

**Compliance Plan For
The Protection of Children,
Adolescents,
and
Vulnerable Adults**

**St. Patrick Roman Catholic Parish
and
St. Michael Mission
Bisbee, Arizona**

Revised 04MAR14

**COMPLIANCE PLAN FOR THE PROTECTION OF CHILDREN,
ADOLESCENTS, AND VULNERABLE ADULTS
St. Patrick Roman Catholic Parish / St. Michael Mission**

Date: 04MAR14

Memorandum to: Most Reverend Bishop Gerald F. Kicanas, Bishop of Tucson
c/o Dr. Rosemary Celaya-Alston, M.A., Ed D., Director, Office of Child, Adolescent
and Adult Protection

Reference: Guidelines for the Prevention of and Response to Sexual Misconduct

Subject: **COMPLIANCE PLAN FOR THE PROTECTION OF CHILDREN,
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St. Patrick Roman Catholic Parish witnesses herewith to its solidarity with all the parishes of the Diocese of Tucson in the common commitment to protect the children, adolescents, and vulnerable adults of the parish community from harm.

I hereby attest that I have reviewed the St. Patrick Roman Catholic Parish plan for compliance and believe that is consistent with the Diocese of Tucson Code of Conduct, and Guidelines for the Prevention of and Response to Sexual Misconduct, as adopted by the parish.

I further attest that I will personally review this Plan as circumstances change, no less often than once per year. A revised Plan will be submitted no more than 13 months after the date on which this document was prepared. If there are no revisions, a dated and signed statement to that effect will be submitted in lieu of the Plan. In adherence to canonical law and in communion with the Bishop of Tucson, I also attest that all supporting information that bears on implementation of the Plan will be maintained and ready for review by the Parish Corporate Board of Directors, by the Diocese of Tucson Department of Human Resources and the Office of Child, Adolescent and Adult Protection or any other person delegated authority to review those records by the Ordinary of this diocese.

Attested to:

Deacon Tony Underwood,
Pastoral Administrator

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SECTION I - Introduction

This Plan is adopted by St. Patrick Roman Catholic Parish - Bisbee, Arizona to meet or exceed the minimum requirements recommended by the Diocese of Tucson for an effective plan to prevent the abuse or mistreatment of children, adolescents and vulnerable adults.

Parish Contact Information:

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Compliance Officer:

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Record System

The parish will employ a four-tiered record system.

1. A personnel file will be maintained for each employee and volunteer. The file will contain the application for employment or volunteer status and materials associated with the review of that application with regard to accuracy and appropriateness for the position. It will also contain the results of the criminal history background check. A separate file will be maintained in a separate location to record any disciplinary actions or reports made to law enforcement. The files of each employee and volunteer are considered privileged information. They will be maintained in locked cabinets with access limited to the pastor, any administrative personnel designated by the pastor, and the compliance officer. These files will also be made available to appropriate diocesan personnel who are delegated by the Ordinary to audit the parish.
2. A sign-in sheet will be maintained for each education session conducted by the parish. The sign-in sheet will include the name of the speaker, the subject, the duration of the program and its location. Each attendee will print his or her name and designate his or her role in the parish. If an Attestation is signed by the employee or volunteer following the educational session, it will be placed in the personnel file referenced above.
3. A log of education programs will be maintained. The log will be organized by date. It will include also the name of the speaker, the name of the program, and the target audience.
4. A spreadsheet will be maintained for all employees and volunteers. The spreadsheet will include the name of the individual, designation as employee or volunteer, and designation of the role occupied as high or low risk (with or without independent influence over or access to minors or vulnerable adults). There will also be columns for critical elements of the file (e.g., application) and critical dates (e.g., criminal history background check materials sent to diocese, conditional

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clearance received, year of renewal of criminal history background check, initial education/orientation to safe environment program, most recent education session/completed attestation).

The parish will also construct and maintain each academic year a list of students in religious education, youth group and the like. The list will be organized by class or group. There will be a column after the name to indicate whether or not that student has received personal safety education or whether the student's parents expressly refused that education.

