

## ORIENTATION PACKET

### EXHIBIT 1

#### EMPLOYEE ACKNOWLEDGMENT AND AGREEMENT FORM

I have received a copy of the Personnel Policies that describe my privileges and responsibilities as an Employee of the Parish, School or Diocesan Office.

I have also read my job description. I understand that the Personnel Policies contain the policies by which I am governed as an Employee of the Parish, School or Diocesan Office.

I understand that none of the benefits or policies in this Personnel Policies are contractual in nature and any of these may be changed by the Bishop at any time.

#### PLEASE INITIAL

\_\_\_\_\_ I have received and understand the Personnel Policies.

\_\_\_\_\_ I have received and understand my job description.

\_\_\_\_\_ I have received verification of salary/hourly wage and available benefits.

\_\_\_\_\_ I have received verification of the Policies and Procedures for Electronic Communications (Addendum #1)

\_\_\_\_\_ I have read and understand the Protocols for Ministry to Minors (Addendum #2)

\_\_\_\_\_ I have completed an Employee and Volunteer Criminal Background Check Authorization and Release Form.

\_\_\_\_\_ I have read and understand the Policy for the Protection of Children (Addendum #3).

\_\_\_\_\_ I have received training on Mandated Reporting and making A Child Protective Services Report. I understand my role as a "Mandated Reporter", if applicable.

\_\_\_\_\_ I have received training regarding Sexual Harassment: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

\_\_\_\_\_  
Employee's Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

## EXHIBIT 2

### SIGN OFF ORIENTATION FORM CHECKLIST

- ☐ Job Description
- ☐ Employment Eligibility Verification (Form I-9)
- ☐ Form W-4
- ☐ MI-W4
- ☐ Authorization Agreement for Automatic Payroll Deposits
- ☐ Employee Acknowledgment and Agreement Form

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Supervisor

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## **ADDENDUM #1**

### **POLICIES AND PROCEDURES FOR ELECTRONIC COMMUNICATION**

#### **Statement of Purpose**

In its effort to provide services and to further its mission, the Diocese of Gaylord increasingly uses electronic forms of communication and information exchange. Employees may have access to one or more forms of electronic media and services (computers, e-mail, telephones, voice mail, fax machines, external electronic bulletin boards, wire services, on-line services, the Internet, Local Area Network, and the World Wide Web, etc.).

The Diocese of Gaylord encourages the use of these media and associated services because they make communication more efficient and effective, and because they are valuable sources of information. The Diocese of Gaylord recognizes that these communications and services can provide great benefits to individuals, the Church, and society as a whole. On the other hand, their inappropriate use can result in much harm. This policy is intended to deter employees from harmful (illegal, immoral, and inappropriate) use of these services, while allowing them the freedom necessary for productive, beneficial use.

#### **INTRODUCTION**

The policies and procedures presented here apply to all staff members, full or part-time and temporary (volunteers), and to all patrons. These policies will address standards for the utilization of electronic media; security; authorization to access by a parish, school or individual; purchase agreements; standards for equipment (hardware); and, standards for operating systems (software). While this policy is particularly directed toward personnel and equipment located at the Diocesan Pastoral Center, the Bishop of the Diocese of Gaylord reserves the right to personally or through his designate, inspect any electronic equipment or media (including messages, documents, files, records and other electronic data) located on any property of a parish, school, or rented by such entities. This inspection may be undertaken with or without prior notice.

This policy supersedes all other policies and may be amended or revised by the Bishop of the Diocese of Gaylord at any time with or without prior notice as may be reasonable under the circumstances.

## **BASIC POLICY**

Electronic media and services provided by the Diocese of Gaylord is the said employer's property. Its purpose is to facilitate the business of the Diocese of Gaylord.

With the rapidly changing nature of electronic media, and the net etiquette (a.k.a. "Netiquette") which is developing among users of external on-line services and the Internet, this policy cannot lay down rules to cover every possible situation. Instead, it expresses the Diocese of Gaylord's philosophy and sets forth general principles to be applied to use of electronic media and services.

The following procedures apply to all electronic media services which are:

- Located or accessed on or from Diocese of Gaylord premises,
- Accessed using Diocese of Gaylord computer equipment, or via Diocese of Gaylord access methods, and/or
- Used in a manner, which identifies the individual with the Diocese of Gaylord.

