

THE BYZANTINE CATHOLIC EPARCHY OF PASSAIC

Ministry to Children and Youth

A Safe Environment Training Program
3rd Edition

**Office for a Safe Environment in Ministry
The Byzantine Catholic Eparchy of Passaic for the Ruthenians
445 Lackawanna Avenue
Woodland Park, New Jersey 07424**

This text is intended for the training of individuals who will be serving children and young people within parishes, institutions and programs of the Byzantine Catholic Eparchy of Passaic. It provides an overview of necessary and relevant information important to providing and maintaining a safe and healthy environment in which children and young people may engage in the life and ministry of the Church.

Printed with permission: +WILLIAM (Skurla)
Bishop of the Eparchy of Passaic
8 March 2008

Printed with permission: +KURT (Burnette)
Bishop of the Eparchy of Passaic
2nd Edition – Revised 14 September 2015

3rd Edition – Revised 1 September 2018

Prepared by: Father David J. Baratelli, Ed.S., M.Div.
Coordinator
Office for a Safe Environment in Ministry
The Byzantine Catholic Eparchy of Passaic

Form: 1 September 2018



1 September 2018

Dear Colleagues in Ministry,

GLORY TO JESUS CHRIST!

In our efforts to provide a safe and healthy environment for all those who make our parish churches and programs their spiritual home we continue to implement the United States Conference of Catholic Bishops' *Charter for the Protection of Children and Young People* in the life of the eparchy. To this end, the text, *Ministry to Children and Young People; A Safe Environment Training Program* in its 3rd Edition is promulgated to be the approved training text utilized in our safe environment training program for all those who will be providing service as clergy, employees or volunteers within the Eparchy of Passaic. It is designed to be a "user-friendly" and comprehensive training tool that meets all "Charter" requirements.

Thank you for your assistance and wonderful support of our *Eparchy of Passaic Safe Environment Program*.

Sincerely in Christ,

Most Reverend Kurt Burnette, Ph.D., J.C.D., J.D.
Bishop of Passaic

Preface

The bishops of the United States gathered in Dallas, Texas in June 2002 to focus on and respond to the abuse crisis in the Catholic Church. Having heard the stories of victims/survivors and pleas that the children and youth be protected from the horrors of abuse, having a desire to provide for children's safety and protection, working toward accountability to God and God's people, and in a commitment to healing, the bishops developed the *Charter for the Protection of Children and Young People*.

This Charter has at its heart a commitment to reconciliation, healing, accountability, and prevention of future acts of abuse. Through its guidance the Church is dedicated to assuring a safe environment where ministry for children and young people can be carried out in a secure and healthy setting. Importantly, the Charter is also committed to healing and reconciliation for victims and survivors of abuse, effective and quick attention to all allegations, effective cooperation with civil authorities, disciplining of offenders, and a means of accountability for the future to ensure this problem is effectively dealt with in the most responsible manner.

According to the terms of this document dioceses/eparchies are to establish "safe environment" programs. Also, they are to cooperate with parents, civil authorities, educators and community organizations to provide education and training for

children, youth, parents, ministers, educators and others about ways to make and maintain a safe environment for children. Further, dioceses/eparchies are to make clear to clergy and all members of the community the standards of conduct expected of clergy and other persons in positions of trust with regard to ministry to children and young people.

The community needs to know that the Church is committed to protecting the children who are entrusted to its care. To this end, the Eparchy of Passaic has committed itself to a safe environment in ministry program that combines education, training and screening tools.

All children, youth, and church personnel of the eparchy are required to participate in appropriate education and training programs. Also, as mandated, there is a comprehensive program of mandatory screening of all persons who are engaged in any ministry or service to children and youth within the eparchy.

The Code of Conduct for Church Personnel of the Eparchy of Passaic is another important part of its response to the mandate of the *Charter for the Protection of Children and Young People* adopted by the National Conference of the Catholic Bishops of America. This important tool sets clear expectations for all clergy, employees and volunteers within the eparchy and serves to enhance the service of their ministry.

