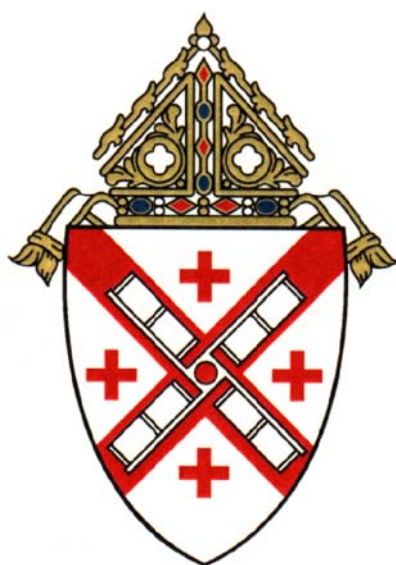


# SAFE ENVIRONMENT POLICIES

## ARCHDIOCESE OF NEW YORK



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# **1 Requirements for Archdiocesan Institutions**

## **1.1 Principle**

It is the obligation of every Archdiocesan institution to ensure that all personnel whose duties include contact with minors have complied with the Safe Environment requirements. It is, likewise, the responsibility of all personnel, whose duties in Archdiocesan institutions include contact with minors, to comply fully with the Safe Environment requirements.

## **1.2 Definitions**

"Archdiocesan institution" shall mean all parishes and other canonical juridical persons whose competent ecclesiastical superior is the Archbishop of New York; all other civil corporations including parish corporations having the Archbishop of New York as their presiding officer; and all schools, programs, agencies and organizations governed by these canonical or civil entities.

"Personnel" shall mean all persons (clergy, religious and laity) who are employed by, under personal contract of employment with, volunteer, or otherwise work in any Archdiocesan institution.

"Safe Environment requirements" shall mean the Personnel Screening Process (the Safe Environment Questionnaire and a background check -- see Sections 4 and 5 of these Policies); acknowledgement of receipt of the Archdiocesan Policy on Sexual Misconduct, and the appropriate Code of Conduct (see Section 6 of these Policies); and completion of the Safe Environment Training appropriate to their position (see Section 7 of these Policies).

"Sexual abuse" and "sexual misconduct" shall be defined in accordance with the Archdiocesan Policy on Sexual Misconduct, the Code of Canon Law, and all applicable civil laws.

## **1.3 Safe Environment Requirements to be incorporated in all policies and practices**

All Archdiocesan institutions whose work involves contact with minors shall incorporate the Safe Environment Requirements into their personnel policies and practices for employees and volunteers. These requirements shall be incorporated either explicitly or by incorporation in all staff or student handbooks. They shall constitute a fundamental part of the human resources policies and standards of every Archdiocesan institution, and a condition of employment and voluntary service for all those whose duties include contact with minors.

## **1.4 Designation of Responsible Administrators for Archdiocesan institutions**

Each Archdiocesan institution shall have a Responsible Administrator for the Safe Environment Program, as follows:

- a. The pastor of each parish shall be the Responsible Administrator for the Safe Environment program for all parish programs and activities.
- b. The principal (or equivalent officer) of each school shall be the Responsible

- Administrator for that school.
- c. The Director or Coordinator of a parish religious education program shall be the Responsible Administrator for that program.
  - d. The director or chief executive officer of other Archdiocesan agencies shall be the Responsible Administrator for that agency.

While individual tasks in connection with the Safe Environment program can and should be delegated to other personnel, the Responsible Administrator bears ultimate responsibility for the implementation of the program in their institution.

### **1.5 Appointment of Safe Environment Coordinators**

Every Archdiocesan institution shall appoint a Safe Environment Coordinator who will serve as the administrative liaison for the Safe Environment Office, and who will assist the Responsible Administrator in implementing the Safe Environment requirements. The Coordinator will also assist the Safe Environment Office in compiling and verifying all reports and rosters for that institution. It would be most convenient if the Coordinator had some basic familiarity with computer database management, so that information can be electronically transmitted and submitted.

### **1.6 Rosters to be periodically sent to every institution**

Periodically during each year, the Safe Environment Office shall provide to the Responsible Administrator and Coordinator of each Archdiocesan institution a roster that will list all personnel from that institution whose duties include contact with minors, and whether they have completed the Safe Environment Requirements. This roster may also be accessed through an online database.

When they receive their roster, the Responsible Administrators shall ensure that:

- a. All personnel whose position or duties include contact with minors are listed, along with appropriate identifying information (name, address, position at the institution, etc.);
- b. All such personnel have fully complied with the Safe Environment requirements; and

The Responsible Administrator shall then return the updated and corrected report to the Safe Environment Office, which shall maintain such information in its files.

### **1.7 Regular updating of the rosters**

The Responsible Administrator should maintain the roster for their institution in their own files. This roster should be updated whenever there is a change in the personnel whose duties include contact with minors (e.g., a new employee joins or leaves the staff). The Responsible Administrator should keep this updated roster in the institution's files, and use it to verify the rosters that are periodically sent to them by the Safe Environment Office.

It is not necessary to send updated rosters to the Safe Environment Office every time there is a

change in staff. The Office will obtain information about new personnel from the background check and training classes, update its database accordingly, and include these changes in the rosters that are periodically sent back to the institutions.

### **1.8 Compliance Visits**

Periodically, the Safe Environment Office, or persons designated by them, shall visits to Archdiocesan institutions, to help them review their compliance status and to address any issues that may have arisen. Prior notice of these audits shall be given to the institution to be reviewed.

### **1.9 Compliance Reports**

Periodically, the Safe Environment Office may provide reports of compliance status to Archdiocesan institutions, to assist them in their compliance efforts.

## **2 Personnel Covered by the Safe Environment Requirements**

### **2.1 Principle**

The Archdiocese of New York is fully committed to implementing the Bishops' Charter for the Protection of Minors and Young Persons. To do so effectively, it is necessary to determine which of our personnel have duties that include contact with minors. In most cases, this determination is very easy, but in others, it will be necessary to examine the person's job requirements and the degree to which they actually come in contact with children.

### **2.2 Personnel whose duties include contact with minors**

All personnel in every Archdiocesan institution whose duties include contact with minors must comply with the Safe Environment Requirements. This applies includes both clergy and laity.

Certain job descriptions should always be deemed to have duties that include contact with minors: clergy, school administrators and administrative staff, teachers, teacher aides, substitute teachers, school or classroom volunteers, guidance counselors, school custodians, catechists, catechist aides, youth ministers, athletic coaches and volunteers, youth choir directors, school maintenance staff, and trainers of altar servers.

Any person who is involved in any overnight activity with a child in any Archdiocesan institution or program, even if only on one occasion, shall be deemed to have duties that include contact with minors. This includes parents who will be involved in the overnight activity with their own children, if the activity also involves any other children whose parents will not be present.

This requirement should be interpreted broadly. If there is any doubt about whether a person has duties that include contact with minors, the question should be resolved in favor of requiring them to comply with the Safe Environment requirements.

### **2.3 Personnel who do not have duties that include contact with minors**

Personnel whose only contact with minors is in the course of the sacred liturgy, should not, in the absence of other factors, be deemed to have duties that include contact with minors, such as: lectors, Eucharistic ministers, ushers, choir members, and leaders of song.

