



PROMISE TO  
PROTECT



PLEDGE TO  
HEAL



PROTECTION OF  
CHILDREN & YOUNG PEOPLE POLICY

# PROTECTION OF CHILDREN & YOUNG PEOPLE

## CATHOLIC DIOCESE OF JACKSON

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**MOST REVEREND JOSEPH R. KOPACZ, D.D., PH.D.**  
CATHOLIC DIOCESE of JACKSON

July 15, 2020

Dear Friends,

The Diocese of Jackson along with the Catholic Church throughout the United States is committed to fostering safe environments for all children and youth who are entrusted to our care. We are determined to eradicate the evil of sexual abuse in the ministries of our church communities because all forms of abuse violate the dignity of the person made in the image and likeness of God, and are crimes against humanity. I am grateful to all church personnel in our diocese as they continue to study and put in place the best literature and practices so as to create safe environments for all who come to our parishes, schools and ministries. The VIRTUS program represents our commitment to excellence, especially with regard to the program's monthly bi-lingual bulletins based on the latest research and best practices.

Over the years the Diocese of Jackson has periodically revised and added to the policies that guide the implementation and monitoring of safe environments throughout our parishes, schools, and institutions. The last such update was July 2014. This current document like the previous, finds its direction from the Charter for the Protection of Children and Young People and the Essential Norms for Diocesan Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priest or Deacons. The United States Conference of Catholic Bishops (USCCB) approved this document in 2002 and further revised it in 2011 and 2018.

By this letter I hereby promulgate this revised Protection of Children & Young People Policy for Church Personnel in the Diocese of Jackson. It will take effect July 1, 2019. It applies to all personnel and volunteers throughout the Diocese in all parishes, schools, offices, agencies, and other institutions which operate under the administrative authority of the Jackson Diocese. This current document supersedes all previous existing policies of the Diocese of Jackson that deal with the policies contained herein.

This document seeks to safeguard, enhance and restore the trust that our faith calls for between agents of the Church and the people entrusted to our care, especially children and youth. To the victims and their families, I extend my heartfelt apology and regret for this assault against your human dignity. If there are any cases of abuse that have not been brought to our attention, once again I urge any victims to please come forward.

All members of the Church are called upon to be vigilant in implementing this document to the fullest. I offer my sincere appreciation and thanks to all the faithful for their support and work in this area to foster the safe environments that are fundamental for all God's children to thrive in body, mind and spirit. Indeed, let the children come, for to such belongs the Kingdom of Heaven.

Sincerely yours in Christ,

+Joseph R. Kopacz  
Bishop of Jackson

## INTRODUCTION

The Bishops of the United States adopted two documents on the subject of sexual abuse of minors in the year 2002. The **Charter for the Protection of Children and Young People** hereafter sometimes called “Charter” was adopted on June 14, 2002 and the **Essential Norms for Diocesan / Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons** hereafter sometimes called “Norms” was promulgated on December 12, 2002 and revised in 2011. The Diocesan **Policy Against Sexual Abuse of a Minor by Church Personnel** hereafter called “Policy” (which was last promulgated on January 1, 1994) was revised to reflect the principles outlined in the Charter and Norms. In addition, the diocese has published two other complimentary documents, which further the goals of this Policy. They are entitled **Code of Ethical Principles and Standards for Church Employees and Volunteers, Diocese of Jackson** and **Creating a Safe Environment for Our Children, Diocese of Jackson** and are included in this document.

On March 26, 2019, the Holy Father, Pope Francis, issued a *Motu Proprio on the Protection of Minors and Vulnerable Persons*. It provides a mandatory process for Church investigations of complaints *against bishops* (not just priests and deacons) for sexual abuse of a minor. The *Motu Proprio* also addresses complaints against bishops for sexual acts involving adults regarded as vulnerable, and for mishandling or intentionally mishandling of such abuse or harassment cases. It mandates internal reporting of such cases, offers whistleblower protection for those reporting, and prohibits any imposition of silence on those reporting.

In a June 2019 the United States Bishops approved three documents that relate to reporting and investigating claims of abuse or the intentional mishandling of these cases by bishops. One deals with bishops who were removed from office or resigned their office for reasons of sexual abuse or intentional mishandling of cases (Protocols). One reaffirms the commitments bishops make to live according to the Gospel and to place themselves under the same high standards applied to their priests, deacons, and lay personnel (Commitments). And the last document deals specifically with the reporting and investigation of complaints against bishops (Directives). The Bishops also approved the establishment of a national third-party reporting system to simplify the reporting of certain complaints against bishops. Any allegation against a Bishop will follow the protocols, commitments, and directives of the USCCB.

It is important that diocesan personnel be informed about the **Protection of Children & Young People - Diocese of Jackson** Document, its various components on the prevention of child abuse and procedures that are followed when reports of child abuse or sexual misconduct by Church personnel are received. In addition, this document provides information on other procedures to promote a safe environment for children and youth in our schools, parishes and other diocesan sponsored programs. For the purpose of this document, all regulations applying to children and youth also apply to vulnerable adults.

## POLICY

Sexual abuse of a minor by church personnel (as defined in this policy) is contrary to the moral instructions, doctrines and Canon Law of the Catholic Church and is obviously outside the scope of duties of church ministry and employment for all personnel. Such abuse is prohibited and if an allegation is found to be credible will be considered grounds for immediate removal from ministry and/or service. All church personnel of the Diocese must comply with applicable church and civil laws regarding incidents of actual, alleged or even suspected sexual abuse of a minor and with the contents of this policy.

