

SYRO-MALABAR CATHOLIC DIOCESE OF CHICAGO

Safe Environment for Children



Program Guide

Sexual Misconduct and Protection of Minors

Handbook

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Handbook

1. Preamble

Providing a safe environment for the children of St. Thomas Syro-Malabar Catholic Diocese of Chicago is a prime focus of our safe environment program guidelines. The children are treasures of our families and of our church. They are gifts from God that we are called to protect and we must enable them to develop into their full potential, as God sees in them. As a diocese we are committed to providing a healthy, loving and an up-building environment for the children that we, along with their parents, are forming into the future adults of our diocese and society.

Everyone who enters our churches, schools, or facilities must experience an environment of prayer and comfort. Not one child or young person should suffer from abuse while at Church. As Christian adults, we have a moral and legal responsibility and are entrusted by God with the spiritual, emotional and physical well-being of minors and vulnerable adults. In order to assure the safety of our children and young people, the Catholic Diocese of St. Thomas Syro-Malabar has enacted a complete program of protection. As part of this program, this diocese will provide appropriate, just, and pastoral care for anyone who has suffered the crime of sexual abuse of a minor at the hands of diocesan clergy or church employees or volunteers. This diocese will report any and all allegations of abuse reported to it to the authorities and will cooperate fully with those authorities.

St. Thomas Syro-Malabar Catholic Diocese is committed to these promises and continues to reach out to victims and to respond to allegations. One of the primary means by which this is done is the Safe Environment Program that calls us to integrity, transparency and fidelity. All priests, religious, deacons, employees, and volunteers who work with children, including me your Bishop, undergo background checks and screening. Further, all are required to attend a Safe Environment Program offered in various locations throughout the Diocese. The training of the Safe Environment Program addresses the increased awareness needed regarding abuse and the gravity of sexual abuse. The Diocese also has a policy for

the Protection of God’s Children and Vulnerable Adults that provides all information regarding the reporting, processing and dealing with allegations.

St. Thomas Syro-Malabar Catholic Diocese is a diocese of God's People empowered by the Holy Spirit to promote God's reign in the world. Nourished by Word and Sacrament, we will grow together in faith, in hope, and in passionate love of God and neighbor. In our families we will teach and learn the love of Jesus Christ. In our various occupations we will make decisions and set priorities in accordance with the values of the Gospel. And in the world around us we will stand always for justice, compassion, and peace.

As Christians, we know that God’s image in each person, and God’s call to holiness form the basis for human dignity. Our duty is to protect this human dignity, especially in the most vulnerable among us, our children. It is essential that they find a safe environment in our homes, in our schools, in our worship communities, and in the general community. Sexual abuse of a minor is a sin and a criminal act, which causes enormous pain, anger, and confusion. In order to protect the children and young people of the Diocese of St. Thomas Syro-Malabar Catholic from such abuse on the part of personnel acting in the name of the Diocese, this policy addresses the need for prevention, reporting and investigation of allegations of sexual abuse of minors. It endeavors to provide a means of outreach to those who have been abused and the communities who are harmed by the abuse.



The Charter for the Protection of Children and Young People is a landmark document drafted and passed unanimously by the bishops of the United States at their June meeting in Dallas in 2002, last revised in 2014. The document is a response to the sexual abuse crisis in the church and a “Promise to Protect, Pledge to Heal.”

There are four focus areas:

1. To promote healing and reconciliation with victim survivors of sexual abuse.
2. To guarantee an effective response to allegations of sexual abuse of minors.
3. To ensure the accountability of our procedures.
4. In order to protect the faithful in the future, Article 12 of the Charter states:

“Dioceses/eparchies will establish ‘Safe Environment’ programs. They will cooperate with parents, civil authorities, educators, and community organizations to provide education and training for children, youth, parents, ministers, educators, and others about ways to make and maintain a safe environment for children. Dioceses/eparchies will make clear to clergy and all members of the community the standards of conduct for clergy and other persons in positions of trust with regard to sexual abuse.” This guideline, which mandates that all dioceses create a safe environment for children and young people who pray, study and worship in our schools and churches, is the basis for our diocesan safe environment programs.

Prevention

St. Thomas Syro-Malabar Catholic Diocese of Chicago’s efforts for prevention will focus on screening and education.

1. All Diocesan clergy, religious, Seminarians, lay employees, and regular volunteers who have contact with minors must be screened according to diocesan guidelines.
2. All such personnel will participate in education through the diocesan sexual abuse awareness and prevention training program.
3. Education of minors and adults will be offered throughout the Diocese.
4. The Criminal Background Screening is an online application through eApps that must be filled out in its entirety and submitted during the work/volunteer application process. Criminal background checks conducted for other purposes cannot be accepted. No one can begin to work/volunteer until the background check is completed and approved. An access code is needed to complete this application and can be retrieved from the location where you work/volunteer. For any questions or concerns regarding this process please contact your primary site (parish or school).
5. A criminal background check will not be processed on a minor (under the age of 18 years old) who is hired or wishes to volunteer. Those 18 yrs. or younger should not be left alone with children. They must be supervised by an adult who is in full compliance.

Reporting

Anyone sexually abused as a minor or who knows about a case of sexual abuse of a minor should immediately report it to the civil authorities. When such sexual abuse has been committed by a cleric, religious, seminarian, diocesan or parish employee or a diocesan or parish volunteer it also should be reported to the Bishop of St. Thomas Syro-Malabar Catholic Diocese through the Commission for protection of Minors and Young adults Complaints division **630-474-5172** Reporting can be made at any hour of the day.