### **2.4 Factors to consider in determining if a person's duties include contact with minors**

To determine whether a person's duties include contact with minors, the following factors should be considered. If the answer to one of these questions is "yes", then the person should be considered to have duties that include contact with minors.

- a. Does the person's job require them to work directly with minors (as opposed to positions that involve contact that is only incidental, irregular, occasional or infrequent)?
- b. Does the person's duties frequently bring them into a school, or the location of a religious

- education program or youth program?
- c. Does the person's duties involve face-to-face dealings with minors?
  - d. Does the person's duties enable them to come into physical contact with minors?
  - e. Does the person have the opportunity to be with minors in private?
  - f. Does the person ever have direct supervisory responsibility over minors?
  - g. Do minors typically come into the person's private workspace?

If there is any doubt about whether a person has duties that include contact with minors, the question should be resolved in favor of requiring them to comply with the Safe Environment requirements.

## **2.5 Personnel who have duties that include contact with minors, but are under 18**

Personnel who are under the age of 18 themselves may work in positions with duties that include contact with minors only if they are under the direct supervision of an adult who is in full compliance with the Safe Environment Requirements.

Personnel under the age of 18 must also comply with the Safe Environment Requirements:

- a. Personnel who are 16 and 17 must complete a Safe Environment Questionnaire, submit to a background check (with parental consent), and attend a "Safer Spaces" class.
- b. Personnel who are 14 or 15 must complete a Safe Environment Questionnaire, and attend a "Safer Spaces" class, but do not have to submit to a background check.
- c. Personnel under the age of 14 need not submit to a background check or attend a training class, but they must be advised of the Code of Conduct.

For more information about the background check process, see Section 6 of these Policies; for information about the "Safer Spaces" training program, see Section 7 of these Policies.

## **2.6 Personnel in Archdiocesan institutions who are employed by non-Archdiocesan agencies**

Personnel who are in contact with minors in Archdiocesan programs, but are employed by an outside agency (such as a cleaning contractor) or a public agency (such as a local school district), must comply with the Safe Environment requirements, as follows:

- a. Employees of local school districts (e.g., remedial education teachers) – If they present current proof that they have passed a background check and had training in child abuse from their school district, they should be given written copies of the Archdiocesan Code of Conduct and our reporting requirements. These people should not be listed on the school's roster, but the school should keep records that they were provided with the information.
- b. Other contractors (e.g., maintenance staff employed by an outside contractor) – They must submit to a background check and attend a "Safer Spaces" class.

## **2.7 Personnel in programs that use Archdiocesan facilities**

Personnel who work with minors in programs or activities that are not official activities of an Archdiocesan institution, but that use or rent facilities of an Archdiocesan institution, are not required to comply with the Safe Environment requirements. For example, volunteers and leaders of community sports programs that merely hold games at a parish's gym are covered by the child protection requirements of those programs, and are not required to complete the Archdiocesan Safe Environment Requirements.

## **2.8 Boy Scouts**

The Boy Scouts are an independent organization that is responsible for its own child protection policies. In the case of volunteers with Scouting troops that hold meetings at an Archdiocesan institution, the Safe Environment Requirements shall be satisfied if they have:

- a. Taken the Boy Scout Youth Protection Training Course;
- b. Are up to date with their Boy Scout Youth Protection certification; and
- c. Have had a background check (including criminal record and state sexual offender registry checks) within the previous three years.

Troop leaders shall be responsible for ensuring the compliance of their volunteers. They shall keep appropriate records regarding all their volunteers, and shall report on their compliance to the Responsible Administrator of the Archdiocesan institution that sponsors their troop.

## **2.9 School Maintenance and Custodial Staff**

All maintenance staff who are working in schools, even if they only work at times when they do not come into contact with children, must comply with the Safe Environment Requirements.



## **3 The Safe Environment Requirements**

### **3.1 Principle**

At the heart of the Bishops' Charter is the need to create a safe environment for children. This environment will be founded on the principles of virtue and vigilance. The virtues of the Christian life, particularly purity and chastity, must be fostered in our institutions and programs, and in the hearts of all our personnel. We must also be prudent in screening and overseeing all our personnel and programs. By living these virtues, our children will be safe in our institutions.

### **3.2 Safe Environment Requirements**

All clergy working in or assigned to any Archdiocesan institution must fully comply with the Safe Environment requirements. This includes clergy from other dioceses and members of religious communities. All lay persons working in an Archdiocesan institution, whether paid or volunteer, whose position or duties will include contact with minors, must fully comply with the Safe Environment requirements.

The Safe Environment requirements are:

- a. Complete the Personnel Screening Process:
  - i. Submit to a background check with clear results;
  - ii. Lay people must complete the Safe Environment Questionnaire;
  - iii. Clergy must submit all required documentation to the Office of Priest Personnel;
- b. Complete the Safe Environment Training appropriate to their position.
- c. Acknowledge receipt of the Archdiocesan Policy on Sexual Misconduct, and the appropriate Code of Conduct)

The Personnel Screening Process (including submitting to a background check) must be completed by all personnel before commencing their duties; the appropriate training must be completed within 45 days of commencing their duties. If a program is scheduled to last for less than 45 days (e.g., vacation bible schools, summer camps, etc.), all new personnel must complete the Safe Environment requirements before the program begins.

If any new personnel of the Archdiocese fail to satisfy the Safe Environment requirements by the appropriate date, they may not hold a position with duties that include contact with minors in any program or activity of the Archdiocese or any of its parishes or institutions until they complete the Safe Environment requirements.

### **3.3 Personnel who are under the age of 18 and whose duties include contact with minors**

Personnel who are between the ages of 14 and 17 themselves may only hold a position whose duties include contact with minors if they are directly supervised by an adult who is in full compliance with the Safe Environment Requirements and who is actually present at the time and place where they are serving. In addition:

- a. Personnel who are 16 and 17 must complete a Safe Environment Questionnaire, submit to a background check (with parental consent), and attend a "Safer Spaces" class.
- b. Personnel who are 14 or 15 must complete a Safe Environment Questionnaire, and attend a "Safer Spaces" class, but do not have to submit to a background check;
- c. If they are under the age of 14, they do not have to submit to a background check or attend a training class, but they must be advised of the Code of Conduct.

## **4 Screening of Personnel Working with Minors**

### **4.1 Principle**

One of the fundamental tools in creating a safe environment is the screening of all those whose duties include contact with minors. The goal of this process is to exclude people whose background or moral character makes them an unreasonable risk for contact with minors.

### **4.2 Requirement for all personnel**

All clergy entering service in the Archdiocese, and all new lay personnel of the Archdiocese (both employees and volunteers) whose position or duties include contact with minors must complete the Personnel Screening Process.

The Personnel Screening Process consists of the following components:

- a. Completing a background check with clear results
- b. For a lay person, completion of a Safe Environment Questionnaire;
- c. For clergy, submitting all the required documents to the Office of Priest Personnel.

These requirements must be completed by all personnel before commencing their duties. No one may hold a position whose duties include contact with minors without a background check.

### **4.3 The duties of the Responsible Administrator of each Archdiocesan institution**

The Responsible Administrator of each Archdiocesan institution shall ensure that all personnel whose duties include contact with minors have completed the Personnel Screening Process.

