

RISK MANAGEMENT DEPARTMENT

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# Safe Environment Program Policies and Procedures

2021

Sacred Heart Apostolic School, Inc.

Rolling Prairie, IN

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## PREFACE

Sacred Heart Apostolic School, Inc. "SHAS" must ensure that minors who worship, study, or participate in activities sponsored therein can do so in the safest and most secure setting possible. Parents must have confidence in the school before they will allow their children to be part of it.

**ARTICLE 12.** *Dioceses are to maintain "safe environment" programs which the diocesan bishop deems to be in accord with Catholic moral principles. They are to be conducted cooperatively with parents, civil authorities, educators, and community schools to provide education and training for minors, youth, parents, ministers, educators, volunteers, and others about ways to make and maintain a safe environment for minors and young people. Dioceses are to 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 minors. Charter for the Protection of Minors and Young People. USCCB.*

## A.PURPOSE, DEFINITIONS AND REQUIREMENTS

The purpose of this Safe Environment Program is to communicate principles, guidelines and obligations for all who perform their work responsibilities with minors. This program states clear requirements for relationship between staff, volunteers and contracted personnel, ("personnel") and those minors with whom they work. Where preventive education and screening may fail, strong sanctions for violations of this program must necessarily follow. While this program applies to all professional and volunteering relationships, the child molestation crisis within the church calls us to be particularly attentive to minors and to those working with them and their families.

It is required to carefully consider and comply with each standard contained in this Safe Environment Program. It is likewise, the responsibility of all personnel, whose work involves access to minors, to comply fully with the Safe Environment Program,

### Definitions

#### Types of Abuse:

- Physical abuse is injury that is intentionally inflicted upon a minor
- Sexual abuse is any contact of a sexual nature that occurs between a minor and an adult or between two minors. This include any activity that is meant to arouse or gratify the sexual desires of the adult or the other minor.
- Emotional abuse is mental or emotional injury to a minor that results in an observable and material impairment in the minor's growth, development, or psychological functioning.
- Neglect is the failure to provide for a minor's basic needs or the failure to protect a minor from harm.

Bullying: Bullying is aggressive behavior that is intentional, is repeated over time, and involves an imbalance of power or strength. Bullying can take on various forms, including;

- Physical bullying is when one engages in physical force against another, such as by hitting, punching, pushing, kicking, pinching, or restraining another.
- Verbal bullying is when someone uses their words to hurt another, such as by belittling or calling another hurtful names.

- Nonverbal or relational bullying is when one person manipulates a relationship or desired relationship to harm another person. This includes social exclusion, friendship manipulation, gossip, or intimidating another by using gestures.
- Cyberbullying is the intentional and overt act of aggression toward another person by way of any technological tool, such as email, instant messages, text messages, digital pictures or images, or website postings (including blogs). Cyberbullying can involve:
  - a. Sending mean, vulgar, or threatening messages or images;
  - b. Posting sensitive, private information about another person;
  - c. Pretending to be someone else in order to make that person look bad; and
  - d. Intentionally excluding someone from an online group.
- Hazing is an activity expected of someone joining or participating in a group that humiliates, degrades, abuses, or endangers that person regardless of that person's willingness to participate.
- Sexualized bullying is when bullying involves behaviors that are sexual in nature. Examples of sexualized bullying behaviors include sexting, bullying that involves exposures of private body parts, and verbal bullying involving sexualized language or innuendos.

School Personnel:

For the purposes of these policies, the following are included in the definition of personnel:

- All paid employees, including those who contract their services to the school and substitute teachers, independent contractors , and
- All unpaid volunteers

Safe Environment requirements:

Shall constitute the Personnel Screening, selection and training Process, acknowledgement of receipt of any and all policies promulgated, including the Code of Conduct, and the completion of the Safe Environment Training appropriate to their position and location.

**Safe Environment requirements to be incorporated in all policies and practices**

The school shall incorporate the Safe Environment Requirements into their personnel policies and practices, and they shall constitute a condition of employment and voluntary service for all those whose work involves access to minors.

**Supervisors or Safe Environment Coordinators**

The school shall have a supervisor or safe environment coordinator for the Safe Environment Program, as follows:

- a) The principal (or equivalent officer) of SHAS shall be the supervisor.

Some individual tasks or responsibilities in connection with the Safe Environment Program may be delegated to a Safe Environment Coordinator, yet the supervisor bears ultimate responsibility for the implementation of the program in the school.

The Safe Environment Coordinator may serve as the administrative liaison for the Safe Environment Office of the **Legionaries of Christ**, and who will assist the supervisor in implementing the Safe Environment requirements.

## **B. PERSONNEL COVERED BY THE SAFE ENVIRONMENT PROGRAM**

The School is fully committed to implementing the Bishops' Charter for the Protection of Minors. To do so effectively, it is necessary to determine which personnel have "direct or assisted access to minors". In most cases, this determination is very easy, but in others, it will be necessary to examine the degree to which there is "access" to minors.

### **Personnel with "direct access to minors"**

It shall be considered to have "direct access to minors" if there is access to minors on a routine or on-going basis, particularly if involvement would permit to be alone with a minor. Certain job descriptions should always be deemed to have "direct access to minors" including but not limited: school administrators, teachers, teacher aides, substitute teachers, school or classroom volunteers, guidance counselors, school custodians, catechists, catechist aides, youth ministers, athletic coaches and volunteers. Any involvement in any overnight activity with a minor, even if only on one occasion, shall be deemed to be as of a "direct access to minors". This includes parents who will be involved in the overnight activity with their own children, and/or if the activity also involves any other minors whose parents will not be present.

### **Personnel with "assisted access to minors"**

It should be deemed to have "assisted access to minors" if the access to minors is only on a supervised, isolated, occasional basis, or the involvement in the activity would not permit it to be alone with a child. Such personnel may include, for example, family members of minors who assist during one-time on-campus events under constant supervision of a trained supervisor.

Personnel, whose only access to minors is in the course of the sacred liturgy, should not, in the absence of other factors, be deemed to have "direct access to minors", such as: lectors, Eucharistic ministers, ushers, music ministers and leaders of song.

### **Factors to consider in determining if personnel have "direct access to minors"**

To determine whether access to minors is "direct", the following factors should be considered. If the answer to one of these questions is "yes", then it should be considered to have "direct access to minors".

- a. Is the access to minors direct, usual, or frequent (as opposed to incidental, indirect, occasional or infrequent)?
- b. Do duties frequently bring them into a school, or the location of a religious education program or youth program?
- c. Do duties permit to have private face-to-face dealings with minors?
- d. Do duties enable to come into physical access to minors?
- e. Is there an opportunity to be with minors in private?
- f. Is there direct supervisory responsibility over minors?

g. Do minors typically come into the person's private workspace?

## Non-School personnel

On occasion the school will rely on the expertise of outside personnel through an outside agency or entity in providing services. These are not considered part of the School personnel. There is no employment relationship created by the agreement between the School and the agency or entity.

When entering into a relationship of this sort, the supervisor in consultation with the supervising management member (i.e. BM) will assess the access, if any, that the personnel will have to minors and apply the appropriate screening, selection and training requirements

## C. THE SAFE ENVIRONMENT REQUIREMENTS (Screening, Selection and Training)

### Screening and Selection

Personnel with direct access to minors must fully comply with the following standardized screening and selection processes:

- Filling out an employment/volunteer application and the safe environment questionnaire.
- Acknowledging and signing receipt of the appropriate Code of conduct, safe environment policies and procedures, which may be included, for example, in the employee handbook and/or the volunteer policies and procedures, etc.
- Submitting to a county criminal background check in all counties where the applicant has lived the last 10 years, a multi-state criminal background check with SSN trace and Alias search, and a national sex offender registry check.
- Face to face interviews that include behaviorally-based standardized questions designed to assess for potential risk to abuse.
- A minimum of three reference checks that include professional and personal references using behaviorally-based questions that assess abuse risk. A family member should be considered as a possible personal reference.

Personnel with assisted access to minors must fully comply with the following standardized screening and selection processes:

- Completion of the Safe Environment Questionnaire and initial safe environment training.
- Review and acknowledgement of the Code of Conduct.

Processes must be completed **prior** to the start of employment or volunteering obligations.

The Supervisor or safe environment coordinator shall ensure that all personnel have completed the screening and selection process and should thoroughly review the Safe Environment Questionnaire of all new personnel and check the personal references provided by applicants. The Supervisor or safe environment coordinator shall retain the completed file of all personnel in their files.

