procedures of the diocese may be accessed on the Diocesan Webpage, www.dioscg.org, requested from the Diocesan Office of Child and Youth Protection, and is available at each Parish and School Office or from the designated local Safe Environment Coordinator. Parishes and schools are required to display posters with the Reporting Procedures in clearly visible locations and entrances. Every parish is required to include the Reporting Procedures in their bulletin annually. The diocese will periodically include the Reporting Procedures in its newspaper, printed or electronic publications.

I. Program Supervision

Diocesan personnel responsible for supervision of diocesan, parish and school activities must be aware of all programs for minors that are sponsored by a parish, school, or institution. A list of employees, volunteers, sponsors, and coordinators for these programs and activities, including the purpose, the meeting times and locations, is to be maintained at the parish, school or other institution and updated annually. Programs for minors are to be sponsored by two or more screened, trained, and compliant adults (see sections E, F and G). Leaders are to evaluate these programs and ensure that there is adequate supervision. Diocesan personnel under 21 years of age must work under the direction of a supervisor 25 or older.

Ministries and other diocesan, parish, and/or school-sponsored programs and activities offered specifically or exclusively to minors within the Church are at the will and service of the parents/legal guardian who have the primary responsibility to care for and educate their children. Programs and activities for minors are to be conducted with the knowledge and consent of their parent(s) or legal guardian.

Parents and legal guardians are welcome to observe and are encouraged to be a part of any diocesan, parish and school-sponsored programs and activities in which their children are involved; however, all adults, including parents or legal guardians and adult family members, who regularly work, volunteer, or engage in diocesan, parish, or school-sponsored programs or activities for minors and/or vulnerable adults are required to complete the adult application process (see sections E, F and G).

Diocesan personnel are responsible for releasing minors in their care only to the parent/legal guardian or other persons designated by parent/legal guardian at the close of services or activities. In the event that diocesan personnel are uncertain of the propriety of releasing a minor, they are to locate or contact their supervisor before releasing the child.

J. Undue Attention

Certain behaviors and interactions between diocesan personnel and minors or vulnerable adults are viewed as **not** appropriate nor acceptable.

Examples of behaviors and interactions that are prohibited include, but are not limited to:

- Giving excessive attention or treating a minor or vulnerable adult in a different manner than others.
- Engaging in activities with a minor or vulnerable adult where no other adults are present or nearby.
- Singling out a minor person for special privileges, events, outings, or overnight trips.
- Being isolated or alone with a minor or vulnerable adult for any extended period of time in areas of a building or any other locations where no other adults are present or nearby, such as staff-only areas, private rooms, hotel, dorm or bedrooms, closets, bathrooms, or in a vehicle.
- Sleeping alone in a room with or sharing a bed with an unrelated minor or vulnerable adult.
- Comments or remarks or other forms of attention, or expressed affection about physical appearance, attractiveness, and/or attire when discomfort is expressed, verbally or non-verbally.
- Having repeated, unofficial, or private contact or personally intimate conversations with a minor or vulnerable adult, whether in person, by telephone, through text-messaging, email, social media, apps, or any other means.
- Taking, requesting, sharing, publishing or posting photographs or audio/video recording of a minor or vulnerable adult without the knowledge and consent of their parent(s) or legal guardian.
- Giving extravagant gifts to or receiving gifts from a minor/vulnerable adult without the knowledge and consent of their parent(s) or legal guardian, and the Pastor, Principal, or Program Supervisor.

K. Physical Contact

Unacceptable, inappropriate or unwanted physical contact with a minor or vulnerable adult is prohibited.

Examples of physical contact **not to be used** include, but not limited to:

- Physical affection such as kisses on the face, ears, lips, or other body part; lengthy hugs or embraces.
- Tickling, rough-housing, wrestling, piggyback or horseback rides.
- Holding a minor over five years old on the lap.
- Touching, patting, grabbing, pinching, massaging, or rubbing of the body, knees, legs, buttocks, chest, breasts, genital areas, or the clothing surrounding these areas (except when assisting with necessary hygiene and toileting).
- Any sexual contact or misconduct, as defined.
- Physical aggression, violent, threatening postures and gestures, holding, blocking, spanking, shaking, shoving, hitting, slapping, pinching, or biting.
- Physical discipline or other physical force in any way or manner used for behavior management, retaliation or correction of minors.