The Responsible Administrator of each Archdiocesan institution, or a person designated by him/her, should thoroughly review the Safe Environment Questionnaire of all new personnel, and check the personal references provided by applicants for positions whose duties include contact with minors. The Responsible Administrator of every Archdiocesan institution shall retain the completed Safe Environment Questionnaires of all personnel in their files.

### **4.4 The Safe Environment Questionnaire**

All lay applicants for positions in Archdiocesan programs, whose duties include contact with minors, must complete a Safe Environment Questionnaire. This requirement applies to both prospective employees and volunteers.

Applicants must sign the Safe Environment Questionnaire, certifying that their answers are accurate and truthful, and acknowledging that they received the Policy on Sexual Misconduct (or the Summary of the Policy) and the Code of Conduct and will comply with them. Applicants will also certify that they understand their responsibility to comply with the Safe Environment Requirements by the appropriate deadline.

Failure to complete a Safe Environment Questionnaire, or any false statement made on the Questionnaire, shall constitute grounds for termination of employment or volunteer service, and being barred from any contact with minors in any program or activity of the Archdiocese.

The basic background information called for on the Safe Environment Questionnaire may be a duplicate of the information called for in an application for employment or for volunteer service that is already being used by a program. If that is the case, the program should use only the second page of the Safe Environment Questionnaire, which calls for information about prior allegations of misconduct, and the certification regarding the Sexual Misconduct Policy and the Code of Conduct.

#### **4.5 Additional Information**

Additional information, including information available through sources in the public record, may also be considered in evaluating the suitability of a candidate for employment or volunteer service. Information received subsequent to a person's background check may constitute grounds for revoking the person's clearance to work with minors.

#### **4.6 Standard for Screening**

One of the most important components of an effective child protection policy, particularly in a religious organization, is the personal moral character and virtue of those who are permitted to work with youths. Due to the religious nature of all Archdiocesan institutions, the Archdiocese shall evaluate the suitability of persons applying for employment or volunteer service, and those who have already entered into such service, based on the moral teachings of the Catholic Church. The Archdiocese reserves the right to make decisions about employment or volunteer service that will promote the religious principles of the Catholic Church.

## **5 Background Checks**

### **5.1 Principle**

Conducting background checks is an indispensable tool for creating a safe environment. These checks can identify those whose background poses a substantial risk to minors. They can also ensure that the identity of all personnel of the Archdiocese has been fully verified. Background checks and their results must be handled with the highest degree of discretion, in order to protect the privacy of all personnel, and to ensure that negative information is not improperly revealed. At the same time, any information that suggests a risk to minors must be treated very seriously.

### **5.2 Background checks required for all personnel**

All clergy, and all lay personnel (both employees and volunteers) of the Archdiocese whose duties include contact with minors, must submit to a background check, administered by the Safe Environment Office.

The Responsible Administrator of each Archdiocesan institution shall ensure that all personnel whose duties include contact with minors have submitted to a background check.

Failure to submit authorization for a background check, refusal to supply a valid Social Security number, and any false statement made on the authorization form, shall constitute grounds for termination of employment and being barred from any contact with minors in any program or activity of the Archdiocese.

### **5.3 Background check authorization forms**

To conduct these background checks, all personnel must grant authorization, on a form prescribed by the Safe Environment Office. All personnel must supply the following information:

- a. Name, including all other names used;
- b. Social Security number;
- c. Date of Birth;
- d. Current and former addresses.

### **5.4 Background checks for those without a valid Social Security number**

For people who do not have a valid Social Security number, the following procedures shall be followed:

- a. The person's direct supervisor shall have them complete the background check authorization form, leaving the line for Social Security number blank.
- b. The supervisor shall verify their identity with some form of photo identification (e.g., a driver's license, a passport, an employer-issued ID card, etc.).
- c. The supervisor shall either:

- i. make a copy of the identification document and send it to the Safe Environment Office, along with the completed the background check authorization form; or
- ii. sign and make a notation on the authorization form that the person's identity has been verified.

This procedure shall only be available to those who, for justifiable reasons, does not have a valid Social Security number. A person who has such a number, but refuses to submit it, may not have any contact with minors in any Archdiocesan program.

A person's immigration status shall not be the basis for any adverse action by the Safe Environment Office.

### **5.5 Background checks for minors**

In the case of persons under the age of 18, parental consent must be obtained prior to submitting a background check.

### **5.6 How the background checks will be conducted**

The Safe Environment Office shall submit background checks to an appropriate agency or contractor. These checks shall seek the following information:

- a. Verification of identity;
- b. Existence of a criminal record;
- c. Listing on a sex offender registry.

Financial information will not be sought by the Safe Environment Office or any other Archdiocesan agency, without first obtaining specific consent.

### **5.7 Renewing background checks**

The Archdiocese will periodically conduct a new background check for personnel after the passage of time from the person's last check, or if information is received regarding a possible incident or another factor relevant to the person's suitability to work with minors.

### **5.8 Record-keeping**

Each Archdiocesan institution shall retain the completed background check authorization forms of all personnel in their files. A copy shall be submitted to the Safe Environment Office, which will retain this copy in their files.

### **5.9 How negative results will be handled**

The Director of the Safe Environment Office shall review all negative reports for all Archdiocesan personnel

The Director of the Safe Environment Office shall evaluate whether the nature of the negative report warrants possible action, and verify that the report does indeed relate to the applicant. Any action taken with regard to any negative report shall comply with local, state and federal law, and the Archdiocesan Policy on Sexual Misconduct.

In making this determination, the following factors shall be considered (along with any other factors required by law to be considered for employees or prospective employees):

- a. The duties and responsibilities held by the person;
- b. The bearing of the offense on their fitness to perform those duties;
- c. The length of time since the commission of the offense;
- d. The age at which the person committed the offense;
- e. The seriousness of the offense;
- f. Any information provided by the person or on their behalf.

If there is a determination that there is a risk to minors, the Director of the Safe Environment Office shall immediately notify in writing the Responsible Administrator of the Archdiocesan institution at which the person works.

The Responsible Administrator of the Archdiocesan institution at which the person works shall take immediate and appropriate action to prevent any risk to minors. This action may include restrictions on the person's contact with minors, being barred from any contact with minors in any program or activity of the Archdiocese, and discharging the person from employment or volunteer service.

#### **5.10 Results that relate to immigration status**

Information regarding a person's immigration status shall not be the basis for any adverse action in relation to the Safe Environment Program.

#### **5.11 Negative results that relate solely to a person's identity**

If the negative report merely relates to a minor disparity regarding the person's name or address, the Safe Environment Office will take no further action.

If the negative report suggests that the person may have supplied a false name or Social Security Number, the Director of the Safe Environment Office will notify the Responsible Administrator of the Archdiocesan institution at which the person works. The person shall be asked to submit a form of identification that has been validly issued by a government agency (e.g., a valid driver license, passport, etc.). If adequate verification is obtained, no further action will be taken.

If adequate verification is not obtained, the Responsible Administrator of the Archdiocesan institution at which the person works shall take immediate and appropriate action to prevent any risk to minors. This action may include restrictions on the person's contact with minors or being barred from any contact with minors in any program or activity of the Archdiocese. Any action taken by an Archdiocesan institution in regard to a negative report shall be reported to the Safe

Environment Office, which shall maintain such information in its files.

