



# **Archdiocese of Kansas City in Kansas**

**ABUSE PREVENTION POLICY**

**March 2023**

# ARCHDIOCESE OF KANSAS CITY IN KANSAS

## ABUSE PREVENTION POLICY

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## INTRODUCTION

As the Archdiocese of Kansas City in Kansas, it is our mission to responsibly share the Gospel and the love of Christ with the northeast Kansas community, by safeguarding our vulnerable members from abuse.

Recognizing that each individual is created by God, the Archdiocese of Kansas City in Kansas is committed to the safety and well-being of its children and vulnerable adults. Alongside families, friends, and societal institutions, the Archdiocese strives to secure a healthy environment designed to nurture all our members and assist them in developing to their fullest potential as people of faith and as productive citizens. Responsibility for adhering to this Policy rests with the individual. Church personnel who disregard this Policy will be subject to appropriate disciplinary action.


In addition to this *Abuse Prevention Policy* ("Policy"), the Diocese requires that Church personnel comply with the diocesan *Code of Conduct* ("Code") which sets forth additional standards of behavior for all who minister in the Church. The Code is intended to provide a broader context in which to view ministerial relationships by Church personnel in the Archdiocese of Kansas City in Kansas, while the Policy is solely focused on preventing and reporting suspicions of sexual abuse and harm.

In promulgating this policy, Archbishop Naumann commits "This Policy will help us to create, promote and preserve safe environments for all, and ensure that those who minister on behalf of the Church have completed the screening and training they need to maintain the safety of all of God's people under our care".

## DECLARATION

This Abuse Prevention Policy supersedes the Child Protection Policy and all earlier versions and revisions and is adopted, as revised, by the Archbishop of the Roman Catholic Archdiocese of Kansas City in Kansas, this 27<sup>th</sup> day of March, 2023.

Approved by the Archbishop,



Archbishop Joseph F. Naumann  
Archdiocese of Kansas City in Kansas

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## APPLICABILITY AND GENERAL DEFINITIONS

### 1. *Applicability*

This Policy applies to all who are engaged in ministry either by assignment, employment, or as a volunteer for the Archdiocese of Kansas City in Kansas or its parishes, schools, institutions, and agencies. The Policy applies to “Church personnel,” and where appropriate, applicants to become “Church personnel” and independent contractors of the diocese. All definitions found in the *Code of Conduct* (“Code”) are herein incorporated by reference.

### 2. *General Definitions for the Purposes of this Policy*

- A. **Accused:** Any person accused of sexual abuse of a minor, vulnerable adult, or sexual acts involving an abuse of authority or a vulnerable adult.
- B. **Accuser:** An individual who reports having been sexually abused as a minor or vulnerable adult or someone who reports a sexual act committed in an abuse of authority.
- C. **Boundaries:** Boundaries exist in relationships between individuals and vary greatly depending on the nature of the relationship. In the context of abuse prevention, a boundary violation refers to the transgression of the established norms of interaction, as outlined in this Policy and applicable training, that could represent exploitation or attempted manipulation of a minor or adult’s vulnerable position.
- D. **Church Law:** The 1983 Code of Canon Law<sup>1</sup>, the *motu proprio* of Pope John Paul II, *Sacramentorum Sanctitatis Tutela*<sup>2</sup> (“SST”), the *motu proprio* of Pope Francis, *Vos estis lux mundi*<sup>3</sup>, the *Essential Norms for Diocesan and Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*<sup>4</sup> (“Essential Norms”), as well as other particular law of dioceses in the United States, and particular law of the Archdiocese of Kansas City in Kansas.
- E. **Complainant:** A person who has registered a complaint on behalf of the accuser.
- F. **Department for Children and Families (DCF):** The State of Kansas agency that receives and investigates allegations of sexual abuse of a minor or adult and other allegations of abuse of a minor.
- G. **Director of the Office for Protection and Care:** The person employed by the Archdiocese to oversee all aspects of Archdiocesan safe environment efforts at Archdiocesan parishes and schools, including efforts to protect from abuse as well as the Archdiocesan response to allegations of sexual abuse of a minor or vulnerable adult received by the Report Investigator.
- H. **Grooming:** In the context of this policy sexual grooming refers to the preparatory process in which a perpetrator gradually gains a person’s, a community’s or an organization’s trust with the intent to sexually abuse a victim. This process typically includes a series of boundary violations. Grooming

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<sup>1</sup> The 1983 Code of Canon Law is the codification of Church law for the Latin Rite of the Roman Catholic Church.

