



Romanian Catholic Eparchy of Canton Protection of Child and Youth Policy

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Introduction

Promise to Protect. Pledge to Heal: Charter for the protection of Children and Young People Essential Norms, State of Episcopal Commitment, June 2018

We need to remind ourselves of His Holiness, Pope John Paul II in his address to the Cardinals of the United States and Conference Officers, April 23, 2002, that the sexual abuse of young people is “By every standard wrong and rightly considered a crime by society; it is also an appalling sin in the eyes of God.” (*Charter Preamble, page 4, 2011*).

One of the gravest ills of today’s society continues to be the suffering of the innocent. Although, sometimes this seems to be independent of the human will and decision, oftentimes it is an evil caused and controlled by human individuals. In both cases the human family, with the various communities comprising it, has the duty to engage itself to alleviate the pain caused by any such horrifying event, to repair any damage caused where crimes are committed against such feeble and tender beings, to make sure that they will never reoccur, while also protecting the reputation of the individuals who may be subject to inaccurate or even false allegations.

As part of the human society, while being also “sacrament-sign” (Cf. Lumen Gentium §1) of Salvation, Holy Mother Church has engaged herself deeply in this process. On June 14, 2002, the United States Conference of Catholic Bishops approved a Charter for the Protection of Children and Young People, with revisions adopted on November 13, 2002 and Revised June 2011 (hereinafter USCCB Charter). The charter addresses the Church’s commitment to deal appropriately and effectively with cases of sexual abuse of minors by clergy and other persons in positions of trust with regard to children. The bishops of the United States have promised to reach out to those who have been sexually abused as minors by anyone serving the Church in ministry, employment, or a volunteer position, whether the sexual abuse was recent or occurred many years ago. They stated that they would be as open as possible with the people in parishes and communities about instances of sexual abuse of minors, with respect always for the privacy and the reputation of the individuals involved. They have committed themselves to the pastoral and spiritual care and emotional well-being of those who have been sexually abused and of their families.

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

*Therefore, to ensure that each Eparchy in the United States of America will have procedures in place to respond promptly to all allegations of sexual abuse of minors, the United States Conference of Catholic Bishops on June 14, 2002, also decreed Essential Norms for Eparchial/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priest or Deacons, revised November 13, 2002 (hereinafter USCCB Essential Norms). These revisions were approved by the USCCB following the changes proposed by the Mixed Commission of four bishops from the Holy See and four bishops from the United States meeting in Rome in October 2002. Having received the **recognitio** of the Apostolic See on December 8, 2002, and having been legitimately promulgated by the United States Conference of Catholic Bishops on December 12, 2002, these norms constitute particular law for all the Eparchys/eparchies of the United States effective March 1, 2003 and updated June 2011. These norms are complementary to the universal law of the Church, which has traditionally considered the abuse of minors a grave delict and punishes the offender with penalties, not excluding dismissal from the clerical state if the case so warrants.*



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The policies of the Eparchy of Canton will be promulgated by posting the full text on the Eparchy of Canton's internet website, mailing it to all Eparchial priests, and publishing it integrally. These policies recognize that sexual abuse of minors is a special problem with a profound impact on the lives of those affected. In the case of sexual abuse of a minor by a member of the clergy, the integrity of the priesthood, the diaconate and the Church itself as the servant of the people of God is damaged as well. Clergy serve by ministering to the spiritual needs of the people. When a servant becomes an abuser, the relationship of trust necessary for ministry is diminished for all.

Sexual abuse by a member of the clergy with a minor affects the whole Church. The solution to this problem must involve the whole Church. The following policies and procedures are the next step in the continuing effort of the Eparchy to provide for the safety of the people among whom it carries on its pastoral mission while protecting the reputation of clergy who may be subject to inaccurate or false allegations.

1. GENERAL PROVISIONS

Section 1 contains general statements of policy from which specific procedural recommendations follow.

Section 1 recognizes the Eparchial responsibility to establish appropriate educational programs for clergy and other persons in positions of trust with regard to children.

1.1 Establishment of Policy

Sexual abuse by a cleric with a minor violates human dignity, ministerial commitment and the mission of the Church; therefore the Eparchy establishes these policies and procedures to review the fitness for ministry of any cleric accused of sexual abuse of a minor. The policies and procedures shall involve the people of the Church in a substantive role.

(1) The primary purposes of these policies and procedures are the safety of children, the well-being of the community, and the integrity of the Church. The policies and procedures shall be fair and responsive to the pastoral needs of the victim, the victim's family the community, and the cleric. The policies and procedures shall facilitate cooperation and avoid interference with civil authorities responsible for investigating allegations of sexual abuse.

(2) The Eparchy shall continue to make its policies and procedures related to sexual abuse available in published form and as the subject of periodic public announcements so that those affected can readily seek and receive the assistance which the policies provide (Cf. *USCCB Charter*, Section 2).

1.2 Funding, Staff and Facilities

The Eparchy shall provide sufficient funding, staff and facilities to assure the effective implementation of the programs established by these provisions. The Eparchy will support appropriate research programs.

1.3 Review and Amendment

Policy:

The Review Board established in Section 4 shall periodically review these policies and procedures and make any recommendations for amendment to the Bishop. The Bishop may amend these policies and procedures at any time upon the recommendation of the Review Board or at his own initiative (Cf. *USCCB Essential Norms*, 4.B).



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2. VICTIM ASSISTANCE COORDINATOR

In August 2003, the Eparchy of Canton created a Victim Assistance Coordinator position, which, along with the Director of the Child Protection Office, became the first point of contact for those making reports of sexual abuse of minors. The Victim Assistance Coordinator is appointed by the Bishop to coordinate assistance for the immediate pastoral care of persons who claim to have been sexually abused when they were minors or as vulnerable adults by priests or deacons (USCCB Norms 3).

2.1 Victim Assistance Coordinator Responsibilities

1. Receive information, from initial contact person, related to allegations of sexual misconduct.
2. Make contact as soon as possible with the affected victim and his/her family.
3. Listen with patience and compassion to his/her experiences and concerns.
4. Advise victims that they have the right to report to civil authorities and that they will be supported if they do so.
5. Report any allegation of sexual abuse to civil authorities as required by law and cooperate with them.
6. Inform the Bishop and Eparchial legal personnel of the allegation.
7. Report any anonymous allegations or allegations that do not contain sufficient information to permit reasonable inquiry to the Review Board.
8. Work as a member of the Response Team to respond to the immediate needs of the alleged victim. As appropriate and if requested, the Victim Assistance Coordinator will assist the victim in obtaining support such as counseling, recommend licensed and qualified providers and help facilitate spiritual and mental health support. They will work closely with all victims to monitor their changing needs over time.
9. Maintain files about each case including assessments, interviews, referrals and conclusions.

2.2 Professionalism

The Victim Assistance Coordinator shall maintain a professional relationship with the individual and will not act as a therapist, attorney, or spiritual director for the individual. After the initial contact, a person shall not serve as the Victim Assistance Coordinator for an individual with whom he or she has a family relationship, or of whom he or she is a personal friend, or where there is any other potential conflict of interest.

2.3 Reporting of Child Abuse

To find the [Child Abuse agency in your State/Region](#) to report, in search engine

Type: “**State Name**” and “**Report Child Abuse**”

Example: The Ohio Department of Job and Family Services 855-O-H-CHILD (855-642-4453). They will assist you in connecting with a local agency.

National Crisis Intervention and Support

National Child Abuse Hotline 1-800-4-A-Child (1-800-422-4453)
<https://www.childhelp.org/hotline/>
 Serves United States, its territories and Canada
 24/7 staffed hotline with professional crisis counselors
 170 languages

2.4 Complaint of Abuse/Uniform Report for Child Protection Form

The Victim Assistance Coordinator is encouraged to utilize the Complaint of Abuse/Uniform report for Child Protection form during the initial contact with the alleged victim.



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Complaint of Abuse/ Uniform Report for Child Protection Form

Confidential

Questions	Response
Date of Report	
Person taking information	
Reported by	
Telephone Number	
Address	
Name of Survivor/Victim	
Date of Birth	
Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female
Name of Guardian (if appropriate)	
When did the incident occur?	
How old were you (re: the victim)?	
Can you tell me what happened?	
Name of Abuser	
Relationship to Abuser	
Location of incident	
What parish	
Did the abuse occur again? How often? Where? When?	
At the time, or at some point later, did you report what happened?	<input type="checkbox"/> No <input type="checkbox"/> Yes. If yes, please complete below shaded questions
To whom did you report this incident too?	<input type="checkbox"/> Parish representative. Who: <input type="checkbox"/> Local Law Enforcement. Who: <input type="checkbox"/> Physician. Who: <input type="checkbox"/> VAC <input type="checkbox"/> Other:
What was the response?	
Never Reported – “You need to report now.” A. If caller is adult and abuse happened to them as a child, the caller needs to be encouraged to call Child Abuse Services and Local Authorities. B. If caller reports someone who is currently under 18 years of age, encourage them to call Children Abuse Services and Local Authorities.	<input type="checkbox"/> Reminded and encouraged to report to authorities
Eparchy Report to Child Abuse Services (let them know that Eparchy will be reporting also)	Date/Time: Child Abuse Services Date/Time: Local Authorities
How can I help you now?	
Other	



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3. ASSISTANCE TO THOSE AFFECTED

Section 2 recognizes the Church's pastoral responsibility to assist all those affected by sexual abuse of clerics with minors; the victim and the victim's family, the community, and Promise to Protect. Pledge to Heal: Charter for the protection of Children and Young People Essential Norms, State of Episcopal Commitment, June 2011. Section 2 establishes a Victim Assistance Coordinator whose duties will include the identification of pastoral and professional resources which will be made available to assist the victims of abuse. In addition, the Church's outreach to communities affected will be organized to promote understanding and healing. Finally, the roles of the Vicar for Clergy as pastor to the priests of the Eparchy are addressed.

3.1 Assistance to Those Affected

The Eparchy shall make appropriate assistance available to those who may be affected by the alleged sexual abuse of a cleric with a minor, whether the abuse was recent or occurred many years in the past. This outreach will include provision of counseling, spiritual assistance, support groups, and other social services agreed upon by the victim and Eparchy. In cooperation with social service agencies and other churches, support groups for victims/survivors and other affected by abuse are to be fostered and encouraged by the Eparchy and in local parish communities (Cf. *USCCB Charter*, art.1).