Investigation

The Diocese/parish will cooperate with investigations by appropriate civil authorities. In addition, all cases of sexual abuse of a minor committed by Diocesan/parish personnel will be investigated by the Diocese in order to provide the Bishop with the necessary information to determine the appropriate course of action. Every effort will be made to maintain confidentiality so as to protect the rights of all parties concerned.

Response

The Diocesan response to both victim and alleged offender will be to pursue justice with tenacity while also pursuing mercy with love and compassion.

Victims: The healing of victims, their families, and their community from the effects of sexual abuse by church personnel begins when the allegations of such abuse are received. Victims of sexual abuse experience a profound sense of loss and betrayal by someone from whom they had the right to expect protection and guidance. This is even truer when the offender represents spiritual authority and one's connection with God. As a result, victims frequently have difficulty trusting others, fearful that they will be blamed for the abusive acts. When victims decide to disclose the abuse they can be assured of receiving a welcoming reception that is compassionate and non-judgmental. To accomplish this outreach, they will be contacted by the Victim Assistance Coordinator.

Alleged Offenders: An accusation of sexual misconduct is personally devastating. Should an allegation of sexual abuse be made, compassion will be exercised toward the accused and every effort will be made to protect his/her civil and canonical rights; understanding there is a presumption of innocence under both civil and canon law.

The Eparchy of St. Thomas Syro-Malabar Catholic is committed to providing safe environments and fostering continuous improvement in every organization that sponsors activities and/or provides services to children and youth. Through a series of workshops, educational materials, classroom instruction and background checks, the Diocese is:

- Increasing awareness of potentially harmful situations through the VIRTUS training workshops.
- Empowering adults and children to act before abuse occurs through the Child Lures Prevention for Catholic School and Religious Education students and in Youth Ministry with an Inter-Generational Program for families.
- Evaluating background checks for relevance to the employee's or volunteer's position.
- Implementing a Pastoral Code of Conduct which outlines acceptable and unacceptable behaviors for all clergy, employees and volunteers.
- Providing continuing education through the VIRTUS Web site
- Providing other internet resources.

2. General Policy

Sexual misconduct, in all of its forms including pornography, is wrong and will not be condoned. The Syro-Malabar Diocese will take appropriate decisive action on all accusations of sexual misconduct in accordance with the applicable provisions of civil and canon law.

3. Structure

3.1 The Commission

3.1.1 Responsibility of the Commission

The commission is responsible for all deliberations regarding the protection of minors and youth and all sexual harassment, sexual abuse, sexual misconducts and sexual exploitation of any one who is perceived as vulnerable and submit reports, decisions, recommendations, production and approval of all teaching material, syllabus etc. to the Vicar General for approval by the Bishop.

The commission is also responsible to assure all the policies and procedures are followed without change. It is also responsible to keep abreast of the changes in this field and make recommendations for changes in policies and procedures. It is also responsible for the annual review/audit of the program/s. The commission also acts as the judicial body in deciding on complaints and recommend Disciplinary measure, Recommendations for remunerations and rehabilitation of the victims and other procedural recommendations when necessary to the bishop. The commission shall recommend steps for rehabilitation of anyone who is falsely accused or found not guilty. The commission shall meet at least once a year in person and 4 times a year through teleconferencing for approval of all teaching material, syllabus etc.

3.1.2 Appointment

A five-member Commission is appointed to oversee, direct and evaluate the program along with the responsibility of evaluating complaints and claims on the subject. The Executive director will be an ex-officio, non-voting member of this body. The chairman and the other 6 are appointed by the Bishop for a period of 5 years in consultation with the chairman with right for reappointment.

3.1.3 Commission Chairman Responsibilities

3.1.31 The Commission Chair represents the laity to protect their interests and work closely with the diocesan staff to assure fair, equitable and transparent handling of all complaints and to assure transparency. This position is also responsible for all preventive aspects of the program.

3.1.32 As the Judicial head, he/she is responsible for conducting investigations, hearings and recommending a suggested outcome to the bishop while adhering to the USCCB guidelines. He

/she is authorized to appoint a subcommittee of 3 or more Commission Members to hear the level one hearing of any cases presented to the Commission.

3.1.33 In the event of an appeal, he/she will be the head of the jury with equal votes and a vote to break the tie.

3.1.34 He/she can ask for deposition from witnesses that he finds required to get to the truth

3.1.35 As a legislative head, he is to review all new policies and procedures presented by other commission members or the Executive director to improve, clarify or correct any deficiencies in the policies or procedure.

3.1.36 As the chairman of the commission, he/she will approve and sign all procedures, Policies and guidelines that are approved by the commission before submission to the Bishop for final approval.

3.1.37 He/she has the option of sitting in any or the Committee meetings of the organization

3.1.38 He/she can be demanded by the bishop to provide input in any curia meetings and he/she may ask permission to appear before the curia for approval of the budget or other matters of importance.

3.1.39 He/she shall present an annual budget to the Bishop and defend it in the Curia.

3.2.1 Purpose of Executive Committee.

The Protection of Children and Young Adults is of prime importance and we are bound to create a safe environment for our children. USCCB has published a Charter for the Protection of Children and Young Adults and every diocese is expected to implement it with utmost care. Since our diocese is very extensive and the matter is very serious, we need to have an administrative structure to put into practice the USCCB guidelines and our diocesan instructions.

