



ROMAN CATHOLIC

DIocese of **SPRINGFIELD-CAPE GIRARDEAU**

Office of Child and Youth Protection

Safe Environment Policy and Procedures

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Office of Child and Youth Protection

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DIOCESE of SPRINGFIELD–CAPE GIRARDEAU

Office of Child and Youth Protection

Safe Environment Policy Statement

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

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

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

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ROMAN CATHOLIC

DIOCESE of SPRINGFIELD–CAPE GIRARDEAU

Office of Child and Youth Protection

Safe Environment Policy and Procedures

Introduction

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

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

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

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

History

In 1993, the Diocese of Springfield-Cape Girardeau adopted a Sexual Misconduct Policy for all personnel of the diocese. The document was revised subsequent to the adoption in 2002 of the *Charter for the Protection of Children and Young People* (hereafter *Charter*) and the 2006 *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* (hereafter *Norms*). In 2013, this document was revised subsequent to the adoption of the *Code of Conduct for Clergy, Employees, and Adult Volunteers of the Diocese, Parish, and Schools*. This document, now referenced as the *Safe Environment Policy and Procedures*, has been reviewed and revised to include appropriate references to Canon Law. It reflects the modifications and revisions of the *Charter* in 2011 and 2018, the *Norms* outlined in 2019 and updated in 2023 by the Holy Father in the *Motu Proprio, Vos estis lux mundi* ("You are the light of the world"), the *Vademecum* of 2020, the *New Book VI of the Code of Canon Law*, (2021), and the recommendations of the United States Conference of Catholic Bishops (USCCB) and the National Review Board.

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

I. Definitions, for purposes of this document (reference also *Additional Definitions*, p. 21):

- A. “Adult”** any person 18 years of age or older (other than students enrolled in high school).
- “**Vulnerable and/or Eligible Adults**” are persons over the age of 18 who are considered uniquely vulnerable, who are unable to protect their own interests or adequately perform or obtain services necessary to meet their essential human needs due to physical or mental disabilities (as defined by the laws of the State of Missouri). “**Vulnerable Person**” means any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact, even occasionally, limits their ability to understand or to want or otherwise resist the offense (as defined, Article 1, *Motu Proprio, Vos estis lux mundi*, 2023).
- B. “Child” or “Minor”** means any person under the age of eighteen, or who is considered by law to be the equivalent of a minor. For the purposes of this document, the term “minors” also includes high school students age 18 or older. Sexual abuse of a minor will be understood in accordance with the Charter*.
- C. “Diocese” or “diocesan”** means the Diocese of Springfield-Cape Girardeau as a corporate entity, including its parishes, schools, offices, agencies and other institutions which operate under the authority of the Bishop.
- D. “Diocesan Personnel”** means all clergy, seminarians, religious, diocesan, parish and school employees and adult volunteers who work or volunteer on a regular or part-time basis within any organization designated as a diocesan entity.
- E. “Semblance of Truth”** is a reason to believe or reasonable cause to suspect—where time, person, place, and plausibility are considered and/or determined.
- F. “Sexual Abuse”** means forcing someone, by violence, threats or intimidation, or through abuse of authority, to perform or submit to sexual acts; performing sexual acts with a minor or a vulnerable person; the production, exhibition, possession or distribution, in whatever manner or using whatever technology, of pornographic images of a minor or Child Sexual Abuse Material, as well as by the recruitment of or inducement of a minor or a vulnerable person to participate in pornographic exhibitions (Article 1, *Motu Proprio, Vos estis lux mundi*, 2023). This includes any sexual conduct by diocesan personnel which is contrary to the moral teachings, doctrines and Canon Law of the Catholic Church (as noted below*); and/or unlawful as described by local, state, and federal laws (see *Additional Definitions*).
- G. “Sexual Misconduct”** For our purposes, sexual misconduct includes sexual abuse, enticement, exploitation, and other related behaviors, or the appearance of any such behavior, whether in-person, verbal, written or through the use of technology or other media, that are defined by and contrary to the moral teachings, doctrines and Canon Law of the Catholic Church; and/or unlawful as described by local, state, and federal laws (see *Additional Definitions*).

