



DIOCESE OF SAN BERNARDINO

SAFE ENVIRONMENT POLICY FOR THE PROTECTION OF CHILDREN
AND
CODE OF PASTORAL CONDUCT



DIOCESE OF SAN BERNARDINO



OFFICE OF THE BISHOP

Brothers and Sisters in Christ,

I want to express my profound gratitude to the people of the Church of San Bernardino for the very serious and persistent manner in which we have dedicated ourselves to the protection of children and young people in our diocese. They are the future of our Catholic communities and we must guard their safety and healthy maturation with constant attention.

While we will always carry with us the pain of the crisis that brought us to this ministry, we embrace our call today to leadership in prevention and healing of child abuse. We do this in collaboration with the United States Conference of Catholic Bishops (USCCB) and the other dioceses in our nation under the guidance of the *Charter for the Protection of Children and Young People* that was adopted in 2002 and revised in 2005.

The Charter is the foundation of our own Diocesan Safe Environment AND Code of Pastoral Conduct that allows us to address the issue of child and youth protection as a daily ministry. It guides our efforts in the areas of security, education, pastoral outreach and healing.

Whether or not this policy is lived in our diocese, of course, depends on our commitment to take it seriously and follow it faithfully. I am grateful for the widespread commitment to our policy that I have seen at the parish level over the past seven years, as evidenced by USCCB audits that have found us to be in full compliance with the Charter. I ask you to continue to be ever vigilant in protecting our children by following this policy comprehensively and completely.

May God continue to bless us in this ministry and let us answer His call willingly and with conviction.

Yours in Christ,

A handwritten signature in cursive script that reads "Gerald R. Barnes".

Most Reverend Gerald R. Barnes

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- A.** This document may be downloaded from the diocesan website at www.docyp.org
1. Click the link on the right side of the training page that says
 “Diocesan Safe Environment Policy”.

B. Contact the Diocesan Office of Child and Youth Protection:

Write to:	Call: (909) 475-5125
Diocese of San Bernardino	
Diocesan Office of Child and Youth Protection	Fax: (909) 475-5126
1201 East Highland Avenue	
San Bernardino CA 92404	e -mail: ChildandYouthProtection@sbdiocese.org

I. **Introduction**

“Tend the flock that God has entrusted to you; watch over it....
Be examples that the whole flock can follow....” 1 Peter 5:2-3

Our belief in the dignity of all human beings demands that we, the Church, must commit to provide a safe environment for all who enter and use our diocesan, parish and school premises. As Catholics, we do not condone or accept abuse, bullying or harassment of any kind, whether it is manifested in a physical, sexual, verbal, or psychological form.

When fundamental human dignities are ignored, abuse may occur. Every person who works and ministers in the name of the Diocese of San Bernardino must abide by all established safe environment safeguards. This policy intends to provide protection for all.

II. **Code of Pastoral Conduct**

Catholic values and conduct must be upheld by everyone working or volunteering in the Diocese of San Bernardino. Everyone must abide by the Diocese of San Bernardino *Policy for the Protection of Children and Young People*, the *Code of Pastoral Conduct* and any code of ethics that may pertain to a particular profession.

Before beginning service in the Diocese of San Bernardino, all clergy, candidates for ordination, employees and volunteers must review and agree to adhere to all Diocesan policies designed to ensure that a safe environment exists everywhere within the Diocese.

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III. Training

A. Groups requiring Safe Environment training:

1. **Clergy, candidates for ordination, men and women religious, employees, all catechists, as well as those volunteers who minister in programs relating to minors (under 18 years of age) are required to complete safe environment training.**
2. **This training must be completed prior to beginning service, whether volunteer or as an employee, and at later intervals, as determined by California law and/or diocesan policies.**

Training is highly recommended for lay ministry leaders, volunteers working with vulnerable adults, lay ministers of holy communion to shut-ins, parents, guardians and/or care givers.

B. Curriculum:

1. Training for Adults

The program "Protecting God's Children - for Adults" training and reading monthly bulletins from Virtus, Inc. Those who are required to train must read the monthly bulletin.

- ✓ Diocese of San Bernardino Safe Environment Policy for the Protection of Children and Young People
- ✓ Diocese of San Bernardino Code of Pastoral Conduct
- ✓ State of California Child Abuse and Neglect Reporting Law - **Summary Appendix 2**
- ✓ Adult training concerning vulnerable adults (USCCB Charter recommended)

The State of California highly recommends that all volunteers who have regular contact with children be trained to report suspected child abuse and neglect. It also recommends that mandated reporter training for abuse or neglect be given to those working with vulnerable adults.

Our Diocesan policy mandates that anyone who has regular contact with minors, employee or volunteer, must report suspected child abuse to either local law enforcement or Child Protective Services. This also pertains to those who work or volunteer with vulnerable adults.

The CA state form can be found at www.ag.ca.gov/childabuse/pdf/ss_8572.pdf

Everyone must renew their training by June 30th of their 5th year of training.

For example – a person completes all required training during 2012.

This person's training will expire June 30th 2017.

2. Training for minors

The program, "Touching Safety - Virtus", is required annually of all enrolled in diocesan schools, catechetical and youth ministry programs and any other programs designed for minors and sponsored by entities of the diocese.

(e.g. Altar Servers, Knights of Columbus Squires etc.)

- ✓ Age-appropriate materials for personal safety
- ✓ Age-appropriate materials pertaining to personal boundaries, proper touch, proper relationships, bullying and harassment

C. **Delivery methods available for instruction to the target groups approved by the Diocese**

Adults – Materials Available from Diocesan Office of Child and Youth Protection

- Live training sessions/workshops conducted in the Parish, School or Diocesan Pastoral Center
- Online training from the Diocesan web site www.virtus.org

Minors Materials are available through the Office of Catechetical Ministry, Office of Ministry with Young Catholics and Office of Catholic Schools or directly from Virtus – www.virtus.org

- training materials K through 12 used for minors and approved by the Diocese, and age appropriate materials for pre-school and transitional kindergarten children

Teens Volunteering with Minors in a supervisory role (14 to 17)

- Complete teen training available through the Office of Child and Youth Protection

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D. Documentation: Evidence of Compliance

1. Each Diocesan Parish, School, and Organization is responsible for documenting the initial, renewal and ongoing Safe Environment training for all target groups.

Copies of documentation materials must be kept by each entity

- In the Parish, each Pastor, Pastoral Coordinator or Priest Administrator is responsible for assuring that training and documentation occur.
- In Catholic Schools, each Principal is responsible for training and documentation at the School site.