### Training Requirements

The Safe Environment training requirements has two components:

- Initial training, and
- Continuing education.

The Supervisor or safe environment coordinator shall ensure that all personnel with access to minors have completed initial and consequently a refresher appropriate Safe Environment training, including, but not limited to the following subjects:

- Appropriate boundaries in ministry.
- Supervision techniques
- Nature of the problem of sexual abuse with minors.
- Signs and symptoms of sexual abuse in minors, and how to respond
- Recognizing suspicious or inappropriate behaviors and policy violations
- Policies and procedures for prevention of sexual abuse by personnel employed and volunteers.
- Policies and procedures for prevention of sexual abuse on school property or school sponsored events.
- Reporting allegations of sexual abuse.
- Types of disclosures and how to respond appropriately.
- Policies and procedures for responding to allegations of sexual abuse
- Managing high-risk activities (showers, recreation, overnight trips, etc.)

Training must be completed within 30 days of selection or prior to placement.

Training must also include a review of all policies and procedures of the school at the start of services and on an ongoing basis.

Additionally, supervisory and hiring personnel must ensure additional screening and selection, incident investigation, and reporting requirements training.

## **D. CONDUCT WITH MINORS**

Expectations should be clearly established that a safe environment will be maintained. Personnel should have a welcoming and friendly demeanor and will be asked to respect verbal and physical boundaries, by never using derogatory, foul language or by inappropriately touching a minor, and should not disclose their own problems, difficulties or sexual issues. Minors must be treated as who they are, and not be invited to the personnel's private life as a type of confidant. This will help protect the personnel from any accusations of sexual misconduct while with a minor.

Personnel should prefer environments that are open and transparent. They are to avoid situations that are isolated, and favor locations that are visible to others and well-trafficked. Personnel must avoid being alone with minors, except for an emergency and when administrators have knowledge of the situation. Whenever personnel must meet with a minor in a 'one on one' situation, it is important to do so in a place not too isolated and visible to others.

### **General conduct**



Personnel should avoid any form of excessive familiarity, inappropriate language, or any situation and conduct that exploits or could give the appearance of exploiting a minor.

Minors may seek to routinely spend time with or express affection to an adult they admire. Encourage minors to be balanced in their association with others.

No minor may be left unsupervised, or supervised by another minor. Any activities that the students fulfill on their own will be monitored by one of the staff at least periodically. Always use an adequate number of adult chaperones pursuant to school policy.

No one without written consent and executed permission form/release from the minor’s custodial parent(s) or legal guardian may administer medication. Anyone that has not completed appropriate training (e.g. CPR and first-aid certified) may not provide medical attention (other than in emergencies where the minor’s or vulnerable adult’s life is in imminent danger).

No minor is allowed to engage in hazardous activities without the written consent and executed permission to participate form/release from the minor’s custodial parent(s) or legal guardian.

## Physical contact

Personnel should not use physical or corporal discipline in any way for behavior management of minors. No form of physical discipline is acceptable. This includes but is not limited to spanking, slapping, pinching, shaking, hitting or any other physical force as retaliation or correction for inappropriate behavior of a minor.

- Do not touch a minor against his or her will.
- Do not touch a minor on any portion of their body that would be covered by a bathing suit.
- Do not touch a minor during a religious ceremony or rite except as prescribed by the Church.
- Respect a minor's boundaries of comfort relative to physical and emotional displays of affection.

The following table has been provided as a guide to distinguish between appropriate and inappropriate physical interactions between personnel and minors.

<i>Appropriate Physical Interactions</i>	<i>Inappropriate Physical Interactions</i>
<ul style="list-style-type: none"> <li>• Side hugs</li> <li>• Shoulder-to-shoulder or “temple” hugs</li> <li>• Pats on the shoulder or back</li> <li>• Handshakes</li> <li>• “High-fives” and hand slapping</li> <li>• Verbal praise</li> <li>• Pats on the head when culturally appropriate</li> <li>• Touching hands, shoulders, and arms</li> <li>• Arms around shoulders</li> </ul>	<ul style="list-style-type: none"> <li>• Touching bottom, chest or genital areas</li> <li>• Showing affection in isolated areas of the building</li> <li>• Personnel sleeping in a bed with a minor</li> <li>• Touching knees or legs inappropriately</li> <li>• Wrestling</li> <li>• Piggyback rides</li> <li>• Tickling</li> <li>• Allowing a minor to cling to a personnel’s leg</li> <li>• Any type of massage given by or to a minor</li> <li>• Any form of affection that is unwanted by the minor or the staff</li> <li>• Compliments that relate to physique or</li> </ul>

	body development <ul style="list-style-type: none"> <li>• Texting, “sexting” and other forms of electronic correspondence</li> </ul>
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## Verbal interaction

Personnel are prohibited from speaking to minors in a way that is, or could be construed by any observer, as harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning, or humiliating. Personnel must not initiate sexually oriented conversations with minors.

The following table has been provided to distinguish between appropriate and inappropriate verbal interactions between staff and minors.

<i>Appropriate Verbal Interactions</i>	<i>Inappropriate Verbal Interactions</i>
<ul style="list-style-type: none"> <li>• Positive reinforcement</li> <li>• Appropriate jokes</li> <li>• Encouragement</li> <li>• Praise</li> </ul>	<ul style="list-style-type: none"> <li>• Name calling</li> <li>• Discussing sexual encounters or in any way involving minors in the personal problems or issues of staffs</li> <li>• Telling secrets</li> <li>• Cursing</li> <li>• Telling off-color or sexual jokes</li> <li>• Shaming</li> <li>• Belittling</li> <li>• Making derogatory remarks</li> <li>• Using harsh language that may frighten, threaten or humiliate minors</li> <li>• Making derogatory remarks about the minor or about his/her family</li> </ul>

## One on One interaction (Private tutoring, Spiritual and Human formation dialogue)

Most abuse occurs when an adult is alone with a minor. One-on-One interaction introduces higher risks for false allegations. Personnel should aim to eliminate or reduce these situations and private one-on-one interactions should be eliminated unless approved in advance by supervisors and parents.

In those situations where one-on-one interactions are approved, personnel should observe the following additional guidelines to manage the risk of abuse or false allegations of abuse:

<b><i>Additional Guidelines for One on One Interactions</i></b>
<ul style="list-style-type: none"> <li>• When meeting one on one with a minor, always do so in a public place where you are in full view of others.</li> <li>• Avoid physical affection that can be misinterpreted. Limit affection to pats on the shoulder, high-fives, and handshakes.</li> <li>• If meeting in a room or office, leave the door open or move to an area that can be easily observed by others passing by.</li> <li>• Inform other personnel (i.e., administrators, other adults) that you are alone with a minor and ask them to randomly drop in.</li> <li>• Document and immediately report any unusual incidents, including disclosures of abuse or maltreatment, behavior problems and how they were handled, injuries, or any interactions that might be misinterpreted.</li> </ul>

### **Interaction outside established facilities**

Many cases of abuse occur outside of established facilities. This contact outside of regularly scheduled activities may put personnel and minors at increased risk.

The following forms of outside contact are appropriate and inappropriate: When outside contact is unavoidable, ensure that the following steps are followed:

<b><i>Appropriate Outside Contact</i></b>	<b><i>Inappropriate Outside Contact</i></b>
<ul style="list-style-type: none"> <li>• Taking groups of minors on an outing</li> <li>• Attending sporting events</li> <li>• Attending functions at a minor's home, with parents present</li> <li>• Home visits with parents present</li> </ul>	<ul style="list-style-type: none"> <li>• taking a minor(s) on an outing without parental written permission</li> <li>• Visiting minors at home without a parent present</li> <li>• Entertaining a minor(s) in a home of personnel</li> <li>• A lone minor spending the night with personnel</li> </ul> <p style="text-align: center;">□</p>

When outside contact is unavoidable, ensure that the following steps are followed:

1. Supervisors should identify for personnel what types of outside contact are appropriate and inappropriate.
2. Ensure that personnel have the parents' permission to engage in outside contact with the minor. Consider requiring the parents to sign a release-of-liability statement.

## Electronic communications

Electronic communication between personnel and minors via non-sponsored applications/devices, including, but not limited to, the use of private social networking sites and instant messaging is strictly prohibited. Personnel who electronically communicate with minors may only communicate appropriate and necessary event-related communications via sponsored applications/devices, as long as the messaging/email is brief, appropriate and necessary, and copying a supervisor or the minor's parent when called for. For example, emailing a list of tasks related to fulfillment of a student's responsibilities at the school is permitted, or texting a student to ask his location when picking him up at the airport.