Another important part of the Eparchy of Passaic's response to the *Dallas Charter* is this training program to assist our church personnel in maintaining a safe environment within the various

parish and eparchial youth programs. Your participation in this program is vital to the eparchy's goal of providing a safe, secure and healthy setting in which the ministry of the Church can be carried out in a responsible and appropriate manner with our children and youth.

This program is divided into eight parts as follows:

- I: The Who and What of Abuse
- II: The Eparchy of Passaic Sexual Misconduct Policy Involving Children.
- III: Meeting the Challenge – Pastoral Standards for Church Personnel
- IV: Conduct with Minors
- V: Pennsylvania State Law Supplement
- VI: Video presentation on 'Safe Environment'
- VII: Wrap-up discussion
- VIII: Completion of Background Check Forms and Code of Conduct Statements

The Who and What of Abuse

A Definition:

- The exact legal definition of child sexual abuse varies from state to state, however it is most commonly understood as an intentional act committed by a person in a position of trust which harms or threatens to harm a minor's physical or mental welfare.
- Such abuse or harm can take place within the home, school, church or recreational and care environment. The perpetrators may be individuals both known and unfamiliar who are adults, adolescent and even other children.
- Child sexual abuse is criminal behavior and is subject to criminal penalties under the law.
- Further, in law, the Federal Child Abuse Prevention and Treatment Act (CAPTA) (42 U.S.C.A. – 5106g), defines child sexual abuse as “the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or assist any other person to engage in, any sexually explicit conduct or simulation of such conduct for the purpose of producing a visual depiction of such conduct. The rape, and in case of caretaker or inter-familial relationships, statutory rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children.”

Who:

The target population of children who can be subject to sexual abuse includes preschoolers to adolescents, either pre-pubescent (prior to puberty) or pubescent (attained puberty), ranging in age from 0 to under 18 years. The parameters of this population may vary according to child protective laws of individual States in which victims are residents.

Abuse Behaviors:

Child sexual abuse can consist of behaviors that include:

- Touching a child's genitals for sexual pleasure or other inappropriate reason.
- Making a child touch someone else's genitals, or playing sexual games.
- Putting objects or body parts such as fingers, tongue or a penis inside the vulva or vagina, in the mouth, or in the anus of a child for sexual pleasure or other inappropriate reason.
- Showing pornographic materials to a child.
- Exposing a person's genital to a child.
- Photographing a child in sexual poses.
- Encouraging a child to watch or hear sexual acts either in person or through video means.
- Watching children undress or use the bathroom.

Abusers:

Those who engage in the abuse of children come from the broad spectrum of our society and are very often individuals of trust within the lives of children. Such persons can include, and are not limited to, parents, teachers, clergy, church workers or volunteers, coaches, police personnel, youth workers.

They can be parents of children, older children, married and unmarried. Very often they are individuals who themselves have been subject to abuse in their own lives. It can be like a disease that is passed from generation to generation unless serious intervention and treatment breaks the cycle.

It is not solely a problem of our nation or our present American culture. Unfortunately it is found throughout the world and is the concern of every culture.

Child abuse can have a profound effect upon our society as well as the children who are harmed by it. Those who have been abused, if untreated, may well grow into adults whose lives are filled with anger, rage, callousness and cynicism, criminal behavior, drugs and disease. The effect of child abuse on its victims is devastating and such abuse can have a life long effect upon those who have been subject to it.

Signs of Child Sexual Abuse:

It is important for those working with children to be familiar with the physical, behavioral and verbal signs of child sexual abuse and molestation. The following are some of the signs that a child may be the victim of abuse.