3.2.2 Job Description of the Executive Committee:

The Executive Committee has to work with the Special Commission set up for the Protection of Children and Young Adults which has a chairperson and General Convener of the program.

Specific function:

- 3.2.21** To support the Vicar General and the Commission for the Protection of Minors and Youth by providing:
- 3.2.22** Gathering all complaints and come to a preliminary determination of having “at least the semblance of Truth” and forward those to the chairman of the Commission and the Vicar General
- 3.2.23** Recommending preliminary protection of minors by sequestration and support for the accused
- 3.2.24** Provide support and counseling to the alleged victims
- 3.2.24** Recommend and follow up of all supportive services for the victim and accused.
- 3.2.25** Report the complaints to state authorities when indicated and required by law
- 3.2.26** Provide training to priests, religious, volunteers and employees in the matter of protection of minors
- 3.2.27** Gather and maintain data regarding, complaints, screening and evaluation, training, and provide necessary support for both victims and alleged perpetrators
- 4.2.28** Provide assistance to the Commission.

3.2.3 Appointment

The 6-member Committee is appointed by the Bishop for a period of 4 years, in consultation with the Commission chair and the Vicar General for child protection, headed by the Executive Director. Members may be reappointed for maintaining continuity.

3.3 Executive Director:

3.3.1 Purpose: The Executive Director has to work with the Commission for the Protection of Children and Young Adults, which has a Chairperson. The Executive Director will support the Vicar General and the Commission for the Protection of Minors and Youth. He/She will coordinate the functions of coordinators. The Executive Director of the Office for the Protection of Children and Youth in the St. Thomas Syro-Malabar Catholic Diocese of Chicago has final responsibility to ensure that the diocese deals effectively, comprehensively and promptly with allegations of sexual abuse of minors by clergy, lay employees, and volunteers. He/She will also negotiate contracts with outside agencies when needed in consultation with the Procurator of the Diocese and submit the same to the Bishop for final approval.

3.3.2 Responsibilities:

3.3.21 Be resource for clergy, educators, and diocesan employees and volunteers seeking assistance or information on reporting child abuse.

3.3.22 Complete the Annual USCCB Audit compliance with the Charter for the Protection of Children and Young People.

3.3.23 Offer outreach for victims-survivors of clerical sexual abuse and monitor priests removed from public ministry

3.3.24 Assist pastors and principals to monitor compliance with the Charter for the Protection of Children and Young People in preparing for the Annual USCCB Audit.

3.3.25 Receive and review allegations of abuse against clerics, laypersons, and volunteers working in the St. Thomas Syro-Malabar Catholic Diocese of Chicago

3.3.26 Attend parish, school, and community meetings to provide information and/or speak about child abuse prevention.

3.3.27 Educate adults about child sexual abuse and how children are placed at risk in our society, and educate children about how they can protect themselves from people and circumstances that place them at risk of abuse.

3.3.28 Monitor the changes in the Protection of minors guidelines and implementation strategies and suggest changes in the policies and procedures to the commission.

3.3.29 Prepare an annual budget for the program and present it to the commission. The approved budget from the commission with changes will be presented to the bishop for action

3.4 Compliance Coordinator

3.4.1 Purpose: The Office for the Protection of Children and Youth is committed to protecting all of God's children and providing a safe environment where children and young people can learn, thrive, and grow. The office oversees the training and background checks for all diocesan clergy, employees, and volunteers. It also disseminates the diocesan standards of behavior for individuals working with children and young people, provides safe environment training for children, young people and adults, and trains parish and school staff to monitor compliance with diocesan policies and the United States Catholic Conference of Bishops (USCCB) Charter for the Protection of Children and Young People. Compliance Guidelines have been created outlining what is required of parish/mission employees, parish/mission volunteers, priests, and seminarians. This position is responsible for assuring compliance to this goal

3.4.2 Duties of Compliance Coordinator:

The Compliance coordinator will oversee the following:

3.4.21 Virtus/Protecting God's Children for Adults™ training

3.4.22 Virtus/Protecting God's Children for Adults™ Facilitators training

3.4.23 Safe Environment training for children

3.4.24 Site Administrator training

3.4.25 Monitoring of the Criminal Background Check System

3.4.26 Keep up with the progress of the safe environment programs in various areas.

3.4.27 Record keeping of all correspondence related to screening of clergy, employees, volunteers of chancery, parishes and missions

3.4.28 Preparation of documents for annual audit directed by USCCB Chapter for Protection of Children and Youth

3.5 Communication Coordinator

3.5.1 Purpose: To ensure a well-publicized communication regarding the policies and procedures of the diocese by using modern technology. Per Article 6 of the USCCB Chapter for the Protection of Children and Youth, St. Thomas Syro-Malabar Catholic Diocese of Chicago is to maintain a clear and well-publicized diocesan standards of ministerial behavior and appropriate boundaries for clergy and for any other paid personnel and volunteers of the Church in positions of trust who have regular contact with children and young people. In addition, Per Article 7, St. Thomas Syro-Malabar Catholic Diocese of Chicago is to be open and transparent in communicating with the public about sexual abuse of minors by clergy within the confines of respect for the privacy and the reputation of the individuals involved. This is especially so with regard to informing parish and other church communities directly affected by sexual abuse of a minor. This position is not responsible to release any information about the program or its confidential activities to the public except through approved spokesperson.