<sup>2</sup> Pope John Paul II, *Sacramentorum Sanctitatis Tutela* (“SST”), April 30, 2001. See also Circular letter from the Congregation for the Doctrine of the Faith dated May 3, 2011.

<sup>3</sup> Pope Francis, *Vos estis lux mundi*, May 9, 2010.

<sup>4</sup> The *Essential Norms* first approved by the United States Conference of Catholic Bishops on December 8, 2002. Revisions were granted *recognitio* by the Holy See and promulgated as particular law for the United States on May 5, 2006.

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can occur in public or group encounters or private interactions and by means including direct contact or social media.

**I. Minor:** Individuals who have not yet reached their 18<sup>th</sup> birthday. In some instances outlined in this Policy, someone who has reached their 18th birthday while in high school may be treated as a minor for purposes of abuse prevention or response.

**J. Policy:** This *Abuse Prevention Policy*.

**K. Sexual Abuse:** Sexual Abuse includes any of the following:

- i. performing sexual acts to or with a minor or vulnerable person<sup>5</sup>, or
- ii. forcing someone, by violence or threat or through abuse of authority, to perform or submit to sexual acts<sup>6</sup>, or
- iii. sexual exploitation of a minor or vulnerable person, or
- iv. behavior by which an adult uses a minor or vulnerable person as an object of sexual gratification, or
- v. the production, acquisition, exhibition, possession, or distribution, including by electronic means, or sexual abusive materials or images<sup>7</sup> of a minor or vulnerable person<sup>8</sup>, or
- vi. the recruitment of or inducement of a minor or vulnerable person to participate in exhibition of sexually abusive materials or images, or
- vii. behavior that would constitute a violation of a sexual criminal statute.

“Sexual abuse” can occur whether or not this sexual activity involves explicit force, whether or not it involves genital or physical contact, whether or not it is initiated by the minor or vulnerable person, and whether or not there is a discernible harmful outcome. For the purposes of this Policy, the term “sexual abuse” is not necessarily limited to the definition of sexual abuse under civil or criminal law.

**L. Sexual Harm:** Any sexual act or behavior that was unwanted or caused harm to an individual.

**M. Sexual Misconduct:** Any sexual conduct involving Church personnel or a religious member working under the authority of the Archdiocese and another individual, and that conduct constitutes grooming<sup>9</sup>, sexual harassment, or conduct contrary to Catholic moral teachings or canon law.

**N. Victim Care Advocate:** The person employed by the Archdiocese whose primary responsibility is to accompany and care for persons who allege that as minors or vulnerable adults or through an abuse of authority, they were sexually abused or harmed by a priest, deacon or seminarian.

**O. Vulnerable Persons:** A vulnerable person is any of the following:

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<sup>5</sup> cf., *Vos Estis Lux Mundi (VELM) Title 1, Art. 1 §1ii*

<sup>6</sup> cf., *VELM Title 1, Art. 1 §1i*

<sup>7</sup> Commonly referred to as “child pornography”

<sup>8</sup> cf., *VELM Title 1, Art. 1 §1iii*

<sup>9</sup> Under certain circumstances, grooming may be considered abuse under Canon 1398 §1,2

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- i. a minor, or
- ii. a person over the age of 18 whose ability to perform normal activities of daily living is impaired due to mental, emotional, long-term physical, developmental or intellectual disability or dysfunction, or brain damage, or the infirmities of aging, or
- iii. deprivation of personal liberty (including due to an abuse of authority) which, in fact, even occasionally, limits their ability to understand or to want or otherwise resist or consent to a sexual act<sup>10</sup>.

**P. Individuals who Work with or around Minors and/or Vulnerable Adults:** Anyone who could be perceived to be in a position of supervision responsibilities, even if brief, over a minor or vulnerable adult.

## PREVENTION

### 3. *Screening, Training and Education*

#### **A. Individuals Required to Participate in Training & Screenings**

The following Church Personnel must complete safe environment screening and training<sup>11</sup> requirements:

- i. **All lay employees and clergy of the Archdiocese**, regardless of whether the employee holds responsibility with minors or vulnerable adults (i.e. support and maintenance staff), including temporary employees (i.e. substitute and student teachers).
- ii. **All volunteers who work with or around minors**, including but not limited to:
  - 1. catechetical leaders (facilitators, coordinators, directors);
  - 2. catechists and religious education aides;
  - 3. pastoral associates and ministers;
  - 4. youth ministers;
  - 5. day care/after school care volunteers;
  - 6. chaperones for overnight trips;
  - 7. youth or family choir directors;
  - 8. Catholic Youth Organization volunteers (including all coaches);
  - 9. altar server coordinators/ trainers;
  - 10. leaders and volunteers of Scout troops and other youth organizations sponsored by the parish;
  - 11. volunteers in Catholic schools who serve as *in loco parentis* caregivers (such as coaches