***Note:** This document not only references sexual abuse of a minor, those who habitually lack the use of reason, and vulnerable adults, but also includes cases of violence against religious women by clerics, as well as cases of harassment of adult seminarians or novices, and covers sexual violence and harassment resulting from the abuse of authority. Therefore, the obligation to report will be understood in accordance with the *Charter* (rev. 2018), the *Motu Proprio, Vos estis lux mundi*, (2019, 2023), the *Vademecum*, (2020), and the *Book VI of the Code of Canon Law*, (2021), and the provisions of the *Sacramentorum sanctitatis tutela* (SST), Article 6, which reads:

§1. *The more grave delicts against morals which are reserved to the Dicastery (formerly referred to as the Congregation) for the Doctrine of the Faith are:*

1° the delict against the sixth commandment of the Decalogue committed by a cleric with a minor below the age of eighteen years; in this case, a person who habitually lacks the use of reason is considered to be equivalent to a minor.

2° the acquisition, possession or distribution by a cleric of pornographic images of minors under the age of eighteen, for purposes of sexual gratification, by whatever means or using whatever technology.

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

Additional References Note: With respect for the **Vademecum, 2020**, and the **Code of Canon Law, 2021**:

I. What constitutes the delict (offense or violation)?

- 1. The delict in question includes every external offence against the sixth commandment of the Decalogue committed by a cleric with a minor (cf. canon 1395 § 2 CIC; art. 6 § 1, 1^a SST).*
- 2. The typology of the delict is quite broad; it can include, for example, sexual relations (consensual or non-consensual), physical contact for sexual gratification, exhibitionism, masturbation, the production of pornography, inducement to prostitution, conversations and/or propositions of a sexual nature, which can also occur through various means of communication.*

PENAL SANCTIONS IN THE CHURCH

TITLE V OFFENCES AGAINST SPECIAL OBLIGATIONS

Can. 1395 —

§ 1. *A cleric living in concubinage, other than in the case mentioned in can. 1394, and a cleric who continues in some other external sin against the sixth commandment of the Decalogue which causes scandal, is to be punished with suspension. To this, other penalties can progressively be added if after a warning he persists in the offence, until eventually he can be dismissed from the clerical state.*

§ 2. *A cleric who has offended in other ways against the sixth commandment of the Decalogue, if the offence was committed in public, is to be punished with just penalties, not excluding dismissal from the clerical state if the case so warrants.*

§ 3. *A cleric who by force, threats or abuse of his authority commits an offence against the sixth commandment of the Decalogue or forces someone to perform or submit to sexual acts is to be punished with the same penalty as in § 2.*

TITLE VI OFFENCES AGAINST HUMAN LIFE, DIGNITY AND LIBERTY

Can. 1398 —

§ 1. *A cleric is to be punished with deprivation of office and with other just penalties, not excluding, where the case calls for it, dismissal from the clerical state, if he:*

1° commits an offence against the sixth commandment of the Decalogue with a minor or with a person who habitually has an imperfect use of reason or with one to whom the law recognizes equal protection;

2° grooms or induces a minor or a person who habitually has an imperfect use of reason or one to whom the law recognizes equal protection to expose himself or herself pornographically or to take part in pornographic exhibitions, whether real or simulated;

3° immorally acquires, retains, exhibits or distributes, in whatever manner and by whatever technology, pornographic images of minors or of persons who habitually have an imperfect use of reason.

§ 2. *A member of an institute of consecrated life or of a society of apostolic life, or any one of the faithful who enjoys a dignity or performs an office or function in the Church, who commits an offence mentioned in § 1 or in can. 1395 § 3 is to be punished according to the provision of can. 1336 §§ 2-4, with the addition of other penalties according to the gravity of the offence.*

In view of the Circular Letter from the Congregation (now named the Dicastery) for the Doctrine of the Faith, dated May 3, 2011, which calls for “mak[ing] allowance for the legislation of the country where the Conference is located,” and reinforced again in Articles 19 & 20, *Vos estis lux mundi*, (2023), the *New Book VI of the Code of Canon Law*, (2021), the laws of the State of Missouri regarding legal age for defining child abuse and child pornography or Child Sexual Abuse Material, shall be applied for complying with civil reporting statutes and assessing suitability for ministry.

If there is any doubt whether a specific act qualifies as an external, objectively grave violation, the writings of recognized moral theologians should be consulted, and the opinions of recognized experts should be appropriately obtained (*Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995, p. 6, and *Book VI of the Code of Canon Law*).

It is the responsibility of the diocesan Bishop, with the advice of a qualified Review Board, to ultimately determine the gravity of the alleged act.