This policy and the procedures which flow from it shall be fair and responsive to the pastoral needs of the victim, the victim's family, the community, and the accused person. This policy deals specifically with sexual abuse of a minor or vulnerable adult ("Minor") as defined below. At all stages of the proceedings addressed by this policy, the Diocese of Jackson will cooperate with the civil authorities and comply with the legally established reporting requirements of the State of Mississippi as outlined in the current document **Mississippi Reporting Statutes/Reporting Procedures**. The Diocese shall publish its policies and procedures relating to sexual abuse so that those affected can readily seek and receive the assistance afforded by them.

The following personnel will be involved in the administration of this policy: the Bishop, Vicar General, and/or the Bishop's Delegate. In addition, the Bishop shall appoint personnel to serve in the following roles: a Safe Environment Coordinator, a Victim Assistance Coordinator, a Fitness Review Administrator, and an Investigative Associate. The Bishop shall also appoint a Review Board.

This policy is to be communicated to all personnel (as defined in this policy) of the Diocese, its parishes, schools or separately incorporated apostolates and to those who are seeking employment or offering their services as volunteers. They are to acknowledge, in writing, that they have received a copy of this policy and that they are indeed aware of its implications and their obligation to report any allegation of sexual abuse to the appropriate authority. (C.F. **Creating a Safe Environment for Our Children, Diocese of Jackson and Code of Ethical Principles and Standards for Church Employees, Diocese of Jackson**) A form of acknowledgement is to be signed at the time of hiring or prior to commencement of volunteer service and kept on record at the place of employment or volunteer service.

### CREATING SAFE ENVIRONMENTS FOR MINORS & VULNERABLE ADULTS

#### PURPOSE

The Catholic Diocese of Jackson has a program to reduce the risk of child abuse in order:

- To provide a safe and secure environment for the children and youth in faith communities of the Jackson Diocese.
- To provide a screening process for all employees and volunteers working with children and youth.

- To assist the Diocese in evaluating a person's suitability to work with children and youth.
- To provide an annual catechesis on gospel values and self-protection skills for all school age children.
- To provide a system to respond to the victims and their families, as well as the accused.
- To reduce the possibility of false accusations against clergy, employees, volunteers and contract workers.

## DEFINITIONS

For the purpose of this document the following definitions apply:

**Abuse of a Minor** consists of any of the following:

- **Sexual abuse** includes any act or interaction, whether or not it involves genital or physical contact, with or without consent, even if initiated by the minor, which involves sexual contact, molestation or sexual exploitation of a minor by an adult.
- The acquisition, possession, or distribution of pornographic images of minors for purposes of sexual gratification, by whatever means or using whatever technology.
- **Physical abuse** includes any act which:
  - Willfully causes or inflicts physical injury to a minor;
  - Willfully causes mental injury or psychological injury to a minor by intentionally engendering fear of physical injury to that minor; or
  - Is otherwise deemed to be physical abuse by the laws of the State of Mississippi.

**Adult Supervisor** means anyone 21 years of age or older.

**Church Personnel** means any priest, religious, or lay person that serves as an employee or significant volunteer working in or on behalf of the Jackson Diocese.

**Contract service worker/provider** means any person who is not covered under the definition of church personnel, however, may be a worker who regularly interacts with children by providing a service under a separate contract.

**Diocese** means the Roman Catholic Diocese of Jackson, including but not limited to parishes, schools, agencies, and institutions and apostolates, whether incorporated or not, with direct accountability to the Bishop of Jackson

**Minor** shall mean all persons under the age of eighteen (18).

**Public Appropriate Non-sexual (PAN)** is the acronym used in Protection of Children & Young People training to describe acceptable behavior.

**Sexual harassment** behavior characterized by the making of unwelcome and inappropriate sexual remarks or physical advances in a workplace or other professional or social situation

**Sexual misconduct** means any form of sexual conduct that is unlawful; that is contrary to the moral instructions, doctrines, and canon law of the Catholic Church, and causes injury to another. It may constitute either/or sexual abuse, sexual harassment or sexual exploitation.

**Significant Volunteer** means any unpaid person engaged in or involved in a diocesan or parish activity, and who is entrusted with the care and supervision of children.

**Undocumented Volunteer** is a person without valid United States government identification

**Vulnerable adult** means any person 18 years of age or older who is unable to protect his or her own rights, interests, and/or vital concerns and who cannot seek help without assistance because of a physical, mental or emotional impairment; anyone in an infirm state, of physical or mental deficiency, or deprivation of personal freedom, that in fact, even occasionally, limits their capacity to intend or to want or in any way to resist offensive behavior; and any person capable of being physically or emotionally damaged by another person in a position of power.

**Youth Assistant** is a volunteer between the ages of 18-20 and whose voluntary efforts must be monitored by an adult that is compliant with all aspects of the Protection of Children Policy. The youth assistant must be out of high school/youth group for a minimum of one year.

## **SCREENING & BACKGROUND CHECK PROCEDURES**

The following screening procedures are to be used with all persons working with or having regular contact with children and youth whether employees, volunteers, or contract workers. All collected information will be treated as confidential. An initial screening is required prior to employment or volunteer service and repeatedly renewed during service.

### **Catholic Diocese of Jackson Application for Employees and Volunteers:**

All persons seeking to be employed by a parish, school or other institution of the Diocese or to perform volunteer work with children and youth must complete this application form. Upon completion of this application, the employee or volunteer will be provided with a copy of the Protection of Children policy and other protection of children materials. He or she must sign a form acknowledging receipt of the policy.

**Volunteers applying for a volunteer position:** It is required that those applying for volunteer positions in a parish must have attended the parish for at least three years and be reasonably well known by parish leaders. If not, a recommendation is to be obtained from the volunteer's former parish indicating their suitability for the volunteer ministry.