## **PROCEDURES**

- A) All electronic media and services are primarily for Diocese of Gaylord business use. Limited occasional or incidental use of electronic media (sending or receiving) for personal, non-business purposes are understandable and acceptable – as is the case with personal phone calls. However, all electronic messages, documents, files, records and other computer data are the property and records of the Diocese of Gaylord.
- B) The Diocese of Gaylord routinely monitors usage patterns for both voice and data communications (e.g., sites accessed; volume; peak utilization times; number called; length of call, etc.) for cost analysis/allocation, management of Diocese of Gaylord communication equipment and services, and to ensure that electronic media and services are being used in compliance with the law and with this and other Diocesan policies. There may also be other business or legal reasons for the diocese to access or disclose any employee's electronic files or messages.
  - 1) Diocese of Gaylord electronic media users should never assume communications are totally private and confidential.
  - 2) The Diocese of Gaylord reserves the right in its discretion to review any employee's electronic files, messages, and usage without prior notice.
  - 3) Since personal messages can be accessed by the Diocese of Gaylord without prior notice, individuals should not use electronic communications to transmit any messages that should not be read by a third party. For example, individuals should not use Diocese of Gaylord e-mail for gossip, including personal information about oneself or others, for forwarding messages under

- circumstances likely to embarrass the sender, or for emotional responses to business correspondence or work situations. In any event, use of electronic media for such purposes as soliciting or proselytizing for commercial ventures, or personal causes or outside organizations or other similar, non-job related solicitations is prohibited.
- C) Employees must respect the confidentiality of other people's electronic communications and may not attempt to "hack" into other systems, or use other people's login ID's without authorization, or "crack" passwords, or breach computer or network security measures, or monitor electronic files or communications of other employees or third parties except by direction of company management.
  - D) Electronic media may not be used for knowingly transmitting, retrieving or storage of any communications of a discriminatory or harassing nature, or which are derogatory to any individual or group, or which are obscene or X-rated communications, or are of a defamatory or threatening nature, or for "chain letters," or for any other purpose which is illegal or against Diocese of Gaylord policy or contrary to the interest of the Diocese of Gaylord. Examples of forbidden transmissions include sexually explicit messages, cartoons, or jokes; unwelcome propositions or love letters; ethnic or racial slurs; or any other message that can be construed to be harassment or disparagement of others based on their sex, race, age, national origin, or religious, or political beliefs.
  - E) At no time should Diocese of Gaylord property be used for personal commercial transactions nor for the establishment of personal Web pages.
  - F) Any messages or information sent by an employee to one or more individuals via an electronic network are statements identifiable and attributable to the Diocese of Gaylord. While some users include personal "disclaimers" in electronic messages, it should be noted that there would still be a connection with the Diocese of Gaylord, and the statement might still be legally imputed to the Diocese of Gaylord. All electronic communications sent by employees must comply with this and other Diocese of Gaylord policies, and may not disclose any confidential or proprietary Diocese of Gaylord information. Employees are responsible for protecting Diocese of Gaylord property, including, but not limited to, data files and intellectual property.
  - G) Each employee who changes any passwords or settings on a Diocese of Gaylord supplied computer or information service must submit a copy to the Director of Communications of all of his/her computer or information service passwords for the Diocese of Gaylord use if required. (Example: There may be a need for the Diocese of Gaylord to access an employee's system or files when they are away from the office.)
  - H) No e-mail or other electronic communication may be sent which attempts to hide the identity of the sender, or represents the sender as someone else from another company.