## E. SUPERVISION

### General Supervision

Monitoring and supervision are critical functions of abuse prevention and provide protection to personnel and minors. When interactions are monitored, allegations of abuse or wrongful acts are more easily and accurately investigated and resolved.

**General Supervision:** Administrative and supervisory visits – Supervisors should regularly visit all programs to ensure that all activities are well managed and that policies are observed by all in attendance.

**Ratios:** Programs will follow the ratio requirements that are directly related to the goals of the program and the design of the facility. This means providing reasonable and prudent supervision that is equal to or exceeds the supervision reasonable parents would give their own children.

The School must evaluate this ratio for each program or event based on the level of "Risk." However, no gathering will ever be unsupervised; a cleared and trained staff member will always be present. This staff member is always able to count on another staff member for backup in case of necessity.

For instance, when in a secure area of the building where no one will be accessing the area except for personnel, the risk will be lower than if in a public access area with adults coming and going constantly through.

Other things to consider might be:

Will the group be split into smaller groups which might be meeting separately for a period of time in different areas?

Are restrooms accessible only to the group or are they open to the public?

Will the group go outside for part of the time to a playground or volleyball area, for example?

Will there be a set time for beginning and ending the event or will it be a come-and-go type of event?

All of these things would affect how much personnel will be needed to cover different areas, groups or times.

For off-premises programs or events, the risk would generally be considered higher and therefore a higher ratio would be necessary. A ratio of 2 adults to 10 minors is considered "higher" than a ratio of 2 to 20. Some things to consider would be:

What type of transportation would be used to get to the event, charter bus, or multi-purpose buses?

A weekend hike in the wilderness might actually require a lower ratio than handing out bag lunches to homeless people in an inner-city setting.

What is the possibility that a minor might get sick or injured and need to be transported away from the group to a medical facility? Is the ratio enough that personnel could be used to transport the minor and still have enough to cover the rest of the group?

Personnel must be at least 21 years of age to be counted in the personnel/minor ratio. Those who are 18-21 would be considered 'personnel-in-training' and given tasks and responsibilities that are within their capabilities based on their level of maturity and experience. It is always prudent to include personnel in the discussion and decision making process.

**Mixed Age Groups:** In most incidents involving one minor abusing another minor, the children are from different age groups. Guidelines must be established for additional monitoring and supervision of activities that involve minors from different age groups. Personnel must be aware that close line-of-sight supervision is required when monitoring programs that mix age groups. Examples of particular times and locations where mixing age groups typically occurs include: Locker rooms, lunch times, recess, and before and after school.

**New Program Development:** Personnel are not permitted to develop new programs for minors without prior review by two levels of management, with the final approval given by the school's director. Requests to develop new programs should be submitted in writing.

## Facility/site monitoring

Buildings and site architecture can increase or mitigate the risk of an incident or accident, especially when shared with other groups. Because most incidents of sexual behavior occur in private, the extent to which privacy is managed, risk is managed. In order to ensure that all of the buildings and facilities are properly and consistently monitored, designation of a supervisor(s) who will complete the site-inspection checklist at various times throughout the day should be arranged.

### ***Additional Guidelines for Facility Monitoring***

- All unused rooms, storage areas, and closets must be kept locked at all times.
- All unused buildings and areas are designated, posted, and enforced as off-limits to minors.
- All minors are required to remain in facility areas that are easily viewed by personnel.
- Classrooms, meeting rooms, and any rooms where minors have access should have windows

that permit observation.

- All facilities are required to utilize open doors, open blinds, and unobstructed windows.
- Stage curtains should remain open
- All access to keys must be controlled for all facility areas.

## High Risk Activities

**Bathroom Activities:** Most abuse occurs in bathrooms. Personnel should be aware of the unique bathroom policies within the school on and outside of established facilities.

### General Procedures

- If privacy can be preserved, the bathroom doors should remain open.
- Instruct minors which bathrooms to use.
- Minors who have histories of behavioral disruptions and/or sexual acting out behaviors should never be sent to the bathroom with other minors, and should always be escorted to the bathroom by personnel.
- If possible, personnel should use staff-only bathrooms or use the bathroom when minors are not around.
- Minors in middle and high school levels should be monitored during transition periods to ensure that minors are not lingering in the bathroom. For bathroom use during events a hall pass or similar technique should be used to ensure their timely return.

**Locker Room Activities:** While minors change clothes and shower, at least one personnel should stand in the locker room doorway and within earshot of the minors. Ensure that only one minor is in each shower (Consider installing shower curtains that do not go all the way to the floor, so that personnel can easily see how many minors are in each shower stall).

**Transition Times and Free Times (including before and after events):** Transition and free times, including those before and after organized events, pose a higher risk for incidents because during these times, personnel may not be assigned a particular group of minors to supervise. To decrease the risk of incidents, implement the following supervision guidelines:

- Designate certain areas at events as off-limits during these times by setting specific and narrow geographic boundaries in the program areas.
- Depending on the age of minors, ensure that personnel are assigned specific areas to supervise during transition times and free times. This “zone monitoring” ensures that all accessible areas are monitored. Assign more personnel to high-risk areas and activities (i.e., playgrounds, isolated areas, etc.). For example, in schools with playground areas, assign personnel to certain “zones” and around the perimeter of the area. If the playground includes play structures that limit line-of-sight supervision (such as tunnels, slides, or jungle gyms), assign personnel to these areas as well. Personnel should not be standing or sitting in groups while minors play on the playground.

- Create specific bathroom procedures during transition times and free times. Then, designate which bathrooms will be available to minors. Personnel should be posted at (or responsible for spot-checking) each available bathroom to actively monitor the minors.
- Require supervisors to conduct periodic sweeps of the entire activity area. If minors are lingering outside of the planned activity area, the supervisor should encourage these minors to return to the designated areas.
- Require the presence of an upper-level supervisor during transition and free times (including before and after activities).

**Evening Events and Activities:** Night games and evening activities are often high risk because minors of mixed ages interact in a less structured environment. The following guidelines can help to decrease those risks:

- Apply the same procedures used to monitor transition and free times, as listed above.
- Ensure that personnel are assigned to supervise specific areas during both night games and the transition times before and after the events. For example, while minors are waiting in a large group before the night games, personnel should be spread out in a “zone monitoring” formation – i.e., one personnel in each corner of the area, one or more personnel posted near the exits, etc. This “zone monitoring” ensures that all accessible areas, adults, and minors are monitored.
- Conduct head counts at random intervals throughout the activity. At some point during night games, personnel should formally ascertain that all of minors are present. Create roll sheets that counselors must turn in at the end of the night.
- Require the presence of an administrator or supervisor during night games.

**Transportation Procedures:** Transporting minors may increase the risk of abuse or false allegations of abuse because personnel may be alone with a minor or may make unauthorized stops with a minor, e.g., to the personnel’s home.

When it is necessary to transport minors on field trips and/or extracurricular activities personnel must adhere to the following:

- The School’s administration must always be notified. Requiring reporting all the necessary information about the trip: day, time, number and names of minors, names of personnel accompanying the group, etc.
- Comply with the “rule of three”. In transporting minors for a trip, two adults should be present in each vehicle; if that is not possible, the minimum required is one adult and two or more minors; a youth may never ride in a vehicle alone with an adult, except for their parent or guardian, or in the event involving the health or safety of the minor. In such cases, the minor’s parents should be informed as soon as possible.
- Minors should never be transported without written permission from the parent/guardian.
- Minors should be transported directly to their destination. No unauthorized stops should be made.
- Personnel should document beginning and ending time and mileage, the names of minors and personnel who are involved in transportation, purpose of the transportation, and destination.
- Personnel should avoid unnecessary physical access to minors while in vehicles.
- Personnel should avoid engaging in sensitive conversations with minors.

When transporting minors by bus or van:

- Personnel responsible should determine the number of personnel necessary to adequately supervise the minors.
- The driver should not be assigned as a supervisor for the minors.
- Personnel should be randomly seated throughout the bus for easier supervision of minors, with at least one personnel in the front of the bus and one in the far rear. Personnel should sit in the aisle or in an outside seat so they can supervise minors on the bus.
- Minors should be seated by grade, gender, and behavior.
- On overnight trips, personnel should not share blankets with minors or sleep in the same seat with a minor.
- Take a head count or roll call before loading and after unloading vehicles.

When public transportation is used:

- Determine the number of personnel necessary to adequately supervise minors.
- Minors should remain in one area of the bus, if possible.
- Personnel that are assigned to a group should remain with that group on the bus.
- Take a head count or call roll immediately after entering and leaving the bus.