3.5.2 Duties and Responsibilities:

- 3.5.21 Publication of the Safe Environment for the Children and Youth program and related material on the St. Thomas Syro-Malabar Catholic Diocese website. Ensure the information meets the diocesan standards and keep it current. Assist the Executive Committee in composing of Safe Environment for Children and Youth publications.
- 3.5.22 Maintain the toll-free number for complaints and keep it up-to-date.
- 3.5.23 Utilize the social media to support the goals of this program

3.6 Training Coordinator

3.6.1 Purpose: To educate clergy, employees and volunteers in the St. Thomas Syro-Malabar Catholic Diocese of Chicago on how to prevent child sexual abuse, how to recognize sex offender behaviors, and how to create safe environments for children and young people in our parishes, schools and community through appropriate training and retraining as per the prevailing policies..

3.6.2 Duties and Responsibilities: To be in compliance with Article 12 USCCB Chapter for Protection of Children and Youth. Per the Article 12 St. Thomas Syro-Malabar Catholic Diocese of Chicago is to maintain “safe environment” program, which the bishop deems to be in accord with Catholic moral principles. They are to be conducted cooperatively with parents, civil authorities, educators, and community organizations to provide education and training for children, youth, parents, ministers, educators, volunteers, and others about ways to make and maintain a safe environment for children and young people. This Diocese is to make clear to clergy and all members of the community, the set standards of conduct for clergy and other persons in positions of trust with regard to children.

3.6.21 Provide age appropriate safe touch training prescribed by the Commission, currently through VIRTUS to children in the parish

3.6.22 Provide training for the parents of minors training about the various aspects of child sex abuse, regulations about pornography and safe use of social media as prescribed by the Commission, currently through VIRTUS

3.6.23 Provide safe environment training for new employees volunteers and clergy before they start their services to the diocese as prescribed by the commission, Currently through VIRTUS

3.6.24 Keep record of all the training in the parish/Mission office and reported to the central office.

3.7 Screening Coordinator

3.7.1 Purpose: The Safe Environment Office of the St. Thomas Syro-Malabar Catholic Diocese of Chicago was created in January 2004 to ensure compliance with Articles 6, 12, and 13 of the USCCB Charter for the Protection of Children and Young People. The Charter set forth that all dioceses/eparchies were to have clear and well-publicized standards of behaviors and boundaries (Article 6), maintain safe environment programs for all children and adults (Article 12), and evaluate the background of all lay employees, clergy, and all volunteers who would have contact with children (Article 13). To fulfill the Charter for the Protection of Children and Young People—namely, the promise to protect children and promote healing of victims-survivors of clerical sexual abuse. To accomplish this, the Office for the Protection of Children and Youth (OPCY) has signed

contract with Austin Computing Solutions and Integrated Screening Partners to help the diocese to complete the background screening of clergy, employees and volunteers.

3.7.2 Duties: Per Article 13 of the USCCB Chapter for Protection of Children and Youth, St. Thomas Syro-Malabar Catholic Diocese of Chicago should evaluate the background of all incardinated and non- incardinated priests and Religious who are engaged in ecclesiastical ministry in the diocese and all paid personnel and volunteers whose duties include ongoing, unsupervised contact with minors. Apply evaluative techniques in deciding the fitness of candidates for ordination. Specifically, they are to utilize the resources of law enforcement and other community agencies. In order to accomplish these tasks the screening coordinator is equipped with the following:

3.7.21 Assure that all employees and volunteers fill out an application in the prescribed format (##) and completes the initial training program, with the assistance of the Training Coordinator. A record of this will be kept in the parish/Mission office.

3.7.22 Assist the parish to complete online criminal background check (eApps) for all clergy, employees, and volunteers of chancery, all parishes, and missions as per items **8.1** . A record of this is to be kept in the central office

3.7.23 Take necessary action on applications with criminal reports as procedures listed in **appendix k**

3.8 Service (Victim Assistance) Coordinator

3.8.1 Purpose: The Office of Victim Assistance Ministry recognizes that for many victims-survivors it is difficult to imagine finding the courage to let officials of the Catholic Church know that they were sexually abused by a priest or church personnel. Therefore, after a formal allegation is made, the office offers a variety of services to assist victims-survivors of sexual abuse and their loved ones in their effort to achieve psychological, emotional, and spiritual healing. Some of these services include counseling, spiritual direction, support groups and other social services agreed upon by the victim and the Office of Assistance Ministry. This position is also required to provide services to the accused in helping them to go through the processes and to rehabilitate them in the event of false accusations, or when the accused is reintroduced to the ministry.

3.8.2 Duties and Responsibilities:

- 3.8.21 **Provide** pastoral care, support, and resources to victims-survivors of clerical sexual abuse and their loved ones in their efforts to achieve psychological, emotional, and spiritual healing.
- 3.8.22 Provide pastoral care, support, and resources to the accused in their efforts to achieve psychological, emotional, and spiritual healing and reintroduction to the community when possible.
- 3.8.23 Collect, contact and maintain information about legal, psychological, psychiatric, and social services across the diocese. Since the diocese is spread across the whole united states, it is very important to have such a resource directory.