3.2 Assistance to Alleged Victim/Survivor

The first obligation of the Church with regard to the victims is for healing and reconciliation. The Eparchy shall designate a Victim Assistance Coordinator who shall minister to the alleged victim, victim's family or other persons affected, doing so with a sincere commitment to their spiritual and emotional well-being. The coordinator shall identify professional and other resources and make them available to aid in the pastoral care of a victim or other person. In the case of any disclosure of sexual abuse of a minor, the coordinator shall report to proper authorities, Bishop, Director of Child Protection Office and Review Board (Cf. *USCCB Charter*, articles 1 & 2, and *USCCB Essential Norms*, 3). The Eparchy will not enter into confidentiality agreements except for grave and substantial reasons brought forward by the victim/survivor and noted in the text of the agreement (Cf. *USCCB Charter*, art. 3). Through pastoral outreach to victims and their families, the Bishop or his representative will offer to meet with them, to listen with patience and compassion to their experiences and concerns, and to share the "profound sense of solidarity and concern" expressed by our Holy Father in his Address to the Cardinals of the United States and Conference Officers. This pastoral outreach by the Bishop or his delegate will also be directed to faith communities in which the sexual abuse occurred (Cf. *USCCB Charter*, art.1). (For the duties and responsibilities of the Victim Assistance Coordinator and Response Team, see Addendum to this policy.)

3.3 Assistance to Community

The Eparchy shall develop and maintain "safe environment" programs and programs for outreach to communities affected. The programs shall promote healing and understanding. They will cooperate with parents, civil authorities, educators, 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 Eparchy will make clear to clergy and all members of the community the standards of conduct for clergy and other persons in positions of trust with regard to children (Cf. *USCCB Charter*, art. 12).

3.4 Assistance to Clergy

In the case of any disclosure of sexual abuse by a cleric with a minor, the Vicar for Clergy or Vicar General shall report the fact to the Bishop. This Vicar is the representative of the Bishop who ministers to the clergy of the Eparchy by providing assistance, advice, support, and by facilitating referrals to resource persons and



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other professionals. An offending priest or deacon will be offered professional assistance for his own healing and wellbeing, as well as for the purpose of prevention (Cf. *USCCB Charter*, art. 5).

4. COMMUNICATION

4.1 Introduction

We are committed to being open and transparent in communicating with the public about sexual abuse of minors by clergy within the confines of respect for the privacy and the reputation of the individuals involved. This is especially so with regard to information parish and other church communities directly affected by sexual abuse of a minor or individuals over the age of eighteen who habitually lack the use of reason.

The Eparchy of St. George, in Canton compliance with all the directives effected by *The Charter for the Protection of Children and Young People*, and the *Essential Norms for Eparchial/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests, Deacons, or Other Church Personnel*, especially Article 7 of *The Charter for the Protection of Children and Young People* [1], approved by the Bishops of the United States on November 19, 2002 and updated June 2011, is an attempt to display the Eparchy's dedication to "provid[ing] safety and protection for children and young people in our church ministry and institutions" (*Charter Preamble*) and deal with allegations of abuse appropriately. Through this communications policy the Eparchy of St. George in Canton seeks to outline the ways it will continue to:

1. Express the Eparchy of St. George in Canton's commitment to the spiritual and emotional wellbeing of all victims of sexual abuse by clergy,
2. Express confidently that the Eparchy of St. George in Canton is committed to the protection of children and young people,
3. Reflect a "transparent and open" relationship with the public with regards to sexual abuse of minors by clergy,
4. Take a proactive stance in publishing information about Eparchial policies, statistics, and cases of sexual abuse of minors,
5. Promote accurate reporting of the facts regarding these policies, this information, and these cases,
6. Rebut and correct misimpressions regarding the same,
7. Develop and maintain a working relationship between the Eparchy of St. George in Canton and media outlets,
8. Define a clear line of communication pertaining to this subject, and
9. Make readily available (through eparchial media, i.e. newspaper and website) the eparchy's policies, contact information, and other applicable information with respect to this subject.

4.2 Determination of the Eparchy of St. George in Canton

Eparchies and some bishops have, too often in the past, treated victims as legal adversaries. We recognize that this attitude and treatment can be extremely damaging emotionally, and often severs the victim's relationship with the Church. The Eparchy of St. George's obligation to all the faithful of the Eparchy, its parish communities, and its mission (to bring all people closer to Christ through His Church) dictates that it will honestly defend its legal interests and assets. However, the Eparchy will not attempt to intimidate or discourage anyone who brings forth an allegation. Rather, the eparchy will, through the Victim Assistance Coordinator and Director of the Child Protection Office, offer them the appropriate counseling, spiritual assistance, or support group. The Eparchy will also "in every instance advise victims of their right to make a report to public authorities and will support this right" (*Charter Article 4.*). Furthermore, the Eparchy of St. George in Canton will continue to reach out to all who may have been traumatized by abuse, by clergy or otherwise, and invite them to come forward so that the healing process can begin.



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4.3 "Transparency and Openness"

It is this Eparchy's intention to be "transparent and open" in discussing sexual abuse of minors by clergy, where it can reasonably do so [1]. The Eparchy has and will continue to fulfill all the legal requirements for reporting cases of sexual abuse of minors by clergy, and cooperate fully with law enforcement agencies. We intend to willingly share information, as openly as possible, with the faithful of the Eparchy and with the public as a whole. The Eparchy and its bishop recognize their responsibility to take the faithful into their confidence, so that the faithful in turn will have confidence in the bishop and his representatives. The Eparchy will reach out and assist the communities directly affected by ministerial misconduct. Whereas rumors and misimpressions are unhealthy and detrimental to the necessary healing processes, Eparchy of St. George in Canton will, through transparent discussion and disclosure of pertinent information, foster an environment disposed toward healing. Likewise, the Eparchy of St. George in Canton fully intends to cooperate with media outlets to communicate "transparently and openly" with the public.

4.4 Communication with the public through media outlets

4.4.1 After initial investigation

It after the initial investigation, "when there is sufficient evidence that sexual abuse of a minor has occurred", that the Eparchy of St. George in Canton will, through the Eparchial Director of Communication, volunteer information to the public, through the local media outlets. This will be done in conjunction with informing and assisting the parish community affected, and the canonical measures taken. The Eparchy will protect the reputations of all individuals involved in volunteering this information, as neither a civil or canonical judgment will have been made at this time. The information that will be provided at this time will be [3]:

1. That there has been an allegation of sexual abuse of a minor against a cleric,
2. Whether the person making the allegation is currently a minor, and
3. Whether the person making the allegation is male or female.

The individual making the allegation's name and personal information will not be provided, unless he or she specifically requests that they be made public. Someone who brings forth an allegation may want to remain anonymous. If this is the case, the only information that will be revealed is that an allegation has been made by someone who wishes to remain anonymous. Moreover, the Eparchy of St. George in Canton will not obstruct any accuser's attempts to make their allegations public. Otherwise, unless specific circumstances warrant it, no other information will be provided at this time.

4.4.2 Upon judgment confirming an act of sexual abuse of a minor by a cleric has occurred

When the Bishop of the Eparchy of St. George in Canton, after consulting with the Eparchial Review Board, judges that an act of sexual abuse has indeed occurred, the Eparchy of St. George in Canton will, through the Eparchial Director of Communication, volunteer information to the public through local media outlets. This will be done in conjunction with informing and assisting the parish community affected, and the canonical and/or criminal measures taken. The Eparchy St. George in Canton will volunteer the following information at that time:

1. That the Bishop, after consulting with the Eparchial Review Board, has made a judgment on a particular case, and what the judgment is,
2. The offender's name,
3. Whether further actions, canonical or otherwise will be taken against the offender, as well as explain the offender's future relationship with the Eparchy of St. George in Canton, and
4. Other releasable information, such as whether there is a civil suit pending, assistance offered to the victim, and other specifics of the case [4]



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4.4.3 When an allegation is not supported by credible evidence or judged unfounded

When the Bishop of the Eparchy of St. George in Canton, after consulting with the Eparchial Review Board, judges that there is not credible evidence that an act of abuse has occurred, or an allegation is proven unfounded, the Eparchy of St. George in Canton will release information on a case-by-case basis. The Eparchy reserves the options to:

1. Volunteer this information to the public, through local media outlets,
2. Release this information upon request from media outlets,
3. Reveal information to the faithful through Eparchial media, i.e. newspaper and website,
4. Attempt to restore the person's reputation through various outlets, and
5. Any combination of these options.

4.4.4 Full and Accurate Reporting

The Eparchy of St. George will make every effort to ensure that all information relevant to cases of sexual abuse of minors by clergy, Eparchial policies, and procedures is reported fully and accurately. It will do so through:

1. Contacting and establishing a healthy working relationship with media outlets,
2. Cooperating with reporters, and editors of these media outlets,
3. Making disclosable information and pertinent details available to these outlets in a timely fashion,
4. Answering questions regarding this information, and following up on all unclear issues,
5. Publishing the Eparchy's information publicly by use of Eparchial media, on its website, and in its newspaper, and
6. Correcting all misreporting, via direct discussion with outlet editors and reporters, and by use of Eparchial media.

The Communications Officer of the Eparchy of St. George in Canton will make the aforementioned information available for the outlets via press releases; face to face, telephone, and e-mail interviews; and through available Eparchial media.

Additionally, the Eparchy of St. George in Canton has established, on the Eparchial website (www.romaniacatholic.org), a link entitled "Child Protection." This link will serve as a platform for the Eparchy of St. George in Canton to make public, in a very accessible way, the Eparchy's policies, procedures, program for establishing a safe environment and its contact information. Moreover, all the information located here will be made available, in other formats, upon request.

4.4.5 Support Parish Communities

The Eparchy of St. George will provide support to all the parishes through communications and support by their clergy. Additionally, the Eparchy will provide special support and assistance to the parish communities directly affected by the ministerial misconduct involving minors through sexual abuse. This will be done on a case-by-case basis with an assessment of their needs and any appropriate response. The Eparchy support might include; phone calls, visit to parish, prayer, professional support/referrals, new clergy, or other identified needs.

4.4.6 Spokesperson

The Eparchy of St. George in Canton will communicate with the public through one spokesperson, The Director of Communications for the Eparchy of Canton. The Director of Communications for the Eparchy of St. George in Canton will be the media contact for all inquiries pertaining to the Eparchy's sexual abuse policy, procedures, and cases. Information about cases of sexual abuse, Eparchial policies, and other pertinent



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information will likewise be disseminated to the Catholic faithful and the public through the Director of Communications. All parishes, schools, and other Catholic institutions will be directed to forward inquiries related to sexual abuse of minors by clergy to the Director of Communications. His/her name and contact information will be well published, so that there is no confusion as to who should be contacted.

The circumstance may present itself where someone other than the Director of Communications is the appropriate person with whom media outlets should speak. The Director of Communications will facilitate the communication between these parties. The Director of Communications will also facilitate all communication with the Bishop of the Eparchy of St. George in Canton, should it be judged that he/she is the appropriate person to answer media requests.

5. SCREENING FORMATION, EDUCATION & ASSIGNMENT TO MINISTRY

Section 3 contains provisions confirming the Eparchial responsibility to screen candidates for the priesthood and enhance educational programs regarding sexuality and sexual abuse. The Eparchy's cooperative relationship with religious communities and clerics of other eparchies is clarified and the authority to review the fitness of clerics seeking assignment is confirmed.