Documentation includes:

- A sign-in sheet with the name of each individual who attends a live training session; signature of the attendee; record of the location with date, the entity number of the parish or school and the facilitator conducting the session. A copy of the sign in sheet must be sent to the Office of Child and Youth Protection as soon as possible after the training session for approval of the attendee's training.
 - Each site must keep the walk-in attendee's participant information form and make sure the walk-in attendee is registered for a Virtus account
 - After the training has been approved, a Certificate of Completion for each individual can be printed by the individual from their account on the **Virtus** database at www.virtusonline.org. Each individual is encouraged to print a copy of this Certificate and keep it with their documents. This form indicates that the person received the training and will be accountable for using the information gained. (Parish Safe Environment Administrators have access via the **Virtus** website for certificates for their parish volunteers.)
 - Parishes and schools must retain copies of any additional resources utilized for update purposes. These resources are to be attached to a form that indicates who received the materials, the method of distribution and date of distribution
2. The **Director of Human Resources**, in collaboration with the Director of the Diocesan Office of Child and Youth Protection, verifies the training and documentation of all Diocesan employees and volunteers. The Human Resources Office documents and verifies all background check information.
 - Verification of completed and compliant background check information will be sent annually to all Diocesan parishes and schools by the Human Resources office .
 3. The **Director of the Department of Ministry of Educational Services** facilitates the training and documentation of children and youth in Catholic Schools, Parish Catechetical Ministry programs and Youth Ministry programs.
 - Verification of all training for minors is sent to the Office of Child and Youth Protection for inclusion in the annual Diocesan Audit sent to the USCCB..
 4. The **Office of Child and Youth Protection** will verify the Safe Environment training for adult volunteers who minister with catechetical and youth ministry programs. This verification will be sent annually to parishes and schools.
 5. The **Office of Priests Personnel** will verify and document the training and on-going education for all bishops and priests. The Office of Permanent Deacons will verify and document the training and on-going education for all permanent deacons.

These requirements are in compliance with the requirements of the Charter for the Protection of Children and Young people issued by the USCCB in 2011, Article 12.

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IV. Background checks required for:

A. Clergy, Employees, Candidates for Ordination and Independent Contractors

- Method used - is Live Scan fingerprinting done by the California Department of Justice.
- **All clergy, employees, candidates for ordination and independent contractors must have a current satisfactory background check on file with the Diocese of San Bernardino**

B. Volunteers who have regular contact with minors (those under the age of 18):

- Method used - background screening. This is a minimum requirement.
- A parish or school may require that additional ministries be background checked as part of their Parish Plan to meet the specific and/or unique needs of the parish.

All persons 18 or older, who supervise or assist when minors are present, must have a current satisfactory background check on file with the Diocese of San Bernardino.

This requirement is in compliance with the requirements of the Charter for the Protection of Children and Young people issued by the USCCB in 2011, Article 13.

V. Supervision of Minors

The following must be part of any entity's supervisory plans. Others may be added as needed.

A. Two Adult Rule

Activities or events with minors require supervision by at least two adults, 18 years of age or older:

- Satisfactory background check report on file with the Diocese.
- Completion of the required safe environment training, with a Certificate of Completion.

B. Windows and Open Doors

Activities must be visible through a window or an open door. This ensures a safe environment on our premises for both minors and adults. The Diocese of San Bernardino also requires all classrooms, meeting rooms, offices, or counseling areas are to have:

- A door with a window that allows anyone outside the room to observe inside the room without having to open the door. **OR**
- The door will remain open to any room where there isn't a window that will allow observation.
 - These rooms will be posted with a sign that mandates the doors are to be left open.
- When the door cannot be left open due to weather conditions or fire code requirements, then the only option is to have two background cleared and trained supervisors present in the room.

C. Planned Supervision

All elements of any program or outing offered through the Diocese of San Bernardino must be carefully reviewed to ensure children are supervised **before, during, and after the event**, until all children are returned to their parents/guardians or have left the parish or school premises. Participants who are below the age of 18 must have written permission from a parent or legal guardian to leave the premises before they return to their parent's or guardian's supervision.

- **A written supervision plan must be kept on file and updated annually.** This supervision must follow the two-adult rule as stated above. This supervision plan is a required part of the Parish Plan described in Part VI of this document.
- Activities organized for participants who are minors (under 18) must be limited to minors only and not mixed with young adult participants. Caution needs to be taken when events include varying ages, i.e. activities for middle-school-age children should be kept separate from high school teens, high school teens separate from young adults, etc.
- All parents or guardians must sign their children into and out of any parish-sponsored activities or areas of supervision, including Catholic School parents and parents whose children participate in before or after school care programs.

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- **An emergency card** completed by the child's parent or legal guardian must be on file for all. The emergency card must indicate any individual authorized to pick up each child. **Appendix 3 Children will be released only to those authorized on the emergency card.**
- For minors who are responsible for their own transportation (driving or walking), a signed letter of permission by the parent must be on file.

IT IS THE DIOCESAN POLICY THAT ALL MINORS (those under the age of 18) ARE SUPERVISED IN A PLANNED AND ORGANIZED MANNER, before during and after the class or event UNTIL PARENTAL SUPERVISION BEGINS.

D. Overnight Rule

All adults who stay overnight with minors must have a completed satisfactory background check on file and have completed all required Safe Environment training. If the required number of adults with completed background checks and required training is not available, the event will be cancelled. In the presence of both male and female minors, there must be both genders represented as supervisors.

Each overnight participant must have an up-to-date emergency card on file

E. Child Care Policy for:

- Sunday Mass or other Masses held in a Parish
- Prayer Groups or other gatherings in a Parish or School
- Other parish/school activities intended for adults

For the above activities and any similar programs, parents or guardians must sign their children into and out of the child care area of supervision. **An emergency card** must be completed by the child's parent or legal guardian, and must be on file to indicate the individuals authorized to pick up each child.

Children will be released only to those authorized to pick them up, on the emergency card.

Child care during any activity must follow the two-adult rule. If five minutes before the activity begins the required two adults are not present for child care, an announcement must be made stating that another adult is needed immediately or the parents must pick up their children. The child care must be closed and it may cause the activity to be cancelled.

The Diocesan Safe Environment Policy requires that when any organization gathers and children are present, these children **MUST be supervised in an appropriate area and the Diocesan policy for child care be followed.** An example might be when a prayer group gathers, the children who come with their parent must be supervised in an appropriate area by adults who have:

- Have completed satisfactory background check report-on file with the Diocese.
- Successfully completed **all required Safe Environment** training.

F. Parental Permission

1. Volunteers and staff must have written parental permission to be alone with a minor such as:
 - To transport by car
 - To advise (if a minor does not want the parent to know about counseling, in accordance with California Law, another adult must be present or within sight).
2. Permission from a parent or guardian can be written (including a fax) or by phone in the event of an emergency. Phone permission requires that two people listen to the permission given over the phone. The phone conversation will be transcribed and the parent's or guardian's name placed on the phone permission. The two persons who listened to the phone permission will also sign the transcription. The parent or guardian is to be informed that the conversation will be put in writing. A copy of the written and signed conversation is to go with the chaperone of that child and a copy will remain at the site.

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3. So that proper supervision can be arranged, volunteers and staff must notify their supervisor in advance if they will be alone with an minor or take a minor off the premises of the parish or school grounds.

G. Minors Volunteering in the Parish

Minors who are engaged in a volunteer activity for the Parish or School, or who are fulfilling community service, must be visible when performing these tasks. Minors are to be under the visual supervision of an adult and work only when at least two adults are on the property. Minor volunteers will be told the location of their supervisors and how to contact them. Supervisors on the premises will be informed that minor volunteers are working and that they (the supervisors) should “check in” with the minors hourly. If the minor volunteer will be working with younger minor children, and there is the possibility that the minor volunteer may be alone with a younger child - for any reason– the minor volunteer must successfully complete the appropriate Safe Environment Policy training as other volunteers who work regularly with children do.

