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# ACCREDITATION STANDARDS<sup>©</sup>

For Catholic Men's Religious Institutes

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*Our mission is to help you protect those in your care from abuse and help you preserve trust in your organization.*

# PRAESIDIUM

*United States*

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## Foreword

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Child sexual abuse is preventable; however, it requires a robust, systems-based approach that is embedded in a culture of safety and animated by steadfast leadership. Leaders must not only ensure compliance with best practices but actively champion the commitment needed to have all Members remain vigilant every single day. Religious Institutes and Societies of Apostolic Life have long recognized and addressed the issue of protecting minors, but we must never become complacent.

Praesidium Accreditation for Men's Religious Institutes does not represent a first step or an initial handling of abuse prevention measures, but rather an evolution in a long-standing effort for those Institutes to clarify their responsibilities, implement best practices, evaluate the extent to which they are meeting defined standards and communicate to others the steps they are taking to create a safe environment for the people they serve.

The initial development of Praesidium's Accreditation Standards for Catholic Men's Religious Institutes® was in direct response to the following statement of the August 2002 Conference of Major Superiors of Men (CMSM) assembly:

*"We believe that in most instances over this last decade, as we have learned more about the tragic consequences of sexual abuse, we have acted responsibly in dealing with allegations. But, we have also heard the clear call to more accountability and transparency in how we as leaders of men religious deal with the protection of children from sexual abuse by members of our institutes and how we handle allegations of sexual abuse and follow-up outreach to victims and supervision of our members charged with sexual abuse."*



The Standards are revised every four years. Feedback is incorporated from a number of sources: Praesidium's field experience in assessing more than 100 Religious congregations worldwide and its ongoing work with numerous secular youth-serving organizations; the experiences of Major Superiors; insight from Praesidium's Advisory Council and Standards Advisory Panel; the viewpoint of civil and canon lawyers; perspective from Review Board members; and research from experts in various fields (psychology, social work and law). In every review, Praesidium seeks for the Standards to further clarify the requirements, reflect developments in Church policy, and incorporate advancements in youth-serving industry standards as a whole. Following their original publication in 2004, the Standards were updated in 2008, 2012, 2016, and 2020.

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There are a total of 20 standards which are designed for any Catholic Men's Religious Institute or Society of Apostolic Life in the United States. Each standard has requirements that must be implemented to meet the standard.

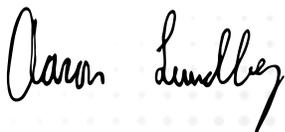
This 2020 edition of the Standards emphasizes the importance of placing victims/survivors first, ensuring transparency, and providing appropriate training for religious members and superiors, administrators, supervisors, Review Boards and all those charged with the duty to prevent sexual abuse. We believe the 2020 Standards are less complicated, and more aligned with issues facing the Church and other youth-serving organizations today.

The 2020 Standards are clustered into four key areas:

- **Standards for Responding to Survivors-** These standards ensure that individuals who report abuse to an Institute are received pastorally and compassionately.
- **Standards for Prevention-** These standards evaluate items such as leadership, transparency, how new members are screened, relevant educational programs for initial and ongoing formation, systems of support and accountability to ensure Members' well-being, and how the Institute manages internal reports of concerns about boundary violations.
- **Standards for Responding to Allegations-** These standards evaluate policies and procedures in areas such as reporting requirements, investigations, and the role of external review boards.
- **Standards for Supervision-** These standards evaluate the effectiveness of supervision for any Members against whom an allegation of sexual abuse of a minor has been established.

Praesidium would like to express gratitude for the tremendous work of everyone who has contributed to this historic revision.

With Sincere Appreciation,



Aaron Lundberg  
CEO, Praesidium

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# Standards for Responding to Survivors

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## **STANDARD 1:**

The Institute responds pastorally and compassionately to any person who reports sexual abuse of a minor in order to promote healing for survivors of sexual abuse.

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### **Rationale:**

*The Member Institutes of CMSM have publicly committed to "...have in place the mechanisms to respond promptly to any allegation of sexual abuse."<sup>1</sup> Many survivors have reported that being received pastorally and having an opportunity to share their story enhanced their overall ability to heal.*

### **Requirements For Accreditation:**

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- R1.** Representatives of the Institute offer to meet in person with an individual who reports sexual abuse of a minor by a Member to promote the healing process and to understand how the sexual abuse has affected the individual. In situations where the survivor has legal representation, representatives of the Institute extend an offer to meet with the individual through their legal counsel. If this is not possible, the Institute will maintain documentation of the reason(s).
- R2.** The Institute provides written information to the individual to explain the process that the Institute typically follows in responding to an allegation.
- R3.** The Institute ensures the process it typically follows in responding to an allegation is publicly available.
- R4.** The Institute ensures all individuals who have approached the Institute since June of 2002 to report the sexual abuse of a minor have been advised of their right to report to civil authorities and encouraged to make a direct report.
- R5.** The Institute documents the response to all individuals who have reported the sexual abuse of a minor since June 2002, or since the date of the Institute's last Accreditation visit.

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<sup>1</sup> From the CMSM Statement, "Improving Pastoral Care and Accountability in Response to the Tragedy of Sexual Abuse," which was voted upon and unanimously approved by CMSM membership at the August 2002 Assembly.

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## STANDARD 1 - Continued

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### **Clarifications:**

- C1.** For the purposes of this standard, “Member” includes current, former, and deceased Members of the Institute.
- C2.** It is recognized that some individuals who allege having been sexually abused as minors may choose not to accept a meeting with representatives of the Institute.
- C3.** The Institute can make the information in R4 publicly available via the Institute’s website, printed materials, or other easily accessible media.
- C4.** It is a recognized best practice for Institutes to not enter confidentiality settlements unless requested by the survivor.

### **CORRESPONDING RESOURCES:**

*Sample Guidelines for a Pastoral and Compassionate Response*

*Sample Information to Provide to Individuals who Report Abuse*

*Sample Documentation for Response to Reports and Allegations of Abuse*

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## **STANDARD 2:**

The Institute has a survivor assistance coordinator to provide support for those who allege sexual abuse as a minor.

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### **Rationale:**

*The Member Institutes of CMSM have publicly recognized the need to designate a competent individual to coordinate assistance for the immediate pastoral care of persons who allege sexual abuse as a minor by a Member.<sup>2</sup>*

### **Requirements For Accreditation:**

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- R1.** The Institute ensures the survivor assistance coordinator(s) have education, training, and/or experience in the following content areas:
  - a. Dynamics of sexual abuse;
  - b. Effects of sexual abuse;
  - c. How to provide comfort to those who have experienced sexual abuse;
  - d. How to encourage trust in those who report being sexually abused as a minor; and
  - e. How to promote healing.
- R2.** The Institute ensures survivor assistance coordinators have written guidelines for fulfilling their role.
- R3.** While the Major Superior may participate in providing a pastoral response, the Institute ensures he does not serve as the survivor assistance coordinator.