SECTION II - Orientation, Diocese of Tucson Code of Conduct and the Summary Statement of The Guidelines for the Response to and Prevention of Sexual Misconduct.

Each new employee or volunteer entered into ministry or service in the parish will have gone through a systematic process of screening appropriate to the responsibility/risk associated with the position he or she is to occupy.

At the end of that process, if the individual is accepted for ministry or service pending successful completion of the criminal history background check, an orientation to the Safe Environment Program, which has been adopted by the Parish, will be carried out.

The Orientation consists of the following elements. The individual is instructed in the Safe Environment Program of the Diocese of Tucson, which has been adopted by the Parish. The Code of Conduct and the Summary of the Guidelines for the Prevention of and Response to Sexual Misconduct are presented in writing and they are elaborated in an oral presentation. The oral presentation is done in person or through the video program provided for the purpose by the diocese. In either case, the mandated reporting law of the State of Arizona, adherence to which is a critical element of a safety plan, is given prominent attention. Following the orientation, the employee or volunteer is asked to sign an Attestation, which is a concrete statement that he or she has understood and agrees to abide by the law of the State and the policies of the diocese as adopted by the Parish to prevent harm to minors, adolescents and vulnerable adults. The Attestation is placed in the personnel file and noted as completed on the spreadsheet.

SECTION III – New Volunteers

A volunteer is a person who works one or more days per month on a regular basis.

Volunteers are categorized according to role. Roles may be classified as having high responsibility for others and, therefore, high risk (Category 1) or as having low responsibility for others and, therefore, low risk (Category 2).

A volunteer may also be classified as Category 1 because of other types of responsibility or risk (e.g., handling parish money, handling privileged documents, transporting others).

The following categories of volunteers are classified as roles of high responsibility and therefore of high risk.

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Compliance Officer, All Clergy, Religious Education Teachers, Youth Ministers, Eucharistic Ministers to the Homebound, RCIA Leaders, Sacristans, Altar Server Leaders, Fiesta Leadership Team, Finance Council Members, and St. Vincent de Paul Conference Leaders, Detention Ministers and those serving in more than one ministry.

(Detention Ministers are all screened by the institutions in which they provide service).

These categories of volunteers are classified as high responsibility/risk because they have independent access to or influence over minors, adolescents or vulnerable adults. This access may be due to the specific nature of the ministry or service or because of the general prominence of the role. In addition, some roles are classified as high responsibility/risk for other reasons, including but not limited to authority to handle money, secure documents or transport others.

The following categories of volunteers are classified as roles of low responsibility and therefore of low risk.

Lectors, Eucharistic Ministers serving only in public liturgies, Ushers, Music Ministers, Landscapers and Maintenance Volunteers, Office Volunteers, Bingo Volunteers and Pastoral Council Members, Women's Club members, K od C Council members.

To be considered as a volunteer for the parish, any candidate must:

- Complete the application form (for anyone undergoing a criminal history check, this must be the standard Application for Ministry & Volunteer Service; low-responsibility volunteers may use the approved abbreviated form)
- Sign the Permission to Obtain Information for reference and fact checking
- Go through one or more interviews
- Be oriented to the Safe Environment Program (as noted in Section II)
- Sign the Attestation
- Be oriented to the service or ministry to be provided

Any volunteer who is being considered for a position of high responsibility/risk must also:

- Sign the Permission to Obtain Information allowing a criminal history check and any other such checks that are determined by the parish to be relevant to the role
- Submit fingerprints for the criminal history background check

No volunteer can be placed in independent ministry or service until the above materials have been submitted and the screening and educational processes are concluded.

SECTION IV – New Employees

All employees, whether full or part time, are required to go through the following process:

- Complete the Application for Employment form

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- Complete the Permission to Obtain Information form (to allow reference checking, fact checking, the criminal history background check and any other such checks that are determined by the parish to be relevant to the role)
- Go through one or more interviews
- Submit fingerprints for the criminal history check
- Be oriented to the Safe Environment Program (as noted in Section II)
- Sign the Attestation
- Be oriented to the ministry or service to be provided

No employee can be put into ministry or service until this information is collected, the educational program is completed and a conditional clearance is received from the Department of Human Resources of the Diocese of Tucson, a service provided to the Parish by the Diocese of Tucson.