**Overnight Activities:** Overnight stays present unique risks to minors and personnel. They often involve changing clothes, groups of both genders and different ages in a more intimate atmosphere than usual, more unstructured activities, and increased supervision demands for personnel.

Goals for personnel ratio on domestic trips are 1:10 and on international trips are 1:6. Actual ratios may need to vary either upward or downward based upon individual trip factors. Target ratios will be used unless an alternate is approved by the school.

Minors must always: be under direct personal supervision by adults; be advised of all safety measures; and be able to be in access to their parent or guardian.

Minors are to be supervised at all times. They must be accompanied by personnel at all times that they are not in their rooms/dorms. On occasions, there may be times and areas in which minors may need to be unaccompanied by personnel. In such instances, personnel must ensure the following:

- Physical boundaries are clearly defined;
- Minors must comply with instructions;
- Minors should not leave the area without notifying personnel

#### **Sleeping Arrangements**

- Overnight stays at private homes are prohibited
- No minor is permitted to sleep in a bedroom with an adult, except in the case of a youth sleeping in the room of their own parent or guardian. Connecting rooms may only be occupied by minors of the same sex.
- A lone personnel may never enter a bedroom, shower, changing room or private bathroom being used by a minor, except in the case of an emergency to ensure safety or health, or to preserve order.



- Minors who are staying in private rooms (e.g., hotel rooms) should be periodically checked by adult chaperones. Room checks may never be conducted by a lone adult.
- Personnel are to directly check rooms until after lights out. All doors are to remain unbolted and without security locks so that personnel can enter with the room key unannounced at any time and minors can exit to the hall and security guard/personnel at any time. All keys are to be retained by personnel. Taping of doors is recommended when possible.
- Personnel may never be in a state of undress in the presence of a minor.
- Personnel are prohibited from showering with minors.
- Personnel and minors may sleep in a dormitory or a large single room (e.g., a gym), provided there is a minimum of two adults and two minors present. In these situations males and females must be separated in a separate area from youth, but in a place that allows them to monitor their activity. If it is not possible to arrange a separate but close sleeping location, that provides for adequate supervision (as stated above), then at least two adults should be in the dorm to provide for the minor's security.
- Group organizers must always evaluate the trip for safety prior to departing, and must develop a specific plan to address any safety issues.
- These rules must be presented to the minors and personnel chaperones prior to departure. All persons on the trip must be aware of the rules and agree that they will abide by them.
- Group organizers shall enforce these rules by appropriate action, including requiring a person who has violated these rules to return home immediately.
- Personnel are on duty at all times. There is no time off on an overnight trip. Personnel are required to be active supervisors of the minors and not passive observers.
- All personnel are to be on duty in the halls at night until after lights out and all rooms quiet. Night security is required and personnel may retire after night security is on duty. Night security may not be released until relieved by personnel.

## F. REPORTING SUSPICIOUS BEHAVIOR OR POLICY VIOLATIONS

The dedication to maintaining zero tolerance for abuse must be priority number one. It is imperative for personnel to participate actively in the protection of minors. In the event that personnel observe any suspicious or inappropriate behaviors on the part of other personnel or any other person, it is their personal responsibility to immediately report their observations directly to the supervisor or Safe Environment Coordinator via personally or any other way, but always necessarily by completing a Grievance Report Form.

Examples of suspicious or inappropriate behaviors could include; policy violations, neglectful supervision, seeking private time with minors, taking minors off-premises without adhering to procedures, buying gifts for minors, poor role modeling, swearing or making suggestive comments to minors.

All reports of suspicious or inappropriate behaviors with minors will be taken seriously. Procedures will be carefully followed to ensure that the rights of all those involved are protected.

**Personnel Response:** In the event that personnel witness suspicious inappropriate behaviors or policy violations from other personnel, personnel should do the following:

- Interrupt the inappropriate behavior and remind of the correct policy or procedure for interacting with minors.

- Report the behavior to the personnel’s supervisor or safe environment coordinator and/or make an anonymous report.
- If no action is taken in response to the report, keep reporting to the same supervisor or the next level of management.

**Supervisor or Safe Environment Coordinator Response:** In the event that a supervisor or safe environment coordinator receives a report of suspicious or inappropriate behaviors or policy violations from personnel the following must be completed:

- Investigate and immediately respond to the incident(s):
  - Conduct a formal internal incident review.
  - Determine the appropriate administrator to respond to the behavior
  - Review the staff’s file and determined if similar complaints exist about the staff
  - Document the behavior on the appropriate form
- Determine what action is required:
  - Increase monitoring or supervision of the staff or program
  - Speak with the staff
  - Initiate the progressive disciplinary process
  - If appropriate, notify civil authorities
  - If appropriate, notify parents and/or guardians
  - Follow up with the staff who reported the behavior to let the staff know that the report is being taken seriously

**School Response:** After the internal review of the suspicious or inappropriate behaviors or policy violations, the School completes the following:

- Review the need for additional supervision.
- Review the need for revised policies or procedures.
- Review the need for additional training.

## **G. REPORTING MINOR-TO-MINOR SEXUAL ABUSE AND SEXUALIZED BEHAVIORS**

The thought that one minor may sexually abuse another minor does not occur to many people. Unfortunately, abuse between peers has increased alarmingly in the past few years. Minor-to-minor sexual activity and sexualized behaviors often remain unreported in schools because personnel are not comfortable documenting these situations, or may not know how.

**Minor-to-Minor Interactions:** Most serious incidents of minor-to-minor abuse are preceded by more subtle incidents such as name-calling, taunting, or roughhousing. Interrupting these interactions early and establishing and communicating standards of conduct can keep the school environment safe. The school recognizes that the following interactions are high risk and should be prohibited:

- Hazing, Bullying, Derogatory name-calling, games of trust or dare, singling out one minor for different treatment, ridicule or humiliation.

In order to adequately respond to and track incidents within the school, all sexual activity between minors and sexualized behaviors of minors must be consistently documented.

**Personnel Response:** In the event that a personnel sees a minor exhibit sexualized behaviors or suspect minor-to-minor sexual activity, the personnel is instructed to do the following:

- Interrupt the behavior and separate the minors (do not investigate).
- Report the behavior to the supervisor or safe environment coordinator.
- Document your report with factual information only.

**Supervisor or Safe Environment Coordinator:** In the event that a supervisor or safe environment coordinator receives a report of minors' sexualized behavior or minor-to-minor sexual activity, the supervisor or safe environment coordinator should do the following:

- Conduct an internal review of the incident.
- Notify the parents of all minors involved.
- Notify the authorities if required by state reporting mandates.
- Document the incident and the school's response.
- Develop a written corrective action or follow-up plan in response to the incident.

**School Response:** After the internal review of the sexualized behavior or minor-to-minor sexual activity, the school will determine what can be done to prevent a reoccurrence, such as:

- Review the need for additional supervision.
- Review the need for revised policies or procedures.
- Review the need for additional training.
- Alert others in the school.

## H. REPORTING SUSPECTED ABUSE AND INVESTIGATION

Allegations of sexual abuse may come from a variety of sources, including alleged victims, family members, personnel, other persons, or from the perpetrators themselves. Because each case is distinct, these procedures to handle abuse allegations will need to be applied and adapted according to the facts and circumstances of each individual case. These procedures may, from time to time, need to be reviewed and if needed, changed to accommodate new procedures and/or changes.

An individual is presumed innocent until proven guilty. The presumption of innocence does not preclude from taking immediate, prudent action to protect the alleged victim and the community in response to complaints and before an investigation is complete.

**Obligation to Report Suspected Abuse of a minor and reporting Procedures:** Personnel must be familiar with any and all reporting requirements currently in place at the state and local level where events or activities take place.

As required by mandated reporting laws, personnel must report any suspected abuse or neglect of a minor—whether on or off a facility event or whether perpetrated by personnel or others—to state authorities. Reports may be made confidentially or anonymously. A person who mistakenly reports suspected abuse is immune from civil or criminal liability as long as the report was made in good faith and without malice. \*Refer to your state's specific mandated reporting requirements for more information.

In addition to reporting to state authorities, personnel are required to report any suspected or known abuse of minors perpetrated by personnel directly to the supervisor or safe environment coordinator so that immediate and proper steps may be taken to ensure the safety of alleged victims and others who may be at risk. Reports of suspected or known abuse may be made confidentially or anonymously to the following: Immediate Supervisor, Safe Environment Coordinator.