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<sup>2</sup> From the CMSM Statement, "Improving Pastoral Care and Accountability in Response to the Tragedy of Sexual Abuse," which was voted upon and unanimously approved by CMSM membership at the August 2002 Assembly.

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## **STANDARD 2 - Continued**

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### **Clarifications:**

- C1.** Survivor assistance coordinators may be Members, employees, volunteers, or contractors of the Institute. The Institute should take care to avoid real or perceived dual relationships or conflicts of interest in assigning this role. For example, the survivor assistance coordinator must not enter a counseling relationship with the survivor.
  
- C2.** It is recognized that providing assistance to survivors may be coordinated with an Arch/diocese or another Religious Institute.

### **CORRESPONDING RESOURCES:**

*Sample Documentation for Survivor Assistance Coordinator Education*

*Sample Guidelines for Survivor Assistance Coordinator*

*Sample Guidelines for a Pastoral and Compassionate Response*

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# Standards for Prevention

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## **STANDARD 3:**

The Major Superior of the Institute demonstrates competency in key areas of abuse prevention and response.

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### **Rationale:**

*The leadership provided by the Major Superior sets the tone for the rest of the Institute. Additionally, the Major Superior is responsible for many of the decisions that are required to create and maintain a safe environment for Members and those the Institute serves.*

### **Requirements For Accreditation:**

- R1.** The Institute ensures the Major Superior has education, training, and/or experience in the impact of child sexual abuse and how to promote healing for survivors.
- R2.** The Major Superior can describe the Institute’s civil and ecclesiastical reporting requirements.
- R3.** The Major Superior can describe how he collaborates and communicates with the review board.
- R4.** The Institute has a written transition plan to ensure standards are maintained and critical information is not lost following changes in leadership, which should include, at minimum:
  - a. A review of all allegations of sexual abuse and boundary violations from the previous five years;
  - b. A review of all current Safety Plans, including risk evaluations, since the last Accreditation; and
  - c. The status of the Institute in the Accreditation process as well as the expiration of the current Accreditation.
- R5.** The Institute documents a one-time review of the personnel files of all living current Members for any possible allegations of sexual abuse of a minor.
- R6.** The Institute ensures documentation of all allegations, reports, and responses concerning the sexual abuse of minors, including those identified in the R5 “one-time review” is accessible to the Major Superior and his successors.

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## **STANDARD 3 - Continued**

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### **Clarifications:**

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- C1.** Action on any information discovered in R5 should be addressed in a manner that is subject to the policies of the Institute and the Praesidium Standards for Accreditation and is consistent with the Charter for the Protection of Children and Young People and other relevant Canonical documents.

### **CORRESPONDING RESOURCES:**

*Sample Documentation for Major Superior Education*

*Sample Written Transition Plan for Leadership*

*Sample Documentation for One-Time File Review*

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## **STANDARD 4:**

The Major Superior demonstrates transparency and commitment to the Members of the Institute.

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### **Rationale:**

*All Members, not just those who are closest to administration, should be aware of the efforts and steps that are taken to protect minors.*

### **Requirements For Accreditation:**

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- R1.** The Institute ensures the Major Superior or his delegate communicates annually to the Members regarding the Institute's commitment to the protection of minors.
- R2.** The Institute ensures the communication contains the following:
  - a. The status of the Institute in the Accreditation process as well as the expiration of the current Accreditation, if applicable; and
  - b. Information about any new reports or incidents of abuse that have occurred since the last communication, and the status of those reports or incidents.

### **Clarifications:**

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- C1.** While the communication may be made by the Major Superior or his delegate, it is recognized that there is no substitute for the encouragement for Members that is provided by a statement of personal commitment by the Major Superior.
- C2.** The report may be made orally or in written form.
- C3.** The level of specificity will be determined by the Major Superior and other Members of the Institute.

For example,

  - It is recommended, but not required, that the Major Superior share with Members the financial costs associated with these efforts (i.e., prevention programs, pastoral care, Accreditation), as well as other related expenses such as legal costs.
  - It is recommended, but not required, that the Major Superior share with Members the status of any Members who have had established allegations of sexual abuse.

### **CORRESPONDING RESOURCES:**

*Sample Documentation for Annual Communication*

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## **STANDARD 5:**

The Institute screens new Candidates for a history of sexually abusing minors or violating the boundaries of minors.

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### **Rationale:**

*The first action an Institute can take to keep its ministries safe is to carefully screen everyone who has access to minors. Specific screening and selection procedures can prevent potentially harmful Candidates from gaining access to minors.*

### **Requirements For Accreditation:**

**R1.** The Institute requires each Candidate who has applied for membership into the Institute during the review period to complete:

- a. A background check, which includes:
  - Multi-state criminal records search;
  - National sex offender registry check;
  - Social-security-number trace and alias search; and
  - Individual county level search in every county the Candidate has lived, worked, or attended school over the last seven years.

If a background check is not possible due to the international limitations, the reason is documented;

- b. A minimum of three documented personal references (including at least one from a family member) and two professional references, for a total of five references;
- c. Face-to-face interviews with more than one representative of the Institute;
- d. A psychological evaluation conducted by a licensed psychologist;
- e. A psycho-sexual history conducted by either a licensed psychologist or a licensed mental health professional with skills in conducting psycho-sexual histories and in assessing psycho-sexual health in preparation for a life of celibate chastity; and
- f. A review of publicly accessible content on all social media, personal blog sites, and websites associated with accounts controlled by the Candidate.

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## STANDARD 5 - Continued

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### **Requirements For Accreditation (continued):**

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- R2.** The Institute ensures a Candidate who has an established allegation of sexually abusing a minor in his past, or who has acquired, downloaded, and/or intentionally viewed images of child abuse, will not be permitted to continue to Membership in the Institute.
- R3.** The Institute ensures vocation directors and formation directors are able, by education, training, or experience, to identify Candidates who may be at risk to sexually abuse a minor.

### **Clarifications:**

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- C1.** The requirements outlined in R1 above may be completed at any time prior to the Institute's acceptance of the Candidate into the novitiate phase of formation. However, prior to the Candidate being placed in or recommended for any form of ministry or volunteer service to the public, the Institute must complete the requirements set forth in R1a, R1b, R1c, and R1f above.
- C2.** Criminal background checks of Candidates from countries outside the United States should be conducted to the best ability of the Institute, recognizing that some countries may not record such information or provide it to the Institute.

### **CORRESPONDING RESOURCES:**

*Sample Screening Requirements Tracking Form*

*Types of Background Checks*

*Guidelines for Reference Checks*

*Sample Interview Questions and Red Flag Responses*

*Guidelines for Psychological Testing*

*Social Media Screening Guidelines*

*Sample Social Media Screening Tool*

*Sample Documentation for Vocation and Formation Director Education*

*Sample Red Flag Behaviors for Vocation and Formation Directors*

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## **STANDARD 6:**

The Institute provides specialized support and accountability at each stage in the initial formation of Members.