3.9 Complaints Coordinator

3.9.1 Purpose: Per Article 2 of the USCCB Chapter for the Protection of Children and Youth, St. Thomas Syro-Malabar Catholic Diocese is to have policies and procedures in place to respond immediately to any complaint, document it and assist in processing the complaint as per the procedure (##) promptly to any allegation where there is reason to believe that sexual abuse of a minor has occurred. This Diocese to have appoints a competent person or persons for this purpose. He/She will also coordinate, in cooperation with the Service Coordinator, assistance for the immediate pastoral care of persons who report having been sexually abused as minors by clergy or other church personnel. The procedures for those making a complaint are to be readily available in printed form in the principle languages in which the liturgy is celebrated in the diocese and be the subject of public announcements at least annually. Anyone sexually abused as a minor or who knows about a case of sexual abuse of a minor should immediately report it to the civil authorities. When such sexual abuse has been committed by a cleric, religious, seminarian, diocesan or parish employee or a diocesan or parish volunteer it also should be reported to the Bishop of St. Thomas Syro-Malabar Catholic Diocese through the Commission for protection of Minors and Young adults Complaints division Phone No. is 630-474-5172 Reporting can be made at any hour of the day.

3.9.2 Duties and Responsibilities:

3.9.21 Monitor complaints hot line number 630-474-5172. Respond to any call received at the complaints hot line immediately Normally within 24 hours).3.9.21. Prepare an in-take report on the call received. Obtain maximum information from the caller and report to the appropriate authority as in attachment K of this guide. In unreachable circumstances, notify Victims Assistance Coordinator to provide necessary assistance to the caller.

3.9.22 The Intake document should be completed and submitted t the Executive Director with all available information about victim/s, witnesses, and others who could be affected by the complaint or the incident.

3.9.23 Every effort should be made to protect children from further harm by removing the alleged perpetrator from the services where he/she could be a risk for others, and provide them with a safe and supportive environment.

3.9.24 Assist the Executive Director in further investigations in a confidential manner.

3.9.25 Assist the review board in providing services to the victims and the accused as per policies.

3.9.26 keep record of all complaints and report this to the compliance coordinator when required.

4.10 Local Site Administrators (Parish/Mission)

4.10.1 Purpose: Functions of a Virtus Facilitator and Local Site Administrator are intersected. Because of this, the diocese recommends and most facilities choose to have one person undertaking both tasks. The sole purpose these positions is to integrate and implement policies and procedures established by St. Thomas Syro-Malabar Catholic Diocese of Chicago in each parish/ Mission and report to the Executive Director..

This position will also work closely with the Pastor/Mission Director and the Director of Religious Education (DRE) in the local institution in implementing the USCCB (United States Conference of Catholic Bishops) Chapter for Safe Environment for Children and Youths as applied to this diocese.

4.10.2 Duties and Responsibilities:

4.10.21 Local Site Administrator of a parish/mission sustains a significant role in launching and supporting the Safe Environment Program in his/her faith community, coordinating with the pastor/Mission Director, DRE and the parish committees.

4.10.22 The site administrator is to be knowledgeable of defining child sexual abuse, screening, and selection of employees and volunteers, and victim advocacy. This require ongoing training which the diocese will provide.

4.10.23 The local site administrator will handle all confidential documents related to background checks and training records of the church members, volunteers, and children.

4.10.24 It will be the responsibility of this person to ensure compliance of Safe Environment program for their respective church and preparing all documents needed for the annual audit and perform all duties as requested by the diocesan office.

4.10.3 Appointment

Each parish/mission needs a Local Site Administrator. This person, designated by the pastor/director, and approved by the Commission, for a period of 5 years. Members may be reappointed for maintenance of continuity. They should meet the qualifications and duties include but are not limited to the following:

4.10.4 Qualifications:

4.10.41 This is a volunteer position with Facilitator Certification

4.10.42 An adult **member** of the parish and/or mission – must be an adult member because of access to personal and sensitive material, and out of concern for the privacy of individuals.

4.10.43 Computer experience including data entry and use of spreadsheets

4.10.44 Demonstrated organizational skills and Detail oriented

4.10.45 Ability to maintain confidentiality

4.10.46 To ensure the integrity and preserve the confidentiality of the criminal background check database, the **User ID** and **Password** is only released to the person designated by the pastor/director to manage the site database.

4.10.5 Duties:

- 4.10.51 Keep an accurate record of volunteers and employees serving in all ministries of the church community that involves the presence of Children and Youth.
- 4.10.52 Verify the accuracy of the list of volunteer and employees at the beginning of the school year and during administrative changes in the church.
- 4.10.53 Keep records of all training and input training records on the Virtus Web Site using “administrator” function.
- 4.10.54 Monitor eAppsDB for the background checks database at least bi-weekly and Review the background check status of each new application that has been approved, restricted, or rejected at the “Organizational” level.
- 4.10.55 Assist those who are not computer literate with criminal background checks and Virtus online applications.
- 4.10.56 Inform the Vicar or DRE immediately of any rejection or restrictions listed at the Organizational level in the eAppsDb system.
- 4.10.57 Provide full support to prepare a transparent annual audit when requested by the diocese.
- 4.10.58 Inform the pastor/director immediately of any rejections or restrictions listed at the Organizational level. Contact Thomas Moolayil at the diocese if no explanation is provided.
- 4.10.59 Perform all duties as required by the diocese as relevant to the position.

4.10.6 Responsibilities

- 4.10.61 Monitoring and updating the online databases for criminal background checks and Virtus for all parish employees and volunteers on a regular basis Keeping the pastor/mission director informed regarding the compliance of **all employees and volunteers**;
- 4.10.62 Maintaining compliance files for employees and volunteers. The file should contain a

signed application form, the signed Code of Conduct Acknowledgment Form, copy of the VIRTUS certificate, (a copy of DCFS's Child Abuse and Neglect Tracking form if applicable , and a Mandated Reporter certificate, if applicable.)