All allegations of sexual abuse or misconduct must be received seriously and there should be commitment to work in cooperation with civil authorities in any criminal investigation stemming from an allegation. Communicate with the authorities as to who will perform the internal investigation. When administrators contact the authorities, the authorities may advise to perform an internal investigation, or authorities may perform their own investigation. The school will decide how the internal investigation should be completed. If authorities request that the school take no action, document the request and proceed in accordance with it. If authorities do not request that the school take no action, proceed with an internal investigation.

In the absence of concrete evidence, if information reported gives reasonable cause to suspect abuse of a minor and causes to be required to report to a governmental agency, it should be reported. It is preferable to err in favor of over reporting, rather than under reporting. The law with regard to the reporting of abuse makes it mandatory that concerns over minors' health and safety are paramount. From time to time, an accusation may ultimately turn out to be false, but it is up to the government agencies to determine the validity of accusations. The school must report as the law requires.

When an allegation of abuse is first received sufficient information should be gather to complete an initial report. The basic information shall include to the extent possible the following:

- Name of the alleged victim,
- Age of the alleged victim,
- Address and phone number of alleged victim,
- Name of the alleged perpetrator,
- Current location and contact information of the alleged perpetrators,
- Approximate dates of the alleged abuse,
- Nature and location of alleged abuse,
- Any additional relevant details.

The supervisor or safe environment coordinator shall immediately inform the Board of Directors, the Risk Management Department who will alert the legal department as well as the insurance provider.

The supervisor or safe environment coordinator of the accused personnel shall advise him/her of the allegation and pursuant to policy will ensure that he/she is immediately removed from any responsibilities and from any situations that could pose a possible threat to minors until the investigation is completed. Anonymous allegations will be taken seriously and investigated thoroughly. Personnel will be promptly informed that the allegation has been received. The supervisor or safe environment coordinator should limit himself/herself to informing the personnel of the allegation but refrain from questioning him/her about it, since the latter could be construed as an obstruction of justice.

Regarding criminal and civil penalties involved in these types of claims/allegations, the following are to be taken into account:

- Criminal and civil penalties are always personal.
- The school can be held liable if through negligence they have permitted policy violations, abuse or crimes or, when these occur, if they did not act with prudence and speed or if they do not follow the established procedures.
- The failure to observe the reporting laws of the local and state jurisdiction may result in legal penalties for the school since such failure may be construed as complicity, cover up, or obstruction of justice.
- Generally, any person who, pursuant to the law, reports abuse or neglect or testifies in minor abuse hearing resulting from such a report is immune from any criminal or civil liability as a result of such action. Any person who knowingly fails to report suspected abuse or neglect pursuant to the law may be subject to criminal prosecution.
- Severity of the criminal sanctions in addition to possible civil liability varies from jurisdiction to jurisdiction.

**Obligation to Report Suspected Abuse of a minor to the Arch/Diocese:** After informing the civil authorities a representative with the consent of the Board of Directors will inform the Arch/Diocese that an allegation has been made and that it has been reported to the appropriate authorities, and that policies and procedures are being followed.

Most, if not all, Arch/Dioceses also provide guidelines assisting individual and schools in the reporting and handling of a suspected abuse of a minor. It is the duty of the school to ensure that personnel are familiar with any and all reporting requirements currently in place in the Arch/Diocese the school is located in.

**Internal Handling of Reports of Incidents Involving a minor (Internal Investigation):** It is understood that civil authorities must respond to and investigate reports of abuse. The school will at all times fully cooperate with the authorities.

Upon receipt of a complaint of sexual abuse the school will refer the matter to civil authorities and begin an internal investigation according to established procedures and, if the accused is clergy, in accordance with canon law and/or the order's or Arch/Diocesan internal procedures. When civil authorities are conducting a criminal investigation, the school will defer to that investigation process until it is concluded.

The internal investigation should be carried out in a thorough and objective manner, so that its conclusions will be as reliable and as definitive as possible.

The supervisor or safe environment coordinator of the school will appoint an internal investigator to take charge of all aspects of the inquiry. If required by the circumstances, the school may retain the services of a professional investigator or company to assist in the inquiry. There can be considerable advantages to having an internal investigator work in tandem with a professional investigator, among others:

- Because the internal investigator knows the norms and culture of the school, he will be in a very good position to facilitate the discovery of possible anomalies that the professional investigator-as an outsider-might miss.
- The presence of the internal investigator can help to ensure that the investigation is as respectful as possible to the alleged perpetrator's right to privacy, to the honor owed to his/her

person and good name, to the welfare of the school as a religious family, and to the school's spirit.

- An independent professional investigator will help to ensure the quality and ultimate credibility of the inquiry.

In some cases, when civil authorities have carried out an investigation and produced a report, which may be deemed sufficient to attain the goal of an objective third party inquiry, such that the internal investigation could be carried out solely by the internal investigator.

The internal investigator will try to establish all the facts concerning the alleged abuse. Either personally, or through the professional investigator, he/she will interview the alleged perpetrator, the alleged victim, and any other persons mentioned by the alleged victim in his/her accusation or anybody else he/she considers may have relevant information concerning the case.

The internal investigator will advise all parties he/she interviews that he/she is acting as the representative of the school and that any conversation with him/her are not subject to attorney/client or pastoral privilege. He will also advise the parties that, although pastoral care is available, he/she will not be the person providing that care.

In the case of verified or undisputed allegations, the school will try to identify any other potential victims and they will be interviewed by the Investigator.

In the course of the investigation, the Investigator will periodically keep the school informed regarding status.

All elements of the investigation will be documented and will be presented to the school by the investigator and professional investigator in the final report. These documents will be stored in the office of the school. They are the property of the school and will remain with that office when a new supervisor or safe environment coordinator is appointed. The report will also be stored in the personnel file who is the subject of the investigation.

The supervisor or safe environment coordinator will maintain contact with the accused personnel throughout the entire investigation process by appropriate and pastoral means. When the supervisor or safe environment coordinator has received the completed report, he will present the results of the investigation for his/her response.

After receiving the final report of the internal investigation, the supervisor or safe environment coordinator will convene the Board of Directors as soon as possible. The Board will study attentively the documentation and the results of the investigation presented to them, and will provide their written opinion on the case. The Board shall at all times maintain and preserve confidentiality of the information received on any such cases. The supervisor or safe environment coordinator of the school will also provide the results of the report to the competent personnel at the Arch/Diocese the school is located in, if required by Arch/Diocese standards and/or procedures.

**The Victim:** The school will offer pastoral, psychological, and spiritual support to victim(s) and their families. Such assistance is pastoral and shall not, in any way, be considered as an indication that the School is legally responsible for the actions of the accused staff.

The school may coordinate such assistance through the outreach to victims' office of the

Arch/Diocese the school is located in. The school or the Arch/Diocese will designate a competent lay assistance coordinator to organize and direct outreach to victims and the delivery of victim assistance and support services to persons who claim to have been sexually abused.

The school and/or the Arch/Diocese will/may:

- Be respectful of all persons bringing a complaint.
- Provide and advocate/advisor upon request.
- Help victims obtain counseling support.
- Provide information about support groups.
- Help victims and families obtain spiritual direction
- Help bring concerns to the proper Church officials.

**Outcome of Investigation;** Personnel admitting to, who do not contest allegations, is found guilty of a disqualifying offense, not just those involving a minor, or it appears that an alleged claim is sustained or where an existing settlement agreement comes to light, concerning said personnel, whether confidential or otherwise, shall be immediately terminated and barred from further activity with the school.

If, after any governmental investigation is completed, it is determined that the alleged claims are false, or if the complaint is withdrawn, or it appears that there is a lack of evidence to support the claim and pending the outcome of the internal investigation, the individual may resume their duties with the school without prejudice unless later civil or criminal action against the individual mandates a different course of action. Even if a criminal investigation has been dropped, the internal investigation may discover policy or boundary violations committed short of abuse which may impose limitations on activities, including termination of employment or suspension of services.

Upon conclusion of the internal investigation the supervisor or safe environment coordinator of the school will exercise judgment in delivering an appropriate response. If the accused personnel has admitted to the substance of the allegation, or in those cases where the allegations have been established the supervisor or safe environment coordinator's response may include but is not limited to termination or suspension of staff services.

In case where the allegation has been established, the supervisor or safe environment coordinator will contact the appropriate arch/diocesan offices to communicate the nature of the allegation and to inform the arch/diocese of the procedure followed and the response of the school to the allegation.