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### **Rationale:**

*Many attribute the significant decrease in incidents of abuse beginning in the early 1980s to the shift in seminaries and houses of formation to comprehensively address issues surrounding healthy human development and sexual integration.<sup>3</sup> This major, positive shift has been recognized as a key contribution to overall sexual abuse prevention efforts. Members in initial formation must also themselves feel safe.*

### **Requirements For Accreditation:**

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- R1.** The Institute ensures Members in formation are educated on how to develop a mature, integrated sexuality as a foundation for celibate chastity.
- R2.** The Institute ensures Members in formation are educated on appropriate boundaries, including cultural competencies and behavioral norms relevant to the ministries in which they serve.
- R3.** The Institute ensures Members in formation are encouraged to identify and address challenges to maintaining celibate chastity and healthy intimate relationships.
- R4.** The Institute ensures a Member in formation who sexually abuses a minor will be dismissed.
- R5.** The Institute ensures a Member in formation who is unable to maintain appropriate boundaries with minors, despite guidelines and instruction, will not be permitted to continue in formation.
- R6.** The Institute ensures Members in formation are educated about the requirements and procedures for reporting boundary violations, misconduct, harassment, and abuse to the proper criminal, civil, and ecclesiastical authorities.

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## **STANDARD 6 - Continued**

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### **Clarifications:**

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- C1.** The requirements and procedures outlined in R6 apply whether within the religious community or in a ministry setting.

### **CORRESPONDING RESOURCES:**

*Formation Bibliography*

*Sample Documentation for Formation Curricula*

*Sample Documentation for Tracking Abuse Prevention Training for Members in Formation*

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## **STANDARD 7:**

The Institute identifies and utilizes systems of support and accountability for its Members.

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### **Rationale:**

*Each Institute has its own systems of support and accountability as set forth in the Institute's rules, constitutions, and statutes. Analysis of cases involving a religious as the perpetrator suggest a pattern of higher risk in those situations where the offender fell outside of the Institute's typical systems of support and accountability. By ensuring that all Members participate in systems of support and accountability, the Institute is better able to recognize potential issues early on, and possibly prevent sexual abuse of a minor.*

### **Requirements For Accreditation:**

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- R1.** The Major Superior can describe the Institute's systems of support and accountability for Members.
- R2.** The Major Superior demonstrates ongoing adherence to the Institute's systems of support and accountability for Members.
- R3.** The Institute ensures the Major Superior or his delegate meets at least annually with each Member and maintains a written record of the occurrence. It is not necessary to document the content of these meetings.
- R4.** The Institute communicates annually with any organization in which a Member is employed and ensures the communication:
  - a. Includes the name and contact information of the Major Superior; and
  - b. Is documented in some form.
- R5.** The Institute maintains a list of Members who are living outside the typical systems of support and accountability and ensures these Members have an individualized system of support and accountability or that they are re-engaged in the typical systems of support and accountability.
- R6.** The Institute has a written policy or protocol on support and accountability for those religious from other provinces or Institutes or diocesan priests who are residing in a house or community of the Institute.

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## STANDARD 7 - Continued

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### Requirements For Accreditation (continued):

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**R7.** The Institute has a written plan for Members who are returning from ministry outside of the U.S., as well as for international Members who are coming for ministry within the U.S., and who are under the authority of the local Institute, which includes, at minimum, a review of the Institute's policies for boundaries with minors and an educational program that includes a discussion of the appropriate cultural boundaries.

### Clarifications:

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- C1.** Communications with organizations occur by letter, telephone, electronic mail, facsimile, or in person.
- C2.** When a Member who is living outside the normal systems of support and accountability is reluctant to comply with the options, the Major Superior may consider the use of restrictions on the Member's lifestyle and limitations on financial support where the Member resides and where the Member ministers.<sup>4</sup>
- C3.** When a Member of another Religious Institute begins the probation period to transfer into the Institute, the Member becomes subject to the proper law and the Major Superior of the new Institute and is required to adhere to the new Institute's systems of support and accountability.<sup>5</sup>

### CORRESPONDING RESOURCES:

*Sample Documentation for Tracking Support and Accountability Requirements*

*Sample Communication with Employer*

*Sample Plan of Support and Accountability for Members who Live Outside of Typical Systems of Support and Accountability*

*Sample Policy for Visiting Religious*

*Sample Plan for Returning and International Members*

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<sup>4</sup> When a Member is reluctant to comply with the options, the Major Superior may consider the use of restrictions on the Member's lifestyle; limitations on financial support (c. 670), where the Member resides (c. 665§1), and where the Member ministers (c. 678). Precepts, penalties, including dismissal (c. 696§1), may be considered in accord with the norm of law.

<sup>5</sup> CAN.685 §1.\* Until a person makes profession in the new institute, the rights, and obligations which the member had in the former institute are suspended although the vows remain. Nevertheless, from the beginning of probation, the member is bound to the observance of the proper law of the new institute.

§2.\* Through profession in the new institute, the member is incorporated into it while the preceding vows, rights, and obligations cease.

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## **STANDARD 8:**

The Institute has established and published clear policies for boundaries with minors.

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### **Rationale:**

*Clear policies set the stage for safe environments. They establish standards within the Institute, guide Member conduct, and facilitate the identification of high-risk situations and interactions.*

### **Requirements For Accreditation:**

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- R1.** The Institute's policies for boundaries with minors identify those interactions that the Institute prohibits for Members under all circumstances, including in social and familial settings and via electronic communications and social media.
- R2.** The Institute's policies for boundaries with minors identify positive forms of affection and demonstration of pastoral care that would be appropriate for Members under most circumstances.
- R3.** The Institute ensures Members know and can describe the policies for boundaries with minors.
- R4.** The Institute requires all Members to sign a statement indicating they have read and understand the policies for boundaries with minors at least once during each Accreditation cycle.

### **CORRESPONDING RESOURCES:**

*Sample Policies for Interaction with Minors*

*Sample Policy Acknowledgement Form*

*Sample Documentation for Tracking Support and Accountability Requirements*

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## STANDARD 9:

The Institute educates its Members on the knowledge and skills necessary for preventing and responding to abuse.

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### Rationale:

*Effective training on the sexual abuse of minors can empower Members in their role as protectors. Training also communicates that the Institute has shown due diligence in its attempts to prevent the sexual abuse of minors, and it sends the message: "We will not tolerate any form of abuse in this Institute." All child-serving organizations are accountable for this key risk management component of sexual abuse of minors.*

### Requirements For Accreditation:

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- R1.** The Institute requires all Members in formation and those who serve in public ministry, even those who only occasionally serve in public ministry, to complete at least one educational program that includes the following topics:
- a. Information on how to make a report to the civil authorities of known or suspected sexual abuse of a child who is currently a minor in the jurisdictions where the Member is assigned;
  - b. Information on recognizing and responding to boundary violations or other inappropriate behaviors with minors;
  - c. Information about images of child abuse, including its nature as a criminal offense and as a grave delict considered under the *Motu Proprio "Sacramentorum Sanctitatis Tutela (SST)"*; and
  - d. Information regarding abuse of vulnerable persons, including its nature as an offense under the *Motu proprio, "Vos estis lux mundi."*
- R2.** The Institute requires all Members who serve in public ministry, even those who only occasionally serve in public ministry, to participate in a minimum total number of hours of education that is equal to the number of years in the Institute's Accreditation period.
- R3.** The Institute ensures ongoing training programs include a variety of topics approved by Praesidium that support the prevention of abuse more broadly.