5.1 Screening and Education of Clerics and Seminarians

The Eparchy shall evaluate the background of all Eparchial personnel who have regular contact with minors. Specifically, they will utilize the resources of law enforcement and other community agencies. The Eparchy will make sure that all the aspiring seminarians and deacons will undergo the necessary programs for screening and continuing education of clerics in matters related to sexuality and sexual abuse (Cf. *USCCB Charter*, art. 13).

Procedures

- a. Psychological Profile - Consistent with applicable ethical, canonical and legal principles and as soon as may be appropriate, a full psychological profile of each seminarian and deacon candidate shall be obtained. In addition to general psychological fitness for ordination and ministry, the profile should seek to identify tendencies of pedophilia or ephebophilia. The psychological profile shall be maintained as part of the seminarian's or candidate's permanent personnel file. The profile may be updated as necessary or appropriate.
- b. Developmental Programs - Not having its own seminaries, the Eparchy of Canton will ensure that its candidates to the diaconate or priesthood will have as part of their formation programs age appropriate courses that deal in depth with psychological development, including both moral and deviant sexual behavior, with emphasis on the implications of making moral choices in accord with church teaching and priestly commitment. There will be clear and well publicized standards of ministerial behavior and appropriate boundaries for clergy and any other church personnel in positions of trust who have regular contact with children and young people (Cf. *USCCB Charter*, art. 6).
- c. Certification - Every cleric who holds or requests faculties within the Eparchy shall certify in writing that he has read and is familiar with the Eparchial policies and procedures regarding sexual abuse of minors. The cleric's certification will be maintained in the cleric's personnel file. The Eparchy will develop systematic ongoing formation programs in keeping with the recent Conference document *Basic Plan for the Ongoing Formation of Priests* (2001) so as to assist priests in their living out of their vocation (Cf. *USCCB Charter*, art. 17).

5.2 Assignment and Transfer of Clergy outside their Jurisdiction

5.2.1 Priests and Deacons of the Eparchy of Canton

No Eparchial priest or deacon who has committed an act of sexual abuse of a minor may be transferred for ministerial assignment to another Eparchy or religious province. Before an Eparchial priest or deacon can be



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transferred for residence to another Eparchy or religious province, the Bishop or his delegate shall forward in a confidential manner, to the local bishop and religious ordinary (if applicable) of the proposed place of residence any and all information concerning any act of sexual abuse of a minor and any other information indicating that he has been or may be a danger to children or young people. This shall apply even if the priest or deacon will reside in the local community of an institute of consecrated life or society of apostolic life. In proposing a priest or deacon for residence outside the Eparchy, the Bishop or his delegate shall provide the receiving bishop or religious ordinary with the necessary information regarding any past act of sexual abuse of a minor by the priest or deacon in question (Cf. *USCCB Charter*, art. 14 and *USCCB Essential Norms*, §12).

5.2.2 Religious Communities and Clergy of Other Eparchies

No religious or extern priest or deacon who has committed an act of sexual abuse of a minor may be transferred for ministerial assignment into the Eparchy of Canton. Before a priest or deacon can be transferred for residence in the Eparchy of Canton, his bishop/eparch or religious ordinary shall forward, in a confidential manner, to the Bishop or his delegate any and all information concerning any act of sexual abuse of a minor and any other information indicating that he has been or may be a danger to children or young people. This shall apply even if the priest or deacon will reside in the local community of an institute of consecrated life or society of apostolic life (or as it is common in the Eastern Churches, as a monk or other religious, in a society of common life according to the manner of a religious, in a secular institute, or in another form of consecrated life or society of apostolic life). Every bishop/eparch or religious ordinary proposing a priest or deacon for residence in the Eparchy of Canton must provide the Bishop or his delegate with the necessary information regarding any past act of sexual abuse of a minor by the priest or deacon in question (Cf. *USCCB Charter* art. 12, and *USCCB Essential Norms* §14).

5.3 Relationship with Religious Communities

Religious communities whose cleric members maintain or seek faculties to minister in the Eparchy shall abide by the Eparchial policies and procedures relating to sexual abuse of minors.

Procedures

- a. The community must provide a copy of its own policies and procedures to the Bishop or his delegate.
- b. The presenting community shall provide a written statement about the status, background, character and reputation of each cleric presented for faculties in the Eparchy, as provided in the model promulgated by the **Conference of Major Superiors of Men**, *Proposed Guidelines on the Transfer or Assignment of Clergy and Religious*, 1993 (*Essential Norms* § 16).
- c. If a religious cleric exercising public ministry or an apostolate in the Eparchy of Canton is accused of sexual abuse of a minor, the Bishop or his delegate and the competent religious superior shall confer with each other. Concerning withdrawal from ministerial functions, the Eparchy will determine whether or not the cleric may continue to exercise a ministry which involves the care of souls, the public exercise of divine worship, or some other work of the apostolate (CCEO, cc. 201; 543; cf. 416). If the Eparchy determines that a religious cleric may no longer exercise such ministry in the Eparchy, his faculties will be revoked, and his proper Ordinary will be requested to recall the cleric immediately. The religious community retains its rightful autonomy and responsibility to address issues pertaining to its internal affairs, such as psychological assessment, treatment and aftercare for the accused cleric.
- d. If sexual abuse of a minor is alleged to have occurred involving a religious priest or deacon ministering in a parish, school or other entity under the auspices of the Eparchy of Canton, the Eparchy retains the right to initiate the process of investigation and follow-up with the Administrative Investigator and Review Board and take whatever action it deems appropriate. Since religious are also subject to their own proper superiors and to the discipline of their institute (CCEO, c. 543), the religious community may also chose to review the allegation in keeping with its own policies and procedures. If the



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religious superior removes the religious cleric from the office entrusted to him after having informed the Bishop, the cleric's Eparchial faculties will be revoked. However, any determination about return to ministry in the Eparchy and restoration of Eparchial faculties will be made according to Eparchial policies and procedures in this regard.

- e. If a religious cleric exercising a ministry strictly internal to the religious community without Eparchial faculties is accused of sexual abuse of a minor, the religious community may choose to review the allegation in keeping with its own policies and procedures. Any subsequent presentation for Eparchial faculties is subject to Eparchial policies and procedures. In any case, the Eparchy retains the right for a most grave cause to prohibit a member of a religious institute from residing in the Eparchy or at any particular location in the Eparchy. If the cleric's major superior has not made provision after having been informed; such matters are to be referred to the Holy See.

5.4 Extern Priests

The Eparchy shall maintain and periodically review its policies affecting extern priests who seek or maintain faculties in the Eparchy. The priest's proper Ordinary shall certify whether he is aware of anything in the priest's background, which would render him unsuitable to work with minors. In the case of any allegation or incident of sexual abuse of a minor, the priest's proper Ordinary shall submit to the Bishops delegate a comprehensive report of the allegation and its disposition.

Procedures

- a. If an extern priest exercising public ministry or an apostolate in the Eparchy of Canton is accused of sexual abuse of a minor, the Eparchy must confer with the competent Ordinary. The Eparchy will determine whether or not the priest may continue to exercise a ministry, which involves the care of souls, the public exercise of divine worship, or some other work of the apostolate (CCEO, cc. 201; 543; Cf. 416). If the Eparchy determines that an extern priest may no longer exercise any ministry in the Eparchy, his faculties will be revoked, and his proper Ordinary will be requested to recall the priest immediately.
- b. If sexual abuse of a minor is alleged to have occurred, the Eparchy retains the right to initiate the process of investigation and follow-up with the Administrative Investigator and Review Board and take whatever action it deems appropriate. Any determination about return to ministry and restoration of faculties will be made according to Eparchial policies and procedures.

5.5 Deacons

Eparchial Deacon

In the case of any allegation or incident of sexual abuse of a minor by a deacon, the Bishop's delegate shall refer the matter to the Administrative Investigator, who shall follow this policy in so far as it applies to deacons and the case under review.

5.5.1 Extern Deacon

When a deacon relocates into the Eparchy and requests faculties to minister, the proper Ordinary shall certify whether he is aware of anything in the deacon's background which would render him unsuitable for ministry. In the case of any allegation or incident of sexual abuse of a minor, the proper Ordinary shall be notified, and regulations and procedures of this policy shall be followed in so far as they apply to deacons and the case under review.

5.6 Assignment Review for Priests

The Vicar General shall review assignments of priests' accused of sexual abuse of minors in light of these policies.



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Procedure

The Vicar General shall review the name or list of names and delete any individual who is the subject of a proceeding before the Review Board, including any continuing monitoring under these provisions. The application of any such individual will be returned to him.

6. REVIEW PROCESS FOR CONTINUATION OF MINISTRY

Section 6 establishes the process by which the fitness for ministry of a cleric accused of sexual abuse of a minor can promptly and credibly be determined and appropriate recommendations made to the Bishop. Allegations of sexual abuse by a cleric with a minor will initially be considered by Administrative Investigator who will make a recommendation to the Bishop. A five member Review Board will review the initial recommendation of the Director as well as all subsequent issues regarding the fitness for ministry of the accused cleric. The Administrative Investigator and Review Board are established as advisors of the Bishop. The process is declared to be consultative and advisory, not adversarial and adjudicative, and is directed toward pastoral reconciliation and healing. In this context the safety and well-being of the community is of primary concern. The responsibility to cooperate with civil officials is confirmed, as is the Church's pastoral responsibility to take action with respect to religious, pastoral and administrative matters that are beyond the authority of government.

6.1 Establishment of Process

Determinations and recommendations regarding the continuation of ministry of any cleric who is the subject of an allegation of sexual abuse of a minor shall be made to the Bishop according to the consultative and advisory process established in Section 4.

6.2 Reporting Requirements, Compliance, and Cooperation

All persons associated with the Eparchy are expected to comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities and will cooperate in their investigation. In every instance, the Eparchy will advise and support a person's right to make a report to public authorities (Cf. *USCCB Essentials Norms*, § 11 and §§ 4.4.3 (2) and 4.7.1 of these Eparchial policies). In addition, all Eparchial clergy and all religious, employees, and volunteers working for the Eparchy shall comply fully with the letter and spirit of this process. These personnel are expected to promptly report allegations of a cleric's sexual abuse of a minor to the Administrative Investigator unless prohibited by applicable Church law. Other clerics and religious working in the Eparchy are expected to cooperate with the process consistent with their particular status within the Eparchy. All people of goodwill who may have to relate to the process are asked to do so with understanding and sensitivity for its goals. The Eparchy will take all appropriate steps to protect the good name and reputation of all persons involved in this process (Cf. *USCCB Essential Norms*, § 6).