#### **5.12 Record-keeping**

The Director of the Safe Environment Office shall maintain secure files for the background check authorization forms and any action taken with regard to any negative report. Any action taken by an Archdiocesan institution in regard to a negative report shall be reported to the Safe Environment Office, which shall maintain such information in its files.



## **6 Archdiocesan Policy on Sexual Misconduct and the Code of Conduct**

### **6.1 Principle**

Sexual misconduct of any kind is gravely contrary to the will of God. In keeping with this bedrock belief, the Archdiocese has adopted a Policy on Sexual Misconduct and Codes of Conduct for both clergy and laity. These policies are intended to establish guidelines in an effort to prevent sexual misconduct by personnel of the Archdiocese. They are also intended to provide guidance to the personnel of the Archdiocese on how to respond to allegations of sexual misconduct if any do occur.

### **6.2 Distribution of the Policy and Code to all personnel**

All clergy, all lay personnel of Archdiocesan institutions (employees and volunteers), and all applicants for positions with Archdiocesan institutions, shall be given either a written copy, a summary, or a link to the Archdiocesan Policy on Sexual Misconduct and the appropriate Code of Conduct. A copy of that Policy and Code shall be posted on the Archdiocese website.

### **6.3 Certification of receipt of the Policy and Code**

All clergy, all personnel of the Archdiocese, and all applicants for positions with Archdiocesan institutions shall certify that they have received and will abide by the provisions of the Archdiocesan Policy on Sexual Misconduct and the Code of Conduct. For all applicants for positions with Archdiocesan institutions, this certification shall be made on the Safe Environment Questionnaire. Every Archdiocesan institution shall retain the certification in their files.

Since the Policy on Sexual Misconduct, this Policy Manual, and the Codes of Conduct are publicly posted on the Safe Environment Office website, all personnel are considered to have constructive notice of their contents and of any amendments. Failure to execute a certification of receipt shall not affect the obligation to comply with the Policy on Sexual Misconduct, this Policy Manual, and the Codes of Conduct.

### **6.4 How the Policy and the Code should be enforced**

All Archdiocesan personnel should be attentive to any violations of the Policy or the Code in their program. Any violation should be brought to the attention of their supervisor immediately. Personnel may also report violations to the Safe Environment Office or the Office of Legal Affairs of the Archdiocese.

Supervisors of Archdiocesan programs are responsible for ensuring that the Policy and the Code are observed by all personnel. Supervisors must immediately address any violation as soon as it comes to their attention, and take appropriate corrective and disciplinary action.

Any violation of the Policy or the Code that represents a risk to minors, or violations that are

repeated after having been corrected, shall be the basis for termination of a person's employment or volunteer service.

## **7 Training for Personnel Working with Minors**

### **7.1 Principle**

The Archdiocese of New York is fully committed to preventing the sexual exploitation of minors, and to identifying any instance in which it does occur. To this end, all personnel whose duties include contact with minors must receive specific training in identifying and responding to potential incidents of sexual misconduct. Although education alone cannot prevent or change inappropriate sexual behavior, it is essential to help each person to grow and mature in Christian sexuality, and to reduce risks to minors.

### **7.2 General requirements**

The Safe Environment training requirement has two components:

- a. Initial training, and
- b. Continuing education.

The Responsible Administrator of each Archdiocesan institution shall ensure that all personnel whose duties include contact with minors have completed the appropriate Safe Environment training.

The initial training program required of Archdiocesan personnel will depend on the nature of their position.

### **7.3 Initial training for clergy and members of religious communities**

All clergy must attend a VIRTUS "Protecting God's Children" class. This requirement shall apply to all priests, deacons, and candidates for ordination. Clergy from other dioceses, countries or religious communities shall be considered to have satisfied this training obligation by presenting proof that they completed the training prescribed by their home diocese or community.

### **7.4 Initial training for professional employees**

Professional and supervisory personnel must attend a VIRTUS "Protecting God's Children" class.

“Professional and supervisory personnel” shall include: school administrative and educational staff (principals, assistant principals, deans, assistant deans, teachers, teachers’ aides, or guidance counselors, but not business, clerical or custodial staff), directors and coordinators of religious education (whether paid or volunteer), social workers, counselors, and youth ministers.

### **7.5 Initial training for other employees and volunteers**

Other employees and volunteers must attend either a VIRTUS "Protecting God's Children" class

or a "Safer Spaces" class.

"Other employees" shall mean all employees other than those designated as "professional and supervisory", such as include business, clerical or custodial staff.

#### **7.6 Who may facilitate a training class**

VIRTUS "Protecting God's Children" classes may only be conducted by a facilitator certified by the Safe Environment Office and VIRTUS.

"Safer Spaces" classes may be conducted by a person who has supervisory responsibilities (e.g., a clergy member, principal, or DRE/CRE) who has completed a VIRTUS "Protecting God's Children" class.

#### **7.7 Training for personnel under 18 years of age**

Personnel who are 14 to 17 years of age and whose duties include contact with minors, may satisfy their training requirement by attending a "Safer Spaces" class, regardless of whether they are an employee or volunteer. They should not attend a VIRTUS "Protecting God's Children" class. Personnel under the age of 14 need not attend a training class.

#### **7.8 Continuing Education**

All personnel whose duties include contact with minors will be periodically provided with training refreshers and other continuing education materials by the Safe Environment Office.

## **8 Training for Children and Parents**

### **8.1 Principle**

The Bishops' Charter mandates that all dioceses provide education to children, youth and parents about sexual abuse and its prevention. The best way to deliver this kind of education for minors is to provide information and resources to their parents, who are their primary educators. In addition, to reinforce these lessons, the information should be integrated into the religion curriculum in both the schools and religious education programs.

### **8.2 Education for children**

The Safe Environment Office has developed a curriculum for the children in our parishes and schools, which provides age-appropriate instruction in child sexual abuse. The lessons in this curriculum shall be given annually to all children in all grades of all parish and Archdiocesan elementary and high schools, and parish religious education programs. This program has been made available to all other Catholic schools in the Archdiocese, which must provide annual sexual abuse education to all their students. The lesson plans for this curriculum have been posted on the website of the Safe Environment Office.

### **8.3 Education for parents**

In conjunction with the curriculum for children the Safe Environment Office has developed resource materials for parents and guardians. These materials shall be provided to the parent or guardian of all children in all grades of all parish and Archdiocesan elementary and high schools, and parish religious education programs. This program has been made available to all other Catholic schools in the Archdiocese, which must provide annual sexual abuse education to the parents or guardians of all their students. These materials have been posted on the website of the Safe Environment Office.

### **8.4 Record keeping**

Each Catholic school and religious education program in the Archdiocese shall keep records of the numbers of children and parents/guardians who have received this instruction, and shall send this information to the Department of Education periodically.

### **8.5 Parental Choice**

If parents choose not to have their child participate in the safe environment training, the parents are to be offered safe environment training materials, and will be asked to sign a form acknowledging that the materials were made available to them. These materials and forms will be available from the Safe Environment Office website. If the parents decline to sign such a form, a notation of this should be made in a record maintained by the school or religious education program.

