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Sexual Abuse Policy

Introduction

The sexual abuse of Children and Vulnerable Individuals is reprehensible and tragic. It betrays the trust Children and Vulnerable Individuals naturally place in adults, especially those responsible for their instruction, welfare and guidance. The damage caused by sexual abuse is devastating and long lasting. It is even more tragic when its consequence is a loss of the faith that the Catholic Church has a sacred duty to foster. Sexual abuse of Children is “by every standard wrong and rightly considered a crime by society; it is also an appalling sin in the eyes of God” (Address by Pope John Paul II, to the Cardinals of United States and Conference Officers, April 23, 2002). Our obligation to protect Children and Vulnerable Individuals stems from the mission and example given to us by Jesus Christ himself, in whose name we serve. We want to be as transparent and forthcoming as possible regarding the policies and procedures used by the Archdiocese.

Our goals as an Archdiocese are to:

1. Provide a safe and secure environment for the Children and Vulnerable Individuals in the Archdiocese;
2. Provide for a pastoral response to victims, their families, the accused person, and the community; and
3. Reduce the damage done by false accusations against Church Personnel.

Section 1. Definitions

The following words and phrases shall, for purposes of this Policy, have the following meanings:

- 1.1. Actionable. A determination by the Archbishop that an allegation is more likely than not true.
- 1.2. Administrative Leave. The status of an accused Church Personnel who has been relieved of assigned duties. The application of this term varies depending on the canonical status of the accused person and does not necessarily equate to the term as used in Canon Law.
- 1.3. Advisory Board. The board described in Section 8 of this Policy.

- 1.4. Archbishop. The canonically appointed Archbishop of Atlanta or the duly appointed Administrator in the event that, under Canon Law, the office of Archbishop is impeded or vacant. For purposes of this Policy, the Archbishop may act personally or through a designated representative.
- 1.5. Child. Any person under the age of eighteen (18) years.
- 1.6. Church Personnel. Bishops, priests, deacons, religious, lay employees and lay volunteers involved in work with children or vulnerable individuals. All Church Personnel are required to receive VIRTUS training.
- 1.7. Child Pornography. Any visual depiction of sexually explicit conduct involving a child. Visual depictions include photographs, videos, digital or computer generated images indistinguishable from and actual minor, and images created, adapted, or modified, but appear to depict an identifiable, actual minor. Undeveloped film, undeveloped videotape, and electronically stored data that can be converted into a visual image of child pornography are also deemed illegal visual depictions. Federal law prohibits the production, distribution, reception, and possession of an image of child pornography using or affecting any means or facility of interstate or foreign commerce (See 18 U.S.C. § 251; 18 U.S.C. § 2252; 18 U.S.C. § 2252A).
- 1.8. Credible Allegation. An allegation, which offers reasonable grounds for being believed.
- 1.9. Sexual Abuse. Engaging in any of the following conduct with, or involving, a Child or Vulnerable Individual (i) by a person who at the time of the conduct was Church Personnel, or (ii) by an adult who later becomes Church Personnel in a case where the Child was more than five (5) years younger than the adult, or (iii) by a Child, who later becomes Church Personnel, in a case where the offending Child was at least fourteen (14) years old and more than five (5) years older than the other Child.
 - a. Conduct that constitutes child abuse, sexual abuse or sexual exploitation as defined in the Official Code of Georgia Annotated (“O.C.G.A.”) § 19-7-5(b)(10) or(b)(11), as those definitions may hereafter be amended or modified, provided, however, that for purposes of this Policy, Sexual Exploitation shall include the statutorily prohibited conduct involving any Church Personnel. (O.C.G.A. § 19-7-5(b)(10) and (b)(11), as they exist on the dates of this Policy, are attached as Appendix 1 to this Policy); or
 - b. Any conduct by Church Personnel about which he or she has previously been admonished or warned by the Archbishop in writing is improper conduct.

- 1.10. Volunteer. Any unpaid person involved in a ministry, activity or service under the authority of the Archdiocese.
- 1.11. Volunteer Who Has Regular Contact with Children. A Volunteer whose ministry, activity or service involves custodial responsibility for the care and supervision, or the reasonable anticipation of actual or potential unsupervised contact with a Child or Vulnerable Individual.
- 1.12. Vulnerable Individual. A Vulnerable Individual aged eighteen (18) years of age or older who, objectively viewed, is unable or unlikely to report abuse, without assistance, because of impairment of physical or mental function.

Section 2. Prohibited Conduct

Sexual Abuse is reprehensible and tragic, and Sexual Abuse by Church Personnel will not be tolerated. While the priestly commitment to the virtue of chastity and the gift of celibacy is well known, all Church Personnel are required to observe appropriate boundaries and behavior which will avoid the occurrence of Sexual Abuse.

Child pornography is against the law.

Section 3. Service Application Forms for Employees and Volunteers

- 3.1. An application, in a form promulgated, or approved in writing, by the Archbishop or his designee (“ServiceApplication”) must be completed by each applicant for any paid position in the Archdiocese and also by any Volunteer who has regular contact with Children. All completed “Service Applications” must be kept as part of the parish/agency/school personnel/volunteer files.
- 3.2. Each applicant for any position in the Archdiocese and each Volunteer who has regular contact with Children must, as a condition of employment, ministry or service to the Archdiocese, consent to a “Background Check.” The “Background Check” will be completed in accordance with the requirements of the “Background Investigation” consent form. The pastor or his designee shall be responsible for reviewing the information thus acquired to determine that there is nothing present which would indicate the person is unfit for the employment, ministry or service for which he or she has applied.

- 3.3. A copy of the “Service Application,” including the “Background Check,” and other forms on file shall be sent to the Archdiocesan Human Resources Office for the Archdiocese. Upon termination of employment, ministry or service, a copy of the complete parish/agency/school personnel file is to be sent to the Archdiocesan Human Resources Office.

Section 4. Service Application Forms for Clergy and Religious

- 4.1 All superiors of religious institutes or orders proposing individuals for ministry or residence in Archdiocesan parishes or institutions, as well as those simply requesting priestly faculties in the Archdiocese, are required to state clearly in writing that there is no known history which would render the individual being proposed unsuitable to work with a Child or a Vulnerable Individual, including, but not limited to, any past allegation of Sexual Abuse or other misconduct of a sexual nature. This may be done through the use of form “Statement of the Religious Superior.”
- 4.2 Clergy, religious or seminarians seeking assignment to perform ministry within the Archdiocese of Atlanta must, before beginning the assignment, have on file with the Archdiocese the “Application by a priest for service in the Archdiocese of Atlanta.”
- 4.3 Clergy, religious or seminarians seeking assignment to perform ministry for fourteen (14) consecutive days or more must complete the form, “Application for Assignment,” and as a condition of assignment must consent to a “Background Check,” which will be performed by the Archdiocese, before such assignment is made.
- 4.4 No pastor, parochial vicar, religious or director of any Archdiocesan institution or facility is permitted to grant residence, or full-time, part-time or regular weekend ministry to any priest, religious or lay person without prior approval from the Archbishop.
- 4.5 Before any clergy or religious is proposed to another diocese for assignment, transfer, or residence, the Archbishop will make notification, similar in nature to the “Statement of Religious Superior,” to the local ordinary of the new residence.

Section 5. Reporting Requirements

- 5.1 Any Church Personnel who has reasonable cause to believe that Sexual Abuse has occurred and who has mandatory reporting requirements

under federal, state or local law, including, but not limited to, O.C.G.A. § 19-7-5 shall report, or cause a report of that abuse to be made as required by law, an oral report shall be made immediately, but in no case later than 24 hours from the time there is reasonable cause to believe a child has been abused, by telephone or otherwise and followed by a report in writing, if requested, to a child welfare agency providing protective services, as designated by the Department of Human Services, or, in the absence of such agency, to an appropriate police authority or district attorney. A copy of that report shall be sent immediately and confidentially to the Archbishop, or one of the Vicars General, or, in their absence the Director of the Safe Environment Office of the Archdiocese, who, in turn, will advise the Archbishop. The Archbishop will provide a copy of the report to the Advisory Board if it involves clergy or Religious. The Secretary of Human Resources will be provided a copy of the report if it involves lay employees or volunteers.

- 5.2 Each reported incident of alleged Sexual Abuse shall be investigated immediately by the Archbishop or his designated representative, in cooperation with any state or federal criminal investigation, with a high degree of pastoral care for the alleged victim and his or her family, the person reporting the incident, the accused person and all other persons whose lives reasonably can be expected by the Archbishop to be affected significantly by the alleged incident.
- 5.3 In the event a report received by the Archbishop presents a Credible Allegation of Sexual Abuse, the Archbishop or his designated representative shall in turn report the information to the appropriate government authorities as provided by O.C.G.A. § 19-7-5. Whether or not a report received by the Archbishop presents a Credible Allegation in the opinion of the Archbishop, a copy of the report shall be sent to the Advisory Board if it involves clergy or Religious. The Secretary of Human Resources will be provided a copy of the report if it involves lay employees or volunteers.
- 5.4 Without limiting the provisions of Subsections 5.1 through 5.4 of this Policy, it is the policy of the Archdiocese to comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities and to advise and support a person's right to make a report to public authorities.