- A fear of certain people or places.
- The child may not want to be left alone with certain individuals.
- The child may become very quiet or distant around certain people.
- Difficulty in sleeping or unexplainable fears and anxiety.
- The child may seem unusually distracted, “in their own world” very much removed from the present moment, “spaced out.”
- Engages in sexually oriented play, writing, or drawing.
- Sudden mood swings such as rage, anger, fear, insecurity or withdrawal.
- Older children regress and begin to display the behaviors of younger age children such as bedwetting or thumb sucking.

- Uses new vocabulary with regard to body parts and functions.
- Displays adult-like sexual activities with toys or other children such as imitating sexual acts and behaviors.
- Resistant to bathing, toileting, or removing clothes even at appropriate times and situations.
- Any unexplained injuries such as bruises, bleeding or pain.
- Developing frequent unexplained health problems.
- Have unexplained periods of panic or high anxiety.
- Speaking about new older friend or “special secrets” with an adult.
- Suddenly having money, toys or other gifts for no particular reason.
- Engaging in self-destructive behaviors such as cutting, burning or intentionally doing harm to oneself. The child may abuse alcohol and drugs, be sexually promiscuous.
- Engaging in sophisticated sexual behaviors.
- Running away from home.
- Displays a notably poor self image.

Responding to a Child Who Discloses Abuse:

When confronted by such disclosure it is vital to communicate to the child that you are very glad that they have shared this concern with you and that they are in no way responsible or to blame for what has happened to them.

It is important to be assuring to the child whether you believe what they have shared or not. It is important to communicate to the child that they are not alone and that you are there to support them in their need.

Maintain an attitude of honesty with the child and listen attentively to what the child presents regarding the accusation of abuse. Do not make any judgmental comments and do not promise the child that things will immediately get better as it is possible that in fact things could become more difficult.

It is important to open and honest with the child and explain that in order to help them you will have to get assistance from other individuals who know how to help in such situations.

Under no circumstance should you confront the alleged abuser as this might well cause greater harm to the child.

Ascertain from the child whether or not they feel safe going home and immediately report the situation to the pastor of the parish who will immediately notify the bishop, the police and the local child welfare agency.

Most importantly be reassuring to the child and by your attentiveness help relieve the anxiety and fear that is so much a part of any abuse issue.

Note: Preceding material from: “The Role of Educators in Preventing and Responding to Child Abuse and Neglect by Cynthia Crosson-Tower, The U.S. Department of Health and Human Services, 2003, Washington D.C.

Reporting Child Abuse:

If you suspect a child is being abused or a child has disclosed alleged abuse, you should contact the appropriate parish or eparchial personnel as outlined in the *Eparchy of Passaic Sexual Misconduct Policy*. The local police and the *Child Protective Services (Agency)* in the state in which the abuse is occurring should be contacted immediately.

The local pastor, having been notified will immediately notify the bishop who will advise the eparchial attorney. The eparchial attorney will insure that all necessary notifications have been made appropriately and provide necessary assistance to authorities. It should be noted that every state has a toll free hotline (*see page 37 of this text*) to report abuse or find assistance with regard to a possible case of abuse.

In most states, with some variation, doctors, nurses, dentists, mental health professionals, social workers, teachers, day care workers, law enforcement personnel, clergy (outside the priest-penitent relationship), church personnel, foster parents, attorneys and youth workers are required by law to report suspected incidents of child abuse.

Eparchy of Passaic Sexual Misconduct Policy Involving Children

It is the policy of the Eparchy of Passaic that sexual misconduct by personnel of the Eparchy involving children while performing the work of the Eparchy is outside the scope of the duties and employment of all personnel of the Eparchy and is contrary to Christian principles. All personnel of the Eparchy must comply with applicable state and local laws regarding incidents of actual or suspected sexual misconduct involving children, and with the following requirements.

This policy does not address sexual misconduct in general, but only in the special circumstances described herein. It is intended to establish requirements and procedures in an effort to prevent sexual misconduct by personnel of the Eparchy involving children and the resulting harm to others, while the work of the Eparchy is being performed and to provide guidance to the personnel of the Eparchy on how to respond to allegations of a sexual misconduct if any do occur. This policy is to be applied within the context of any applicable or civil law or canonical legislation.

