

# Diocese of Sioux City

## Safe Environment

### Code of Conduct



#### Safe Environment Components

- Safe Environment Policy of the Diocese of Sioux City
- Code of Conduct and Ethical Standards for All Those Who Minister on Behalf of the Church
- Background Check Policies and Procedures
- VIRTUS® Protecting God's Children© Awareness Program for Adults

*Updated January 2014*

## Dear Friends in Christ,

As the Bishop of the Catholic Community of the Diocese of Sioux City, I am committed to the Safe Environment Program present in our Diocese. The goal of this program is to help insure that all children and young people feel safe, as they come to our programs designed to help them grow in their Catholic faith and in the love and knowledge of Jesus Christ in our parishes and schools. All those who work with them including priests, teachers, catechists, volunteers, employees, and parishioners and others must understand that we have a sacred responsibility to provide a safe place for children and young people.

The policies and practices outlined in this booklet include important information about our belief that the Roman Catholic Church of the Diocese of Sioux City must maintain and support a comprehensive plan to insure that all children are protected and safe. As Bishop of our diocese, I join the efforts of many other parish and school leaders who work daily to insure that all of our programs are staffed with persons who care deeply about the welfare of our children and youth.

Jesus said, "Let the children come to me." Join me in our efforts to make sure that all children who come to Christ in our churches, schools and organizations do so in an environment that is safe, holy and respectful for them.

Your brother in Christ,



The Most Reverend R. Walker Nickless

Bishop of Sioux City

## **General Contact Information**

To report Child Abuse (Child Abuse Hotlines) Iowa 1-800-362-2178

Nebraska 1-800-652-1999 • South Dakota 1-866-847-7338 • Minnesota 1-800-369-7994

Or call 911

### ***Victims Assistance Coordinator (contact for adults who suffered abuse)***

Angela Mack—Mercy Child Advocacy 1-866-435-4397 or 801 5th St 279-5610 in Sioux City

### ***Diocesan Safe Environment Coordinator***

Colleen Sulsberger

712-233-7517

### ***Claims/Risk Manager***

Mark Wetz

712-233-7559

# The Safe Environment Program of the Diocese of Sioux City

In response to the Charter for the Protection of Children as adopted by the United States Conference of Catholic Bishops in Dallas in June of 2002, the Diocese of Sioux City has created a safe environment program certification process that includes four aspects:

1. The Safe Environment Policy of the Diocese of Sioux City
2. The Diocese of Sioux City Code of Conduct for All Those Ministering on Behalf of the Church
3. Comprehensive diocesan-run background checks required for
  - All existing and new employees of the Diocese and entities associated with the Diocese
  - All existing and new volunteers who have regular contact with children
  - Prospective parish lay directors appointed after 7/1/2010
4. "Protecting God's Children", (VIRTUS® class) an educational awareness class designed to
  - Increase awareness of child sexual abuse
  - Understand a 5-step process to prevent child sex abuse from occurring in our schools and parishes
  - Allow you to commit to being a part of a community that will protect all of God's children
  - Provides monthly continuing education bulletins to educate and inform recipients about the issue of child sexual abuse

All employees, full or part time, of the diocese, parishes or schools are required to participate in and comply with all four aspects of the Safe Environment Program, regardless of the amount of contact with children they have in the course of their employment with the diocese. Volunteers must also comply with all four aspects of the Safe Environment Program except those volunteers whose service does not bring them into contact with children, or whose contact with children is extremely infrequent, defined as less than once per month. These "limited contact volunteers" still are encouraged to take Virtus training and to read the monthly CE bulletins.

Parish lay directors should attend Virtus training within 90 days of their appointment. Although directors do not work with children, as leaders in their parish communities, they should be aware and supportive of the diocese's efforts to protect children through education of those adults who will be working with children.

Volunteers who work with children one time, such as chaperones for single events, or drivers for field trips, must be accompanied by fully certified diocesan volunteers or employees during the event.

Drivers who transport children to school or parish events must provide personal vehicle insurance information and complete a background check that includes driving records.

# POLICY OF THE DIOCESE OF SIOUX CITY

*Adopted: July 18, 2003*

*Revised: January 1, 2014*

## **Preamble**

Recognizing the gravity of sexual abuse of a minor, the Diocese of Sioux City hereby pledges to facilitate rapid intervention whenever an allegation of sexual abuse of a minor by a member of the clergy, an employee or a volunteer of the Diocese is received. Sexual abuse, when it occurs within the context of the church, creates a tragic reality that misrepresents the Good News to those who have been victimized.