Section 6. When Allegations are Made Against a Lay Employee or Volunteer

- 6.1 When any allegation of Sexual Abuse with respect to an Archdiocesan lay employee or Volunteer is reported to the Archbishop, the Archbishop shall immediately notify the Secretary of Human Resources of the person(s) alleged to be involved, and the substance of the allegations.
- 6.2 Immediately after receipt of an allegation of Sexual Abuse with respect to a lay employee or Volunteer, the Archbishop shall cause a preliminary investigation to be undertaken in accordance with Archdiocesan employment policies and may undertake such additional or independent investigation, as he deems necessary. Based on the results of preliminary investigations the Archbishop shall make a determination as to the credibility of the allegations and he or his designee shall communicate his determination in a timely manner to the victim or the victim's representative and the accused person.
- 6.3 If the Archbishop determines that an allegation of Sexual Abuse involving a lay employee or Volunteer is a Credible Allegation, then in addition to any action taken pursuant to Archdiocesan employment policies, the accused person shall be:
 - i. Presumed innocent during an investigation;*
 - ii. Notified in a timely manner of the nature of the allegation;*
 - iii. Placed on administrative leave pending the completion of the Archdiocesan investigation; and*
 - iv. Directed to remain away from any school, parish office, parish facility, agency, and other location, which is the subject of the complaint until the Archbishop has determined whether the allegation is Actionable.*
- 6.4 The Archbishop may request that the Secretary of Human Resources advise him in making his determination as to whether an allegation is Actionable. If a lay employee or Volunteer admits that he or she has engaged in Sexual Abuse, does not contest Credible Allegations of Sexual Abuse, or there is a determination by the Archbishop that an allegation of Sexual Abuse is Actionable, sanctions will be imposed in accordance with any applicable provisions of Canon Law, the regular employment policies of the Archdiocese as amplified by this Policy, and Section 12 of this Policy.
- 6.5 The Archbishop or his designee shall communicate his determination

as to whether the allegation is Actionable to the victim or the victim's designated representative, the accused person, and others required to be notified pursuant to Archdiocesan employment policies.

- 6.6 In instances where an allegation of Sexual Abuse is determined not to be Actionable, the Archbishop will make a determination as to whether the accused person is to be restored to duty and/or whether in his or her former position. The Archbishop may request the advice of the Secretary of Human Resources in making that determination. The Archbishop shall communicate his final determination as to restoration of duties to the alleged victim or the victim's designated representative and the accused person.
- 6.7 When an allegation is determined by the Archbishop not to be Actionable, the Archdiocese will make good faith efforts to restore the ministerial reputation and status of the accused person.
- 6.8 In response to a Credible Allegation of Sexual Abuse involving a lay employee or Volunteer, the Archbishop will take reasonable action to provide the family of the victim with appropriate spiritual care and pastoral support. Such care and support will be coordinated through the Office of Child and Youth Protection. Any pastor-priest or other person designated by the Archbishop to assist in this pastoral process should avoid being concerned with the validity of the allegations. His or her function is strictly pastoral in nature without regard to the truth of any allegation or to the circumstances surrounding the alleged incident. The person who reported the alleged Sexual Abuse shall also be given appropriate pastoral care.
- 6.9 In all instances of alleged Sexual Abuse by a lay employee or Volunteer, reasonable care will be taken to protect the rights of all parties involved, particularly those of the person claiming to have been Sexually Abused and the person against whom the charge has been made. It is the responsibility of any lay employee or Volunteer who is accused of Sexual Abuse to obtain his or her own personal legal representation.

Section 7. When Allegations are Made Against Clergy or Religious in Service to the Archdiocese or Residing in an Archdiocesan Rectory, Convent or Facility

- 7.1 When any allegation of Sexual Abuse with respect to Archdiocesan clergy,

or any other clergy or religious within the Archdiocese, is reported to the Archbishop, the Archbishop shall notify the Advisory Board of the person(s) alleged to be involved and the substance of the allegations.

- 7.2 Immediately after receipt of an allegation of Sexual Abuse involving a member of the clergy or religious the Archbishop shall undertake a preliminary investigation of the allegation, which investigation will be initiated and conducted in harmony with Canon Law. Based upon the results of his investigation, the Archbishop shall make a determination as to the credibility of the allegations, and communicate his determination in a timely manner to the victim or the victim's representative, the accused person, and the Advisory Board. The Archbishop may request that the Advisory Board advise him in making his determination as to whether an allegation is a Credible Allegation.
- 7.3 If the Archbishop determines that an allegation of Sexual Abuse that has been made against a member of the clergy or religious is a Credible Allegation, the accused person shall be:
- i. Presumed innocent during an investigation;*
 - ii. Notified in a timely manner of the nature of the allegations;*
 - iii. Immediately relieved of his or her active ministerial duties pending the outcome of the Archbishop's investigation; and*
 - iv. Directed to remain away from any school, parish office, parish facility, agency, and other location, which is the subject of the complaint until the Archbishop has determined whether the allegation is Actionable.*
- 7.4 The Archbishop may request that the Advisory Board advise him in making his determination as to whether an allegation is Actionable. If a member of the clergy or religious admits that he or she has engaged in Sexual Abuse, does not contest Credible Allegations of Sexual Abuse against him or her, or if there is a determination by the Archbishop after an appropriate process in accord with Canon Law that an allegation of Sexual Abuse is Actionable, sanctions will be imposed in accordance with Section 12 of this Policy. The Archbishop shall communicate his final determination as to whether the allegation is Actionable, and the sanctions imposed, in writing to the victim or the victim's designated representative, and the accused person.
- 7.5 As provided in Subsection 12.5 of this Policy, in every case involving allegations of Sexual Abuse against clergy or religious, the processes as provided for in and the various provisions of Canon Law will be observed

and in the event of an irreconcilable conflict between the applicable provision of Canon Law and this Policy, the provisions of Canon Law will prevail. This may include a request by a priest or deacon for dispensation from the obligation of holy orders, or by the bishop proceeding to seek dismissal from the clerical state even without the consent of the priest or deacon. In accordance with due process, the accused person will be encouraged to retain the assistance of civil and canonical counsel.

- 7.6 Where an allegation of Sexual Abuse by a member of the clergy or religious is not admitted or it is determined by the Archbishop after an appropriate investigation not to be Actionable and the Archbishop has not determined that the accused person is unfit for ministry, the Archdiocese will make reasonable efforts to restore the ministerial reputation and status of the priest, deacon or religious.
- 7.7 If the Archbishop determines that an allegation of Sexual Abuse, which has been made with respect to a member of the clergy or religious from a diocese or congregation other than the Archdiocese of Atlanta is Actionable, the Archbishop will immediately notify the appropriate superior of the alleged complaint.
- 7.8 In response to a Credible Allegation of Sexual Abuse involving a member of the clergy or religious, the Archbishop will take reasonable action to provide the family of the alleged victim with appropriate spiritual care and pastoral support. Such care and support will be coordinated through the Office of Child and Youth Protection. Any pastor/priest or other person designated by the Archbishop to assist in this pastoral process should avoid being concerned with the validity of the allegations. His or her function is strictly pastoral in nature without regard to the truth of any allegation or to the circumstances surrounding any alleged incident. The person who reported the alleged Sexual Abuse shall also be given appropriate pastoral care.
- 7.9 In all instances, care will be taken to protect the rights of all parties involved, particularly those of the person claiming to have been a victim of Sexual Abuse and the person against whom the allegation has been made.

Section 8. Advisory Board

- 8.1 The Advisory Board shall consist of at least five (5) persons of outstanding integrity and good judgment, in full communion with the Church. The majority of the Board shall be laypersons not in the employ of the

Archdiocese, at least one of whom shall have particular expertise in the treatment of the sexual abuse of minors. One member of the Board shall be an experienced and respected pastor of the Archdiocese. The members of the Advisory Board, in their role as board members, are not acting as experts in psychology, law, Sexual Abuse, or any other area. They will rely upon information provided to them by the Archdiocese and independent sources, and have no duty of independent verification. The role of the Advisory Board is to provide the Archbishop with advice and counsel pursuant to this Policy.

- 8.2 The Board is a confidential consultative body to the Archbishop, and in such capacity shall:
- i. *Serve in an advisory capacity to the Archbishop in assessing allegations of Sexual Abuse involving members of the clergy or religious as set forth in Section 7.*
 - ii. *Advise the Archbishop, in a confidential manner, when requested, on the fitness for ministry of clergy or Religious alleged to be or to have been involved in Sexual Abuse and/or further steps to take with clergy or Religious with regard to fitness for continued ministry;*
 - iii. *Review Archdiocesan policies and procedures and guidelines that may be established by various Archdiocesan departments for dealing with allegations of Sexual Abuse by clergy or other Church Personnel in order to recommend to the Archbishop any modifications in those policies and procedures, if appropriate.*
- 8.3 The Board is advisory to the Archbishop and shall report to him in writing of its recommendations. If the Archbishop requests the advice of the Advisory Board, the Archbishop shall provide all pertinent evidence relating to the alleged Sexual Abuse to the Advisory Board. If any recommendation from the Advisory Board is not unanimous from the members of the Board, a minority report shall also be made in writing.
- 8.4 The members of the Advisory Board shall be chosen by the Archbishop. With regard to the lay members of the Board, conflicts of interest, either actual or implied, shall be avoided. Each member of the Advisory Board serves at the pleasure of the Archbishop. Each member will be appointed for a term of five (5) years, which can be renewed.
- 8.5 The Advisory Board may adopt such policies and procedures as may be necessary to conduct its duties as are consistent with the provisions and intent of this Policy.

Section 9. Archdiocesan Offices of Child and Youth Protection

The goal of the Child and Youth Protection is to protect children and vulnerable individuals from sexual abuse and provide a safe environment in the Archdiocese of Atlanta. The Office of Child and Youth Protection is divided into two separate offices: The Office of Safe Environment and The Office of Victim Assistance. Each office has a different purpose, as described below.

- 9.1 The Archdiocesan Office of Victim Assistance shall aid in the immediate pastoral care of persons who claim to have been a victim of Sexual Abuse by Church Personnel. In addition, the office will ensure that the family of the alleged victim will receive appropriate spiritual care and pastoral support.
- 9.2 A coordinator will head the Office of Victim Assistance. This individual, at the direction and instruction of the Archbishop, will coordinate and monitor the spiritual care and pastoral support supplied to alleged victims and to the family members of alleged victims of Sexual Abuse including but not limited to, counseling, spiritual assistance, support groups, or other social services agreed upon by the alleged victim and the Archdiocese.
- 9.3 The Office of Safe Environment will, at the direction and instruction of the Archbishop, assist the Archdiocese in establishing and maintaining “safe environment programs.” The office will cooperate with parents, civil authorities, educators and community organizations to provide education and training for children, parents, pastors and ministers, educators and others about ways to make and maintain a safe environment for Children.

