

Order of Carmelites
Province of the Most Pure Heart of Mary



SEPTEMBER 2017
Society of Mount Carmel

COrder of
Carmelites
Province of the Most Pure Heart of Mary

***POLICIES FOR MAINTAINING
ETHICAL MINISTRIES WITH
MINORS AND VULNERABLE ADULTS***

SEPTEMBER 2017

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SECTION 1:

STANDARDS OF CONDUCT INVOLVING SEXUAL ISSUES WITH MINORS AND VULNERABLE ADULTS¹

The following policies and guidelines are intended to assist vowed Members, Novices and Pre-Novices of the Carmelite Province of the Most Pure Heart of Mary (PCM) in making ethical decisions about interactions involving sexual issues with minors and vulnerable adults. Novices and Pre-Novices are held to the same behavioral standards listed throughout this Manual that apply to Members.

Committed unconditionally to the safety of minors and vulnerable adults, the PCM Province requires that all its Members, Novices and Pre-Novices exercise ethical behavior at all times toward minors and vulnerable adults, including those who are relatives. Inspired and supported by the Gospel words of Jesus regarding how all must treasure children, the PCM Province also encourages its Members, Novices and Pre-Novices to find creative ways to proactively address the problem of sexual abuse of minors and vulnerable adults.

While a major focus of this Manual is on specific protocols for the prevention of, and response to, abuse as reflected by cited standards, the PCM Province also has many other programs and policies that enable it to effect the highest level of ethical ministry. Examples of such would include the careful screening of new candidates seeking admission to the Province and international Religious seeking to reside in the Province, continuing educational endeavors focused on lifelong Religious formation and the promotion of a healthy individual and communal lifestyle.

¹ These standards and the policies that follow express the purely religious obligations of the Province to serve God's people ethically and to comport with the requirements of canon law of the Roman Catholic Church and the Constitutions and Statutes of the Carmelite Order and the Province. Nothing contained herein is intended to constitute a secular legal duty or voluntary undertaking.

The PCM Province expects and mandates that its members conduct themselves ethically with all with whom they interact, consistent with the teachings of the Church and our Carmelite charism. Especially aware of the need in our times to protect the most vulnerable among us, the Carmelite Prior Provincial at least annually is required to remind the Members of our commitment and our directives, focused on being ethical to all whom the Province of the Most Pure Heart of Mary interacts with and serves.

Important Definitions

A Member is defined as a professed (vowed) Religious of the Province. Novices and Pre-Novices are men seeking to become vowed Religious of the Province. A Minor is anyone under the age of 18. Vulnerable Adults are defined as persons who habitually lack the use of reason and/or are persons who due to mental or physical disability are incapable of protecting themselves from sexual abuse. (Even if not specifically mentioned, any issue in this Policy Manual relating to minors and their parents also relates to vulnerable adults and their guardians.)

The Provincial Administrative Team dedicated to behavioral issues addressed in these policies consists of the Prior Provincial who is responsible for their oversight and for work with the Review Board, and the Director of Accountability and Ethical Ministry who receives allegations and ensures they are properly responded to and who also acts as the liaison with Praesidium and with Members against whom an allegation has been made.

Praesidium, Inc., a national leader in abuse risk management, has been engaged by the Conference of Major Superiors of Men and the Carmelite Province of the Most Pure Heart of Mary to certify that the Province is adhering to national standards, derived from research and experience, to provide safe environments for minors and vulnerable adults.

Abuse is a non-accidental injury, regardless of motive, inflicted or allowed to be inflicted on a minor or vulnerable adult.

Sexual abuse includes any act or interaction which involves sexual contact with or without the consent of a minor or vulnerable adult, by whoever initiated it. Such actions include but are not limited to: rape, intercourse, sodomy, sexual harassment, oral sex, incest, sexual penetration and sexual exploitation. Sexual fondling, one form of sexual abuse, includes but is not limited to touching of thighs, genitals, buttocks, pubic regions or chest, for the purpose of sexually arousing or gratifying the person fondling or the person

being fondled. Permitting or forcing a minor or vulnerable adult to be exposed to pornography is also a form of sexual abuse.