- I) Electronic media and services should not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the system. Users must not deliberately or willfully use electronic media or services to cause damage to computer equipment or software, or assist others in doing so. (Example: deliberately spreading a computer virus.)
- J) It is a violation of Diocese of Gaylord policy for any employee, including system administrators and supervisors, to use outside materials (games, disks, personal software, internet software) on Diocese of Gaylord office and laptop computers.
- K) On occasion, documents are supplied on removable media (i.e. thumb drives) from outside sources. Because of the threat of computer viruses, this media must be screened using current anti-virus software before opening any documents.
- L) Uploading or downloading programs utilizing diocesan computer equipment without prior expressed approval of the supervisor and notification to the Director of Communications is prohibited.
- M) Electronic games (which were pre-installed on the computer) may be used during a scheduled break or during the lunch hour. Employees need to demonstrate, however, a sense of responsibility and may not abuse the privilege.
- N) Anyone obtaining electronic access to other companies' or individuals' materials must respect all copyrights and may not copy, retrieve, modify or forward copyrighted materials except as permitted by the copyright owner or a single copy for reference use only.
- O) Network services and World Wide Web sites can identify at least which company - and often which specific individual - is accessing their services. Thus accessing a particular bulletin board or Web site leaves Diocese of Gaylord identifiable electronic "tracks" even if the employee merely reviews or downloads the material and does not post any message. All activities must be kept in good taste, presenting a positive, professional image of both the employee and the Diocese of Gaylord. Employees must practice appropriate "netiquette" customs. Use of inflammatory language (a/k/a "flaming") must be avoided.
- P) "Chat" rooms can be an open communications forum for the exchange of many types of discussions. Topics could range from idle talk to very personal and confidential concerns. Any advice or counseling provided through the use of a chat room cannot provide the physical presence and ability to assess the participant's demeanor, thus creating liability for the counselor and for the Diocese of Gaylord. In addition the unmonitored nature of such a communications forum could result in the posting of defamatory or offensive material. Therefore, the use of chat rooms is prohibited.

- Q) An employee's access privileges to electronic media and services are determined by Diocese of Gaylord management.
- R) Each employee must limit the time spent using electronic media and services to an amount appropriate to his/her task or job responsibilities.
- S) All information created for broad public dissemination through electronic media must have prior approval by an employee's immediate supervisor.
- T) The Diocese of Gaylord may create forms to facilitate the flow of information through electronic media. Modifications of forms are prohibited without management approval.
- U) Laptop computers are available for occasional staff use upon approval of an employee's immediate supervisor and request to the Director of Communications. All information related to the Diocese of Gaylord should not be stored on the hard drive of the laptop but should be appropriately stored on removable media. Laptop users shall adhere to all policies described in this document and shall take reasonable steps for security of the equipment and media content. When traveling, laptop computers should be under the control of the employee at all times.
- V) Computers may be provided to certain Diocese of Gaylord staff for facilitation of Diocese of Gaylord business. Usage of Diocese of Gaylord-provided computer in the home is to be guided by the policies described in this document. Personal use of the Internet is the responsibility of the employee.
- W) Access to the Diocese of Gaylord system through home and/or private computers is allowed only after agreement by the immediate supervisor and the Director of Communications.
- X) Any employee found to be abusing the privilege of Diocese of Gaylord facilitated access to electronic media or services will be subject to corrective action, up to and including discharge, and/or risk of having the privilege removed from him/herself and possibly other employees.

## **SECURITY**

- A) The Diocese of Gaylord network administrator, in conjunction with the Director of Communications and the Michigan Catholic Conference, will be primarily responsible for the security of electronic networks.
- B) Security of the Diocese of Gaylord communications and data is the cornerstone of the Diocese network. These security policies and procedures extend to all users becoming a part of the Diocese of Gaylord system. Diocesan information is considered confidential and must be protected from public access. Users must ensure that adequate security measures include, but are not limited to, power-on

passwords, network or operating systems passwords (if applicable), data encryption, and limiting access to equipment by authorized personnel only.

- C) Use of a public Internet Service Provider (ISP) outside that of the Diocese of Gaylord system can, in certain circumstances, present a security risk to the Diocese of Gaylord and Province information. Because of the diversity in connection styles and the ingenuity of some individuals in our current day society, use of a public ISP in addition to that of the Diocese of Gaylord network is prohibited. (Example: Using a modem within a computer to connect to an ISP when that computer is connected to the Diocese of Gaylord network.)
- D) All Fax cover sheets will contain the following statement: *The information contained in this communication is privileged and confidential and is intended solely for the individual(s) to whom this communication is directed. If the reader of this communication is not the intended recipient, you are hereby notified that any distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you.*