Section 10. Complaints – Cooperation with Authorities

- 10.1 The Archbishop shall adopt procedures for making complaints or allegations of Sexual Abuse involving Church Personnel. The procedures shall be made readily available in printed form and will be the subject of periodic public announcements regarding those procedures.
- 10.2 The Archdiocese shall cooperate with authorized state and federal civil and criminal authorities in their investigation of allegations of sexual abuse of minors involving Church Personnel.

Section 11. Media and Communications

- 11.1 a) The Archdiocese is committed to openness and transparency in its dealings with the community, especially with the parish communities and other constituent communities of the Archdiocese which may be directly affected by ministerial misconduct involving minors and will meet this commitment to the extent possible while also respecting the privacy and reputations of individuals involved.
- b) The Communications office is responsible for all media contacts; therefore, all media inquiries regarding this Policy, alleged Sexual Abuse involving Church Personnel, and related matters which are made to schools, parishes, or agencies of the Archdiocese should be referred to the Communications office, which will consult with, guide and coordinate relevant persons in the handling of subsequent media inquiries and responses.
- 11.2 The Archdiocese will not enter into confidentiality agreements with respect to alleged Sexual Abuse, except in cases where confidentiality is requested by a victim or survivor of such Sexual Abuse for grave and substantial reasons proffered by the victim or survivor, which reasons are noted in the text of the confidentiality agreement.

Section 12. Sanctions

- 12.1 Where Sexual Abuse by a lay employee or Volunteer is admitted or an allegation of Sexual Abuse is determined by the Archbishop to be Actionable, the accused person shall be immediately terminated as a Church Personnel.
- 12.2 (a) Where Sexual Abuse by a member of the clergy or religious is admitted, or an allegation of Sexual Abuse is determined by the Archbishop to be Actionable after an appropriate process in accord with Canon Law:
- i. The accused person shall be permanently removed from active ministry and will not receive a future assignment;*
 - ii. The accused person shall not be transferred for ministerial assignment;*
 - iii. Under no circumstances shall the accused person ever be allowed to minister in the Archdiocese of Atlanta; and*
 - iv. If the penalty of dismissal from the clerical state has not been applied (e.g., for reasons of advanced age or infirmity), the accused person shall be required to lead a life of prayer and penance; and if*

he is a member of the clergy, he will not be permitted to celebrate Mass publicly, to wear clerical garb, or to present himself publicly as a member of the clergy.

(b) It is the intent of this Policy that after there has been a determination of even a single Actionable occurrence of Sexual Abuse, the accused member of the clergy or religious will not remain in active ministry and will not receive a future assignment.

12.3 (a) If the accused person is an Archdiocesan clergy or religious and a determination is made that an allegation of Sexual Abuse is Actionable or that the accused person is unfit for ministry, the Archbishop may refer him to a facility for comprehensive medical and psychological evaluations and intervention, if possible, so long as this does not interfere with any investigation by state or federal civil and criminal authorities. If the accused person refuses such referral, the Archbishop shall take appropriate steps in accordance with Canon Law to enforce his decision.

(b) If the accused person is a religious and the Archbishop determines that the allegation is Actionable, a decision as to rehabilitation will be made by his or her religious superior.

12.4 The Archbishop shall consult with the Advisory Board with respect to the imposition of sanctions and remedial actions under this Section 12 if the accused person is clergy or Religious.

12.5 In every case involving clergy and religious who are subject to Canon Law, the processes and sanctions as provided for in Canon Law will be observed and in the event of an irreconcilable conflict between the applicable provision of Canon Law and this Policy, the provisions of Canon Law will prevail. The necessary observance of canonical norms internal to the Church is not intended to hinder the course of any civil or criminal action.

12.6 Church Personnel who fail to comply with the provisions of this policy will be subject to actions by the Archdiocese as may be deemed necessary up to and including termination from any positions with the Archdiocese and/or with any parish, mission or other Catholic institutions and organizations which are subject to the administration, authority or governance of the Archdiocese in accordance with civil, criminal and Canon Law. Applicants for positions with the Archdiocese who fail to comply with the provisions of this policy, as applicable, will be denied such positions.

Appendix 1

Child Abuse, Sexual Abuse and Sexual Exploitation are defined in Official Code of Georgia Annotated (O.C.G.A.) Section 19-7-5 as follows:

Child Abuse

- (A) Physical injury or death inflicted upon a child by a parent or caretaker thereof by other than accidental means; provided, however, that physical forms of discipline may be used as long as there is no physical injury to the child;
- (B) Neglect or exploitation of a child by a parent or caretaker thereof;
- (C) Sexual abuse of a child; or
- (D) Sexual exploitation of a child

Sexual Abuse – “Sexual abuse” means a person’s employing, using, persuading, inducing, enticing, or coercing any minor who is not that person’s spouse to engage in any act, which involves:

- (A) Sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex;
- (B) Bestiality;
- (C) Masturbation;
- (A) Lewd exhibition of the genitals or pubic area of any person;
- (B) Flagellation or torture by or upon a person who is nude;
- (C) Condition of being fettered, bound, or otherwise physically restrained on the part of a person who is nude;
- (D) Physical contact in an act of apparent sexual stimulation or gratification with any person’s clothed or unclothed genitals, pubic area, or buttocks or with a female’s clothed or unclothed breasts;
- (E) Defecation or urination for the purpose of sexual stimulation; or
- (F) Penetration of the vagina or rectum by any object except when done as part of a recognized medical procedure.

As is the case in O.C.G.A. Section 19-7-5, “Sexual Abuse” does not include consensual sex acts involving persons of the opposite sex when the sex acts are between minors or between a minor and an adult who is not more than five years older than the minor.

Sexual Exploitation – “Sexual exploitation” means conduct by any person who allows, permits, encourages, or requires that child to engage in:

- (A) Prostitution, as defined in O.C.G.A. Section 16-6-9 or
- (B) Sexually explicit conduct for the purpose of producing any visual or print medium depicting such conduct, as defined in O.C.G.A. Section 16-12-1 00.

Child Pornography – Federal law prohibits the production, distribution, reception, and possession of an image of child pornography using or affecting any means or facility of interstate or foreign commerce (See 18 U.S.C. § 251; 18 U.S.C. § 2252; 18 U.S.C. § 2252A).

Code of Conduct for Church Personnel

Preamble

The Archdiocese of Atlanta holds every person associated with the Archdiocese in any official capacity accountable for maintaining the integrity of all ministerial and professional relationships. The purpose of this Code of Conduct (“Code”) is to set forth the basic principles and guidelines. A comprehensive list of specific acts constituting a violation of this Code would be impossible. In addition to strict compliance with legal requirements, Church Personnel in the Archdiocese of Atlanta are expected to be guided by the basic principles of the Catechism of the Catholic Church in the conduct of Archdiocesan affairs and to comply with all Archdiocesan policies including never engaging in any act which constitutes Sexual Abuse of a minor (“Sexual Abuse”) as defined in the Archdiocese’s Policy regarding Sexual Abuse of Minors, as amended from time to time (“Sexual Abuse Policy”) and the guidelines contained in this Code. No Church Personnel may engage in any activity within or outside of the conduct of their ministry which might affect the Archdiocese or the members of the Catholic community which would violate any applicable law or the standards set out in this Code or which constitutes Sexual Abuse.

Common sense must be followed. However, the following Code is provided for the purpose of explicitly drawing attention to the special care, which must be taken in ministering to minors or other vulnerable individuals. Archdiocesan clergy, Religious, seminarians, personnel and volunteers must avoid contact with minors or vulnerable individuals that might be misconstrued by reasonable people or lead to misunderstandings. Given the consequences of sexual misconduct, clergy, Religious, seminarians, employees and volunteers should exercise caution and common sense to avoid situations which potentially might be misconstrued and to preclude any occasion that could give scandal or cause injury, whether that injury is intended or not by the individual.

Section 1. Application of Code

The Archdiocese expects you to conduct yourself according to this Code and to support others in doing so.

If you do not comply with this Code or if you permit a member of Church Personnel under your supervision to fail to comply with this Code, you are not meeting your responsibilities and you will be subject to appropriate disciplinary action up to and including termination of employment or ministry if you are an employee or lay volunteer, and action under canon law if you are a member of the

clergy or Religious.

Supervisors are responsible for communicating the expectations contained in this Code, the “Ministerial Standards,” and the Sexual Abuse Policy to all Church Personnel under their leadership.

This Code, the “Ministerial Standards” and the “Procedures for Processing Allegations” are established as mechanisms for reporting and addressing noncompliance and for routinely assessing our operations and activities to ensure compliance with this Code and the Sexual Abuse Policy, other Archdiocesan policies and the law.

If you know about or suspect non-compliance with this Code, Ministerial Standards, or Sexual Abuse Policy you are expected to report the non-compliance in accordance with the provisions of the “Procedures for Processing Allegations” adopted pursuant to the Sexual Abuse Policy. Any retaliation or threatened retaliation against you for reporting, in good faith, such actual or suspected non-compliance will be considered a serious violation of this Code, resulting in appropriate disciplinary action for anyone who retaliates against you, up to and including termination of employment or ministry and/or action under canon law.

If you have questions about any of the provisions or the application of this Code, the “Ministerial Standards” or the Sexual Abuse Policy, you should contact the Office of Safe Environment at 404-920-7550.

The following specific guidelines are to assist you with meeting the standards of conduct set out in this Code and the “Ministerial Standards” and to avoid allegations of Sexual Abuse. Although they are not exhaustive, they are intended to provide guidance and direction with respect to issues that may arise in the course of your day-to-day work.