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<sup>10</sup> cf., *VELM Title 1, Art. 1 §2*

<sup>11</sup> The Office for Protection and Care may allow a substitute personal safety curriculum for personnel with intellectual and/or developmental disabilities or survivors of sexual abuse.

and chaperones on overnight trips) or who regularly<sup>12</sup> volunteer (but not including school board members unless the members also regularly work with minors at the school);

**12. volunteers for large-scale archdiocesan youth events.**

Questions about whether a position not listed here is subject to safe environment screening and training should be directed to the Office for Protection and Care.

**i. All volunteers who work with or around vulnerable adults, including but not limited to:**

1. Care and Breathe employees and volunteers;
2. iCare employees and volunteers;
3. employees and volunteers who minister to homebound or skilled nursing residents;
4. volunteers to any parish sponsored or Archdiocesan sponsored activity, including Extraordinary Ministers of Holy Communion, who minister to any individual or group outside of the public celebration of Holy Mass who, in reasonable judgment, would be considered a vulnerable adult, including but not limited to, individuals with intellectual/developmental disabilities, those who are homebound, those in palliative or hospice care and those who reside in assisted living or skilled nursing facilities.

Questions about whether a position not listed here is subject to safe environment screening and training should be directed to the Office for Protection and Care.

**B. Compliance**

The Archdiocese Office for Protection and Care, through parish and school ambassadors (“Safe Environment Coordinators” or “SEC’s”), ensures compliance of all initial and ongoing screening and training requirements.

**C. Timing**

Screening and Training Requirements of the Archdiocesan Safe Environment Program for adults shall be completed prior to beginning employment or any volunteer ministry with minors or vulnerable adults.

**D. Screening and Training shall include the following:**

**i. Completion of a Background Screening**

1. These screenings will be conducted through a service approved by the Archdiocese and will include criminal history checks. The SEC at Archdiocesan locations will coordinate these screenings in accord with the guidelines set forth from the Office for Protection and Care.
2. The following positions within the Archdiocese, except as otherwise provided, are required to complete a renewal background check at the following intervals:

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<sup>12</sup> A person regularly volunteers around minors if they volunteer at three or more events in a school year.

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- a. All employees of Archdiocesan Catholic schools every three years;
- b. All clerics, seminarians, religious community members serving on behalf of the Archdiocese, other non-school employees, and volunteers who are required to complete safe environment screening every five years.

**ii. Written acknowledgment of the relevant Archdiocesan codes and policies**

The Office for Protection and Care shall determine and announce the required policy and code acknowledgment on an ongoing basis.

**E. Completion of Sexual Abuse Awareness Training**

- i. The Archdiocese shall provide a training program<sup>13</sup> to explain child abuse, including sexual abuse. This program will explain how to prevent, detect and respond to abuse.
- ii. The Archdiocese Office for Protection and Care will be responsible for determining and announcing the required training on an ongoing basis.
- iii. Additional Ongoing training may be required as deemed appropriate by the Office for Protection and Care.

**F. Safety Awareness Education for Minors**

Special age-appropriate training pertinent to the personal safety of minors will be provided by the Archdiocese and must be completed **annually** for children and youth in grades kindergarten through senior year of high school in Archdiocesan Catholic schools and religious education programs, including youth ministry groups. The SEC will provide documentation to the Archdiocese of annual compliance in accord with guidelines from the Office for Protection and Care.

**4. Independent Contractors/Vendors**

- A. Archdiocesan parishes, schools, or institutions that retain unsupervised (by an Archdiocesan employee) independent contractors who regularly work around minors or vulnerable adults (i.e. cafeteria workers, outside instructors, and maintenance personnel in schools) should take reasonable measures to determine that non-Archdiocesan personnel involved in such programs have been screened by the other entities and require that safeguards be taken to help discourage and prevent sexual abuse of a child.
- B. Written assurance that the independent contractors have undergone background screening and training and will comply with the reporting obligations for sexual abuse of minors under Kansas law and diocesan policy is strongly recommended.
- C. Any independent contractor that cannot provide such assurance will work with the SEC to assure that all personnel employed by the independent contractor who perform unsupervised services around minors or vulnerable adults at Archdiocesan institutions complete the requirements of the Archdiocesan Safe Environment Program.