If an allegation is deemed to be without merit, the supervisor or safe environment coordinator will coordinate communication with all appropriate parties so that reconciliation can take place where possible and reparation of damage to reputations can be undertaken.

In all instance, the final decision of concerning the internal investigation rests with the supervisor or safe environment coordinator of the school upon review of the facts, investigative report, and board of Directors recommendations, always recognizing personnel's rights to appeal to the school.

It is the responsibility of the supervisor or safe environment coordinator of the school to communicate his/her conclusions and decisions to the person that made the complaint, to the staff

involved, and to other parties, as necessary and appropriate. All such communication should be documented.

If at any time during the course of implementing these procedures, civil or criminal proceedings are initiated against an accused personnel, these internal procedures may be suspended immediately to be resumed, if deemed necessary, only after the completion of the civil or criminal proceedings. In such a case, the supervisor or safe environment coordinator shall recommend to the Board of Directors a possible course of action with respect to the accused staff, in keeping with the intention of these procedures and in the interests of justice.

Should an allegation prove to be unsubstantiated the personnel will be returned to normal services and the supervisor or safe environment coordinator will work towards the restitution of his/her good name. This would include such actions as letting the Arch/Diocese know of the outcome, extensive oral and written communication with other personnel who had come to know about the original accusations.

**Procedures for communicating employees and parents about allegations or incidents of abuse;** In order to protect the rights, reputation, and integrity of all individuals involved and to ensure the veracity of the investigation by both the civil authorities and the school, the investigation of any allegations or incidents of abuse will be handled as confidentially as possible. Only the following will have access to the information concerning an allegation: The civil authorities investigating the allegations or incidents of abuse, the Supervisor of the school, the Board of Directors, the Safe Environment Office of the Parent School, The parents of the minor involved, and the person responsible at the Arch/Diocese responsible for the investigation of allegations or incidents of abuse.

The school will withhold public announcements concerning allegations received or incidents of abuse, investigations in progress, or administrative processes until completion of the investigation. If an allegation or incident of abuse becomes public knowledge, the school, through its office of communication, will make nonpublic comments other than to confirm that an allegation has been received, that a report has been filed with the proper civil authorities, and that the allegation is under investigation following the procedures called by the School and civil law.

The school will provide timely information relevant to the process and to actions taken by the school to individuals involved.

At the conclusion of the process, the supervisor and the office of communication will coordinate the announcement of the outcome of the investigation, including any restrictions to be placed upon the accused individual or any steps to be taken to restore the individual accused responsibilities.

## I.DISCIPLINE

**Procedures:** To achieve highest quality personnel who exhibit exemplary conduct and superior performance the administrators must inform all personnel of expectations regarding the performance of their roles, how to conform to the school's policies, and how well their performance meets expectations.

When performance or conduct by personnel does not meet the expectations of the school, it is the responsibility of supervisor or safe environment coordinator to address the problem(s) in a timely and equitable manner. The procedure would normally include four steps:

- Counseling,



- Formal Warning,
- Probation, and
- Termination.

All documents regarding the Progressive Discipline Procedure should be retained in the file of the personnel.

### **Steps in Progressive Discipline:**

Counseling – A large portion of performance and conduct deficiencies are identifiable and in many cases, can be addressed and resolved through informal counseling between the supervisor and the personnel. Effective counseling includes the following:

- Clear identification of the problem with specific examples.
- A mutually agreed upon action plan to resolve the problem.
- Documentation of the counseling and communication, which then should be kept in the file of the counseled individual.

Formal Warning – Formal warnings should be initiated when 1) counseling fails to resolve the problem, or 2) the problem is of such a serious nature that immediate and formal resolution is required.

- Formal warnings should be documented using the following format:
  - A specific description of the problem.
  - Reference to any counseling that was attempted.
  - A statement of the policy that was violated.
  - A summary of corrective actions to be taken.
  - A statement of the consequences of failure to resolve the problem(s).
  - A reasonable time frame for resolution (often 15 to 30 days)
- Formal Warnings should be presented at a meeting with the supervisor or administrator.
- Personnel should be required to sign the Formal Warning Document.
- Formal Warning Documents and all accompanying materials should be stored in the file of the individual who receives the warning.
- If formal warnings relate to school policies for the protection of minors, Formal Warning Documents should be sent to the Head of the School.

Probation – Probation is the third step in the progressive discipline procedure prior to dismissal.

- Probation should be initiated when the warning process has not succeeded, or when the misconduct is such that a second infraction would clearly warrant termination.
- The probation process consists of the same elements as the formal warning process with emphasis on the fact that failure to meet the conditions of the probation will result in termination. Significant improvement must be consistently demonstrated during the probation period (typically 30 days).
- A second Formal Warning Document should be completed when the personnel is placed on probation.
- At the successful conclusion of probation, the personnel should be notified in writing that he or she is no longer under probation.
- Termination – Termination should be administered under one of two conditions:

- Failure to improve conduct during the steps of progressive discipline.
- Serious and major offenses, including but not limited to violations of the school policies for the protection of minors.

## J. INFORMATION TO PARENTS AND MINORS

**Parent Information:** Parents should be provided with a written document explaining the school’s policies and procedures related to child abuse prevention. This document should, at a minimum, include the following:

- The school’s code of conduct.
- The school’s policies regarding appropriate and inappropriate displays of affection.
- The school’s policies regarding outside contact.

**Personal Safety Message for minors:** The school should conduct orientations with minors to provide information about how to protect themselves from abuse. The school should encourage the minors to use the following reminder if anyone makes them feel uncomfortable while they are at school:

*If someone makes me feel uncomfortable, scared, or hurt, I will yell “STOP” and GO TELL an adult who listens. I have a right to be safe. I deserve respect.*

Some minors will still be afraid to report other minors or adults who make them feel uncomfortable, so it is important that the school provides minors with an anonymous way to make reports. The school should let minors know that they can use this anonymous method to suggest or report anything, such as:

- New activities that they would like at school
- Different meal options
- Serious incidences such as bullying or sexual abuse by another minors
- Personnel who make them feel uncomfortable

The school should let minors know that only designated school leadership will read the reports. School leadership must decide how each report will be handled, including documentation, response to minors, parent involvement, etc.

### **Feedback from Parents and Minors:**

Formal Feedback. The school should survey minors and their parents at the end of the sessions. In addition to the questions on your current school surveys, consider adding additional items related to abuse risk management.

For minor surveys consider the following questions:

- What was your favorite part of the activity or event? What was your least favorite part?
- Did you like your chaperons(s) and coach(es)? Why or why not?
- Did you like the other children at the activity? Why or why not?

For parents consider the following questions:

- How satisfied are you with the school in general?

- How satisfied are you with the way your child was treated by school personnel?
- Would you recommend the school to your friends? Why or why not?

## K. DISQUALIFYING OFFENSES

It is the duty of the school to assure that personnel are familiar with disqualifying offenses that would prevent them from rendering any kind of services, and is in full compliance with child protection policies currently in place at the school and in the Arch/Diocese the school is located in. The following disqualifying offenses supersede any less stringent Arch/Diocesan policies or standards.

The school is called to protect minors from any and all possible harm. Even in the cases where forgiveness has been sought and reconciliation has occurred there are some offenses so serious that they disqualify an individual from service even after such healing has been found.

Disqualifying offenses include but may not be limited to the following:

- A felony or misdemeanor classified as an offense against the person whether an adult or a minor.
  - Offenses against the person include, but are not limited to murder, assault, battery, sexual assault, injury to a child, and abandoning or endangering a child.
  - Offenses against the family include, but are not limited to, bigamy, incest, interference with child custody, enticing a child, and harboring a runaway child.
- A felony or misdemeanor classified as an offense against public order.
- Offenses against public order include but are not limited to obscenity, sexual performance by a child, possession or promotion of child pornography.
  - A felony or misdemeanor violation of any law intended to control the possession or distribution of any substance included as a controlled substance by a governing or law enforcement agency.
- A felony or misdemeanor classified as an offense against property, to the extent that those offenses are related to threats or risk of harm or violence. Examples: Offenses against property include robbery, burglary of a habitation, and arson. Offenses such as theft by check or fraud would not automatically be considered Disqualifying Offenses unless the employee/volunteer has a role that involves or directly supports fundraising, money, finance, financial reporting, handling monies, etc.
- A felony computer crime of online solicitation of a minor.
- A Felony or misdemeanor offense against public health, safety and morals, involving illegal possession or use of weapons. Examples: Disqualifying offenses would include unlawful weapons charges, including illegal weapons, bombs and illegal carrying of weapons.
- While a serious offense, driving while intoxicated may not be a disqualifying offense for employment but must disqualify someone from driving any \_\_\_\_\_, Inc. vehicle or any other vehicle at \_\_\_\_\_, Inc. sponsored activities or events and must disqualify someone from transporting minors to and from a \_\_\_\_\_ Inc. event.
- Civil or criminal cases for damages, or settlement agreements whether confidential or otherwise, for any of the foregoing types of acts or omissions may also be disqualifying offenses for purposes of these policies.