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

- A.** The diocese is committed to ensuring that those who have stated that they have been harmed, together with their families, are to be treated with dignity and respect, and in particular, are to be welcomed, listened to, and supported.
- B.** The diocese must respond promptly to any allegation where there is reason to believe that sexual misconduct by clergy or other diocesan personnel has occurred and will reach out to every person who has been the victim of sexual misconduct by anyone acting in the name of the Church, whether the misconduct was recent or occurred years in the past.
- C.** The diocese must act with proper care and prudence to protect those who make such reports from any prejudice, discrimination, or retaliation, as a consequence for making the report. The information included in the report must be protected and treated in such a way to guarantee its safety, integrity, and confidentiality.
- D.** The Victim Assistance Coordinator will aid in the immediate pastoral care of persons who claim to have been sexually abused or mistreated by clergy or other diocesan personnel.

- E. Those who make reports, the victim(s)/survivor(s) and their families should be offered spiritual assistance, provided medical assistance, including therapeutic and psychological assistance, counseling, or other such services agreed upon by the victim(s)/survivor(s) and the diocese.
- F. In cooperation with social service agencies and other churches, support groups for victim(s)/survivor(s) and others affected by abuse will be fostered and encouraged by the diocese and local parish communities.
- G. Through pastoral outreach to victim(s)/survivor(s) and their families, the Bishop will offer to meet with them. This pastoral outreach by the Bishop will also be directed to faith communities in which the sexual misconduct occurred.

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

- A. **Safe Environment Education and Training.** The diocese will establish safe environment programs that address appropriate and acceptable interactions, healthy boundaries, issues of sexual misconduct, and reporting obligations that all diocesan personnel are required to attend and complete.

The diocese will cooperate with parents, educators, civil authorities, and community organizations to provide education and training for children, youth, parents, ministers, educators and others about ways to provide and maintain a safe environment for children.

The diocese will make clear to all members of the community the standards of conduct for all diocesan personnel in positions of trust with regard to sexual misconduct.

Diocesan personnel, clergy, employees, catechetical leaders and other volunteers, may be required to read training bulletins and to complete other relevant training as assigned or provided by their supervisor or by the diocese. Any adult is encouraged and welcome to attend the safe environment programs held in the diocese (*Charter*, Article 12).

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

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

- C. **Code of Conduct.** All diocesan personnel are required to read and annually review *The Code of Conduct for Clergy, Employees and Adult Volunteers of the Diocese, Parishes and Schools*, complete the Background Questionnaire section and sign the Acknowledgement and Agreement, then submit that to the designated local Safe Environment Coordinator. This is to be recorded and sent to the Diocese Office of Child and Youth Protection.

- D. Candidates for Ordination.** In addition, the Diocese will employ adequate screening and evaluative techniques in deciding the fitness of candidates for ordination. All candidates will also comply with required Safe Environment Training, Background Screening, and current Code of Conduct with Background Questionnaire.
- E. Extern Priests and Religious Orders.** Priests from other dioceses, religious order priests, deacons, sisters and brothers who are visiting, or temporarily assigned, must provide a Letter of Good Standing which should include verification that they are current and in compliance with the required Safe Environment Training, Background Screening, and current Code of Conduct. And, if they will be regularly working/residing in the diocese for an extended period, may be requested to provide updates while in this diocese.

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

IV. Reporting an Allegation of Abuse and/or Sexual Misconduct (*Norms 11, Charter, Article 4*).

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

Any known or suspected abuse or neglect of an adult must be reported to the Missouri Adult Abuse and Neglect Hotline 800-392-0210, as applicable, and as required by law.

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

All diocesan personnel are required to report known or suspected abuse or neglect and may also make a report to any law enforcement agency; however, this report shall not take the place of reporting to the Children's Division or the appropriate civil authority.¹

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

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

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

¹ Sections 210.115, 210.135 Missouri Revisor of Statues (RSMO).

² Sections 210.135, 192.2430, 630.164, 630.165 RSMO.
Diocese of Springfield-Cape Girardeau

- C. Failure to Report.** Failure to report suspected abuse of a minor or adult by a person legally required to do so may subject the person to probation, a fine, and/or other legal action.³ Diocesan personnel who become aware of an allegation of sexual misconduct and fail to report it pursuant to this policy may be subject to disciplinary actions.