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<sup>13</sup> The current training required is the Virtus Protecting God's Children awareness workshop. This is subject to change.

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## **5. *Youth Employees and Volunteers working around Minors or Vulnerable Adults***

- A.** Youth under the age of 16 must never be the “supervisor in charge” of younger minors or vulnerable adults. At least one trained and screened adult must be present to supervise minors working around younger children.
- B.** Youth who are 16 or 17 years old may be considered for employment or volunteer ministry with minors after having completed all screening and training requirements and with the permission of a parent or guardian.

## **6. *Standards for Working with Minors and Vulnerable Adults***

### **A. *Appropriate Conduct***

- i.** Church personnel must be aware of their own vulnerability and that of any minor or vulnerable adult with whom they are working. Church personnel must avoid situations where they are alone with a minor. When it is not feasible to have another individual present, such as when counseling or tutoring a minor, Church personnel must meet with the minor in as public a place as possible, such as an instructional/formal office setting with the door open or with a clear window in the door or where others are present and visible nearby.
- ii.** Formal ministry including classroom and youth ministry instruction should occur in an instructional/formal setting (i.e. at a school or parish). Church personnel should avoid being the only adult present with a minor or a group of minors in settings outside formal ministry or closely monitored activity. Teachers or youth ministers must not entertain students in their homes without parents present.
- iii.** An adult leader must never be alone with a minor in social activities such as attending movies, sporting events and/or dining at restaurants. In group settings, an appropriate ratio of adults to minors should be maintained.
- iv.** Care should be taken to maintain appropriate boundaries for minors and vulnerable adults in considering restroom facility configuration during events aimed at youth or vulnerable adults hosted by schools and parishes. When possible, a separate restroom should be available for adult use.
- v.** Church personnel are prohibited from speaking to vulnerable persons in a way that any observer could construe as being harsh, threatening, intimidating, shaming, derogatory, demeaning, or humiliating. Church personnel are expected to refrain from using profane language in the presence of minors and must never use any discipline that frightens or humiliates children and youth. Church personnel are prohibited from using physical discipline including, but not limited to, spanking, slapping, hitting, or any other physical force. If a minor exhibits uncontrollable or unusual behavior, the Church worker should notify the appropriate supervisor and a parent or guardian of the minor.
- vi.** Church personnel must not use, supply, or condone the use of alcohol (excepting sacramental wine in Mass), tobacco, and/or drugs when working with minors or while participating in a

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youth activity. Moreover, Church personnel must not be under the influence of alcohol or impairing drugs (including prescription medication that causes impairment) while working with minors or vulnerable adults.

- vii. In school or parish sponsored events in which alcohol is present and minors are volunteering (e.g. high school auctions or parish fundraisers), special care should be taken to maintain proper boundaries between the adults present and the minor volunteers. The minor volunteers should never have access to or handle any alcohol or materials or items with adult content. It is the responsibility of the supervising adults to ensure proper boundaries are maintained at all times.
- viii. Church personnel must not provide any sexually explicit, inappropriate, or offensive material to minors or vulnerable adults. Church personnel are prohibited from possessing or viewing any sexually oriented or morally inappropriate materials (magazines, cards, videos, films, clothing, etc.) on Church property or in the presence of minors or vulnerable adults. Church personnel are also prohibited from viewing sexually-oriented or morally inappropriate websites or viewing or sending such content in electronic messages on Church property, while using Church-issued equipment (i.e. laptop computer or tablet), or in the presence of minors or vulnerable adults. Church personnel should be aware of ministry specific guidelines which may be more prohibitive in terms of behavior or actions that may occur outside of the work environment and/or with personal devices.
- ix. It is recognized that youth ministry and educational lessons and discussions for teenagers may address human sexuality issues related to dating and sex, consistent with Catholic teaching. Moreover, it is expected minors may raise issues relating to sexuality during counseling sessions. Lessons and counseling must convey to youth the Church's teaching on these topics. If youth have further questions, they should be referred to their parents or guardians for clarification or counseling. In addition, Church personnel are prohibited from discussing their own sexual orientation, activities, practices, or history with minors, and are prohibited from initiating any sexually oriented conversations with minors whether orally, in writing, or electronically.
- x. Children and young people can have difficulty articulating their discomfort; Church personnel must be alert to a young person's physical and verbal cues. Indirect cues might reveal a potentially harmful situation.