4.10.63 Entering completed workshop dates to eAppsDb.

4.10.64 Collecting completed CANTS Forms annually at the beginning of the school year, and mailing them in "bulk" to DCFS or designated agencies.

4.10.65 Attend a 4-hour Local Site Administrator Training at a facility authorized by the diocese.

The Local Site Administrator is appointed by the Executive Director, upon recommendation of the respective Pastor/Mission Director, or a period of 5 years. Members may be reappointed for maintenance of continuity.

4.11. Facilitator for Virtus Protecting God's Children for Adults

4.11.1 Purpose A Facilitator is to be knowledgeable of defining child sexual abuse. Administering training for employees, volunteers, parents, and children. A facilitator is certified after completing two days training authorized by the diocese. The purpose of the facilitator training is to prepare designated people to conduct Virtus training for volunteers, teachers, parents, and children in their own parish/Mission Centers. These facilitators will become VIRTUS CERTIFIED on the prevention of child sexual abuse. The facilitators incorporate policies and procedures into the training defining child sexual abuse, addressing the reporting of child sexual abuse, the screening and selection of employees and volunteers, and victim advocacy. The facilitators are supplied with resources and accessories for conducting the training.

4.11.2 This person should be able to prepare and schedule the **following training** at the parish/mission and document them accurately:

4.11.21 Protecting God's Children for Adults Training for catechists, volunteers, employees visiting pastors, and religious, who may become in contact with the children.

4.11.22 Safe Environment Awareness training for the parents

4.11.23 Age-appropriate Virtus training for the Children.

4.12. Educators:

These are members of the Community hired by the parishes/missions for providing services for those who will be under the definition of “minors” They would be screened, background-verified and supervised by the Coordinators.

4.13. Forane Administrator

Considering the physical extent of the diocese and the number of parishes and Missions (87 at this time) the diocese has reorganized its activities by dividing the diocese in to 14 Foranes with number of parishes and missions with in local jurisdictions. The Commission is organizing the structure with corresponding Forane administrators with added responsibilities.

4.13. 1 The position is designed to allow coordination of training, background checks and public relations for the Commission.

4.13.2 Duties

4.13.21 Coordinate the training activities in the locality so that training sessions could be shared by the other members of the forane.

4,13.22 Assists in background checks and other governmental relationship for the region.

4.13.23 Publish region-wide training schedules in the beginning of the academic year. (June)

4.13.24 Coordinate retreats and other church activities with the goal of compliance to the Diocesan guidelines.

4.13. 25 Conduct informational sessions on a regional basis

4.13.26 Collect regional data for annual audit

4.13.27 Will conduct local audit of the parishes and missions under the forane jurisdiction when requested.

4.13.28 Maintain a resource list for the forane.

4.13.3. Appointment

This position is appointed by the executive Director in consultation with the Coordinators and the Commission chair.

4.13.4 Qualifications

4.13.41 Should have completed Virtus Facilitator training and Site Administrator training.

4.13.42 Should be registered with the EApps program

4.13.43 Would be willing to travel to different locations for updated trainings

4.13.44 Should have internet and computer skills.

5 Definitions

The following definitions are specifically and only applicable to this policy. They are not to be construed as having any other application in the operation of the Syro-Malabar Catholic Diocese of Chicago.

5.1 **SEXUAL MISCONDUCT:** Refers to any conduct that includes sexual abuse, sexual assault, sexual battery, sexual exploitation, sexual harassment, and sexual molestation, all of which is civilly unlawful and /or contrary to the moral teachings of the Catholic Church.

5.2 **SEXUAL ABUSE:** As defined by the Child Abuse and Neglect Reporting Act, refers to a sexual assault on, or the sexual exploitation of a minor.

5.3 **SEXUAL ASSAULT:** Refers to unwanted attempted physical acts of a sexual nature, threatened against an adult, vulnerable person or a minor.

5.4 **SEXUAL BATTERY:** Refers to unwanted physical acts of a sexual nature, including rape, incest, oral copulation, sodomy, and lewd touching taken upon a non-consenting adult, a vulnerable person, or a minor.

5.5 **SEXUAL EXPLOITATION:** Refers to conduct related to child pornography or other activities that are intended to subject minors and/or vulnerable persons to harm of a sexual nature.

5.6 **SEXUAL HARASSMENT:** Refers to conduct which includes, but is not limited to explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented

“kidding”, “teasing” or “practical jokes”, jokes about gender specific traits, lewd or obscene language or gestures, display of sexually explicit printed or visual material, and physical contact including all forms of inappropriate and unwelcome touching.

5.7 **DIOCESE/DIOCESAN**: Includes the following entities of the Syro-Malabar Catholic Diocese: The Syro-Malabar Bishop of Chicago, a corporation sole; parishes, missions, societies, pastoral center of the Syro-Malabar Diocese, school of Religious Education and Language; and all other entities as understood in civil law, over which the Bishop has legal supervisory responsibilities.

5.8 **MINOR**: Any person under the age of 18 years old or as defined by civil law.

5.9 **REASONABLE SUSPICION**: objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing on his or her training and experience, to suspect sexual misconduct.

5.10 **SEXUAL HARASSMENT IN THE WORKPLACE**: Conduct which includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other physical, verbal or visual conduct based on sex, when (1) submission to the conduct is an explicit or implicit term or condition of employment; (2) submission to or rejection of the conduct is used as the basis for an employment decision; or (3) the conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.