## **9 Shared Facilities**

### **9.1 Principle**

Concerns arise when Archdiocesan facilities (e.g., schools and religious education buildings) are being shared with a non-Archdiocesan program (e.g., an adult education class). In this case, great care must be taken to ensure that the children are protected from any contact with members of the general public.

### **9.2 General Policy**

Archdiocesan facilities in which programs with children and young persons are being held are not public places. The only people who are permitted to be in these areas are those who are directly involved in the program, or who are otherwise authorized to be present (e.g., parents, maintenance workers, etc.).

Members of the general public are never permitted to have unsupervised access to any facility or area in which children are taking part in any Archdiocesan program.

In many cases, this is ensured by strictly limiting access to the facility. For example, school buildings should have locked doors, with access overseen by staff members who screen visitors to ensure that entrance is granted only to those who are properly on the premises and who will be supervised by staff members.

A high degree of vigilance is required when the facility is being shared with other activities to which the public has access (e.g., a school building that also hosts an adult education program). If possible, there should be clear physical boundaries that restrict any access by the public to the areas used by the children. For example, there should be separate entrances, separate bathrooms, locked doors between floors, etc.

If complete physical separation is not possible, access must be limited by human measures that are very rigorously enforced. For instance, hall monitors must be placed at access points to ensure that the children do not come into contact with the other persons on the premises, and areas used by children as entrances and exits should be supervised by staff members to ensure that children are not interfered with.

Archdiocesan institutions should consult with the Safe Environment Office regarding the sharing of facilities.

## **10 Electronic Communications, Internet and Computer Use**

### **10.1 General Principles**

In using the internet, computers, and the various methods of electronic communication, adults who are working with minors in Archdiocesan institutions and programs must maintain appropriate behavior, and serve as examples of Christian conduct. They must also take care to avoid any situation or conduct that might be misinterpreted, or that might be the source of scandal for themselves or others.

### **10.2 Definitions**

- a. The term "electronic communication" shall include, but not be limited to, telephone, cell phone, email, text messaging, instant messaging, comments posted on blogs or websites, chat rooms, social networking sites, on-line dating apps, on-line gaming, file transfers, internet phone calls, internet video or audio conferencing.
- b. The term "indecent material" shall include, but not be limited to, inappropriate sexually explicit or suggestive images or written material. The determination of whether material is indecent shall be in the discretion of the responsible administrator of the Archdiocesan institution or program, based on the moral doctrines of the Church and civil law.
- c. The term "webpage" shall include, but not be limited to, a website, a page on a social networking site, and a blog.
- d. The term "minor" shall mean any person under the age of eighteen, who is not related to the adult, and with whom the adult is working or has previously worked in an Archdiocesan institution or program.

### **10.3 Proper Relationships and Electronic Communications**

- a. Because of the easy, informal, and at times anonymous nature of many forms of electronic communication, the proper relationship between adults and minors can easily become confused. Adults must make sure that their use of electronic communication maintains a proper professional relationship with minors, and does not create or give the appearance of an inappropriate relationship, or encourage inappropriate behavior.
- b. In using electronic communications, proper and healthy boundaries between adults and minors must always be maintained:
  1. Excessive familiarity or a purely social relationship between adults and minors are not appropriate. Adults must recognize that there is a difference between being "friendly" and being "friends" with children. Minors are not peers of an adult who works with them in a church program or institution.
  2. It is always inappropriate for there to be a "special" relationship between an adult and a young person, or to give the appearance that a minor is a "favorite" of an adult.
  3. Adults are never to take on a role of a "surrogate parent" or "intimate confidant" to a minor with whom they are working.

## 10.4 Electronic Communications in General

- a. Any adult who misuses any form of electronic communication or computer is subject to disciplinary action, including dismissal from employment or volunteer service.
- b. Adults shall not transmit or display any indecent material to minors by any means of electronic communication.
- c. There shall be no private direct electronic communication between an adult and a minor, except as provided below. The use of a private account to communicate with a minor is never permitted. Text messaging a minor is never permitted, except as set forth in section (g), below.
- d. If electronic communication is necessary for the orderly operation of an activity sponsored by or connected with an Archdiocesan institution or program (e.g., to notify participants of changes of schedule, weather cancellations, etc.), the adult moderator of that activity should contact a parent or guardian first, and subsequent communication should be from parent to parent, or from minor to minor (e.g., a telephone tree). If that is not feasible, the policy in section (g), below, should be followed.
- e. An Archdiocesan institution, or an adult moderator of an Archdiocesan program, may send group emails or messages to minors with whom they are working in an Archdiocesan institution or program (e.g., an email to all members of a club to notify them about scheduling matters or to remind them of events). Only matters relating to the activity are to be communicated, and parents or guardians are to be sent a copy of such emails, if possible. An official account of the Archdiocesan institution or program that is subject to monitoring and oversight by a supervisor must be used for these communications, and never a personal account. In all such direct communication with minors, only matters relating to the official Archdiocesan activity are communicated and a proper professional relationship must be maintained at all times.
- f. If an adult is serving as a chaperone on a trip sponsored by or connected with an Archdiocesan institution or program, the adult may have direct electronic communication with a minor to the extent that it is necessary for safety or maintaining order (e.g., a telephone call or text message to a minor who has become separated from the group). Only matters relating to the activity are to be communicated, and such communications must be immediately terminated when the trip is concluded or such communications are no longer necessary. In all such communication with minors, a proper professional relationship must be maintained at all times.
- g. An Archdiocesan institution or program may establish a system for sending emergency alerts to minors through text messages, emails or voice mails (e.g., a warning about a significant imminent threat to safety at a school). Only matters relating to the emergency are to be communicated, and parents or guardians are to be sent a copy of such alerts, if possible. This system shall only be used for emergencies, and not for routine communications.
- h. If a minor initiates a private electronic communication with an adult, the adult shall advise the minor that, under the policies of the Archdiocese, private direct communications are not permitted between an adult and a minor, and then seek to establish contact with the minor's parent instead, or with the minor through an official email account of an Archdiocesan institution, as set forth in section (d), above.
- i. If a minor initiates an electronic communication to report a violation of the Archdiocesan



Policy on Sexual Misconduct or the Code of Conduct, or any civil law relating to child abuse or maltreatment, the adult must immediately comply with Archdiocesan policies regarding the reporting of incidents (see Section 10 of these Policies).

- j. Any questions about the application of these policies to particular circumstances should be directed to the responsible administrator of the Archdiocesan institution or program, or to the Safe Environment Office.

