

Diocese of Springfield in Illinois

Book II The People of God

§200 POLICIES AND PROCEDURES ON WORKING WITH MINORS

These policies and procedures on working with minors will assist in promoting a positive, nurturing environment for our children and youth ministries while protecting our children and our Church personnel. It is to be carefully followed by all Church personnel and volunteers working with minors.

These policies and procedures include guidelines for:

- ◆ *physical contact with minors.*
- ◆ *supervision of programs that involve minors.*

In response to the call by the United States Conference of Catholic Bishops to break the “cycle of abuse,” the Diocese of Springfield in Illinois has revised and adopted the Policies and Procedures on Working with Minors. Responsibility for adherence to these Policies and Procedures rests with the individual. Church personnel who disregard these policies and procedures will be subject to remedial action. Corrective action may take various forms – from a verbal reproach to removal from the ministry – depending on the specific nature and circumstances of the offense and the extent of the harm.

§201 Working with Minors

§201.1. Policy All Church personnel certify to their understanding of these Policies and Procedures on Working with Minors when completing the *Certification document*.

§202 Definitions

1. *A "minor" is defined as anyone under the age of 18 years of age or a person who habitually lacks the use of reason and is considered to be equivalent to a minor.*
2. *"Physical abuse" is non-accidental injury which is intentionally inflicted upon a minor.*
3. *"Sexual abuse of a minor" includes sexual molestation or sexual exploitation of a minor and other behavior by which an adult uses a minor as an object of sexual gratification, and the acquisition, possession, or distribution by a cleric of pornographic images of minors under the age of eighteen, for purposes of sexual gratification, by whatever means or using whatever technology. Sexual abuse has been defined by different civil authorities in various ways, and neither the Essential Norms for the Church in the United States nor this policy adopts any particular definition provided in civil law. Rather, the transgressions in question relate to obligations arising from divine commands regarding human sexual interaction as conveyed to us by the sixth commandment of the Decalogue (Code of Canon Law, c. 1395 par.2). Thus, the norm to be considered in assessing an allegation of sexual abuse of a minor is whether conduct or interaction with a minor qualifies as an external, objectively grave*

violation of the sixth commandment (USCCB, Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State, 1995, p. 6). A canonical offense against the sixth commandment of the Decalogue (Code of Canon Law, c. 1395 par.2) need not be a complete act of intercourse. Nor, to be objectively grave, does an act need to involve force, physical contact, or is any contact of a sexual nature that occurs between a minor and an adult. This includes any activity which is meant to arouse or gratify the sexual desires of the adult. A discernible harmful outcome. Moreover, imputability [moral responsibility] for a canonical offense is presumed upon external violation ... unless it is otherwise apparent (Code of Canon Law, c. 1321 par. 3; see cc. 1322-1327). If there is any doubt about whether a specific act fulfills this definition, the writings of recognized moral theologians should be consulted and the opinion of a recognized expert be obtained (Canonical Delicts, p. 6). Ultimately, it is the responsibility of the Diocesan Bishop, with the advice of the Diocesan Review Board, to determine the gravity of the alleged act.¹

4. *"Emotional abuse" is mental or emotional injury to a minor that results in an observable and material impairment of the minor's growth, development or psychological functioning.*
5. *"Neglect" is the failure to provide for a minor's basic needs or the unreasonable failure to protect a minor from harm within reasonable expectations.*
6. *"Abuse of minors" is contrary to the teachings of the church and is prohibited by the Diocese of Springfield in Illinois. Church personnel have a responsibility to actively protect minors from all forms of abuse.*
7. *"Church personnel" includes:*
 - a. *all priests and deacons incardinated in the Diocese of Springfield in Illinois and in "good standing";*
 - b. *other priests and deacons who have the faculties of the Diocese of Springfield in Illinois.*
 - c. *all members of institutes of consecrated life and societies of apostolic life (hereinafter, "religious") and lay persons who are employed, full-time or part-time, in the parishes, schools, agencies, and other institutions of the Diocese of Springfield in Illinois;*
 - d. *all religious and lay persons 18 years of age and older serving in any volunteer capacity in the parishes, schools, agencies and other institutions of the diocese of Springfield in Illinois to include volunteers in ministries of the liturgy (i.e., Eucharistic/Extraordinary Ministers of Holy Communion, Lectors, Ushers, Greeters/Hospitality, Choir members, musicians and equipment technicians), volunteering in the parishes schools agencies, and other institutions of the Diocese of Springfield in Illinois.*

The following policies and procedures are intended to assist Church personnel in making decisions about interactions with minors in church sponsored and affiliated programs. They are not designed or intended to address interactions within families. For clarification of any policy or procedure or to inquire about behaviors not addressed here, contact your pastor, agency director, principal, or the diocesan safe environment coordinator or the Vicar General, at 217-698-8500.