## **Purpose**

This policy is designed to reach out to victims of sexual abuse with compassion and sensitivity and to assure the safety of minors in the church community. Equally important, this policy provides a framework for reporting and responding to allegations of sexual abuse of a minor by a member of the clergy, an employee or a volunteer of the Diocese.

## **Definitions**

The term “sexual abuse of a minor” shall also include Sexual Exploitation of a Minor, Chapter 728.12 of the Code of Iowa, Child Pornography, Chapter 728.14, Kidnapping, Chapters 710 and 710.2, Child Endangerment, Chapter 726.6, Sexual Abuse, Chapters 709 and 614.1 (12), Indecent Acts & Conduct, Chapters 709.8, 709.9, and 728.5, Lascivious Acts & Conduct, Chapters 709.8 and 709.14, Obscenity, Chapters 728.14 and Dissemination, Chapters 728.2, 728.3, and 728.15.

*Church Leader*—any person, volunteer or employee, who works with a program or entity that promotes the overall mission of the Diocese of Sioux City or any of its parishes and entities.

*Cleric*—Any member of the clergy; that is a bishop, priest or deacon working on behalf of the Diocese or any of its parishes and entities.

*Diocese*—The Roman Catholic Diocese of Sioux City, including, but not limited to, parishes, schools, agencies and institutions with direct accountability to the Bishop of the Diocese of Sioux City. *Employee*—any person who receives compensation for their labors on behalf of the work or ministry of the Diocese of Sioux City or any of its parishes and entities.

*Diocesan Review Board*—A confidential consultative body to the Bishop with the majority of its members being laypersons, none of whom are employees of the Diocese. The Review Board will advise the Bishop in his assessment of the allegations of sexual abuse of minors and in his determination of suitability of the accused clergy for ministry.

*Victim Assistance Coordinator* —The Diocese will employ a person (or persons) to serve as the first point of contact for those who claim to have been sexually abused as minors by a cleric. This person will be responsible for coordinating assistance for the immediate pastoral care of victims.

*Administrative Leave*--Temporary suspension of all pastoral and administrative duties pending the resolution of allegations.

*Allegation of Sexual Abuse*—Claim of sexual abuse by the victim, parent of the victim, guardian, trusted adult or other person who has reasonable knowledge of the claimed abuse.

*Canon law*—Canon law is the body of laws and regulations made by or adopted by ecclesiastical authority, for the government of the Roman Catholic Church and its members. Insofar as it pertains to this policy, canon law will be applied according to the prescriptions of law provided within The Code of Canon Law and the Essential Norms for Diocesan/ Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons of the United States Conference of Catholic Bishops.

## **Reporting Abuse**

1. When a minor feels that an incident of sexual abuse has occurred, he or she should tell a trusted adult. Any person who has reasonable knowledge of an alleged incident of sexual abuse should report it by calling the child abuse hotlines at

**1-800 362-2178 in Iowa**                      **1-800-652 1999 in Nebraska**  
**1-866 847 7338 in South Dakota**              **1-800 369 7994 in Minnesota**  
**Or call 911**

2. Adults who suffered abuse by a member of the clergy or someone who works with the Catholic Church should contact the office of the Victim Assistance Coordinator, Mercy Child Advocacy Center 279-5610. Toll Free 1-866-435-4397.

3. In every instance, the Victim Assistance Coordinator will advise victims of their right to make a report to civil authorities. In addition, the Victim Assistance Coordinator will report all allegations to the Bishop of the Diocese of Sioux City.

4. The Bishop will refer an allegation of sexual misconduct with a minor to the Diocesan Review Board and it is the responsibility of the Bishop or his designee to report the allegation to the appropriate county attorney.

5. The Diocese will cooperate with the county attorney in any criminal investigation.

6. If an allegation involves a member of the clergy, the Bishop or his designee will inform the cleric that he has been named in an allegation of sexual abuse. The Bishop will advise the cleric of his right to civil and canonical representation. The Bishop will abide by church law and civil law to ensure due process.

7. The Bishop or his designee shall conduct an investigation into the allegations, with the assistance and advice of the Diocesan Review Board. A neutral fact finder may be used.

8. During the investigation the Bishop may impose appropriate restrictions upon the cleric, including administrative leave.

9. If the allegation involves an employee or volunteer of the diocese, the Bishop or his designee will inform the employee or volunteer that he/she has been named in an allegation of sexual abuse. The Bishop will abide by civil law to ensure due process.

10. The Bishop or his designee shall conduct an investigation into the allegations, with the assistance and advice of legal counsel. A neutral fact finder may be used.

11. During the investigation the Bishop may impose appropriate restrictions upon the employee or volunteer, including administrative leave.