H. Safeguards if Advice is given

Private counseling and pastoral care of a minor can present a dilemma. Sometimes advice can be misconstrued. Special care must be taken to balance confidentiality and protection for both minors and adults. Those working with minors must never overstep their bounds or areas of competency. All people ministering in the Diocese are obliged to abide by the Diocese of San Bernardino policies for Safe Environment for the Protection of Children and Young People **AND** Code of Pastoral Conduct. The meeting site must be in a room allowing at least visual access to non-participants. The meeting must be scheduled at a time when it is likely that others will be on the premises. Private meetings at homes or other non approved locations are expressly forbidden when it is known that there are no other adults present.

I. Independent contractors

Independent contractors who will be on the property to perform services when children are present are required to be under the direct supervision of a Diocesan approved parish or school adult who meets Safe Environment requirements. If the independent contractor is on the premises on a regular basis, for example a gardener, musician, etc. that person must comply with the requirement to be background checked and complete the training for Safe Environment.

J. Buddy System

Minors are never to leave a supervised area and go to an area that is not properly supervised. All minors are encouraged to travel with fellow classmates or activity participants, even within parish/school activities and grounds.

VI. Parish Plan for Safe Environment

Each Parish is responsible to design a Safe Environment Plan for their parish. If a school is part of the parish, it must be included in the Parish Plan. **Diocesan schools not affiliated with a parish must create their own plan.** The Plan must incorporate all aspects of the Safe Environment Policy for the Protection of Children and Young People adopted by the Diocese of San Bernardino. The Plan must include:

- A description of the ongoing, annual safe environment training and education for both adults and children and a description of the documentation plan for the training. (Part III-E of this document)
- A description of the supervision procedures for arrival, class/activity time and dismissal of minors – this must also include all youth ministry activities. Include emergency card procedures. (Part V of this document)
- A description of all documentation procedures. (Part III-D-1 of this document)
- Specification of the accountability process for reporting abuse. (Part VII of this document)
- Location where additional Safe Environment materials can be found; for example, in the vestibule, on the pamphlet rack, etc.? (Part III-D of this document)

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- Specification of when bulletin announcements for safe environment appear in the parish bulletin (weekly, monthly, quarterly, etc.). For example: “Our parish will place an announcement in our parish bulletin every second Sunday of the month.”

The plan is to be submitted to the Diocesan Office of Child and Youth Protection and kept on file at the Parish or Diocesan School. It is to be evaluated annually and revised if needed. The results of the evaluation are to be included in the annual report that is submitted each year, usually the last Thursday in the month of April. If the parish needs help designing their plan, they may contact the Diocesan Office of Child and Youth Protection (909) 475-5125 for assistance.

Private schools and all High Schools must have a published Plan for implementation of the Diocesan Safe Environment Policy. Follow the schema for the Parish Plan.

Part III Documentation, Part V–Supervision and Part VII–Accountability of this document are to be included as part of the individual Parish Plan for the ongoing Safe Environment training and individual background check

- The Parish Plan is to be made available to any and all members of the parish if requested.

VII. Accountability *Every person hired to work or accepted as a volunteer in the Diocese of San Bernardino is equally accountable for implementing Diocesan policies and procedures.*

To maintain the integrity of this Safe Environment Policy for the Protection of Children and Young People, it is necessary to report violations of this policy, the Code of Pastoral Conduct, other Diocesan policies or any applicable laws of the State of California.

The California Child Abuse and Neglect Reporting Law (Mandated Reporter Law) requires various categories of employees and clergy to file a report for suspected child abuse to law enforcement or Child Protective Services. These categories may be found in CA publication 132 (English) and 129 (Spanish). A copy of this publication and the reporting form are available from the Diocesan Office of Child and Youth Protection or may also be found on the DOCYP web page www.docyp.org.

The Diocese of San Bernardino Safe Environment Policy for the Protection of Children and Young People requires all employees and volunteers to report suspected child abuse. The CA law calls this a discretionary reporter. Because the Diocesan Safe Environment mandates reporting, the Diocesan policy calls this a Policy report.

If there is suspected abuse of a minor:

- ***Immediately*** report to local law enforcement authorities and/or to Riverside or San Bernardino County Child Protective Services office. Use state approved forms. **This form is available on the Office of Child and Youth Protection website.**
 - call **800-442-4918 - Riverside County: (Child Protective Services Hot Line)**
 - call **800-827-8724 - San Bernardino County: (Child Protective Services Hot Line)**

ALSO report to:

- Your **immediate supervisor**.
- If your immediate supervisor was the person violating the policy, then report to the next person up in the line of authority.
- If a member of the clergy committed the abuse, call: the Diocesan **Vicar General, 909-475-5120** or the **Diocesan Hotline at 1-888-206-9090**
- Any person can call the Diocesan **Victim’s Abuse Coordinator 909-855-2296**
- If a Church employee or volunteer committed the abuse, call: the **Director of Human Resources, 909-475-5172**
- If a Catholic School teacher, school employee or school volunteer committed the abuse, call the **Superintendent of Schools, 909-475-5437**

A poster with abuse reporting information can be ordered from the Office of Child and Youth Protection 909-475-5127. The poster has both county 800 numbers and Diocesan Hotline 800 number.

As part of the Safe Environment Plan for each parish, an accountability process must be specified.

If there is any question, call the Diocesan Office of Child and Youth Protection – 909-475-5125

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References:

- Good Shepherd Catholic Church Safe Environment Policy, Archdiocese of St. Louis, Missouri 1995;
- Diocese of San Bernardino Policies; Code of Pastoral Conduct;
- San Bernardino Diocesan Policy Manual Human Resources Section 500.1, Para 1000-1006 Harassment;
- San Bernardino Diocesan Policy Manual Office of Priest Personnel Section 700.1, Para .26 Residence – Lay Persons Residing in Rectories;
- San Bernardino Diocesan Policy in Cases of Misconduct; Sexual Abuse by Clergy

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Document 2
Code of Pastoral Conduct
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For additional copies of this **Code of Pastoral Conduct – Publication # DSB 103** download the document from the Diocesan website at www.docyp.org. Click the title: **Training** Located on the right side of the web page. Then click the link on the left side of the training page that says “**Code of Pastoral Conduct**”.

Contact the Diocesan Office of Child and Youth Protection:

Write to:
Diocese of San Bernardino
Diocesan Office of Child and Youth Protection
1201 East Highland Avenue
San Bernardino CA 92404

Call: (909) 475-5125

Fax: (909) 475-5126

e-mail: ChildandYouthProtection@sbdiocese.org

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I. Preamble

There is an ongoing, pressing need to both acknowledge and address openly the problem of sexual abuse in our society. Abuse damages the entire Body of Christ. There is a need for the entire Church to create a renewed atmosphere, an atmosphere of Christian love and mutual respect. This renewed atmosphere will help everyone to overcome silence, ignorance, and the minimization of sexual abuse.