Boundary Violations are inappropriate actions not reaching a threshold to be able to be defined as sexual abuse, but crossing the boundary between acceptable and unacceptable behavior. They can be a grooming mechanism, acting as a prelude to sexual abuse. They also violate accepted community standards describing ethical behavior.

A. Examples of Prohibited Behaviors (Abuse and Boundary Violations) Involving Minors and Vulnerable Adults Which Are In Opposition To Our Standards of Ethical Ministry: (not an exhaustive listing)

1. Causing harm by physical, sexual or emotional abuse, or allowing such to be done to minors or vulnerable adults by others.
2. Entering into inappropriate physical contact, such as a body massage or sleeping in the same tent or bed with a minor or vulnerable adult.
3. Engaging in emotional boundary violations, such as treating a relationship with a minor or vulnerable adult as romantic.
4. Engaging in behavioral boundary violations, such as wearing exotic clothing, being nude in the presence of minors or permitting them to do the same.
5. Engaging in any sexually oriented conversation with minors or vulnerable adults, unless the conversations are part of a legitimate lesson or counseling session, in keeping with Church teaching.

6. Providing or allowing minors or vulnerable adults to consume alcohol or use illegal drugs. Using vulgar language or telling off color jokes in their presence.
7. Spending significant time with a minor or vulnerable adult without their parents/ guardians being aware of where the minor or vulnerable adult is or why they are engaged with a Member.
8. Taking unchaperoned overnight trips/vacations with minors or vulnerable adults, unaccompanied by or without the permission of a parent or legal guardian.
9. Using physical discipline (spanking, pinching, hitting or using any other physical force) for behavior management or correction.
10. Displaying or distributing to any minor or vulnerable adult any picture, photo, book, digital image, movie or magazine, the content of which contemporary community standards would judge as appealing to prurient interests.

B. Examples of Appropriate Behaviors (not an exhaustive listing)

Appropriate affection between Members and minors constitutes a positive part of Church life and ministry. The following forms of affection (not an exhaustive listing) are regarded as appropriate examples for Members with minors or vulnerable adults. All interactions with minors or vulnerable adults, even if they are relatives, should be conducted only with the knowledge and approval of a parent or guardian. Culturally appropriate norms should also be respected.

- Appropriate hugging that does not cause discomfort
- Pats on the shoulder or upper back

- Handshakes, high fives, hand slapping and fist bumping
- Verbal praising
- Sitting side by side
- Meeting in places with an easy exit to public areas
- Using separate showering and changing areas
- Making overnight trips with lay chaperones and with all persons sleeping in separate beds

C. Member Behaviors and Electronic Media

1. Production, distribution, downloading, possession or deliberate viewing of child pornography (a felony in the United States) are prohibited behaviors for all Members, Novices and Pre-Novices. In addition, viewing any pornography with a minor or a vulnerable adult or providing or making pornography available to any such person, also constitutes sexual abuse and is prohibited.

Religious should not possess or view any type of pornography. It is not only morally wrong, it can also result in criminal charges.

2. Solicitation of minors or vulnerable adults for sexual purposes via the internet or the phone is obviously prohibited; also prohibited is any harassment via electronic media.
3. Members who utilize the computer for social networking, writing a blog, micro blogging, messaging and utilizing what is referred to as rich content services like *YouTube* should adhere to accepted standards of the Province in the more traditional expressions of publication and communications.

4. Communication via electronic means with a minor or a vulnerable adult should be limited to matters of legitimate ministry and to the minimum frequency required for such. Every member should follow any policies established by their ministry sites for such communication. Parents and/or guardians should be kept aware that such communication is occurring.
5. In using social media such as Facebook or Twitter, a Member should never have friends who are minors or engage in 'following' a minor with the exception of a blood relative. In the case of a relative, his or her parent(s) still should be aware of such socializing.
6. Members should be aware that superiors, respecting generally understood privacy rights of each Member, have the right to review all behaviors of Members, including their use of electronic media, to support the ethical behavior our communities are committed to.

