

## Safe Environment Program

The faith community of Holy Name of Jesus has implemented a Safe Environment Program, in order to sponsor safe places and programs for all its members, visitors, volunteers and staff including children, youth, and vulnerable adults. The program is also intended to educate and protect all volunteers from misunderstanding and prevent them from being placed in compromising situations.

### Policy

To provide an environment that is safe both for those receiving its ministries and for those providing its ministries, Holy Name Of Jesus parish will implement the following:

- Paid personnel and all volunteers (see definition in attachment) will be advised of this policy and will be required to document this dissemination of this information.
- Education programs will be established to foster a safe environment.
- Background checks may be required of volunteers.
- Anyone serving within a ministry of the parish, who engages in any of the prohibited behavior listed below violates the ministerial mission of our religious community. In addition may be dismissed immediately from their ministry and may be subject to civil and criminal penalties.
- State of Minnesota reporting laws and procedures for reporting abuse and responding to allegations will be adhered to. (see definition Mandatory Reporter in attachment)
- The behaviors prohibited by this policy included but not limited to: (definitions attached)

Maltreatment	Child Neglect
Harassment	Sexual Exploitation
Child Physical Abuse	Sexual Abuse
Child Sexual Abuse	Physical Abuse

## Reporting Procedures

Reporting Alleged Abuse or Neglect to Civil Authorities & Church Authorities

### **Mandatory Reporting of Abuse or Neglect**

#### **1. Mandatory reporters**

Minnesota law requires that certain persons report to civil authorities by calling Common Entry Point: Hennepin County Child Protective Services (612) 348-3552 or Hennepin County Adult Protection (612) 348-8526 if they know or have reason to believe that a minor child or vulnerable adult is or has been recently neglected physically abused or sexually abused. The Church of Holy Name Of Jesus directs its paid personnel who are mandated reporters to comply with the requirements of the law and report suspected abuse or neglect to civil authorities within twenty four (24) hours.

#### **2. Others**

The Church of HNOJ directs all of its paid personnel and volunteers, including those who are not mandated reporters, to report suspected abuse or neglect to civil authorities through the Common Entry Point at: Hennepin County Child Protection Service (612) 348-3552 or Hennepin County Adult Protection (612) 348-8526.

#### **3. Cases of Privilege or Confidentiality**

If the paid personnel or volunteer of HNOJ believes that a report cannot be made because of the existence of a privilege<sup>1</sup> or requirement of confidentiality, the paid personnel or the volunteer must immediately contact the Archdiocesan Central Corporation Human Resources Office, ask to speak with vicar general or the chancellor at **(651-291-4400)** and advise of the existence of the privilege or confidentiality claim.

#### **4. Incidents Outside of Hennepin County, Minnesota**

If the incident happens on a church- related outing in another county or state, it is to be immediately reported to the local authorities in the county or state where it occurred.

### Reporting Alleged Abuse or Neglect to Church Authorities

#### **A. Report to Pastor**

In addition to reporting to civil authorities, all paid personnel and volunteers of the Church of HNOJ shall report suspected abuse or neglect to the pastor or program supervisor of the Church of HNOJ as soon as possible. The report should be in writing if at possible.

If the program supervisor receives a report, the supervisor shall immediately inform the pastor of the report.

## Investigation Procedures

#### **A. Allegations of Abuse or Neglect by Clergy.**

Investigation of alleged violation by clergy shall be handled through the Archdiocese of St. Paul and Minneapolis (in addition to civil authorities) using the guidelines that have been established.

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<sup>1</sup> "Privileged" communications may exist where the suspected neglect or abuse is reported to a health care provider, lawyer, or priest. These circumstances will be rare and care should be taken to seek advice from the Archdiocesan Central Corporation HR officer immediately.

## **B. Allegations of Abuse or Neglect by Non-Clergy**

Upon receipt of a report of suspected neglect or abuse, the pastor shall see that the following steps are taken as soon as reasonably possible:

An allegation involving HNOJ paid personnel or volunteers will be investigated as soon as possible. Any investigation will generally involve an interview of the person bringing the allegation and the person suspected of committed neglect or abuse. The Church of HNOJ will cooperate with and take direction from civil authorities in the investigation of any such matters.

Written summaries of interviews or of the investigation, will generally be prepared where appropriate.

Pastoral and or professional support will be available to all parties, including the alleged violator, the alleged victim and the reporter of the alleged incident. The paid personnel or volunteer who is accused of a violation will be offered the opportunity to prepare a response to the report and to be accompanied in all meetings by counsel or an advisor. The pastor will consider suspending the service of the volunteer or the paid personnel. Suspension of paid personnel will be done in accordance with parish employment policies.