SECTION V- Other employment and volunteer situations

Those applicants for employment that have been rejected will be sent an appropriate applicant rejection letter by the parish hiring authority in accordance with the current employment process.

Agencies with which the parish contracts for recurring services will be required to demonstrate that they have risk mitigation strategies that meet the diocesan standard as adopted by the Parish.

Individuals who are engaged as contractors rather than employees will be managed according to the risk and responsibility their work entails. Contractors whose work involves independent access to or influence over minors or vulnerable adults will be expected to undergo the same type of screening as applied to employees and high-responsibility volunteers. Those whose work does not involve such access but who have access to confidential information or monies will also undergo this type of screening. Those contractors whose work is classified as low risk and responsibility will undergo the type of screening that is used for low-responsibility volunteers.

Individuals or firms engaged to perform intermittent or time limited services on an irregular basis will be actively supervised during the time they are on the grounds. At no time should they be allowed to be around children, youth or vulnerable adults without this supervision.

Volunteers engaged to serve on an irregular basis will be adequately prepared as to the procedures of the parish to mitigate risk during the activity in which they are involved and should be actively supervised during the time of their service.

SECTION VI- Renewal of Criminal History Background Checks

Each employee and each volunteer required to undergo a criminal history background check must have that background check renewed. In the case of persons checked through the Diocese, the renewal occurs after five years. In the case of persons cleared by virtue of a check done by an approved agency, the renewal occurs upon expiration of the clearance card.

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Each affected employee and volunteer will be notified at the beginning of the year in which he or she must renew the criminal history background check. Since all reporting will be done at the end of the academic year, it will be optimal to conform the notice (and the deadline by which renewal must be accomplished) to the academic year.

If the employee or volunteer seeks to renew the criminal history background check by virtue of documentation of such a check by another agency, he or she must also demonstrate that the check is at least as stringent as that conducted by the Diocese of Tucson.

In addition, the documentation of the clearance itself must include:

- Date of clearance
- Type of clearance (e.g., law enforcement, teacher, etc.)
- Agency conducting the criminal history background check
- Expiration date of the clearance

Failure to submit the necessary material for this renewal by the end of the academic year will result in automatic suspension until the material is submitted.

SECTION VII- Response to Signs of Sexual Abuse

1. Any cleric, consecrated religious, employee or volunteer of the parish is expected to report reasonable suspicion of abuse of any minor, consistent with the mandatory reporting law of the State of Arizona.
2. The dual reporting protocol is recommended, in which reports are made both to local law enforcement (by calling 9-1-1) and to Child Protective services (888-SOS-CHILD or 888-767-2445). The latter call is especially important if a parent, guardian or other family member is the suspected perpetrator of abuse.
3. It is also mandatory to make a report of reasonable suspicion of abuse, exploitation or neglect of an elder or an adult considered under the law to be vulnerable. Call Adult Protective Services (877-SOS-ADULT or 877-767-2385). In case of emergency, call law enforcement (9-1-1).
4. After a report is made, the Office of Child, Adolescent and Adult Protection (OCAAP) of the Diocese of Tucson must be notified (520-792-3410, ext. 1013).
5. The person making the report should write out a succinct summary of what gave rise to the concern and when/to whom the report was made.
6. The person making the report and the pastor or his delegate should also keep a log of the report and of follow up actions taken at the direction of these agencies or otherwise.
7. Suspected abuse of a minor or vulnerable adult or any other criminal behavior is not the only situation in which action is expected. Any suspected or observed
 - a. violation of the norms of appropriate or prudent conduct,
 - b. with minors, vulnerable adults or any adult with whom a cleric, religious, employee or volunteer is in a ministerial relationship,
 - c. as established in the Code of Conduct and/or the Guidelines for the Prevention of and Response to Sexual Misconduct,
 - d. should be reported to the Pastor and/or the Compliance Representative.