With respect to civil laws, members of the clergy are required to report known or suspected abuse unless to do so would violate a privileged communication made to them in their professional capacity as spiritual advisors, confessors or comforters.⁴

(Note: Can. 1371 — § 6. A person who neglects to report an offence, when required to do so by a canonical law, is to be punished according to the provision of can. 1336 §§ 2-4, with the addition of other penalties according to the gravity of the offence.)

- D. False Report.** Any person who makes a false report, knowing that the report is false, or who acts in bad faith or with ill intent in making such report shall not have immunity from liability, civil or criminal.⁵ Any person who knowingly files a false report of vulnerable person abuse or neglect is guilty of a class A Misdemeanor.⁶
- E. Required Reporting.** The diocese requires diocesan personnel who become aware of an allegation of sexual misconduct to first immediately report the allegation to the appropriate civil authorities in compliance with state and federal laws as described in this policy and then to also immediately report the allegation to the Diocesan Director of the Office of Child and Youth Protection (OCYP).

Even in cases where there is no explicit legal obligation to do so, the ecclesiastical authorities should make a report to the competent civil authorities if this is considered necessary to protect the person involved or other minors from the danger of further criminal acts (*Vademecum, II.b.17*).

- F. Reporting Allegations to the Diocese.** With respect for the reporting of an allegation of sexual misconduct to the diocese, there are a variety of methods for reporting such a complaint in a safe manner.

Any person who alleges sexual misconduct on the part of diocesan personnel may report a concern or complaint by contacting any one of the following individuals by telephone, in person, online, or in writing (marked “Personal and Confidential”):

1. The Director of the Office of Child and Youth Protection, Diocese of Springfield-Cape Girardeau, 601 S. Jefferson Avenue, Springfield, MO 65806, (417) 866-0841; or at childandyouthprotection@dioscg.org.
2. The Victim Assistance Coordinators are licensed mental health professionals and are laypersons not necessarily employed by the Diocese. The names of the Victim Assistance Coordinators are available through the Catholic Center, (417) 866-0841, and listed on the diocesan web site, www.dioscg.org, and in the Diocesan Directory.
3. The TIPS online reporting Service on the diocesan webpage: www.dioscg.org.

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

⁴ Sections 210.140; 352.400 RSMO, Ministers Duty to Report.

⁵ Section 210.135 RSMO.

⁶ Sections 192.2400, 630.162, 630.165 RSMO.

- G. Anonymous Reports** (*Vademecum, II.a.10-13*). Reports of offenses or violations can come from a variety of sources: it can be formally presented to the Ordinary or Hierarchy, orally or in writing, by the alleged victim, his or her guardians or other persons claiming to have knowledge about the matter; it can become known to the Ordinary or Hierarchy through the exercise of his duty for vigilance; it can be reported to the Ordinary or Hierarchy by the civil authorities through channels provided for by local legislation; it can be made known through the communications media (including social media); it can come to his knowledge through hearsay, or in any other adequate way.

At times, reports may come from an anonymous source, namely, from unidentified or unidentifiable persons. The anonymity of the source should not automatically lead to considering the report as false. Nonetheless, for easily understandable reasons, great caution should be exercised in considering this type of report, and anonymous reports certainly should not be encouraged.

Likewise, when a report comes from sources whose credibility might appear at first doubtful, it is not advisable to dismiss the matter a priori.

At times, a report lacks specific details (names, dates, times...). Even if vague and unclear, it should be appropriately assessed and, if reasonably possible, given all due attention.

- H. Violations involving the Bishop** shall be forwarded to the respective Patriarch, Major Archbishop or Metropolitan of the Church, or the Holy See, and reported to the Catholic Bishop Abuse Reporting Service at **800-276-1562** or <https://reportbishopabuse.org/>.

V. Posting and Publishing the Procedures for Reporting Allegations.

The diocese shall make its procedures for reporting allegations of sexual misconduct available in printed form and through periodic public announcements. The procedures for reporting allegations of sexual misconduct will be posted on the diocesan web site and periodically published in the diocesan newspaper, in the bulletins of all parishes of the diocese, and in the publications of all schools of the diocese.

A poster provided by the diocese, with the procedures for reporting, is to be displayed in the clearly visible locations, entrances, public gathering spaces of each Church, parish hall and school.