Procedures

- a. The necessary observance of the canonical norms internal to the Church is not intended in any way to hinder the course of any civil action that may be operative. At the same time, the Church reaffirms her right to enact legislation binding on all her members concerning the ecclesiastical dimensions of the delict of sexual abuse of minors (Cf. *USCCB Essentials Norms*, endnote 7).
- b. Allegations that a cleric of the Eparchy of Canton engaged in sexual abuse of a minor may be reported to the Eparchy either by telephoning, writing, or by meeting in person with the Administrative Investigator.
- c. To the extent possible, the person making the report should meet in person with the Administrative Investigator and provide the Administrative Investigator with the name of the cleric who is the subject of the allegation, the name or names of the alleged victim or victims, and accurate description of the alleged abuse, the relevant dates, times and circumstances in which the abuse allegedly occurred, and



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- the names, addresses and telephone numbers of other persons who may have knowledge of the alleged abuse.
- d. If the Director learns of an allegation through the media or in some other fashion, the Administrative Investigator shall make appropriate inquiries and proceed substantially in the same manner as with any other allegation.
 - e. **Anonymous Allegations:** The Administrative Investigator ordinarily will not process anonymous allegations or allegations that do not contain enough information to permit reasonable inquiry. The Administrative Investigator shall report all such allegations to the Review Board at its next regularly scheduled meeting and the Review Board shall review the Administrative Investigator's action.
 - f. **Resigned Clerics:** An allegation against a cleric, who has resigned from active ministry shall be processed in the same manner as any other allegation to the extent necessary to make a determination whether there is reasonable cause to suspect that the accused had engaged in sexual abuse of a minor during the time he was serving as a cleric of the Eparchy and to facilitate the outreach to those affected as contemplated by these policies. The Initial Review, however, will focus on whether the resigned cleric is still ministering or employed in an ecclesial setting where minors may be at risk. If the whereabouts of a resigned cleric against whom an accusation is made are known or can reasonably be determined, the Administrative Investigator shall contact the accused and request his response.
 - g. **Deceased Clerics:** An allegation against a cleric who is deceased shall be received by the Administrative Investigator, who shall make a written summary of the allegation and refer the alleged victim to the Victim Assistance Coordinator for appropriate pastoral care. The Victim Assistance Coordinator will consult with other qualified persons in identifying the nature and extent of pastoral care that would be appropriate under the circumstances. Allegations involving deceased clerics ordinarily will not be reviewed by the Review Board since there is no question of current risk to children and since the cleric is no longer able to respond to the allegation.
 - h. **Retired Clerics:** Since retired clerics often continue to exercise ministry and perform sacraments, an allegation against a cleric who has retired from an official assignment shall be processed in the same manner as any other allegation to the extent necessary to make a determination whether minors are currently at risk and whether there is reasonable cause to suspect that the retired cleric engaged in sexual abuse of a minor.

6.3 Review Board

The recommendations described in 6 shall be made to the Bishop by a Review Board, which will function as a confidential consultative body to the Bishop in discharging his responsibilities (Cf. *USCCB Charter*, art. 2, and *USCCB Essential Norms* § 4).

6.3.1 Membership

The Review Board shall be comprised of five members of outstanding integrity and good judgment in full communion with the Church appointed by the Bishop. Four members shall be lay Catholics who are not employees of the Eparchy, and one shall be a priest who is an experienced and respected pastor of the Eparchy. The lay Catholics may include a psychiatrist, a psychologist, social worker, attorney, a parish council member or a parent. One of the members should have particular expertise in the treatment of the sexual abuse of minors (Cf. *USCCB Charter*, art 2, and *USCCB Essential Norms*, § 5).

Procedures

- a. **Full Communion** "Those baptized are fully in the communion of the Catholic Church on this earth who are joined with Christ in its visible structures by the bonds of profession of faith, the sacraments, and ecclesial governance" (CCEO, c. 8; Cf. Vatican II, Dogmatic Constitution on the Church *Lumen Gentium*, 14).



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- b. **Nominating Committee** Members of the Review Board will be appointed by the Bishop. The Bishop may appoint a Special Commission that will assist him in establishing the Review Board at its inception. Thereafter, as vacancies occur; the sitting Review Board will nominate persons.
- c. **Board Member Orientation** In order to familiarize Review Board members with their duties as well as with the pertinent policies and procedures, there should be a Board Member Orientation conducted periodically with input from appropriate Eparchial officials and outside consultants.
- d. **Compensation** None of the members of the Review Board shall receive compensation for their services, but all members shall be reimbursed for their necessary expenses.

6.3.2 Term

Appointments shall be staggered terms of five years, which can be renewed, and shall continue until a successor is appointed (Cf. *USCCB Essential Norms*, § 5).

Procedure

Ideally, terms will be staggered with no more than three persons' terms expiring in any given year.

Ideally, no member shall be appointed for more than two consecutive terms.

As vacancies occur, the Review Board will publicize openings, receive applications, interview applicants and nominate persons for appointment by the Bishop. Applicants shall submit a letter of intent to the Review Board, stating the reason they want to serve and listing their qualifications and competencies. Prior to presentation to the Bishop, nominated persons must be screened as outlined in applicable parts of this policy.

6.3.3 Officers

The Bishop shall designate one Review Board member as chairperson and one Review Board member as vice chairperson, for one-year terms.

Procedure

The chairperson will ordinarily convene and preside at meetings of the Review Board in accordance with the will of the Review Board. The vice-chairperson will perform these functions when the chairperson is unable to do so.

6.3.4 Relationship with Bishop

The Review Board shall serve as the principal advisor of the Bishop in his assessment of allegations of sexual abuse of minors and in his determination of suitability for ministry. The Review Board is not accountable to other officials of the Eparchy except as may be necessary for the efficient administration of its business (Cf. *USCCB Charter*, art 2, and *USCCB Essential Norms*, § 4).

6.3.5 Quorum and Majority for Doing Business

Three members of the Review Board shall constitute a quorum and the concurrence of not less than three members of the Review Board shall be necessary to a determination or recommendation.

4.3.6 Review Board Meetings

4.3.6.1

The Review Board shall conduct its business at meetings, which shall be scheduled to occur annually or as often as necessary to perform its duties. The meetings shall reflect the pastoral character of this process, which is consultative and advisory, not adversarial and adjudicative. The meetings are not hearings. They are sessions at which the Review Board receives and considers information, deliberates, and formulates its determinations and recommendations. The Review Board may, in its discretion, limit the information it receives or considers, and the rules of evidence shall not strictly apply.



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a. **Generally**

The Review Board ordinarily will meet in person but by exception may meet by telephone conference call for the Initial Review. The members of the Review Board shall not discuss the business of the Review Board or information presented to the Review Board outside Review Board or Committee meetings, except that the Administrative Investigator may communicate with Review Board members as required by this process or as otherwise appears appropriate.

b. **Attendance**

The Bishop, the Bishop's delegate, other persons designated by the Bishop, and the Administrative Investigator may attend those portions of meetings during which information is presented to the Review Board and the Review Board makes its recommendations. They may attend other portions of the meetings subject to the discretion of the Review Board. Other than the person making the accusation or the accused cleric, all other persons may attend meetings only upon the invitation or with the consent of the Review Board and subject to such limitations as the Review Board might require. It is desirable that the Promoter of Justice participates in the meetings of the Review Board (Cf. *USCCB Essentials Norms*, § 5). Since the Promoter of Justice is responsible to the prosecution of any penal trial before a canonical tribunal, he may attend the Review Board meetings with voice in the discussions, but with no vote in the Review Board's determinations and recommendations. After the Review Board process is completed and, if warranted by the outcome, after the Congregation for the Doctrine of the Faith is notified, the Promoter for Justice will proceed as instructed by the Bishop in accord with directions from the Congregation for the Doctrine of the Faith, unless the Congregation calls the case to itself because of special circumstances (Cf. *USCCB Essentials Norms*, § 8A).

Ad Hoc Committees

The Chairperson with the consent of the Review Board may appoint such standing or temporary committees as deemed necessary, and may delegate to such committees any powers necessary to fulfill their purpose, except that the power to make a definitive recommendation following a Review meeting may not be delegated to any such committee.

6.3.6.2

The person making an accusation and the accused cleric each have a right to meet with the Review Board before the Review for Cause is concluded, subject to such reasonable limitations as to time the Review Board may establish. For good cause they may request to meet with the Review Board during a Supplemental review or other meeting and the Review Board shall exercise reasonable discretion in permitting such appearances and in establishing reasonable time limitations for such appearances.

Procedure

When a person making an accusation or an accused cleric meets with the Review Board, the Review Board shall schedule their appearances in such a way that they not meet each other, even inadvertently, unless such contact is expressly approved by the Review Board.

6.3.6.3

Nothing in these policies and procedures shall be interpreted as to abridge an individual's right to legal or canonical counsel.

Procedure

Counsel For the sake of due process, the accused will be encouraged to retain the assistance of civil and canonical counsel and will be promptly notified of the results of the investigation. When necessary, the Eparchy will supply canonical counsel to the priest or deacon (*USCCB Charter*, art. 5, and *USCCB Essential Norms* §§ 6 and 8.A). Any person appearing before the Review Board may do so with counsel or, in the Review Board's discretion which shall be exercised liberally, with such other adviser for whom the person may, in



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advance of the meeting, request the Review Board's consent. The Review Board shall not permit the participation of counsel or other adviser unduly to delay this process. Attorneys licensed to practice civil law, but not canon law, serving as counsel to the person making the allegation or the person accused, may attend such meetings and advise their clients involved in these ecclesiastical processes, with the understanding that such proceedings are conducted according to these policies and procedures and the provisions of canon law; they are not hearings subject to the rules of civil law.

6.3.7 Duties

The Review Board shall have the duty to:

1. Recommend to the Bishop a candidate or candidates for the position of Administrative Investigator.
2. Supervise the Administrative Investigator in cooperation with the Eparchial Director of Personnel Services.
3. Advise the Bishop in his assessment of allegations of sexual abuse of minors and in his determination of suitability for ministry (Cf. *USCCB Charter*, art 2, and *USCCB Essential Norms*, § 4.A.).
4. Offer advice on all aspects of these cases, whether retrospectively or prospectively (Cf. *USCCB Essential Norms*, § 4.C.).
5. Make such other recommendations, which the Review Board in its sole discretion determines to be appropriate to reduce the risk to children.
6. Recommend guidelines for the inquiries of the Administrative Investigator, the proceedings of the Review Board and programs for treatment, rehabilitation and supervision of clerics consistent with these provisions;
7. Submit, with the assistance of the Administrative Investigator, an annual budget proposal to the Bishop at a time to be specified.
8. Review these policies and procedures for dealing with sexual abuse of minors; (Cf. *USCCB Essential Norms*, § 4.B).
9. Cooperate with the Administrative Investigator and the Vicar for Clergy in developing and implementing educational programs for themselves and those participating in this process; and
10. Seek the advice of such experts and consultants as the Review Board deems necessary and appropriate.

6.4 Administrative Investigator

The Administrative Investigator shall assist the Review Board in the performance of its duties.

6.4.1 Qualifications

The Administrative Investigator shall be a lay Catholic professional who maintains appropriate qualifications and substantial experience in investigation and analyzing allegations of sexual abuse of children.

6.4.2 Appointment and Conditions of Employment

The Administrative Investigator shall be compensated by the Eparchy.