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## STANDARD 9 - Continued

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### **Clarifications:**

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- C1.** It is recognized that other organizations in which Members are employed, such as a diocese, hospitals, or schools, provide educational programs. If these programs include similar topics that are consistent with this requirement, they may meet the requirement. It is the Institute's responsibility to maintain documentation of this.
- C2.** At the discretion of the Major Superior, a Member may be excused from the education programs if that Member has physical or medical difficulties and will not be involved in public ministry.
- C3.** Examples of acceptable topics for continuing education include:
- Appropriate boundaries in ministry with adults
  - Internet pornography and cybersex
  - Sexual Harassment
  - Development of chaste celibate relationships
  - Conflict resolution
  - Preparing religious for leadership in prevention and response to allegations of the sexual abuse of minors
  - Prevention of sexual abuse in schools, camps, churches, or social service organizations
  - Child-to-child sexual abuse
  - Appropriate use of electronic communications and social media
- C4.** Ongoing abuse prevention training refreshes what Members have previously learned and provides additional knowledge and skills that enhance their ability to protect those in their care. Therefore, it is recommended that educational programs should not be repeated.

### **CORRESPONDING RESOURCES:**

*Sample Documentation for Tracking Abuse Prevention Training for Members*

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## **STANDARD 10:**

The Institute interrupts and intervenes when a Member violates the Institute's policies regarding boundaries with minors.

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### **Rationale:**

*Suspicious or inappropriate behaviors (including boundary violations and/or policy violations) often precede incidents of sexual abuse, and a swift and consistent response can interrupt potential harm. Members need to know how to respond if they observe or become aware of problematic behaviors, and Institutional leadership must strive toward minimizing any barriers that would keep a Member from acting on those concerns.*

### **Requirements For Accreditation:**

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- R1.** The Institute has a written process that defines how Members should respond when another Member allegedly violates policies regarding boundaries with minors and who is responsible for addressing these concerns.
- R2.** The Institute ensures Members know and can describe the process they should follow when another Member allegedly violates policies regarding boundaries with minors and can identify who is responsible for addressing these situations.
- R3.** The Institute requires the person identified as responsible for addressing concerns to document the inappropriate behavior(s) and the steps taken for intervention and ensures the documentation is maintained in a manner that is helpful for future Major Superiors and those who will have official responsibility for the Member.
- R4.** The Institute ensures the following when a Member has repeated boundary violations with a minor or when a minor is known to be in danger:
  - a. The situation is presented to the review board;
  - b. An intervention plan is implemented that outlines how the boundary violations with minors will be interrupted; and
  - c. The intervention plan is monitored for compliance.

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## STANDARD 10 - Continued

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### **Requirements For Accreditation (continued):**

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- R5.** The Institute provides appropriate support to a Member who discloses to leadership that he is attracted to minors but has not behaved inappropriately with minors.
- R6.** The Institute immediately intervenes in situations where there is potential risk of harm to an identifiable minor.

### **CORRESPONDING RESOURCES:**

*Sample Process for Responding to Boundary Violations*

*Sample Documentation for Boundary Violations*

*Sample Intervention Plan for Boundary Violations*

*Referrals for Evaluation of Members who Disclose an Attraction to Minors*

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# Standards for Responding to Allegations

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## **STANDARD 11:**

The Institute adheres to written protocols for responding to reports and allegations of sexual abuse of a minor and maintains documentation of adherence to those protocols in a manner that guarantees it will be available to future leadership.

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### **Rationale:**

*Systematic procedures for responding to an allegation of sexual abuse can protect everyone's rights, ensure that the organization responds legally and effectively, and minimize disruption. However, policies and protocols are only as effective as they are practiced. Institutes are held accountable for fulfilling what has been set forth in these policies and procedures.*

### **Requirements For Accreditation:**

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- R1.** The Institute's written protocols for responding to reports and allegations of sexual abuse include:
- a. Responding to individuals who report sexual abuse of a minor;
  - b. Responding to individuals who allege they have been sexually abused as a minor;
  - c. Responding to Members who have been accused;
  - d. Complying with reporting requirements;
  - e. Protecting the rights of all those involved;
  - f. Conducting investigations; and
  - g. Working with review boards.
- R2.** The Institute's written protocols identify who, by role, is responsible for each part of the response to allegations of sexual abuse of a minor.
- R3.** The Institute documents adherence to written protocols for all reports and allegations of sexual abuse of a minor by Members, including anonymous reports and allegations, which have been made since June of 2002, or since the last Accreditation site visit.
- R4.** The Institute ensures documentation is maintained in a manner that guarantees it will be available to future leadership.

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# PRAESIDIUM

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## **STANDARD 11 - Continued**

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### **Clarifications:**

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- C1.** For the purposes of this standard, “Member” includes current, former, and deceased Members of the Institute.

### **CORRESPONDING RESOURCES:**

*Sample Protocols for Responding to Reports and Allegations of Abuse*

*Sample Documentation for Response to Reports and Allegations of Abuse*

# PRAESIDIUM

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## **STANDARD 12:**

The Institute reports known or suspected abuse of children who are still minors to civil authorities.

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### **Rationale:**

*In most circumstances, Members are mandated, as clergy or as professionals in a child-serving organization, to report sexual abuse or suspicion of sexual abuse of a minor. Reporting sexual abuse regardless of individual state statutes demonstrates the Institute's commitment to interrupt sexual abuse and to help seek justice for survivors.<sup>6</sup>*

### **Requirements For Accreditation:**

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- R1.** The Institute ensures Members are educated in their obligations to report all allegations of known or suspected sexual abuse of a minor regardless of the civil mandatory reporting laws of the jurisdiction.
- R2.** The Institute requires Members to report all known or suspected sexual abuse of a survivor who is currently a minor to the appropriate authorities, whether alleged to have been perpetrated by a current, former, or deceased Member or a non-Member.
- R3.** The Institute requires Members to report known or suspected possession, distribution, downloading and/or viewing images of child abuse to appropriate civil authorities.
- R4.** The Institute reports known or suspected sexual abuse of a minor by a current, former or deceased Member when the survivor is no longer a minor, as obligated by the civil laws of the state where the sexual abuse of the minor allegedly occurred.

### **Clarifications:**

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- C1.** It is recognized that information revealed during the Sacrament of Reconciliation is under the seal of confession and is inviolable under canon law.<sup>7</sup>
- C2.** It is also recognized that information revealed during the Manifestation of Conscience is also not to be revealed under any circumstances.<sup>8</sup>
- C3.** Images of child abuse or child pornography is a graphic sexually explicit depiction of a minor and is considered sexual abuse of a minor.