We all must uphold Christian values and conduct. The Diocese of San Bernardino Code of Pastoral Conduct provides a set of standards for conduct in pastoral situations.

II. Definitions

Appendix 1

III. Responsibility

The public and private conduct of clergy, staff, pastoral ministers, independent contractors and volunteers can inspire and motivate people, but it can also scandalize and undermine people's faith. Clergy, staff, and volunteers must, at all times, be aware of the responsibilities that accompany their work. They must also know that God's goodness and grace supports them in their ministry.

Responsibility for adherence to the Code of Pastoral Conduct rests with each individual. *Clergy, staff, and volunteers should and will be held accountable for their behavior.* Those who disregard this Code of Pastoral Conduct will be subject to remediation per Diocesan and Human Resources Policy. Corrective action may take various forms depending on the specific nature and circumstances of the offense, the extent of the harm caused by the breach and the applicable Diocesan policies.

Clergy, employees, independent contractors, and volunteers are also responsible to follow their professional Code of Ethics as expressed by professional organizations in the secular and ecclesial world.

IV. Code of Conduct Policy

It is the policy of the Diocese of San Bernardino that sexual misconduct by clergy, employees or volunteers of the Diocese while performing the work of the Diocese is contrary to Christian principles and is outside the scope of the duties of all personnel of the Diocese. Personnel of the Diocese shall not commit acts of sexual misconduct, shall comply with state and local laws pertaining to the reporting of known or suspected instances of sexual misconduct, and shall follow all requirements set forth in this Code of Pastoral Conduct. The Policy is intended to establish requirements and procedures in an effort to prevent sexual misconduct in the Diocese and the resulting harm to others while the work of the Diocese is being performed. It is intended to provide guidance to the personnel of the Diocese on how to respond to allegations of sexual misconduct, if any do occur. It is expressly understood that this policy is designed for application to each and every prospective clergyman, prospective employee and prospective volunteer of the Diocese.

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V. Code of Conduct Response

1. Alleged Victim

When accusations of sexual misconduct are made involving Diocesan personnel, civil and canonical legal advice must be obtained prior to any contact with or giving of assistance to the alleged victim and family. Contact should be promptly initiated by the appropriate Diocesan responder. Contact should also be made by the Victim's Assistance Coordinator for the purpose of offering whatever concern or solace may be needed, with no comment as to the truth of the allegation. Medical, psychological, spiritual, and in appropriate instances, economic assistance may be offered in the spirit of Christian Justice and Charity.

2. Community

The Diocese of San Bernardino always follows California State laws, especially with regards to reporting child abuse. A summary of the California Child Abuse and Neglect Reporting Law may be found **at the end of this document in Appendix 2**. All clergy, employees, and any volunteers working with minors must complete training for this law. Materials to report suspected child abuse are available in all parishes and schools. The law requires an oral report to the County Child Protective Service Agency or local law enforcement, as soon as possible. This is followed by a written report within 36 hours of the phoned report. If a report of suspected child abuse is made, we ask the person who submitted the report to retain a copy of the report in a secure place at the parish or school. The Pastor or Principal is the person responsible to maintain documentation of reports.

All **clergy and employees** must complete a background check. The method used is the California Department of Justice Live Scan *fingerprinting*. Each person must meet all criteria for the State of California (DOJ) and Federal Government (FBI) before beginning service in the Diocese.

The background check requirement applies to all **volunteers** who have regular contact with children. The *screening* method is used for volunteers.

3. Investigation of an allegation of abuse by an employee, clergy or volunteer

- A. Each incident reported to the Diocese of San Bernardino will be immediately investigated with a high level of Christian care, concern and confidentiality for the alleged victim, the family of the alleged victim, the person reporting the incident, and the alleged perpetrator. Great care will be taken not to interfere with any civil and or criminal investigation. The Diocesan investigation shall be conducted under the supervision of a Diocesan Designee of the Bishop.
- B. Both the alleged victim and alleged perpetrator will be informed that Civil and Canonical legal advice is available. References will be supplied.
- C. Investigation of a priest shall be made in accordance with Civil and Canon Law. In the event a member of the clergy or religious personnel is accused of an act of sexual misconduct, that person shall be dealt with in accordance with the applicable provisions of Canon Law. Any cleric accused of sexual misconduct will be placed on administrative leave and may be suspended from the exercise of his ministerial duties according to the provisions of Canon Law.

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4. Alleged Perpetrator

- A. The alleged perpetrator may be immediately placed on administrative leave pending the outcome of any internal or any outside investigation. Such leave may be with or without pay.
 - If an alleged perpetrator is found guilty, that person will be immediately terminated from employment. If the person is a member of the clergy, he will be removed from active ministry.
 - If an alleged perpetrator is found innocent, he/she may be reinstated.
- B. Appropriate records will be kept of each incident reported and of the resulting investigation. As part of Personnel Records, such records shall be marked confidential and will be kept in a secured area at the Diocesan Pastoral Center, with access thereto limited to only the following: The Bishop, the Vicar General, the Chancellor, Director of Human Resources, Diocesan legal counsel or Bishop's designee.
- C. An internal investigation of all allegations will be made by the Diocesan Review Board
- D. Any media contact or inquiries regarding an incident of sexual misconduct by Diocesan personnel must be directed to the Director of Communications for the Diocese.

The Diocese reserves the right to limit the activities of any personnel regardless of any determination of guilt or innocence.

VI. Pastoral Standards for Conduct

1. Pastoral Conduct

Everyone who works and performs services or ministers in any capacity in our parishes, schools or other Catholic institutions must respect the rights and advance the welfare of each person and shall not step beyond their areas of competence.

- 1.1 All who minister in our churches, schools or other Catholic institutions should avoid any conflict of interest. [See Section 6 for additional information].
- 1.2 Classes or activities will not be photographed, audio or videotaped without prior written permission from the participant or **in the case of a minor, from the parent/legal guardian.**
- 1.3 All who minister in our churches, schools or other Catholic institutions, assume the full burden of responsibility for establishing and maintaining clear, appropriate boundaries in all relationships
- 1.4 Physical contact (i.e., touching, hugging, holding) between **all** who minister in our churches, schools or other Catholic institutions and the persons with whom they minister can be misconstrued as inappropriate. Great care should be given and physical contact should be avoided if there is any question in the minister's mind that this behavior may be misunderstood.
- 1.5 Classes, activities and communications should be conducted in appropriate settings at appropriate times. Classes or events must be age appropriate. E.g. youth ministry activities for High School Youth Groups must meet and have activities separate from Middle School Youth Groups or young adult groups.
 - 1.5.1 No class or activity should be conducted in private living quarters.
 - 1.5.2 Classes, activities and communications should not be held at places or times that would tend to cause confusion about the nature of the relationship.
 - 1.5.3 Classes and activities will be held in appropriate locations as defined in the Diocesan Safe Environment Policy. (See Safe Environment Policy, section V. A-J)
 - 1.5.4 Classes and activities are to be age appropriate.