**Contract Workers:** Before a contract worker who has significant contact with children and youth may provide services to a parish, school or diocesan sponsored program or activity, he or she must complete the diocesan criminal

background screening or must have completed a comparable screening process by the contracting entity.

**Drivers:** A motor vehicle record check must be obtained on all adult drivers (21 years of age or older) who transport youth. The motor vehicle record check shall be repeated periodically. Only adult drivers who do not have any DUI's within the last seven years and who do not have more than two moving violations within the last five years may be used.

**Confidentiality:** All personal information obtained through the following sources should be kept confidential: The Catholic Diocese of Jackson Application for Employees and Volunteers, reference information, interview, criminal background check, etc. It is required that all material be kept in a locked file cabinet. These paper records will be destroyed, that is shredded, seven years after an individual's employment ends or the volunteer service ceases. Electronic records may be kept longer.

**Background Checks:** The Catholic Diocese of Jackson is committed to inquiring into the background of all persons who are expected to have regular contact with our children and youth. To achieve this, a background check will be conducted. This report includes a criminal background search. Any adverse report could affect the person's employment, continued employment or volunteer status. Your rights are important to us. We ask that you take the time to read the attached "Consumer Summary, A Summary of Your Rights Under the Fair Credit Reporting Act." You need to understand your rights before giving your consent to authorize the Diocese of Jackson to complete the background investigation. If you have any questions, please contact your supervisor.

## **TRAINING PROCEDURES**

Each school, parish and other diocesan sponsored program will provide both initial and ongoing training for staff and volunteers on providing a safe environment for children.

A Protection of Children initial training is required within 30 days of work with children or youth. Initial training is provided by trained facilitators as part of orientation for all volunteers and staff. The employee/volunteer is provided a copy of the Protection of Children policy booklet. An acknowledgement form must be signed by the applicant indicating the policy has been read and they understand the policy before beginning a ministry.

All church personnel are required to participate in ongoing safe environment training. The ongoing training is provided by the Office of Protection of Children and supplemental materials are available.

## **SUPERVISION PROCEDURES**

In order to provide a safe environment for children and youth, each school, parish or other diocesan sponsored program will provide adequate supervision for children entrusted to their care. They shall adhere to the following procedures:

- In the supervision of preschool children, have at least one adult female involved.
- Taking into consideration the age of youth and the type of activity, have an adequate number of male and/or female adults present at events involving children and youth.
- All undocumented adults who are in a supervisory position with minors must be trained and should be accompanied by an adult who is compliant with Protection of Children Policy if at all possible. If this is not possible, the undocumented adult in a supervisory position must be accompanied by another trained adult.
- For events involving children or youth in higher risk settings, such as overnight lock- ins, overnight trips, etc., it is mandatory to have two or more adults present.
- Elementary age students will only be released to a parent or legal guardian. The parent or guardian must designate in writing who the other person will be if they themselves are unable to receive their child.
- Obtain written parental permission, including a signed medical treatment form, before taking children or youth on trips. These forms should be kept for at least one year.
- Before permitting any minor to participate in athletic events or any other high-risk activity, obtain parental approval.
- Whenever children or youth will be out of direct visual contact of the adult supervisor, use a “buddy system”. The children or youth must have been instructed on how to use the buddy system.
- For any overnight activities, all adult leadership and sponsors must be screened, trained and approved in advance by the appropriate pastor/school principal.

# CODE OF ETHICAL PRINCIPALS & STANDARDS

## INTRODUCTION

On October 10, 2003, The Diocese of Jackson adopted a Code of Ethical Principles and Standards for Church Employees and Volunteers. A copy of the entire document is available to all employees and volunteers of the Diocese. The document is also available on the diocesan website: [www.jacksondiocese.org](http://www.jacksondiocese.org). The following segments of the document are quoted since they deal most specifically with the Protection of Children and Youth.

These Ethical Principles and Standards apply to all employees and volunteers for churches and schools of the diocese.

Church employees include the following: all priests, deacons, religious men and women, all paid lay personnel and those who contract for services in offices and programs of the Diocese and also all lay persons who volunteer for work in offices and programs of the Diocese on a significant basis as defined in the section: Creating a Safe Environment For Our Children

Responsibility for adherence to this Code of Ethical Principles and Standards rests with the Church employees themselves. However, disregard of this Code by Church employees will be dealt with by the appropriate employing/appointing organization's representative such as: program director, employee supervisor, pastor, resident pastoral minister, mission coordinator, religious superior or bishop. Remedial action may take various forms from counseling to removal from ministry.

The conduct of Church employees, both public and private, has the potential to inspire and motivate people, or to scandalize and tear down their faith. These employees must be aware of the responsibilities that accompany their actions. They also know that God's goodness and graces support them in their ministry.

## GENERAL PRINCIPLES

Five key principles undergird the ethical stance of this Code: ecclesial commitment, respect for others, integrity, competence and well-being. The ethical Church employee is one who embraces the principles of ecclesial commitment, integrity, respect for others, well-being and competence.

### **Ecclesial Commitment**

- Church employees embrace the teaching of Jesus and work to promote the Gospel. They shall have an intimate knowledge of the scriptures, in accord with their position, and be able to apply scriptural values to everyday life in the Church.
- Church employees shall exhibit a deep commitment to the Church, loyalty to the traditions of the past, attentiveness to the realities of the present, and readiness/preparedness for challenges of the future. They are responsible for providing for and nurturing the life of the community,

especially its sacramental life.

- Church employees must show a commitment not only to the parish/school family, but also to the larger community in which the parish/school is located. They must show a special care and concern for the needs of the poor and the oppressed in society. Church employees shall address community and social concerns by active reflection on Catholic social teachings. Church employees shall share the spirit of ecumenism in their interactions with other faith traditions.

