

Policy for the Prevention of and Response to

SEXUAL ABUSE, SEXUAL MISCONDUCT AND SEXUAL HARASSMENT

ARCHDIOCESE OF SEATTLE

Office of Human Resources

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INTRODUCTION

The Archdiocese of Seattle deeply cherishes the bond of sacred trust between its people and the clergy and lay ministers of the Church. As a faith community, we acknowledge the inherent worth and dignity of every person as created in the image and likeness of God. Sexual abuse, sexual misconduct and sexual harassment are abusive and harmful actions that have no place in the Church community, or in society at large.

The Archdiocese of Seattle has had a long commitment to the protection of children, youth and vulnerable adults. Since the mid-1980s the archdiocese has taken steps to assure the safety of those who are served in our parishes, schools and agencies. With the promulgation of this updated policy, we expand upon our historical efforts as we move beyond compliance and toward conversion.

The Policy for the Prevention of and Response to Sexual Abuse, Sexual Misconduct and Sexual Harassment applies to all Church personnel while ministering and working for parishes, schools, chancery offices and agencies of the Corporation of the Catholic Archbishop of Seattle (hereinafter referred to as “Archdiocese”).

This policy became effective October 1, 2007. It replaced the *Policy for Prevention of Sexual Abuse and Response to Allegations of Sexual Abuse of Minors* (October, 2004) and *Ministerial Responsibility Requirements* (October, 2000), and is to be administered in an open, straightforward and evenhanded manner with a commitment to providing professional assistance and compassionate support to victims; professional evaluation, due process and accountability for the accused; full cooperation with civil authorities; and prevention, education, screening and formation for the entire community. It was developed in consultation with the Archdiocesan Review Board and other professional community resource persons from the fields of counseling, law, pastoral care, education and research. We are most grateful for their expertise and assistance.

This policy is promulgated as particular Canon law for the Archdiocese of Seattle and is complementary to the United States Conference of Catholic Bishops (USCCB) *Charter for the Protection of Children and Young People* and the *Essential Norms for Diocesan Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*, which became the approved Canon law for the Church in the United States in 2003 and were revised in June 2005, 2011 and 2018.

POLICY

Sexual abuse, sexual misconduct and sexual harassment by Church personnel of those in their care is a violation of the ministerial relationship as well as Catholic moral teaching. Sexual abuse, sexual misconduct and sexual harassment by Church personnel of those in their care is prohibited and is subject to disciplinary action up to and including dismissal from employment, ministry and/or the clerical state.

DEFINITIONS

Sexual abuse is any form of sexual contact or conduct involving minors, vulnerable adults or non-consenting adults, including the acquisition, possession and distribution of child sexual abuse content by whatever means or using whatever technology. Sexual abuse may include direct sexual contact as well as other exploitative behaviors including but not limited to:

- Inappropriate verbal stimulation
- Taking or showing sexually explicit photographs to a minor or vulnerable adult
- Exposing a minor or vulnerable adult to sexual activity

Sexual misconduct is sexual contact or conduct with an adult who may otherwise be consenting, however the following conditions are in place at the time of the misconduct.

- The perpetrator is acting on behalf of or representing a parish, school, institution or agency of the archdiocese and
- there is a ministerial relationship of trust, therefore a
- disparity of power is presumed.

Sexual harassment is unwelcome advances, request for sexual favors or other verbal or physical conduct of a sexual nature when:

- Submission to such a conduct is made either explicitly or implicitly a term or condition of an individual's employment or volunteer engagement; or
- Submission to or rejection of such conduct by an individual is used as a basis for employment decisions or volunteer engagement affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include, but is not limited to sexual comments, innuendoes, displays or jokes; unwelcome invitations to sexual activity; unwelcome touches, pinches or hugs; or pressure to engage in sexual activity as a condition of employment or promotion, or volunteer engagement.

Ministerial Boundaries: Sexual contact or sexualized behavior within the ministerial relationship, between otherwise consenting adults, is a violation of ministerial boundaries. There is a difference in power between a person in a ministerial role and a member or his or her faith community or a counselee. Because of this difference in power, meaningful consent cannot be given to the sexual relationship.

Minors are individuals under the age of 18.