12. A cleric, an employee or a volunteer of the Diocese who has been accused of sexual abuse of a minor has the right to speak with the Bishop. Although he or she may admit the offense if he or she chooses, the accused cleric, employee or volunteer cannot be compelled to confess the offense or to say anything that would be self-incriminating.

13. When sexual abuse of a minor or of a dependent adult as defined by the State of Iowa, or acquisition, possession, or distribution of child pornography by a cleric, an employee or a volunteer of the Diocese is admitted or is established, the following will pertain:

- For even a single act of sexual abuse of a minor, the offending cleric, employee or volunteer will be permanently removed from active ministry and/or employment and a cleric may be dismissed from the clerical state, if the case warrants.
- In every case involving canonical penalties, the processes provided for in canon law must be observed. For the sake of due process, the accused is encouraged to retain the assistance of civil and canonical counsel.
- When necessary, the Diocese will suggest to a cleric that he obtain canonical counsel.

- Canon law provides for the following:
  - a. a request by the cleric for dispensation from the obligation of holy orders and the loss of clerical state, or
  - b. a request by the Bishop for dismissal from the clerical state even without the consent of the cleric.

14. While it is necessary to impose sanctions on offending clerics, the church remains committed to their spiritual welfare by giving them whatever fraternal support is possible within the limitations of their status. The church encourages continual prayers on their behalf within the Catholic community.

15. Within the confines of respect for the privacy and the reputation of the individuals involved, the Diocese will deal openly with members of the community, especially communities directly affected by ministerial abuse involving minors, in compliance with its communication policy. The Diocese will not enter into confidentiality agreements except for grave and substantial reasons brought forward by the victim and noted in the text of the agreement.

## **TO PROMOTE HEALING AND RECONCILIATION WITH VICTIMS OF SEXUAL ABUSE AS MINORS**

The first obligation of the church with regard to the victims is for healing and reconciliation. As a sign of its sincere commitment to their spiritual and emotional well-being, the Diocese will maintain an outreach program for every person who has been the victim of sexual abuse by a cleric, employee or volunteer of the Diocese whether the abuse was recent or occurred many years in the past.

This outreach may include medical care, counseling, spiritual assistance or other services agreed upon by the victim and the Diocese. In addition, the church encourages continual prayers for the victims within the Catholic community. In cooperation with social service agencies and other churches, support groups for victims and others affected by abuse will be fostered and encouraged in the Diocese and in local parish communities.

Through pastoral outreach, the Bishop or his representative may offer to meet with victims and their families to listen with patience and compassion to their experiences and concerns, and to share the "profound sense of solidarity and concern" expressed by our Holy Father in his Address to the Cardinals of the United States (April 23, 2002).

## **TO ENSURE THE ACCOUNTABILITY OF OUR PROCEDURES**

The Diocese of Sioux City will file a copy of this policy with the Office of Child and Youth Protection of the United States Council of Catholic Bishops (USCCB). Any subsequent revisions of this Policy will also be filed with the USCCB. That office is charged with providing oversight in the consistent application of these principles.

This policy will be reviewed on an annual basis by the Diocesan Review Board.

## **TO PROTECT THE FAITHFUL IN THE FUTURE**

The Sexual Abuse Task Force established the initial programs that promote safe environments for minors. The Bishop or his designees will collaborate with parents, clergy, educators and community resources to provide ongoing education and training for minors, parents, ministers, educators and others, concerning creating and maintaining a safe environment. The Bishop will provide for ongoing instruction to the clergy, employees and volunteers of the Diocese or any church/ school affiliated with the Diocese as to the Ethical Standards For All Those Ministering on Behalf of The Church.

The Diocese will employ adequate screening and evaluative techniques in determining the fitness of candidates for priestly or diaconate formation and those who are employed or volunteer in the ministries of the church.

The Diocese will evaluate the background of all clergy, employees or volunteers of the Diocese or any church/ school affiliated with the Diocese, utilizing the resources of law enforcement and other community agencies.

No cleric who has committed an act of sexual abuse of a minor will be transferred for ministerial assignment to another parish or Diocese. Likewise, no employees or volunteers of the Diocese or any church/school affiliated with the Diocese, who has committed an act of sexual abuse of a minor will be hired or allowed to minister within the parishes and schools of the Diocese.

Before any cleric may be transferred for residence or ministry to the Diocese of Sioux City, the Bishop shall receive written documentation from the cleric's bishop or major religious superior to determine suitability for ministry within the Diocese of Sioux City. The Diocese will seek appropriate references for lay employees and volunteers from former employers or those who have knowledge of their paid or volunteer work experiences.