### **CORRESPONDING RESOURCES:**

*Sample Policy for Reporting Known or Suspected Abuse of Minors*

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<sup>6</sup> From the Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons, 2006 revision.

<sup>7</sup> Can. 983 §1. The sacramental seal is inviolable; therefore, it is absolutely forbidden for a confessor to betray in any way a penitent in words or in any manner and for any reason.

<sup>8</sup> See canons 220, 630§5 and 984§1 for further guidance.

# PRAESIDIUM

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## **STANDARD 13:**

The Institute cooperates with civil authorities that are investigating an allegation of sexual abuse of a minor.

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### **Rationale:**

*The professional standard of care holds that the Institute will “comply with all applicable civil laws with respect to reporting of allegations of sexual abuse of minors to civil authorities and will cooperate in their investigation.”<sup>9</sup>*

### **Requirements For Accreditation:**

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- R1.** The Institute cooperates with investigations of its Members by civil authorities.
- R2.** The Institute ordinarily suspends its own internal investigations until criminal investigations are concluded. Decisions to move forward with investigations during a criminal investigation are made in consultation with law enforcement.

### **Clarifications:**

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- C1.** Institutes are expected to be familiar with and respect each Member’s rights under civil and canon law.<sup>10</sup>

## **CORRESPONDING RESOURCES:**

*Sample Policy for Cooperating with Civil Authorities*

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<sup>9</sup> From the Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons, 2006 revision.

<sup>10</sup> The rights of Members of Religious Institutes/Societies include, for example: the right to a good reputation (c. 220) and to protect one’s privacy (c. 220); right to defend one’s rights in an ecclesiastical forum (c. 221§1); right not to be punished with canonical penalties except in accord with the norm of law (c. 221§3); right to canonical counsel (EN, n. 8a); right not to be forced to make a manifestation of conscience (c. 630§5); right to live in a house of the institute (c. 665§1); right to those things necessary to live one’s vocation - support (c. 670); and right to hierarchical recourse (c. 1734 ff.).

# PRAESIDIUM

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## **STANDARD 14:**

The Institute investigates all reports and allegations of sexual abuse of minors by a Member, to the extent possible, based on the information provided.

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### **Rationale:**

*Investigations of allegations of sexual abuse of a minor are conducted in order to respond properly to individuals who may have experienced great harm and to preserve the right of due process for any Member who has been accused of abuse. Therefore, all allegations, including anonymous allegations, should be taken seriously. Lack of an investigation may jeopardize the safety of a child, the rights of a Member, and the functioning of the Institute.*

### **Requirements For Accreditation:**

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- R1.** The Institute has written procedures for investigating reports of sexual abuse of a minor by its Members.
- R2.** The Institute ensures the Major Superior, or his delegate, complete an initial investigation to determine a “semblance of truth”<sup>11</sup> when an allegation or report is received, including anonymous allegations.
- R3.** If at the conclusion of an initial investigation, there is a “semblance of truth,” the Institute ensures the Member against whom the allegations are made has no unsupervised access to minors during the pendency of a full investigation.
- R4.** If at the conclusion of an initial investigation, there is a “semblance of truth,” the Institute ensures a full investigation is conducted by trained, third-party individuals who will produce a written report.
- R5.** The Institute ensures all allegations of sexual abuse of a minor reported since June of 2002, or since the last Accreditation site visit, have:
  - a. A documented investigation by trained, third-party individuals, or
  - b. Documentation of the reason(s) an investigation is not possible or is not necessary.

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<sup>11</sup> “Semblance of truth” is defined as “not manifestly false or frivolous.” A Resource for Canonical Processes for the Resolution of Complaints of Clerical Sexual Abuse of Minors (USCCB, Nov. 2003).

# PRAESIDIUM

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## STANDARD 14 - Continued

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### Clarifications:

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- C1.** For the purposes of this standard, “Member” includes current, former, and deceased Members of the Institute.
- C2.** Third-party investigators are defined as not being a Member of the Institute.
- C3.** To the extent possible, the Institute will document every effort to restore the good reputation of a Member when an allegation is not established following a thorough investigation.
- C4.** While Standard 14 is intended to ensure the Member Institutes meet prevailing standards of care within the United States, it is recognized that Canon Law has specific requirements concerning investigations that Institutes are expected to follow.<sup>12</sup>
- C5.** Institutes are expected to be familiar with and respect each Member’s rights under civil and canon law.

### CORRESPONDING RESOURCES:

*Sample Procedures for Investigating Reports and Allegations of Abuse*

*Sample Documentation for Response to Reports and Allegations of Abuse*

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<sup>12</sup> See c. 1717§1 on the preliminary investigation and cc. 1717§2 and 220 regarding the reputation of the cleric; see canon 1722 regarding the precautionary measures that the major superior can impose on the accused member at any time following the determination that a “semblance of truth” exists. See SST Article 19 and Circular Letter, II. Essential Norms (EN), n. 6 and Sacramentorum sanctitatis tutela (SST), Art.16

# PRAESIDIUM

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## **STANDARD 15:**

The Institute demonstrates transparency in its response to allegations of sexual abuse of minors.

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### **Rationale:**

*Genuine transparency is critical to the protection of minors and in restoring trust in the Institute and in the larger Church.*

### **Requirements For Accreditation:**

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- R1.** The Institute communicates with the diocesan bishop and/or the organization where the alleged abuse took place, as well as with the diocesan bishop and/or the employer where the Member is currently working or residing when:
  - a. A report or allegation is received;
  - b. When an investigation is initiated; and
  - c. When an investigation is complete.
  
- R2.** The Institute notifies the diocesan bishop and/or the organization where the alleged abuse took place, as well as with the diocesan bishop and/or employer where the Member is currently working or residing if an allegation is established or if a Member has admitted to the sexual abuse of a minor.
  
- R3.** The Institute has written protocols for communication with the Religious Institute, the faith community, and the public if an allegation is established or if a Member has admitted to the sexual abuse of a minor.

### **Clarifications:**

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- C1.** For the purposes of this standard, “Member” includes current, former, and deceased Members of the Institute.

### **CORRESPONDING RESOURCES:**

*Sample Documentation for Response to Reports and Allegations of Abuse*

*Sample Protocols for Transparency in Responding to Reports and Allegations of Abuse*

# PRAESIDIUM

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## **STANDARD 16:**

The Institute utilizes a review board for the purpose of providing consultation to the Major Superior on the response to all reports and allegations of sexual abuse of minors.