§203 Policies and Procedures for Church Personnel

¹See: USCCB, *Charter for the Protection of Children and Young People*, November 19, 2002, Note.

§203.1. Policy on care of minors: Church personnel are responsible for releasing minors in their care only to parents, legal guardians, or other persons designated by parents or legal guardians at the close of services or activities.

Procedure: In the event that Church personnel are uncertain of the propriety of releasing a minor, they should, without delay, locate or contact their immediate supervisor before releasing the child.

§203.2. Policy on reporting behavior: Church personnel shall report uncontrollable or unusual behavior of minors immediately to parents.

§203.3. Policy on alcohol and illegal drugs: Church personnel are prohibited from the using, possessing, or being under the influence of alcohol or any illegal drugs while working with minors.

§203.4. Policies on transportation for minors: The following policies shall be strictly observed when Church personnel are involved in the transportation of minors:

- a. Ordinarily, minors shall never be transported without written permission.
- b. Minors shall be transported directly to their destination. No unauthorized stops shall be made.
- c. Church personnel shall avoid unnecessary and/or inappropriate physical contact with minors while in vehicles.
- d. Drivers that are assigned to transport minors must be at least 25 years old. (Requests for specific exceptions, (i.e., teachers who may be younger than 25), may be submitted in writing to the Vicar General, at the Catholic Pastoral Center 1615 West Washington, Springfield, IL 62702).

§203.5. Policy on speaking with minors: Church personnel are prohibited from speaking to minors in a way that is or could be construed by a reasonable observer as harsh, threatening, intimidating, shaming, derogatory, demeaning, or humiliating. In addition, Church personnel are expected to refrain from swearing in the presence of minors. Church personnel are prohibited from engaging in any sexually oriented conversations with minors. Church personnel are not permitted to discuss their own sexual activities with minors.

Procedures:

- a. It is envisioned that, from time-to-time, youth ministry lessons and discussions for teenagers may address human sexuality issues related to dating and sex.
- b. These lessons will convey to youth the Church's views on these topics.
- c. If youth have further questions not answered or addressed by their individual teachers, the youth should be referred to their parents or guardians for clarification or counseling.

§203.6. Policy on sexual exploitation: No Church personnel may exploit a minor for sexual purposes.

§203.7. Policy on Physical Contact: Physical Contact with youth can be misconstrued and shall occur:

- a. Only when completely nonsexual and otherwise appropriate.
- b. Never in private.

§203.8. Policy on nudity: Church personnel shall never be nude in the presence of minors in their care. Changing and showering facilities or arrangements for adults should be separate from facilities or arrangements for minors.

§203.9. Policy on pornography: Church personnel are prohibited from possessing any sexually oriented or morally inappropriate printed materials (magazines, cards, videos, films, clothing, etc.) on church property or in the presence of minors. Use of the Internet to view pornography or other immoral subject matter is strictly forbidden.

§203.10. Policies on overnight arrangements:

- a. Minors are not permitted to be overnight guests in the rectories of our priests unaccompanied.
- b. Church personnel are prohibited from sleeping in the same beds, sleeping bags or small tents with minors unless the adult is an immediate family member of the minor.
- c. Church personnel shall not provide shared, private overnight accommodations for individual young people, including but not limited to accommodations at any Church-owned facility, private residence, hotel room, or any other place where there is no other adult supervision present.

Procedures:

- a. In rare emergency situations, when accommodation is necessary for the health and well-being of the youth, Church personnel should take extraordinary care to protect all parties from the appearance of impropriety and from all risk of harm.
- b. Church personnel should use a team approach to managing emergency situations.

§203.11. Policy on reporting: Allegations of sexual misconduct involving a minor shall be taken seriously and reported to the appropriate public authority, the Victim Assistance Coordinator or, in the Victim Assistance Coordinator's absence, the Vicar General.

Procedure: Church personnel should review and know the contents of the child abuse regulations and reporting requirements for the State of Illinois and should follow those mandates.

§203.12. Policy on harassment: Church personnel must not engage in physical, psychological, written, or verbal harassment. Harassment includes the following:

- a. Physical or mental abuse.
- b. Racial insults.
- c. Unwelcome sexual advances or touching.
- d. Sexual comments or sexual jokes.
- e. Requests for sexual favors used as a means to affect the individual's decisions.
- f. Display of offensive materials.

Harassment can be a single severe incident or a persistent pattern of behavior where the purpose or the effect is to create a hostile, offensive, or intimidating environment.

§204 Additional Policies and Procedures for Pastoral Counseling and Spiritual Directors:

§204.1. Policies for Counselors and Spiritual Directors: Church personnel who provide pastoral counseling or spiritual direction services must avoid developing inappropriately intimate relationships with minors.