Similarly, the Bishop of Sioux City shall provide written documentation for a cleric while assigned for ministry in the Diocese of Sioux City before that cleric may be transferred for residence in another diocese. When requested, the Bishop or his designee will provide another diocese with appropriate references for present and former employees.

If an allegation is made against a cleric from another Diocese or a member of a religious order who is ministering or has ministered in the Diocese, the Bishop will communicate immediately with that individual's bishop or major superior in order to coordinate their roles in the investigation of the allegation. The cleric may be requested to return to his home diocese or province.

Sexual abuse of a minor or a dependent adult is contrary to Christian morals and violates civil law. All those who minister on behalf of the church must comply with all applicable church, federal, state and local laws regarding incidents of actual, alleged or suspected sexual abuse as well as procedures outlined herewith. All who minister on behalf of the church shall sign an acknowledgement of receipt, understanding and acceptance of this Code of Conduct.

# CODE OF CONDUCT AND ETHICAL STANDARDS FOR ALL THOSE MINISTERING ON BEHALF OF THE CHURCH

*Adopted: October 17, 2003*

*Revised: January 1, 2014*

## **PREAMBLE**

As leaders in the Catholic Church, those who serve within our parishes, schools, and institutions as employees, volunteers, or clergy, hereafter referred to as Church Leaders, are expected to conduct themselves according to Catholic moral values, as taught in the Catechism of the Catholic Church. This Code of Conduct establishes a set of ethical standards for all those who minister on behalf of the Church as employees or as volunteers in the Diocese of Sioux City. These standards will help to delineate boundaries by which ethical questions can be evaluated.

Responsibility for adherence to this Code of Conduct rests with each person who serves the Church and the Diocese of Sioux City, either as an employee, member of the clergy, or as a volunteer. This Code is an adopted Policy of the Diocese of Sioux City and violation of the Code will result in disciplinary action by the appropriate authority up to and including termination of employment or removal from ministry.

## **General Principles**

Five key principles underlie the ethical stance of this code. The ethical church leader is one who embraces the principles of ecclesial commitment, integrity, competence, respect for others and personal well-being. Issues vital to the conduct of church leaders in each of these five areas are identified below:

*Ecclesial Commitment* means that one

- embraces the teachings of Jesus and works to promote the Gospel
- exhibits a deep commitment to the Church
- shows a commitment not only to the parish family, but also to the larger community in which the parish is located

*Integrity* means that one

- conducts oneself in an honest and open manner, free from deception or corruption
- handles the responsibilities of one's office in a conscientious fashion
- has a responsibility to set high moral standards and to lead by example

*Competence* means that one

- maintains a high level of professional competence in one's particular ministry through training, education and work experience
- knows one's limitations and provides service only in those areas in which one has competence

*Respect for Others* means that one

- respects the rights, dignity and worth of each member of the church community
- respects each individual as a creation of God without regard to economic status or degree of participation in parish life
- strives to be sensitive to cultural differences among people and to appreciate the opportunities that diversity brings
- understands that issues of aging, gender, race, religion, physical and mental limitations, and language all affect how the message of the Gospel is received and interpreted

*Well-Being* means that one

- attends to one's own human, spiritual, intellectual and pastoral well-being
- seeks help immediately when one identifies warning signs in one's own professional or personal life
- participates in seminars and workshops that are relevant to one's current ministry
- addresses one's own spiritual needs in order to remain focused in faith and in ministry
- nurtures in oneself the pastoral heart necessary to lead people in word, worship and service along with others in ministry, provides mutual support and affirmation in ministry and, at the same time, holds each accountable for his or her own physical, emotional and spiritual well-being

## **1. Conduct in Counseling**

*Church leaders who conduct counseling for families, individuals, or groups must respect their rights and advance the welfare of each person.*

1.1 Church leaders must not step beyond their competence in counseling situations and should make it clear what role they can provide to the counselee. Generally this should be focused on spiritual assistance, particularly in cases where the individual is already in a therapeutic relationship with a counseling professional.

1.2 Church leaders must ensure that no individual is subject to needless trauma or abuse within these interactions.

1.3 Church leaders must not disclose information learned from

counseling sessions. In the beginning of what is clearly a counseling relationship, the church leader must inform the counselee that confidentiality is limited when there is clear and imminent danger to the client or to others. In such cases, the church leader must contact the necessary authorities or other professionals.

1.4 Church leaders who move to another parish while conducting counseling with parishioners should help make appropriate referrals for continued care.

1.5 Physical contact with the counselee can be misconstrued. Great care should be taken in any physical contact beyond a handshake. Church leaders must never engage in sexual intimacies with those whom they counsel.