### **Confidentiality**

Allegations of prohibited behaviors, reports, background checks, or others information about prohibited behaviors must be kept confidential. This means that the information may only be discussed with or provided to persons who need to know or by order of a court of law. There is no protection when a situation is discussed inappropriately. Reporters are covered by good faith confidentiality.

### **Retaliation**

Holy Name of Jesus will not tolerate any retaliation or threat of retaliation against those reporting in good faith. Holy Name of Jesus will not tolerate false reports made knowingly or recklessly.

## **Attachment Definitions**

**Volunteer** is any one that is not a paid staff person who acts under the direction of a parish, Catholic school, or other Catholic organization in the Archdiocese, or who undertakes a task on behalf of the parish, Catholic school or other Catholic organization in the Archdiocese.

**Regular** means contact through a foreseeable activity. For example, contact once a year each year is regular. It refers to acting in a volunteer capacity even once in a programmed activity. For example, being a chaperone once a year on an overnight youth trip, a catechist teaching a class. a pastoral minister taking Holy Communion to a shut –in elderly person.

**Contact** does not have a precise definition here, but means anyone who is in close proximity to minors or vulnerable adults on a regular basis in their role as a volunteer. For example, athletic coaches and day care worker. *Contact* does not necessarily mean anyone who just happens to be in the same room or area as a minor or vulnerable adult.

**Mandatory Reporter** is a professional or professional's delegate who is engaged in the practice of the healing arts, social services, hospital administration, psychological or psychiatric treatment, childcare, education, or law enforcement.

Exempt: employed as a member of the clergy and received the information while engaged in ministerial duties provided that a member of the clergy is not required by this subdivision to report information that is otherwise privileged. Failure to report is guilty of a misdemeanor or gross misdemeanor depending on the level of harm. Also liable for civil money.

**Vulnerable:** Risk of experiencing harm (state definition)

- All people under the age of 18 are considered to be vulnerable.

Any adult (over 18 years of age) who is a resident or inpatient of a health care facility or receives services from: A licensed home care provider or a person or organization that provides personal care assistance under the state's medical assistance program (except treatment of outpatient chemical dependency or mental illness); or who is unable or unlikely to report abuse or neglect without assistance because of mental or physical impairment or because of emotional status.

## **Definitions Prohibited Behaviors**

**Maltreatment** of vulnerable persons means abuse or neglect of any child or vulnerable adult. For the purposes of these guidelines:

Abuse means:

- any act of assault, mistreatment, criminal sexual conduct or prostitution;
- non-therapeutic conduct that is not accidental, which produces or could reasonably be expected to produce pain, injury, or mental or emotional distress;
- the illegal use of a vulnerable adult's person or property for another person's profit or advantage or the breach of a fiduciary relationship.

Neglect means:

- failure by a caretaker to supply a vulnerable adult with necessary food, clothing, shelter, health care or supervision
- the absence or likelihood of absence of necessary food, clothing, shelter, health care or supervision for child or vulnerable adult
- the absence or likelihood of absence of necessary financial management to protect a child or vulnerable adult against abuse.

**Harassment:** is unwelcome verbal or physical conduct which has the purpose or effect of unreasonably interfering with an individual's performance, or which creates an intimidating, hostile or offensive working, learning or participation environment. The basis for harassment may be any protected class, including age, creed, color, disability, national origin, race, marital status with regard to public assistance, religion, gender and sexual orientation.

One particular category of harassment, *sexual harassment*, consists of unwelcome sexual advancements, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature which substantially interferes with an individual's employment or participation, or creates a hostile, intimidating, or offensive environment. It also includes situations where submission to

such behavior affects decisions about the individual's employment or participation. Sexual harassment may be directed to a member of the same or opposite sex.

Sexual harassment includes, but is not limited to:

- teasing or joking of a sexual nature, sexual name calling, making references to past or present sexual activity, spreading sexual rumors, or making a derogatory or dehumanizing sexual remarks;
- subtle or unsubtle pressure for sexual activity;
- intentional brushing against a person's body;
- display of offensive pictures, posters, or other graphics;
- leering, inappropriate patting or pinching, and other forms of unwelcome touching;
- otherwise creating a hostile, intimidating, or offensive environment.

**Child Physical Abuse** means any physical or mental injury or threatened injury, excluding accidental injury, inflicted on a child, a person under eighteen (18) years of age, by a caregiver.

**Child Sexual Abuse** means subjecting a child, either by a person responsible for the child's care, by a person who has significant relationship to the child, or by a person in a position of authority, to any sexual act, which is a violation of the Minnesota Criminal Sexual Conduct Code. For example, such acts as sexual intercourse, inappropriate touching with or without knowing consent or threatened sexual abuse are actions, which violate this code.