### **Integrity**

- Church employees are expected to be persons of integrity and must conduct themselves in an honest and open manner, free from deception or corruption. They shall handle the responsibilities of their office in a conscientious fashion. Employees in a Church that holds up a high moral standard for its members have a responsibility to lead by example.

### **Respect for others**

- Church employees shall respect the rights, dignity and worth of each member of the Church community. Church employees respect each individual as a creation of God without regard to their economic status or degree of participation in the diocesan/parish or school life.
- Church employees shall be sensitive to cultural differences among people and appreciate the opportunities that diversity brings. Church employees should take the time to understand the collective journeys of their congregations and understand the role of history in diocesan/parish and school development.
- Church employees are aware that issues of aging, gender, race, religion, sexual orientation, physical and mental disabilities, and language all affect how the message of the Gospel is received and interpreted.

### **Well-being**

Church employees are expected to attend to their own human, spiritual, intellectual, and pastoral well-being.

#### Human Well-being

- Church employees have a duty to be attuned to their physical, mental and emotional health. They should be aware of warning signs in their behavior and moods that indicate conditions that can be detrimental to their health. Inappropriate use of alcohol or misuse of prescription drugs are examples. Church employees should immediately seek help when they identify warning signs in their professional or personal lives.
- Church employees should be supportive of one another, in terms of both affirmation and holding one another accountable for their physical and emotional well-being.
- Church employees should determine healthy limits in their work environment and live within these limits as much as possible. They should make use of allotted time for vacation and days away from the work environment.

### Spiritual Well-being

- Church employees have a duty to stay attuned to their own spiritual health. Church employees must maintain and nurture an ongoing prayer life.
- Church leaders need to address their own spiritual needs in order to remain focused in the faith. Regularly meeting with a spiritual director is highly recommended.

### Intellectual Well-being

- Church employees have a responsibility to attend to their ongoing intellectual development.
- Church employees should participate annually in seminars and workshops in areas that are relevant to their current ministry.
- Church employees should stay current through reading of both religious and secular sources.
- Church employees should make use of time and funding for ongoing formation.

### Pastoral Well-being

- Church employees are responsible for providing for and nurturing the life of the parish community. They should know and respect the people to whom they have been given in ministry. As appropriate to their ministry, they should celebrate the sacraments with decorum, in fidelity to the official rites of the Roman Catholic Church.
- Church employees should know and respect the policies and procedures of the Diocese of Jackson.
- Church employees should nurture in themselves the pastoral heart necessary to lead their people in word, worship and service.

### **Competence**

- Church employees shall maintain high levels of professional competence in their particular ministry. Training, education and experience all contribute to make them competent and credible in their areas of expertise.
- Church employees shall not attempt to provide services in those areas in which they lack competence.

## **ADMINISTRATION**

- Church employees exercise just treatment of employees and volunteers in the day-to-day administrative operations of their ministries:
- Church employees shall seek to relate to all people with respect, sensitivity and reverence. Meetings are to be conducted with patience and courtesy toward the views of others, in an environment where it is safe for others to offer constructive criticism.
- Church employees seek to help others attain their full potential, supporting each person to live the life to which God calls them. They are to seek to work in ways that respect the different talents people bring to the Church.
- Church employees exercise responsible stewardship of all diocesan/parish/school resources. They must also ensure that whatever their area of ministry, there is a clear accounting of

diocesan/parish/school funds.

- Personnel and other administrative decisions made by Church employees should not only meet civil and Canon Law obligations but should reflect Catholic social teachings.
- Church employees who receive financial recompense for their ministerial service under stipulated contract terms or diocesan scales may not receive dual reimbursement for work, which falls ordinarily under the scope of their pastoral assignment or ministry (e.g. a pastor who teaches religious education may not receive both a pastor's salary and that of a director of religious education, etc.)

## **COUNSELING**

- Church employees who conduct counseling for families, individuals, or groups, must respect their rights and advance the welfare of each person.
- Church employees should not step beyond their competence in counseling situations. The parameters for Church leaders are dictated by their training or certification from a recognized professional association of peers, or licensure from the State of Mississippi.
- Church employees leading group sessions must ensure that no individual is subject to trauma or abuse resulting from group interactions. The Church employees must state to group participants the nature of the group, and the parameters of confidentiality of all individual disclosures.
- Church employees should not disclose information learned from counseling sessions. In beginning what is clearly a counseling relationship, the Church employee should inform the counselee that confidentiality is limited when there is clear and imminent danger to Chancery Office and or Catholic Charities to determine whether the necessary authorities or other professionals should be informed of the situation.
- In cases where the counselee is already in a counseling relationship with another professional, the Church employee should make clear what he/she can provide to the counselee. Generally, this should be confined to spiritual assistance.
- Church employees who move to another parish while conducting counseling with parishioners should make appropriate referrals for continued care.
- Church employees ordinarily do not begin a counseling relationship with someone with whom they have a preexisting relationship (i.e. employee, professional colleague).
- Church employees should not engage in sexual intimacies with those whom they counsel.
- Physical contact with a counselee can be misconstrued and should generally be avoided.
- It should always be clear to both the Church employee and the counselee that a counseling relationship is in process. This can best be done when the counseling, especially if extended, is conducted in an appropriate setting and at appropriate times. Thus counseling should not be done in private living quarters or at places or times that would be ambiguous or misleading to the counselee.
- Church employees should be cognizant at all times of the significance of boundaries in all counseling relationships. During the course of the

counseling relationship, Church employees ordinarily should not socialize with counselees.