VI. Diocesan Review Board.

- A. Authorization of Board.** The USCCB Charter calls for a Review Board in every diocese to function “as a confidential consultative body to the Bishop” (*Charter, Article 2*). The Review Board will advise the Bishop and diocesan administrators regarding allegations reported against diocesan personnel and other matters as requested by the Bishop (*Norms 4, and Diocesan Review Board By-Laws*).
- B. Composition of Board.** The Diocesan Review Board shall be composed of at least five persons appointed by the Bishop (*Norms 5*), the majority of whom shall be lay persons not in the employ of the Diocese. At least one member shall be a priest, and at least one member shall have expertise in the treatment for victim/survivors of sexual misconduct. The members shall be appointed for a term of five years, which can be renewed and extended at the request of the Bishop (*Norms 5*).

- C. For Cases Involving a Priest, the Promoter of Justice** must be a Priest, unless the Dicastery (formerly Congregation) for the Doctrine of Faith grants a special dispensation (John Paul II, *Sacramentorum Sanctitatis Tutela*, Article 12).

The Promoter of Justice is a non-voting member of the Board. The Promoter of Justice must have an unimpaired reputation, be proven in prudence and in zeal for justice, and possess a degree in Canon Law (CIC, c. 1453). The Promoter of Justice is responsible to see that the safeguards and requirements of the law are applied equitably and that the rights of the complainant and the accused are protected.

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

1. Be present, to the extent possible, at all meetings of the Review Board to help ensure and safeguard the integrity of the process followed by the review board in fulfilling its duties; especially, with regard to matters related to Canon Law (*Norms 5; Charter, Article 2*);
2. Be consulted prior to imposing administrative leave during the penal process;
3. Act on behalf of the complainant in all judicial penal trials.

- D. Responsibilities of Board** (*Charter, Norms 4*). The functions of the Diocesan Review Board shall include, but are not limited to:

1. To function as a confidential consultative body to the Bishop in discharging his responsibilities.
2. Advising the Bishop on all aspects of allegations of sexual misconduct by diocesan personnel, whether retrospectively or prospectively.
3. Assisting the Bishop in his assessment of allegations of sexual misconduct by diocesan personnel, determining *Semblance of Truth*, making recommendations with regard to the determination of suitability for ministry, continued employment or volunteer service, and appropriate disciplinary action.
4. Reviewing the diocesan policies and practices for providing a safe environment.

- E. Confidentiality of the Review Board.** In assisting the Bishop in arriving at the appropriate action following allegations of sexual misconduct by diocesan personnel, the work of the Review Board is confidential. The exception of when an allegation of sexual misconduct is judged to have a *Semblance of Truth* and the allegation must be reported to appropriate civil authorities as required by the laws of the State of Missouri for all Mandatory Reporters, consistent with the Diocese's commitment to transparency and openness with respect always for the privacy and the reputation of the individuals involved (*Norms Preamble*).

VII. Addressing an Allegation.

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

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

2. No investigation should commence until the State Child or Adult Abuse and Neglect Services and/or civil authorities have been notified, as required by law, and it is certain that the actions of the Diocese and the Bishop's Review Board would not interfere with their investigation.
 3. Every incident will be assessed, with care taken to not interfere with any civil or criminal investigation, and with a high level of Christian compassion, care, concern and confidentiality for the person reporting the incident, the alleged victim/survivor, the family of the alleged victim/survivor, and the accused.
 4. Upon receipt of an allegation of sexual misconduct by diocesan personnel, the Bishop, Vicar General, the Director of the Office of Child and Youth Protection, and diocesan legal counsel are to be notified immediately and consult as a team.
 5. **In the event a report is received concerning the Bishop**, in addition to notifying the civil authorities, as required by law, the report shall be forwarded to the respective Patriarch, Major Archbishop or Metropolitan of the Church, or the Holy See (Article 8, *Vos estis lux mundi*, 2023; the *Vademecum*, 2020).
- B. Statement of Rights for Victim/Survivor and the Accused.** The victim(s)/survivor(s), person making the report, and the accused will each be provided a statement explaining their respective rights during the process, informed of their rights to report to civil authorities and to retain the assistance of civil and/or Canonical counsel (*Norms 11*).
- C. Preliminary Investigation.**
1. When an allegation of sexual misconduct by a Priest or Deacon is received, the Bishop shall order a preliminary investigation in accordance with canon law, the universal law of the Church and of the Essential Norms approved for the United States, be initiated and conducted promptly and objectively (CIC, c. 1717; CCEO, c. 1468).
 2. **Presumption of Innocence.** During the investigation, the accused, whether clergy, deacon or other diocesan personnel, is to be accorded the presumption of innocence during the investigation of the allegation and all appropriate steps are to be taken to protect his or her reputation.
 3. **Protecting Privacy.** The Diocese will protect the privacy of the persons involved, as well as the confidentiality of their personal information, and shall not disclose the names of the victim(s)/survivor(s) or the person making the allegation without their prior knowledge and expressed consent, whenever possible, except when such disclosure is necessary for the investigation to be conducted or as required by law (Article 5, *Vos estis lux mundi*, 2023).
 4. **Informing the Accused of the Allegations.** The accused will be presented with a specific listing of the allegations and be permitted to respond to the allegations in person or in writing and to ask clarifying questions.
- D. Designating an Investigator.**
1. When conducting an investigation, the Bishop may establish a list of qualified persons from which he may choose those most suitable to assist in the investigation, according to the needs of the individual case, and, in particular, taking into account the cooperation that can be offered by the lay faithful pursuant to canons 228 CIC and 408 CCEO (Article 14, *Vos estis lux mundi*, 2023).