Definitions: *(For the purpose of this policy only.)*

Eparchial Coordinator - A priest appointed by the eparchial bishop and who shall supervise the implementation of this policy.

“Canon” - Refers to “Canon (or Church) Law” specifically the *Code of Canons of the Eastern Churches*.

“Sexual Misconduct” - Any sexual conduct of eparchial personnel while performing the work of the eparchy involving children or minors which is contrary to the moral instructions, doctrines, and canon law of the Catholic Church and causes injury to another as recognized by canon law or the civil or criminal laws of the State where a parish may be located or where the alleged offense occurred.

“Personnel” - All personnel of the Eparchy of Passaic, including officers, employees, lay volunteers, clerics, and vowed religious personnel who have regular contact with children or minors.

Education / Training Requirement:

Priests, deacons, minor clerics, seminarians, vowed religious, volunteers, youth directors and staff are required to attend designated educational programs on methods of recognizing and preventing sexual misconduct involving children or others.

Background Checks:

All clergy, employees and volunteers within the eparchy having regular contact with children or minors must complete a criminal background check in compliance with the *USCCB Charter for the Protection of Children and Young People* and as may be required under particular state law. Such a background check is required even if the volunteer has completed one in another jurisdiction or by reason of employment outside the Eparchy.

Obligation to Report:

All allegations of sexual misconduct reported to the Byzantine Catholic Eparchy of Passaic will be reported to the appropriate police agency where the misconduct is alleged to have taken place.

Any clergy, employee or volunteer in the eparchy who has actual knowledge of any abuse or who has reasonable cause to suspect an incident of sexual misconduct by any personnel of the eparchy, shall comply with any applicable reporting or other requirements of State and local laws (unless to do so would violate the priest-penitent relationship of the Mystery of Holy Confession).

A report of the incident shall be made immediately to the pastor of the parish who will immediately notify the bishop. Should the bishop be out of the eparchy, such notification shall be made to the Vicar General and the Safe

Environment Coordinator. In turn, the eparchial attorney shall act to insure that all necessary notifications are or have been made to local police and appropriate civil authorities as dictated under state law.

Should the accusation of abuse involve a member of the local clergy notification should immediately be made directly to the bishop, local police and appropriate child protection agency. Should the bishop not be available such reporting shall be directed to the office of the Vicar General (Protosyncellus) and the Safe Environment Coordinator.

Investigation of Incident Reports:

Any investigation shall be carried out by appropriate civil and canonical authorities. The police investigation shall be primary and only upon its conclusion shall a canonical investigation be initiated.

A high level of Christian care, concern and confidentiality shall be exercised regarding the alleged victim, the family of the alleged victim, the person reporting the incident, and the alleged perpetrator in any investigation. Care must be taken that any investigation does not casually call into question anyone's good name.

Any canonical investigation shall be made in accordance with canon law and shall be conducted by a person properly qualified for his type of investigation. Such investigations

shall be conducted with care and not interfere with any criminal investigation.

Investigation of Non-Clergy Personnel:

As in the case of all allegations of abuse, police agencies have the primary investigative responsibility. Any ecclesiastical investigations shall be secondary to, and only conducted subsequent to, the conclusion of police investigation. As is possible, the results of such investigation shall be immediately made known to the bishop, the eparchial attorney and the eparchial coordinator of the Safe Environment Program.

In the case of non-clergy parish personnel, if it is deemed to be in the best interests of the parish and the eparchy, and in the judgment of the pastor, having consulted the eparchial bishop, the alleged perpetrator shall be relieved of all responsibilities to the parish and placed on administrative leave pending the outcome of any external (police) or internal investigations. (If applicable, such leave shall be with or without pay, as decided by the pastor.) The accused shall be instructed to retain his or her own legal counsel.

Anonymous Accusations:

No accusations should be made anonymously, since anonymous accusations do not allow for proper investigation.