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8. If an adult reports sexual misconduct when he or she was a minor by a priest, deacon, or any worker in the church, no matter how long ago it is reported to have occurred, a report will be made to the OCAAP, which will make a report to the Cochise County Attorney's Office.
9. The person making such a report should be encouraged to report it independently to the Cochise County Attorney's Office or to local law enforcement. If the individual would like to have counseling assistance, he or she should be instructed to call the Victim Assistance Program (800-234-0344).
10. An adult making any other kind of report of sexual abuse as a minor should be encouraged to make an independent report to law enforcement.
11. All such complaints will be investigated internally and reported to the Department of Human Resources and/or the Office of Child, Adolescent and Adult Protection of the Diocese of Tucson. This aspect of the policy includes any inappropriate behavior, dress, attitude, language, or improper use of the computer.
12. The purpose of a report is not to summarily judge the person suspected of inappropriate conduct; it is to initiate an internal investigation that will make clear what actually happened. Therefore, as much as possible, confidentiality (beyond those with a genuine "need to know") with respect to the person accuse should be maintained.
13. In addition, as much as possible, the identity of the person making the allegation should be protected; however, in the course of many investigations it is necessary to directly or indirectly reveal the identity of the person making the report in order to allow the accused to make a response.
14. The results of the investigation will either clear the individual against whom the allegation has been made or point to what type of corrective action must to be undertaken to prevent harm to those served, to the individual accused and to the parish.
15. It is a difficult thing to make a report. For that reason, it is important to be clear that any person making a good faith report will not be subject to any adverse consequences. No retaliatory action of any kind should be tolerated.

SECTION VIII – Supervision

It is the policy of the parish to develop written "standing operating procedures" (SOPs) for all areas of ministry and service involving minors or vulnerable adults.

SOPs are rules for handling one's self in the situations typical of a particular ministry. They reflect the most prudent manner of behaving in such situations.

Prudence in ministry or service acknowledges the importance of the mission but asserts that the mission can be accomplished without exposing the one being served, the one serving or the parish to undue risk of harm.

Each employee and volunteer is expected to know and adhere to the SOP applicable to his or her ministry or service. Failure to adhere to SOP will be cause for review and possible disciplinary action, up to and including removal from the ministry or service in question.

The key elements underlying all SOPs are as follows.

- Persons with a history of sexual misconduct with a minor cannot be employed or engaged in service or ministry a volunteer.

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- An employee or volunteer should not be alone with a minor other than his or her own children. If the situation is unavoidable due to emergency or unavoidable conditions, the employee or volunteer should call another person on the team to seek assistance and/or to document the occurrence at the time it is happening.
- Any outing with youth should include an adequate number of adult chaperones who have undergone the screening process and an SOP for them to follow. This rule is especially important when an overnight stay is included.
- Minors in volunteer service are not immune from the need to follow rules of prudent behavior. Minors can offend other minors and are also vulnerable to false allegations.
- Minors being served should be given clear rules for behavior during any class or group, especially if this includes an outing of any type.
- An employee or volunteer should avoid meeting with anyone he or she is serving in isolated circumstances or at odd hours. Visits to the home of a person being served or visits by the person being served to the home of the employee or volunteer are high risk events and should never be done without the company of another employee or volunteer.
- Behavior that singles out any one person among those served may signal increased risk and certainly invites misinterpretation.
- The more responsible the role of the employee or volunteer, the more risk is associated with the role. Such an employee or volunteer must learn to carry himself or herself as a public figure within the parish community.
- Dress appropriate to the role is an important aspect of carrying one's self as a public figure.
- Appropriate speech is equally important in maintaining one's self as a person who is in service to others.
- Touch must be done with discretion and with respect for the comfort of the person being touched. Touch that might reasonably be construed as romantic or sexual is never appropriate.
- Prudent behavior includes interpersonal boundaries. Maintaining healthy interpersonal boundaries requires sensitivity to the reactions of others and awareness of one's self. Ongoing education to enhance interpersonal sensitivity is critical for any employee or volunteer in a role of high responsibility and risk.
- Accountability is not the enemy of privacy, but of secrecy. Secrecy is the breeding ground for abuse. Accountability includes being "visible" with respect to what, when, where and how a ministry or service is being provided. Any employee or volunteer is expected to be accountable regarding his or her activities.