- Church employees who conduct counseling should hold themselves accountable in that activity. This may be accomplished by engaging in professional peer consultation and/or supervision as appropriate. They should keep a calendar of times and places or contacts, especially in the case of more frequent meetings with the same person.
- When a Church employee's independent judgment is impaired (for example, by prior or concurrent personal or professional relationships, where he or she becomes personally involved such as a personal friend, or where he or she becomes an advocate for one person against another), the Church employee should advise the party/parties that he or she can no longer provide counseling and refer him/her/them to other counselors.

## **CONDUCT WITH MINORS**

- Adults must be aware of their own vulnerability and that of any individual minor with whom they may be working. In every instance possible, a team approach to youth ministry activities should be considered. Adults and volunteers should avoid establishing any exclusive relationship with a minor and exercise due caution when they become aware of a minor desiring such a relationship. Both the participants and members of the Church community can misunderstand such relationships.
- Physical contact with minors can be misconstrued by both minors and other adults and should only occur under appropriate public circumstances.
- Adults must never use or supply alcohol and/or illegal drugs when working with minors.
- Adults must never provide any sexually explicit, inappropriate, or offensive materials to minors.
- Providing overnight accommodations in rectories or other residencies for parish minors or other minors with whom the adult may have other than a close familial relationship, is prohibited.
- Adults should read and understand diocesan policies and procedures concerning allegations of sexual misconduct involving minors or vulnerable adults.
- Adults should not promote or endorse the practice of "hazing" or any similar formal rite of initiation to become a member of any diocesan organization.

## **SEXUAL CONDUCT**

- Adults must not exploit the trust of the parish community for sexual gain or intimacy.
- Adults must not exploit persons for sexual purposes.
- It is the personal and professional obligation of the adult to be knowledgeable about what constitutes sexual exploitation of another and to be familiar with the laws of the State of Mississippi regarding sexual exploitation, sexual abuse, and sexual assault.
- Church employees, clergy, religious and lay people, who have made a

commitment to celibacy are called to witness this in all relationships. Likewise, those who have made a marital commitment or have chosen to live solely are called to witness to this fidelity in all their relationships.

- For the purposes of this document, the production or possession of child pornography shall be considered sexual abuse of a minor. Possession or production of child pornography is not only a grave offense against children; it is a criminal offense and is required by law to be reported to civil authorities
- Any allegations of sexual misconduct will be taken seriously and reported to the Victim Assistance Coordinator or the Vicar General if a priest, deacon or lay employee/volunteer is involved. Diocesan protocol and procedures will be followed to ensure the rights of all involved and to facilitate justice for the aggrieved.
- Adults should be knowledgeable of the State of Mississippi regulations and know the proper reporting requirements as outlined in the Mississippi Reporting Statutes Reporting Procedures. Church employees also must comply with all mandatory reporting requirements except if the information was received under the seal of confession or privileged spiritual guidance. In such cases, no reporting can occur.
- If an adult is in doubt whether he/she should make a report, the report should be filed, and the Department of Child Protection Services will determine whether an investigation is warranted.

## **PROFESSIONAL BEHAVIOR**

- Adults should not engage in physical, psychological or verbal harassment.
- Harassment encompasses a broad range of physical or verbal behavior, which can include, but is not limited to, the following:
  - physical or mental abuse;
  - racial insults;
  - unwelcome sexual advances or touching;
  - sexual comments or sexual jokes;
  - requests for sexual favors used as a condition of employment or affecting any personnel decision such as hiring, promotion, or compensation;
  - display of offensive materials.
- Harassment can occur as a result of a single severe incident or a pattern of conduct, which results in the creation of a hostile, offensive or intimidating environment.
- Adults are to follow the established procedure for reporting of harassment, and are to ensure that no retaliation for bringing forward a claim of harassment will be tolerated.
- Exploitation or harassment can occur as a result of a single severe incident or a pattern of conduct, which results in the creation of a hostile, offensive or intimidating work environment.

## **CONFLICTS OF INTEREST**

- Church employees should avoid conflict of interests, since the existence, or

even the appearance, of a conflict of interest can call into question one's integrity and professional conduct.

- The potential for a conflict of interests exists in many circumstances. Examples of such behavior by a Church employee include; conducting private business or other dealings with the Church or any of its members; accepting substantial (non-token) gifts for services or favors; employing or engaging in transactions with his or her friends or relatives; acting with partiality toward employees or Church members; or violating a confidence of another for professional gain.
- Disclosure of all relevant factors can in some circumstances lessen the potential for a conflict of interest.

## **CONFIDENTIALITY**

- Information disclosed to a Church employee during the course of counseling, advising, spiritual direction and/or any other professional contact shall be held in strictest confidence.
- Anyone who comes to the Church employee should feel that they are entering a relationship marked by respect, trust and confidentiality.
- The Church employee is also bound to safeguard the confidentiality of any notes, files, or computer records pertaining to professional contact with individuals.
- If consultation with another professional becomes necessary, utmost care should be taken to do so only by using non-identifying information; when this is not possible, the other professional must be bound by the same degree of confidentiality as the Church employee. If the other professional is not so bound, the disclosure should not be made.
- When consultation is necessary, the employee must exercise great care to limit the content of the information to be shared. The employee must first determine: what is the precise information that the Church employee needs to have shared; with whom is the information to be shared; and why does it need to be shared?
- Knowledge that arises from professional contact may be used in teaching, writing and preaching or other public presentations only when effective measures have been taken to absolutely safeguard individual identity and confidentiality.
- Except as provided above with respect to consultation, confidential information can be disclosed only with the written, informed consent of the individual. In legal proceedings in which the Church employee is a defendant and the allegations stem from a professional contact, the disclosure of confidential information gained in that contact is permitted only to the minimum necessary to achieve the purpose of defense.
- When entering into a counseling or pastoral relationship with a minor, Church employees should instruct the minor from the outset regarding several exceptions to the ordinary rights of confidentiality: threats of self-inflicted harm to the minor and threats against others because of the minor's emotional status or behavior. Threats of self-harm may also include suicidal ideation with a plan to commit the act and/or plans to commit violence against another. In these situations, which pose a grave risk for the minor's welfare and the welfare of others, communication of information to a parent or legal guardian and/or the civil authorities should occur expeditiously with

or without the consent of the minor. The Church employee must exercise great care and judgment in determining the appropriateness of this kind of disclosure and in balancing the ultimate welfare of the minor being counseled with the duty to warn.