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2. Confidentiality

Information gained by clergy, employees or volunteers during the course of classes or other sponsored activities with minors and/or vulnerable adults will be held in the strictest confidence possible. Any information gained concerning a child may only be shared with the child's parent or guardian unless stated otherwise by CA law. Confidentiality also applies to any documents of a parish, religious community/institute or organizational records created, stored, accessed, transferred or disposed of by personnel.

2.1 Information obtained about any person, in the course of sessions, classes or other sponsored activities shall be confidential, except for compelling professional reasons or as required by law. Exclusions include:

2.1.1 If there is clear and imminent danger to the activity participant, student or adult, information may be disclosed only as is necessary to protect the parties affected and to prevent harm **and/or as required by law. The procedures listed below should be followed:**

- Attempt to secure written consent, especially if the participant is a minor, for the specific disclosure, except as required by California Law.
- If consent is not given, especially for a minor, disclose only the information necessary to protect the health and well-being of the person.
- *Communication with the appropriate Church supervisory personnel is required by Diocesan policy.*

Personnel from:

Contact:

- | | |
|--|--|
| ❖ Catholic Schools: | Diocesan Office of Catholic Schools |
| ❖ Parish Catechetical Ministry program: | Diocesan Office of Catechetical Ministry |
| ❖ Parish Youth Ministry program: | Diocesan Ministry with Young Catholics Office |
| ❖ Programs for vulnerable adults: | Diocesan Office of Child & Youth Protection |

2.1.2 Before a disclosure is made, *if feasible*, the activity participant, student or adult, should be informed of the potential consequences.

2.2 Confidentiality and its limitations should be discussed with students and/or participants at the first class or at the beginning of activities.

2.3 Necessary records are always confidential.

2.3.1 Sacramental records shall be regarded as confidential. When Parish, School, Religious Community/Institute, or Organization statistical information is compiled from these records, great care must be taken to preserve the anonymity of individuals.

2.3.2 Any court related documentation regarding the wellbeing and/or custody of the minor must be part of the minor's record and available to appropriate personnel only.

Only staff members who are authorized to access any records and supervise their use shall handle requests for more recent records.

2.3.3 Individual contribution records of the Parish, School, Religious Community/Institute, or Organization shall be regarded as private and shall be maintained in strictest confidence, except as required by law.

- o Contact the Chief Financial Officer for the Diocese of San Bernardino upon receipt of any request for release of financial records.

2.3.4 Dissemination of all private information will be in accordance with State and Federal regulations.

2.3.5 The storage of records and private information will follow Diocesan policy.

2.4 Knowledge that is gained during the course of classes or other activities may be used in teaching, writings, homilies, or other public presentations **only** when effective measures are taken to absolutely safeguard both the individual's identity and the confidentiality of the disclosures and permission is granted.

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- 2.5 When anyone who is working in the name of the Diocese of San Bernardino discovers that there is a serious threat to the welfare of a minor or vulnerable adult and, in the case of a minor, that communication of confidential information to a parent or legal guardian is essential to the individual's health and well-being, they should contact those agencies listed in 2.1.1
- 2.6 In cases of suspected child abuse of a minor or abuse of a vulnerable adult, California Law always prevails and a report made.
According to the Law, matters disclosed in the confessional are protected from disclosure, even in cases of suspected child abuse.

3. Conduct with Youth

Clergy, employees, ministers, licensed independent contractors, and volunteers working with youth shall maintain open and trustworthy relationships between themselves and the youth whom they serve.

- 3.1 Clergy, employees, volunteers and independent contractors must be aware of their own and others' vulnerability when working with youth; always use a team approach to managing youth activities.
- 3.2 Physical and non-physical contact with youth can be misconstrued and should occur:
(a) Only when public, appropriate, and completely nonsexual- P.A.N.
(b) Never in private.
- 3.3 Clergy, employees, volunteers, and independent contractors **must refrain from:**
- The illegal possession and/or use of drugs at all times.
 - Using alcohol or tobacco in the presence of minors at Parish/School or other Diocesan sponsored events. (unless carefully considered by utilizing utmost discretion, control, and caution; e.g parish dinners)
 - Using minors to serve alcohol/tobacco or be involved in the handling or consuming of alcohol/tobacco or the cleanup of any alcohol/tobacco related residual materials.
 - Offering alcohol or tobacco to youth or minors, or helping them in any way to purchase or use alcohol or tobacco. This is against CA law and is never permitted.
 - The possession of any pornographic/offensive materials in all forms.
- 3.4 Priests will not allow individual young people or minors to stay overnight in the priest's private accommodations or residence according to Diocesan Policy POLICY 700.1.26
"No lay person, relative, friend or acquaintance of a priest is to live in the rectory with him. Relatives of a parish priest should not be employed in the rectory."
Implementation: 700.1.26 #5
"Under no circumstances are priests to have unchaperoned young people under 21 years of age of either sex frequenting their personal living quarters. Under no circumstances may young people under 21 years of age of either sex remain overnight in any rectory or priests' residence, even if accompanied by an adult.

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3.5 Clergy, employees and volunteers should not provide shared, private, overnight accommodation for individual young people or minors including, but not limited to, accommodations in any church-owned facility, private residence, hotel room, or any other place where there is no other adult supervision present.

3.5.1 In rare, emergency situations, when an accommodation is necessary for the health and well-being of the young person or minor, the clergy, employee, or volunteer should take extraordinary care to protect all parties from the appearance of impropriety and from all risk of harm. Always try to use the TEAM approach.

4. Sexual Conduct

Clergy, employees, and volunteers must not, for sexual gain or intimacy, exploit the trust placed in them by the faith community.

4.1 Clergy and religious, who are committed by vows to a celibate lifestyle, are called to be examples of celibate chastity in all relationships at all times; employees and volunteers are called to live lives of Christian chastity in all relationships at all times.

4.2 **Clergy, employees and volunteers must avoid developing inappropriately intimate relationships with minors, vulnerable adults, other employees or parishioners. Clergy, employees and volunteers must behave in a professional manner at all times.**

4.3 No clergy, employee, or volunteer may exploit another person for sexual purposes.

4.4 Allegations of sexual misconduct should be taken seriously and reported, as described in Roman numeral III of this document, to civil authorities if the situation involves a minor according to California Law. Diocesan procedures will be followed to protect the rights of all involved.

4.5 Clergy, religious, ministers, staff, and volunteers should review and know the contents of the child abuse regulations, vulnerable adult abuse regulations, and reporting requirements for the State of California. These mandates must be followed.

5. Harassment

HR Policy: The following is an excerpt from the Office of Human Resources Diocesan Harassment Policy. The complete document may be found in Appendix 4 Or at www.sbdhr.files.wordpress.com/2015/04/lay-employee-handbook_english.pdf page 24

Clergy, Religious, employees, and all volunteers must not engage in physical, psychological, written, or verbal harassment of anyone. **Note:** Effective January 1, 2006 the State of California requires that all supervisory personnel complete Sexual Harassment Avoidance Training every 2 years. Harassment occurs when a person is subjected to treatment or a work environment which is hostile or intimidating because of the person's gender, ethnicity, color, national origin, physical disability or life style choice. Harassment of any person by any lay employee, contractor, priest, religious or volunteer is strictly prohibited.