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### **Rationale:**

*The Member Institutes of CMSM have publicly recognized the need for “more accountability and transparency in how we ... handle allegations of sexual abuse and follow-up outreach to ...[survivors]...”<sup>13</sup> Allowing an external, objective body to review the Institute’s efforts demonstrates transparency and provides leadership with critical “advice on all aspects of these cases, whether retrospectively or prospectively.”<sup>14</sup> Many organizations that serve minors have bodies that function similarly.*

### **Requirements For Accreditation:**

- R1.** The Institute ensures the review board meets at least annually.
- R2.** The Institute ensures the review board consists of at least five members, with no more than two Members of the Institute.
- R3.** The Institute notifies the review board within 30 days of when an allegation or report of sexual abuse of a minor is received and when an investigation is complete.
- R4.** The Institute ensures the review board provides recommendations regarding the response to all reports and allegations of sexual abuse of a minor by a Member that have come forward since June of 2002, or since the date of the last Accreditation site visit.
- R5.** The Institute provides the review board with the following written documentation when considering allegations of sexual abuse of a minor against a Member:
  - a. The original report or allegation of sexual abuse of a minor by a Member that was submitted to the institute;
  - b. The final written report of an investigation;
  - c. All other allegations of sexual abuse by that Member; and
  - d. Any relevant disciplinary actions that have been taken in the past in regard to that Member and the reasons for the actions.

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<sup>13</sup> From the CMSM Statement, “Improving Pastoral Care and Accountability in Response to the Tragedy of Sexual Abuse,” which was voted upon and unanimously approved by CMSM membership at the August 2002 Assembly.

<sup>14</sup> From the Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons, 2006 revision; Norm 4

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## STANDARD 16 - Continued

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### Requirements For Accreditation (continued):

- R6.** The Institute ensures the review board provides consultation regarding the disposition of the case in cases where alleged sexual abuse of a minor by a Member cannot be investigated or established.
- R7.** The Institute ensures review board members are familiar with the following documents:
- a. *Charter for the Protection of Children and Young People*,<sup>15</sup>
  - b. *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*;
  - c. *Motu Proprio, "Sacramentorum Sanctitatis Tutela (SST)"*;
  - d. *2002 CMSM Statement of the Assembly*;
  - e. Institute's Policies;
  - f. *Praesidium Accreditation Standards*; and
  - g. *Motu proprio, "Vos estis lux mundi."*
- R8.** The review board has policies and standardized operating procedures, which include, at minimum, the following topics:
- a. Confidentiality;
  - b. Constitution of the board;
  - c. Terms of membership;
  - d. Frequency of meeting;
  - e. Media and communications;
  - f. Records retention;
  - g. Required training for review board members;
  - h. How information will be disseminated to review board members;
  - i. Possible alternatives for the disposition of cases; and
  - j. Timeframe allotted for providing response once an allegation has been received by the review board.
- R9.** The Institute documents that all allegations and reports of the sexual abuse of minors have been presented to the review board.

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<sup>15</sup> See Charter, Art. 2; Essential Norms, n. 4; Circular Letter from Congregation for the Doctrine of the Faith (2011) - III, f.; Resource for Canonical Processes, p. 10.

# PRAESIDIUM

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## STANDARD 16 - Continued

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### Clarifications:

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- C1. Review board meetings may be conducted in person, by conference call, or web-conferencing.
- C2. The role of the review board is to provide advice and consultation to the Major Superior with respect to fulfillment of *Praesidium Accreditation Standards*, the *Charter* and *Essential Norms*, and other community standards for prevention and response to incidents and allegations of sexual abuse of minors. This role does not extend to the review board actively investigating allegations<sup>16</sup> or acting as the Institute’s “investigators” as this may create a dual role for the board and does not meet prevailing standards for independent review.
- C3. While it is appropriate for the Institute to include a counselor/psychologist and a person with legal experience as members of the review board, neither they nor other members of the review board should serve as the survivor assistance coordinator/counselor or the legal representative of the religious community, the abuser, or the survivor, as this may create a dual role for the board member and does not meet prevailing standard for independent review. Legal counsel for the Institute may attend meetings to serve in their capacity as legal counsel for the Institute but should not be members of the review board.
- C4. It is not sufficient for the Major Superior or his delegate(s), including a lawyer or investigator, to provide a verbal summary.
- C5. Where appropriate, the review board provides consultation to the Major Superior regarding the reporting of cases to the authorities when such reporting is not required by law.
- C6. The Institute is encouraged to provide both initial and ongoing training for members of the review board. Topics may include ongoing education about clergy sexual abuse, adult misconduct, and periodic updates to documents outlined in R7.

### CORRESPONDING RESOURCES:

*Sample Documentation for Response to Reports and Allegations of Abuse*  
*Sample Checklist for Review Boards Case Review*  
*Sample Policies and Operating Procedures for Review Board*

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<sup>16</sup> See Charter, Art. 2; Essential Norms, n. 4; Circular Letter from Congregation for the Doctrine of the Faith (2011) - III, f.; Resource for Canonical Processes, p. 10.

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# Standards for Supervision

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# PRAESIDIUM

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## **STANDARD 17:**

The Institute maintains a written, individualized Safety Plan to guide the supervision of any Member against whom an allegation of sexual abuse of a minor has been established.

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### **Rationale:**

*Safety Plans allow the Institute to articulate and demonstrate diligence in managing the future risk of Members who have sexually abused minors in the past. Safety Plans improve consistency during the transitions of Local and Major Superiors and provide a formal plan to which a review board is able to provide recommendations.*

### **Requirements For Accreditation:**

- R1.** The Institute ensures the written Safety Plan includes:
- a. A summary of the problem behaviors, which at a minimum will detail the number of survivors and the age and gender of the survivor(s);
  - b. Information about how the Member spends the majority of his time;
  - c. Any applicable sex offender registry requirements, including parole or probation;
  - d. A summary of the Member's risk assessment and the risk-reduction strategies, including:
    - Limitations on the Member's access to minors and how any such access is supervised,
    - Issues of personal relationships with friends and family, to ensure that the Member does not have unsupervised access to minors,
    - Monitoring of the Member's use of electronic communications, social media, and internet access,
    - Issues of financial accountability, and
    - The Member's current living situation;
  - e. How the Institute will address issues of aging as they relate to risk;
  - f. The person responsible for the implementation of each risk-reduction strategy;
  - g. Consequences for non-compliance with the Safety Plan; and
  - h. Dates on which the Safety Plan has been reviewed by the review board.

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# PRAESIDIUM

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## STANDARD 17 - Continued

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### **Requirements For Accreditation (continued):**

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- R2.** The Institute ensures the written Safety Plan is signed by the Member, the Major Superior, and at least one individual who is directly involved in the supervision of the individual.
- R3.** The Institute ensures implementation of the written Safety Plan and that the Member understands the consequences for non-compliance with the Safety Plan.

### **Clarifications:**

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- C1.** All Members who have an established allegation of sexual abuse of a minor, including men who are in a residential treatment center or long-term nursing care or who are on parole/probation, are required to have a Safety Plan. Safety plans are not necessary for men who are incarcerated but should be developed in the event of release.
- C2.** Distributing, downloading, or intentionally viewing images of child abuse of any kind is sexual abuse of a minor in both civil and canon law.<sup>17</sup> Any individual who has engaged in these behaviors must have an individualized Safety Plan.
- C3.** If the Member chooses not to sign the Safety Plan, this should be documented.