D. Screening, Training and Support for Members for Interacting with Minors and Vulnerable Adults

1. Members shall review this Manual, *Policies for Maintaining Ethical Ministries with Minors and Vulnerable Adults* and related future bulletins updating such policies. Each Member will be asked to sign a form pledging compliance with the policies of this Manual.
2. Prior to entry to the Carmelite PCM Province, candidates can expect to undergo a comprehensive background check in addition to a national sex offender registry check. Other important requirements for new applicants, as set down by the Praesidium accrediting association, include a search of their presence on social media sites and personal blog sites and any web sites associated with accounts controlled by them. Admission to the Province is limited to an applicant whose profile reflects an ability to commit to expected Catholic and Carmelite standards.
3. Members who serve in public ministry, even occasionally, will participate in a minimum number of hours of education concerning the sexual abuse of minors and vulnerable adults that is equal to the number of years in the Province's re-accreditation schedule. This ongoing education must be completed before the next re-accreditation occurs. Specific topics, as recommended by Praesidium, our accrediting agency, include, for example, information on types of offenders, the devastation abuse can cause, and possible warning signs and strategies on how to avoid being falsely accused of unethical behavior.

4. Members must also be familiar with, and agree to comply with any Code of Ethics or Code of Conduct implemented by the Diocese where they live and minister, or by any professional organization to which they belong. In the event there is a conflict between the Province's Policies and any other Code, the more restrictive standard must be followed.
5. The Prior Provincial or his delegate will meet annually with each Member as a way to structure accountability and to provide assurance of ongoing support. The supervisors of Members engaged in public ministry, not under Carmelite administration, will also receive an annual letter outlining the Province's commitment to providing safe environments for minors and vulnerable adults. The letter will also detail how a supervisor can contact the appropriate Carmelite official, if the supervisor feels there is any deviation from the Province's commitment.
6. This Manual focuses on important aspects of exhibiting ethical ministry by avoiding abuse of minors and vulnerable adults, and reacting pastorally, if violations of abuse or boundary violations occur. As previously noted, the PCM Province has other policies and programs which also contribute to ethical ministry, such as its Formation program, guidelines for a healthy prayer life, and recommendations for making commitments to justice and peace issues in the Church. Members are required to be aware of these resources contributing to ethical ministry, and to adhere to any requirements established by those policies and programs.

E. Supervision of Programs that Involve Minors and Vulnerable Adults

As part of the Province's pledge to do all that it can to provide for safe environments for minors and vulnerable adults, all Members associated with, or participating in programs involving minors and vulnerable adults, will also follow these guidelines:

1. Where practical, activities for minors or vulnerable adults should not be supervised by just one single adult.
2. Members in leadership roles in local apostolates shall be aware of all programs for minors and vulnerable adults that are being sponsored by persons associated with the parish, school or agency which constitutes their apostolate. A list of these programs shall be maintained in a central office which should include the events, purpose, sponsors, coordinators and chaperones of the programs along with meeting times and locations. Members are responsible for ensuring as far as possible that participants will be in a safe environment.
3. A parent and/or guardian(s) will be informed of the nature, place and duration of the activity associated with Members and will have expressly consented to the participation of the minor or vulnerable adult in such activities.

SECTION 2:

REPORTING REQUIREMENTS AND PROCEDURES WHEN A MEMBER BECOMES AWARE OF ACTUAL OR SUSPECTED SEXUAL ABUSE OR A BOUNDARY VIOLATION OF A MINOR OR VULNERABLE ADULT

All Members of the Province are obligated to report known or suspected sexual abuse of a minor or vulnerable adult. In such a situation, a report must be made to both the Province and to law enforcement in the jurisdiction where the known or suspected abuse has occurred or is occurring. This obligation includes a Member's responsibility to report the known or suspected possession, distribution, downloading or viewing of child pornography. Such behavior involving pornography is also a form of sexual abuse. All reporting shall respect the seal of Confession.

A. Reporting Procedures re: Sexual Abuse

1. If a Member personally encounters an incident of the sexual abuse of a minor or vulnerable adult, he must take all reasonable steps to stop the abuse from occurring. In addition, as soon as possible he must notify the appropriate law enforcement agency in the jurisdiction where the abuse occurred, in accord with the law of that jurisdiction. The Member shall also notify Provincial leadership of the incident as soon as possible.
2. If a Member receives a report of an alleged incident of the sexual abuse of a minor or vulnerable adult, he must take the following steps:
 - a. Notify the appropriate law enforcement agency in the jurisdiction where the alleged abuse occurred or is occurring. This must take place as soon as possible and

at least within the time required by law in that jurisdiction.