Acceptable public, appropriate, and non-sexual affection between diocesan personnel and a minor is important for a child's development and a positive part of Church life and ministry. The following examples are regarded as acceptable forms of affection:

- Verbal praise, handshakes, hand-slapping, "high-fives," and "fist bumps."
- Touching shoulders or arms of minors.
- Pats on the shoulder or back; gentle pats on the head when culturally and age-appropriate.
- Side hugs, arms around shoulders, shoulder-to-shoulder hugs.
- Holding hands while walking with small children.

L. Agreements

I will:

- Immediately report any known or suspected child abuse or neglect to the **Missouri Child Abuse and Neglect Hotline at 800-392-3738**.
- Immediately report any known or suspected adult abuse or neglect to the **Missouri Adult Abuse and Neglect Hotline at 800-392-0210**.
- Call **911** or law enforcement in situations of immediate danger.
- Inform the Diocesan Director of the Office of Child and Youth Protection of any concerns or violations of *The Code of Conduct* or *Safe Environment Policy and Procedures*.
- Cooperate with any investigation(s) conducted by civil authorities or by the diocese regarding suspected abuse, misconduct or other violations.

- Adhere to *The Code of Conduct* and *The Safe Environment Policy and Procedures*.
- Comply with *The Policy and Guidelines for the Use of Technology, Email, and Social Media*.
- Comply with *The Policy Addressing Harassment, Discrimination, Violence, and Retaliation*.
- Use positive reinforcement, attention, and praise with children, youth, and vulnerable adults.
- Treat everyone with respect, patience, integrity, courtesy, dignity, and consideration.

I will not:

- Have any contact, whether in-person, verbal, written, or through the use of technology or other media, with a minor or adult person involved in diocesan, parish or school-sponsored activities, that is defined by and contrary to the moral teachings, doctrines and Canon Law of the Catholic Church; unlawful as described by local, state, and federal law; and/or not in keeping with this Code of Conduct and other diocesan policies.
- Be isolated or alone with a minor or vulnerable adult for any extended period of time in areas of a building or any other locations where no other adults are present and nearby, such as staff-only areas, private rooms, hotel, dorm or bedrooms, closets, bathrooms, or in a vehicle.
- Sleep alone in a room with or share a bed with an unrelated minor or vulnerable adult.
- Use tobacco, e-cigarettes, vaping, or other similar products or devices in the presence of minors.
- Use, possess, and/or be under the influence of alcohol or impaired by other drugs at any time while supervising or directly working with minors or vulnerable adults.
- Provide tobacco, e-cigarettes, vaping, or other similar products or devices, alcohol, or any other drugs to minors or vulnerable adults.
- Possess weapons of any sort while working with minors or vulnerable adults, except and only when in compliance with diocesan policy.
- Use obscene, indecent, and/or sexually explicit language or materials in the presence of minors.
- Possess, request, expose or share illegal, obscene, indecent images or child sexual abuse materials.
- Take, request, share, publish or post photographs or audio/video recording of a minor or vulnerable adult without the knowledge and consent of their parent(s) or legal guardian(s).
- Give extravagant gifts to or receive gifts from a minor or vulnerable adult without the knowledge and consent of their parent(s) or legal guardian, and the Pastor, Principal, or Program Supervisor.
- Use electronic devices (including phones, tablets, computers, etc.) for personal use for an extended period of time while supervising or working with minors, except in an emergency.

**BACKGROUND QUESTIONNAIRE
CONCERNING MISCONDUCT AND ABUSE**

| |
|---|
| <p>1. Have you ever sexually abused a minor or an adult? Yes No</p> <p>2. Have you ever been convicted of a crime of sexual misconduct, sexual abuse, physical abuse, sexual harassment, exploitation, or endangering the welfare of a minor or an adult? Yes No</p> <p>3. Has any allegation or civil or criminal complaint ever been made against you relating to sexual misconduct, sexual abuse, physical abuse, sexual harassment, exploitation, or endangering the welfare of a minor or an adult? Yes No</p> <p>4. Have you ever terminated your employment or had your employment terminated for reasons relating to allegations of sexual misconduct, sexual abuse or physical abuse by you, or relating to civil or criminal complaints against you for sexual misconduct, sexual or physical abuse, or endangering the welfare of a minor or an adult? Yes No</p> <p>5. Have you ever received any treatment, medical or psychological, for reasons involving sexual misconduct, your sexual or physical abuse of a minor or an adult? Yes No</p> |
|---|

Diocesan personnel are required to also report violations of *The Code of Conduct for Clergy, Employees and Adult Volunteers of the Diocese, Parishes and Schools* to the Diocesan Director, Office of Child and Youth Protection at childandyouthprotection@dioscg.org or **(417) 866-0841** or through the **TIPS** online reporting system, which is available on the diocesan website www.dioscg.org.