Section 2. Implementation and Accountability

Compliance with Policies

In the Archdiocese of Atlanta, compliance with Archdiocesan policies is part of everyone’s job, although ultimate responsibility for adherence to this Code rests with the individual. In order to repair scandal, restore justice and reform offenders, appropriate action will be taken when any Church Personnel disregards or fails to comply with the expectations and behaviors defined in this Code. As a condition of your employment and/or ministry in the Archdiocese of Atlanta, you must be familiar and comply with this Code, the Sexual Abuse Policy, the “Ministerial Standards,” and all other Archdiocesan policies that apply to you. Violations of this Code, the

“Ministerial Standards,” or any other Archdiocesan policy are grounds for disciplinary action and possible legal prosecution. This Code provides you with guidance about the Archdiocese’s expectations in regard to your conduct and basic legal responsibilities as Church Personnel of the Archdiocese. There are some standards specific to one’s ministry, which are more precise than the Code of Conduct. In instances where guidelines conflict between the “Ministerial Standards” and the Code of Conduct, the “Ministerial Standards” are to be followed.

Compliance with the Law

Compliance with laws and regulations that apply to the Archdiocese is an absolute minimum requirement to maintaining our Catholic values and standard of conduct. While we are called to a higher standard, this minimum requirement means that each of us is responsible for understanding the laws that apply. Violating the law can seriously damage the Archdiocese’s reputation, subject the Archdiocese to liability and subject you to personal civil or criminal liability. The Archdiocese’s leadership will support you in meeting your responsibility to comply with the law and will provide you with the resources necessary for compliance. Questions concerning any legal responsibility should be referred to the Office of Safe Environment at 404-920-7550.

Section 3. “Am I My Brother’s Keeper?” Pledge To Report Abuse of Minors

Mandated Reporters

Mandated reporters are legally required to report allegations and suspicions of child abuse. Failure to report can result in legal action.

Under Archdiocesan policies mandated reporters includes all priests, deacons, seminarians, religious, employees, school personnel, and those volunteers who are required to receive VIRTUS training.

Per Georgia Code §§ 19-7-5, which was updated in 2016 mandated reporters includes:

- Physicians licensed to practice medicine, physician assistants, interns, or residents;
- Hospital or medical personnel;
- Dentists;
- Licensed psychologists and persons participating in internships to obtain licensing pursuant to Chapter 39 of Title 43;

- Podiatrists;
- Registered professional nurses or licensed practical nurses licensed pursuant to Chapter 26 of Title 43 or nurse's aides;
- Professional counselors, social workers, or marriage and family therapists licensed pursuant to Chapter 10A of Title 43;
- School teachers;
- School administrators;
- School counselors, visiting teachers, school social workers, or school psychologists certified pursuant to Chapter 2 of Title 20;
- Child welfare agency personnel, as such agency is defined in Code Section 49-5-12;
- Child-counseling personnel;
- Child service organization personnel; ("Child service organization personnel" means persons employed by or volunteering at a business or an organization, whether public, private, for profit, not for profit, or voluntary, that provides care, treatment, education, training, supervision, coaching, counseling, recreational programs, or shelter to children.)
- Law enforcement personnel; or
- Reproductive health care facility or pregnancy resource center personnel and volunteers.

REMEMBER: Your Role is to Report. There is to be no investigation by you or anyone else at the parish, mission, school, or diocesan level.

If you are a mandated reporter and have reasonable cause to believe that abuse has occurred, you must report this information within 24 hours from the time there is reasonable cause to believe a child has been abused. An oral report shall be made immediately to Georgia Department of Family and Children Services (DFCS) and a confirming written report should be provided as well as all of the following steps:

- i. If the alleged/suspected victim is a minor, call DFCS immediately but no later than 24 hours from the time there is reasonable cause to believe a child has been abused.
 1. The DFCS number is 1-855-GACHILD (1-855-422-4459).
 2. Be prepared to provide the child's name and the nature of the suspected abuse. Additional information is helpful, but not mandatory.
 3. Follow-up with a letter to DFCS and send a copy of the letter to the Office of Child and Youth Protection. A template for the letter can be found here: <https://archatl.com/offices/child-and-youth-protection/reporting-abuse/reporting-child-abuse/>.

- ii. If the abuse involves Church Personnel call the Office of the District Attorney immediately but no later than 24 hours from the time there is reasonable cause to believe a child has been abused in the county where the abuse occurred.
 - 1. Be prepared to provide the suspected victim's name, age, the nature of the suspected abuse, the name of the suspected perpetrator, and his/her relationship to the suspected victim. Additional information is helpful, but not mandatory, unless requested by the District Attorney's office.
 - 2. Follow-up with a letter to the District Attorney's Office.

- iii. In addition, if the alleged abuse involves Church Personnel (priests, deacons, seminarians, religious, teachers, employees or volunteers) after contacting DFCS and the District Attorney's Office, immediately call the Archdiocese of Atlanta to report that there is reasonable cause to believe a child has been abused. This is so that the Archdiocese of Atlanta can be an active participant in cooperating with the appropriate state and local authorities. The report to the Archdiocese is NOT in lieu of the report to the appropriate state and local authorities.
 - 1. Call 1-888-437-0764 (24 hours a day) to file a report or
 - 2. During business hours
 - a. Call the Archbishop's Office at 404-920-7315 or
 - b. Call the Office of Child and Youth Protection 404-920-7550

Clergy

Although a member of the clergy is deemed a mandated reporter, per Archdiocesan policies, a priest shall not be required to report child abuse reported solely within the context of the Sacrament of Reconciliation. When a priest receives information about child abuse from any other source, the priest shall comply with the reporting requirements specified above.

Reporting of Non-Compliance

If any person, including any employee, lay volunteer or member of the clergy or religious, knows about or suspects abuse by an employee, lay volunteer, member of the clergy or religious in the Archdiocese of Atlanta, he or she has a responsibility to report these concerns in accordance with the provisions of the policy. No retribution or adverse consequences will occur against an employee, lay volunteer, or member of the clergy or religious for making such a report in good faith. In fact, the Archdiocese strictly prohibits retaliation or threatened retaliation against any employee, lay volunteer, member of the clergy or religious for reporting actual or suspected abuse under the Archdiocesan Sexual Abuse Policy which he or she believes has occurred, provided the report is made in good faith. If anyone wishes to

ask questions anonymously, he or she may do so by contacting the Office of Safe Environment at (404) 920-7550.

The Office of Safe Environment has overall responsibility for ensuring effective implementation of the Archdiocesan Sexual Abuse Policy throughout the Archdiocese. The Office of Safe Environment is further responsible for ensuring that the Archdiocesan Sexual Abuse Policy is effectively communicated and enforced throughout the Archdiocese.

The Office of Safe Environment will coordinate the day-to-day administration of the Archdiocesan Sexual Abuse Policy. The Director of the Safe Environment Office's responsibilities include planning and implementing investigations, in cooperation with others, of issues that arise under the Archdiocesan Sexual Abuse Policy and preparing periodic reports to the Archbishop and Advisory Board.

Section 4: Principles

Church Personnel of the Archdiocese of Atlanta shall:

1. Actively support the teachings of the Catholic Church and work to build up the body of Christ in thought, word, deed and action.
2. Respect the rights, dignity and worth of each person from conception to natural death, and conduct relationships with others in a manner that is consistent with Catholic teaching. This is an even higher obligation for supervisors.
3. Meet civil and canon law obligations.
4. To the best of their ability, protect children, youth and vulnerable adults from all forms of abuse or neglect.
5. Keep all information received in the course of counseling, spiritual direction or other professional or ministerial contact in the strictest confidence except as mandated by law.
6. Refrain from making false accusations against another or revealing the faults and failings of another to those who have no right to know.
7. Be responsible stewards of Church resources, human and financial, observing canon and civil law.
8. Maintain a high level of competence in their particular ministry, and prudently attend to their own physical, spiritual, mental and emotional well-being.
9. Avoid accepting or conferring an office, position, assignment or compensation, which may present even the appearance of a conflict of interest.

10. Promptly report incidents of ethical misconduct or Sexual Abuse by other Church Personnel to the proper Church authority.
11. Review and know the contents of the child abuse regulations and reporting requirements for the State of Georgia and follow those requirements as applicable.
12. Review and know the contents of the child abuse regulations and reporting requirements for the Archdiocese of Atlanta and follow those requirements as applicable.
13. Read, sign, understand and comply with this “Code of Conduct,” “Ministerial Standards” and the “Sexual Abuse Policy” before engaging in any form of ministerial work.

Ministerial Standards and Behavioral Guidelines for Clergy, Religious, Employees, Volunteers and Independent Contractors Dealing with Children and Vulnerable Individuals

Section 1. Behavioral Guidelines for Church Personnel Working with Minors

Standards for clergy, Religious, employees, volunteers, and independent contractors (Church Personnel) include, but are not limited to, the following:

1. Church Personnel are expected to maintain a high ethical and professional standard in their interaction with minors.
2. Church Personnel, unless they are the parent(s) and/or legal guardians of the child, are prohibited from using physical discipline in any way for the behavior management of minors, except insofar as restraint may be necessary to prevent them from inflicting harm on themselves or others, in which case a detailed written record of the incident is to be made as soon as possible and maintained on file.
3. Church Personnel may never show, provide or make available in any way to minors sexually explicit or morally inappropriate materials. In essence, any discussion, materials, and personal interaction with minors are prohibited if they could not occur or be used in the presence of the minor's parents or guardians. This does not preclude Archdiocesan-approved curricula in schools or religious education programs.
4. Church Personnel shall not acquire, possess, or distribute child pornography.
5. Church Personnel are prohibited from the using, possessing or being under the influence of any mind or mood altering substances, including alcohol, while working with minors. Church Personnel are prohibited from providing minors with any alcoholic beverage, tobacco, drugs or any substance prohibited by law. Medications of any kind may be administered to minors only with written parental permission unless you are the parent and/or legal guardian of the minor.
6. Church Personnel should schedule one-on-one counseling sessions or meetings with minors at times and locations that promote accountability and meet accepted standards of propriety. Pastors, principals or the administrator of the appropriate Archdiocesan agency and parent(s) or legal guardians must be notified in writing of any scheduled meeting involving a minor to assist in maintaining a safe environment for our children. Additionally, informal meetings should be the exception not the

rule. However, if a minor approaches you and seeks immediate, brief assistance it should be documented and communicated to the pastor, principal, or the administrator of the appropriate Archdiocesan agency and parent or legal guardian if a meeting takes place that has not been scheduled or cleared by a parent or legal guardian in advance.