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Signature

Date

Revised: September 2014



**ADDENDUM #2**  
**CODE OF CONDUCT**  
**PROTOCOLS FOR MINISTRY TO MINORS**

The following Protocols for Ministry to Minors are applicable to all persons (clergy, religious, school/program administrators, school counselors, teachers, catechists, youth ministers, support staff, coaches, school/program volunteers) employed by or a volunteer in any of the parishes and institutions of the Diocese of Gaylord. These protocols are to help in the creation of a safe, appropriate, and Christian environment for minors and their relationships with adults in church ministry. (Adopted May, 1996)

**Ministry to Minors:**

- 1) Minors should always be viewed -- whether in a social or ministerial situation -- as the restricted individuals they are, that is, they are not independent. Wherever they are and whatever they do should be with the explicit knowledge of the parents or guardian. Also, they are subject to specific civil laws in their own proper state and city which may prohibit certain activities. They are not adults and are not permitted unfettered decisions. Any and all involvement should be approached from this premise.
- 2) Caution and professional attitudes are to be observed in all interactions with minors.
- 3) An adult should attempt never to be alone with a minor in the rectory, parish residence, school or parish facility, or in a closed room.
- 4) In meeting/counseling situations involving a minor, excluding sacramental reconciliation, the presence or proximity of another adult is encouraged. However, in those situations where the presence of another adult is not usual or practical (e.g., piano lessons, disciplinary meeting with administrator, etc.), the doorway should be left opened if at all practical.
- 5) A minor should be allowed only in the professional section of a rectory or parish residence; not in the living quarters.
- 6) Minors should be permitted to work in the rectory, parish residence, school or parish facility only when there are at least two adults present.
- 7) An adult should not engage in games or other sports activities with one minor unless a second adult is present.
- 8) A group of minors should only engage in games or sports activities in the presence or proximity of at least one adult.

- 9) An adult should try to avoid being the only adult in a bathroom, locker room or other dressing area whenever minors are using such facilities.
- 10) Youth group trips should have at least one adult chaperone for every ten minors.
- 11) While on youth group trips, the adults should maintain a professional stature and socialize appropriately with students.
- 12) One adult should never engage in an overnight trip with a minor.
- 13) While on youth group trips, the adults should never stay alone overnight in the same motel/hotel room with a minor, even if there are two beds.
- 14) Adults should take care to avoid the risk of becoming a father/mother figure to a minor.
- 15) Comments of a sexual nature should generally not be made to any minor except in response to a specific classroom, or otherwise legitimate, question from a minor.
- 16) Topics or vocabulary which could not comfortably be used in the presence of parents or another adult should not be utilized in the presence of a minor/minors.
- 17) Adults should never supply or serve alcohol or any controlled substance to minors. On those occasions when alcohol is served or consumed as part of a parish or school social activity, the alcohol must only be served and consumed by adults. Minors present should be supervised and denied access to alcohol.
- 18) Adults are not to engage in any pornographic material to include the acquisition, possession, and distribution of child pornography.
- 19) Reflection on the words of Christ regarding children is a healthy meditation before any involvement with a minor/minors, and a salutary reflection and examination after each involvement. (Mt. 18:6; Mk 9:42; Lk 17:2; Mk 10:13-16).
- 20) The sacristy door of the church should always be open whenever minors are present within the sacristy.
- 21) The Sacrament of Reconciliation should be celebrated in the place in the church so designated for this purpose. Only extreme inconvenience or impossibility would be an acceptable excuse.

### Counseling Minors:

- 1) The counseling of a minor must take place only in the professional portion of a rectory or school/parish facility.
- 2) The office or classroom door should have a window or be left open during counseling.
- 3) If possible, another adult should be in close proximity during any counseling session.
- 4) Unless the subject matter precludes their presence or knowledge, parents or guardians of minors should be made aware of the counseling session.
- 5) The relationship between adult and minor must always remain professional during the counseling session.
- 6) An adult should try to recognize any personal/physical attraction to or from a minor, and the minor should then be referred to another qualified adult or licensed professional.
- 7) If counseling is expected to extend beyond two sessions, evaluation of the situation should be made with the parents or guardian, an advisor, or licensed professional.
- 8) Careful and appropriate boundaries concerning physical contact with a minor must be observed at all times.