## **B. Appropriate Boundaries**

- i. Church personnel are responsible for maintaining appropriate boundaries with minors and vulnerable adults. Church personnel are responsible for knowing and understanding diocesan policies and procedures concerning sexual misconduct involving minors and all vulnerable persons. Church personnel who work directly with youth and vulnerable adults are expected to understand and comply with best practices in regards to abuse prevention.
- ii. Physical contact with minors and/or vulnerable adults beyond a handshake, fist bump, "high-

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five” or side-hug can be misconstrued both by minors and adults. Appropriate contact with minors should not occur except under appropriate public circumstances. The following are examples (not an exclusive list) of behavior in which Church personnel should never engage with minors or vulnerable adults: inappropriate or lengthy embraces; kisses on the mouth; holding minors over five years old on the lap; intentionally touching bottoms, chests, legs, or genital areas; showing affection while in an isolated location; wrestling, tickling or giving piggyback rides; stroking hair; giving massages; or paying compliments that relate to clothing, physique or body development.

iii. Church personnel must not:

1. Go on overnight trips with minors other than their own relatives unless another adult is present. They must not share beds with minors other than their own children;
  2. share sleeping quarters with minors except when necessary and when at least one other adult is present;
  3. provide overnight accommodations in rectories or other personal residences for minors other than minors with a close familial relationship or when minors are accompanied by a parent or legal guardian. This does not include situations that a reasonable person would view as acceptable, such as sleepovers between friends who are minors.
- iv. Church personnel should never be nude in the presence of minors in their care and should avoid situations where minors are nude while in their care. If monitoring of showering or changing facilities is necessary, two or more adults (of the same gender as the minors) should be present at all times. Changing and showering facilities or arrangements for adults should be separate from facilities or arrangements for minors.
- v. Church personnel should be aware of the signs of grooming and must not engage in practices with youth that could be perceived by a reasonable person to be grooming. Some examples of grooming behaviors are: giving non-token gifts to minors; contacting minors outside of the Church setting; showing favoritism to select minors; overstepping appropriate boundaries of adult-minor relationships by acting as a friend or peer; allowing minors to break established rules; establishing separate, private relationships with minors; and communicating with a minor privately outside of normal business hours.

**C. Supervision of Programs Involving Minors and Vulnerable Adults**

- i. SEC’s should ensure all programs targeted at minors or vulnerable adults are properly monitored.
- ii. Parents are encouraged to be a part of services and programs in which their children are involved in the Archdiocese. Parents may contact their child’s school or parish in order to make arrangements to observe programs or activities in which their children are involved.
- iii. Church personnel should not transport one or more minor without another screened adult or relative present unless such transportation is deemed safe and appropriate (i.e. occasional

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field trip transportation by parent drivers) by the supervising school or parish or in the case of an emergency. Church personnel should transport minors directly to their destination, and no unauthorized stops should be made. Church personnel must require all minors to wear seatbelts or, when appropriate, be strapped into car seats.

## **7. Digital, Online, and Social Media Communication**

Ministers to young people and vulnerable adults engage in a wide variety of online, digital, and social media platforms in efforts to communicate, evangelize, and share the Gospel. However, social media involve challenges. Thus, transparency, prudence, and professionalism must guide our digital communication and online interactions with youth and vulnerable adults.

### **A. Transparency**

- i. It is vital that all electronic communications with youth be as transparent as possible. Communication should be open and accessible to multiple parties. Personal, private, one-on-one communications between church personnel and individual youth or vulnerable adults through electronic or social media are prohibited.
- ii. Parents/guardians should be made fully aware of all the media used to communicate with youth/vulnerable adults for ministerial, educational, or extra-curricular activity purposes. In the event church personnel need to communicate directly with a youth or vulnerable adult, the parent/guardian or other adult ministry leader should be included in that message<sup>14</sup>.
- iii. More than one adult shall always be included when communicating with an individual youth/vulnerable adult in any digital, online, or social media forum. In educational settings or youth ministry, the use of google classroom (or a similar program) or a communication application for communication between a teacher/coach and students/athletes is an acceptable means of communication as parents/guardians may view it anytime.
- iv. Church personnel must not use personal social networking accounts to communicate with non-familial youth/vulnerable adults. Minors must not be invited to be a “friend” on any personnel’s personal social media account or site nor should they be “friended” if a minor initiates the request. Minors must not be invited to be a “friend” on any parish/school-sponsored site; the minor must make the request on the parish/school sponsored site.
- v. Church personnel using a private, personal device to communicate with youth/vulnerable adults for ministry-related purposes must agree to the parameters outlined in this Policy and any other applicable ministry handbooks or manuals. Church personnel using a private, personal device to communicate must also make the contents of their device available upon request to the appropriate official should there be suspicion of an inappropriate communication. The continued position of church personnel using a private, personal device is contingent upon cooperation with this request.

