



DIOCESE OF SAN BERNARDINO

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



Diocese of San Bernardino
Safe Environment Policy for the Protection of Children
Code of Pastoral Conduct



DIOCESE OF SAN BERNARDINO

OFFICE OF THE BISHOP

April 1, 2024

Dear Brothers and Sisters in Christ,

Jesus says: "Let the little children come to me" (Matthew 19:14). As Catholics, we share a sacred obligation to protect the children, youth and vulnerable adults in our community.

In the Diocese San Bernardino, our Safe Environment program and victim assistance ministry has been in place since 2003. Over the past two plus decades we have built an effective and compassionate ministry that has allowed us to make great strides in child abuse prevention, detection, and early intervention efforts. However, we constantly face new realities and challenges that compel us to update existing policies that incorporate best practices and integrate Safe Environment measures in everything that we do.

In that spirit, I am re-promulgating the Diocesan Safe Environment Policy for the Protection of Children and Code of Pastoral Conduct, trainings, and practices for the protection of children, young people, and vulnerable adults. This formal decree is effective April 1, 2024, and the current policies remain in effect.

Our Safe Environment policies implement guidelines set forth in the United States Conference of Catholic Bishops Charter for the Protection of Children and Young People, and the State of California's mandatory reporting laws and procedures.

The Diocesan Safe Environment Policies are available online at <https://www.docyp.org/policies>

Our goal is to reinforce the Diocese of San Bernardino's efforts to ensure the safest possible environment for children, youth, and vulnerable adults through awareness trainings and by strengthening our prevention initiatives. This will ensure that adults and minors are empowered with important information on how to identify warning signs of grooming or abuse of minors or vulnerable adults, and how to properly report suspected abuse to civil and authorities.

The re-promulgation of our Diocesan Safe Environment Program includes the following stipulations:

- Diocesan Safe Environment training is required for all clergy, candidates for ordination, men and women religious, employees, private contractors and volunteers providing services or ministering to minors in any capacity; to be renewed every three years.
- Diocesan safe Environment training is required for Safe Environment training workshop Facilitators; to be renewed every three years.
- All adults required to complete diocesan Safe Environment training must sign an Affidavit of Safe Environment Compliance acknowledging their responsibility and commitment to complying with all diocesan Safe Environment policies.
- All minors enrolled in ongoing parish and Catholic school programs in the Diocese of San Bernardino must participate in an annual Circle of Grace personal safety lesson.

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- Per the California State Assembly Bill 506 Law, all clergy, candidates for ordination, men and women religious, employees, private contractors and volunteers providing services or ministering to minors in any capacity shall undergo a background check pursuant to Section 11105.3 of the California Department of Justice Penal Code to identify and exclude any persons with a history or a threat of child abuse.
- The Diocese of San Bernardino, through the Office of Child and Youth Protection, requires each parish pastor/administrator to annually acknowledge either by electronic communication or letter that the diocesan Safe Environment program curricula and materials have been implemented in their parish and missions. The same requirement will exist for Catholic school administrators.
- Each parish must have and implement a Safe Environment Plan which incorporates all elements of the Safe Environment Policy for the Protection of Children and Young People and Code of Pastoral Conduct of the Diocese of San Bernardino. If a Catholic school is part of the parish, it must be included in the parish's Safe Environment Plan. Diocesan Catholic schools and privately-run Catholic schools not affiliated with a parish must create their own Safe Environment Plan
- Posters displaying procedures for reporting suspected child abuse must be posted in parishes and schools. Contact the Office of Child and Youth Protection to acquire the most updated printed poster.
- The Diocesan Review Board shall continue to hold regular meetings, reviewing any allegations of child abuse by a church minister that arise. The Board shall carry out revised term limits and frequent policy review.
- This Promulgation Letter and all Safe Environment Policies must be made publicly available to all clergy, employees, volunteers, parishioners, and parents throughout the Diocese of San Bernardino.

On July 1, 2023, the Diocese of San Bernardino began a partnership with CMG Connect to educate adults about the warning signs of sexual abuse, reporting suspected child abuse, and the practice of safe boundaries that all adults must adhere to when working with minors and vulnerable adults. CMG Connect will be the training platform required for all Safe Environment adult training.