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Signature

Date

Revised: September 2014

## ADDENDUM #3

### Policy for the Protection of Children (March 2015)

#### A. Preamble

The Diocese of Gaylord has zero tolerance for child sexual abuse which includes the acquisition, possession, and distribution of child pornography, in accord with the latest *Charter* revision. Any form of sexual abuse, sexual misconduct, sexual impropriety or sexual exploitation of a child, male or female, will not be condoned or tolerated.<sup>1,2</sup>

Church leaders are in positions of public trust and influence. They are expected to carry out responsibilities, including ministry, mission, and a way of life, in an appropriate manner. Church leaders are expected to abide by all laws and ethics codes related to personal misconduct and comply with this policy.

#### B. Purpose

The purpose of this policy is to address sexual abuse of minors to include individuals who habitually lack the use of reason, by those who are leaders in the Church, persons in its employ or persons acting as Church volunteers. The Church is committed to care for the well-being of those who bring such matters to its attention as victims, others who know of the abuse, and also to any clergy, religious and lay persons who are accused of any sexual abuse. Through this policy the Church intends to respond promptly to allegations of sexual abuse of minors.

#### C. Reporting Allegations of Child Abuse or Neglect

1. Any cleric, religious, employee, school counselor, teacher, administrator, or other person acting with the authority of the Church of the Diocese of Gaylord who has reasonable cause to suspect child abuse or neglect of a minor shall comply with State reporting requirements, specifically the Michigan Child Protection Law<sup>3</sup>, except for those communications that are canonically privileged. Notification by staff member to the person in charge of a church, school or other diocesan entity does not relieve the member of the staff of said church, school or entity of the obligation from reporting under the Michigan Child Protection Law.
2. In addition to the legal reporting requirements adopted herein, the Diocese of Gaylord will maintain an assistance coordinator to receive reports of sexual abuse concerning any cleric, religious, employee, or other person acting with the authority of the Church of the Diocese. A telephone dedicated line is available to receive such reports: 989.705.9110.
3. The assistance coordinator shall be specifically trained in the dynamics of abuse and neglect, the civil and canon law relating to the same, and Church policies concerning abuse.
4. Any report of suspected child abuse or neglect of a minor received by any cleric, religious, employee, school counselor, teacher, administrator or other person acting with the authority of the Church of the Diocese shall be immediately referred to the civil authorities in compliance with the Michigan Child Protection Law and a written report shall be filed by the reporting person within seventy-two (72) hours after making the oral report. The assistance coordinator of the Diocese shall also be promptly notified of the allegation, except for those communications that are canonically privileged.

D. Action by the Bishop

When an allegation of suspected child abuse or neglect is made against any cleric, religious, employee, school counselor, teacher, administrator, or other person acting with the authority of the church of the Diocese of Gaylord the Bishop may:

- Decree an administrative leave, or advise the individual's supervisor to temporarily remove the accused from his/her position, with or without pay, pending the resolution of the allegation;
- Determine the residence of the accused (if the accused is a member of the clergy);
- Recommend that the accused retain civil and/or canonical legal representation of his or her own choosing and expense;
- Request an evaluation and/or treatment;
- Consult with canonical and civil authorities so that questions can be addressed;
- If the accused does not cooperate, the bishop may inform the person of his or her canonical status, the bishop's intentions and consequences thereof;
- Take other actions as deemed appropriate.

E. Bishop's Review Board on Sexual Abuse

1. The Bishop shall maintain a Review Board to respond to allegations regarding sexual abuse of children by any cleric, religious, employee, school counselor, teacher, administrator, or other person acting with the authority of the Church of the Diocese of Gaylord.
2. The Review Board, to be appointed by the Bishop in consultation with the Diocesan Pastoral Council and the Presbyteral Council, shall consist of at least 5 members who are in full communion with the Roman Catholic Church. One member of this Review Board should be a priest who is a respected pastor of the Diocese of Gaylord, and at least one member should have expertise in the treatment of the sexual abuse of children. The majority of the Review Board should be comprised of lay persons. The members will be appointed for a term of five years which can be renewed.