Vulnerable adults include but are not limited to:

- Any person age 18 or over unable to care for himself or herself because of age, illness or disability
- Certain individuals with developmental disabilities
- Anyone over the age of 18 who has a legal guardian
- Individuals receiving in home care through a licensed health, hospice or home health care agency or from an aide hired on their own
- Certain individuals receiving pastoral care services¹
- Individuals incarcerated in a correctional facility²

Contact with minors or vulnerable adults for the purpose of this policy is defined as in-person or virtual presence of Church personnel with a minor or vulnerable adult for which there is responsibility, including but not limited to classroom volunteers, catechists, chaperones, leaders of youth activities, Extraordinary Ministers who take Communion to the homebound, food bank volunteers, etc.

Church personnel includes the following:

1. Priests and deacons (clerics)

- a. Clerics incardinated in the archdiocese;
- b. Clerics who are members of religious institutes or in other forms of consecrated life, and are assigned to pastoral work in the archdiocese or who are otherwise engaged in the care of souls, the public exercise of divine worship and other works of the apostolate (c.678)³;

1. "Certain individuals receiving pastoral care services" added for policy revision effective June 2011.

2. "Individuals incarcerated in a correctional facility" added for policy revision effective July 2011.

3. [Code of Canon Law: Table of Contents](#)

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- c. Clerics of other jurisdictions who are assigned to pastoral work in the archdiocese, whether or not seeking incardination within the archdiocese;
 - d. Clerics who are otherwise legitimately residing within the territory of the archdiocese and are engaged in part-time or supply ministry.

2. Candidates for Ordination

- a. Seminarians enrolled in the seminary program of the archdiocese;
- b. Those enrolled in the permanent diaconate formation program of the archdiocese.

4. Religious (Men and Women)

- a. Members of religious institutes or societies of apostolic life who are working for the archdiocese's parishes, schools or agencies or who are otherwise engaged in the care of souls, the public exercise of divine worship and other works of the apostolate (c.678)⁴;
- b. Hermits and consecrated virgins legitimately residing within the archdiocese.

5. Lay Faithful

- a. All paid employees* of the parishes, schools or agencies of the archdiocese;
- b. All volunteers* authorized to perform services entered into of his/her own free will on behalf of the parishes, schools or agencies of the archdiocese and who have contact with minors or vulnerable adults in their volunteer capacity.⁵

*Please see page 6 for the policy for minors who are employed, or volunteering with younger children.

VIRTUS® SAFE ENVIRONMENT DATABASE

All adult Church personnel are required to create a VIRTUS® profile for maintaining Safe Environment records including background checks, policy acknowledgment sign-off and training history. Profiles must be created and all Safe Environment requirements completed prior to first starting work in the Archdiocese, and requirements must be updated every three years for the duration of work. VIRTUS® profiles are accessible to designated staff in all parishes, schools and agencies of the Archdiocese of Seattle such that requirements do not need to be repeated when moving between locations.

BACKGROUND CHECKS

All Church personnel are required to successfully undergo a criminal background check conducted by the archdiocese at the time of hire or the start of volunteer engagement if they have not completed one within the past 3 years. Background checks must be renewed every three years while an individual is in active service. VIRTUS® database provides access for this requirement which must be completed by the due date.

Volunteers who do not have contact with minors or vulnerable adults, but who drive or handle cash, checks or other negotiables as part of their volunteer work are required to successfully undergo a criminal background check conducted by the archdiocese at the start of volunteer engagement if they have not completed one within the past 3 years. Background checks must be renewed every three years while the volunteer is in active service. VIRTUS® database provides access for this requirement which must be completed by the due date.

Background check searches returned with criminal history will likely result in restrictions placed on an individual's work or volunteering in the archdiocese. Employees will be placed on paid administrative leave and volunteer activity will be suspended for the duration of the determination process.

4. [Code of Canon Law: Table of Contents](#)

5. "volunteers who have contact with minors" changed from "volunteers with ongoing unsupervised contact with minors" updated in accordance with USCCB charter revisions effective July 2018.