- b. Alert the Prior Provincial or the person designated to act in his place as promptly as possible.
- c. If the alleged abuse occurred or is occurring in a diocesan sponsored or recognized ministry, diocesan reporting requirements must also be observed.
- d. These reporting requirements apply to all allegations of sexual abuse of a minor or vulnerable adult reported to a Member even if the accused is dead. They also apply in the case where the alleged abuser was a Carmelite, but is no longer a Member of the Order. In addition, the reporting requirements apply whether the alleged victim is known or anonymous, or if the abuse involves a person who is now an adult but claims that the abuse occurred when he or she was a minor. The Provincial Leadership Team is available to help a Member file a report.

B. Reporting Procedures re: Boundary Violations

- 1. If a Member is aware of or is a witness to inappropriate behavior or boundary violations committed by a Member involving a minor or a vulnerable adult, he is obligated to report it. Although the behavior in question may not be actual sexual abuse of a minor or of a vulnerable adult, it should be treated as a serious warning sign that needs, without undue delay, to be called to the attention of the Prior Provincial or the Director of Accountability and Ethical Ministry. An appropriate investigation of the alleged incident shall be promptly initiated.

2. If a Member has a history of boundary violations involving minors or vulnerable adults, the Prior Provincial will report such to the Review Board for their help in determining the need for intervention and treatment and/or the imposition of appropriate protocols and supervision.

C. Reporting Self Concerns re: Inappropriate Attraction

1. A Member is encouraged to self-report to the Prior Provincial any concerns about his own state of mind or behavior regarding his attraction to or interaction with minors or vulnerable adults. In such a situation, the Province is committed to providing in a pastoral and fraternal way whatever assistance the Member might require, consistent with the Province's commitment to the safety and welfare of the people to whom its Members minister.

SECTION 3:

RESPONDING TO ALLEGATIONS OF SEXUAL ABUSE AND BOUNDARY VIOLATIONS INVOLVING MINORS AND VULNERABLE ADULTS

An allegation of the sexual abuse of a minor or a vulnerable adult can occur in a variety of ways. It can, for example, be reported by an alleged victim or a family member, a diocesan official, a Carmelite, a colleague in a workplace, an anonymous source, a representative of the media, or even the perpetrator.

The process detailed in subsections A through F of this Section is to be followed in all cases in which a Member is alleged to have sexually abused a minor or a vulnerable adult.

An allegation of a boundary violation involving a minor or a vulnerable adult, i.e. an inappropriate action not reaching the threshold of sexual abuse, must also be promptly investigated. If the Provincial after consulting with the Review Board Chair determines that the allegation has the semblance of truth, he may, depending on the seriousness and nature of the alleged boundary violation, require the same process as prescribed in this Section for allegations involving the sexual abuse of a minor or a vulnerable adult.

Actions taken in response to the receipt and investigation of an allegation of sexual abuse or a boundary violation involving a minor or a vulnerable adult should in no way be construed as passing judgment on the validity of the complaint or the veracity of the accused or the alleged victim.

The Province of the Most Pure Heart of Mary recognizes its responsibility to assist in a pastoral and supportive manner all those affected by a Member's alleged sexual abuse or boundary violation involving a minor or vulnerable adult. Such assistance will be made available to the alleged victim and, as appropriate, family members, as well as to the accused Member.

A. Receipt and Reporting of Allegations

Section 2 of this Policy specifies required steps and reporting requirements that are to be followed whenever an allegation that has at least the minimal semblance of truth (i.e. not manifestly false or frivolous) is received against a Member, living or deceased, or a former Member, living or deceased, that involves the alleged sexual abuse or boundary violation of a minor or vulnerable adult.

B. Responding to an Allegation: The Role of the Provincial

When the Prior Provincial learns of an allegation against a Member that has at least the minimal semblance of truth, he shall:

1. Notify the Chairman of the Review Board about the nature and substance of the allegation.
2. Notify the accused Member about the nature and substance of the allegation, and requirements about appropriate conduct while the initial evaluation of the allegation is ongoing.
3. Apply risk reduction temporary protocols to the Member immediately. These typically include: requiring him to step aside from all public ministries, curtailment of the right to present himself publicly as a cleric and/or Member of the Order, restrictions on travel, assignment to a supervised residential situation, the prohibition of unsupervised association with minors or vulnerable adults, and the monitoring of the Member's use of electronic communications, social media and internet access. Moreover, he will be restricted from having any contact with his accuser or any person who might be called upon to provide information or evidence bearing on the alleged misconduct.