**Child Neglect** means failure of a caretaker to provide for a child's basic needs or to protect the child from harm.

**Sexual Exploitation** means any kind of sexual contact or request for un-permitted conduct between any personnel or volunteer and any person for whom he or she currently has direct pastoral responsibility and to whom he or she is not married.

**Sexual Abuse** means subjecting a vulnerable person responsible for that person's care, by a person who has significant relationship to the vulnerable person, or by a person in a position of authority, to any sexual act, which is a violation of the Minnesota Criminal Sexual Conduct Code. For example, such acts as sexual intercourse, inappropriate touching with or without knowing consent or threatened sexual abuse are actions, which violate this code.

**Physical Abuse** means any physical or mental injury or threatened injury, excluding accidental injury, inflicted on a child, a person under eighteen (18) years of age or a vulnerable adult, by a caregiver.

***Church/School Personnel  
of the Archdiocese of  
Saint Paul and Minneapolis***

# **How to Report Suspected Child Abuse**

July, 2006

Under Minnesota Statute 626.556, persons in designated professional occupations are mandated to report suspected child abuse or neglect. Persons who work with children and families are in a position to help protect children from harm. These persons are required by law to report to child protection if they know or have a reason to believe that a child is being abused or neglected or that a child has been neglected or abused within the prior three (3) years.

**Church and school personnel are mandated reporters!** This includes clergy except in those cases where reporting would violate established and legally recognized confidentiality requirements or restrictions.

## **Helpful Tips for Making a Complete Report of Suspected Child Abuse**

1. First contact local law enforcement then contact the person in charge of the parish (e.g. the pastor), school (e.g. principal), agency or other institution where the alleged offender serves unless you have already done so.
2. Document and keep on file what you report including the date and time when you made the report, the name of the person and the agency who received the report, and any other steps you took to comply with established procedures (e.g. contacting the diocese, school principal, etc).
3. Have the following identifying information ready:
  - Full name of mother, father and any other names that may have been used
  - Birth dates of parents, children, and alleged perpetrator, if known
  - Please give as much information as possible about the alleged perpetrator
4. Call the local law enforcement agent in your county. Phone numbers are provided in the phone book or in the brochure "Family Crisis & Emergency Referral Numbers" included in the pocket of this resource guide.
5. Tell the agent where the abuse/neglect occurred. This is essential to determine police jurisdiction. The victim's residence may be different from where the abuse occurred so please be specific about both. Do not give us a

P.O. Box alone. Route numbers have been converted to five digit street addresses.

6. Tell the agent what happened. A report says "Mom's boyfriend hit a child" is not sufficient. For example:

*Where was the child hit?*

In the head, on the face, on buttocks, etc.

*What was the child hit with?* Mom's hand, a belt, a bat, etc.

*What was the result?*

Child has 2-inch purple bruise on the right thigh or child has 5 red stripes about 5-6 inches long on his back.

7. Tell the agent how often the abuse/neglect occurs. Is this a chronic problem or the first time this has occurred? Do you know prior family history that would assist in the investigation?
8. When did the incident you are reporting occur? Yesterday, a week ago, a month ago?
9. If your allegation involves a priest, deacon, religious or any lay leader of a school (e.g. principal, teacher), a parish (e.g. administrator), an agency (e.g. Catholic Charities), an institution (e.g. orphanage,) contact the diocese after informing local law enforcement. Call the coordinator of advisor/advocacy services at 651-291-4497 or contact the Vicar General or a chancellor by calling the Chancery at 651-291-4400.

## **Keep In Mind**

If you are a mandated reporter according to Minnesota State statutes and you are concerned that a minor (person under age 18) may be a victim of sexual abuse you are required by law to contact the local law enforcement immediately. **Concerns should be reported to civil authorities within twenty-four (24) hours.**

**Simply report what you know or suspect.** The law enforcement agency will undertake any necessary investigations after a report is filed. Your role is simply to report what a child has made known to you or you have observed.

**The individual with direct knowledge of possible child abuse or neglect is individually responsible to report to the police or child protection.** Reporting the concern to a supervisor, administrator, or other co-workers does not mitigate your responsibility to report. The individual may ask her or his supervisor, for example the principal or director of religious education, to be a witness to the phone call as the report is made.

**If your allegation involves a priest, deacon, religious or any lay leader of a school (e.g. principal, teacher), a parish (e.g. administrator), an agency (e.g. Catholic Charities), an institution (e.g. orphanage), contact the diocese after informing local law enforcement.** Call the coordinator of advisor/advocacy services at 651-291-4497 or the Vicar General or the chancellor for civil affairs at the Chancery at 651-291-4400.