5.11 **VULNERABLE PERSONS**: refers to minors and adults. All minors are considered vulnerable persons. Any person eighteen years or older is considered vulnerable when that person, because of emotional, mental or physical impairment is unable or unlikely to report sexual misconduct unless assisted. An adult person may be considered vulnerable when that person stands in a position of lesser authority or status to the offender, and by reason of such lack of authority or status, is unable or unlikely to report sexual misconduct.

5.12 **Pornographic behavior**: Production, distribution, storage, display, electronic transmission, electronic reception, exposition and encouragement of the use of pornographic material communication of such material through social media and any other communication that could be encouraging the use of pornographic media

6 Policy Distribution

The policy and the guide will be distributed to all parishes and Missions, Members of the Commission, the Executive Committee and any other persons involved in the complaint/investigation process. This will also be available on the website of the diocese.

7 Approval of Procedural Manual

The manual and the guidelines initially approved by the commission on May 30 2014 will be re-approved by the commission and forwarded to the Vicar General and the Bishop re-approval. These will be reviewed every year and revised every other year. The face sheet will document the dates of review and revision.

8. Required Procedures.

8.1 Evaluation of staff

8.11. Background Checks of Staff and Volunteers will be conducted prior to hiring/initiating voluntary services, through programs approved by the Commission. The cost will be borne by the respective parishes/missions. To facilitate this, each employee / volunteer must submit an Application form (Appendix e) at the time of application for employment/voluntary service. If any parish/Mission chooses to use state agencies or private agencies, such should be approved by the Executive Director of the program in the diocesan office.

8.12. Clergy (Including International) Clergy including Priests, Deacons and Nuns shall have a background check conducted by the agency used by the Diocesan office. If the person had a proper background check conducted by any Local ordinary of the Latin diocese, or appropriate agency approved by the Syro-Malabar diocese, such person will be exempted from background check upon submission of documents to substantiate this. International priests/ nuns would have obtained a statement in the prescribed form (Appendix f) from their bishop where the priest is incardinated or the superior general of respective religious order, by request from the Chicago Syro-Malabar Bishop using the

form letter in Appendix g. The letter would clear the person of any sexual misconduct prior to migration and include any and all information about sexual misconduct complaints.

8.12. All staff will have training and certification acceptable to the Diocese prior to working in any programs of the diocese where minors will be involved. This training has to be completed prior to the beginning of the school year. A summary report in the prescribed form, Appendix h, should be submitted to the diocesan executive director by October 1st each year.

8.13. These documents will be reviewed annually by the Executive Director.

8.2 Training for children and parents

8.21 Age appropriate training programs as recommended by the Commission will be recommended for each of the parish /Mission. The Syro-Malabar Bishop may request assistance from the local Latin diocese when necessary. If any parish/mission needs assistance in organizing training program, they should contact the Executive Director for assistance.

8.22 Each Parish/Mission will have two training programs conducted annually. Diocese, through the Executive Committee will produce, and distribute syllabus and teaching materials in both English and Malayalam for training of Parents, to the parishes and missions. Each Parish/ Mission will have annual training for parents in September of each year. The parents have a right to refuse such training. In this event, the parents will sign a release form (Appendix d) and will be provided learning material for their own use.

8.23 Each Parish will incorporate a session in their Religious Education Program, as prescribed by the Executive Committee and approved by the Commission Chair of the diocese for each student group (grades) early in every school year. The training details should be documented in the prescribed form, Appendix j, which is to be submitted to the compliance office before October 15 of each year and the data should be entered at the Virtus website.

8.3 Handling of Complaints

8.3.1 Any child/parent/member of the parish and member of the parish/commission can log on to the website and report their concerns to the Commission through the “**Complaints Notification**” link, on any issue that is perceived as risking the safety of minors.

8.3.2 A formal complaint of sexual nature against Clergy. Employees or volunteers can be filed through the “Complaint” link at the website. A Telephone number is also published in the Diocesan and Parish/Mission Bulletins and the websites where one can record a formal complaint. This will be monitored by the Executive member who handles complaints and a prompt response can be expected.

8.3.3 For those who have no access to a computer may file a notification or complaint using appendix l and m which will be made available through the DRE/mission coordinator. This should be sent directly to the Executive director.

8.3.4 Any complaints or notification will be responded to within 10 working days. The executive Director will notify: the complaining party, the receipt of the complaint the respective parish priest, if the complaint is not against that particular priest. The Vicar General Chairman of the Commission. The parish priest/vicar general will alert the alleged perpetrator of the complaint and ask for written explanation. The Executive director or his designee will collect the necessary information regarding the circumstances of the complaint and after discussion with the Vicar General and the Chair of the commission will refer all valid (should at least have the semblance of truth) complaints to the Commission. He/she will also contact the victim and parents of victims when necessary and assess the damages.

8.3.5 The Executive Director may be obligated to report to the civil authorities about certain complaints by state law and he/she is expected to comply with those rules and regulations.

8.3.6 Executive director with the help of his staff will evaluate the victim and submit a report to the Commission for consideration in the proceedings. In the event of a notification the Executive Director will confer with the Pastor/Mission Director and institute satisfactory solutions. There may be occasions where the Commission Chairman and the Vicar General may need to be involved in the solution. When needed, the Executive Director should offer assistance to the victims even when the procedure is not complete. The Executive Director should make sure that the minors are protected from further harm by the alleged perpetrator, including measures to remove the potential offender from contacts.