Risk reduction temporary protocols relating to an alleged

incident of sexual abuse remain in place until the allegation is determined to be unfounded or established. If established, a Safety Plan with new (or previous) protocols will be developed in accord with Church decrees. Those risk reduction temporary protocols relating to an alleged incident of a boundary violation will remain in place until the allegation is determined to be unfounded or established. If established, a Risk Reduction Plan with new (or previous) appropriate protocols will be developed. Annually, or at any time deemed necessary, all existing protocols will be reviewed by the Prior Provincial or his delegate. The review will be shared with the Review Board who will advise the Prior Provincial regarding any changes thought advisable.

If an allegation is determined to be unfounded, see Section 3-D -1 and F-2 for steps that need to be followed.

4. Assure that the Member receives support and assistance, including access to canonical and legal counsel, and any therapeutic or spiritual support he requests or needs.

C. Responding to an Allegation: The Role of the Director of Accountability and Ethical Ministry

1. Once an allegation has been received and reported as required in Section 2 of this Policy, the following steps are to be initiated and completed by the Director of Accountability and Ethical Ministry:
 - a. Prepare and keep current an Incident Report Form that includes all the known details of the alleged abuse or boundary violation, including the dates and nature of all steps taken to report and process the allegation.
 - b. Confirm and record the names of all the requisite recipients of the notification of the alleged abuse, and the dates and manner of notification. Legal and canonical counsel should be sought to assure that all

required notifications have been provided as mandated by civil or canon law and as required by the Province's insurers.

- c. Conduct a search of all relevant provincial files to determine if there is anything pertaining to the accused that could have any bearing on the likely truth or falsehood of the allegation. The potential relevance of information in the file should be determined, as needed, in consultation with the provincial canonist and the provincial legal counsel. This file search shall also include the compilation of a complete and detailed curriculum vitae of the accused.
 - d. Report the results and findings of the file search to the Prior Provincial within two weeks of the receipt of the allegation, unless given an extension by the Prior Provincial.
2. The Director of Accountability and Ethical Ministry will also be available to assist the alleged victim, and to keep him or her, and/or his or her parent, guardian or attorney, as designated, informed about the process involved in evaluating and responding to an allegation. Accordingly, the Director of Accountability and Ethical Ministry shall also engage as soon as possible a Victim Assistance Coordinator (VAC), geographically proximate to the alleged victim, if possible, to assist him or her and the family throughout the processing of the allegation.

D. Provincial Determinations Following the Initial Evaluation

Based on all the information at his disposal, including the alleged details of the reported abuse and the results of the file search, the Prior Provincial shall determine if, in his judgment, the allegation has at least the semblance of truth.

In making that determination, the Prior Provincial may consult with others, including, at his discretion, the Review Board, and others with relevant expertise.

1. If the Prior Provincial determines that the allegation does not have at least the semblance of truth, he will so advise the complainant, the accused and the members of the Review Board.

Moreover, when an accusation is determined not to have the semblance of truth, every effort must be made to protect and restore the name and reputation of the one falsely accused.

2. If, however, the Prior Provincial determines, based on the known information and the file search, that the allegation does have at least the semblance of truth, he will so notify the alleged victim or his or her parent or guardian, the accused and the Chairman of the Review Board. In accord with Praesidium policies, PCM Members, the faith community and the public will be notified, as appropriate.

In accord with Praesidium Standards, the Prior Provincial will also inform the Ordinary where the sexual abuse occurred and where the Member is residing, of the allegation and of his belief that it has an initial semblance of truth.

3. In addition, if the Prior Provincial determines that the allegation has at least the semblance of truth, he shall:
 - a. Extend an offer to have a pastoral visit with the alleged victim and a family member or guardian of the victim.
 - b. Issue a decree initiating a preliminary investigation, pursuant to canon 1717.1.