Disqualifying Events

No person may serve in ministry with minors or vulnerable adults if he or she has been convicted of any disqualifying offense; he or she will be ineligible for employment or volunteer work of any kind. Disqualifying offenses include but are not limited to:

- Criminal history of harm to others, or the potential for harm to others;
- Offenses against public order or decency.

The archdiocese reserves the right to include as disqualifying offenses any other offenses or conduct determined in its discretion to be inconsistent with serving minors or vulnerable adults.

No individual with a known criminal conviction for sexual abuse of a minor or vulnerable adult, sexual misconduct or violence is allowed to engage in paid or volunteer work for the archdiocese. In any case in which there is no known criminal conviction but in which the sexual abuse of a minor or vulnerable adult, sexual misconduct or violence is admitted or established, the individual who committed the established or admitted offense is not allowed to engage in paid or volunteer work for the archdiocese.

TRAINING

Initial Training - Adult Church Personnel

All adult Church personnel entering into service for the archdiocese are required to complete initial Safe Environment training within 30 days⁶ of hire or volunteer engagement if they have not completed it in the past. VIRTUS® *Protecting God's Children for Adults* (in-person group session or online personal session) fulfills the requisite for initial training and is a one-time requirement. Initial training completed prior to July 1, 2015, i.e. *Praesidium Called to Protect for Ministries*, also meets this one-time requirement.

The Archdiocese of Seattle will accept a transfer of VIRTUS® in-person session *Protecting God's Children for Adults* from other dioceses or organizations in which an individual is no longer active; otherwise, the archdiocese does not accept training from outside entities.

Refresher Training - Adult Church Personnel

All adult Church personnel in active service who have completed initial training are required to participate in ongoing refresher training every three years as a condition of employment or volunteer engagement. VIRTUS® database online modules fulfill this requirement and must be completed by the due date.

POLICY DOCUMENT ACKNOWLEDGEMENT

All adult Church personnel are required to acknowledge that they have received and read the following policies at the time of hire or volunteer engagement if they have not done so in the past. VIRTUS® database provides access for this requirement.

- *Policy for the Prevention of and Response to Sexual Abuse, Sexual Misconduct and Sexual Harassment*
- *Code of Professional Conduct for Church Personnel*
- *Reporting Suspected Abuse or Neglect of Minors and Vulnerable Adults*

6. The 30 day grace period changed from 90 days effective September, 1, 2021.

MINORS

Code of Professional Conduct

All minors in active service as employees, or as volunteers working with younger children, must have a *Code of Professional Conduct for Minors* form on file at the parish or school office, or Chancery HR Department, prior to the start of work. The form is to be reviewed and discussed with the minor by a parent or guardian and signed by all parties. The form may be renewed annually but must be renewed every three years at minimum.

Background Checks

Minors age 16 or 17 (up to 18th birthday) who are employed or volunteering with younger children or vulnerable adults are required to successfully undergo a criminal background check conducted by the archdiocese at the time of hire or volunteer engagement if they have not completed one previously. A background check authorization form must be completed/signed by a parent or guardian giving permission to conduct the background check search on their child.

CHILDREN'S TEACHING SAFETY

All archdiocesan parishes and schools are required to offer Children's Teaching Safety annually to grades kindergarten through tenth. *Circle of Grace*® curriculum is consistent with the values and catechism of the Church; is age-appropriate; is comfortable for instructors to present; and addresses potential parental concerns. The curriculum focuses on teaching children and youth how to identify and maintain appropriate physical, emotional, spiritual and sexual boundaries, recognize boundary violations, and take action when boundaries are threatened or violated.

COMPLIANCE MANAGEMENT

All archdiocesan parishes, schools and chancery departments are responsible for monitoring the Safe Environment requirements of Church personnel who are actively engaged in their location. The Office of Vicar for Clergy and the Archdiocesan Safe Environment Coordinator are responsible for compliance management of clergy and candidates for ordination.

Compliance management is conducted by the local Safe Environment coordinator through monthly Master Reports created in the VIRTUS® database. Any Church personnel who are found to be non-compliant must be contacted and promptly complete any overdue requirements. Work in the Archdiocese is contingent upon staying current with all Safe Environment requirements. Failure to comply may result in termination of employment or volunteer activity, or suspension of faculties.