### **CORRESPONDING RESOURCES:**

*Sample Safety Plan*

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<sup>17</sup> See SST, 6.

# PRAESIDIUM

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## **STANDARD 18:**

The Institute ensures Members on a Safety Plan do not work in any position that allows access to minors or in any ecclesiastical ministry.

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### **Rationale:**

*Those who have abused minors should not have regular access to minors or other vulnerable populations. The Essential Norms state that, "When even a single act of sexual abuse of a minor by a priest or deacon is admitted or is established after an appropriate process in accordance with canon law, the offending priest or deacon will be removed permanently from ecclesiastical ministry . . ."*<sup>18</sup>

### **Requirements For Accreditation:**

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- R1.** The Institute ensures appropriate work for a Member on a Safety Plan is determined in consultation with the review board.
- R2.** The Institute ensures the specific assignment for a Member must be documented in the Safety Plan of the Member.
- R3.** The Institute communicates with any organization in which a Member on a Safety Plan is employed or volunteers in and ensures the communication:
  - a. Includes a history of the problem behaviors;
  - b. Includes current restrictions;
  - c. Includes the name and contact information of the Major Superior; and
  - d. Is documented in some form.
- R4.** The Institute ensures Members on Safety Plans do not hold an ecclesiastical office.

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<sup>18</sup> From the Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons, 2006 revision; Norm 8.

# PRAESIDIUM

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## STANDARD 18 - Continued

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### Clarifications:

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- C1.** Examples of work assignments that are not appropriate for Members on a Safety Plan include, but are not limited to:
- Work in a parish;
  - Work in a school or other youth-serving organization; and
  - Work that involves one-on-one with vulnerable populations.
- C2.** It is recognized that Members on a Safety Plan may participate in community mass; however, it is encouraged the Institute exercise caution in assigning duties to a Member on a Safety Plan when members of the public attend community mass.
- C3.** The role of Local Superior is a form of ecclesiastical office.

### CORRESPONDING RESOURCES:

*Sample Guidelines for Assignment of Work*

*Sample Safety Plan*

*Sample Communication with Organization Where a Member on a Safety Plan Works or Volunteers*

# PRAESIDIUM

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## **STANDARD 19:**

The Institute ensures Safety Plans are reviewed annually by the Major Superior and the review board to ensure ongoing compliance and the overall efficacy of the plan.

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### **Rationale:**

*The Member Institutes of CMSM have publicly recognized the need for “more accountability and transparency in how we . . . handle . . . supervision of our Members charged with abuse.”<sup>19</sup> Annual consideration by the review board of Safety Plans is a critical function of the Board, as it demonstrates transparency with regard to how the Institute is managing the risk of its Members who have sexually abused minors. Reviewing all existing Safety Plans at least annually also creates a venue for considering the appropriateness of current risk management strategies and the overall effectiveness of each Safety Plan.*

### **Requirements For Accreditation:**

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- R1.** The Institute has written protocols for regular documentation of compliance with Safety Plans, which include:
  - a. Frequency of meeting between the supervisor and Member;
  - b. Frequency of meeting between the Major Superior and the supervisor; and
  - c. A summary of the Member’s current strengths and challenges under the Safety Plan.
  
- R2.** The Institute ensures the Major Superior or his delegate evaluates and documents compliance with Safety Plans at least annually.
  
- R3.** The Institute ensures the review board reviews each new Safety Plan within 30 days of the Safety Plan’s development.
  
- R4.** The Institute ensures the review board reviews each existing Safety Plan at least annually.

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<sup>19</sup> From the CMSM Statement, “Improving Pastoral Care and Accountability in Response to the Tragedy of Sexual Abuse,” which was voted upon and unanimously approved by CMSM membership at the August 2002 Assembly.

# PRAESIDIUM

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## STANDARD 19 - Continued

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### **Requirements For Accreditation (continued):**

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- R5.** The Institute ensures the review board receives a written report of compliance annually, which includes:
- a. The Member's overall response to the Safety Plan;
  - b. Information about any violations of the Safety Plan; and
  - c. Information about any other boundary violations or misconduct.
- R6.** The Institute ensures the review board documents any recommendations offered to the Major Superior.
- R7.** The Institute ensures if a Member who is currently on a Safety Plan experiences any significant change in behavior, health status, the need for a change in residence, or a new allegation surfaces, his Safety Plan is reviewed as soon as possible by the Major Superior and any adjustments made to the Safety Plan for managing risk are communicated to the supervisor and review board immediately.

### **Clarifications:**

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- C1.** Due regard must be given to the need for any Member who has a Safety Plan to authorize the release of any confidential information to the members of the review board.
- C2.** It is highly encouraged the Major Superior give timely notice of the review board meeting to the Member, his Local Superior, and the supervisor to submit information for consideration and requests for modifications of the Safety Plan.
- C3.** The review board can document its recommendations either in their annual report or in some other memo/minutes.

### **CORRESPONDING RESOURCES:**

*Sample Protocols for Documentation of Compliance with Safety Plans*

*Sample Documentation of Annual Evaluation of Compliance with Safety Plans*

*Sample Documentation of Safety Plan Review by Review Board*

# PRAESIDIUM

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## **STANDARD 20:**

The Institute has identified appropriate levels of supervision for Members who have Safety Plans.

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### **Rationale:**

*Careful consideration should be made with regard to who can be most effective in the role of supervisor. Supervisors need clarity about the expectations of the role, including how to manage non-compliance. Due regard should be given to the level of risk posed by the Member under supervision and the ability and availability of the supervisor to effectively fulfill the role.*

### **Requirements For Accreditation:**

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- R1.** The Institute has determined and documented in the Safety Plan the level of risk for each Member on a Safety Plan at least once per accreditation cycle.
- R2.** The Institute ensures individuals who supervise do not have physical or emotional disabilities that prohibit their fulfillment of the function of supervision.
- R3.** The Institute ensures supervisors receive written guidelines regarding their role and procedures for supervision, including how to respond if the supervised Member violates his Safety Plan.
- R4.** The Institute ensures supervisors are trained regarding their responsibilities.
- R5.** The Institute identifies and utilizes systems of support and accountability for supervisors.
- R6.** The Institute ensures supervisors have adequate information to fulfill their duties to supervise, which may include the following:
  - a. Relevant history of sexual abuse of a minor;
  - b. All allegations of sexual misconduct, including those with adults;
  - c. History of compliance with Safety plans;
  - d. Current progress in treatment, if applicable, or information about treatment completion; and
  - e. History of substance abuse and/or abuse if applicable.

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# PRAESIDIUM

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## STANDARD 20 - Continued

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### **Requirements For Accreditation (continued):**

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- R7.** The Institute requires Members who have Safety Plans to live in a supervised setting with individuals who provide support and accountability and ensures at least one person in the community or residence is notified of the following:
- a. History of the problem behaviors;
  - b. Current restrictions; and
  - c. Name and contact information of the Major Superior or supervisor.