5.1 Harassment encompasses but is not limited to the following:

- Verbal Harassment:
 - Inappropriate comments, jokes, and threatening words, spoken to another person, that are offensive to the recipient: racial insults, derogatory ethnic slurs, forwarding or sending of inappropriate or unwelcome e-mails.
- Visual Harassment
 - Derogatory, demeaning or inflammatory posters, cartoons, written word, drawings on tee shirts or gestures, inappropriate use of the internet, cell phones and/or any other technological instruments.
- Physical Harassment
 - Unwelcome sexual advances or touching, contact, assault, deliberate impeding or blocking movement, or any intimidating interference with normal physical movement.
 - Retaliation.

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- Sexual Harassment
 - Requests for sexual favors used as, but not limited to, a condition of employment, or to affect other personnel decisions, such as promotion or compensation
- 5.2 The following behaviors may be subject to individual interpretation; therefore, it is important to avoid any of these behaviors, regardless of intent or presence of malice, which may be perceived or interpreted as being sexually or professionally inappropriate.
- Inappropriate or unnecessary touching of individuals.
 - Use of suggestive/inappropriate language and/or stories or jokes, or using inappropriate personal examples to explain various sensitive situations.
 - Offensive comments regarding clothing worn by another person.
 - Making inappropriate inquiries into personal affairs of employees or others when such inquiries are not required to address a performance issue.
 - Behaving or dressing in a manner that would cause inappropriate attention to your person.
- 5.3 Harassment can be a single severe incident or a persistent pattern of misbehavior where the purpose or the effect is to create a hostile, offensive, or intimidating environment.
- 5.4 Allegations of harassment should be taken seriously and reported immediately to the Director of Human Resources for complaints against the laity and religious; and to the Vicar General for complaints against the clergy. The Diocesan Policy Manual, “Human Resources Section 500.1, Para 1000-1006 Harassment” will be followed to protect the rights of all involved.

Electronic Communication Policy-April 2011: The following is an excerpt from the Office of Communications, Diocesan Electronic Communication Policy. The complete document may be obtained from the Office of Communications, 1201 East Highland Avenue, San Bernardino, CA 92404

Or online at www.sbdioocese.wixsite.com/communications/resources

Introduction: (page 3 of the document)

Information and technology are increasingly becoming an integral part of the day-to-day operations of the Diocese of San Bernardino. It is the responsibility of Diocesan (parish, pastoral center, schools, Diocesan entities etc.) personnel to protect these resources. The Diocese of San Bernardino must take appropriate steps to ensure that information and technology are properly protected and utilized.

The Diocese of San Bernardino furnishes its employees, volunteers, and other authorized users, hereafter jointly known as “users”, with access to information technology. This includes computer systems (workstations, laptops, tablets, etc.), local area networks, remote access capabilities, computer applications, etc., for the purpose of enabling them to fulfill their job ministry responsibilities. This information technology, data, and records are the property of the Diocese of San Bernardino and are to be used for the Diocese of San Bernardino business purposes only.

The Diocese of San Bernardino reserves the right to inspect and examine any Diocesan owned or operated communications system, computing resource and/or files or information, including computers systems, local and WAN area networks, applications, and e-mail, contained therein at any time. Therefore, users shall have no expectation of privacy with regards to any data, information or documents received or disseminated on the network or through e-mail. By utilizing these Diocesan systems, users consent to the Diocese's right to inspect and examine all data, information, documents, and e-mail.

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Examples of prohibited communications include, but are not limited to: (The complete list may be found on pgs. 4 & 5 of the complete Diocesan Electronic Communication Policy)

1. Communications, material, information, data or images prohibited by legal authority as obscene, pornographic, sexually explicit or offensive, threatening, abusive, harassing, discriminatory, or in violation of any Diocesan policy or contrary to the mission or values of the Diocese, including disparagement of others based on race, national origin, marital status, sex, age, disability, pregnancy, religious or political beliefs or any other condition or status protected by federal, state or local laws.
2. Communications, materials, information, data or images that may constitute verbal abuse, libel or slander, defamation, fraud or misrepresentation or trade disparagement of users, customers, clients, competitors, vendors or any other person or entity.
3. Accessing, creating, distributing or soliciting sexually oriented messages or images, unwelcome sexual advances, requests for sexual favors or other unwelcome conduct of sexual nature, including jokes.
4. Any attempts to access, monitor, or disrupt information that is restricted, confidential or privileged and to which the individual has not expressly been authorized access.
5. Granting access to unauthorized persons, either by intentional action such as disclosure of account information or unintentional action such as failure to log off computer system or lock computer system.
6. Unauthorized removal, deletion or duplication of data, software or hardware upon a user's termination or departure from the Diocese.
7. Violations of software license agreements.
8. Development or use of unapproved mailing lists.
9. Use of technology systems for private business purposes unrelated to the business of the Diocese of San Bernardino.
10. Academic dishonesty.
11. Disclosure of personal or private information about an employee or minister of the church without their prior written consent

6. Conflicts of Interest

Clergy, religious, employees, and volunteers should avoid situations that might present a conflict of interest. Even the appearance of a conflict of interest can call integrity and professional conduct into question.

- 6.1 Clergy, religious, employees, and volunteers should disclose all relevant factors that potentially could create a conflict of interest. If a potential conflict of interest arises all parties involved should be informed. Resolution of the issue must protect both parties.
 - 6.1.1 No clergy, religious, employee, or volunteer should take advantage of anyone to whom they are providing services in order to further their personal, religious, political, or business interests.
- 6.2 Conflicts of interest may also arise when a person's independent judgment is impaired by:
 - prior dealings,
 - becoming personally involved, or
 - becoming an advocate for one (person) against another.

In these circumstances, the person shall advise the parties that he or she can no longer provide services and refer them to other professionals.

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7. Reporting Ethical or Professional Misconduct

Clergy, religious, employees, and volunteers have a duty to report their own ethical or professional misconduct and the misconduct of others.

- 7.1 Clergy, religious, employees, and volunteers must hold each other accountable for maintaining the highest ethical and professional standards. When there is an indication of illegal actions by clergy, religious, employees, or volunteers, you should notify the proper civil authorities immediately.

***Also notify the appropriate supervisor or the
Office of the Bishop for the Diocese of San Bernardino.***

- 7.2 When an uncertainty exists about whether a situation or course of conduct violates this Code of Pastoral Conduct or other religious, moral, or ethical principles, consult with:
- Immediate supervisor, and/or
 - Human Resources, and/or
 - The Office of the Bishop for the Diocese of San Bernardino.

8. Administration

Employers and supervisors shall treat clergy, religious, employees, and volunteers justly in the day-to-day administrative operations of their ministries.

- 8.1 Personnel and other administrative decisions made by clergy, employees and volunteers shall meet Civil and Canon Law obligations and also reflect Catholic social teachings and this Code of Pastoral Conduct.
- 8.2 No clergy, religious, employee, or volunteer shall use his or her Diocesan position to exercise unreasonable or inappropriate power and authority.