An annual Compliance Verification Form must be completed by the local Safe Environment coordinator and signed by the Canonical leader, attesting that all active Church personnel engaged at the location are fully compliant with Safe Environment requirements.

REPORTING

Church personnel who have reasonable cause⁷ to believe that a child or vulnerable adult has suffered abuse or neglect, shall report such incident, or cause a report to be made, to the proper law enforcement agency or⁸ to Washington State Department of Social and Health Services (DSHS) at 1-866-END-HARM (1-866-363-4276) at the first opportunity, but no later than forty-eight hours after they decide reasonable cause exists.

Anyone who has knowledge of sexual abuse or misconduct by a member of the clergy, Archdiocesan employee, or volunteer is also asked to call the Archdiocesan Helpline, at 1-800-446-7762, within, or no later than, 48 hours of learning of alleged abuse in addition to reporting to law enforcement as noted above.

If the alleged abuse involves a teacher or principal, the Office of Professional Practices in the Office of the Superintendent of Public Instruction at 360-725-6130 must be notified by the Catholic Schools Department.

7. "Reasonable cause" means a situation that would motivate a person of ordinary intelligence under the circumstances to believe, based on observations or conversations that a child or vulnerable adult has been or is being abused.

8. "The proper law enforcement agency or" added for policy revision effective April 2009. For assistance in identifying the proper law enforcement agency, contact the Safe Environment Office at (206) 274-3188.

RESPONDING TO ALLEGATIONS AGAINST CHURCH PERSONNEL

Allegations of Sexual Abuse of a Minor or Vulnerable Adult

When there is sufficient evidence that sexual abuse of a minor or vulnerable adult by Church personnel may have occurred, the archbishop initiates an investigation in accord with the norms of canon law. The archbishop determines whether the evidence is sufficient.

The archdiocese cooperates with civil authorities in matters under investigation.

During investigations by civil authorities or the archdiocese, the subject of the investigation is placed on administrative leave for his/her own protection as well as the safety of the community and/or co-workers. During the administrative leave, the individual continues to receive any compensation and benefits that had been regularly received prior to the investigation. The length of the administrative leave is dependent on the course of the investigation.

Steps are taken at all times to protect the rights of all persons involved in the investigation, including the right to the protection of one's privacy and the right to a good reputation (c. 220)⁹. Any allegation of sexual abuse involving a priest or deacon is investigated in accord with the United States Catholic Conference of Bishops' Essential Norms.¹⁰

Even a single act of sexual abuse of a minor or vulnerable adult that is admitted or established after the process in accord with Canon law or civil law, requires that the offending party be removed permanently from ecclesiastical ministry, Church employment or volunteer work, not excluding dismissal from the clerical state, if the case so warrants (c. 1395 §2)¹¹.

When an allegation of sexual abuse is not substantiated after the established process, the subject of the investigation is reinstated to his or her position. The archdiocese works with the individual to protect, or if necessary, restore his or her good name and reputation.

Allegations of Sexual Misconduct or Harassment

When there is sufficient evidence that sexual misconduct or harassment by Church personnel may have occurred, the archbishop initiates an investigation in accord with the norms of canon law.

The archbishop determines whether the evidence is sufficient.

During investigations of sexual misconduct or harassment the subject of the investigation may be placed on administrative leave for his/her own protection as well as the safety of the community and/or co-workers. During the administrative leave, the individual continues to receive any compensation and benefits that had been regularly received prior to the investigation. The length of the administrative leave is dependent on the course of the investigation.

Steps are taken at all times to protect the rights of all persons involved in the investigation, including the right to the protection of one's privacy and the right to a good reputation.

When sexual misconduct or harassment by Church personnel is admitted or established after the established process, the offending party is subject to appropriate disciplinary action up to and including termination of employment or volunteer work, in accord with the norms of canon law.

When an allegation of sexual misconduct or harassment by Church personnel is not substantiated after the established process, the subject of the investigation is reinstated to his or her position. The archdiocese works with the individual to protect or restore his or her good name and reputation.

9. [Code of Canon Law: Table of Contents](#)

10. [USCCB Charter for the Protection of Children and Young People](#)

11. [Code of Canon Law: Table of Contents](#)

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