- These obligations are independent and supplementary to the confidentiality of the confessional or other spiritual guidance. Under no circumstances whatsoever can there be any disclosure, even indirect, of information received through the sacrament of confession.

### **Records and Information**

- Appropriate confidentiality shall be maintained in creating, storing, accessing, transferring and disposing of parish or institutional records.
- Sacramental records shall be regarded as confidential. When, for valid Church reporting or parish statistical purposes, information from these records is made public, great care must be taken to preserve the anonymity of individuals.
- Except for information regarding adoption and legitimacy, sacramental records older than 80 years may be made accessible to the public. A trained staff member who is authorized to locate the requested information or supervise the use of such records shall handle requests for more recent records.
- Parish financial records are to be held as confidential unless an appropriate governmental agency or office requires review. The Diocesan Department of Administration and Finance should be contacted regarding the release of all financial records.
- The records of individual contributions to the parish shall be regarded as confidential.

### **REPORTING MISCONDUCT**

- Church employees are to be aware that there is a clear policy on reporting harassment for both employees and volunteers.
- Church employees are to follow the established procedure for reporting of exploitation or harassment and are to ensure that no retaliation for bringing forward a claim of harassment will be tolerated.
- Church employees have a responsibility to report ethical misconduct on the part of other Church employees.
- In cases where there are clear indications of illegal actions by a Church employee, notification should be made immediately to the proper civil and Church authorities.
- In cases where there are clear indicators of unethical, but not illegal actions by a Church employee, notification should be made to the proper Church authorities.
- When Church employees believe that one of their colleagues may have violated this Code of Ethical Standards, they should attempt to solve the issue, if possible, by bringing it to the attention of the individual. If this fails, the Church employee shall take further action by reporting to the supervisor or next higher authority, or by referral to the Chancery Office.
- All accusations and concerns, either past or present, involving the sexual abuse of a minor and/or adult sexual exploitation, as defined by Mississippi Law, must be reported promptly to the Victim Assistance Coordinator or the

Director of Priests' Personnel.

- When Church employees are uncertain whether a particular situation or course of conduct would violate this Code of Ethical Principles and Standards for Church Employees, they should consult with their immediate supervisor, who may wish to seek further clarification from the Chancellor's office, in order to determine the proper response. If the alleged offender is the employee or volunteer's immediate supervisor call the Hotline (see below).

**NOTE: *Lighthouse Services*** provides an anonymous financial fraud, compliance, ethics and human resources hotline. This hotline allows for an appropriate method to report occurrences related to the temporal administration within parishes, schools and the chancery office.

[www.lighthouse-services.com/jacksondiocese](http://www.lighthouse-services.com/jacksondiocese)

English speaking USA: 888-830-0004. Spanish speaking USA: 800-216-1288.

## **GUIDELINES FOR WORKING WITH MINORS AND VULNERABLE ADULTS**

All church personnel of the Diocese will observe the following guidelines:

- Do not allow any minor to stay overnight in any Church rectory or living quarters of priests unless they are an immediate family member or are accompanied by a parent or guardian.
- Do not be alone with a minor in a residence, sleeping facility, locker room, rest room, dressing facility, or other closed room or isolated area that is inappropriate to a ministry relationship.
- Do not take an overnight trip alone with a minor who is not a member of your immediate family.
- Do not sleep in the same bed with a minor. If an adult supervisor stays in a hotel or other sleeping room with a group of minors, the supervisor should sleep in his or her own bed using a roll away or cot if necessary.
- Do not provide minors with anything that is prohibited by law, such as alcohol, tobacco, drugs, etc.
- Do not sponsor church or school activities which do not comply with curfew laws for minors.
- Use caution and discretion in any physical contact with a minor. All physical contact should be public, appropriate and non-sexual.
- An adult should never be alone or isolated with a minor. However, if this does occur due to unforeseen circumstances, it should be in a well-lighted public place while waiting for a parent, guardian or another adult.
- Do not engage in physical discipline of a minor. Discipline problems should be handled in coordination with your supervisor and/or the parents of the minor.
- Topics, vocabulary, recordings, films, games or the use of computer software or any other form of personal interaction or entertainment that could not be used comfortably in the presence of parents should not be presented to minors. Sexually explicit or pornographic material is strictly prohibited.
- Do not administer medication of any kind, prescription or non-

- prescription without written parental permission.
- If you recognize inappropriate personal or physical attraction developing between yourself and a minor, notify your supervisor and maintain clear professional boundaries between yourself and the minor. If possible, refer the minor to another adult supervisor ASAP.
- If one to one pastoral care of a minor should be necessary, avoid meeting in isolated environments. Schedule meetings at times and use locations that create accountability. Limit both the length and the number of sessions. Make appropriate referrals. Notify parents of meetings.
- Do not give minors keys to church facilities. If the minor has a key as a result of being a church employee or volunteer, the minor should be properly screened.
- Do not transport youth unless you have received prior authorization by the pastor/ principal. See all screening requirements for “Drivers” in the Transportation Guidelines.
- Do not take photographs of minors while they are unclothed or dressing.
- If you observe anyone, adult or minor, abusing a minor, take appropriate steps to immediately intervene and restore minor’s safety. Report the abuse to the civil authority as well as the Diocesan Office in accord with diocesan policy and state law.