## **Helpful Resources**

**“Reporting Child Abuse and Neglect: A Resource Guide for Mandated Reporters,”** Minnesota Department of Human Services (DHS),  
[www.dhs.state.mn.us/main/groups/children/documents/pub/dhs\\_id\\_003712.hcsp](http://www.dhs.state.mn.us/main/groups/children/documents/pub/dhs_id_003712.hcsp).

This 44-page guide is designed to help you better understand the mandated reporter statute and to outline appropriate action you should take if you know or suspect a child is being abused or neglected. The guide is available in English or Spanish and can be accessed online through the Child Protection section of Publications of DHS.

**United Way 211 (First Call for Help)**  
1-800-543-7709

**National Child Abuse Hotline**  
1-800-422-4453

**Local Child Protection Office**  
Check your local phonebook or see the “Family Crisis and Emergency Referral Numbers” brochure compiled annually by the Advocacy office.

**Director of Advocacy**  
Archdiocese of Saint Paul and Minneapolis  
Hayden Center  
328 W. Kellogg Blvd  
St Paul, MN 55102-1997  
651-291-4497



Protection of Children and Youth Initiative  
Archdiocese of St. Paul and Minneapolis

## **A Summary of Your Rights Under the Fair Credit Reporting Act**

*Para informacion en espanol, visite [www.ftc.gov/credit](http://www.ftc.gov/credit) o escribe a la FTC Consumer Response Center, Room 130-A 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.*

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the FCRA. **For more information, including information about additional rights, go to [www.ftc.gov/credit](http://www.ftc.gov/credit) or write to: Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.**



- **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment – or to take another adverse action against you – must tell you, and must give you the name, address, and phone number of the agency that provided the information.
- **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your “file disclosure”). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:
  - a person has taken adverse action against you because of information in your credit report;
  - you are the victim of identify theft and place a fraud alert in your file;
  - your file contains inaccurate information as a result of fraud;
  - you are on public assistance;
  - you are unemployed but expect to apply for employment within 60 days.
  - In addition, by September 2005 all consumers will be entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See [www.ftc.gov/credit](http://www.ftc.gov/credit) for additional information.
- **You have the right to ask for a credit score.** Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.
- **You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See [www.ftc.gov/credit](http://www.ftc.gov/credit) for an explanation of dispute procedures.
- **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.
- **Consumer reporting agencies may not report outdated negative information.** In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.
- **Access to your file is limited.** A consumer reporting agency may provide information about you only to people with a valid need -- usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.
- **You must give your consent for reports to be provided to employers.** A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to [www.ftc.gov/credit](http://www.ftc.gov/credit).
- **You may limit “prescreened” offers of credit and insurance you get based on information in your credit report.** Unsolicited “prescreened” offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may

opt-out with the nationwide credit bureaus at 1-888-5-OPTOUT (1-888-567-8688).

- **You may seek damages from violators.** If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.
- **Identity theft victims and active duty military personnel have additional rights.** For more information, visit [www.ftc.gov/credit](http://www.ftc.gov/credit).

**States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. Federal enforcers are:**

Type of Business:	Contact
Consumer reporting agencies, creditors and others not listed below	Federal Trade Commission: Consumer Response Center – FCRA Washington, DC 20580 1-877-382-4357
National banks, federal branches/agencies of foreign banks (word "National" or initials "N.A." appear in or after bank's name)	Office of the Comptroller of the Currency Compliance Management, Mail Stop 6-6 Washington, DC 20219 800-613-6743
Federal Reserve System member banks (except national banks, and federal branches/agencies of foreign banks)	Federal Reserve Board Division of Consumer & Community Affairs Washington, DC 20551 202-452-3693
Savings associations and federally chartered savings banks (word "Federal" or initials "F.S.B." appear in federal institution's name)	Office of Thrift Supervision Consumer Complaints Washington, DC 20552 800-842-6929
Federal credit unions (words "Federal Credit Union" appear in institution's name)	National Credit Union Administration 1775 Duke Street Alexandria, VA 22314 703-519-4600
State-chartered banks that are not members of the Federal Reserve System	Federal Deposit Insurance Corporation Consumer Response Center, 2345 Grand Avenue, Suite 100 Kansas City, Missouri 64108-2638 1-877-275-3342
Air, surface, or rail common carriers regulated by former Civil Aeronautics Board or Interstate Commerce Commission	Department of Transportation ,Office of Financial Management Washington, DC 20590 202-366-1306
Activities subject to the Packers and Stockyards Act, 1921	Department of Agriculture, Office of Deputy Administrator – GIPSA Washington, DC 20250 202-720-7051