Also, on July 1, 2023, the Diocese of San Bernardino partnered with the organization Circle of Grace to educate children and youth about their safety and the value of positive relationships with God and others.

Our goal in carrying out this comprehensive Safe Environment Policy and Code of Pastoral Conduct is to create an environment where any early signs of abuse of our children, youth, and vulnerable adults are identified and not ignored (we acknowledge that unfortunately no policy can prevent every incident of abuse from occurring).

Let us together pledge our commitment to do all we can using the blessings of these policies and, of course, God's grace to keep our young people safe from harm and filled with the light of Christ.

In Christ's merciful love,



Bishop Alberto Rojas

Safe Environment Policy for the Protection of Children

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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 who are called to minister in the Diocese of San Bernardino, as members of the Body of Christ, must commit to provide a safe environment for all. In light of our Christian values, ethical and Catholic moral teachings, we do not condone nor tolerate abuse, harassment or misconduct of any kind.

Today, the the mission of the Church demands a responsibility to provide safe environments and safe realtionships within its ministries and members. When the fundamental right of human dignity is ignored, abuse may occur. Through the implementation of effective safeguards the risk of such abuse can be prevented within our parishes, schools, and other diocesan organizations. Therefore, every person hired to work or acknowledged as a volunteer in the the Diocese of San Bernardino must abide by all established safe environment policies and protocols.

II. Safe Environment Training

A. Groups Required to complete diocesan Safe Environment Training

1. Clergy, candidates for ordination, men and women religious, employees, private contractors with minors and volunteers who in their capacity minister in programs relating to minors or have regular contact with minors, and parents volunteering with minors other than their own children are required to complete diocesan safe environment training prior to beginning service in the Diocese of San Bernardino. **A minor is a person under the age of eighteen. Individuals who habitually lack the use of reason should also be considered equivalent to a minor.**
 - Safe environment training is highly recommended for all parents, volunteer ministry leaders, volunteers working with vulnerable adults, and lay ministers of Holy Communion who minister to the sick and homebound.
 - A parish or school may require safe environment training for additional volunteer roles or ministries to meet their specific and/or unique safe environment needs.
2. Safe Environment Facilitators assigned to facilitate in-person safe environment training sessions.
3. Teen volunteers (14-17 years of age) who assist in programs for minors in a leadership or supporting capacity.
 - A minor must never be given the responsibility of supervising other minors or any adult responsibilities.
4. Minors enrolled or participating in ongoing parish or school programs, such as Catholic school and religious education students, youth ministry participants, altar servers, choir members, Boys and Girls Scouts, and all other ongoing programs for minors.

B. Training Curriculum

1. Training for Adults
 - 1) CMG Connect “*Safe Haven: It’s Up to You*” training videos
 - 2) Diocese of San Bernardino Safe Environment Policy for the Protection of Children
 - 3) Diocese of San Bernardino Code of Pastoral Conduct
 - 4) State of California Child Abuse and Neglect Reporting Law
 - As deemed necessary or required for certain roles and/or ministries, training concerning the safety and well-being of vulnerable adults must be provided for employees and volunteers tending to the sick and homebound, the elderly, and adults with disabilities or special needs.
 - Every adult required to comply with diocesan safe environment training must sign an Affidavit of Safe Environment Compliance which declares a full understanding and commitment of diocesan safe environment policies and suspected child abuse reporting responsibilities.
 - Safe environment training must be completed prior to beginning service in the Diocese of San Bernardino and renewed every three years.

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2. Training for Safe Environment Facilitators
 - 1) Diocesan safe environment training
 - 2) Safe Environment Facilitator Training
 - Safe Environment Facilitators are assigned by the parish Pastor, Priest Administrator or School Principal.
 - Safe Environment Facilitators are trained and certified by the Office of Child and Youth Protection.
3. Training for minors enrolled or active in ongoing parish or school ministries
 - The Circle of Grace (Pre-K and K-12) personal safety training.
4. Training for Teen Volunteers with Minors (ages 14-17)
 - The Circle of Grace safety training (9-12) is required annually.