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

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

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

F. Interviewing Minors/Vulnerable Adults. If it is necessary for the investigation to involve directly interviewing a minor or vulnerable adult, their parent or legal guardian, or authorized representative must also be present and their consent obtained.

By law, any allegations of abuse involving minors or adults must first be immediately reported to civil authorities and the interviews must not interfere with their investigation.

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

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

H. Precautions and Actions During the Investigation.

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

VIII. Confidentiality Agreements.

- A. The Diocese will not enter into settlements which bind the parties to confidentiality, unless the victim/survivor requests confidentiality and only if this request is noted in the text of the agreement (*Charter*, Article 3).
- B. An obligation to keep silent may not be imposed on any person with regard to the contents of his or her report (Article 4, *Motu Proprio, Vos estis lux mundi*, 2023).

IX. Notifications.

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

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

- A. When, after an appropriate investigation in accord with Canon Law (*Norms* 6 and 8), an accused Priest or Deacon admits to or does not contest an allegation of sexual misconduct, as defined; the allegation of sexual misconduct is determined by the Review Board to meet the *Semblance of Truth*; or, the allegation of sexual misconduct is substantiated by civil authorities, for even a single act of abuse or misconduct, the following will pertain:
 - 1. In every case when *Semblance of Truth* has been met, the processes provided for in Canon Law must be observed, and the various provisions of Canon Law must be considered. (*cf. Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State, 1995; cf. Letter from the Congregation (now the Dicastery) for the Doctrine of the Faith, May 18, 2001; New Book VI of the Code of Canon Law, 2021*).

These provisions may include a request by the priest or deacon for dispensation from the obligation of holy orders and the loss of the clerical state, or a request by the Bishop for dismissal from the clerical state *ex officio* even without the consent of the priest or deacon (*Norms* 10).

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

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

If, after conducting an appropriate investigation in accord with Canon and civil laws, a *Semblance of Truth* regarding the allegation cannot be established or the allegation has been determined to be unsubstantiated or false, compassionate support should be extended to the accused.

Although there is a presumption of innocence during the investigation, the accused may be left with a tarnished reputation. Every step possible shall be taken to restore the good name of the person falsely accused and every effort will be made to return the individual to employment or service in the Diocese (*Norms 13*).

A. For Clergy.

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

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

B. For Diocesan Personnel Other than Clergy.

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

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

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

Policy adopted 1993; revised 2003, 2005, 2007, 2008, 2013, 2015, 2017, 2018, 2019, 2020, 2021, and 2024.

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

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

Bullying and Cyberbullying:

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

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

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

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

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

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

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

Child pornography, or Child Sexual Abuse Material: any representation of a minor, regardless of the means used, involved in explicit sexual activities, whether real or simulated, and any representation of sexual organs of minors for primarily sexual purposes, (Article 1, Motu Proprio, Vos estis lux mundi, 2023; also see Sexual Offenses section of this document).

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

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

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

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

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

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

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

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

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

Hostile Environment: A “hostile environment” exists when the behavior or harassment, as defined, is sufficiently serious to deny or limit a person’s ability to participate in or benefit from programs or activities. A hostile environment can be created by anyone involved in any diocesan, church or school program or activity.