1.6 It should always be clear to both the church leader and the counselee that a counseling relationship is in process. This should be done when the counseling, is conducted in an appropriate setting and at appropriate times. A calendar or record of times and places of contacts should be kept. Counseling should not be done in an environment that is threatening or misleading to the counselee. Counselees should never be invited into the private living quarters of the counselor.

1.7 Church leaders assume the full burden of responsibility for establishing and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships.

1.8 Church leaders ordinarily do not begin a counseling relationship with someone with whom they have a pre-existing relationship (i.e., employee, professional colleague).

## **2. Conduct with Minors**

*Church leaders working with minors should use appropriate judgment to ensure trusting relationships marked by personal and professional integrity.*

2.1 Church leaders working with children and youth should use appropriate judgment to ensure an open and trustworthy relationship.

2.2 Church leaders must be aware of their own vulnerability and use a team approach to children and youth activities.

2.3 Physical contact beyond a handshake can be misconstrued by children, youth and adults, and should only occur under appropriate public circumstances.

2.4 Church leaders will refrain from the use of and the supply of alcohol, tobacco and illegal drugs when working with children and youth.

2.5 Church leaders will not share private, overnight accommodations for young people including, but not limited to, accommodations in any church-owned facility, private residence, hotel room, or any other place where there is no other adult supervision present. Sharing a dormitory style room is acceptable as long as two adults are present and with the approval of the Diocesan Safe Environment Coordinator.

2.6 Church leaders do not provide any sexually explicit, inappropriate or offensive material to minors.

2.7 Church leaders will not distribute or share personal contact information with children or youth including, but not limited to: address, e-mail address or telephone numbers.

2.8 Regardless of age, students enrolled in high school are eligible to attend church and school events and overnight trips until August 1st of that summer which immediately follows their graduation from high school. Separate housing on overnight trips will not be necessary for such students during this time period. After August 1st, such high school graduates will be considered adults and will no longer be eligible to attend youth events as participants

2.9 When transporting minor students to a school or parish event, one adult cannot transport one student alone unless the adult is the parent of the student. One adult may transport two or more students.

### **3. Sexual Conduct**

*Church leaders do not exploit the trust of the parish community for sexual gain or intimacy.*

3.1 Church leaders who are married are not allowed to have sexual relations outside the bonds of their marriage vows. Likewise, those who are single are called to witness celibacy in their conduct and abstain from all sexual relations.

3.2 Church leaders must not exploit another person for sexual purposes.

3.3 Any allegations of sexual misconduct must be taken seriously and must be reported to an appropriate Diocesan Official. The policies of the Diocese of Sioux City and the USCCB Charter for the Protection of Children and Young People must be followed to insure the rights of all involved.

3.4 Church leaders must be knowledgeable of the policies of the Diocese of Sioux City in addition to the State of Iowa Child Abuse Regulations.

### **4. Harassment**

*Church leaders shall provide a professional work environment that is free from physical, psychological, written, or verbal intimidation or harassment.*

4.1 Church leaders must not engage in physical, psychological or verbal harassment of employees, volunteers, or parishioners and should not tolerate such harassment by other church employees or volunteers.

4.2 Church leaders are committed to providing a professional work environment for their employees that is totally free from such harassment. This commitment continues the diocesan policy of fair and equal

4.3 Harassment encompasses a broad range of physical or verbal behavior, which can include, but is not limited to:

- Physical or mental abuse
- Racial insults
- Derogatory ethnic slurs
- Sexual advances or unwelcome touching
- Sexual comments or sexual jokes
- Request for sexual favors used as a condition of employment or affecting any personnel decision such as hiring, promotion, or compensation
- Display of obscene materials

4.4 Harassment can be the result of a single incident or the result of a pattern of behavior where the purpose or effect is to create a hostile, offensive, or intimidating work environment.

4.5 All instances of alleged harassment must be reported at once to the immediate supervisor, Pastor, Parochial Administrator, Principal or other appropriate Diocesan Official.

## **5. Confidentiality**

*Information disclosed to a church leader during the course of counseling, advising, spiritual direction and any other professional contact shall be held in strictest confidence.*

5.1 Church leaders should discuss the nature of confidentiality and its limitations with each person in counseling.

5.2 The church leader is bound to safeguard the confidentiality of any notes, files or computer records pertaining to professional contact with individuals.

5.3 Knowledge that arises from professional contact may be used in teaching, writing, and homilies or other public presentations only when effective measures have been taken to absolutely safeguard individual identity and confidentiality.