7. Church Personnel are prohibited from sleeping in the same bed, van, hotel room, sleeping bag or tent with a minor unless the adult is a parent, guardian or sibling. Sharing a bedroom, other than a large dormitory style room, should always be avoided. Church Personnel should not take an overnight trip alone with a minor who is not an immediate family member. Church Personnel should avoid being alone with a minor (not a member of the family) in a locker room, rest room, dressing, changing or showering facility. Furthermore, Church Personnel may not take photographs of minors who are unclothed or dressing, for example, in a locker room or bathing facility, nor shall they permit such photographs to be taken by others.
8. Church Personnel may not give minors keys to any Archdiocesan church or school facility.
9. Church Personnel shall not act as a chaperone for activities that conflict with curfew laws pertaining to minors.
10. Church Personnel observing or becoming aware of anyone (adult or minor) abusing a minor, must take immediate steps to intervene to provide a safe environment for the minor and report the misconduct in accord with Archdiocesan policies and civil law.
11. Church Personnel shall never date or give the appearance of dating a minor, engage in sexualized contact with a minor, give gifts that have more than an intrinsic value, or grant special privileges or opportunities to a specific minor.
12. Church Personnel shall not tutor, counsel, meet with individually or allow overnight stays in their personal residence to individuals to whom they minister unless they are the parent(s) and/or legal guardians. If you teach at the school or parish and have a child who is enrolled at the parish or school ask another responsible adult, preferably one who is not a relative, to assist you with supervision during a social event held at your home.
13. Church Personnel shall not engage in any form of behavior including: (a) verbal harassment, such as derogatory comments, jokes, or slurs; (b) visual harassment, such as derogatory or sexually explicit posters, cards, calendars, cartoons, graffiti, drawings, messages, notes or gestures; (c) sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature.
14. Church Personnel shall not engage in any behavior that violates a prior

written warning from the Archbishop.

Section 2. Guidelines for the Supervision of Minors

Guidelines include, but are not limited to, the following:

1. Unless Church Personnel have a parent's or legal guardian's knowledge and consent in the form of a written permission slip, they are never to drive minors, unless there is a medical emergency or the child is theirs.
2. Programs for minors shall not be conducted by only one adult without additional adult presence.
3. Church Personnel shall report uncontrollable or unusual behavior of minors to parents as soon as possible.
4. Facilities shall be monitored during church services and all school and other activities.
5. Parents shall be encouraged to be part of all services and programs in which their children are involved.
6. Parental permission shall be obtained, including a signed medical treatment authorization form, before taking minors on trips. All due precautions for the safety and well-being of the children must be taken on such trips.
7. Written parental approval must be obtained before permitting any minor to participate in athletic or other activities that involve potential risk.

Section 3. DO'S

1. Do know that you have a responsibility to protect yourself because the public often views you with caution. This is a side effect of the secondary abuse that you are experiencing as a result of pedophiles.
2. Do learn and comply with the reporting procedures under both the Archdiocesan Policy and Georgia law. Have these policies easily accessible in your office.
3. Do know and comply with the Ministerial Standards and Behavioral Guidelines for the Supervision of Minors, contained in the Archdiocesan Code of Conduct. Have these policies easily accessible in your office.
4. Do love the children and/or vulnerable individuals to whom you minister with a carefully disciplined love.
5. Do make sure that any physical contact with a child and/or vulnerable individual is done in a manner that is beyond reproach and in a very public place.
6. Do treat every "child" (defined under the Archdiocesan Policy and Georgia law as a person "under 18 years of age") and vulnerable individual with the dignity he or she deserves by virtue of his or her creation by God in His

image and likeness.

7. Do treat every vulnerable individual (defined under the archdiocesan policy and Georgia law) with the dignity he or she deserves by virtue of his or her creation by God in His image and likeness.
8. Do avoid being alone with a child and/or vulnerable individual in a closed room unless you are the child and/or vulnerable individual's parent or legal guardian. Protect yourself by having the door open/or closing a "see-through," glass-paneled door if the vulnerable individual insists on privacy with you.
9. Do have a parent or another adult around if the child and/or vulnerable individual does need privacy.
10. Do offer comfort and solace to those who are upset or grieving. Try not to do it by physically holding or hugging a child and/or vulnerable individual, if possible, unless you are the parent and/or legal guardian.
11. Do realize that a vulnerable individual, who is unable to speak, can say "no" to physical affection and refrain from displays of affection through their body language.
12. Do use only chaste language when speaking with a child and/or vulnerable individual.
13. Do dress modestly at all times, particularly when in the presence of a child and/or vulnerable individual.
14. Do always plan to provide adequate supervision before and after Archdiocesan functions.
15. Do follow the following guidelines when, from time to time, you may find yourself unavoidably left with a child and/or vulnerable individual because of a parent or guardian's failure to arrive at your facility on time to pick up that child and/or vulnerable individual at the conclusion of an Archdiocesan-sponsored program. While this is always a difficult and frustrating situation, it must be understood by all concerned that the safety and welfare of that child and/or vulnerable individual under those circumstances continues to be the moral and legal obligation of you and those associated with your program on behalf of the Archdiocese. In view of the foregoing, the following guidelines are set forth to provide you with an overview of how such situations should generally be handled:
 - a. Under no circumstances should any child and/or vulnerable individual be left unattended. That child and/or vulnerable individual remains your obligation until such time as a family member or other responsible adult takes physical custody of that child and/or vulnerable individual.
 - b. All reasonable efforts should be undertaken to contact the parent or guardian or other responsible family member of the

- child and/or vulnerable individual to arrange for their pick up.
- c. In the event those efforts are successful but the adult appearing to pick up the child and/or vulnerable individual is neither the parent nor the designated emergency contact person according to current records, you must confirm the identity of the adult and their relationship to the child and/or vulnerable individual. Obviously, you must conclude through the use of sound judgment that the adult is an appropriate person to take custody of the child and/or vulnerable individual.
 - d. In the event that all of these efforts are unsuccessful, you should call the local police authority and report the abandonment of the child and/or vulnerable individual and request the police to come to your facility to take custody of the child and/or vulnerable individual. The timing and decision to call local police authorities is to be based on your good judgment and professional assessment of the situation.
 - e. You should not undertake to transport the vulnerable individual in your automobile to another location unless you have the written permission of the parent or legal guardian, there is a medical emergency, or the child and/or vulnerable individual is a relative.
 - f. In the event that a parent or guardian's failure pick up in a timely manner a child and/or vulnerable individual is a repeated or consistent problem, this matter should be handled like any other disciplinary issue involving breach of program policies and procedures. This may result in the parent/guardian being directed to withdraw their child and/or vulnerable individual from the program.

Section 4. DO NOT's

1. Do not isolate or remove yourself from children and/or vulnerable individuals. They need you. You are an important person in their growth and development in their relationship with God and the Church.
2. Do not physically or emotionally abuse any child and/or vulnerable individual, including, but not limited to, physically or emotionally punishing a child and/or vulnerable individual.
3. Do not sexually abuse or exploit any child and/or vulnerable individual as defined by Archdiocesan Policy or Georgia Law. Clergy and Religious are also subject to Canon 1395.2 of the 1983 Code of Canon Law.

4. Do not permit any child and/or vulnerable individual, unless you are their parent or legal guardian, to enter your home or living quarters unless accompanied by a parent or guardian.
 - a. If you teach at the parish/school and a child and/or vulnerable individual who is enrolled in the parish/school as a guest in your home, ask another responsible adult, preferably not related to you in attendance if possible, to assist you with supervision during a social event held at your home.
 - b. If a social event including a vulnerable individual is held at your home, have an adult who is not related to you, in attendance if possible, or at Remember to have at least three other responsible volunteers for each person with a disability assisting you with supervision during that event.
 - c. If you are a priest and the child and/or vulnerable individual is a relative you must have permission from the Archbishop before allowing a minor to stay in your rectory.
5. Do not take an overnight trip alone with a child and/or vulnerable individual, unless the child and/or vulnerable individual is a relative.
6. Do not allow a child and/or vulnerable individual to sleep in the same room with you unless the child and/or vulnerable individual is a relative.
7. Do not sleep alone in the same room with a child and/or vulnerable individual unless you are a relative.
8. Do not use open bathroom facilities in the presence of a child and/or vulnerable individual, unless you are a relative.
9. Do not dress or undress yourself in the presence of a child and/or vulnerable individual, unless you are a relative.
10. Do not allow a child and/or vulnerable individual, unless you are a relative, to dress or undress in your presence.
11. Do not provide toileting assistance for a child and/or vulnerable individual unless you are a relative.
 - a. If a vulnerable individual regularly needs assistance in the bathroom, family members, a guardian, medical personnel, or official caregivers should provide this assistance. If a vulnerable individual needs emergency bathroom assistance, two responsible adults of the same gender as the vulnerable individual should assist. Plan for this assistance before the need arises.
 - b. Do not fail to make plans for dressing, toileting, transferring and bathing assistance needs well in advance of any weekend/overnight retreat or conference. If a family member, guardian, medical personnel, or official caregivers are not available, only previously trained staff and previously trained responsible adult volunteers

should provide this function. If those persons are not available, the vulnerable individual should not attend.