## CONCLUSION

United with one another in the living Gospel, the school embraces these policies as a means of shared requirements, expectations, and understanding of appropriate professional and personal relationship context. It is part of the School's mission to truly protect and nurture minors. It is hoped that these policies will further that mission. Any person having questions at any time regarding these policies should please contact the school management.

As with all the school's programs, the school reserves the right at any time to amend the program and policies contained in the Safe Environment Program

## APPENDIX A

### CODE OF CONDUCT

As part of the Safe Environment Program requirements, the school adopts an Adult Code of Conduct. The school will incorporate the following Code of Conduct into all the school sponsored programs and events in which personnel and minors participate. It may be preceded or followed by additional language.

The Arch/Diocese the School is located in may also require personnel, whether under direct authority and/or control or not to adhere to its own Adult Code of Conduct. Such requirements will supersede any lesser requirements under the school's Code of Conduct.

Young people are among the most important gifts God entrusts to us. As an adult participant in a the school sponsored event or program, I promise to strictly follow these policies and the following standards as a condition of my providing services to the school

**I will:**

Conduct myself in a manner that exhibits the highest Christian ethical standards and avoids even the appearance of impropriety, and therefore I will:

- 1) Report suspected abuse of any minor to the appropriate authorities.
- 2) Cooperate fully in any investigation of abuse of minors.
- 3) Develop and maintain the level of skill required to be competent.
- 4) Be knowledgeable of and adhere to all applicable aspects of *the Safe Environment Policies and Procedures of the School*.
- 5) Complete training in minors' protection through acceptable means, and in my Arch/Diocese if required.
- 6) Treat everyone with respect, loyalty, patience, integrity, courtesy, dignity, and consideration.
- 7) Honor the equality of all people, avoiding all forms of discrimination and respecting the dignity of each person without regard to economic status, age, gender, race, ethnicity, religion, or physical or mental abilities.
- 8) Use positive reinforcement and communication rather than criticism, unhealthy competition, or comparison.
- 9) Become thoroughly familiar with the objectives and guidelines of the organization in which I am participating and strive to achieve these objectives and communicate them appropriately.
- 10) Be aware of and adhere to emergency plans and evacuation routes appropriate to the program in which I am participating.
- 11) Be responsible and/or accountable for stewardship of all resources entrusted to my care.
- 12) Uphold the authority of those responsible for the program or activity in which I am participating and assist them in every way to encourage learning and to conduct fair and impartial events.
- 13) Avoid situations where I am alone with minors, always following the two adult rule. When I need to have an individual conference with a minor, I will do so in a place that is visible to others and well-trafficked.

- 14) Avoid any form of excessive familiarity, inappropriate language, or any situation and conduct that exploits or could give the appearance of exploiting another.
- 15) Follow practices that consistently exhibit no tolerance for any form of abusive behavior.
- 16) Follow practices that demonstrate appropriate relationships between personnel and minors that are important for a child's development and a positive part of work.
- 17) Not provide false or misleading information on the Safe Environment Questionnaire.
- 18) Establish and at all times maintain appropriate relationship with minors I come into contact with. This includes not establishing texting relationships, sharing personal cell phone information, etc.

**I will not:**

- 1) Use physical affection to initiate inappropriate contact with minors.
- 2) Touch a minor in a sexual or other inappropriate manner.
- 3) Smoke or use tobacco products in the presence of minors.
- 4) Purchase tobacco products for or distribute tobacco products to minors.
- 5) Use, possess, or be under the influence of alcohol while supervising minors or while participating in a school event for minors.
- 6) Purchase alcohol for or distribute alcohol to anyone under the age of 21.
- 7) Use, purchase, possess, distribute, or be under the influence of illegal drugs at any time.
- 8) Purchase, download, possess, or distribute pornography at work.
- 9) Pose any known health risk to minors (i.e., no fevers or other contagious situations).
- 10) Humiliate, ridicule, threaten, demean, nor degrade minors or others nor tolerate such behavior in the environment for which I am responsible.
- 11) Use physical discipline in any way for behavior management of minors. No form of physical discipline is acceptable. This includes but is not limited to spanking, slapping, pinching, shaking, hitting or any other physical force as retaliation or correction for inappropriate behavior of a minor.
- 12) Use profanity in any form in the presence of minors.
- 13) Give full frontal hugs to minors
- 14) Show affection in isolated areas of the building, such as closets, adult only areas, or other private rooms.
- 15) Allow a minor to lay his/her head on the shoulder.
- 16) Put the arms around the waist of another person or walk around with arms around the shoulders of another minor.
- 17) Share the bed with a minor.
- 18) Touch the knees or legs of a minor, unless for a medical emergency reasons.
- 19) Wrestle with minors.
- 20) Tickle or give piggyback rides to minors.
- 21) Allow a minor to cling to the legs.
- 22) Give any type of massage
- 23) When using any school sponsored electronic application/device:
  - a. Use harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning or humiliating comments.
  - b. Engage in sexually oriented conversations.
  - c. Post inappropriate comments on pictures.
  - d. Sent private messages between personnel and minor.

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Signature

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Name and title

\_\_\_\_\_

Date

**APPENDIX B**  
**SAFE ENVIRONMENT QUESTIONNAIRE**

**FOR ALL PERSONNEL WORKING WITH MINORS**

**SACRED HEART APOSTOLIC SCHOOL**

All applicants, both for paid and volunteer positions, which will be in regular contact with minors, must complete this questionnaire.

1. Name: \_\_\_\_\_  
(Please print)      Last                                      First                                      Middle                                      Maiden

2. Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_

3. Position Sought: \_\_\_\_\_

4. Current or Last Employer and/or volunteering school: \_\_\_\_\_

Address: \_\_\_\_\_

Supervisor's Name: \_\_\_\_\_ Phone No.: \_\_\_\_\_

5. List all paid and volunteer positions involving work with or around minors you have held, either with Church or non-Church schools (e.g., Boy Scout leader, religious education instructor, youth minister, coach, etc.). Include dates of service and the names of sponsoring schools.

\_\_\_\_\_

\_\_\_\_\_

6. Give the names and contact information of two professional references and one personal reference and their relationship to you (please note: these persons may be contacted by the School you are seeking to work for).

\_\_\_\_\_

\_\_\_\_\_

**If the answer to any of the following questions is "yes", please explain on a separate sheet:**

7. Has a civil or criminal complaint ever been filed against you alleging child neglect or abuse of any kind? \_\_\_\_\_
8. Have you ever been terminated or disciplined in your employment for reasons relating to allegations of physical abuse or sexual misconduct by you? \_\_\_\_\_
9. Have you ever been accused of or investigated for an act of sexual abuse or harassment of any kind?  
\_\_\_\_\_

I hereby represent that I am not currently being investigated for, nor have I ever been convicted of a disqualifying offense as defined in The School's Safe Environment Program; I have never been terminated from a position for reasons related to allegations of physical or sexual abuse by me; Nor have I sought or received any medical, physical, or psychological treatment for reasons involving physical or sexual abuse by me.

I understand that should my response to any of the statements above change, I am obligated to inform the School immediately. Moreover, I understand that should I admit to, plead no contest to, or be found guilty of an incident of sexual misconduct or other disqualifying offense, or if it appears that an alleged claim is substantiated, my services with the School shall be immediately terminated.

I understand that it is my responsibility to comply fully with the Safe Environment Requirements of the School prior of commencing my service with the School. I understand that these requirements include submitting to a background check and completing the appropriate Safe Environment Training program. I also understand that full compliance with these requirements is a condition of any employment or volunteer service with the School that involves regular contact with minors, and that failure to comply will result in my being barred from any contact with minors in the School.

I certify that the answers provided to the questions on this form are true to the best of my knowledge. I understand that any misstatement of the fact on this form may be grounds for termination from the School.