Violations involving the Bishop should be reported to the **Catholic Bishop Abuse Reporting System at 800-276-1562** or <https://reportbishopabuse.org/>.

By signing this document, I certify that the responses contained in the Background Questionnaire are accurate, true, and complete to the best of my knowledge; and, I understand that falsified statements shall be grounds for dismissal.

I authorize investigation of all statements contained herein and release all parties from all liability for any damage that may result. I also authorize periodic recheck and update on my background screening.

I understand that my participation in and completion of any required and/or ongoing training and education may be a condition of employment or volunteering.

I further understand that any action inconsistent with or in violation of the Safe Environment Policy and this Code of Conduct or any failure to take action mandated by law or this Code of Conduct may result in disciplinary actions up to and including dismissal or termination.

I verify that I have read, understand and agree to faithfully follow the rules and guidelines in the *Diocese of Springfield-Cape Girardeau Code of Conduct for Clergy, Employees, and Adult Volunteers of the Diocese, Parishes, and Schools* as a condition of my employment or volunteer work.

ACKNOWLEDGEMENT AND UNDERSTANDING

I understand that any known or suspected abuse or neglect of a minor must first be immediately reported to the **MO Child Abuse and Neglect Hotline at 800-392-3738**.

Any known or suspected abuse or neglect of an adult must first be immediately reported to the **MO Adult Abuse and Neglect Hotline at 800-392-0210**.

In situations of immediate danger, call 911.

Known or suspected abuse may also be reported to law enforcement in addition to making a report to the **MO CAN** or the **MO AAN Hotlines**.

- **Failure to Report Abuse or Neglect is a Class A Misdemeanor for a person who is required under the law to report.**
- **No supervisor may interfere with or impede the reporting of suspected abuse.**
- **Filing a False Report is a Class A Misdemeanor.**

Name and location of parish, school, or institution: _____

Role: _____

Print Name: _____

Phone No.: _____

Preferred email: _____

Signature: _____

Date: _____

**The Code of Conduct is required annually.
A copy should be retained for future reference.
This Code of Conduct expires December 31, 2022.**

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DIOCESE OF SPRINGFIELD-CAPE GIRARDEAU **CODE OF CONDUCT FOR MINORS IN GRADES SEVEN THROUGH TWELVE**

You are about to begin what could be a lifelong commitment to working or volunteering for the Catholic Church. It is a privilege to help carry on the mission of Jesus Christ, one that no one takes lightly. Moreover, as a minor yourself, it is important you follow certain rules and guidelines, both for your protection and for the protection of those with whom you work. The church takes the issue of misconduct very seriously. Certainly any instance of your misconduct will be evaluated carefully, and you are urged to report any instances of misconduct that you see to the adult in charge of your area of service.

GENERAL CONDUCT FOR VOLUNTEERS OR WORKERS WHO ARE MINORS

1. You must always be aware of your own personal safety and well-being and the safety and well-being of those with whom you are working.
2. You must not be isolated and alone with a younger child in your care when adults/supervisors are not present.
3. You must never transport a younger child in your care in a motor vehicle.
4. When you are on an outing with younger children in your care there must be two adults present at all times.
5. You are not to access locker rooms, shower rooms and dressing rooms where younger children in your care are present unless essential and necessary and an adult is present.
6. You are not to accompany a younger child in your care into a restroom without an adult present, unless it is an emergency.
7. You must never have physical contact with younger children in your care, except as appropriate in connection with your duties, such as changing a diaper.
8. You must never use indecent, obscene, or offensive language when working with children.
9. You must never use physical force or demeaning language in disciplining younger children in your care.
10. You must not verbally threaten or physically strike, spank, shake, or slap other children.
11. You must not possess weapons of any sort while working with children.
12. You must never be involved with the illegal possession and/or illegal use of alcohol and/or other drugs in the presence of younger children in your care.
13. All tobacco products, including e-cigarettes, vaping and similar products are prohibited while working with younger children in your care.
14. Electronic devices (including cell and smart phones, tablets, or computers) may not be used for personal use while working with younger children, except in a health or life-threatening emergency. This includes taking a photo or showing a photo to other minors.
15. You must not access, possess or show indecent, obscene or sexually explicit materials or images to others.
16. You have a responsible position and you should live up to the expectations of trust that have been placed in you.
17. You must be aware that diocesan safe environment guidelines are to be followed without exception whenever someone works or volunteers with a younger child to protect rights of all involved. We also want you to work in a safe environment. Report any concerns or questions immediately to your parent, guardian or supervisor.
18. You understand that violations of this Code of Conduct, State Laws and Federal Regulations that protect the safety of minors will result in immediate action that may include notifying parents, Child Abuse and Neglect, and/or Law Enforcement Officials, and could subsequently result in legal action.