C. Delivery methods

1. For Adults
 - Online safe environment training modules through CMG Connect account platform.
 - In-person safe environment training sessions conducted at the parish, school or Diocesan Pastoral Center.
 - Every adult required to comply with diocesan safe environment training must have a CMG Connect account.
2. For Minors
 - Annual Circle of Grace in-person lesson.
 - The Circle of Grace curriculum lesson plans should be distributed by parish and school administrators to lesson leaders.
3. For Teens Volunteering with Minors (14-17)
 - Annual Circle of Grace in-person lesson.

III. Background checks

A. Groups required to complete a background check for the Diocese of San Bernardino

1. Clergy, candidates for ordination, men and women religious, employees; private contractors with minors and volunteers who in their capacity minister in programs relating to minors or have regular contact with minors, and parents volunteering with minors other than their children, are required to complete a background check prior to beginning service in the Diocese of San Bernardino.
2. A parish or school may require background checks for additional roles or ministries to meet specific or unique safe environment needs.
3. Background checks are highly recommended for lay ministry volunteer leaders, volunteers working with vulnerable adults, and lay ministers of holy communion to the sick and homebound.
4. Background checks for the Diocese of San Bernardino are a one-time procedure.

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B. Background Check Method

1. Live scan fingerprinting through the California Department of Justice and the FBI.
 - Parishes and schools must provide the appropriate diocesan Live Scan Request Form and background check service provider information to those in need of completing a background check.
 - Parishes and schools are to determine how the cost of background checks for their employees and volunteers will be covered.
 - Every person required to complete a background check must have satisfactory background check results on file with the Diocese of San Bernardino.
 - The Office of Human Resources documents and verifies all background check information.

IV. Safe Environment Compliance

A. Accountability

1. In the parish, the Pastor or Priest Administrator is responsible for the required diocesan safe environment training and background checks of parish staff and volunteers with minors.
2. In Catholic Schools, the Principal is responsible for the diocesan safe environment training and background checks of staff, faculty, and volunteers with minors.
3. The parish Pastor, Priest Administrator or Principal must name a Safe Environment Coordinator to supervise and coordinate the implementation of diocesan safe environment policies in the parish and/or school.

B. Safe Environment Documentation

1. Each Parish, School, and Diocesan Office is responsible for the documentation of the safe environment training and background checks of its staff, volunteers and minors.
 - In the parish, the pastor or priest administrator is responsible of verifying that safe environment training and background check compliance and documentation occurs.
 - In the Catholic school, the principal is responsible of verifying that safe environment training and background check compliance and documentation occurs.
 - The parish pastor, priest administrator or principal may name CMG Connect “Site Administrators” to supervise and coordinate the documentation of diocesan safe environment training compliance at the parish or school.
 - The parish Pastor, Priest Administrator or School Principal must request the Office of Child and Youth Protection to assign parish or school CMG Connect “Site Administrator” rights to individuals they deem eligible in order to maintain effective safe environment compliance and documentation.
2. The Office of Priests Personnel will verify and document the safe environment training and background check compliance of bishops, priests, and seminarians.
3. The Office of Permanent Deacons will verify and document the safe environment training and background checks for all permanent deacons and diaconate candidates.
4. Through Annual audit reports, the Office of Child and Youth Protection requires each parish pastor/administrator and school principal to annually acknowledge that diocesan safe environment training, programs, and materials have been implemented in the parish or school.

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5. To assess compliance with safe environment requirements, foster communication, and understand local needs and challenges, the Office of Child and Youth Protection will conduct on site visitations at parish and school locations.

V. Supervision of Minors

A. Adults Supervising Minors

1. Adults supervising minors in parish, school or diocesan activities and events require:
 - There must be at least one 21 year-old adult when an event includes the supervision of minors.
 - Satisfactory Background Check on file with the Diocese of San Bernardino
 - Certified diocesan Safe Environment training
 - Signed Affidavit of Safe Environment Compliance
2. Besides complying with diocesan required safe environment training and background checks, it is important that clergy, candidates for ordination, religious men and women, employees, and volunteers who will be supervising or ministering to minors also have a mature and clear notion of safe and healthy relationships and personal boundaries with minors.
3. Supervisors must ensure that all adults given the responsibility of supervising minors are carefully selected and interviewed to guarantee the safety of children.

B. Two Adult Rule

1. All parish, school, and diocesan activities, outings, and events organized for minors require the supervision of at least two adults that are safe environment compliant.