### **Clarifications:**

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- C1.** The Institute, in cooperation with its own treatment providers or other experts, will be responsible for identifying its high-risk Members. The level of risk should be determined either through a professional risk assessment or through an internal review of behaviorally based indicators.
- C2.** While Praesidium will visit all Members on Safety Plans during an Accreditation visit, Praesidium may visit between Accreditation visits, as necessary.
- C3.** Supervisors may be qualified Members, employees, or contractors of the Institute.
- C4.** When the supervisor is a Member of the Institute, the other assignments of the supervisor must not interfere with the responsibility of supervision.
- C5.** Pertinent information may also include treatment summaries, evaluation results, psychological evaluations, or personal histories, with appropriate limited waivers of release.
- C6.** All information known in the external forum by the Major Superior and not protected by the attorney-client privilege shall be shared with supervisors.
- C7.** Due regard must also be given to the Member's civil and canonical rights regarding the authorization of the release of any confidential information to individuals involved in supervision.<sup>20</sup>

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<sup>20</sup> See c. 220

# PRAESIDIUM

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## STANDARD 20 - Continued

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### Clarifications (continued):

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- C8.** When Members on Safety Plans are moving to or living in care facilities outside of the Institute, care should be given to informing that facility of the Safety Plan. This information need not be widely disseminated but should be provided to appropriate personnel at the facility (e.g., the director of nursing or director of social work) in order to manage any potential risk and communicate concerns back to the Institute.
- C9.** In accordance with the requirements of Essential Norm 12, when a Member is relocated to another diocese, the Major Superior will communicate with the diocesan bishop the presence of the Member against whom an allegation of sexual abuse of a minor has been made.

### CORRESPONDING RESOURCES:

*Sample Safety Plan*

*Sample Guidelines for Supervisors*

*Sample Documentation for Supervisor Education*

*Sample Documentation of Information Provided to Supervisors*

*Sample Documentation of Information Provided to Individuals in the Community or Residence*

*Sample Guidelines for Community Support*

## Glossary of Terms

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**Allegation.** A first-person accusation of sexual abuse of a minor brought against a current Member, former Member, or deceased Member which is reported to the Institute through any form of communication, including any that are anonymous.

**Candidate.** An individual who is applying for membership in an Institute.

**Images of Child Abuse or Child Pornography.** Any activity which involves a graphic depiction of a minor that is sexually explicit.<sup>21</sup>

**Confidential.** Private information which shall be kept restricted from others and only be disclosed to an authorized person for legitimate reasons of the Institute or because the disclosure is legally required.

**Confidential Documents.** Documents which are given confidential status as defined by the Institute in its policies and procedures and as required by canon and civil law and whose confidential status has been communicated to the Members of the Institute.

**Credible Allegation.** A credible allegation is one that has a semblance of truth and does not appear to be manifestly false or frivolous.

**Ecclesiastical Office.** An ecclesiastical office is a function established in a stable manner by divine or ecclesiastical authority to be exercised for a spiritual purpose such as the office of provincial, superior, bishop.

**Established Allegation.** Based upon the facts and the circumstances, there is objective certainty that the accusation is true and that an incident of sexual abuse of a minor has occurred.

[The judgment of the major superior must be based upon facts and circumstances discovered the course of the investigation, not on simple opinion. Established Allegation is not based upon a “preponderance of the evidence,” i.e. more likely to be true than not, which may be established by 51% or more of the evidence. Established Allegation is in keeping with the canonical standard of “moral certitude” which states that major superior recognizes that the contrary (that the allegation is false) may be possible, but is highly unlikely or so improbable, that the major superior has no substantive fear that the allegation is false.]

**High-Risk Member.** A Member who has sexually abused a minor in the past and is likely to sexually abuse a minor again if left untreated and/or unsupervised.

**Institute.** The individual religious province, association, monastery, abbey, congregation, society or order that is seeking Accreditation.

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<sup>21</sup> From a presentation given at the USCCB Promise to Protect seminar on September 13, 2007 by Kenneth V. Lansing, which was adapted from his work, *Cyber “Pedophiles”: A Behavioral Perspective*, Chapter 4 of *Prosecuting Internet Child Exploitation Cases* (James S. Peters ed., US Department of Justice, USA Book); “The legal definition of the term “child pornography” varies from state to state and under Federal law. Under most legal definitions, child pornography involves a visual depiction of a child that is sexually explicit. The Federal child pornography law defines a child (minor) as someone who has not yet reached his or her 18th birthday.”

## Glossary of Terms

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**Major Superior.** The responsible leader according to the proper law of the Institute that is seeking accreditation.

**Member.** A person for whom an Institute is responsible according to canon law and the proper law of the Institute.

**Ministry:**

**Ecclesiastical Ministry.** Any ministry that is under the authority of a diocesan bishop.

**Public Ministry.** Any ministry that is under the authority of a diocesan bishop and/or under the sponsorship of a religious institute, and/or is undertaken with the permission of the major superior.

**Minor.** Anyone under the age of 18.<sup>22</sup>

**Report.** A third-party accusation of sexual abuse of a minor brought against a current Member, former Member, or deceased Member which is conveyed to the Institute through any form of communication, including any that are anonymous.

**Review Board.** A voluntary group of individuals with unique knowledge, expertise and experience, who provide counsel and recommendations to the Major Superior in situations involving the sexual abuse of a minor.

**Risk Assessment.** The prediction of the degree of possibility of re-offense for someone with a known history of sex offenses.<sup>23</sup>

**Safety Plan.** A formal, written supervision program for an individual who, it has been established, has sexually abused a minor.

**Sexual Abuse of a Minor.** Contact or interaction between a minor and an adult when the minor is being used for sexual stimulation of the adult. This occurs when an adult engages a minor in any sexual activity, including direct sexual contact as well as sexual non-contact, such as frottage, exhibitionism, and the distribution, downloading, and/or intentional viewing of child pornography.

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<sup>22</sup> This definition of a minor reflects the stipulation of the USCCB Charter for the Protection of Children and Young People (revised June 2011), which states that "for purposes of this Charter, the offense of sexual abuse of a minor will be understood in accord with the provisions of Sacramentorum sanctitatis tutela (SST), article 6, which reads:

§1. The more grave delicts against morals which are reserved to the Congregation for the Doctrine of the Faith are:

1o the delict against the sixth commandment of the Decalogue committed by a cleric with a minor below the age of eighteen years; in this case, a person who habitually lacks the use of reason is to be considered equivalent to a minor."

<sup>23</sup> According to Association for the Treatment of Sexual Abusers (ATSA), risk assessment is "concerned with predicting the degree of possibility of a sexual re-offense for someone with a known history of sex offending . . . the task of risk assessment is to strike a scientific and ethical balance among the identification of offenders, while optimizing public safety."

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