9. Staff or Volunteer Well-being

Clergy, religious, employees, and volunteers have the duty to be responsible for their own spiritual, physical, mental, and emotional health.

- 9.1 Clergy, religious, employees, and volunteers should be aware of warning signs that indicate potential problems with their own spiritual, physical, mental, and/or emotional health.
- 9.2 Clergy, religious, employees, and volunteers should seek help immediately whenever they notice behavioral or emotional warning signs in their own professional and/or personal lives.
- 9.3 Clergy, religious, employees, and volunteers must address their own spiritual needs. Support from a Spiritual Director is highly recommended.
- 9.4 Inappropriate or illegal use of alcohol, drugs, and the electronic media is prohibited.

VII. Distribution: The Code of Pastoral Conduct will be disseminated by using the Diocesan website: www.sbdioocese.org, live training opportunities in parishes, vicariates and the Diocesan Pastoral Center (DPC).

References: San Bernardino Diocesan Policy Manual Human Resources Section 500.1, Para 1000-1006 Harassment; San Bernardino Diocesan Policy Manual Office of Priest Personnel Section 700.1, Para .26 Residence – Lay Persons Residing in Rectories; San Bernardino Diocesan Policy in Cases of Misconduct; Sexual Abuse by Clergy

viii. Appendices

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Definitions

Clergy:	includes all ordained Bishops, Priests and Deacons as defined below.
Bishops:	the Bishop of San Bernardino and all Auxiliary Bishops who may be appointed to serve in the Diocese of San Bernardino.
Priests:	all ordained priests, religious or secular, who serve in any ministerial capacity, whether or not they are incardinated within the Diocese of San Bernardino.
Deacons:	all ordained as deacons who serve in any ministerial capacity, whether or not they are incardinated within the Diocese of San Bernardino.
Pastoral Coordinators:	persons other than ordained priests who have completed appropriate training and are assigned to administer parishes which have no resident Pastor.
Pastoral Ministers:	all individuals, including seminarians during their pastoral year, participating in any parochial or diocesan pastoral ministry (for example: Choir, Eucharistic Ministers, Stephen Ministry, Marriage Encounter, Catechetical Ministry, etc.).
Religious:	all women and men of Institutes of Consecrated Life and Societies of Apostolic Life serving in pastoral ministry in the Diocese of San Bernardino.
Staff:	Employees of the Diocese of San Bernardino and/or its aggregates.
Independent Contractors:	Person(s) contracted orally or in writing to provide a service to the Diocese, Parish or Church organization, for example: a musician, a gardener, etc..
Volunteer:	anyone who offers their services free of remuneration of any kind to the Diocese, Parish, or Church organization. (may begin at age 14)
Minors:	any person less than 18 years of age.
Youth or young people:	generally refers to minors between the ages of 12 and 18 years of age.

Required Statement of Mandated Reporter –State of California Summary

Child Abuse and Neglect Reporting Law (P.C. 11166.5)

Definitions: The following situations are reportable conditions:

- 1) Physical abuse, 2) Sexual abuse, 3) Child exploitation, child pornography and child prostitution, 4) Severe or general neglect, 5) Extreme corporal punishment resulting in injury, 6) Willful cruelty or unjustifiable punishment, 7) Abuse or neglect in out-of-home care.

Who Must Report: The following individuals are legally mandated reporters:

(Refer to “Reporting Law” Section for a comprehensive listing.). This document can be found on the Diocesan Web Site

- Health practitioners (nurses, physicians, etc.)
- Commercial or photographic print processors in specified instances
- Specified public positions (child visitation monitors, teachers, social workers, probation officers, etc.)
- Public protection positions (police, sheriff, CPS, etc.)
- Firefighters (except volunteer firefighters), Animal Control officers, Humane Society officers
- *Clergy members, which includes all bishops, deacons and priests.*
- *Educators (eg. school principals, teachers)*

When to Report: A telephone report must be made immediately when the reporter observes a child in his/her professional capacity or within the scope of his/her employment and has knowledge of, or has reasonable suspicion that the child has been abused. A written report, on a standard form, must be sent within 36 hours after the telephone report has been made.

To Whom Do You Report: You have a choice of reporting to the Police or Sheriff’s Department or the Probation Department or Child Welfare Agency. Each County has preferred reporting procedures. Commercial film or photographic processors are to report only to law enforcement.

Child Welfare in Riverside County	1-800-442-4918
Child Welfare in San Bernardino County	1-800-827-8724

Individual Responsibility: Any individual whose occupation is named in the reporting law must report abuse. If the individual confers with a superior and a decision is made that the superior file the report, one report is sufficient. However if the superior disagrees, the individual with the original suspicion must report.

Anonymous Reporting: Mandated reporters are required to give their names. Non-mandated reporters may report anonymously. Child protective agencies are required by law to keep the mandated reporter’s name confidential, unless a court orders the information disclosed.

Immunity: Any legally-mandated reporter has immunity when making a report. In the event a civil suit is filed against the reporter, reimbursement for fees incurred in the suit will occur up to \$50,000 (P.C. Section 11172). No individual can be dismissed, disciplined or harassed for making a report of suspected child abuse.

Liability: Legally mandated reporters can be criminally liable for failing to report suspected abuse. The penalty for this misdemeanor is up to six months in county jail, a fine of not more than \$1,000 or both. Mandated reporters can also be civilly liable for failure to report.

Notification Regarding Abuse: You are not legally required to notify the parents that you are making a report; however, it is often beneficial to let the parents know you are reporting for benefit of a future relationship.

EMERGENCY INFORMATION CARD SAMPLE

Family Last Name _____		Diocese of San Bernardino		Emergency Information	
One Card for Each Family			<i>Print all information</i>		
	<input type="checkbox"/>		<input type="checkbox"/>		
Last Name	<input type="checkbox"/>	Home Address/City/Zip	<input type="checkbox"/>	Cell phone	Home Phone
	<input type="checkbox"/>		<input type="checkbox"/>		
Father - First Name – (last if different)	<input type="checkbox"/>	Employer/Address	<input type="checkbox"/>	Cell Phone	Work Phone
	<input type="checkbox"/>		<input type="checkbox"/>		
Mother - First Name – (last if different)	<input type="checkbox"/>	Employer/Address	<input type="checkbox"/>	Cell phone	Work Phone
	<input type="checkbox"/>		<input type="checkbox"/>		
Those Authorized to pick my child/children (Use other side of card if needed)					
Name	<input type="checkbox"/>	Address	<input type="checkbox"/>	Cell phone	<input type="checkbox"/>
Home Phone	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Pupil - First Name – (last if different)	Date of Birth	Grade	Precautions	Allergies	Medications

1. Each Parish or School must have a written policy for dropping off and picking up students or participants for:
 - Schools or Catechetical Ministry programs
 - Any Other Programs
 - Any Other Activities
2. Each Parish or School must describe the supervision before, during and after classes, programs or other activities.
3. Each Parish or School must have documentation form that the parents sign when they drop off and/or pick up their child.