In determining whether harassment has created a hostile environment, the investigator considers the conduct in question from both a subjective and objective perspective. It will be necessary, but not enough, that the conduct was unwelcome to the person who was harassed.

The investigator will also need to find that a reasonable person in that circumstance or position would have perceived the conduct as undesirable or offensive in order for that conduct to create or contribute to a hostile environment.

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

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

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

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

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

Sexual Abuse: means forcing someone, by violence or threat or through abuse of authority, to perform or submit to sexual acts; performing sexual acts with a minor or a vulnerable person; the production, exhibition, possession or distribution, including by electronic means, of child pornography or Child Sexual Abuse Material, as well as by the recruitment of or inducement of a minor or a vulnerable person to participate in pornographic exhibitions (as defined, Article 1, Motu Proprio, Vos estis lux mundi, 2023).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Examples include, but are not limited to the following:

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

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



ROMAN CATHOLIC

DIocese of **SPRINGFIELD–CAPE GIRARDEAU**

Office of Child and Youth Protection

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

POLICY STATEMENT: The Diocese of Springfield-Cape Girardeau and its Affiliates (defined as “parishes, schools, offices, agencies, and other institutions which operate under the administrative authority of the Bishop”) recognize that in today’s environment, with the increasing prevalence and use of, and the advancements in technology (in all of its various forms, formats, means and methods, including but not limited to email, social media, cellular telephones, computer systems, etc.—hereafter referred to as technology), diocesan personnel, including clergy, religious men and women, employees and adult volunteers will use technology to conduct ministry work and to communicate with associates, colleagues, and friends. The use of technology provides various ways for individuals to interact and has changed the way we communicate and share information. The Diocese of Springfield-Cape Girardeau views technology as an important educational and evangelizing tool to promote school and ministerial programs.

The Diocese encourages administrators, pastors, and principals to support the appropriate and responsible use of technology and to give diocesan personnel the necessary training and tools to interact safely in accordance with diocesan policies. However, those using technology should bear in mind that certain comments and information may have a harmful effect on the Diocese of Springfield-Cape Girardeau, its reputation, its employees, and its members.

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

DEFINITIONS FOR THE PURPOSE OF THIS POLICY:

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

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

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

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

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

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

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

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

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

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

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

Technology: Any method or means of communication or of acquiring or distributing information and materials through an electronic device, such as a computer, cell phone, or through a platform, social media, websites, or through text, email or any other means.

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

PROCEDURE

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

Key Rules for Establishing Sites:

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

Ministry Websites

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

Ministry Email/Blogs

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

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

Personal Email/Blogs

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

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

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

Personal Websites

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

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

Password-Protected Sites

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

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

Social Networking Websites

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

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

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

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

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

Confidential and Proprietary Information

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

Trademarks and Logos

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

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

Inappropriate Language and Images

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

Right to Review

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

Protection of Children

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

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

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

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

Enforcement

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

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

APPROVED on September 1, 2015 by Most Reverend James V. Johnston, Diocese of Springfield-Cape Girardeau.

REVIEWED, REVISED, and APPROVED on June 28, 2017 by Most Reverend Edward Rice, Diocese of Springfield-Cape Girardeau. Revised 2019, 2020, 2021, 2024

A suggestion of online resources here:

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

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

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

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

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



ROMAN CATHOLIC

DIocese of SPRINGFIELD-CAPE GIRARDEAU

Office of Child and Youth Protection

Parental/Guardian Consent and Media Release Form

Dear Parent/Guardian:

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

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

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

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

Child/Student Name: _____ DOB: _____

Parish/School/Group and Location: _____

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

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

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

___ Video/Audio Conferencing Platform: _____

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

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

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

Parent/Guardian Signature: _____ Date: _____

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ROMAN CATHOLIC

DIocese of SPRINGFIELD–CAPE GIRARDEAU

Office of Child and Youth Protection

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

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

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

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

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

Policy Coordinator

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

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

Harassment

The Diocese of Springfield-Cape Girardeau expects that all relationships among persons on any diocesan, parish or school campus or engaged in any church-related programs on or off campus will be respectful and free of bias, prejudice, and harassment. All members of the Diocese of Springfield-Cape Girardeau community share responsibility for avoiding, discouraging, and reporting of any form of harassment, discrimination, violence, or retaliation. Harassment of any kind is in total disregard to the culture of the Diocese of Springfield-Cape Girardeau, is strictly prohibited, and will not be tolerated.