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<sup>14</sup> Youth serving entities may adopt the use of an online application or program which tracks and documents communication with minors.

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## **B. Prudent and Professional Parameters of Use**

- i. Both the virtue of prudence as well as standards of professional conduct ought to guide the boundaries of use. Appropriate boundaries that must be respected in any face-to-face or verbal communications also apply to electronic communications.
- ii. All communications between church personnel and youth/vulnerable adults shall be appropriate, professional, and in conformity with the teachings of the Catholic Church.
- iii. Acceptable hours for direct communication with youth are between 7:00 a.m. and 9:00 p.m.
- iv. Communication outside acceptable hours may be warranted to communicate important information during a ministry-related event whose hours extend beyond those hours (i.e., an overnight retreat, mission trip, youth conference). Parents/guardians and/or other chaperoning adults must be included in any outside hour communication.

## **C. Trusted Communication with Youth/Vulnerable Adults involving Sensitive Pastoral Situations**

- i. Situations may arise which require ministers to young people and vulnerable adults to withhold notifying a parent/guardian about a direct communication. For example, a youth may disclose a situation of alleged abuse in the home that must be kept temporarily confidential to protect the safety of the child. Or, a youth may disclose a personal struggle or “safety at risk” information which they do not want their parents to immediately know about.
- ii. If a youth/vulnerable adult shared these types of sensitive pastoral situations either directly or through technology or social media, the following should be followed without exception:
  1. Encourage the youth/vulnerable adult to seek the professional help they need.
  2. Report any suspicions of abuse or neglect or if a youth is a safety risk to themselves or others to the Kansas Protection Report Center (DCF) or local law enforcement immediately.
  3. Should personnel engage in pastoral conversations related to sensitive situations and confidentiality is requested, maintain transparency by bringing this information to the attention of another supervising adult (such as a Principal or Pastor) and keep written documentation of the details of your communications. Encourage the youth/vulnerable adult to seek assistance from and share their situation with their parent/guardian and help connect them to appropriate resources and/or professional counseling.

## **INTERVENTION - MANDATED ABUSE REPORTING**

### **8. Reporting Requirements of Adults under Kansas Law.<sup>15</sup>**

In accordance with Kansas law, certain professionals are mandated to report suspicions of any type of abuse and/or neglect.

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<sup>15</sup> For more details, please refer to Kansas Law Summary K.S.A. 38-2223

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### **A. External Reports**

External reporting provides notice to civil/criminal authorities of suspected instances of all types of abuse and/or neglect, including sexual abuse of a child or vulnerable adult. All personnel mandated to report suspected instances of sexual abuse of a minor or vulnerable adult must follow the law in reporting such sexual abuse and all types of abuse and/or neglect, except for information obtained by a priest under the unbreakable Seal of the Sacrament of Reconciliation.

- i. All employees and clerics must be familiar with Kansas abuse reporting laws. An internal report does not relieve an individual from reporting sexual abuse of a child if required by Kansas law or this Policy.
- ii. No liability arises from good faith reporting of sexual abuse of a child. Under Kansas law, one who in good faith reports a known or suspected incident of sexual abuse of a minor shall not be civilly or criminally liable for any report required by law, unless a false report was made and the reporter knew that the report was false, frivolous, malicious, or was made with reckless disregard for the truth.
- iii. Anyone who is required to report to civil authorities, and fails to do so, may face civil and criminal liability.

### **B. Internal Reports**

In addition to reporting to civil authorities, Church personnel are also required to report suspected sexual abuse to the Report Investigator and/or the Confidential Report Line if the accused is an employee, volunteer, cleric or seminarian acting on behalf of the Archdiocese. This is to ensure all precautionary measures and protocol are enacted to address the suspicion of sexual abuse. Internal reporting allows the Archdiocese to investigate and, as appropriate, apply corrective measures.