Any known or suspected abuse of a minor must first be immediately reported to the Missouri Child Abuse and Neglect Hotline at 1-800-392-3738 or 844-CAN-TELL

The Diocese of Springfield-Cape Girardeau is grateful for the service you provide. Whenever you have concerns or questions or are uncertain about what is required, ask the adults with whom you work.

Please complete the form on the back of this page. After your parent or guardian has discussed this information with you, and has signed the form, please return to your supervisor.

The supervisor is to give you a copy of this Code of Conduct to keep for future reference.



DIOCESE OF SPRINGFIELD-CAPE GIRARDEAU

**Commitment to Ethical Conduct for Minors
Volunteering or Working with Younger Children**

I promise to follow faithfully the rules and guidelines in the *Diocese of Springfield-Cape Girardeau Code of Conduct for Minors* as a condition of my providing services to the children and youth of our Diocese.

I understand that any action inconsistent with the *Diocese of Springfield-Cape Girardeau Code of Conduct for Minors* or any failure to take action mandated by the Code may result in my removal from my position of working with minors.

I further understand that I may, as a condition of continuing in my position, be required to participate in training provided by the Diocese.

Printed Name of Minor Volunteer or Worker: _____

Address: _____ City/State: _____ Zip: _____

Phone #: _____ Minor's Date of Birth: _____

(High School Students Only) Expected High School Graduation Month _____ Year _____

Signature of Minor Volunteer or Worker

Date

I am the parent/legal guardian of _____ (“named Minor”).

I have received and support the *Diocese of Springfield-Cape Girardeau Code of Conduct for Minors*, and I have reviewed it with my child/named Minor. I understand the Diocese has a responsibility to provide a safe environment for all young people and I know of nothing in my child/named Minor's background that would make him/her unsuitable to work with other minors.

Printed Name of Parent/Legal Guardian: _____

Signature of Parent/Legal Guardian

Date

A copy of this document is to be kept at the Parish, School, or Diocesan Office of Youth Ministries.



AmericanChecked inc.
Background Screening Solutions

| |
|--|
| Primary Location: _____ _____ Location City: _____ _____ Check boxes that apply to you: Employee: Yes <input type="checkbox"/> No <input type="checkbox"/> Volunteer: Yes <input type="checkbox"/> No <input type="checkbox"/> |
|--|

**Diocese of Springfield-Cape Girardeau
Background Disclosure and Authorization
For Employees and Volunteers**

In connection with my employment/volunteerism or application for employment with the Roman Catholic Diocese of Springfield-Cape Girardeau (Diocese), I understand that a background check is required and certain records may be requested by AMERICANCHECKED, Inc., and a report of the investigation prepared. This report may include information gathered from an investigation of a nationwide criminal database that includes criminal court records, probation, prison, parole and release files, multi-state sex and violent offenders report, social security number trace, wanted person security screen, a local county court and arrest check and other screening reports.

I authorize AMERICANCHECKED, Inc. to conduct such investigation and prepare such a report about me and to disclose same to the Diocese for its use in determining my suitability as an employee/volunteer. If accepted as an employee/volunteer, this authorization shall remain on file and shall serve as an ongoing authorization for the procurement of such reports as may be deemed necessary. You may view AmericanChecked's policy at www.americanchecked.com.

This release is valid for all federal, state, county and local agencies, authorities, previous employers, military services and educational institutions.

By signing below, I certify that I have read and fully understand this disclosure and authorization, that prior to signing I was given an opportunity to ask questions and to have those questions answered to my satisfaction, and that I executed this disclosure and authorization voluntarily and with the knowledge that the information being furnished could affect my suitability as an employee/volunteer.

Today's Date _____ Signature _____

Print your full name _____

For purposes of gathering this information, I agree to supply the following information, which may be required by law enforcement agencies and other entities for positive identification purposes when checking records. It is confidential and will not be used for any other purpose.

Print other last names you have used within the last 7 years _____

Current Address _____ How long? _____

City _____ State _____ Zip _____

Print all cities and states where you have lived during the last 7 years _____

Social Security No. _____ Date of Birth _____

Driver's License No. _____ State Issuing License _____

California, Minnesota and Oklahoma Applicants Only: I request a free copy of any consumer report ordered on me.