## **10.5 Internet and Computer Use**

- a. Adults who use any computer that is owned by or used in an Archdiocesan institution or program must consent to and abide by the proper usage policies of the institution.
- b. Adults may not view or download from the Internet any indecent material on any computer that is owned by or used in an Archdiocesan institution or program. Adults may never give, transmit or display such material to minors by any means. Adults may never display or save such material in any way in which a minor may have access to it.
- c. No image of a minor who is involved in an Archdiocesan institution or program may be posted on a webpage associated with that institution or program (e.g., an official school website), without the written permission of the responsible administrator of the program and the minor's parent or guardian. Such images must be removed immediately if the minor's parent or guardian refuses or withdraws their consent.
- d. No personal or contact information about minors involved in an Archdiocesan institution or program may be posted on a webpage associated with that institution or program (e.g., listing of names and contact information of sports participants or altar servers on an official parish website).
- e. Adults may not maintain links on their personal webpage to a minor's webpage.
- f. No images of a minor may be posted on the personal webpage of an adult who is working or has worked with that minor in an Archdiocesan institution or program.
- g. The policies set forth in Sections 12.4 (e) and (f) shall not apply if the adult is related to the minor.
- h. Adults should not patrol the Internet for the minors with whom they work, monitor their behavior online, or seek out a young person's personal sites for details of his or her life. This policy shall not apply if the adult is the parent or guardian of the minor.
- i. Adults may never post to any webpage any statements, pictures, or other materials that are false, derogatory, defamatory, degrading, malicious, disrespectful, or threatening to any person.
- j. Adults who maintain a personal webpage must be aware that any information displayed may be evaluated in light of the individual's position in the Church. The posting of any indecent or otherwise inappropriate material on such a site may lead to disciplinary action by the Archdiocesan institution or program in which the adult works.

## **10.6 Social Networking Sites**

- a. Archdiocesan institutions and programs may maintain social networking sites only under the following circumstances:
  1. Access to the site is strictly restricted to those adults and minors who are actively involved in the program;

2. Access to the site is subject to the invitation and approval of the program's adult moderator;
  3. Private direct communications ("chat" or private messages) may not take place between adults and minors;
  4. To the fullest extent possible, adults must use the social networking site's privacy settings to block private direct communications;
  5. The adult moderator of the program oversees the content of the site and ensures that no inappropriate or indecent material is posted; and
  6. The adult moderator of the program ensures that no personal information or photographs of minors involved in the institution or program are posted without the written permission of the minor's parent or guardian.
- b. Adults may not use personal social networking sites to have private direct communication with a minor with whom they are working in an Archdiocesan institution or program.
  - c. Adults with personal social networking sites may not have on their groups or friend lists any minor with whom they are working in an Archdiocesan institution or program.
  - d. Adults may not post on their personal social networking site any image of a minor with whom they are working in an Archdiocesan institution or program.
  - e. The policies set forth in Sections 12.5 (b), (c) and (d) shall not apply if the adult is related to the minor.
  - f. Adults should not patrol social networking sites for the minors with whom they work, monitor their behavior on those sites, or seek out a young person's personal site for details of his or her life. This policy shall not apply if the adult is the parent or guardian of the minor.
  - g. Adults may never use any kind of online dating app to contact a minor.
  - h. Adults may never post to a social networking site any statements, pictures, or other materials that are false, derogatory, defamatory, degrading, malicious, disrespectful, or threatening to any person.
  - i. Adults using social networking sites for their personal use must be aware that any information displayed may be evaluated in light of the individual's position in the Church. The posting of any indecent or otherwise inappropriate material on such a site may lead to disciplinary action by the Archdiocesan institution or program in which the adult works.

# **11 Maintaining Proper Professional Boundaries**

## **11.1 General Principles**

All adults (whether volunteers or employees) must maintain clear and appropriate professional boundaries with the minors they serve. A proper professional relationship between adults and minors will always remain focused on the specific role in which the adult is serving the minor.

## **11.2 Responsibility of Adults Working with Minors**

Adults bear the responsibility to ensure that:

- a. their relationship with minors is clearly professional in nature,
- b. proper boundaries are maintained at all times,
- c. minors are made aware of these boundaries,
- d. any minor who breaches these boundaries is counseled as to proper behavior, and
- e. breaches of boundaries are reported to a supervisor.

## **11.3 Guidelines for Maintaining Proper Professional Boundaries**

The following are guidelines for proper professional boundaries for clergy, religious, employees and volunteers who are working with minors:

- a. Excessive intimacy between adults and minors is not permitted.
- b. Adults should not relate to minors as if they were peers or friends.
- c. Adults should not take on a role of a "confidant" to a minor, beyond the proper context of a professional counseling relationship (e.g., school guidance counselors or pastoral counselors).
- d. Adults should not show undue interest in the private lives of minors (particularly in such sensitive personal areas as relationships, dating, or sexual activity), beyond the proper context of a professional counseling relationship (e.g., school guidance counselors or pastoral counselors).
- e. Adults should not share information about their own private lives with minors (particularly in such sensitive personal areas as relationships, dating, or sexual activity).
- f. Adults should not engage in private correspondence with minors except as permitted in this policy.
- g. Adults must take special care to observe boundaries when they are dealing with minors who are especially vulnerable (e.g., children who have experienced abuse).
- h. Adults may not give undue attention or favorable treatment to a minor, such that there is the appearance that there is a "special" relationship with the adult, or that a minor is a "favorite" of the adult.
- i. Adults should not offer or accept excessive or inappropriate compliments, remarks or gestures that focus on physical appearance.
- j. Adults must always be with another adult or be in the proximity of another adult when working with minors in unsupervised settings.
- k. Adults may not engage in purely social relations with minors in non-school or private

settings, except in special circumstances (e.g., graduation parties).

1. Adults may never enter into a dating or intimate relationship with a minor who is a participant in a youth program that they minister to.

#### **11.4 Physical Contact with Minors**

Physical contact between adults and minors must be approached with a high degree of caution. It should be rare, and under no circumstances can it be regular or routine behavior.

Adults must use extreme caution to ensure that any kind of physical contact with a minor cannot be misconstrued by an observer or by the minor, and that they do not violate appropriate professional boundaries.

Physical contact with a minor is only permissible if:

- a. it is fully appropriate to the situation;
- b. it is appropriate to the age of the minor;
- c. it is entirely and unambiguously nonsexual;
- d. the minor consents to the contact and is fully comfortable with it;
- e. it cannot be misconstrued by the minor or others; and
- f. it does not constitute an abuse of the adult's position of power or trust.

The following are guidelines to determine whether physical contact with minors is appropriate:

- a. Physical contact with minors may never take place in private.
- b. Physical contact in the context of any kind of counseling may never take place.
- c. Physical contact with minors may never be routine behavior for an adult.
- d. Otherwise unacceptable behavior does not become acceptable if it is initiated by a minor. The adult has an obligation to counsel the minor as to proper behavior. The adult should also report any such incident to their supervisor.
- e. Cultural customs, or the ordinary behavior of minors towards their peers, do not justify otherwise inappropriate physical contact with an adult.

Some examples of inappropriate physical contact with minors include:

- a. any contact with the areas of the body that are ordinarily covered by a bathing suit;
- b. kissing on the mouth or prolonged hugs;
- c. routine greeting/departure hugs or social kisses to the cheek;
- d. holding hands (other than briefly holding the hand of a young child in public for their safety, for example while crossing the street);
- e. placing and leaving one's arm around a minor's shoulder, back or waist for a prolonged period;
- f. patting a child on the backside (even during a sporting event);
- g. repeatedly touching on the arm, back or legs;
- h. touching on any part of the body in a way that may be construed as a caress;
- i. tickling or wrestling;

- j. placing and leaving hands on the shoulders of a child sitting at a desk;
- k. placing and leaving hands on the legs of a minor who is seated alongside;
- l. sitting with one's legs crossed with the legs of a minor.