5.4 Information obtained in the course of sessions shall be confidential, except for compelling professional reasons or as required by law. If there is clear and imminent danger to the client or to others, the Pastoral Counselor or Spiritual Director may disclose only the information necessary to protect the parties affected and to prevent harm. Before such disclosure is made, if feasible, the Pastoral Counselor or Spiritual Director should inform the person being counseled about the disclosure and the potential consequences.

5.5 These obligations are independent of and supplementary to the confidentiality of the Sacrament of Reconciliation. Under no circumstances whatsoever can there be any disclosure, even indirect, of information received under the seal of this sacrament.

## **6. Records and Information**

*Appropriate confidentiality shall be maintained in creating, storing, accessing, transferring and disposing of parish or institutional records.*

6.1 Sacramental records shall be regarded as confidential. When, for valid church reporting or parish statistical purposes, information from these records is made public, great care must be taken to preserve the anonymity of individuals.

6.2 Except for information regarding adoption and legitimacy, sacramental records older than 70 years may be made accessible to the public. A trained staff member who is authorized to locate the requested information or supervise the use of such records shall handle requests for more recent records.

6.3 The records of individual contributions to the parish shall be regarded as private and therefore shall be used only as necessary. Public disclosure of tithing and gifts is prohibited without the express written permission of the donor.

## **7. Conflict of Interest**

*Clergy, staff, and volunteers should disclose all relevant factors that could create a conflict of interest.*

7.1 Church leaders should avoid putting themselves in a position that might present a conflict of interest, since the existence, or even the appearance of a conflict of interest can call into question one's integrity and professional conduct.

7.2 Church leaders shall not take advantage, personal or financial, of anyone for whom the church leader is providing services in order to further their personal, religious, political or business interests.

7.3 Disclosure of all relevant factors can, in some circumstances, lessen the potential for a conflict of interest. This disclosure should be made to the local or diocesan church leadership.

## 8. Administration

*Church leaders shall seek to relate to all people with respect, sensitivity and reverence. Meetings are to be conducted with patience and courtesy toward the views of others.*

8.1 Church leaders should exercise just treatment of employees and volunteers in the day-to-day administrative operations of their ministries.

8.2 Church leaders do not use their positions to exercise unreasonable power and authority.

8.3 Church leaders must be meticulously honest in their handling of church finances and of church financial records. They must manage the parish finances in cooperation with the parish finance council as required by canon law.

8.4 Church leaders seek to empower others, supporting each person to live the life to which God calls them. They are to seek to work in ways that respect the different talents people bring to the church. Personnel and other administrative decisions made by church leaders should not only meet civil and canon law obligations, but should reflect Catholic social teachings.

## 9. Electronic Communications

*Information and technology resources are used to support the pastoral, educational, instructional and administrative endeavors of Church leaders.*

9.1 Under no circumstances shall any postings, voicemail, e-mail, or internet communications originating at diocesan property be in violation of Catholic teaching, the letter or spirit of the diocesan employment or sexual harassment policies, or the restrictions against 501c(3) tax exempt organizations

9.2 The use of a computer to access or transmit pornographic material or sexually explicit information is a violation of diocesan policy.

9.3 The Diocese of Sioux City respects the personal privacy of its staff. However, because communication tools are provided for diocesan business purposes, staff rights of privacy in this context are quite limited. Staff and others should have no expectation that any information transmitted over diocesan equipment is or will remain private. In the course of their duties, system operators and managers may monitor employee use of the internet or review the contents of stored or transmitted data. E-mail should not be considered a confidential means of correspondence.

9.4 The Diocese of Sioux City is committed to providing an educational environment which enables both staff and students to develop effective, efficient skills and abilities in the use of a variety of technological advances. In return, the Diocese of Sioux City expects use of technology to be conducted in legally and ethically appropriate ways consistent with the mission statement and policies of each school and parish, and teachings of the Catholic Church.

9.5 Electronic communications to students should only be used to communicate necessary and appropriate information regarding educational or extracurricular activities. All e-mails generated from school or parish accounts must comply with diocesan and school or parish policy on internet access and electronic communications. E-mails sent or received by school or parish e-mail accounts are not confidential, and the Diocese of Sioux City reserves the right to retrieve contents of user mailboxes if it is deemed necessary. Communications that fail to meet the standards for appropriate professional communication between staff and students will be grounds for discipline. To that end, teachers and staff must adhere to the following rules:

- Church leaders should avoid one-on-one communications with minors which includes but is not limited to email, text, gaming sites, and social media. If one-on-one communication is necessary, it must be done through email or texting and a supervisor, pastor or parent should be copied on the email or text to maintain transparency.
- If a school or parish is creating email accounts for minors, they must notify parents of this action. If requested, a minor's parents must be given access to a student/minor email account and the parents must be added to the email or text distribution list.