Notice To All Applicants

You have the right to receive, upon your written request within a reasonable period of time (not to exceed 30 days) a complete and accurate disclosure of the nature and scope of the investigation requested. You have the right to make a request to AMERICANCHECKED, INC., upon proper identification, to request the nature and substance of all information in its files on you at the time of your request, including the sources of information, and the recipients of any reports on you that AMERICANCHECKED, INC. has previously furnished within the two-year period preceding your request.

AMERICANCHECKED, INC. may be contacted by mail at 15 West 6th Street, Suite 2300, Tulsa, Oklahoma, 74119, or by phone at (800) 975-9876.

Para informacion en espanol, visite www.consumerfinance.gov/learnmore o escribe a la Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

A Summary of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the FCRA. **For more information, including information about additional rights, go to www.consumerfinance.gov/learnmore or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.**

You must be told if information in your file has been used against you. Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment - or to take another adverse action against you - must tell you, and must give you the name, address, and phone number of the agency that provided the information.

You have the right to know what is in your file. You may request and obtain all the information about you in the files of a consumer reporting agency (your "file disclosure"). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:

- a person has taken adverse action against you because of information in your credit report;
 - you are the victim of identity theft and place a fraud alert in your file;
 - your file contains inaccurate information as a result of fraud;
 - you are on public assistance;
 - you are unemployed but expect to apply for employment within 60 days.
- In addition, all consumers are entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies.
- See www.consumerfinance.gov/learnmore for additional information.

You have the right to ask for a credit score. Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.

You have the right to dispute incomplete or inaccurate information. If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See www.consumerfinance.gov/learnmore for an explanation of dispute procedures.

Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information. Inaccurate, incomplete or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.

Consumer reporting agencies may not report outdated negative information. In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.

Access to your file is limited. A consumer reporting agency may provide information about you only to people with a valid need - usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.

You must give your consent for reports to be provided to employers. A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to www.consumerfinance.gov/learnmore.

You may limit "prescreened" offers of credit and insurance you get based on information in your credit report. Unsolicited "prescreened" offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-5-OPTOUT (1-888-567-8688).

The following FCRA right applies with respect to nationwide consumer reporting agencies:

CONSUMERS HAVE THE RIGHT TO OBTAIN A SECURITY FREEZE

You have a right to place a “security freeze” on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit.

As an alternative to a security freeze, you have the right to place an initial or extended fraud alert on your credit file at no cost. An initial fraud alert is a 1-year alert that is placed on a consumer’s credit file. Upon seeing a fraud alert display on a consumer’s credit file, a business is required to take steps to verify the consumer’s identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting 7 years.

A security freeze does not apply to a person or entity, or its affiliates, or collection agencies acting on behalf of the person or entity, with which you have an existing account that requests information in your credit report for the purposes of reviewing or collecting the account. Reviewing the account includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

You may seek damages from violators. If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.

Identity theft victims/survivors and active-duty military personnel have additional rights. For more information, visit www.consumerfinance.gov/learnmore.

States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law.

For more information, contact your state or local consumer protection agency or your state Attorney General. For information about your federal rights, contact

| TYPE OF BUSINESS: | CONTACT: |
|--|---|
| <p>1. Banks, Savings Associations</p> <p>a. Banks, savings associations, and credit unions with total assets of over \$10 billion and their affiliates.</p> <p>b. Such affiliates that are not banks, savings associations, or credit unions also should list, in addition to the CFPB:</p> | <p>a. Consumer Financial Protection Bureau 1700 G Street NW Washington, DC 20552</p> <p>b. Federal Trade Commission: Consumer Response Center - FCRA Washington, DC 20580 (877) 382-4357</p> |
| <p>2. To the extent not included in item 1 above:</p> <p>a. National banks, federal savings associations, and federal branches and federal agencies of foreign banks</p> <p>b. State member banks, branches and agencies of foreign banks (other than federal branches, federal agencies, and Insured State Branches of Foreign Banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act</p> <p>c. Nonmember Insured Banks, Insured State Branches of Foreign Banks, and insured state savings associations</p> <p>d. Federal Credit Unions</p> | <p>a. Office of the Comptroller of the Currency Customer Assistance Group 1301 McKinney Street, Suite 3450 Houston, TX 77010-9050</p> <p>b. Federal Reserve Consumer Help Center P.O. Box 1200 Minneapolis, MN 55480</p> <p>c. FDIC Consumer Response Center 1100 Walnut Street, Box #11 Kansas City, MO 64106</p> <p>d. National Credit Union Administration Office of Consumer Protection (OCP) Division of Consumer Compliance and Outreach (DCCO) 1775 Duke Street Alexandria, VA 22314</p> |