8.4 Commission Proceedings

8.4.1 The commission Chair will constitute a committee Review Board of three members from the commission to study any particular complaint, collect evidence, conduct hearings and formulate recommendations to the Bishop regarding proper disposition. Normally these proceedings should be completed within 90 days of the complaint.

8.4.2 When the commission determines that there is a need for Compensation and or rehabilitation such recommendation should be made to the Bishop for approval and implementation

8.4.3 The deliberations and the recommendations are subjected to the superseding authority of the canon law and the state and federal laws.

8.4.4 The victim or the accused has the right to ask for an appeal to the full commission in which case the commission will meet and review the evidence and any new information and rule on the appeal.

8.4.5 The bishop can send the complaint back to the commission for reevaluating after adding his observations and comments. In this even the full board will re-review the case and submit final recommendations.

8.5 Reporting and record keeping

All record keeping of the Commission will be the responsibility of the Executive Director and confidentiality, fairness and compassion should be the guiding principles of the operation. All records are the property of the Diocese and should not be destroyed, mutilated or caused to be removed from office/computers. The commission will respond to legal subpoenas immediately after seeking legal counsel from the legal consultants

8.6 Remuneration and Rehabilitation

Victims of sexual exploitation, sexual abuse where the diocesan clergy, staff or volunteers are determined to be the perpetrator, the rehabilitation section of the executive staff will recommend and organize appropriate treatment and rehabilitation plans when recommended.

9. Distribution of teaching material.

The executive director is responsible for production of all educational material under the guidance of the commission, the Bishop and the Vicar General. All possible teaching material would be available for down load or link through internet. Copies of the forms as described in the appendix should also be made available in paper format for use by people who do not have access to the computer.

10. Data gathering and Annual Summary Statements.

Each Parish/Mission should submit an annual report before August 31 of each year to the executive Director, in the prescribed form, Appendix k that includes details of the program for summary submission to USCCB.

11. Action Plan:

Considering the wide spread nature of the diocese which contains two different structures namely parishes and missions which has different needs and demands, It is practical to phase the program and monitor these differently. Parishes, always have Religious Education Program as a requirement with a Director of Religious Education (DRE), and

have mass every Sunday while many of the missions meet once a month and usually do not have a Director of Religious Education. Moreover, these missions do not have permanent pastors and some priests have responsibility for multiple missions. Missions are being established faster than the capability of the diocese. The diocese is financially unable to support a paid office staff and depends on volunteers to achieve its goals. A big majority of the minors are included in the parish structure.

So, it is practical and effective to focus now on the parishes with some supervision of the missions at this time. In one year we hope to extend our attention to the missions. And bring standardized program that will include all minors and parents. However, we will strictly adhere to the rules applicable to clerics, employees and volunteers.

The Diocese intends to establish and maintain a website, which will include, Programs, Teaching material, Periodic bulletins, and links to complaint procedures which will be monitored by the executive director and reported to Chairman of the Commission in a timely manner.

The Commission will also conduct information sessions during the annual DRE meeting. The commission also recommends that a session addressing the protection of minors issue be added to the Pre-cana training programs to extend the awareness of this issue.

The commission will encourage the pastors/ mission directors to approve any programs conducted in their organization where minors and young adults are involved, with strict focus on protection of minors and young adults.

12. Internal Audit

Each parish/ mission will submit the required audit form that will be reviewed by the executive director and the chairman of the Commission and 25% of the parishes will be audited each year by an appropriate authority and results recorded. Any parishes that are not in significant compliance will be included in the audit the following year. At the end of three years 20 % of the missions will be added to the yearly audit.

The Diocese will maintain an annual audit report based on the submission by the parishes/missions and based on its own its own in-person audits.

13. External Audit

The USCCB Office for the Protection of minors and Young adults would periodically conduct an internal audit to assure that the program is in compliance with the regulations set in by the USCCB.

Complaints Notification (Item# 8.3.1)

St. Thomas Syro-Malabar Catholic Diocese of Chicago Commission on Protection of Children and Youth

Preliminary (Intake) Report

Date of Report: (dd/mm/yyyy) : _____

Mode of Reporting: (Circle appropriate) in person / Phone / e-mail / Ans. Machine / Internet /
Soc. media

Location receiving report: _____

Person reporting: Name _____ Age ____ Sex: M/F MS: M/S

Victim Information: Name _____ Age ____ Sex : /F MS: M/S

Relationship with the victim: _____

Parish/Institution where the incident/s occurred: _____

Perpetrator: Name _____

Job title in the Church: Priest / Employee / Volunteer / teacher / visitor / other

Current assignment if known: _____

Incident/s: (Date/dates/period/year) _____

Location/s: _____

Description of the incident/s:

Remedy Requested:

Name and Title of the recorder: _____

Date notified:

The Bishop : _____ VG: _____ Commission _____

Accused : _____ Victim (parent, if minor) : _____

(A detailed written report will be made and submitted to the commission within 30 days by the person/s authorized to investigate the complaint)

Action Taken (if appropriate to protect the victim, accused and the community): (Explain)

Contacted the victim?:

Contacted the accused?:

Contacted the witnesses?:

Contacted the parish priest (if applicable)?:

Contacted the prefect of priests/superior?:

Provided assistance to the victim (if applicable)?:

Provided assistance to the accused (if applicable)? :

Provided support to the community (if applicable)?:

Referred to the Commission for further action? If NO, Explain why?:

Date Submitted: (dd/mm/yyyy): _____