False Accusations:

Both civil and canon law provide penalties for falsehood in which individuals become victims of false denunciation and slander.

Note: Previous cited materials taken from the *Eparchy of Passaic Sexual Misconduct Policy Involving Children..*

Meeting the Challenge

“Conduct yourselves in a way worthy of the Gospel of Christ so that, whether I come and see you or am absent, I may hear news of you, that you are standing firm in one spirit, with one mind struggling together for the faith of the Gospel.”

Philippians 1:27

Paul’s challenge to the Church a Philippi rings true in our Church today. As church personnel in the Eparchy of Passaic, we too must conduct ourselves in a way that is “worthy of the Gospel of Christ.” We are further challenged in this letter to the Philippians to do “whatever is true, whatever is honorable, whatever is just, whatever is pure, whatever is lovely, whatever is gracious” (Phil 4:8). We are called both to be people of virtue, and to act in ways that are consistent with gospel principles.

Every day in the Eparchy of Passaic, ministers of the gospel faithfully invite people to experience fullness of life in Christ. Church personnel by the grace of God lead people in prayer and the celebration of the sacraments educate and form adults and children in the Catholic faith, provide outreach to the poor and marginalized, administer and care for buildings and properties, and strive to live holy and virtuous lives. The *Code of Conduct For Church Personnel* of the Eparchy of Passaic aims at providing clear expectations and guidelines for their work.

The *Code of Conduct for Church Personnel* provides core expectations for all church personnel in parishes, schools of religion, institutions, programs and ministries subject to the control under civil law of the Eparchy of Passaic. For the purposes of the *Code of Conduct for Church Personnel*, the term “church personnel” includes bishops, priests and deacons with faculties to function in this eparchy, minor clerics, seminarians of the eparchy, and those enrolled in the Diaconate Formation Program, men and women religious working in the eparchy, lay ecclesial ministers, employees and volunteers.

There are certain core principles and expectations that apply to all church personnel. There are also principles and expectations that are role-specific. For example, all church personnel are committed to the best interests of others. This is a core expectation. This expectation applies to all church personnel: the youth coordinator or the parish priest, the volunteer catechist or the deacon, the parish accountant or the volunteer cantor. In short, it applies to anyone who has a role, volunteer or professional, in the parish. While all church personnel share in this core expectation, there are also role-specific expectations. For example, the parish accountant has a role-specific expectation to comply with generally accepted accounting principles. A priest has a role-specific expectation to honor the seal of confession.

Pastoral Standards for Church Personnel

There are four core principles or pastoral standards that provide the basis for the Code of Conduct for Church Personnel. They are:

1. Church personnel are expected to represent the church in faithful, authentic and loving ways.

-Church personnel should conduct themselves in a way that their lives provide authentic witness to gospel values.

-Those charged with handing on the faith must teach, preach, counsel and provide vision in accord with the Church's doctrinal, moral and spiritual tradition.

-Church personnel in ministry should be persons of virtue willing to extend themselves to another in the name of Christ.

-Those that represent the Church must do so in a way that is consistent with the Church's tradition.

2. Church personnel are expected to seek and maintain competency in subject areas in which they are exercising their roles.

-Church personnel must not act beyond their competence and shall advise individuals to seek other appropriate professional support when necessary.

-Church personnel shall seek the training, certification or credentials necessary to perform their work.

-Church personnel must have the theological competence necessary for their roles.

-Church personnel seek guidance from their supervisors as to what is expected of them in the performance of their roles, how to conform to Eparchial policies and how well their performance meets expectations.

3. Church Personnel are expected to foster the dignity of each person and be committed to the best interests of others.

-Church personnel should be mindful of the power in relationships: both the power to do great good and the power to cause harm.

-Church personnel who are in positions where they receive privileged access to information should respect appropriate levels of confidentiality.

-Church personnel should maintain appropriate boundaries in relationships.