## **9. Reporting Requirements of Church Personnel**

- A. Personnel are expected to understand and abide by Kansas law in regard to mandated reporting requirements under the law. However, in order to protect the most vulnerable under our care, **the Archdiocese considers all employees and clerics ethical reporters, regardless of their status as a mandated reporter under the law.**
- B. Church volunteers who work around minors or vulnerable adults are to report suspicions or allegations of abuse to civil authorities.
- C. Anyone who has reason to suspect that a minor or vulnerable adult has been or will be abused or neglected must promptly report to DCF and local law enforcement where applicable, under the following directives:
  - i. **Step One:** All allegations of sexual abuse of a minor or a vulnerable adult should first be reported to civil authorities:
    1. If the victim is a minor or vulnerable adult, report to the Kansas Protection Report Center at 800-922-5330 or online at Mandated Reporter Online Report - Prevention and

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TO REPORT ABUSE: First notify authorities, then visit [www.archkck.org/reportabuse](http://www.archkck.org/reportabuse) or call 913-647-3051  
*If there is immediate danger or someone is injured, call 911 or local law enforcement.*

Protection Services (ks.gov).

2. If the victim is injured or in immediate danger, call 911 or your local law enforcement agency.

ii. **Step Two:** If the accused is Church personnel, also call the Confidential Report Line at 913-647-3051.

D. Church personnel who reasonably suspect an incident of sexual misconduct has occurred or will occur, including those who believe that they are victims of such conduct, shall promptly make a report to the Report Investigator or the Confidential Report Line.

## 10. *Episcopal Reports*

A. Church personnel who reasonably suspect that a bishop or his equivalent committed an incident of sexual misconduct or neglect in the duties of his office in addressing sexual abuse allegations should report to the USCCB national hotline at 1-800-276-1562 or [reportbishopabuse.org](http://reportbishopabuse.org). More information can be found under the *Archdiocesan Policy for Response to Allegations of Abuse or Misconduct by Bishops*.

B. The Archdiocese commits to responding appropriately to allegations or suspicions of sexual harm and has a dedicated office for sexual abuse prevention and response (Office for Protection and Care). Further information about the policies and protocol related to sexual harm can be found at Home - Archdiocese of Kansas City in Kansas ([archkck.org](http://archkck.org)). Specific policy, protocol and guidelines are available upon request from the Office for Protection and Care.

## 11. *Prohibiting Retaliation – Whistleblower Provision*

A. This Whistleblower Provision is intended to encourage and enable personnel to raise serious concerns, including reporting sexual abuse of a minor or vulnerable adult, suspicions of sexual misconduct or other illegal or inappropriate behavior, so that the Archdiocese can address and correct inappropriate conduct and actions.

B. It is the responsibility of all Church personnel to report concerns about violations of the Archdiocesan Code of Conduct, Abuse Prevention Policy, or suspected violations of law or regulations that govern Archdiocesan operations. This Provision prohibits retaliation against any individual who acts in good faith in reporting abuse or concerns.

C. Anyone reporting a concern must act in good faith and have reasonable grounds for believing the information disclosed is accurate and indicates a violation. The act of making allegations that prove to be unsubstantiated, and that prove to have been made maliciously, recklessly, or with the foreknowledge that the allegations are false, is a serious offense and may result in disciplinary action up to and including termination, resignation or removal from the position.

D. No Church personnel who, in good faith, reports a concern shall be subject to retaliation or, in the case of an employee, adverse employment consequences. Moreover, personnel who retaliate against someone who has reported a concern in good faith may be disciplined, up to and including termination, resignation or removal from their position.

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- E. Church personnel who believe that they have been subjected to retaliation for making reports under this Policy should report to the Confidential Report Line/Report Investigator at 913- 647-3051. The Report Investigator shall refer the report to the appropriate Head of Church Institution.

## **RESPONSE TO ALLEGATIONS OR SUSPICIONS OF SEXUAL ABUSE AND HARM**

### **12. *Processes Defined***

Specific guidelines and principles related to precautionary measures, rights of the accused and accuser, investigation and resolution can be found in the Archdiocesan *Policy for Response to Allegations of Sexual Abuse and Harm* and the operational guidelines set forth in the Office for Protection and Care Handbook. Even a single act of sexual abuse of a minor, either admitted to or established after an appropriate investigation in accordance with Church law<sup>16</sup> requires **permanent removal from ministry**.

### **13. *Policy Distribution***

- A. **Distribution to Church Personnel.** The Policy shall be distributed either electronically or in printed format to all Church clerics, employees and volunteers who are subject to safe environment screening and training requirements. Those Church personnel shall be required to acknowledge (either in writing or other verifiable web-based programs) receipt of the Policy and their obligation to read and abide by the provisions contained in the Policy.
- B. **Periodic Review.** Supervisors, managers, personnel managers, and/or directors must periodically review with Church personnel who regularly work with or around minors and vulnerable adults the standards, policies, and reporting procedures contained in this Policy. This review shall occur annually.
- C. **Reporting protocol display.** Every Archdiocesan location shall prominently display the abuse reporting requirements.
- D. **Availability of Policy to the Christian Faithful and the Public.** The Policy will be available to the all the communities on the Archdiocesan website ([www.archkck.org](http://www.archkck.org)).