12. Do not provide any child and/or vulnerable individual with alcohol, tobacco, legal or illegal prescription or non-prescription drugs unless you are the child's and/or vulnerable individual's parent or legal guardian or unless a medical professional administers the prescription medication.
13. Do not accompany a child and/or vulnerable individual, who is not accompanied by a parent or guardian, to any place that is principally engaged in the sale of alcohol (a bar, liquor store or night club); provided however, nothing herein shall prohibit your accompanying such child or vulnerable individual to a place in which the availability of alcohol is merely incidental to other recreational or social activities at said location (ballgame, concert or restaurant). Written permission must be obtained from the child's and/or vulnerable individual's parent or guardian in advance of attendance at any such social or recreational events.
14. Do not allow a child and/or vulnerable individual, unless you are their parent or legal guardian, to self-medicate in your presence.
15. Do not permit a child and/or vulnerable individual to have possession of a key to any Archdiocesan facility.
16. Do not allow a child and/or vulnerable individual unsupervised access to any Archdiocesan facility.
17. Do not permit a child and/or vulnerable individual to leave the Archdiocesan church or facility during a scheduled class, event or function without adult supervision.
18. Do not provide any child and/or vulnerable individual with pornography or permit a child and/or vulnerable individual to have possess or view pornography in his or her possession in your presence.
19. Do not take photos of a child and/or vulnerable individuals without the consent of their parent or legal guardian.
20. Do not pay for or otherwise accompany a child and/or vulnerable individual to watch any movie or video that does not have a G or PG, and never on your own unless you are the parent or legal guardian.
 - a. If you teach at the parish/school and have a child and/or vulnerable individual under your supervision who is enrolled in the parish/school ask another responsible adult, preferably one who is not related to you, to assist you with supervision during any social event.
21. Do not accompany a vulnerable individual to an amusement park or other recreational activity unless also accompanied by the vulnerable individual's family member, guardian or official caregiver or unless it is an official Church, School, or Disabilities Ministry-sponsored event.
 - a. If you teach at the parish/school and have a child and/or vulnerable

individual under your supervision who is enrolled in the parish/school, ask your spouse or another responsible adult, preferably one who is not related to you, to assist you with supervision during any social event.

22. Do not use profanity, sexually expressive or vulgar language in the presence of a child and/or vulnerable individual.
23. Do not allow music to be played that contains profanity, is sexually expressive, or has vulgar language.
24. Do not meet alone with a child and/or vulnerable individual unless you are his/her parent or legal guardian.
 - a. All meetings rooms must have a window and/or the door must remain open.
 - b. In the case of a priest, meeting alone with a child is only allowed for the Sacrament of Penance, and then with the safeguards called for in the Archdiocesan liturgical guidelines.
25. Do not agree to meet children and/or vulnerable individuals at any social event outside of parish/school time unless you are the parent and/or legal guardian of the child and/or vulnerable individual.
26. Do not teach, or counsel or tutor a child and/or vulnerable individual at your home unless you are his/her parent or legal guardian the child and/or vulnerable individual is a relative or another adult is present.
27. Do not drive a child and/or vulnerable individual in your automobile unless you have a written permission slip from the parent or guardian, there is a medical emergency, the child and/or vulnerable individual is a relative, or you are the child's and/or vulnerable individual's parent or legal guardian.
 - a. Clergy and Religious should never drive a child and/or vulnerable individual alone in their automobile unless he/she is a relative.
28. Do not allow a child and/or vulnerable individual to remain in the presence of only one other person who is not the vulnerable individual's family member, guardian, medical personnel, or official caregiver. Arrangements should be made in advance for another volunteer to monitor such situations.
29. Do not give or accept personal gifts, that have more than intrinsic value, to or from children and/or vulnerable individuals unless you are their parent or legal guardian.
30. Do not discuss your personal life with a child and/or vulnerable individual unless you are their parent or legal guardian.
31. Do not discuss the personal lives of clergy, Religious, educators, employees, staff and/or volunteers with a child and/or vulnerable individual.
32. Do not have any physical contact while dancing with a child and/or vulnerable individual unless you are a relative.

33. Do not accept a baby-sitting or housesitting assignment for any child and/or vulnerable individual served by this ministry.
34. Do not visit children and/or vulnerable individuals at their homes without the permission and presence of the parent and/or legal guardian.
35. Do not permit undocumented volunteers (no Social Security number, known backgroundcheck, and/or no evidence of safe environment training, and/or no code of conduct signature) to assist you with the care of children and/or vulnerable individuals.
36. Do not contact children and/or vulnerable individuals at home either on land lines, cell phones or via app, email or text unless the child and/or vulnerable individual is a relative or the parent or legal guardian has given you written permission to communicate with the child and/or vulnerable individual in this fashion.
37. Do not provide children and/or vulnerable individuals with your personal contact information, including phone number, email address, or app handle unless the child and/or vulnerable individual is a relative or the parent or legal guardian has given you written permission to communicate with the child and/or vulnerable individual in this fashion.
38. Do not date any currently matriculated child and/or vulnerable individual served by this ministry, regardless of their age.

Policy Concerning Disabled Adult and Elder Person Abuse, Neglect, and Exploitation

Introduction

Abuse, Neglect, and/or Exploitation of Disabled Adults and Elder Persons is reprehensible and tragic. It betrays the trust Disabled Adults and Elder Persons naturally place in those tasked with their care. It is even more tragic when its consequence is a loss of the faith that the Catholic Church has a sacred duty to foster. Our obligation to protect Disabled Adults and Elder Persons stems from the mission and example given to us by Jesus Christ himself, in whose name we serve. We want to be as transparent and forthcoming as possible regarding the policies and procedures used by the Archdiocese. Our goals as an Archdiocese are to:

1. Provide a safe and secure environment for the Disabled Adults and Elder Persons in the Archdiocese;
2. Provide for a pastoral response to victims, their families, the accused person, and the community; and
3. Reduce the damage done by false accusations against Church Personnel.

Section 1. Definitions

The following words and phrases shall, for purposes of this Policy, have the following meanings:

- 1.1 Abuse. The willful infliction of physical pain, physical injury, Sexual Abuse, mental anguish, or unreasonable confinement upon a Disabled Adult, Elder Person, or Resident, or the willful deprivation of essential services to a Disabled Adult, Elder Person, or Resident.
- 1.2 Actionable. A determination by the Archbishop that an allegation is more likely than not true.
- 1.3 Administrative Leave. The status of an accused Church Personnel who has been relieved of assigned duties. The application of this term varies depending on the canonical status of the accused person and does not necessarily equate to the term as used in Canon Law.
- 1.4 Advisory Board. The board described in Section 8 of this Policy and Section 8

of the “Sexual Abuse Policy.”

- 1.5 Alzheimer’s Disease. A progressive, degenerative disease or condition that attacks the brain and results in impaired memory, thinking, and behavior.
- 1.6 Archbishop. The canonically appointed Archbishop of Atlanta or the duly appointed Administrator in the event that, under Canon Law, the office of the Archbishop is impeded or vacant. For purposes of this Policy, the Archbishop may act personally or through a designated representative.
- 1.7 Church Personnel. Bishops, priests, deacons, religious, lay employees as well as lay volunteers involved in work with children and/or vulnerable individuals. All Church Personnel are required to receive VIRTUS training.
- 1.8 Credible Allegation. An allegation, which offers reasonable grounds for being believed.
- 1.9 Dementia. (a) An irreversible global loss of cognitive function causing evident intellectual impairment which always includes memory loss, without alteration of state of consciousness, as diagnosed by a physician, and is severe enough to interfere with work or social activities, or both, and to require at least intermittent care or supervision; or (2) the comatose state of an adult resulting from any head injury.
- 1.10 Disabled Adult. A person eighteen (18) years of age or older who is mentally or physically incapacitated or has Alzheimer’s disease or dementia.
- 1.11 Elder Person. A person sixty-five (65) years of age or older.
- 1.12 Essential Services. Social, psychiatric, or legal services necessary to safeguard a disabled adult’s, elder person’s, or resident’s rights and resources and to maintain the physical and mental well-being of such person. Such services may include, but not be limited to, the provision of medical care for physical and mental health needs, assistance in personal hygiene, food, clothing, adequately heated and ventilated shelter, and protection from health and safety hazards.
- 1.13 Exploitation. Illegally or improperly using a disabled adult or elder person or that person’s resources through undue influence, coercion, harassment, duress, deception, false representation, false pretense, or other similar means for one’s own or another person’s profit or advantage.

- 1.14 Long-Term Facility. Any skilled nursing facility, intermediate care home, assisted living community, community living arrangement, or personal care home subject to regulation and licensure by the Department of Community Health.
- 1.15 Neglect. The willful deprivation of health care, shelter, or necessary sustenance to the extent that the health or well-being of a Disabled Adult, Elder Person, or Resident is jeopardized.
- 1.16 Resident. Any person who is receiving treatment or care in any long-term care facility.
- 1.17 Sexual Abuse. The coercion for the purpose of self-gratification by a guardian or other person supervising the welfare or having immediate charge, control, or custody of a disabled adult, elder person, or resident to engage in any of the following conduct:
- (A) Lewd exhibition of the genitals or pubic area of any person;
 - (B) Flagellation or torture by or upon a person who is unclothed or partially unclothed;
 - (C) Condition of being fettered, bound, or otherwise physically restrained on the part of a person who is unclothed or partially clothed unless physical restraint is medically indicated;
 - (D) Physical contact in an act of sexual stimulation or gratification with any person's unclothed genitals, pubic area, or buttocks or with a female's nude breasts;
 - (E) Defecation or urination for the purpose of sexual stimulation of the viewer;
or
 - (F) Penetration
- 1.18 Volunteer. Any unpaid person involved in a ministry, activity or service under the authority of the Archdiocese

Section 2. Prohibited Conduct

Abuse, Neglect and Exploitation of Disabled Adults, Elder Persons, and Residents is reprehensible and tragic. Abuse, Neglect, or Exploitation by Church Personnel

will not be tolerated. All Church Personnel are required to observe appropriate boundaries and behavior, which will avoid the occurrence of Abuse, Neglect and Exploitation of Disabled Adults, Elder Persons, and Residents.