6.4.3 Duties

Under the supervision of the Review Board, the Administrative Investigator shall have the duty to:

1. Receive information and allegations of sexual abuse by a cleric with a minor.
2. Report to the public authorities any allegation (unless canonically privileged) of sexual abuse of a person who is a minor, cooperate with public authorities about reporting in cases when the person is no longer a minor, comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities and cooperate in their investigation in accord with the law



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of the jurisdiction in question. In every instance, the Administrative Investigator will advise victims of their right to make a report to public authorities and will support this right (Cf. *USCCB Charter*, art. 4, and §§ 4.2 and 4.7.1 of this policy). Specifically, the Administrative Investigator shall have the duty to report all allegations of sexual abuse of a minor to the Department of Children and Family Services and to the appropriate prosecuting authority in all cases;

3. Promptly and objectively interview the accuser and the accused in accord with canonical practice, which includes committing the information to written form and allowing the person interviewed to review and sign what has been committed to writing;
4. Communicate in an appropriate manner with the victim or person making an allegation, the Victim Assistance Coordinator, the affected cleric, the Vicar for Priests and Deacons, the Bishop, the Review Board and such other persons as the Bishop or Review Board may designate;
5. Assist the Review Board by preparing and submitting reports pertaining to allegations and requests and such other information as may be appropriate. A report of the status of the preliminary investigation will be submitted to the Review Board and the Bishop within 48 hours.
6. Assist the Bishop and his Delegate by preparing and submitting reports summarizing the allegations, the responses of accused clerics, and the rationale by which the Review Board arrived at its determinations and recommendations;
7. Monitor programs which the Bishop has established for treatment, rehabilitation or supervision of clerics who have been withdrawn from ministry and report to the Review Board about these programs; and
8. Perform such other duties as may be prescribed by the Bishop, his delegate, or Review Board from time to time.

Procedures

The Administrative Investigator and the Vicar for Clergy shall work cooperatively in the treatment, rehabilitation and monitoring of clerics. The Administrative Investigator and Vicar for Clergy shall work cooperatively in the selection of professionals and institutions to evaluate, diagnose and treat clerics. The Vicar for Clergy is primarily responsible for pastoral and spiritual life concerns and treatment that require sensitivity to confidences.

6.5 Receipt of Information

To facilitate receipt of information of alleged sexual abuse, the telephone number of the Administrative Investigator will be properly publicized. When the Administrative Investigator cannot answer calls, an appropriate recording device shall be used.

6.6 Confidentiality and Disclosure of Information

Information generated in connection with the process set forth in Sections 4.4 and 4.5 shall be maintained in a confidential manner and may only be disclosed in accordance with this section.

Procedures

- a. The Administrative Investigator is the custodian of all information described in Sections 4.4 and 4.5 and shall develop an appropriate record keeping system to ensure accountability for and security of the information.
- b. The Administrative Investigator shall maintain the information in a confidential fashion and may not disclose such information except as follows:
 1. The Administrative Investigator shall provide the accused cleric with information sufficient to enable the cleric to respond to the allegation; either party may have access to his or her own statements pertaining to the allegation or response and may offer them to be incorporated into



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- the record; the Administrative Investigator may provide both the person making the allegation and the accused cleric with such additional information as necessary to process the allegation;
2. After the Bishop has made a decision in a matter brought before the Review Board, the Administrative Investigator shall provide the person making the allegation and the accused cleric with appropriate and timely information about the Review Board's determinations and recommendations and the Bishop's actions;
 3. The Administrative Investigator shall provide access to information to the Review Board, the Bishop, the Bishop's delegate and other persons the Bishop may designate;
 4. The Administrative Investigator shall provide access to information to the competent superior in connection with allegations about a member of a religious community or another Eparchy;
 5. The Administrative Investigator shall disclose such information as may be required by law; and
 6. The Eparchy will develop a communications policy that reflects a commitment to transparency and openness. Within the confines of respect for the privacy and the reputation of the individuals involved, the Eparchy will deal as openly as possible with members of the community. This is especially so with regard to assisting and supporting parish communities directly affected by ministerial misconduct involving minors (*USCCB Charter*, art. 7).

6.7 Preliminary Actions and Inquiry

6.7.1

Upon receipt of the allegation, the Administrative Investigator promptly shall report an allegation of sexual abuse of a person who is a minor to the public authorities, comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities, will cooperate in their investigation in accord with the law of the jurisdiction in question, and will cooperate with public authorities about reporting in cases when the person is no longer a minor. The Administrative Investigator shall also provide the person making the allegation with a written statement containing information about the right to make a report of such allegations to public authorities and will support this right (Cf. *USCCB Charter*, art. 4, *USCCB Essential Norms*, §11, and §§ 4.2 and 4.4.3(2) of this policy).

Procedure

The Administrative Investigator shall review the cleric's file or background, make appropriate inquiries about the allegation, and prepare a report of all available information for presentation to the Review Board either orally or in writing at the Initial Review meeting. The Administrative Investigator shall reduce an oral report to writing as soon as practical after the Initial Review meeting and make copies of this report available to the Review Board, the Bishop, his delegate, and such other persons that the Bishop may designate.

6.7.2

Ordinarily, the Administrative Investigator shall also promptly do the following:

- (1) Report the initial allegation findings to the Victim Assistance Coordinator;
- (2) Report the initial allegation findings to the Bishop, his delegate and other persons that the Bishop may designate;
- (3) Inform the cleric and request his response;
- (4) Assess whether the safety of children requires interim action, with an emergency respond appropriately and promptly communicate a recommendation to the Bishop.

Procedure

- a. Interim action can include temporary withdrawal from ministry, monitoring, restrictions or other actions deemed appropriate by the Bishop for the sake of the common good (CCEO, 178, 979ff; 1510 and §§ 4.10 and 4.12 of this policy)



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- b. In making such assessments and recommendations, the Administrative Investigator may consult with the Bishop, his delegate, and persons designated by the Bishop.
- c. Before initiating a judicial or administrative process to impose or declare penalties, the Bishop should seek the cleric's voluntary cooperation to avoid or repair scandal, restore justice and reform the offender through various means of pastoral solicitude (CCEO, cc. 1403; 23).
- d. The alleged offender may be requested to seek, or urged voluntarily to comply with, an appropriate medical and psychological evaluation at a facility mutually accepted to the Eparchy and the accused, so long as this does not interfere with the investigation by civil authorities (Cf. *USCCB Charter*, art. 5, and *USCCB Essential Norms*, §7).
- e. The Administrative Investigator must schedule and give effective notice of any meetings of the Review Board.

6.8 Initial Review

Ordinarily, the Review Board shall meet to conduct an Initial Review within approximately three to five days after the Administrative Investigator has obtained the pertinent information from the accuser and has given the accused a reasonable opportunity to respond to the allegation(s). The Review Board or the Administrative Investigator may delay schedule the Initial Review for a good reason, such as to await the completion of action by public bodies.

6.8.1 Questions for Review

At the Initial Review meeting, the Review Board shall advise the Bishop:

- (1) Whether the information received at least seems to be true of an offense (Cf. CCEO, 1468);
- (2) Whether the interim actions recommended by the Administrative Investigator were appropriate to provide for the safety of children;
- (3) Of its recommendations based on its expertise regarding the scope and course of the investigation;
- (4) What further interim action should be taken with respect to the allegation.

Procedure

The Review Board shall consider the Administrative Investigator's report, information provided by the Bishop's delegate or other persons identified by the Bishop, and any other information, which the Review Board believes helpful and is able to obtain.

6.8.2 Determination and Recommendations

The Review Board shall make recommendations to the Bishop about the following:

- (1) If the cleric has already been temporarily withdrawn from ministry pending inquiry, whether such withdrawal should continue; if the withdrawal should not continue, whether any restrictions should be imposed on a cleric returning to ministry;
- (2) If the cleric has not been temporarily withdrawn from ministry, whether he should be withdrawn, whether he should continue in his assignment and, if so, whether any restrictions should be imposed upon him;
- (3) Whether the interim actions taken by the Administrator were appropriate and whether action by the Administrative Investigator is required;
- (4) Whether the file may be closed at this stage of the proceedings or held open pending action by public bodies, further inquiry by the Administrative Investigator, or further action by the Review Board; and
- (5) If the cleric's conduct does not constitute sexual abuse of a minor but is otherwise inappropriate, whether further action is warranted and suggestions as to such action.



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6.8.2 Preliminary Investigation

When an allegation of sexual abuse of a minor by a priest or deacon is received, a preliminary investigation in harmony with canon law will be initiated and conducted promptly and objectively, unless such an inquiry seems entirely superfluous, e.g., due to compelling evidence or the cleric's admission of the alleged abuse (CCEO, c. 1468). All appropriate steps shall be taken during the investigation to protect the reputation of the accused and of the person making the allegation (Cf. *USCCB Charter*, art. 5, and *USCCB Essential Norms*, §6).

Procedures

- Whenever the Bishop determines, based on the advice of the Review Board at the Initial Review, that the information at least seems to be true of an offense, the Bishop shall appoint a lay auditor (Cf. CCEO, c. 1470) to conduct the preliminary investigation in accord with (Cf. CCEO, c. 1468). If appropriate in light of the facts and circumstances, the Bishop may appoint the Administrative Investigator to serve as the auditor.
- Under the supervision of the Bishop or his delegate and in cooperation with the Review Board, the Auditor may retain whatever professional assistance necessary and appropriate to conduct a thorough investigation of an allegation.
- The auditor conducting the preliminary investigation shall prepare oral and written reports of these inquiries containing the findings of such investigations within sufficient time for the appropriate canonical process and the Review Board to complete their responsibilities. These reports should include descriptions of actions taken by the Administrative Investigator, such additional inquiry as may be required, and identification of information that was not available to the Administrative Investigator and why that information was not available.

6.9 Review for Cause

A Review for Cause shall ordinarily be initiated and scheduled to occur no earlier than thirty and no later than one hundred eighty days after completion of the Initial Review. The Review Board may delay scheduling the Review for Cause for a good reason, such as to await the completion of action by public bodies.

6.9.1 Questions for Review

At the Review for Cause the Review Board shall determine:

1. Whether there is reasonable cause to suspect that the accused engaged in sexual abuse of a minor.
2. Whether prior determinations as to ministry by the cleric should be altered;
3. What further action, if any, should be taken with respect to the allegation.

Procedure

The Review Board shall consider the Administrative Investigator's reports, information provided by the Bishop's delegate or other persons identified by the Bishop, and any other information that the Review Board believes helpful and is able to obtain.

6.9.2 Determinations and Recommendations

The Review Board shall determine whether it is reasonable to return the cleric to ministry or keep the cleric in ministry in view of all the facts and circumstances, giving appropriate consideration to the safety of children and the rights of the cleric. The Review Board shall make appropriate recommendations to the Bishop about the following:

- (1) If the cleric has already been withdrawn from ministry pending inquiry, whether such withdrawal should continue; if it should not continue, whether any restrictions should be imposed on a cleric returning to ministry;
- (2) If the cleric has not been withdrawn from ministry, whether he should remain and, if so, whether any



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restrictions should be imposed on him;

- (3) Whether the file should be closed at this stage of the proceedings;
- (4) Whether the file should be held open for some reason;
- (5) If the cleric's conduct does not constitute sexual abuse of a minor but is otherwise inappropriate, whether further action appears desirable and suggestions as to possible action; and
- (6) Such other matters, as the Review Board deems appropriate.