Some examples physical contact with minors that may be appropriate under the circumstances might include:

- a. briefly shaking hands as a social greeting;
- b. very brief public social contact in connection with a special event or circumstance (e.g. such as a public greeting hug, an arm placed around the shoulder for a moment, or a short pat on the back, to congratulate a student at graduation);
- c. lightly and briefly tapping on the arm or shoulder to get their attention;
- d. a "high five" or "fist bump", for instance during a sporting event;
- e. an arm briefly placed around the shoulder of an upset or injured minor in public.

## 12 Sex Offenders and Church Property and Events

### 12.1 Definitions

"Sex offender" shall mean any person who has been found to have committed an act of sexual misconduct, regardless of whether they have been convicted of such an offense in a civil court, or whether they are a registered sex offender with any law enforcement agency.

"Sexual misconduct" is defined in the Archdiocesan Policy on Sexual Misconduct.

"Church property" shall include all real property owned, controlled or leased by a parish or school, including but not limited to buildings, parking lots, playgrounds, and sports fields.

### 12.2 Policies

- a. Sex offenders shall be permanently excluded from any contact with minors in any parish or school program.
- b. A sex offender may not participate in any official parish or school activities, and may not be an active member of any parish or school organizations.
- c. A sex offender may only be present on Church property:
  1. For Mass, Confession or another public liturgy.
  2. For a private meeting with clergy (e.g., for Confession or counseling), but only by appointment and when there are no minors present on the Church property.
- d. A parent or guardian who is a sex offender:
  1. May be present on Church property to meet with a person who is working with their child (e.g., a teacher), but only by appointment and when there are no other minors present on the Church property.
  2. May be present on Church property to transport their child to and from the parish or school, provided that they:
    - i. Give prior notice to the responsible administrator and receive written permission to enter onto Church property,
    - ii. Comply with all terms and conditions established by the responsible administrator of the parish or school (e.g., requiring that the sex offender be accompanied by another adult while they are on Church property or that they remain in a designated area),
    - iii. Remain only in public areas where other adults are present,
    - iv. Remain only as long as necessary to pick up or drop off their child,
    - v. Have no contact or communication with any other minors, and
    - vi. Transport no minor other than their own child.
  3. May attend official parish or school events at which minors are present (e.g., graduation ceremonies, school plays, field trips or sports team "away" games), provided that they:
    - i. Give prior notice to the responsible administrator and receive written permission to enter onto Church property,

- ii. Comply with all terms and conditions established by the responsible administrator of the parish or school (e.g., requiring that the sex offender be accompanied by another adult while they are on Church property),
  - iii. Remain only in public areas where other adults are present, and
  - iv. Have no contact or communication any minor other than their own child.
- e. If a volunteer or employee who works with minors in a parish or school program has a sex offender living in their household, they:
  - 1. Must notify the responsible administrator of their parish or school.
  - 2. May not, under any circumstances, bring any materials or other information to their household regarding the minors with whom they work.
  - 3. May not permit any contact of any kind between the sex offender and any minor with whom they work.

## **13 Day Trips**

### **13.1 General provisions**

- a. All minors on trips must have a signed permission slip from a parent. (Note that the term "parent" shall include a legal guardian.)
- b. Parents must be permitted to contact their children at any time during the trip, and to withdraw their children from the trip at any time and for any reason.
- c. Parents are entitled to be fully informed of all activities that will take place during the trip.
- d. Minors must be able to contact their parents at any time during the course of the trip.

### **13.2 Adult participants and chaperones**

- a. The minimum ratio for chaperones to minors is as follows:
  - i. Pre-school – 1 adult per 4 minors
  - ii. Grades K through 5 – 1 adult per 6 minors
  - iii. Grade 6 and above – 1 adult per 8 minors
- b. All chaperones must be over 21 years of age.
- c. All chaperones must be in full compliance with the Safe Environment requirements prior to the trip. However, parents who are not in full compliance may accompany their own child, provided that they are under the direct supervision of Archdiocesan personnel who are in full compliance with the Safe Environment requirements.
- d. All priests and deacons participating in trips must have current valid faculties from the Archdiocese of New York.

### **13.3 Conduct during trips**

- a. All participants must conform to the Archdiocesan Code of Conduct and the Safe Environment Policies. This includes, but is not limited to, the following prohibited conduct:
  - i. Any kind of sexual conduct involving a minor.
  - ii. Using sexual language in the presence of minors.
  - iii. Engaging in any inappropriate physical contact with a minor, as defined by Section 13.4 of this Policy.
  - iv. Using alcohol or illegal drugs.
- b. It is absolutely forbidden to require minors to keep secrets from their parents or to make a vow of secrecy about what happens during the trip. However, it is permissible to instruct minors to respect the privacy of others by not revealing personal or private information about them.
- c. It is absolutely forbidden under any circumstances during a trip for minors to be physically restrained or deprived of their ordinary senses in any way (e.g., blindfolded, kept in darkness), subjected to any humiliating or demeaning treatment (e.g., any form of hazing), or deliberately frightened.



- d. A minor may never ride in a vehicle alone with an adult, except for their parent, or another adult family member. In transporting minors, two adults should be present in each vehicle; if that is not possible, the minimum required is one adult and two or more minors.
- e. One-on-one private contact between adults and minors is not permitted (except as required for spiritual counseling or the Sacrament of Confession). If a personal meeting is required with a minor, it must be conducted in view of other adults and minors.
- f. An adult may not engage in any private direct electronic communication with an unrelated minor (e.g., text messaging, phone calls), unless it is necessary for safety (e.g. to contact a lost child).
- g. A lone adult may never enter a shower, changing room, or bathroom being used by a minor, except in the case of an emergency to ensure safety or health, or to preserve order.
- h. Adult leaders must ensure that they are fully familiar with the safety plan for the facility (e.g., fire exits, boundaries, etc.), and must give the event participants a briefing on safety plans.
- i. Minors are not permitted to transmit, via any form of electronic communication, any photographs, images, or any other media that depict participants in any situation that reasonably might cause embarrassment, humiliation, or distress to the person depicted.
- j. Minors are not permitted to leave the location where the event is taking place, except as part of a group that is under the direct supervision of at least one adult.
- k. There must be separate bathrooms, changing rooms, and showers for males and females.
- l. A minor may only use the appropriate facilities that conform to his or her biological sex.

## **14 Overnight Events**

Overnight events are generally discouraged, because of the difficulties involved in supervising and protecting minors in such situations. For any overnight events (e.g., trips or retreats) that are approved and are carried out by any Archdiocesan institutions or programs, or are held at Archdiocesan facilities, the following rules must be followed:

### **14.1 General provisions**

- a. Children who have not yet begun 9<sup>th</sup> grade may not participate in an overnight event.
- b. All minors on overnight events must have a signed permission slip from a parent. (Note that the term "parent" shall include a legal guardian.)
- c. Parents must be permitted to contact their children at any time during the event, and to withdraw their children from the event at any time and for any reason.
- d. Parents are entitled to be fully informed of all activities that will take place during the overnight event.
- e. Minors must be able to contact their parents at any time during the course of the trip.