Section 3. Service Application Forms for Employees and Volunteers

- 3.1 An application, in a form promulgated, or approved in writing, by the Archbishop or his designee (“Service Application”) must be completed by each applicant for any paid position in the Archdiocese and also by any Volunteer who has regular contact with Disabled Adults, Elder Persons, or Residents. All completed “Service Applications” must be kept as part of the parish/agency/long-term care facility personnel/volunteer files.
- 3.2 Each applicant for any position in the Archdiocese and each Volunteer who has regular contact with Disabled Adults, Elder Persons, or Residents must, as a condition of employment, ministry or service to the Archdiocese, consent to a “Background Check.” The “Background Check” will be completed in accordance with the requirements of the “Background Investigation” consent form. The pastor or his designee shall be responsible for reviewing the information thus acquired to determine that there is nothing present which would indicate the person is unfit for the employment, ministry or service for which he or she has applied.
- 3.3 A copy of the “Service Application,” including the “Background Check,” and other forms on file shall be sent to the Archdiocesan Human Resources Office for the Archdiocese. Upon termination of employment, ministry or service, a copy of the complete parish/agency/long-term care facility personnel file is to be sent to the Archdiocesan Human Resources Office.

Section 4. Service Application Forms for Clergy and Religious

- 4.1 All superiors of religious institutions or orders proposing individuals for ministry or residence in Archdiocesan parishes or institutions, as well as those simply requesting priestly faculties in the Archdiocese, are required to state clearly in writing that there is no known history which would render the individual being proposed unsuitable to work with Disabled Adults, Elder Persons, or Residents, including, but not limited to, any past allegation of Abuse, Neglect, or Exploitation. This may be done through the use of form “Statement of the Religious Superior.”

- 4.2 Clergy, religious or seminarians seeking assignment to perform ministry within the Archdiocese of Atlanta must, before beginning the assignment, have on file with the Archdiocese the “Application by a priest for service in the Archdiocese of Atlanta.”
- 4.3 Clergy, religious or seminarians seeking assignment to perform ministry for fourteen (14) consecutive days or more must complete the form, “Application for Assignment,” and as a condition of assignment must consent to a “Background Check,” which will be performed by the Archdiocese, before such assignment is made.
- 4.4 No pastor, parochial vicar, religious or director of any Archdiocesan institution or facility is permitted to grant residence, or full-time, part-time or regular weekend ministry to any priest, religious or layperson without prior approval from the Archbishop.
- 4.5 Before any clergy or religious is proposed to another diocese for assignment, transfer, or residence, the Archbishop will make notification, similar in nature to the “Statement of Religious Superior,” to the local ordinary of the new residence.

Section 5. Reporting Requirements

- 5.1 Any Church Personnel who has reasonable cause to believe that Abuse, Neglect or Exploitation has occurred and who has mandatory reporting requirements under federal, state or local law, including, but not limited to, O.C.G.A. §§ 30-5-1, *et seq.*, 31-8-81, *et seq.*, shall report, or cause a report of that Abuse, Neglect, or Exploitation to be made as required by law. An oral report shall be made immediately, but in no case later than 24 hours from the time there is reasonable cause to believe a Disabled Adult or Elder person has been abused, neglected, or exploited, by telephone or otherwise and followed by a report in writing. A copy of that report shall be sent immediately and confidentially to the Archbishop, or one of the Vicars General, or in their absence, the Director of the Safe Environment, who will then advise the Archbishop. The Archbishop will provide a copy of the report to the Advisory Board if it involves clergy or Religious. The Secretary of Human Resources will be provided a copy of the report if it involves lay employees or volunteers.
- 5.2 Each reported incident of alleged Abuse, Neglect, or Exploitation shall be investigated immediately by the Archbishop or his designated representative, in cooperation with any state or federal criminal investigation, with a high degree of pastoral care for the alleged victim

and his or her family, the person reporting the incident, the accused person and all other persons whose lives reasonably can be expected by the Archbishop to be affected significantly by the alleged incident.

- 5.3 In the event a report received by the Archbishop presents a Credible Allegation of Abuse, Neglect, or Exploitation, the Archbishop or his designated representative shall in turn report the information to the appropriate government authorities as provide by O.C.G.A. §§ 30-5-1, *et seq.*, 31-8-81, *et. seq.* Whether or not a report received by the Archbishop presents a Credible Allegation in the opinion of the Archbishop, a copy of the report shall be sent to the Advisory Board, if it involves clergy or Religious. The Secretary of Human Resources will be provided a copy of the report if it involves lay employees or volunteers.
- 5.5 Without limiting the provisions of Subsections 5.1 through 5.4 of this Policy, it is the policy of the Archdiocese to comply with all applicable civil laws with respect to the reporting of allegations of abuse, Neglect, or Exploitation of Disabled Adults, Elder Persons, or Residents to civil authorities and to advise and support a person's right to make a report to public authorities.

Section 6. When Allegations are Made Against a Lay Employee or Volunteer

- 6.1 When any allegation of Abuse, Neglect, or Exploitation with respect to an Archdiocesan lay employee or Volunteer is reported to the Archbishop, the Archbishop shall immediately notify the Secretary of Human Resources of the person(s) alleged to be involved, and the substance of the allegations.
- 6.2 Immediately after receipt of an allegation of Abuse, Neglect, or Exploitation with respect to a lay employee or Volunteer, the Archbishop shall cause a preliminary investigation to be undertaken in accordance with Archdiocesan employment policies and may undertake such additional or independent investigation as he deems necessary. Based on the results of preliminary investigations, the Archbishop shall make a determination as to the credibility of the allegations and he or his designee shall communicate his determination in a timely manner to the victim or the victim's representative and the accused person.
- 6.3 If the Archbishop determines that an allegation of Abuse, Neglect, or Exploitation involving a lay employee or Volunteer is a Credible Allegation, then in addition to any action taken pursuant to Archdiocesan employment policies, the accused person shall be:

- i. Presumed innocent during investigation;*
- ii. Notified in a timely manner of the nature of the allegations;*
- iii. Placed on administrative leave pending the completion of the Archdiocesan investigation; and*
- iv. Directed to remain away from any long-term care facility, parish office, parish facility, agency, and other location, which is the subject of the complaint until the Archbishop has determined whether the allegation is Actionable.*

- 6.4 The Archbishop may request that the Secretary of Human Resources advise him in making his determination as to whether an allegation is Actionable. If a lay employee or Volunteer admits that he or she has engaged in Abuse, Neglect or Exploitation, does not contest Credible Allegations of Abuse, Neglect, or Exploitation, or there is a determination by the Archbishop that an allegation of Abuse, Neglect, or Exploitation is Actionable, the regular employment policies of the Archdiocese as amplified by this Policy, and Section 12 of this Policy will be followed.
- 6.5 The Archbishop or his designee shall communicate his determination as to whether the allegation is Actionable to the victim or the victim's designated representative, the accused person, and others required to be notified pursuant to Archdiocesan employment policies.
- 6.6 In instances where an allegation of Abuse, Neglect, or Exploitation is determined not to be Actionable, the Archbishop will make a determination as to whether the accused person is to be restored to duty and/or whether in his or her former position. The Archbishop may request the advice of the Secretary of Human Resources in making that determination. The Archbishop shall communicate his final determination as to restoration of duties to the alleged victim or the victim's designated representative and the accused person.
- 6.7 When an allegation is determined by the Archbishop not to be Actionable, the Archdiocese will make good faith efforts to restore the ministerial reputation and status of the accused person.
- 6.8 In response to a Credible Allegation of Abuse, Neglect, or Exploitation involving a lay employee or Volunteer, the Archbishop will take reasonable action to provide the family of the victim with appropriate spiritual care and pastoral support. Such care and support will be coordinated through the Office of Child and Youth Protection. Any pastor-priest or other person designated by the Archbishop to assist in this pastoral process should avoid being concerned with the validity of

the allegations. His or her function is strictly pastoral in nature without regard to the truth of any allegation or to the circumstances surrounding the alleged incident. The person who reported the alleged Abuse, Neglect, or Exploitation shall also be given appropriate pastoral care.

- 6.9 In all instance of alleged Abuse, Neglect, or Exploitation by a lay employee or Volunteer, reasonable care will be taken to protect the rights of all parties involved, particularly those of the person claiming to have been Abused, Neglected, or Exploited and the person against whom the charge has been made. It is the responsibility of any lay employee or Volunteer who is accused of Abuse, Neglect, or Exploitation to obtain his or her own personal legal representation.

Section 7. When Allegations are Made Against Clergy or Religious in Serviceto the Archdiocese or Residing in an Archdiocesan Rectory, Convent or Facility

- 7.1 When any allegation of Abuse, Neglect, or Exploitation with respect to Archdiocesan clergy, or any other clergy or religious within the Archdiocese, is reported to the Archbishop, the Archbishop shall notify the Advisory Board of the person(s) alleged to be involved and the substance of the allegations.
- 7.2 Immediately after receipt of an allegation of Abuse, Neglect, or Exploitation involving a member of the clergy or Religious, the Archbishop shall undertake a preliminary investigation of the allegation, which investigation will be initiated and conducted in harmony with Canon Law. Based upon the results of his investigation, the Archbishop shall make a determination as to the credibility of the allegations, and communicate his determination in a timely manner to the victim or the victim's representative, the accused person, and the Advisory Board. The Archbishop may request that the Advisory Board advise him in making his determination as to whether an allegation is a Credible Allegation.
- 7.3 If the Archbishop determines that an allegation of Abuse, Neglect, or Exploitation that has been made against a member of the clergy or religious is a Credible Allegation, the accused person shall be:
- i. *Presumed innocent during investigation;*
 - ii. *Notified in a timely manner of the nature of the allegations;*
 - iii. *Immediately relieved of his or her active ministerial duties pending the outcome of the Archbishop's investigation; and*
 - iv. *Directed to remain away from any long-term care facility, parish office, parish facility, agency, and other location, which is the subject*

of the complaint until the Archbishop has determined whether the allegation is Actionable.