-Church personnel should be familiar with and support the *Statement of Policy for the Protection of Children and Youth*, and fully comply with state and Eparchial reporting requirements.

-Church personnel should be familiar with and support the Eparchial policies prohibiting harassment.

-Church personnel shall be mindful of the dignity of all individuals, especially children.

-Church personnel should perform their duties and responsibilities in good faith and avoid even the appearance of a conflict of interest.

4. Church personnel are duty bound to hold one another accountable to conduct and standards appropriate to their respective roles.

-Church personnel have the obligation to hold accountable those church personnel who do harm or cause scandal to the community.

-Church personnel must observe the standards of competencies, ethics, and codes of conduct established in their fields.

-Church personnel in positions of authority must screen and supervise staff and volunteers so that they

are competent for the tasks required of them and their behavior is appropriate.

-Supervisors must be trained in supervisory skills.

-Church personnel who fail or refuse to comply with the *Code of Conduct for Church Personnel of the Eparchy of Passaic* are subject to disciplinary action up to and including termination of employment or removal from volunteer service or pastoral assignment. Supervisors (pastors, program directors, and heads of institutions) shall notify the appropriate Eparchial authority of serious violations of the *Code of Conduct for Church Personnel of the Eparchy of Passaic*.

Note: The previous cited '*Pastoral Standards*' are found in the *Eparchy of Passaic Sexual Misconduct Policy Involving Children and Code of Conduct for Church Personnel*.

Code of Conduct with Minors

This code of conduct, adopted by the Eparchy of Passaic, is an absolute and essential tool for Church personnel to carry on any ministry with minors (persons under the age of 18). It is directed at promoting open and trustworthy relationships between minors and adults. Its reference to “Church Personnel” is to be understood as including bishops, priests and deacons, with faculties to function in the Eparchy of Passaic, minor clerics, seminarians of the eparchy, those enrolled in the Diaconate Formation Program, men and women religious working in the eparchy, lay ecclesial ministers, employees, and volunteers.

1. Those working with minors shall have training appropriate to their level of responsibility.
2. Appropriate contact between church personnel and minors can contribute to a minor’s development and is a positive part of Church and ministry.
3. Inappropriate contact between church personnel and minors can cause harm to a minor’s development and well-being, and should never occur. Sexualized touch is never appropriate. Contact that is “secret” is not appropriate.

4. Those who work with minors should be aware that physical contact can be misconstrued. They should be aware of a minor's vulnerability as well as their own.
5. Church personnel who work with minors should seek and receive eparchial approved training on appropriate and inappropriate physical contact with minors.
6. Working alone with minors should be avoided unless dictated by pastoral need such as Holy Confession or spiritual counseling. Adequate staffing should be available to manage emergency situations. Great care should be taken to ensure that a safe environment is provided on those rare occasions when it is necessary to work alone with a minor.
7. Driving alone with a minor should be avoided unless required by emergent need.
8. Church personnel shall refrain from (a) the illegal possession and/or illegal use of alcohol and other drugs at all times, and (b) the use of alcohol when working with minors.
9. Church personnel shall never provide minors with alcohol, illegal drugs, tobacco products, pornography or other inappropriate material.
10. Church personnel shall never physically discipline minors.

11. Designated living quarters of priests and religious are exclusively for their use. It is permissible for close family members who are minors, with the consent of their parent or guardian, to have occasional overnight visits. Other minors are permitted to visit overnight only when accompanied by his or her parent or guardian. Exceptions to this policy are rare and requests with details must be made in writing to the Eparchial Bishop. [Example: well chaperoned discernment retreat experience.]
12. It is inappropriate for an adult to share a bed or a tent with a minor when on a trip. Sharing a bedroom, other than a large group dormitory style room, should always be avoided. Exceptions can be made for a parent or guardian who requests to room with his or her child.
13. It is not appropriate for adult church personnel to date or give appearance of dating a minor. Engage in sexualized contact with a minor, give significant gifts, or grant special privileges or opportunities to a specific minor.
14. It is not appropriate for church personnel to accept expensive gifts from minors or their parents or guardians. Any exceptions must be granted through the supervisor.
15. Information provided on permission forms should be viewed or disclosed by church personnel only on a “need to know basis” or with permission.