- c. Identify and appoint by decree a trained and experienced investigator to conduct an investigation of the time, place, circumstances and all pertinent facts associated with the allegation. Consultation with the Province's legal counsel about such an appointment will occur.
- d. Require the submission of the investigator's report within three months of the initiation of the investigation, unless additional time is requested and deemed necessary for reasonable cause.
- e. Share the investigator's report with the Review Board which will, both orally and in writing, offer its views about the probable validity of the alleged misconduct in a timely manner.
- f. Formulate his own opinion on whether or not the allegation continues to have the semblance of truth. In so doing, he will consider carefully all the acts of the investigation, the report of the investigator, and the input of the Review Board.

E. Final Determination of the Case

1. When the Prior Provincial has arrived at a decision, he shall issue a decree closing the preliminary investigation. Unless the allegation has been determined not to have the semblance of truth, the decree shall, assuming the accused Member is a cleric, provide that the acts, together with his *votum* (his decision and his reasoning), and the views of the Review Board, are to be forwarded to the Prior General of the Order for transmittal to the Congregation for the Doctrine of the Faith (CDF) for its review and determination.

2. All allegations of sexual abuse of a minor or a vulnerable adult involving clerics that are determined by the Prior Provincial, after a preliminary investigation that includes Review Board input, to have the semblance of truth will be resolved according to whatever process or decision is mandated by CDF.
3. If the accused Member is not a cleric but is in final or temporary vows, the acts of the case, together with the Prior Provincial's *votum*, will be forwarded to the Procurator General for advice and guidance on how to proceed, consistent with applicable canonical norms and the Constitutions of the Order.
4. If an allegation is determined to be established by the steps outlined above in E1, E2 and E3 confirming that a Member has sexually abused a minor or a vulnerable adult, the accused will receive a written Safety Plan without undue delay. See Section 5 of these Policies for more details about Safety Plans.
5. If the accused is a Novice or Pre-Novice, the Prior Provincial has the discretion and the authority to dismiss him from the formation program and the Order, unless the outcome of a canonical process determines otherwise.

F. Final Disposition of the Allegation

1. If the final disposition of an allegation of sexual abuse is that it is established/confirmed by whatever process is mandated by the CDF, the Member is barred permanently from any and all public ministry and may not in any way publicly identify himself as a cleric and/or member of a religious institute.

Likewise, in accord with Praesidium Standards, the leadership of any organization or ministry in which the abuse occurred or where the Member is still employed will be informed that the allegation was established/confirmed.

2. If the allegation is finally determined either to be false or not to be covered by the applicable canonical norms or to satisfy the requisite canonical standard of proof, the Prior Provincial will first so inform and consult with the Review Board about his decision on how best to proceed. As a general rule, the specific determination (i.e. to be false or not to be covered by the applicable canonical norms or not to satisfy the requisite canonical standard of proof) will be made known to all those who were required to be notified about the allegation at the time it was received and processed.

In the case of an allegation that is determined to be false, the Prior Provincial will, moreover, make every reasonable effort to restore the good name and reputation of the accused, including, where he deems it appropriate, a return to ministry in the Order and/or the local Church.

In those cases in which it is determined that either the applicable canonical norms were not violated or the requisite standard of proof was not met, the Prior Provincial will, while making reasonable efforts to protect the accused's right to his good name and reputation, exercise his discretion about the appropriateness of the accused's future in any public ministry, taking into consideration pertinent provincial policies and any recommendations of the Review Board.

3. Nothing in this Policy alters the ecclesiastical power, authority and responsibility of the Prior Provincial that is provided generally under canon law and the Constitutions and Statutes of the Order and the Province.

SECTION 4:

REVIEW BOARD

A. Establishment and Purpose

1. The Carmelite Province of the Most Pure Heart of Mary has established a Review Board to advise the Provincial and help him implement a safe environment program for minors and vulnerable adults with whom PCM Members interact. The Review Board is an advisory body and has no independent powers or authority.
2. The Review Board shall consist of 5 to 7 members, including only 1 who is a Member of the Province.
3. The Review Board shall include representatives from the following groups: Religious, professionals from such groups as psychologists, counselors, victims' assistance advocates and/or social workers, representatives from the legal or law enforcement profession or state protective services and persons from the general public, preferably parents or guardians of minors or vulnerable adults.
4. Safeguarding the credibility of the Review Board, no lay employee of the Province will be a member of the Board.