- 7.4 The Archbishop may request that the Advisory Board advise him in making his determination as to whether an allegation is Actionable. If a member of the clergy or Religious admits that he or she has engaged in Abuse, Neglect, or Exploitation, or if there is a determination by the Archbishop after an appropriate process in accord with Canon Law that an allegation is Actionable, sanctions will be imposed in accordance with Section 12 of this Policy. The Archbishop shall communicate his final determination as to whether the allegation is Actionable, and the sanctions imposed, in writing, to the victim or the victim's designated representative, the accused person.
- 7.5 As provided in Section 12.5 of this Policy, in every case involving allegations of Abuse, Neglect, Exploitation against clergy or Religious, the processes as provided for in, and the various provisions of Canon Law will be observed and in the event of an irreconcilable conflict between the applicable provision of Canon Law and this Policy, the provisions of Canon Law will prevail. This may include a request by a priest or deacon for dispensation from the obligation of holy orders, or by the bishop proceeding to seek dismissal from the clerical state even without the consent of the priest or deacon. In accordance with due process, the accused person will be encouraged to retain the assistance of civil and canonical counsel.
- 7.6 Where an allegation of Abuse, Neglect or Exploitation by a member of the clergy or Religious is not admitted or it is determined by the Archbishop after an appropriate investigation not to be Actionable and the Archbishop has not determined that the accused person is unfit for ministry, the Archdiocese will make reasonable efforts to restore the ministerial reputation and status of the priest, deacon, or Religious.
- 7.7 If the Archbishop determines that an allegation of Abuse, Neglect, or Exploitation, which has been made with respect to a member of the clergy or Religious from a diocese or congregation other than the Archdiocese of Atlanta is Actionable, the Archbishop will immediately notify the appropriate superior.
- 7.8 In response to a Credible Allegation of Abuse, Neglect or Exploitation involving a member of the clergy or Religious, the Archbishop will take reasonable action to provide the family of the alleged victim with appropriate spiritual care and pastoral supports. Such care and

support will be coordinated through the Office of Child and Youth Protection. Any pastor, priest or other person designated by the Archbishop to assist in this pastoral process should avoid being concerned with the validity of the allegations. His or her function is strictly pastoral in nature without regard to the truth of any allegation or to the circumstances surrounding any alleged incident. The person who reported the alleged Abuse, Neglect or Exploitation shall also be given appropriate pastoral care.

- 7.9 In all instances, care will be taken to protect the rights of all parties involved, particularly those of the person claiming to have been a victim of Abuse, Neglect or Exploitation and the person against whom the allegation has been made.

Section 8. Advisory Board

The Advisory Board as outlined in Section 8 of the “Sexual Abuse Policy” also shall be used by the Archdiocese when dealing with allegations of Abuse, Neglect, or Exploitation of Disabled Adults, Elder Persons, or Residents.

Section 9. Archdiocesan Office of Safe Environment and Office of Victim Assistance

The goal of the Office of Safe Environment and the Office of Victim Assistance is to protect disabled adults, elder persons, and other vulnerable individuals from abuse, neglect, and exploitation and provide a safe environment in the Archdiocese of Atlanta. Each office has a different purpose, as described below.

- 9.1 The Archdiocesan Office of Victim Assistance shall aid in the immediate pastoral care of persons who claim to have been a victim of abuse, neglect, and/or exploitation by Church Personnel. In addition, the office will ensure that the family of the alleged victim will receive appropriate spiritual care and pastoral support.
- 9.2 A coordinator will head the Office of Victim Assistance. This individual, at the direction of the Archbishop, will coordinate and monitor the spiritual care and pastoral support supplied to alleged victims and to the family members of alleged victims of abuse, neglect, and/or exploitation including but not limited to, counseling, spiritual assistance, support groups, or other social services agreed upon by the alleged victim and the Archdiocese.
- 9.3 The Office of Safe Environment, at the direction and instruction of the Archbishop, will assist the Archdiocese in establishing and maintaining

“safe environment programs.” The office will cooperate with parents, civil authorities, educators, and community organizations to provide education and training for children, parents, pastors and ministers, educators and others about ways to make and maintain a safe environment for Disabled Adults and Elder Persons.

Section 10. Complaints

- 10.1 The Archbishop shall adopt procedures for making complaints or allegations of Abuse, Neglect, or Exploitation involving Church Personnel. The procedures shall be made readily available in printed form and will be the subject of periodic public announcements regarding those procedures.
- 10.2 The Archdiocese shall cooperate with authorized state and federal civil and criminal authorities in their investigations of allegations of Abuse, Neglect, or Exploitation of Disabled Adults, Elders Persons, or Residents involving Church Personnel.

Section 11. Media and Communications

- 11.1
 - a) The Archdiocese is committed to openness and transparency in its dealings with the community, especially with the parish communities and other constituent communities of the Archdiocese which may be directly affected by ministerial misconduct involving Disabled Adults, Elder Persons, or Residents and will meet this commitment to the extent possible while also respecting the privacy and reputations of individuals involved.
 - b) The Communications Office is responsible for all media contact; therefore, all media inquiries regarding this Policy, alleged Abuse, Neglect, or Exploitation of Disabled Adults, Elder Persons, or Residents involving Church Personnel, and related matters which are made to long-term care facilities, parishes, or agencies of the Archdiocese should be referred to the Communications Office, which will consult with, guide and coordinate relevant persons in the handling of subsequent media inquiries and responses.
- 11.2 The Archdiocese will not enter into confidentiality agreements with respect to alleged Abuse, Neglect, or Exploitation of Disabled Adults, Elder Persons, or Residents, except in cases where confidentiality is

requested by a victim or survivor of such Abuse, Neglect, or Exploitation for grave and substantial reasons proffered by the victim or survivor, which reasons are noted in the text of the confidentiality agreement.

Section 12. Sanctions

- 12.1 Where Abuse, Neglect, or Exploitation of Disabled Adults, Elder Persons, or Residents by a lay employee or Volunteer is admitted or an allegation of Abuse, Neglect, or Exploitation of Disabled Adults, Elder Persons, or Residents is determined by the Archbishop to be Actionable, the accused person shall be immediately terminated as Church Personnel.
- 12.2 a) Where Abuse, Neglect, or Exploitation of Disabled Adults, Elder Persons, or Residents by a member of the clergy or Religious is admitted, or an allegation Abuse, Neglect, or Exploitation of Disabled Adults, Elder Persons, or Residents is determined by the Archbishop to be Actionable after an appropriate process in accord with Canon law:
- i. *The accused person shall be permanently removed from active ministry and will not receive a future assignment;*
 - ii. *The accused person shall not be transferred for ministerial assignment;*
 - iii. *Under no circumstances shall the accused person ever be allowed to minister in the Archdiocese of Atlanta; and*
 - iv. *If the penalty of dismissal from the clerical state has not been applied (e.g. for reasons of advanced age or infirmity), the accused person shall be required to lead a life of prayer and penance; and if he is a member of the clergy, he will not be permitted to celebrate Mass publicly, to wear clerical garb, or to present himself publicly as a member of the clergy.*
- b) It is the intent of this Policy that after there has been a determination of even a single Actionable occurrence of Abuse, Neglect, or Exploitation of Disabled Adults, Elder Persons, or Residents, the accused member of the clergy or Religious will not remain in active ministry and will not receive a future assignment.
- 12.3 a) If the accused person is an Archdiocesan clergy or Religious and a determination is made that an allegation of Abuse, Neglect, or Exploitation of Disabled Adults, Elder Persons, or Residents is

Actionable or that the accused person is unfit for ministry, the Archbishop may refer him to a facility for comprehensive medical and psychological evaluations and intervention, if possible, so long as this does not interfere with any investigation by state or federal civil and criminal authorities. If the accused person refuses such referral, the Archbishop shall take appropriate steps in accordance with Canon Law to enforce his decision.

b) If the accused person is a Religious and the Archbishop determines that the allegation is Actionable, a decision as to rehabilitation will be made by his or her religious superior.

- 12.4 The Archbishop shall consult with the Advisory Board with respect to the imposition of sanctions and remedial actions under this section if the accused person is clergy or Religious.
- 12.5 In every case involving clergy or Religious who are subject to Canon law, the processes and sanctions as provided for in Canon Law will be observed and in the event of an irreconcilable conflict between the applicable provision of Canon Law and this Policy, the provisions of Canon Law will prevail. The necessary observance of canonical norms internal to the Church is not intended to hinder the course of any civil or criminal action.
- 12.6 Church Personnel who fail to comply with the provisions of this Policy will be subject to actions by the Archdiocese as may be deemed necessary up to and including termination from any positions with the Archdiocese and/or with any parish, mission or other Catholic institutions and organizations which are subject to the administration, authority, or governance of the Archdiocese in accordance with civil, criminal and Canon Law. Applicants for positions with the Archdiocese who fail to comply with the provisions of this policy, as applicable, will be denied such positions.

Appendix 1

Definitions of Abuse, Sexual Abuse, Neglect and Exploitation are defined as above in the Official Code of Georgia Annotated (O.C.G.A.) Section 16-5-100.

Social Media Policy

Please refer to the most updated Social Media Policy for the Archdiocese of Atlanta, which can be found on www.archatl.com.

Mandatory Safe Environment Training for Adults who have Contact with Children and/or Vulnerable Individuals

The Archdiocese of Atlanta adopted the VIRTUS program, *Protecting God's Children (PGC)*, effective January 2016 as the Safe Environment training for adults. Maximizing a church's role as an environment safe for children and vulnerable individuals begins with making adults more aware of the ways children and/or vulnerable individuals and adults interact with each other.

The VIRTUS Protecting God's Children program educates and trains adults (clergy, religious, teachers, staff, volunteers, and parents) about the dangers of abuse, the warning signs of abuse, the ways to prevent abuse, the methods of properly reporting suspicions of abuse, and responding to allegations of abuse.

Training adults in our Archdiocese is an important part of our commitment to our sacred duty to protect the most vulnerable among us.

All Church Personnel, which includes Bishops, priests, deacons, religious, lay employees and lay volunteers involved in work with children or vulnerable individuals, must attend the VIRTUS Protecting God's Children program. The program is three (3) hours in length and is only given in-person.

Individuals must pre-register to attend a session by visiting www.virtus.org. Sessions are offered on a regular basis throughout the archdiocese.

If you have any questions please contact the Safe Environment office at 404-920-7550 or via email to ocyp@archatl.com.