This form can be obtained from the Offices of Catholic Schools or Catechetical Misnistry Offices

Appendix 4

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Human Resources HARASSMENT POLICY

The Diocese of San Bernardino strives to provide a work environment where all persons treat each other with dignity and mutual respect in accord with Christian principles and the social teachings of the Church. Therefore, the Diocese of San Bernardino is committed to providing a work environment that is free from harassment in any form.

Definition

Harassment occurs when an individual is subjected to treatment or a work environment which is hostile or intimidating because the individual's gender, race, color, national origin, physical disability or life style choice. Harassment of any person working for the Diocese by any lay employee, contractor, priest, religious or volunteer is strictly prohibited

- A charge of harassment shall not, in and of itself, create the presumption of wrongdoing. However, substantiated acts of harassment will result in disciplinary action, up to and including termination.
- Persons found to have filed false or frivolous charges will also be subject to disciplinary action, up to and including termination.
- The policy applies to actions in the workplace and to off-site work-related activities.

Dissemination of Policy

- Every employee, volunteer and contractor with the Diocese, including all priests and religious, and deacons, shall be provided with a copy of this policy and shall be required to acknowledge receipt of same in writing.

Types of Prohibited Behavior

- Verbal harassment: Includes comments, jokes, threatening words spoken to another person that are offensive to the recipient.
- Visual harassment: Includes, but is not limited to, derogatory, demeaning or inflammatory posters, cartoons, written words, drawings or gestures .
- Physical harassment: Includes, but is not limited to, unwanted physical touching, contact, assault, deliberate impeding or blocking movement, or any intimidating interference with normal work or physical movement.
- Sexual harassment: Includes, but is not limited to, unwelcome sexual advances, implicit or explicit requests for sexual favors and other verbal or physical conduct of a sexual nature when any or all of the following occur:
 - When the submission to requests for sexual favors is implicitly or explicitly made a condition of employment, continued employment, promotion, pay, or conditions of employment. (quid pro quo)
 - Verbal, physical or visual conduct that creates an intimidating, offensive or hostile working environment or interferes with work performance.
 - The use of one's status within the Diocese to gain sexual favors or any attempt to offer to engage in such arrangements.
 - Making sexual gestures or sexually explicit comments that are demeaning and/or create a hostile work environment to a person of average sensibilities.
 - Displaying visual materials, or manner of communication that is commonly considered demeaning, hostile or intimidating.
 - Distributing sexually explicit/harassing documents such as memos, letters, pictures, books, notes, and e-mail to employees.

Guidelines

The following behaviors may be subject to individual interpretation; therefore, it is important to avoid any behavior, regardless of intent or presence of malice, which may be perceived or interpreted as being sexually or professionally inappropriate.

- Inappropriate or unnecessary touching of individuals.
- Use of suggestive language and/or stories or jokes.
- Offensive comments regarding clothing worn by employees.
- Making inappropriate inquiries into personal affairs of employees when such inquiries are not required to address a performance issue.
- Behaving or dressing in a manner that would cause inappropriate attention to your person.

HARASSMENT POLICY con't

Filing a Complaint

In order to maintain a positive work environment, all employees must work together to insure that harassment of any type is not ignored. Harassment is often interpreted as being personally directed. Therefore, the policy can only be effective if the offensive behavior is reported in a proper and timely manner.

All incidents of harassment must be reported to the Director of Human Resources by whomever receives the initial report.

- Whenever reasonable to do so, the offended party should inform the harasser that their behavior is unwelcome and offensive.
- If the behavior does not stop or if the offended party cannot approach the harasser, then he/she must report the behavior to his/her immediate supervisor.
- If the offended party does not believe that making the report to his/ her immediate supervisor is a reasonable step then he/she should report the behavior to the next higher level within the department/office/parish.
- Absent the above, the offended party should report the offensive behavior to the Director of Human Resources.
- Initially an oral report of the incident (s) is acceptable; however, a written report will also be required.

Investigation Procedure

Upon receipt of a report an investigation will take place. Every effort will be made to maintain confidentiality, however, in the course of the investigation, some individuals may be involved on a need-to-know basis.

- 1) The investigation will include interviews with the offended party and any witnesses named by that party. Any documents supporting the report will be gathered as part of the case file.
- 2) A meeting with the alleged harasser will take place, whereupon all of the findings will be discussed. That person will be given an opportunity to reply to each allegation.
- 3) If it is found that the allegations are substantiated, immediate and appropriate disciplinary measures will be taken. The severity of such steps will depend on the degree of harassment, the harasser's level of responsibility within the Diocese and other circumstances surrounding the harassment. Such action could include a written warning, demotion, delay of promotion or pay increase, suspension without pay or termination of employment.
- 4) The results of the investigation shall be documented and a report given to the offended party.
- 5) In the event that the offended party is not satisfied with the results of the investigation, he/she can appeal the decision to the Director of Human Resources. This appeal must be made in writing. Subsequent to that the Director will meet with the individual to discuss the reasons for his/her dissatisfaction. If it is found that all required steps were taken to address the issue and the results were based on objective findings and no other course of action was warranted, then the decision of the Director, in consultation with Diocesan authorities, shall be final.
- 6) In the event that a review by the Director of Human Resources results in further investigation and a modification of the decision is made, then the revised decision of the Director, in consultation with Diocesan authorities, shall be final.

"I agree to comply with the policies and regulations set forth in this policy. I understand that agreement to do so is a condition of providing services to the Diocese of San Bernardino."

Print Name _____ Signature/Date: _____

Copies are available from the Office of Human Resources

*How can I help
prevent child abuse
in my community?*



PREVENTION . . .

There are several things you can do to prevent child abuse.

- Learn more about child abuse and how it is treated.
- Become active in your community's efforts to reduce child abuse.
- Be supportive and helpful to families having problems.

Don't ignore child abuse.

Report it to the proper authorities.

- If you or any member of your family needs help coping with children, don't let your pride keep you from asking for it.

TO REPORT to the COUNTY:

CALL

San Bernardino County:
1-800 827-8724

Riverside County:
1-800-442-4918

To report any clergy abuse call:

Hotline 1-888-206-9090

or

Victims Assistance Coordinator 909-855-2296

DIOCESE OF SAN BERNARDINO
SAFE ENVIRONMENT POLICY FOR THE PROTECTION OF CHILDREN AND YOUNG PEOPLE AND
CODE OF PASTORAL CONDUCT

Prayer

Leader: Creator God please hear your people as together we pray:

All: God of endless love, ever caring, ever strong,
always present, always just,
You gave your only Son
to save us by the blood of his cross.

Gentle Jesus, shepherd of peace,
join to your own suffering
the pain of all who have been hurt in body, mind, and spirit
by those who betrayed the trust placed in them.

Hear our cries as we agonize over the harm done
to our brothers and sisters.
Breathe wisdom into our prayers, soothe restless hearts with hope
& steady shaken spirits with faith.
Show us the way to justice and wholeness,
enlightened by truth and enfolded in your mercy.

Holy Spirit, comforter of hearts,
heal your people's wounds and transform our brokenness.
Grant us courage and wisdom, humility and grace,
so that we may act with justice and find peace in you.
We ask this through Christ, our Lord. Amen.