## **ELECTRONIC COMMUNICATIONS**

Our main methods of communication regarding church activities and events with minors will be through electronic media including, but not limited to, websites, emails, text/instant messages, virtual meeting platforms, cell phones and social media sites while maintaining proper guidelines.

Whenever an employee/volunteer is acting in their capacity as a “representative” of the Catholic Church, they shall abide by this electronic communication policy. Any violations of the policy and the regulations are counter to the goals of creating a safe environment for our children and young people. Consequently, failure to observe this policy places young people and children at risk and can result in termination of employment or the volunteer status.

This policy is not intended to limit your ability to communicate with minors of your church or organization but to allow the communication to revolve around a professional or organizational level. It is imperative in keeping with our goal of creating and teaching a safe technological environment that our communications with minors stay within appropriate boundaries that maintain a professional ministry relationship.

- Personal email addresses, social media accounts, virtual media accounts, etc. are not to be used for communicating with minors.
- Personal social networking profiles, blogs, etc. of parish and school employees/volunteers must be private and not accessible to minors.

- Technology accounts to be used for interacting and communicating with minors are to be established by the parish or school.
- Virtual meetings, sessions, etc. are to be recorded and made available if requested by a parent or supervisor.
- The attire of adults and minors must be appropriate as if for school or church activity.
- The location of the adults and minors during virtual sessions should be appropriate – not a private personal space.
- Children viewing and/or participating in virtual sessions should be accompanied by an adult (parent, guardian, or their designee).
- Messages of a personal nature are not to be sent to minors by Church (parish/school) employees or volunteers.
- Do not encourage minors to communicate personal messages to you in your role as employee/volunteer of the Church.
- If an employee/volunteer receives a text message of an inappropriate personal nature from a minor, the employee/volunteer is prohibited from responding to the minor.
- If a minor initiates communication with the employee/volunteer via a personal e-mail, instant message, etc. account, the employee/volunteer must notify his/her supervisor or pastor immediately.
- At least two adults within the ministry of parish or school, should be included on any electronic communication with minors. One should be a supervisor or designee.
- Parents are to be informed about the specific electronic communications platforms (email, social media, virtual meeting, etc.) being used for communication with minors as a standard part of the ministry
- Parents/guardians are to be copied if they have made the request and provided a cell number.

**Refer to the “Electronic Communications” appendix for best practices for using electronic communication systems in ministry with minors, as well as, the procedures for reporting inappropriate communication.**

### **CHILD/YOUTH EVENT TRAVEL**

- Types of events include, but are not limited to, Diocesan, parish, school, and/or other Diocesan related entities’ retreats, field trips, sports tournaments, mission trips, pilgrimages, conventions, conferences, and recreational trips.
- The Diocese of Jackson requires all official personnel to be at least 21 years of age or older to supervise participants enrolled in any Diocesan school, pre- kindergarten program of education, parish youth group, or religious education program. Siblings, friends, etc. must register to participant in the above group events. All participants are subject to the supervision of the official Diocesan personnel while attending the activities.

- Trips and other functions must be approved, both for planning and implementation, by the principal in the case of elementary and secondary schools, by the Pastor/LEM in the case of parishes, or by the youth office in the case of any related entities. International travel will require the Bishop/Vicar General approval.
- Approval from the Pastor/LEM/Superintendent must be given for any out of state trip. Diocesan guidelines for all trips and functions should be observed at all times and shall prevail over any other guidelines provided in the case of a clear conflict.

Please refer to the Appendix for the full policy and procedures for traveling with minors, and contact the Chancery for the appropriate travel forms:

Office of Catholic Education (601) 949-6930

Office of Youth Ministry (601) 949-6934

Office of Religious Education and Formation (601) 960-8473

## **ALLEGATIONS & RESPONSE**

### **INTRODUCTION**

This section pertains to allegations of sexual abuse of a minor against Church personnel as defined in the policy. The obligation to protect children and young people and to prevent sexual abuse flows from the Mission of the church and the example given by Jesus Christ himself, in whose name we serve. Sexual abuse of a minor violates human dignity and the mission of the Church and will not be tolerated. A person who is guilty of such abuse commits a grave injustice against the victim, the victim's family and the Church community. The primary goals in establishing this policy and the procedures contained herein are the well-being of children, the spiritual health of the community and the integrity of the Church. The Church also recognizes its obligation to church personnel against whom allegations are made to ensure that they are treated fairly when accusations are made against them. In civil and canon law, a person is presumed innocent until proven otherwise. Therefore, care should be taken to ensure that this principle is always observed, even when encouraging a thorough yet sensitive inquiry.

The Diocese of Jackson will apply this policy with fairness, compassion and sensitivity when an allegation of sexual abuse of a minor is made against church personnel. This policy sets forth a process of internal church governance and is not determinative of any civil or criminal liability of the accused, the Diocese or any religious order involved.

A prime objective of all investigations conducted under this policy is the determination of the fitness of the accused person for the ministry previously

exercised in the Church or for any other ministry in the Church. In order to obtain the fullest information possible, such investigations and the information resulting from them shall be held confidential by all concerned except for mandatory reporting required by law.