6.10 Administrative Leave: Temporary Withdrawal from Ministry

When there is sufficient evidence that sexual abuse of a minor has occurred, the Congregation for the Doctrine of the Faith shall be notified. The Bishop shall then apply the precautionary measures mentioned in (CCEO, c. 1473), i.e., remove the accused from sacred ministry or from any ecclesiastical office or function, impose or prohibit residence in a given place or territory, and prohibit public participation in the most Holy Eucharist pending the outcome of the process (Cf. *USCCB Essential Norms*, §6).

6.11 Supplementary Reviews

The Review Board may conduct such Supplementary Reviews as may be necessary to discharge its duties.

6.11.1 Questions for Review

The Review Board may consider new information about a determination or recommendation made in connection with a prior review, exercise its responsibility in Sections 4 and 5, or oversee the work of the Administrative Investigator, the victim assistance program, the supervision and therapy program for affected clerics or any other matter within its responsibility.

Procedure

The Review Board may consider the application for review, the Administrative Investigator's reports, information provided by the Bishop, the Bishop's delegate or other persons identified by the Bishop, and any other information which the Board believes helpful and is able to obtain.

6.11.2 Initiation

The Review Board, the Administrative Investigator, the Bishop, or the Bishop's delegate may initiate a Supplementary Review. In addition, an affected cleric, a person who made an allegation, a victim or the family of a victim may apply to the Review Board in writing for such a review and shall include in the application a statement of the question or point for review, the applicant's position with respect to the matter, and any supporting explanation or information.

6.11.3 Determinations and Recommendation

The Review Board may make the same kinds of determinations and recommendations as in a prior Review and make such other determinations and recommendations, as it deems appropriate.

6.12 Monitoring

6.12.1

Monitoring protocols and programs for those who have been accused or have engaged in sexual abuse of minors must reflect the primary goals of protecting children and the integrity of the Church. Monitoring is implemented when deemed appropriate at an Initial Review, when a cleric has been temporarily withdrawn from ministry pending further inquiry or when a cleric has been permanently removed from ministry but allowed to remain a cleric when sexual abuse by the cleric is admitted or is established after an appropriate investigation in accord with canon law.



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Procedure

The primary purposes of monitoring those who have engaged in sexual abuse of minors are the safety of children and the integrity of the Church. The programs need to be flexible to recognize individual circumstances and the fact that knowledge and insight continue to develop. They should be evaluated periodically for this reason. These programs should also recognize, in an appropriate way, redemption and forgiveness and seek to provide hope for those dealing with the dysfunction that causes sexual abuse. They must be consistent and fair, and the application in a given case not be arbitrary, but recognize individual circumstances.

6.12.2

A cleric who has been found to have engaged in sexual abuse of a minor will be subject to appropriate monitoring for the remainder of his life as a cleric of the Eparchy and his file shall remain open.

Procedure

Recovery from the dysfunction that causes sexual abuse of minors is considered in the light of the experience and research presently available, an ongoing and lifelong process. Further, the Eparchy is civilly and morally responsible to exercise due diligence in these matters to ensure that those within its care are not placed at risk. For these reasons, the monitoring in such cases is a lifelong process.

6.12.3

Monitoring programs and protocols should be applied on a case-by-case basis but must include certain essential components.

Procedures

- While the monitoring protocol approved by the Review Board in a given case might include myriad controls or restrictions that have proven helpful, all cases must include certain essential elements. They are:
- Continuing oversight by the Review Board with periodic evaluation and reports to the Bishop;
- A written protocol signed by the cleric that sets forth the particular requirements applicable to him;
- Restrictions from being alone with anyone under the age of 18;
- Periodic physical evaluation and psychological reports as recommended by the Review Board;
- Regular individual spiritual direction;
- Communication with leaders and others as appropriate in the cleric's residence in order that they are meaningfully apprised and able to assist in the program;
- A provision requiring clerics who use the Internet to provide the Administrative Investigator with a monthly printout of Internet sites visited.

7. CANONICAL CONSIDERATIONS

Section 7 recognizes that a cleric who has admitted or been found to have engaged in sexual abuse of a minor may never return to ministry. We repeat the words of our Holy Father in his address to the Cardinals of the United States and Conference Officers: "There is no place in the priesthood or religious life for those who would harm the young."

7.1 Removal from Ministry, Penalties and Restrictions

When even a single act of sexual abuse by a priest or deacon is admitted or is established after an appropriate process in accord with canon law, the offending priest or deacon will be removed permanently from ecclesiastical ministry, not excluding dismissal from the clerical state, if the case so warrants (CCEO, c. 1453 § 1). While affording every opportunity to the offender for conversion of heart and forgiveness through



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sacramental reconciliation, and recognizing the abundant mercy of God's infinite graces, the Church also acknowledges the need to do penance for one's sins, that there are consequences for wrongful actions, and that the safety of children requires certain measures to be taken even after there is forgiveness.

A. In every case involving canonical penalties, the processes provided for in canon law must be observed, and the various provisions of canon law must be considered (Cf. *Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995; *Graviora Delicta*, Letter from the Congregation for the Doctrine of the Faith, May 18, 2001). Unless the Congregation for the Doctrine of the Faith, having been notified, calls the case to itself because of special circumstances, it will direct the Bishop to proceed (Article 13, "Procedural Norms" for *Motu proprio Sacramentorum sanctitatis tutela*, AAS, 93, 2001, p. 787). If the case would otherwise be barred by prescription, because sexual abuse of a minor is a grave offense, the Bishop shall apply to the Congregation for the Doctrine of the Faith for a dispensation from the prescription, while indicating appropriate pastoral reasons. For the sake of due process, the accused is to be encouraged to retain the assistance of civil and canonical counsel. When necessary, the Eparchy will supply canonical counsel to a priest. The provisions of CCEO, c. 1473 shall be implemented during the pendency of the penal process.

B. 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. He will not be permitted to celebrate Liturgy publicly or to administer the sacraments. He is to be instructed not to wear clerical garb, or to present himself publicly as a priest. (Cf. *USCCB Charter*, art, 5, and *USCCB Essential Norms*, §8).

7.2 Executive Power of Governance

At all times, the Bishop has the executive power of governance, 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. Because sexual abuse of a minor by a cleric is a crime in the universal law of the Church (CCEO, c. 1453 §1) and is a crime in all jurisdictions in the United States, for the sake of the common good and observing in the provisions of canon law, the Bishop shall exercise this power of governance to ensure that any priest who has committed even one act of sexual abuse of a minor as described above shall not continue in active ministry (*USCCB Essential Norms*, §9).

Procedures

The Bishop may exercise his executive power of governance to take one or more of the following administrative actions (CCEO, cc. 178; 979).

- a. He may request that the accused freely resign from any currently held ecclesiastical office (CCEO, cc. 967-969).
- b. Should the accused decline to resign and should the Bishop judge the accused to be truly not suitable (CCEO, c. 940) at this time for holding an office previously freely conferred, then he may remove that person from office observing the required canonical procedures (CCEO, cc. 974 § 1; 975 § 1; 1389-1396).
- c. For a cleric who holds no office in the Eparchy, any previously delegated faculties may be administratively removed (CCEO, cc. 191 & 992) while any *de iure* faculties may be removed or restricted by the competent authority as provide in the law (CCEO, c. 610 § 2 & § 3);
- d. The Bishop may also determine that circumstances surrounding a particular case constitute the just and reasonable cause for a priest to celebrate the Eucharist with no member of the faithful present. The Bishop may forbid the priest to celebrate the Eucharist publicly and to administer the sacraments, for the good of the Church and for his own good.
- e. Depending on the gravity of the case, the Bishop may also dispense (CCEO, cc. 1536; 1537; 1538) the cleric from the obligation of wearing clerical attire (CCEO, c. 387) and may urge that he not do so, for the good of the Church and for his own good.



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- f. These administrative actions shall be taken in writing and by means of decrees (CCEO, c. 1513 § 2 § 3; 1517 § 1; 1519 § 2; 1511; 1520; 1518; 1513 § 5), so that the cleric affected is afforded the opportunity of recourse against them in accord with canon law (CCEO, cc. 999 ff; 1487 § 1).

(The above procedures are outlined in *USCCB Essential Norms*, §9, footnote 6.)

7.3 Dispensations and Dismissals from the Clerical State

The priest or deacon may at any time request a dispensation from the obligations of the clerical state. In exceptional cases, the Bishop may request of the Holy See the dismissal of the priest or deacon from the clerical state *ex officio*, even without the consent of the priest or deacon (*USCCB Essential Norms*, §10).

Procedures

- a. A cleric described in Section 5.1 and who has not been dismissed from the clerical state may either live in a supervised setting designated by the Eparchy in accord with Section 4.12 or resign from active ministry as a cleric and petition for laicization. The Eparchy ordinarily will offer such resigned clerics an opportunity for continuing therapy as part of an appropriate severance program. If the cleric does not express a desire to live in such a supervised setting or petition for laicization, the Eparchy may pursue appropriate courses of action permitted under the Code of Canon Law.
- b. A cleric who is assigned to live in a supervised setting as described above must sign a written agreement with Eparchy. The agreement must include such provisions as to his restrictions, residence, therapy, supervision and other matters as may be recommended by his therapists or the Board, or required by the Bishop. The cleric's compliance with the terms of the agreement and overall performance will be monitored from time to time by the Administrative Investigator. The Administrative Investigator will present written reports of the monitoring to the Review Board at least annually. Either the Review Board, the Bishop or cleric may initiate a Supplementary Review of the situation in accordance with the procedures in Section 4.

7.4 Protection of Rights and Unfounded Allegations

Care will always be taken to protect the rights of all parties involved, particularly those of the person claiming to have been sexually abused and the person against whom the charge has been made. When the accusation has proved to be unfounded, every step possible will be taken to restore the good name of the person falsely accused (Cf. *USCCB Essential Norms*, §13).

7.5 Cleric's failure to comply

A cleric's failure to comply with the agreement he has signed or any of the relevant conditions or restrictions imposed shall be the basis for the initiation of a Supplementary Review which may result in such other appropriate recommendations by the Review Board for the action of the Bishop.

8. PRIEST PERSONNEL RECORDS

Section 6 requires the Eparchy to maintain a unified priest personnel record keeping system to enable those responsible for ministerial assignments to consider the full record of a priest. Under the unified system, the record of a priest will commence upon his entry into seminary training and continue to be maintained throughout his career.

8.1 Priest Personnel Record Keeping

The Eparchy shall maintain a unified priest personnel record keeping system to enable the Bishop and other responsible persons to consider the full record of a priest in the making of ministerial assignments. The



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record of each priest shall commence upon entering seminary training and continue to be maintained throughout the career of the priest.