SECTION IX- Computing Policy

Any use of computing facilities of the parish for unlawful action will, when discovered, be reported to law enforcement. The parish will fully cooperate with authorities to provide any information necessary.

All computing facilities of the parish are subject to unannounced audits and will be audited whenever there is a change in the regular user of a particular computer.

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Any individual user of parish computing facilities is expected to establish password protected access to his or her computer or, in the case of a shared computer, a password protected individual user profile.

SECTION X – Education Plan

All employees and volunteers will participate in education regarding the Safe Environment Program at least once every three years.

More frequent education for high-responsibility volunteers will be provided in the context of their ongoing education program. This education will include information regarding any changes in diocesan policy or the mandatory reporting law of the State of Arizona, interpersonal boundaries, recognizing dangerous situations, and responding appropriately to reduce risk or stop abuse. There will also be opportunity to discuss particular cases, brought out as examples by individual employees or volunteers or by parish leadership, that will bring out nuances and difficulties in recognizing potential abuse and/or making a report.

Education of low responsibility volunteers may be more basic in content than that provided to high responsibility volunteers; however, the education of low responsibility volunteers should emphasize at a minimum the Mandatory Reporting Law and the Code of Conduct.

Each employee and volunteer will sign an Attestation at the end of the educational session. The Attestation will be placed in the personnel file and noted on the spreadsheet.

Any employee or volunteer who has not completed and documented the re-educational requirement by the end of three years will be suspended from active ministry or service until it is completed.

Children and youth will, in the course of their religious education or other group activity, be offered annual education in personal safety. This education will be carried out using the Personal Safety Curriculum for Children and Youth of the Diocese of Tucson or another approved program. The goal is to reach at least 90% of the children and youth, excepting those whose parents refused such education on their behalf, with personal safety education.

Parents will be given the right of refusal of this education for their children. Refusal forms, completed by the parents or by the person to whom the refusal was given orally, will be maintained at the parish. Those parents who refuse such education for their children will be given educational material with which to educate their own children.

Parents and Grandparents as well as all other adults in the parish community will be offered education in how to maintain a safe environment for their children, how to respond to reports of abuse and what are the policies of the Diocese of Tucson as adopted by the Parish with respect to maintaining a safe environment for children and youth. This education may be offered in the form of particular programs, in the form of homilies or special announcements, as bulletin inserts or in the course of other parish events. The goal ultimately is to enhance awareness of all in the parish community regarding safety issues for

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children, youth and vulnerable adults in the parish and in the larger civic community and to encourage participation in parish and civic efforts to prevent harm.

Documentation of all educational sessions will be maintained at the parish in the form of the educational log, log of planned sessions, sign-in sheets, class lists, spreadsheet and personnel files.

SECTION XI – Audits

The parish will make a report annually to the diocese in the month of July. The report will include information necessary to document the implementation of the education and screening components of the prevention plan.

Additional information may be requested by the relevant diocesan offices, as necessary to meet the expectations of the audits sponsored by the USCCB.

The parish will maintain records as outlined in Section I and referenced throughout the plan. These records will be available to persons delegated by the Ordinary to audit on-site the performance of the parish with respect to the Safe Environment Program.

Supplemental Information

A number of resources are available on the diocesan website. The Resource Page and the Support Page can be located by navigating to www.diocesetucson.org/SEP.html.

The Support Page has links to the Code of Conduct and the Summary Statement of the Guidelines for the Prevention of and Response to Sexual Misconduct, available in Spanish and English. It also has a link to the full Guidelines and downloadable files for the three types of Application.

The Resource Page has some of the same material, but also includes handouts in Spanish and English explaining the basics of the mandated reporting law.

It also lists many educational tools for children and youth, parents, employees and volunteers and parish leaders.

Additional materials are available in the Compliance Officers Toolbox, www.diocesetucson.org/cot.php.

The pastoral center also has available the following.

- Sample spreadsheets in Excel format, developed at various parishes
- Sample computer policy, developed at San Martin de Porres Parish
- Sample sign-in sheets for educational sessions
- Educational Log
- Attestations in Spanish and English
- Notes regarding which volunteers should be subject to criminal history background checks