## **ASSISTANCE TO THOSE AFFECTED**

- The Diocese shall make appropriate assistance available to those who may be affected by an alleged incident of sexual abuse of a minor.
- The Diocese shall designate a Victim Assistance Coordinator who shall minister to the victim, victim's family and where necessary other persons affected. The Victim Assistance Coordinator shall identify appropriate professional and other resources and make them available to aid in the care of a victim or other persons affected. The extent of the assistance is to be determined by the Diocese.
- The victim is encouraged to have a Personal Advocate. The purpose of the Personal Advocate is to support him/her through the difficult process of revealing his/her complaint. Should the victim request a Personal Advocate, a list may be provided from which he/she may choose.
- The Diocese shall reach out with compassion to the community affected in order to promote healing and understanding.
- If requested, the Vicar General will make available to the accused person an appropriate individual who can provide assistance, advice and moral support and who can facilitate referrals to resource persons, advocates and other professionals as necessary.

## **ONGOING SAFEGUARDS**

All institutions in the Diocese of Jackson will enforce the policies, principles and standards as set forth in this document to ensure that those employed or accepted for volunteer service can be expected to comply with this policy and to maintain an environment which discourages sexual abuse of a minor.

## **ONGOING HEALING AND SPIRITUAL GROWTH FOR THE WHOLE FAITH COMMUNITY**

The Bishop will be sensitive to any segment of the faith community which may be particularly hurting and will take great care to ensure that every effort is made to address ongoing long-term effects of sexual abuse of a minor. Support is provided through an on-going process of healing and spiritual for the whole faith community.

Since the faith community is itself an agent of reconciliation, it should be encouraged to participate in the recovery process thereby enabling it to develop means to understand these problems and help those affected by them.

## RIGHTS AND OBLIGATIONS OF THE COMPLAINANT

The rights of a complainant during a diocesan investigation include:

- The right to be heard;
- The right to be treated with respect and consideration;
- The right to report allegations to the appropriate public authorities;
- The right to seek and retain legal counsel;
- The right to discretion in the conduct of the investigation and to have her or his good name protected in the investigation;
- The right to reply to any response from the accused;
- The right to provide evidence in support of the complaint;
- The right to know the results of the investigation; and
- The right to be free of intimidation by the Church, the accused or the faith community.

The obligations of the complainant include:

- The obligation to provide complete and accurate information regarding the allegations to the best of his/her ability;
- The obligation to provide names of additional witnesses to investigators;
- The obligation not to interfere with the investigative process.

## RIGHTS AND OBLIGATIONS OF THE ACCUSED

The rights of the accused during the investigation include:

- The right to know the nature of the allegations.
- The right to defend against the allegations.
- The right to due process.
- The right not to incriminate her/himself.
- The right to civil and canonical counsel.
- The right to discretion in the conduct of the investigation and to have her/his good name protected during the investigation.
- The right to know the results of the investigation.

The obligations of the accused during the investigation include:

- The obligation not to interfere with the investigative process.
- The obligation not to have contact with the complainant during the investigative process.
- The obligation to observe any special provisions or restrictions imposed by the Bishop or his designee.

## REPORTING SUSPECTED CHILD ABUSE

- **To Mississippi Civil Authorities**
- ❖ Reports are to be made to the **Mississippi Department of Child Protection Services at 1-800-222-8000 or 601-432-4570** or submit a report online at <https://reportabuse.mdcps.ms.gov/>. **In an emergency call 911 or local law enforcement immediately.**
- ❖ **Mississippi Law requires that any person who knows or has**

**reason to suspect abuse or neglect of a child** by a parent, legal custodian, caregiver, or other person(s) responsible for the child's care, is required by law to make a report to the Mississippi Department of Child Protection Services..

**The report should include the following to the degree known to reporter:**

- 1) Child's name
- 2) Child's home address and phone
- 3) Child's DOB/age, race and sex;
- 4) Name of school the child attends
- 5) Type of maltreatment -- description of the situation and marks or bruises that may be present;
- 6) Person responsible for child's care,
- 7) Alleged perpetrator name(s)
- 8) Witnesses to the situation;
- 9) Other relevant information that would expedite an investigation

➤ **To Diocesan Authorities (if the perpetrator is a Parish / Diocesan employee or volunteer)**

- Notify Coordinator of the Office for the Protection of Children and Youth at 601-960-8471

## **CONCLUSION**

- Exploitation or abuse of any minor or adult by clergy or church personnel by means of spiritual, emotional, sexual, mental, physical abuse or manipulation, whether intentionally or unintentionally, is extremely egregious.
- Sexual abuse of a minor or vulnerable adult by church personnel violates human dignity and the mission of the Church. Such abuse will not be tolerated.
- The Diocese is committed to ensuring that children, young people, and vulnerable adults being served by the Church are not at risk of sexual abuse by church personnel.
- There is no easy solution to such painful situations. The procedures outlined in this policy have as their purpose the protection of minors and vulnerable adults and respect for the dignity of all involved.
- The Church in dealing with such tragedies can help the entire community to grow and develop, especially assisting it in combating the scourge of sexually abusive conduct.
- In particular, special care should be taken to demonstrate the Church's concern for children and their families in accord with the

prevention component: **Creating a Safe Environment for Our Children, Diocese of Jackson and Code of Ethical Principles and Standards for Church Employees and Volunteers, Diocese of Jackson.**

- The spiritual well-being of all persons affected by sexual abuse of a minor is of primary concern - - "The salvation of souls, which must always be the supreme law in the Church," (C. 1752).

This document has been prepared to provide policy for the prevention and response to sexual misconduct and/or sexual abuse. Our aim is to create safe environments for our children and youth and always respond appropriately to any allegation that is made.

The Diocese of Jackson is committed to the well-being of every child, youth, and vulnerable adult under its care. We are committed to keeping our churches, schools and institutions safe.

Given at Jackson this the 15th day of July 2020.



Joseph R. Kopacz  
Bishop of Jackson



Mary Woodward  
Chancellor



Catholic Diocese *of* Jackson