C. Windows and Open Doors

1. Activities with minors must be visible through a window or an open door. This ensures a safe environment for both minors and adults.
 - Classrooms, meeting rooms, offices, or counseling areas where minors are present must have a door with a window that allows anyone outside the room to observe inside the room without having to open the door.
 - When there is only one adult with one or more minors in a classroom, facility, or office, the door must remain open if there is no window that will allow for observation into the class room. If a door cannot be left open due to weather conditions, fire code, or other reasons, the only option is to have two background cleared and trained adults present in the room.

D. Planned Supervision

1. All elements of any program or outing offered through the Diocese of San Bernardino must be carefully reviewed to ensure that minors are supervised **before, during, and after any event or activity**, until they return to their parents/guardians or have left the parish or school premises.
2. Supervisors must assure that adults who work or volunteer with minors are safe environment compliant with a valid safe environment training and background check.
3. Activities organized for minors must be limited to minors only and not mixed with young adult participants. **Young adults are individuals who are eighteen years and older.**
4. Caution needs to be taken when events include varying ages. Activities for middle-school-age children should be separate from high school teens activities, unless the event is family oriented. High school teen event should be separate from young adults events, unless the event is family oriented. 18 year-olds who are still in high school are allowed to participate in high school age activities or events.
5. Parents or guardians must sign their children in and out of parish-sponsored activities or areas of supervision, including parents whose children participate in before or after school care programs.

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6. Minors must have written permission from a parent or legal guardian to leave the parish or school premises on their own.
7. For minors who are responsible for their own transportation (driving or walking), a signed letter of permission by the parent must be on file.
8. An emergency card completed by the parent or legal guardian must be on file for all minors participating in parish or school activities or events.
9. The emergency card must indicate the names of adults authorized to pick up the minor. Minors will only be released to those authorized on the emergency card.

E. Overnight Policy

1. At least one of the adults supervising minors during an overnight stay must be at least 25 years and supporting chaperones must be at least 18 years of age.
2. Adults supervising minors during overnight stay must have a satisfactory background check on file in the Diocese of San Bernardino and have completed the required safe environment training.
3. Sleeping arrangements must be planned accordingly so that minors are never left unsupervised during the night. This can be challenging for hotel stays and other types of lodging, so planning ahead to ensure that minors are well-supervised during overnight stay is important.
4. Sleeping arrangements for minors must be separate based on their gender assigned at birth.
5. There must be at least two adult supervisors of each gender.
6. Overnight stay rules and policies must be reviewed with both the adult chaperones and minors before the event.
7. Each minor must have an emergency card on file.

F. Chaperone Drivers

1. Adults volunteering as drivers for minors must be at least 25 years age, have a valid driver's license, have the proper and correct license and vehicle registration, and have the required insurance coverage in effect for the vehicle used to transport students.
2. Adults volunteering as drivers for fieldtrips or other events for minors must have a satisfactory background check on file in the Diocese of San Bernardino and have completed the required safe environment training.

G. Child Care Policy for:

1. For events where child care is offered, 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.***
2. 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.
3. 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.

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H. Parental Permission

1. Volunteers and staff must have written parental permission to be alone with a minor such as:
 - For transportation
 - For counseling, mentoring or tutoring purposes
3. In the event of an emergency, permission from a parent or guardian can be given in writing, via email, text message, or phone call.
 - Phone call permission requires that two adults listen to the parent or guardian's permission given over the phone.
 - The phone conversation will be transcribed.
 - The parent or guardian is to be informed that the conversation will be put in writing.
 - The adults who listened to the phone permission will sign the transcript.
 - A copy of the written and signed conversation is to go with the chaperone of that child and a copy will be filed on site.

I. Minors Volunteering

1. 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.
2. Minors are to be under the visual supervision of an adult and work only when at least two adults are on the property.
3. Minors volunteering in parish or school programs cannot be given supervisor or adult responsibilities to supervise other minors.
4. Minors volunteering in any capacity must never be left unsupervised.