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<sup>16</sup> Allegations found to be true are those that are valid, proven with moral certitude and the accused admits to, does not contest, or is found guilty by a court of law or is found by the Archbishop, after consultation with the Independent Review Board, to have committed the allegation.



## CONFIDENTIAL QUESTIONNAIRE

As a part of the Archdiocesan efforts to prevent abuse, all clerics and seminarians, all applicants for employment, and all volunteers who apply to work with or around children or vulnerable adults must complete this questionnaire. Separate employment applications must be completed in addition to this form by those seeking employment. As you answer each question, know that your responses will be kept confidential.

Other names used (e.g. maiden name): \_\_\_\_\_

1. Is there any fact or circumstance involving you or your background that might indicate you should not work with or around children or vulnerable adults? Yes \_\_\_\_\_ No \_\_\_\_\_
2. Have you ever been accused of or investigated by civil authorities for an act of sexual abuse? Yes \_\_\_\_\_ No \_\_\_\_\_
3. Have you ever been accused of or investigated for sexual abuse, harassment or violations of safe environment policies in the workplace? Yes \_\_\_\_\_ No \_\_\_\_\_
4. Has your employment or volunteer service ever been terminated for reasons relating to allegations of physical abuse, sexual abuse or harassment against you? Yes \_\_\_\_\_ No \_\_\_\_\_
5. Has a civil or criminal complaint ever been filed against you alleging child neglect or abuse by you? Yes \_\_\_\_\_ No \_\_\_\_\_
6. Have you ever been convicted of, or plead guilty to, nolo contendere (no contest) to a criminal offense? Yes \_\_\_\_\_ No \_\_\_\_\_

Archdiocese of Kansas City in Kansas | Confidential Questionnaire

## RELEASE ACKNOWLEDGMENT AND AUTHORIZATION

I hereby certify that the information I have provided in the *Confidential Questionnaire For All Clerics, Employees, Seminarians, and All Volunteer Persons Working With Or Around Children and/or Vulnerable Adults in the Archdiocese of Kansas City in Kansas* is complete, true and correct to the best of my knowledge and may be verified, if necessary, by contacting any person or organization that may have information concerning me. Any misrepresentation or willful omission of facts shall be sufficient cause for disqualification for or termination of my position. I understand I may be asked to provide additional information as may be necessary. Furthermore, I understand that this questionnaire and any other materials submitted or obtained in connection with my employment or volunteer position become the property of the Archdiocese or affiliate. If accepted for a position, I agree to observe all rules, regulations, and policies of the Archdiocese of Kansas City in Kansas.

I, \_\_\_\_\_, hereby authorize the Archdiocese of Kansas City in Kansas and/or its agents, affiliates, parishes and representatives to make an independent investigation of my background, references, character, past employment, education, criminal or police records, including those maintained by both public and private organizations and all public records for the purpose of confirming the information contained on my Application for Employment and/or obtaining other information which may be material to my qualifications for volunteer work or employment now, and if applicable, during the tenure of my employment with the Archdiocese of Kansas City in Kansas, its parishes, or affiliates.

I release the Archdiocese of Kansas City in Kansas and/or its agents, affiliates, parishes and representatives as well as any person or entity that provides information pursuant to this authorization, from any and all liabilities, claims, or lawsuits arising out of or in any manner related to information obtained from any and all of the above referenced sources.

The following is a true and complete legal name and all information contained herein is true to the best of my knowledge:

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Applicant/Employee Name (Please Print)

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Date

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Signature

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*If there is immediate danger or someone is injured, call 911 or local law enforcement.*

## ACKNOWLEDGMENT OF RECEIPT

I, the undersigned hereby acknowledge that I received a copy of the Archdiocese of Kansas City in Kansas' *Abuse Prevention Policy*. Further, I have read this Policy, understand its meaning, and agree to conduct myself in conformity with this Policy, and as this Policy may be amended in the future. I also understand that this acknowledgment will be kept in my employment or volunteer file.

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Printed Name

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Date

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Signature

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TO REPORT ABUSE: First notify authorities, then visit [www.archkck.org/reportabuse](http://www.archkck.org/reportabuse) or call 913-647-3051  
*If there is immediate danger or someone is injured, call 911 or local law enforcement.*