Procedures:

- a. Sessions should be conducted in appropriate settings at appropriate times.
- b. No sessions should be conducted in private living quarters.
- c. Sessions should not be held at places or times that would tend to cause confusion about the nature of the relationship for the minor being counseled.

§204.2. Policy on discovery of a serious threat to a minor: When counseling a minor, if a Pastoral Counselor or Spiritual Director discovers that there is a serious threat to the welfare of the minor and that communication of confidential information to a parent or legal guardian is essential to the child's health and well-being, the Counselor or Spiritual Director shall:

- a. Attempt to secure written consent from the minor for the specific disclosure.
- b. If consent is not given, disclose only the information necessary to protect the health and well-being of the minor.

§204.3. Policy on seal of confession: These above obligations are independent of the confidentiality of the confessional. Under no circumstances whatsoever can there be any disclosure – even indirect disclosure – of information received through the confessional.

§205 Policy on Physical Contact with Minors

The Diocese of Springfield in Illinois has implemented a physical contact policy that will promote a positive, nurturing environment for our children and youth ministries while protecting our children and our Church personnel. The following guidelines are to be carefully followed by all Church personnel working with minors.

§205.1. Church personnel are prohibited from using physical discipline in any way for behavior management of minors. No form of physical discipline is acceptable. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force as retaliation or correction for inappropriate behaviors by minors.

Procedures:

a) Appropriate affection between Church personnel and minors is important for a child's development and a positive part of Church life and ministry. The following forms of affection are regarded as appropriate examples for most church sponsored and affiliated programs:

- Side hugs or "A" frame hugs
- Shoulder-to-shoulder or "temple" hugs
- Pats on the shoulder or back
- Hand-shakes
- "High-fives" and hand slapping

- Hugs in a group
- Verbal praise
- Touching hands, faces, shoulders, and arms of minors
- Arms around shoulders
- Holding hands while walking with small children
- Sitting beside small children
- Kneeling or bending down for hugs with small children.
- Holding hands during prayer
- Pats on the head when culturally appropriate
(*For example, this gesture should typically be avoided in some Asian communities.*)

b) Some forms of physical affection have been used by adults to initiate inappropriate contact with minors. In order to maintain the safest possible environment for minors, the following are examples of affection that are not to be used in church sponsored and affiliated programs:

- Inappropriate or lengthy hugs or embraces
- Kisses on the mouth
- Holding minors over six (6) years old on the lap
- Holding mentally disabled children over ten (10) years old on the lap
- Touching bottoms, chests or genital areas
- Showing affection in isolated areas of the program's premises such as bedrooms, closets, staff only areas or other private rooms
- Sleeping in bed with a child
- Touching knees or legs of minors as a show of affection.
- Wrestling with minors (except for legitimate sports coaching in which case another adult should be present)
- Tickling minors
- Piggyback rides
- Any type of massage given by minor to adult (unless it involves massage of shoulders in a group activity in an Church/School approved program)
- Any type of massage given by adult to minor (unless it involves massage of shoulders in a group activity in a Church/School approved program)
- Any form of unwanted affection
- Any form of intimate adult-to-minor massage outside of group activity described above
- Compliments that are related to sexual attractiveness of physique or sexual body development

Parents are encouraged to be a part of any and all services and programs in which their children are involved in the Diocese of Springfield in Illinois. Parents have an open invitation to observe programs and activities in which their children are involved.

§206 Policies on Supervision of Programs that Involve Minors

§206.1. Policy on parental volunteers: Parents who desire to participate in their child's programs in the church or have significant or regular contact with minors will be required to complete the volunteer application process.

Procedure: Programs for minors should not be sponsored or administered by only one adult without supervision.

Church personnel must be aware of their own and others' vulnerability when working alone with youth. Use a team approach to manage youth activities.

§206.2. Policy on personnel who are minors: Church personnel under the age of 21 must work under the direction of an adult supervisor.

§206.3. Policy on programs involving minors: Church personnel in leadership roles must be aware of all programs for minors that are sponsored by a parish or school.

Procedures:

a) A list of these programs should be maintained in the central office and include activities, purpose, sponsors or coordinators of the programs, meeting times and locations. Leaders are encouraged to examine these programs and consider whether they have adequate supervision.

b) Because new programs for minors are far more likely to have difficulties than established ones, individual Church personnel should not be permitted to develop new programs for minors without proper consent and review within the parish or school.

c) Requests to develop new programs should be submitted in writing to the pastor or principal who is encouraged to receive appropriate counsel (i.e. from the parish school board, pastoral council, PTA, etc.) before replying. The pastor or principal should consider whether the plan for a new program includes adequate adult supervision and will be structured to comply with the Policy on Working with Minors with minors. Appropriate diocesan agencies also welcome the opportunity to comment on proposed new initiatives involving minors