J. Safeguards if Advice is given

1. Private counseling and pastoral care of minors can present a dilemma since, at times, advice can be misconstrued.
2. Those working with minors must never overstep their boundaries or areas of competency.
3. The meeting site must be in a room allowing at least visual access to non-participants.
4. The meeting must be scheduled at an appropriate time when it is likely that at least another adult will be present in the same building.
5. Private meetings at homes or other non approved locations are expressly forbidden.

K. Independent contractors with minors

1. Independent contractors hired to provide services to minors must comply with diocesan safe environment policies, including the required safe environment training, a satisfactory background check, and a signed Affidavit of Safe Environment Compliance.
2. 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.

VI. Safe Environment Plan

- A. Each Parish is responsible to design a Safe Environment Plan. If a school is part of the parish, it must be included in the Parish Plan. **Diocesan and private 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:
 1. 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-
 2. 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)
 3. A description of all documentation procedures. (Part III-D-1 of this document)

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4. Specification of the accountability process for reporting abuse. (Part VII of this document)
- B. The Safe Environment Plan must be submitted to the Office of Child and Youth Protection and kept on file at the parish or school. The Safe Environment Plan must be reviewed annually and revised as needed. If the parish needs help designing their plan, they may contact the Diocesan Office of Child and Youth Protection (909) 475-5125 for assistance.
- C. **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 parish and school members.

VII. Reporting Suspected Child Abuse

- A. 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.
- B. The California Child Abuse and Neglect Reporting 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.
- C. 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.
- D. Abuse reporting information should permanently be available throughout parishes and schools, including Sunday parish bulletins, in the languages the liturgy is celebrated.
- E. **If there is suspected abuse of a minor**, immediately report to local law enforcement or Riverside or San Bernardino County Child Protective Services at:

Riverside County Child Protective Services: 800-442-4918

San Bernardino County Child Protective Services: 800-827-8724

Use the state approved Suspected Child Abuse Report (SCAR) form. This form is available on the Office of Child and Youth Protection website at www.docyp.org/reportabuse.

ALSO, REPORT TO:

- Your immediate supervisor. California law states that no supervisor or administrator may impede or inhibit a report or subject the reporting person to any sanction. (P.C. 11166(g)).
- 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 at 909-475-5120 or the Diocesan Victim Assistance Hotline at 1-888-206-909.
- If a parish or school employee committed the abuse call the Office of Human Resources at 909-475-5172.

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- If a parish or school volunteer committed the abuse call the Office of Child and Youth Protection at 909-475-5125.



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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. 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.

III. 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.

IV. 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. 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.

3. The investigation of an allegation of abuse by a clergy, employee, 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.

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.

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

V. 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. 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)

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.

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- 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.
- 2.2 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 dependant 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.
- 2.3 In cases of suspected child abuse of a minor or abuse of a vulnerable adult, California Law always prevails and a report made.
- 2.4 According to the Canon and State 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 only when public, appropriate, and completely nonsexual.
- 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.
- 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 Misconduct

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, religious, employees, volunteers, and all who minister in the Diocese of San Bernardino must avoid developing inappropriately intimate relationships with minors, dependent adults, employees, volunteers, or parishioners.
- 4.3 No clergy, religious, employee, or volunteer may exploit another person for sexual purposes.
- 4.4 The possession and distribution of child pornography is unquestionably illegal and prohibited and will be immediately reported to civil authorities.
- 4.5 All allegations of sexual misconduct should be taken seriously and reported.

5. 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.

- 5.1 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.
- 5.1.1 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.
- 5.2 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.

6. 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.

- 6.1 Clergy, religious, employees, and volunteers must hold each other accountable for maintaining

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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.

- 6.2 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.

7. Administration

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

- 7.1 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.
- 7.2 No clergy, religious, employee, or volunteer shall use his or her Diocesan position to exercise unreasonable or inappropriate power and authority.

8. The well-being of all who minister

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

- 8.1 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.
- 8.2 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.
- 8.3 Clergy, religious, employees, and volunteers must address their own spiritual needs. Support from a Spiritual Director is highly recommended.
- 8.4 Inappropriate or illegal use of alcohol, drugs, and the electronic media is prohibited.

VI. Distribution

The Code of Pastoral Conduct will be disseminated by using the Office of Child and Youth Protection website www.docyp.org, live training opportunities in parishes, throughout the 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

Prayer for Abuse Victims

Creator God please hear your people as together we pray:

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.