Procedure

Eparchy policies and procedures shall provide the administration of the unified priest personnel record keeping system consistent with law and sound personnel records management. For the purposes enunciated in these policies and procedures, the record shall include records of formational assessment, psychological evaluation, the record and disposition of any proceedings of the Review Board and any other information suggesting a propensity for sexual abuse of minors.

8.2 Transfer of Information

Upon completion of ministry training, a summary of material information shall be sent to the Bishop for review with the Chancellor and the Vicar for Priests and Deacons. The entire file shall be given to the Vicar for Priests and/or the Chancellor upon request. This will be incorporated into the priest personnel record keeping system.

8.3 Confidentiality of Records

All records maintained pursuant to this Section shall be confidential. Information contained in a priest's personnel record may be disclosed by the Chancellor to the Bishop and in the following instances:

Upon request for consideration by the Placement Board in making assignments;

Upon request of the Administrative Investigator as contemplated in Sections 4 and 5 of these policies and procedures;

Upon request of a priest subject to conditions and limitations set forth in applicable policies and procedures; and;

All such disclosures shall be made in a manner consistent with applicable law and sound personnel records management.

Procedure

The Chancellor and an appropriate file system established shall provide secure provision for the records.



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Standards of Conduct for Clergy and Church Personnel

I. INTRODUCTION

This is what LORD asks of you: only this, to act justly, to love tenderly, and to walk humbly with your God. (Micah 6:8)

Standards of conduct are guidelines and norms derived from more basic principles and values setting forth more specific conduct expected of an individual in more specific situations. Standards of conduct are not solely guidelines, which allow for more discretion on the part of an individual, but may also include norms which are mandatory statements of what one must do in a certain situation.

Guidelines are statements to guide an individual in his or her actions and are not as binding as norms are, given that particular situations may allow for reasonable exceptions and may call for the individual to exercise reasonable discretion. Guidelines indicate objectives toward which an individual should strive or conduct that individuals should ordinarily follow, recognizing that there may be exceptional circumstances. In this document, guidelines are indicated by use of the word “**should**” or “**should not.**”

Norms indicate a mandatory statement that must be followed by individuals. Norms indicate a level of conduct below which no individual can fall. In this document, policies are indicated by the words or phrases “**shall,**” “**shall not,**” “**must,**” and “**must not.**”

Before each section of standards of conduct, there is text in *italics* which are not standards of conduct, but are statements of the scope of application, guiding principles or definitions. Responsibility for adherence to the *Standards of Conduct for Clergy and Church Personnel* rests primarily with the individual. Clergy, staff, and volunteers who disregard the following *Standards of Conduct* may be subject to disciplinary action by the entity within the Eparchy that employs, supervises, or authorizes their ministry or employment, whether it be the bishop, a pastor, or another appropriate person within the Church structure. Corrective action may take various forms – from a verbal reprimand to removal from employment or the ministry – depending on the specific nature and circumstances of the offense and the extent of the harm.

This document, unless otherwise stated, applies to clergy, volunteers and all other church personnel in positions of trust who have regular contact with minors.

The *Standards of Conduct for Clergy and Church Personnel* for the Eparchy of Canton also meets the standard required by article 6 of the USCCB *Charter for the Protection of Children and Young People* that all clergy and any other church personnel in positions of trust who have regular contact with children affirm a code of ethics and conduct.

Scope

Parts of this document apply to clergy, all other church personnel (priest, seminarian, religious, certified pastoral minister, parish life coordinator, member of a pastoral team, Eparchial or parish employee or any person appointed by the Bishop) and volunteers in positions of trust who have regular contact with children. Other parts of this document may apply only to a certain part of this group. As an introduction to each section of this document, a statement will indicate the scope of the section, i.e., to whom it applies.



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Codes of Ethics

These *Standards of Conduct* are intended to comply with article 6 of the USCCB *Charter for the Protection of Children and Young People*. These *Standards* tend to be a set of minimum expectations.

Definitions

- **Clergy (Clerics)** are ordained priests and ordained deacons (including both transitional and permanent deacons) who are incardinated in the Eparchy of Canton, as well as priests and deacons incardinated in other Eparchys or religious orders who are engaged in ministry under the control or auspices of the Eparchy.
- **Church Personnel** are priests, permanent deacons, transitional deacons, brothers, seminarians, religious, certified pastoral ministers, parish life coordinators, member of a pastoral teams, Eparchy or parish employees, employees of a corporation within the juridic person of the Eparchy, or any persons appointed by the Bishop to an office.
- A **Volunteer** is a person who gives his services to the Eparchy, a parish or other entity affiliated with the Eparchy without any express or implied promise of remuneration. Volunteers who work with children are subject to the obligations of the *Eparchy of Canton Policy for the Protection of Children and Young People*, which are not to be construed as inconsistent with any policies herein.
- (Note: Under this policy a volunteer is anyone who works with children more than four (4) hours a month or who works with children more frequently than once a month. Examples include but are not limited to, a catechist, coach, youth leader, student teacher and others in similar capacity.)
- **Seminarian** includes any student sponsored by the Eparchy of Canton and participating in any of the various programs of priestly formation.
- **Minor** means any person who is under the age of eighteen (18) years of age or is a physically or handicapped person under twenty-one (21) years of age.
- **Boundaries** mark off the physical, spiritual, and psychological space which is the private preserve of a person upon which there should be no intrusion.
- **Confidentiality** is a legally enforced expectation that a statement is private since it was made under circumstances showing that the speaker intended the statement only for the individual addressed. One of the circumstances leading to a determination of confidentiality may be the relationship between the speaker and the listener; another is the absence of other persons.
- **Counseling**, as used in this document, does not refer simply to any giving of advice, but to advice given by a person with at least appropriate credentials.



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II. Standards of Conduct

A. Standards of Conduct Relating to Pastoral Counseling and Spiritual Direction

Scope: Pastoral Counselors and Spiritual Directors: church personnel and volunteers who provide pastoral, spiritual, and/or therapeutic counseling services to children and young people.

Guiding Principle: Pastoral Counselors and Spiritual Directors and others who fall within the scope of these standards of conduct should respect the rights and advance the welfare of each person.

Those who provide Pastoral Counseling and Spiritual Direction:

1. should not step beyond their competence in counseling situations and should refer clients to other professionals when appropriate;
2. should carefully consider the possible consequences before entering into a counseling relationship with someone with whom they have a pre-existing relationship (i.e., employee, professional colleague, friend, or other pre-existing relationship);
3. should not audio-tape or video-tape sessions;
4. must never engage in sexual intimacies with the persons they counsel; this includes consensual and nonconsensual contact, forced physical contact, and inappropriate sexual comments;
5. must not engage in sexual intimacies with individuals who are close to the client—such as relatives or friends of the client—when there is a risk of exploitation or potential harm to the client; they should presume that the potential for exploitation or harm exists in such intimate relationships;
6. should assume the full burden of responsibility for establishing and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships;
7. should avoid physical contact of any kind (i.e., touching, hugging, holding), because they can be misconstrued;
8. should conduct sessions in appropriate settings at appropriate times;
 - a. should not conduct sessions in private living quarters; those who are clerics must not conduct sessions in private living quarters or areas;
 - b. should not hold sessions at places or times that would tend to cause confusion about the nature of the relationship for the person being counseled;
9. should maintain a log of the times and places of sessions with each person being counseled.



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B. Confidentiality

Scope: *The following standards apply to Pastoral Counselors and Spiritual Directors: church personnel and volunteers who provide pastoral, spiritual, and/or therapeutic counseling services to children and young people.*

All church personnel are expected to maintain confidentiality within the scope of their duties and as delineated in any job descriptions and employee practices.

The following 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 celebration of the Sacrament of Reconciliation.

Guiding Principle: *Information disclosed in ministerial settings during the course of counseling, advising, or spiritual direction shall be held in the strictest confidence possible.*

1. Information obtained in the course of sessions should be confidential, except for compelling professional reasons or as required by law.
 - a. If there is clear and imminent danger to the person being counseled or to others, the pastoral counselor or spiritual director should disclose only the information necessary to protect the parties affected and to prevent harm.
 - b. Before disclosure is made, if feasible, the pastoral counselor should inform the person being counseled about the disclosure and the potential consequences.
2. The pastoral counselor or spiritual director should discuss the nature of confidentiality and its limitations with each person in counseling.
3. The pastoral counselor or spiritual director should keep minimal records of the content of sessions.
4. While counseling a minor, the pastoral counselor or spiritual director may discover a serious threat to the welfare of the minor. If communication of confidential information to a parent or legal guardian is essential to the child's health and well-being, the pastoral counselor or spiritual director should:
 - a. attempt to secure written consent from the minor for the specific disclosure.
 - b. If consent is not given, the pastoral counselor or spiritual director should disclose only the information necessary to protect the health and well-being of the minor. Consultation with the appropriate church supervisory personnel is required before disclosure.
5. The obligation of a pastoral counselor or spiritual director, outside of sacramental confession, to report the misconduct of a person to whom he or she is ministering may be subject to the duty of confidentiality. However, any agreement or duty to maintain confidentiality should yield to the need to report misconduct that threatens the safety, health, or well-being of any persons and must yield in the case of sexual abuse of a minor.



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C. Conduct With Youth

Scope: *These standards apply to church personnel and volunteers in positions of trust who have regular contact with minors.*

Guiding Principle: *Church personnel and volunteers working with youth shall maintain an open and trustworthy relationship with the youth with whom they are working.*

1. Church personnel, and volunteers must be aware of their own and others' vulnerability when working alone with youth. They should use a team approach to managing youth activities.
2. Clergy, church personnel and volunteers should not counsel or meet with a minor alone in a separate room unless there is a window on the door or the door is open, except in the case of sacramental confession within a church building.
3. Church personnel and volunteers should be committed to a lifestyle that serves as an example of chastity in all relationships at all times.
4. Physical contact with youth can be misconstrued and should occur:
 - a. only when completely nonsexual and otherwise appropriate, and in the presence of adults
 - b. never in private.
5. Church personnel and volunteers:
 - a. must refrain from the illegal possession and/or illegal use of drugs and/or alcohol at all times,
 - b. and should refrain from the use of alcohol when working with youth.
6. Staff and volunteers should not provide shared, private, overnight accommodations for individual young people including, but not limited to, accommodations in any church-owned facility, private residence, hotel room, or any other place where there is no other adult supervision present.
 - a. In rare, emergency situations, when accommodation is necessary for the health and wellbeing of the youth, church personnel and volunteers should take extraordinary care to protect all parties from the appearance of impropriety and from all risk of harm.
 - b. A team approach should be used to manage emergency situations.
7. All youth trips, especially overnight ones, should have a sufficient number of adult (over the age of 21) chaperones present. When staying overnight with minors, no clergy, church personnel or volunteers should sleep in the same bed, sleeping bag, small tent, or room with minors.
8. Clergy, church personnel and volunteers should never accompany minors to movies, sporting events or other forms of entertainment without at least one other adult chaperone over the age of 21 being present.
9. Clergy, church personnel and volunteers should never be present in locker rooms or other dressing rooms used by minors without another adult over the age of 21 being present.
10. Clergy, church personnel and volunteers should not give expensive gifts or gifts of a personal nature to minors nor accept expensive gifts or gifts of a personal nature from minors without prior express permission of the minor's parents or legal guardians.