B. Appointment and Removal of Members of the Review Board

1. The Provincial names members of the Review Board by letter of appointment. A member may be removed at the discretion of the Provincial in consultation with the Chair of the Review Board; a letter of removal signed by the Provincial must be sent in such a case.

2. The Board will determine term limits for members. Should a member need to resign before her or his term ends, he or she is requested to submit any plans for resignation well in advance of his or her exit date, so that no vacancy will exist and in order that the Board at any time is not constituted solely of new members.
3. Initial and ongoing education will be provided to Board members to support them in their work. At the onset, Board members will be alerted to (and provided with) the latest editions of the following documents: Charter for the Protection of Children and Young People, the Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons, 2002 CMSM Statement of the Assembly, the Province's Policies, and the latest CMSM Accreditation Standards. As pertinent new materials or live presentations become available, or as members of the Review Board request specific information, the Provincial will arrange their access to such.

C. Officers

1. The Review Board members shall elect a Chairperson. There are no limits to her / his term, but the Review Board should reaffirm the person acting as Chair every three years or choose someone else from among the members to hold that position.
2. The Chair shall call and chair meetings of the Board, ensure that the work of the Board is properly documented and communicated to the Provincial, and appoint other ad hoc officers and assistants from among the other Board members, as may be required, such as a recording secretary to accomplish the work of the Board.

D. Record Keeping

1. The files of the Review Board are the property of the Province. The Provincial and all current Review Board members shall have access to these files. Others, as designated by the Provincial, can be given access to the files, as deemed necessary by the Provincial. They will be stored at a place designated by the Provincial.

E. Confidentiality

1. Review Board members shall sign a confidentiality agreement and undergo a criminal background check.
2. The records and other information received by the Review Board shall be treated as confidential, subject to the requirements of law and the policies of the Province.
3. The Review Board's advice to the Provincial shall be confidential; however, at his discretion, he may disclose such advice. The positions taken by particular Board members shall not be disclosed and need not be recorded in the Review Board files.
4. It is the policy of the Province to cooperate fully with all legal requirements and law enforcement agencies, while at the same time respecting any applicable civil and canon law rights, and requirements relating to confidentiality and privacy.
5. The laws of certain States and of the United States prohibit the disclosure of certain information, such as mental health communication, substance abuse and alcohol treatment records, and HIV testing and AIDS treatment records. The Review Board shall protect the confidentiality of such information to the fullest extent of the law.

6. Should any Media representatives seek information from the Review Board or any member, they will be informed that the Board does not engage in communications with the Media.

F. Operating Procedures

1. The Review Board must meet at least annually. Besides hearing all reports and allegations of sexual abuse of minors or vulnerable adults, and reviewing annually Safety Plans of Members whose allegations were established, the Board can be asked to review cases of boundary violations and other relevant policy matters. Meetings may be conducted in person, by telephone, or by other electronic means.
2. The Provincial shall initiate the convening of the Board by contacting the Chairman. The Chair shall schedule a meeting as soon as is practical, allowing for whatever time he/she feels is reasonable for deliberation in advance on available materials pertinent to the case.
3. The Provincial shall provide the Board with relevant information as soon as possible weeks before it convenes. Where possible, the Provincial will obtain any necessary consent to release pertinent information. Such information, as noted previously, will be treated with confidentiality.
 - a. The information provided will include any original allegation of sexual abuse submitted to the Province, the final report of all investigations, all other allegations of sexual misconduct by the alleged offending Member and any relevant disciplinary actions taken in the past in regard to the Member, along with the reason for such action. If the accused Member has submitted a written statement relating to the allegation, that will also be shared with the Board.

4. Following a call to order, the Chairperson shall provide an overview of the business at hand for the Board. Members can initiate discussions, request more information, or ask the Provincial or his delegate for clarifications. It is not the policy of the Board to allow lawyers for the accused to participate in Board meetings.
5. Reviewing all the information given to them relating to any new allegation presented to them, the Board will be asked to decide if the allegation has a semblance of truth. It is up to the Board to decide how much open discussion regarding a case is desirable and the manner by which a decision is reached, e.g. secret or open ballot.
6. Deliberations and decision making may take place in the presence of the Provincial and his delegate and other assisting staff at the discretion of the Chairman. The Provincial may permit participation of the Province's civil lawyer and canonist.
7. The recommendation of the Board shall be verbally relayed to the Provincial. The recommendation also shall be summarized in a written document signed by the Chairman of the Board and sent to the Provincial. The document, which may also contain information about all events at the meeting, will be kept in the Review Board files.