- Church leaders must be aware that student's actions or electronic communications which include bullying, harassment through e-mail, or "sexting" must be reported to the appropriate authority such as a principal, pastor, or DRE. Appropriate policies must be followed, depending on the setting in which the incident occurs, or the message content. Harassment of individuals, or distribution of sexually explicit images through text messaging or other forms of electronic communications can be considered criminal acts. Such activities, if determined to be criminal harassment, must be reported to law enforcement. Church leaders must be aware that students, clergy, staff, or volunteers who participate in these activities can be subject to criminal charges.
- Emails with attachments should include appropriate educational material only; for example, classroom notes, PowerPoint presentations, educational articles, schedule changes, etc. Staff should not forward materials unrelated to Catholic education or events not sponsored by the Diocese of Sioux City or one of its entities.

Church leaders and educators are reminded to be cautious, professional and appropriate regarding any electronic communications with students.

# Employee/Volunteer Background Checks

## Purpose

This policy provides a standard requirement and process for obtaining and evaluating background information in order to make a contingent offer of employment to an applicant or continue the employment of a current employee.

## Policy

Offers of employment and continued employment shall be contingent upon clearance of a standard background check run by the Diocese of Sioux City. Information received by any entity of the Diocese of Sioux City from background check reports is to be kept strictly confidential. Background check results are not made available to anyone except the applicant, and to those authorized to make hiring decisions for the Diocese of Sioux City.

## Who Must Undergo a Background Investigation?

Standard, diocesan-run criminal background checks are required for:

- All parish or school employees, full time, part time, or temporary, prior to hiring.
- All employees of diocesan-run entities, including nursing homes, day care centers, and pre-schools
- Parish lay directors appointed after 7/1/2010
- All clergy and women religious as well as candidates for ordination to the priesthood or diaconate
- High school students age 18 and older who seek employment with the Diocese of Sioux City, or who seek to volunteer for positions in which they will be working with minor children, are considered adults and will be bound by the same safe environment policies as all other adult volunteers and employees

It is recommended but not required that volunteer money counters undergo a background investigation.

Motor Vehicle record reports are required for volunteers or employees who transport students to parish or school events. Insurance information on private vehicles used to transport students must also be provided

Credit history reports are required for employees and volunteers with direct access to parish or school funds, such as book keepers, business managers, priests, deacons, and candidates for ordination to the priesthood or diaconate.

Exempted from Background Investigations :

- Student teachers and practicum students who will be supervised by fully certified teachers in diocesan schools
- Title 1 resource teachers working in diocesan schools
- Area Education Agency personnel

Background checks must be repeated when

- a person moves from volunteer service to employment with the diocese
- a person changes locations
- a person returns to work after an absence of 1 year or more

### **Notice of Investigation**

Applicants shall be provided with notice of the policy and practice of conducting background investigations before a candidate is hired.

### **How to Initiate a Background Investigation**

Contact the Claims/Risk Assistant, 712-233-7548 , or the Safe Environment office 712-233-7517 to have a background check authorization form sent for persons already having attended Virtus. Candidates for employment and new volunteers should register into the Virtus system at [www.Virtusonline.org](http://www.Virtusonline.org). They will complete the background check authorization form online as part of their registration for Virtus training. A background check registration form can also be found on the diocesan website.

**All offers of employment or the opportunity to volunteer will be contingent on receipt of an acceptable background investigation. New employees and volunteers will have 90 days to complete Virtus training.**

The diocese is unable to accept background checks run by agencies or vendors other than its own. Diocesan background checks include searches of the

National Criminal File

Sexual Offender Search

Social Security Verification

Prospective employees and volunteers may also undergo additional searches depending on the position for which they are applying. For example, credit files will be checked for those filling bookkeeper, business manager, finance manager, accounting, stewardship, development, school administrator and other positions that have access to school or parish funds. Department of motor vehicle records will be reviewed for any position that requires the operation of a motor vehicle for job-related purposes, or for volunteers who transport children.

If the report is returned with acceptable findings, the location that submitted the authorization will be advised of the acceptable results.

If the report is returned that contains items of concern, the report will be reviewed by three or more of the following individuals: the claims/risk manager, the director of personnel/benefits, the operations manager, the diocesan superintendent of schools, the safe environment coordinator, the Vicar General and/or the Bishop of the Diocese of Sioux City.

If the report contains adverse information it may become the basis for no longer considering an applicant or employee qualified for employment.