| TYPE OF BUSINESS: | CONTACT: |
|--|--|
| 3. Air carriers | Asst. General Counsel for Aviation Enforcement & Proceedings Aviation Consumer Protection Division Department of Transportation 1200 New Jersey Avenue S.E. Washington, DC 20590 |
| 4. Creditors Subject to the Surface Transportation Board | Office of Proceedings, Surface Transportation Board Department of Transportation 395 E Street S.W. Washington, DC 20423 |
| 5. Creditors Subject to Packers and Stockyards Act, 1921 | Nearest Packers and Stockyards Administration area supervisor |
| 6. Small Business Investment Companies | Associate Deputy Administrator for Capital Access United States Small Business Administration 409 Third Street, SW, 8th Floor Washington, DC 20416 |
| 7. Brokers and Dealers | Securities and Exchange Commission 100 F St NE Washington, DC 20549 |
| 8. Federal Land Banks, Federal Land Bank Associations, Federal Intermediate Credit Banks, and Production Credit Associations | Farm Credit Administration 1501 Farm Credit Drive McLean, VA 22102-5090 |
| 9. Retailers, Finance Companies, and All Other Creditors Not Listed Above | Federal Trade Commission: Consumer Response Center - FCRA 600 Pennsylvania Avenue, N.W. Washington, DC 20580 (877) 382-4357 |



ROMAN CATHOLIC

DIocese of Springfield-Cape Girardeau

Office of Child and Youth Protection

Misconduct Allegation Report Form

Person receiving call: _____ Date and Time: _____
How was complaint received: Telephone U.S. Mail E-Mail Other _____

Complainant Name: _____
Address: _____
Telephone number: _____ Date of birth: _____
Maiden name or other names used (if applicable): _____
Is complainant the victim? Yes No (circle one)
If no, whom is complainant representing: _____

Name of victim: _____ Date of birth or current age: _____
Address of Victim/Survivor: _____
Telephone number: _____ Is victim willing to be contacted: Yes No

Against whom is allegation directed: Clergy Employee Volunteer Other
Name of accused: _____
Address of accused: _____
When did allegation allegedly take place (date or timeframe)? _____
Where did allegation allegedly take place? _____
Relationship between victim/survivor and accused at time of alleged sexual misconduct: _____

When and where did complainant become aware of the alleged sexual misconduct?

Was the complaint previously made known to someone else? Yes No
If yes, to whom and when: _____
Nature of the alleged misconduct – any helpful details: _____

Complainant advised of right to call Child or Adult Abuse and Neglect/Law Enforcement? Yes No
Complainant advised of name of Victim Assistance Coordinator? Yes No
Complainant advised of the church social services available to them? Yes No

What are the expectations of the complainant? _____

Call made to **Missouri Child Abuse and Neglect Hotline 800-392-3738 or 844-CAN-TELL**? Yes No
Or **the Missouri Adult Abuse and Neglect Hotline 800-392-0210**? Yes No
Details—Report Number, Names, Date and Time: _____

PROMISE TO PROTECT



PLEDGE TO HEAL

BELIEVE IN THE POSSIBILITY OF HELP AND HEALING. THERE IS HOPE.

Your local Victim Assistance Coordinator is available to help you or anyone who has been abused or victimized by someone representing the Catholic Church. We will listen to your needs and support you. We will help you make a formal complaint and arrange a personal meeting with the bishop, or his delegate, if desired. We encourage you to come forward and speak out.

To report abuse, call the Missouri Child Abuse and Neglect Hotline:

Para reportar abuso, llame a la línea directa de Abuso y Negligencia Infantil de Missouri:

1-800-392-3738 or 1-844-CAN-TELL

Missouri Adult Abuse and Neglect Hotline: 1-800-392-0210

**VIOLATIONS INVOLVING THE BISHOP SHOULD BE REPORTED TO
THE CATHOLIC BISHOP ABUSE REPORTING SYSTEM
800-276-1562 [HTTPS://REPORTBISHOPABUSE.ORG/](https://reportbishopabuse.org/)
OFFICE OF CHILD AND YOUTH PROTECTION 417-866-0841
Diocese of Springfield-Cape Girardeau**