G. Conflicts of Interest

1. Any Review Board member, who would have any conflict of interest or appearance of a conflict of interest with the alleged victim or the accused Member, shall inform the Chairperson of the conflict and recuse himself or herself from all deliberations concerning the particular matter in question. Examples of such conflict might include a relationship by blood or marriage, or a financial, business, professional, or counseling relationship.

2. Any Review Board member who determines that he or she has a conflict of interest or the appearance of a conflict of interest with the Province itself or with the work of the Review Board, shall inform the Provincial and the Chairperson of the conflict and shall resign from the Review Board.

H. Conditions of Membership

1. The Review Board members serve as volunteers.
2. The Province shall reimburse all Review Board members for reasonable expenses incurred in attending meetings of the Review Board or in otherwise performing their duties as members of the Review Board.
3. The Province indemnifies and holds harmless all Review Board members for any and all claims, lawsuits, damages or other actions including, but not limited to, reasonable costs of defense, which may arise from their service on the Review Board. The Province, however, does not indemnify Review Board members for intentional tortious or criminal acts.
4. Members of the Board are asked to sign a statement acknowledging their agreement to all the statements of this Policy Manual addressing their membership.

SECTION 5:

SAFETY PLANS

A. Definition and Description of Safety Plans

A Safety Plan is a formal, written supervision program for a Member against whom an allegation of the sexual abuse of a minor or vulnerable adult has been established pursuant to the procedures mandated by Section 3 of this policy and the applicable norms of canon law.

Safety Plans for such cases are mandated by the *Charter for the Protection of Children and Young People* (updated in 2011) and by the 2016 Praesidium Standards for Supervision found in the CMSM *Instruments of Hope and Healing*.

Such Plans are created to surround an individual with an established allegation with a pastoral framework that allows him to continue with integrity as a Member of the PCM Province. Safety Plans are created to also assure the Church and the public that all reasonable measures are being taken to prevent any future abuse. Each Plan is to be individualized to reflect the unique elements of each case.

B. Elements of Safety Plans

The following are additional elements associated with Safety Plans:

1. As outlined by Praesidium, Safety Plans are expected to discuss a summary of problem behaviors, a summary of the Member's risk assessment, and risk reduction strategies addressing limitations on the Member's access to minors and vulnerable adults, the monitoring of electronic communications and internet access, issues of financial accountability, the Member's current living situation,

persons responsible for overseeing compliance and consequences for non-compliance. Safety Plans also address how the Member spends the majority of his time, work assignments, support programs, including the role of the local Carmelite community, travel and vacations.

2. Safety Plans are prepared by the Director of Accountability and Ethical Ministry and must be approved by the Prior Provincial after receiving advice and input from the Review Board. Creation and implementation of Plans must reflect all requirements set forth by Praesidium Standards 19-25.

C. Additional Issues Concerning Safety Plans

1. Safety Plans can continue the temporary risk reduction strategies/protocols that were required when an allegation was being reviewed, investigated or adjudicated. They can also modify or replace entirely temporary risk reduction protocols and introduce new or additional ones. Once an allegation against a Member has been established, a Safety Plan is a permanent requirement as long as the Member remains in the Order, unless a canonical process deems otherwise.
2. The Ordinary where the abuse occurred and where the Member is residing must be notified that the allegation was established, resulting in a Safety Plan.

In accord with Essential Norm 12, as established by the USCCB, before a Member with an established allegation of sexual abuse can be relocated to a new diocese, the Ordinary of that diocese must be informed of the finding of sexual abuse.

3. The Prior Provincial or his delegate must at least annually evaluate compliance with Safety Plans and share the findings with the Review Board. After receiving the advice

of the Review Board, the Prior Provincial can continue the Safety Plan as is, or modify it to address any needed changes. Prior to the annual evaluation, if the Prior Provincial becomes aware of any significant changes in a Member's adherence to any requirements of the Plan, he must review the situation promptly, and with advice from the Review Board make any needed changes in the Plan, including the imposition of a more restrictive Plan.



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