F. Response by Bishop's Review Board on Sexual Abuse

1. Evaluation of the allegation. When an allegation of sexual abuse of a minor is received, an investigation in harmony with canon law will be conducted promptly and objectively. The Review Board will advise the Bishop in his assessment of the allegations and in his determination of suitability for ministry. The board can review these matters both retrospectively and prospectively and give advice on all aspects of responses required in connection with these cases. An investigator, who is specially trained in the civil law, canon law and methods of investigating such allegations, will assist the Review Board. The investigator shall:
  - Determine if the matter has been reported to the civil authorities or agencies regarding the allegations;
  - Collect whatever information is available from other authorities or agencies regarding the allegation;
  - Conduct an investigation into the allegation by contacting the alleged victim, accused, and other persons with information or knowledge of the matter (provided said contact does not interfere with any ongoing criminal investigation) to determine the facts; \
  - Forward a status report to the Review Board within 14 days of receiving the allegation and within 30 days of receiving the allegation, the investigator shall provide a final report regarding the claim to the Review Board, with a recommendation of credible or not credible, unless good cause may be shown for extending the investigation.

2. Action by the Bishop's Review Board:

Upon receipt of a report from the investigator:

- If the investigator recommends that the claim is not 'credible', the Review Board shall review the same and either accept, reject or request further investigation. If accepted, the Review Board shall refer the matter to the Bishop with its recommendations.
- If the investigator recommends that the claim is 'credible', the Review Board shall review the same and either accept, reject or request further investigation. If accepted, the Review Board shall refer the matter to the Bishop with its recommendations concerning assistance to the victim, the accused and others affected.

G. Action by the Bishop

Within 14 days of receiving the report from the Review Board the Bishop may:

1. When a credible allegation is against a member of a religious community, the Bishop will inform the Superior of the Order. When a credible allegation is against a diocesan priest or deacon, the bishop may do any of the following:
  1. Request further investigation to be completed in a timely manner;
  2. Decree an administrative leave with or without pay for the person pending the resolution of the allegation and determine status of faculties;
  3. Determine the residence of the accused;
  4. Recommend that the accused retain civil and/or canonical legal representation of his or her own choosing and expense;
  5. Request an evaluation and/or treatment;

Consult with canonical and civil authorities so that questions can be addressed.

If the accused does not cooperate, the bishop will inform the person of his or her canonical status, the bishop's intentions and consequences thereof.

2. When sexual abuse of a minor by a priest or a deacon is admitted or is established after appropriate investigation in accord with canon law, the Congregation for the Doctrine of the Faith shall be notified and the offending priest or deacon will be removed from ministry.<sup>4,5,6</sup> This includes even a single act of sexual abuse of a minor, past, present or future. That is: He will not be permitted to celebrate Sacraments or minister publicly, to wear clerical garb, or to present himself as clergy. In some cases, the priest or deacon may request laicization or the Bishop may seek the penalty of dismissal from the clerical state.
3. When there is sufficient evidence that sexual abuse of a minor by a priest or deacon has occurred, the Congregation of the Doctrine of the Faith shall be notified.
4. If the credible allegation is against a staff member, employee, or other person acting with the authority of the Church, within 14 days of receiving the report, the Bishop will inform the appropriate supervisor and advise the supervisor to remove the accused from his or her assignment or position and place him or her on leave with or without pay. The bishop may also do any of the following:
  1. Request further investigation;
  2. Recommend that the accused retain civil and/or canonical legal representation of his or her own choosing and expense;
  3. Request an evaluation and/or treatment;
  4. Consult with canonical and civil authorities so that questions can be addressed;
  5. Public communications and media.The Bishop, Director of Communications, or other person assigned by the Bishop will respond to any media inquiries made of the Diocese or institutions thereof.

6. Follow up care:

The Diocese of Gaylord will assist in the pastoral and professional care, both immediate and ongoing, of the victim and others affected in consultation with the Review Board.

The Diocese of Gaylord may request ongoing treatment and evaluation of the accused.

7. When the charge of an accused cleric is found credible, if the cleric moves from the diocese, a letter is sent to the receiving diocese with the name and address of that cleric now in their diocese. Bishop's office along with the Safe Environment Coordinator will continually monitor the location of the accused cleric on a yearly basis.

H. Amendment

This policy can only be amended by the Bishop of the Diocese of Gaylord in consultation with the Bishops Sexual Misconduct Review Board, the Diocesan Pastoral Council and the Presbyteral Council.