I further acknowledge that I have received the School's Safe Environment Policies and Procedures, and the Code of Conduct. I understand their meaning, and agree to conduct myself in accordance with their terms. I acknowledge that the school's Safe Environment Policies and Procedures document is not intended to create any contractual obligations, express or implied, on the part of the School or its affiliated entities.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name and title

\_\_\_\_\_  
Date



## APPENDIX C

### BACKGROUND CHECKS

Conducting background checks is an indispensable tool for creating a safe environment. These checks can identify those whose background poses a substantial risk to minors. They can also ensure that the identity of all personnel of the School has been fully verified. Background checks and their results must be handled with the highest degree of discretion, in order to protect the privacy of all personnel, and to ensure that negative information is not improperly revealed. At the same time, any information that suggests a risk to minors must be treated very seriously.

#### Background checks required for all personnel

All personnel of the School whose position or duties place them in direct to minors must submit to a background check. The Supervisor or safe environment coordinator of the School shall ensure that all personnel have submitted to a background check. Failure to submit authorization for a background check, refusal to supply a valid Social Security number, and any false statement made on the authorization form, shall constitute grounds for termination of services and immediately being barred from any access to minors in any program or activity of the school.

#### Background check authorization forms

To conduct these background checks, all personnel must grant authorization, on a form prescribed by the school. Personnel must supply the following information:

- a) Name, including all other names used;
- b) Social Security number;
- c) Date of Birth;
- d) Current and former addresses.

**In addition the school may be required by local, state, or federal law, to conduct additional screening/background checks requirements.** The school should contact local, state, and/or federal authorities to inquire about any additional screening.

The Arch/Diocese governing and/or where the School is located in, may require conducting its own screening/background checks on personnel, as well, when in the performance of any school sponsored event with direct access to minors.

If required, the school will contact the Child Protection office of the Arch/Diocese governing and/or where the school is located in, and will request the necessary information to comply with all requirements.

If required, personnel will provide authorization for the Arch/Diocese the School is located in, to obtain screening/background check results, as permitted by law and/or privacy requirements. Such authorizations and screening reports shall be kept in the Human Resource Department of the Arch/Diocese, as permitted by law.

**Background checks for those without a valid Social Security number (including overseas applicants)**

For applicants without a valid Social Security number or arriving from overseas, the following procedures shall be followed:

- a) The person's direct supervisor shall have them complete the background check authorization form, leaving the line for Social Security number blank.
- b) The supervisor shall verify their identity with some form of photo identification (e.g., a driver's license, a passport, an employer-issued ID card, etc.).
- c) The supervisor shall either:
  - i) Make a copy of the identification document and send it to the Safe Environment Office, along with the completed background check authorization form; or
  - ii) Sign and make a notation on the authorization form that the person's identity has been verified.

This procedure shall only be available to those who, for justifiable reasons, do not have a valid Social Security number. A person who has such a number, but refuses to submit it, shall not have any access to minors in any School program.

For personnel arriving from overseas, background checks should be conducted and reviewed prior to personnel arriving into the United States of America.

In the case where someone has lived in the United States less **than three years**, it will be necessary for the School to conduct two separate background checks; one in the United states when a social security number can be provided to the School and another through the international background check process, which may or may not satisfy the Arch/Diocese that the applicant is working in, but will satisfy the School's board of director's requirements. Those applicants who do not have a social security number in the United States should apply for one upon entering the country to work.

**(NOTE)** Certain countries do not allow for criminal background checks to be requested. In this case;

- If the applicant is living in their country of nationality at their current residence for more than 6 months, and is 16 years old or older, then the applicant needs a police certificate from the police authorities of that locality.

- If the applicant lived in a different part of their country of nationality for more than 6 months and was 16 years or older at that time, then the applicant needs a police certificate from the police authorities of that locality.
- If the applicant lived in a different country for more than 12 months and was 16 years or older at that time then the applicant needs a police certificate from the police authorities of that locality.
- If the applicant was arrested for any reason, regardless of how long they lived there and was any age at that time then the applicant needs a police certificate from the police authorities of that locality.

The police certificate must:

- Cover the entire period of the applicant’s residence in that area, and
- State what the appropriate police authorities records show concerning each applicant, including all arrests, the reason for the arrest(s), and the disposition of each case of which there is a record.

A person’s immigration status shall not be the basis for any adverse action by the Safe Environment Office.

#### **Background checks for minors**

In the case of applicants under the age of 18 (between 16-17), parental consent must be obtained prior to submitting a background check.

Such authorization will authorize and request any law enforcement agency to furnish the School and its representative(s) with criminal history and identity check information in their possession **unless under seal or otherwise protected by state laws** regarding the underage applicant.

#### **How the background checks will be conducted**

The school shall submit background checks to an appropriate agency or contractor. These checks shall seek the following information:

- a) Verification of identity;
- b) Existence of a criminal record;
- c) Listing on a sex offender registry.

Under no circumstances will any financial information be sought by the Safe Environment Office.

#### **Renewing background checks**

School personnel will be required to renew their background checks every (3) three years. At that time, personnel will be required to submit a new authorization for a background check.

#### **Record-keeping**

The School shall retain the completed background check authorization forms of all personnel in their files.

### **How negative results will be handled**

The supervisor or safe environment coordinator of the School shall review all negative reports for all school personnel, in consultation with the Safe Environment Office of the parent school.

The Director or Supervisor or safe environment coordinator **and** the Safe Environment Office shall evaluate whether the nature of the negative report warrants possible action, and verify that the report does indeed relate to the applicant. Any action taken with regard to any negative report shall comply with state and federal law, and the school Safe Environment Policies and Procedures.

### **Negative results that relate to immigration status**

Information regarding a person's immigration status shall not be the basis for any adverse action in relation to the Safe Environment Policies and Procedures.

### **Negative results that relate solely to a person's identity**

If the negative report merely relates to a minor disparity regarding the person's name or address, the School will take no further action.

If the negative report suggests that the person may have supplied a false name or Social Security Number, the supervisor or safe environment coordinator will notify in writing the person in question. The person shall be asked to submit a form of identification that has been validly issued by a government agency (e.g., a valid driver license, passport, etc.). If adequate verification is obtained, no further action will be taken.

If adequate verification is not obtained, the supervisor or safe environment coordinator of the school at which the person will work, or is working shall take immediate and appropriate action to prevent any risk to minors. This action may include restrictions on the person's access to minors or being barred from any access to minors in any program or activity of the School. Any action taken by the school in regard to a negative report shall be reported to the Safe Environment Office, which shall maintain such information in its files.

### **How negative reports regarding a criminal record involving sexual misconduct or sex offender status will be handled**

If the background check reveals information that falls under a disqualify offense (i.e., it involves the sexual abuse of minors or young people, or is listed in a sex offender registry), the supervisor or safe environment coordinator shall consult with the Safe Environment Office and notify in writing:

- The Board of the School; and
- The person about whom the information was received, to give them an opportunity to provide relevant information about the report.
  - i. After ten (10) days, if the board of directors, via the supervisor or safe environment coordinator, is not notified that these finds are false and the applicant is working to clear his/her report, a Final Notice of Adverse Action Letter will be sent to the

applicant that his/her employment/volunteer services has been denied. This letter shall be followed by a telephone call by a representative of the school.

### **How negative reports regarding any other kind of criminal record will be handled**

If the background check reveals negative information that does not fall under a disqualify offense (i.e., it does not involve the sexual abuse of minors), the supervisor or safe environment coordinator shall evaluate the information to determine if it may represent a risk to minors. In making this determination, the following factors shall be considered:

- a) The duties and responsibilities to be held by the person;
- b) The bearing of the offense on their fitness to perform those duties;
- c) The length of time since the commission of the offense;
- d) The age at which the person committed the offense;
- e) The seriousness of the offense;
- f) Any information provided by the person on their behalf.

If there is a determination that there may be a risk to minors, the supervisor or safe environment coordinator shall consult with the Safe Environment Office. If the supervisor or safe environment coordinator of the School concurs that there is a risk to minors, the school shall immediately notify in writing:

- a) The Board of Directors of the School; and
- b) The person about whom the information was received, to give them an opportunity to provide relevant information about the report.
  - i. After ten (10) days, if the board of directors, via the supervisor or safe environment coordinator, is not notified that these finds are false and/or the applicant is working to clear his/her report, a Final Notice of Adverse Action Letter will be sent to the applicant that his/her employment/volunteer services has been denied. This letter shall be followed by a telephone call by a representative of the board of directors.

### **Record-keeping**

The supervisor or safe environment coordinator shall maintain secure files for the background check authorization forms and any action taken with regard to any negative report. Any action taken by the school in regard to a negative report shall be reported to the Safe Environment Office, which shall maintain such information in its files