### **14.2 Adult participants**

- a. A minimum of two adults, at least one of whom is 21 years of age or older, are required on all overnight events involving minors.
- b. All chaperones must be in full compliance with the Safe Environment requirements prior to the event.
- c. All priests and deacons participating in overnight events must have current valid faculties from the Archdiocese of New York.

### **14.3 Conduct during overnight events**

- a. All participants must conform to the Archdiocesan Code of Conduct and the Safe Environment Policies. This includes, but is not limited to, the following conduct:
  - i. Any kind of sexual conduct involving a minor.
  - ii. Using sexual language in the presence of minors.
  - iii. Engaging in any inappropriate physical contact with a minor, as defined by Section 13.4 of this Policy.
  - iv. Using alcohol or illegal drugs.
- b. It is absolutely forbidden to require minors to keep secrets from their parents or to make a vow of secrecy about what happens during the event. However, it is permissible to instruct minors to respect the privacy of others by not revealing personal or private information about them.
- c. It is absolutely forbidden under any circumstances during an overnight event for minors to be physically restrained or deprived of their ordinary senses in any way (e.g., blindfolded, kept in darkness), subjected to any humiliating or demeaning

- treatment (e.g., any form of hazing), deprived of a reasonable amount of sleep, or deliberately frightened.
- d. A minor may never ride in a vehicle alone with an adult, except for their parent or another adult family member.
  - e. In transporting minors to and from an overnight event, two adults should be present in each vehicle; if that is not possible, the minimum required is one adult and two or more minors.
  - f. One-on-one private contact between adults and minors is not permitted. If a personal meeting is required with a youth, it must be conducted in view of other adults and minors.
  - g. An adult may not engage in any private direct electronic communication with an unrelated minor (e.g., text messaging, phone calls), unless it is necessary for safety (e.g. to contact a lost child).
  - h. A lone adult may never enter a bedroom, shower, or bathroom being used by a minor, except in the case of an emergency to ensure safety or health, or to preserve order. Routine room checks may never be conducted by a lone adult.
  - i. Adult leaders must ensure that they are fully familiar with the safety plan for the facility (e.g., fire exits, boundaries, etc.), and must give the event participants a briefing on safety plans.
  - j. Minors are not permitted to transmit, via any form of electronic communication, any photographs or images of other participants in any stage of undress, or in any situation that reasonably might cause embarrassment, humiliation, or distress to the person depicted.
  - k. Minors are not permitted to leave the location where the event is taking place, except as part of a group that is under the direct supervision of at least one adult leader.

#### **14.4 Sleeping and Other Accommodations**

- a. There must be separate bedrooms/sleeping areas, bathrooms, and showers for males and females.
- b. Males and female participants may not sleep in connecting rooms.
- c. No minor is permitted to sleep in a bedroom with an adult, except in the case of a minor sleeping in the room of their own parent or guardian.
- d. In dormitory-style facilities, minors and adults, and males and females, must have separate areas.
- e. Dormitory areas must be overseen by at least two adults.
- f. Male and female adults may not share a private bedroom unless they are joined in a valid Catholic marriage, adult siblings, or a parent with an adult child.
- g. A minor must be assigned to and may only use the accommodations or facilities that conform to his or her biological sex.

## **15 Remote or Virtual Activities**

### **15.1 Principle**

Many activities involving minors are being conducted in a virtual or remote environment. It is imperative that sound child protection principles be translated into this environment.

### **15.2 Definition**

"Remote or virtual activities" shall mean any program or activity involving contact with minors that do not take place with physical presence, but instead are conducted through the use of technology. This includes but is not limited to remote learning classes, virtual meetings, online or livestreamed events, and conference calls.

"Virtual platform" shall mean any form of electronic communication that permits interaction between participants, including, but not limited to conference calls and online applications such as Zoom, Skype, Google Classroom, Facebook, Microsoft Teams, etc.

### **15.3 General Application of Safe Environment Policies**

All Safe Environment policies and all codes of conduct must be followed during any remote or virtual activity. Specific reference is made to Chapters 6 (Archdiocesan Policy on Sexual Misconduct and the Code of Conduct), 12 (Electronic Communications, Internet and Computer Use), and 13 (Maintaining Proper Professional Boundaries) of these Safe Environment Policies.

### **15.4 Specific Policies**

- a. All remote or virtual activities must be conducted through an official account of an Archdiocesan institution. No personal accounts shall be used.
- b. Access to remote or virtual activities must be controlled by the adult who is conducting them or the responsible administrator
- c. Remote or virtual activities must only be open to persons who are specifically invited and approved by the adult conducting them (e.g., by using a "waiting room" to screen and admit participants).
- d. Minors who are participating in the remote or virtual activity should be given a secure password to access the activity. If the activity is recurring, the password should be periodically changed.
- e. The responsible administrator of the institution must have administrator and log-in rights to the virtual platform being used.
- f. The responsible administrator of the institution must be notified of and be able to access any remote or virtual activity that is being conducted.
- g. There shall be no private one-on-one communication between an adult and a minor during a remote or virtual activity, except as provided below.
- h. The adult conducting the remote or virtual activity shall disable any function that permits minors to directly communicate with each other, if possible.
- i. The adult conducting the remote or virtual activity shall ensure that any comments or

- chat are visible to all participants in the activity.
- j. The adult conducting the remote or virtual activity shall ensure that they are the only person permitted to share their screen with the other participants. The adult should ensure that nothing private or inappropriate will be shared from their screen (e.g., other open tabs, icons or images on the desktop, etc.).
  - k. Parents must give permission for minors to participate in remote or virtual activities and must be able to supervise the minor's participation in the activity.
  - l. Remote or virtual activities should be recorded. Recordings may not be saved on a personal computer and may never be shared with anyone without the permission of the responsible administrator. Participants and their parents must be informed that the session will be recorded.
  - m. The adult conducting the activity and the responsible administrator have the authority to exclude any person from a remote or virtual activity at their unlimited discretion.
  - n. Rules of behavior should be established for the minors participating in the activity. Specific attention should be paid to how the minor is dressed, the location and background where the minor is participating, and the conduct of other persons who are at that location. The adult conducting the remote or virtual activity should also be attentive to these matters.

### **15.5 Exception for Professional Counseling**

One-on-one communication between an adult and a minor by means of a virtual platform is permitted only:

- a. When the adult is a professional counselor;
- b. The communication involves providing professional counseling to the minor;
- c. The counselor's supervisor approves of the communication and provides regular supervision and review;
- d. The communication takes place through an official account or virtual platform of the Archdiocesan institution or agency; and
- e. The counselor follows all protocols required by their agency and any relevant governmental body (e.g., regarding notice to or consent by the minor's parent).

### **15.6 Response to Signs of Abuse or Maltreatment**

Adults conducting any remote or virtual activity must be vigilant for any signs of abuse or maltreatment. If any Archdiocesan personnel have reasonable cause to believe that a minor is the victim of abuse or maltreatment, they shall immediately:

- a. Call 911 if the child is in imminent danger;
- b. Notify their supervisor;
- c. Report the matter to the New York State Child Abuse Hotline and to the appropriate police agency;
- d. Notify the Safe Environment Office or the Office of Legal Affairs.