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1. "Child" and "Minor" means a person who is less than 18 years of age and is not emancipated by operation of law. (MSA 28.342a)
  2. Sexual abuse of a minor includes sexual molestation or sexual exploitation of a minor and other behavior by which an adult uses a minor as an object of sexual gratification. Sexual abuse has been defined by different civil authorities in various ways. The Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons do not adopt any particular definition provided in civil law. Rather, the transgressions in question relate to obligations arising from divine commands regarding human sexual interaction as conveyed to us by the sixth commandment of the Decalogue (CIC, c. 1395 §2, CCEO, c. 1453 §1). Thus, the norm to be considered in assessing an allegation of sexual abuse of a minor is whether conduct or interaction with a minor qualifies as an external, objectively grave violation of the sixth commandment (USCCB, Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State, 1995, p. 6). A canonical offense against the sixth commandment of the Decalogue (CIC, c. 1395 §2; CCEO, c. 1453 §1) need not be a complete act of intercourse. Nor, to be objectively grave, does an act need to involve force, physical contact, or a discernible harmful outcome. Moreover, "imputability [moral responsibility] for a canonical offense is presumed upon external violation unless it is otherwise apparent" (CIC, c. 1321 §3; CCEO, c. 1414 §2). Cf. CIC, c. 1322-1327, and CCEO, cc. 1413, 1415, and 1416. If there is any doubt about whether a specific act fulfills this definition, the writings of recognized moral theologians should be consulted and the opinion of a recognized expert be obtained (Canonical Delicts, p. 6). Ultimately, it is the responsibility of the diocesan bishop/eparch, with the advice of a qualified review board, to determine the gravity of the alleged act.
  3. Michigan Child Protection Law [Act 238 of 1975, as amended].
  4. In every case involving canonical penalties, the processes provided for in canon law must be observed, and the various provisions of canon law must be considered (cf. Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State, 1995; Letter from the Congregation for the Doctrine of the Faith, May 18, 2001). Unless the Congregation for the Doctrine of the Faith, having been notified, calls the case to itself because of special circumstances, it will direct the diocesan bishop/eparch to proceed (Article 13, "Procedural Norms" for *Motu proprio Sacramentorum sanctitatis tutela*, AAS, 93, 2001, p. 787). If the case would otherwise be barred by prescription, because sexual abuse of a minor is a grave offense, the bishop/eparch shall apply to the Congregation for the Doctrine of the Faith for a dispensation from the prescription, while indicating appropriate pastoral reasons. For the sake of due process, the accused is to be encouraged to retain the assistance of civil and canonical counsel. When necessary, the diocese/eparchy will supply canonical counsel to a priest. The provisions of CIC, canon 1722, or CCEO, canon 1473, shall be implemented during the pendency of the penal process. If the penalty of dismissal from the clerical state has not been applied (e.g., reasons of advanced age or infirmity), the offender ought to lead a life of prayer and penance. He will not be permitted to celebrate Mass publicly or to administer the sacraments. He is to be instructed not to wear clerical garb, or to present himself publicly as a priest.
  5. At all times, the diocesan bishop has the executive power of governance, through an administrative act, to remove an offending cleric from office, to remove or restrict his faculties, and to limit his exercise of priestly ministry. Because sexual abuse of a minor by a cleric is a crime in the universal law of the Church (CIC, c. 1395 §2; CCEO, c. 1453 §1) and is a crime in all jurisdictions in the United States, for the sake of the common good and observing the provisions of canon law, the diocesan bishop shall exercise this power of governance to ensure that any priest who has committed even one act of sexual abuse of a minor as described above shall not continue in active ministry.
  6. No priest or deacon who has committed an act of sexual abuse of a minor may be transferred for ministerial assignment to another diocese/eparchy or religious province. Before a priest or deacon can be transferred for residence to another diocese/eparchy or religious province, his bishop/eparch or religious ordinary shall forward, in a confidential manner, to the local bishop/eparch and religious ordinary (if applicable) of the proposed place of residence any and all information concerning any act of sexual abuse of a minor and any other information indicating that he has been or may be a danger to children or young people. This shall apply even if the priest or deacon will reside in the local community of an institute of consecrated life or society of apostolic life (or, in the Eastern Churches, as a monk or other religious, in a society of common life according to the manner of religious, in a secular institute, or in another form of consecrated life or society of apostolic life). Every bishop/eparch or religious ordinary who receives a priest or deacon from outside his jurisdiction will obtain the necessary information regarding any past act of sexual abuse of a minor by the priest or deacon in question.