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D. Electronic Communications

Scope: All individuals (clergy, volunteers or employees) working with children of the Romanian Catholic Eparchy will ensure that the virtual environment is safe for children during the use of electronic communications.

Guiding Principle: *Church personnel and volunteers working with children and youth shall maintain a safe virtual environment.*

The Romanian Catholic Eparchy is committed to the principles of keeping children safe while using electronic communications. We commit to:

- a. Being safe and transparent with all electronic communications with children. This includes
 - a. Only communicating with children and individuals over the age of eighteen who habitually lack the use of reason electronically with the permission of the parents/guardian and including the parent/guardian in the communication
 - b. Interacting with children only in “public” areas of the internet.
- b. Using healthy, holy and positive comments when interacting with children. Individuals should never use obscene, harassing, derogatory, defamatory or otherwise potentially scandalous comments, links, and/or images. Pornography is strictly prohibited.
- c. Maintaining all confidential information. Individuals should never divulge, without verifiable consent of the parent/guardian any information that might jeopardize the safety or well-being of any person or group of individuals. This includes posting of personal information such as full names, email/home address, telephone number of any information that would allow someone to contact or identify that child.
- d. Maintaining and respecting intellectual property including musical, literary and artistic works. It is the responsibility of the individual to abide by all copyright laws.

Individual Responsibility - All individuals working with children should bring forward to a supervisor any risk or potential risk identified for child safety. An actual identified electronic breach should be reported immediately to a supervisor or the Victim Assistance Coordinator at 330-493-9355. It is incumbent upon the employees and volunteers of the Eparchy who consider using any web presence to learn of the limitations and security risks inherent and to exercise due diligence before entering into any type of site. Text, images and/or video may be misconstrued when taken out of context. Such material that was meant to be confidential becomes public by any means, the individual is still subject to censor and appropriate corrective action.

Some Areas of Electronic Communications, but not limited to:

1. Internet browsing
2. Social-networking
 - a. Facebook, Twitter, etc.
 - b. Ministry websites – created for the purposes of ministry
 - c. Personal websites – created to share personal information with friends and family. Granting access to these sites by unrelated children is prohibited.
 - d. Blogs – created for purposes of ministry and should be maintained on a regular basis
3. Email
4. Instant Messaging
5. Phones/Wireless Devices and Texting



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6. File sharing
7. Gaming

Emergency Situations with Electronic Communications

Although this should happen only rarely, an emergency situation may not allow contacting the family prior to the initial contact with the minor. All emergency situations should be reported to the Victim Assistant Coordinator (330-493-9355) and the parent/guardian as soon as possible.

E. Sexual Conduct

Scope: *These standards of conduct apply to all church personnel and volunteers.*

Guiding Principle: *Church personnel and volunteers must not, for sexual gain or intimacy, exploit the trust placed in them by the faith community.*

1. Since all are called by Baptism to the virtue of chastity, church personnel and volunteers who are committed to a chaste lifestyle should be an example of chastity in all relationships at all times.
2. Church personnel and volunteers who provide pastoral counseling or spiritual direction services must avoid developing inappropriate intimate relationships with minors, other staff and parishioners and should behave in a professional manner at all times.
3. No church personnel or volunteer shall exploit another person for sexual purposes.
4. Allegations of sexual misconduct must be taken seriously and reported to the appropriate person in the parish, community/institute, Eparchy, or organization and also to civil authorities if the situation involves a minor, following the *Eparchy of Canton Policy for the Protection of Children and Young People*. The procedures of this policy shall be followed to protect the rights of all involved.
5. Church personnel and volunteers should review and know the contents of the child abuse regulations and reporting requirements for their state and should follow those mandates.

F. Organizational Records and Information

Scope: *These standards of conduct apply only to pastors, administrators, parish life coordinators, and any other persons who may be in charge of a parish, parochial vicars, parish staff and any others who may have charge of or access to sacramental records.*

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

1. Sacramental records shall be regarded as confidential. When compiling and publishing parish, religious community/institute, or organization statistical information from these records, great care must be taken to preserve the anonymity of individuals.
2. Sacramental records are not open to the public.
 - a. Information regarding adoption and legitimacy remains confidential, regardless of age of the document.



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- b. Only staff members who are authorized to access the records and supervise their use should handle requests for more recent records.
3. Parish or organization financial records while open to all parishioners are otherwise confidential unless review is required by the Eparchy or an appropriate government agency. Individuals in charge of parish or church related corporate financial records should contact the Economos of the Eparchy with regard to parish records or the appropriate supervising authority for other records upon receipt of any request for release of financial records.
4. Individual contribution records of the parish, religious community/institute, or organization should be regarded as private and should be maintained in strict confidence.

G. Reporting Ethical or Professional Misconduct

Scope: *These standards apply to church personnel and volunteers.*

Guiding Principle: *Church personnel and volunteers should report their own ethical or professional misconduct and the misconduct of others and must report sexual abuse of minors in accord with the Eparchy of Canton Policy for the Protection of Children and Young People.*

1. When an uncertainty exists about whether a situation or course of conduct violates this document or other religious, moral, or ethical principles, church personnel and volunteers should consult with:
 - a. peers,
 - b. others knowledgeable about ethical issues, or
 - c. the Chancery office or Administrative Investigator
2. When it appears that someone within the scope of one of these standards of conduct has violated one or more of these standards of conduct, then church personnel:
 - a. should report the issue to the individual's supervisor or next higher authority.
 - b. If it is a matter of sexual abuse of a minor, reporting shall be done according to the *Eparchy of Canton Policy for the Protection of Children and Young People*.
3. Church personnel and volunteers should hold each other accountable for maintaining the highest ethical and professional standards.

H. Priests

Scope: *This applies to all ordained priests who are incardinated in the Eparchy of Canton, as well as priests incardinated in other Eparchies or religious orders who are engaged in ministry under the control or auspices of the Eparchy.*

Guiding Principle: *Priests should exercise professional caution in all interactions with minors.*

1. Whenever possible, a priest should avoid being alone with a minor, excluding sacramental confession (normally taking place within a church), counseling and spiritual direction (normally occurring in the professional offices of the church or rectory with an open door or a closed door with a window).
2. Minors are permitted only in the public areas of a rectory and never in the private living quarters of a priest. Staff and volunteers should not encourage individual minors to stay overnight in a priest's private accommodations or residence. Nor are minors permitted in any private residence, cabin, condominium, summer home or



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- other dwelling whether leased or owned by a priest unless the minor is accompanied by his or her parents or guardians.
3. Pastors should not have minors working in rectories or parish offices if the situation exists where a minor is alone with an adult.
 4. Priests should never be alone with a minor in a closed room, except for the cases delineated in number 1 above, or sleep in the same room with a minor.
 5. Priests should never accompany minors to movies, sporting events, or other forms of entertainment without at least another adult over the age of 21 present.
 6. Priests should never be present in locker rooms or other dressing rooms used by minors without another adult over the age of 21 present. Likewise, clergy should never change clothes or shower in facilities that are being used by minors.
 7. Priests should never obtain or possess sexually explicit or pornographic materials, nor participate in the distribution or receipt of pornographic materials through any medium or share these materials in any way with minors.
 8. All youth trips, especially overnight trips, must have a sufficient number of adult chaperones. Priests should never be the sole chaperone on any youth trip.
 9. Priests who find themselves attracted to minors or who frequently seek their companionship rather than that of adults should seek advice and assistance from the Secretary and Vicar for Clergy and Religious, who may suggest a professional evaluation with a trained psychological expert.
 10. Conversations or discussions of a topic of a sexual nature with minors should be limited to the priest's teaching office or made in response to specific questions.
 11. Priests should avoid using inappropriate expressions of physical affection with minors, including but not limited to: inappropriate or lengthy embraces; kisses on the mouth; holding minors over two years of age on the lap; touching bottoms, chests or genital areas; sleeping in bed with a minor; wrestling with minors; piggyback rides; any type of massage given to or received from a minor; any form of unwanted affection; compliments that relate to physique or body development; any form of physical affection/contact given to minor in private.
 12. Priests should avoid taking unfair advantage of counseling relationships with a minor for personal benefit or gratification.
 13. Priests should share concerns about suspicious or inappropriate behavior of a cleric or other church personnel with a minor with the Secretary and Vicar for Clergy and Religious, in addition to following the reporting duties delineated under state law and the *Eparchy of Canton Policy for the Protection of Children and Young People*.
 14. With regard to minors within a priest's extended family or in cases where priests may have children, priests should follow these standards of conduct with due discretion, diligence and prudence, adapting those standards which should be adapted because of family relationships.



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15. Priests

- a. must refrain from illegal possession and/or use of drugs and/or alcohol at all times and they should not engage in inappropriate use of alcohol and drugs; and
- b. should refrain from use of alcohol when working with youth. Priests should not give alcohol to minors or share alcohol with minors, except for distribution of Holy Communion under both species.

I. Deacons

Scope: *This applies to all ordained deacons who are ascribed to the Eparchy of Canton, as well as deacons ascribed in other Eparchies or religious orders who are engaged in ministry under the control or auspices of the Eparchy of Canton.*

Guiding Principle: *Deacons should exercise professional caution in all interactions with minors.*

Deacons should follow the same standards of conduct as priests with regard to relationships arising out of ministry.

With regard to their own family and their own private dwellings, permanent deacons should follow these standards of conduct with due discretion, diligence and prudence, adapting those standards which should be adapted because of family relationships (note that standards 2, 4 and 5 will be the ones most likely where these adaptations must be made).

Attachment: Standards of Conduct for Clergy and Church Personnel Acknowledgment Form

Previously Updated: 2005



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Acknowledgement of Receipt, Review and Understanding of Policy Form

I understand that I am responsible to become familiar with the contents of the above documents. I agree to abide by and to conduct myself in complete accord with them.

Parish/Institution

Name: _____

Position: _____

- I have received, read and understand the *Standards of Conduct for Clergy and Church Personnel*, and I agree to abide by them.
- I have received, read and understand the *Protection of Children and Youth Policy*.
- I understand that a violation of these standards can result in disciplinary action, up to and including termination and/or removal from ministry.

Print Name: _____

Date: _____

Signature: _____

The signed *Acknowledgement of Receipt, Review and Understanding of Policy Form* shall be kept in the files at the Chancery’s Office.

This form is to be completed, signed, and returned to

Child Protection Office
Romanian Catholic Eparchy of Canton
1123 44th Street NE
Canton, OH 44714
330-493-9355

Reference: Promise to Protect. Pledge to Heal: Charter for the Protection of Children and Young People Essential Norms, State of Episcopal Commitment, June 2018

Last Updated: 11-1-2019