Use of information obtained from a background investigation report will be taken in context with the job for which the applicant has applied or the employee is filling. Adverse information learned from a background investigation report should be considered with all other information known about an applicant or employee and a case-by-case determination should be made as to the

applicant's or employee's suitability for employment or continued employment. The reviewers may seek clarification from the applicant or employee regarding the adverse information. No applicant will be automatically disqualified based on background check results alone, but will be individually assessed in terms of the criminal record, and the particular position the applicant seeks. Information obtained from the investigation will remain confidential and will not be shared with anyone except on a need-to-know basis.

### **Notice to Applicant / Employee of Adverse Report**

Before taking any adverse action based in whole or in part on the report, the applicant or employee will be provided with a copy of the report and a description in writing of the rights of consumers under the Fair Credit Reporting Act, as prescribed by the Federal Trade Commission. Generally, a waiting period of five days should be required between giving this notice and taking any final adverse action.

Once the final adverse action is taken, final notice to the applicant or employee of the action should be given in writing.

Any questions regarding this policy and its interpretation should be referred to the claims/risk manager at 712-233-7559 or the safe environment coordinator at 712 233 7517.

### **Other steps that each entity must follow in making hiring decisions:**

1. Contact all former employers listed. This is important even with jobs the applicant had many years ago. Find out if the applicant is eligible for rehire with their former employer. Ask this question every time, as the answer/response will speak volumes about the applicant.
2. Look for inconsistencies when reviewing the dates of employment. A gap in the applicant's work record could mean that the applicant is trying to hide a former employer who might give the applicant a poor reference.
3. Try to determine why the applicant left each of their previous jobs and why the applicant is considering leaving their current employer.
4. Ask former employers about the applicant's interactions with co-workers, management and customers. Also discuss the applicant's strengths, weaknesses and achievements.

If you determine that an applicant has moved frequently, consider contacting prior landlords or prior churches/schools they volunteered at to see what reasons for relocating other parties may be aware.

# **VIRTUS® “Protecting God’s Children®” Child Abuse Awareness Program for Adults**

Protecting God’s Children” is a program developed by The National Catholic Risk Retention Group (TNCRRG) at the request of Monsignor Kevin McCoy, past board chairman of TNCRRG. ‘VIRTUS®’ is a series of training programs whose name is derived from the Latin word that means valor, moral strength, excellence and worth. The initial awareness training is a 3-hour

session consisting of video presentations and discussions facilitated by trained volunteers and Diocesan staff. The training is extended for all employees as well as those volunteers who have regular contact with children, through the use of internet continuing education bulletins. Additional information about “Protecting God’s Children” can be found at: [www.virtusonline.org](http://www.virtusonline.org)

## **What Is the “Protecting God’s Children” program?**

The Protecting God’s Children program (VIRTUS® ) is designed to train adults to recognize persons and situations that could pose a danger to children . The class you are or will be attending is the initial program component for adults in the faith communi- ty.

## **How does the “Protecting God’s Children Program” prevent child abuse?**

The Protecting God’s Children program consists of many components. The education component helps prevent child sexual abuse by first making every adult employee and volunteer aware of the issues surrounding child sexual abuse. This includes awareness of the many ways that sexual abuse harms its victims, their families, the parish and the community. The awareness session also helps adults learn to recognize the warning signs of abuse, and shows them the appropriate way to respond to suspicious behavior. Finally, the awareness session empowers each person with five steps to help prevent child sexual abuse

Class attendees will also be trained on how to report suspected child abuse. A trained facilitator leads these awareness sessions. But, community awareness by itself is not enough to prevent child sexual abuse. A parish or community needs a core group of trained specialists-people within the parish- es and schools-who have additional knowledge and training on how to prevent harm to children.

Those who interact most with children become the core of the prevention effort within each parish. They receive an added benefit by completing a certification course on the prevention of child sexual abuse.

The certification course takes approximately three hours a year to complete, and the continuing education process takes place on the Internet—via the monthly training bulletins available through the VirtusOnline™ system.

For more information on VIRTUS Online and our continuing education programs, contact the safe environment office at 712-233-7517, or visit the Virtus website at [www.Virtusonline.org](http://www.Virtusonline.org).

Additional information regarding the Safe Environment program , the Code of Conduct, or the policies of the Diocese of Sioux City can be found at our website: [www.scdiocese.org](http://www.scdiocese.org)

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**The United States Conference of Catholic Bishops Charter for the Protection of Children and Young People provides the basis for the Policy of the Diocese of Sioux City, and can be viewed at [www.usccb.org](http://www.usccb.org)**