Under this policy, harassment is: verbal or physical conduct that derogates or shows hostility or aversion toward an individual or group because of his or her race, color, religion, national origin, ancestry, physical or mental disability, or any other characteristic protected by law; is severe, persistent, and pervasive, and adversely affects or substantially interferes with an individual's ability to participate in or benefit from a program or activity; or creates an intimidating, hostile or abusive environment.

Harassing conduct includes, but is not limited to:

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

Sex-based Harassment

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

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

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

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

Discrimination

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

Physical Violence

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

Sexual Violence

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

Sexual violence may include, but is not limited to:

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

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

Retaliation

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

Retaliation against an individual for reporting harassment, discrimination, or violence, or for participation in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment, discrimination, or violence itself, will subject an individual to disciplinary action. Acts of retaliation should be reported immediately and will be investigated and corrective action taken promptly.

Corrective action may include, but is not limited to: warning, suspension, expulsion, and in egregious situations, the involvement of law enforcement officials.

Individuals and Conduct Covered

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

Conduct prohibited by this policy is unacceptable in all academic, educational, extracurricular, athletic, and other activities and programs involving youth and children of the schools and parishes, whether those programs occur on campus, on a bus, or at another location away from the parish or school campus. Individuals who violate these policies will be subject to disciplinary action, up to and including suspension or expulsion if a student; suspension or termination of employment if an employee; dismissal if a volunteer; and in egregious situations or when required by law, reported to law enforcement officials.

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

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

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

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

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

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

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

Informal Complaint Procedure

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

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

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

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

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

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

Formal Complaint Procedure

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Confidentiality and Recordkeeping

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

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

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

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

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

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

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

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

Conclusion

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

Pastor:

Principal:

Assistant Principal:

Superintendent of Catholic Schools:

Director, Office of Child and Youth Protection:

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

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ROMAN CATHOLIC

DIocese of SPRINGFIELD–CAPE GIRARDEAU

Office of Child and Youth Protection

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

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

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

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

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

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

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

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

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

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

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

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

Contact:

Director, Office of Child and Youth Protection

Policy Coordinator 417-866-0841



ROMAN CATHOLIC

DIOCESE of SPRINGFIELD-CAPE GIRARDEAU

Office of Child and Youth Protection

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

Complainant: _____ Phone: _____

Parent/Guardian Name: _____

Home Address: _____

Time and Date of this report: _____

Nature of the alleged incidents: _____

Harassment Discrimination Sexual Violence Retaliation

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

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

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

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

List any witnesses who were present: _____

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

(Complainant's signature)

(Date)

(Parent/guardian signature)

(Date)

(Diocesan Representative)

(Date Received)



ROMAN CATHOLIC
DIocese of SPRINGFIELD—CAPE GIRARDEAU

Office of Child and Youth Protection

Misconduct Allegation Report Form

Person receiving call: _____ Date and Time: _____

How was complaint received: Telephone U.S. Mail E-Mail Other _____

Complainant Name: _____

Address: _____

Telephone number: _____ Date of birth: _____

Maiden name or other names used (if applicable): _____

Is complainant the victim? Yes No (circle one)

If no, whom is complainant representing: _____

Name of victim: _____ Date of birth or current age: _____

Address of Victim/Survivor: _____

Telephone number: _____ Is victim willing to be contacted: Yes No

Against whom is allegation directed: Clergy Employee Volunteer Other

Name of accused: _____

Address of accused: _____

When did allegation allegedly take place (date or timeframe)? _____

Where did allegation allegedly take place? _____

Relationship between victim/survivor and accused at time of alleged sexual misconduct: _____

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

Was the complaint previously made known to someone else? Yes No

If yes, to whom and when: _____

Nature of the alleged misconduct – any helpful details: _____

Complainant advised of right to call Child or Adult Abuse and Neglect/Law Enforcement? Yes No

Complainant advised of name of Victim Assistance Coordinator? Yes No

Complainant advised of the church social services available to them? Yes No

What are the expectations of the complainant? _____

Call made to **Missouri Child Abuse and Neglect Hotline 800-392-3738** or **844-CAN-TELL**? Yes No

Or **the Missouri Adult Abuse and Neglect Hotline 800-392-0210**? Yes No

Details—Report Number, Names, Date and Time: _____

PROMISE TO PROTECT



PLEDGE TO HEAL

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

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

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

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

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

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

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