16. The use of or engaging in pornography by church personnel is forbidden.
17. The use of technology and social media to engage in sexual misconduct by church personnel is forbidden.
18. Church personnel who observe inappropriate contact or interaction with minors should report it immediately to a supervisor (Pastor, Religious Education Director, Youth Minister, activity coordinator) or the Eparchial Coordinator. When there is reason to believe that abuse has occurred, the observer must make a report to the police and appropriate social services agency.

Note: The previous cited '*Code of Conduct with Minors*' is taken from the *Eparchy of Passaic Sexual Misconduct Policy Involving Children and Code of Conduct for Church Personnel*

Supplemental Materials for the State of Pennsylvania

1 January 2015

Definition of Child Abuse:

(The following portions of “Definition of Child Abuse” published by The Pennsylvania Medical Society, 31 December 2014 outlines types of conduct that Child Protective Services Law (CPSL) within the Commonwealth of Pennsylvania defines as child abuse when done intentionally, knowingly, or recklessly to a child.)

In addition to that which is stipulated in the *Eparchy of Passaic Ministry to Children and Youth Safe Environment Church Personnel Training Text* (Page 6) the Commonwealth of Pennsylvania specifically defines Child Abuse as:

- (a) Causing or creating reasonable likelihood of bodily injury or death.
- (b) Causing or substantially contributing to serious mental injury.
- (c) Causing or creating likelihood of sexual abuse or exploitation.
- (d) Putting a child at imminent risk via specified acts.
- (e) Causing serious physical neglect.
- (f) Engaging in Munchausen by proxy behavior which is fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment.

Mandated Reporters:

Amplifying that which is spoken of in “Reporting Child Abuse” (Page 10) and in the “Code of Conduct” item #16 (Page 25) of the above noted text; mandated reporters as defined by Commonwealth of Pennsylvania law (*Cite for reference PA Code – 42.42 “Suspected child abuse-mandated reporting requirements”*) are :

(a) A clergyman, priest, rabbi, minister, Christian Science practitioner, religious healer or spiritual leader of any regularly established church or other religious organization.

NOTE: *Exception to this is only with regard to information received by a priest in the Mystery of Holy Confession (the Sacrament of Penance). Under no circumstance may a priest confessor ever divulge any information to any person, agency, or governmental organization that has come to him in the Mystery of Holy Confession. This exception is protected under Pennsylvania law 42 Pa.C.S. – 5943 which relates to confidential communications to clergy.*

(b) An individual paid or unpaid, who, on the basis of the individual’ role as an integral part of a regularly scheduled program, activity or service, accepts responsibility for a child. A program, activity or service is defined as follows: A public or private educational, athletic or other pursuit in which children participate. The term includes, but is not limited to the following:

- A youth camp or program
- A recreational camp or program
- A sports or athletic program
- An outreach program
- An enrichment program
- A troop, club or similar organization

It is within the scope of this definition that our clergy and volunteers are “Mandated Reporters”.

As “Mandated Reporters” your responsibility to report possible cases of Child Abuse is not limited solely to the parish, program or institutional setting of the church. “Mandated Reporters” have a responsibility outside that limited setting to report any possible abuse wherever it may be suspected as taking place, such as: youth sports programs, schools, scouting programs, doctor’s offices, hospitals, police, your home or a neighbor’s home.

Reporting Abuse:

Any person can make a report of suspected child abuse if they have “reasonable cause to suspect that a child is an abused child” (23 Pa. C.S. – 6312).

A person suspecting a child may be abused, should call the ***Pennsylvania State Child Abuse Reporting Hotline (ChildLine)*** at **1-800-932-0313**.

Such a telephone report must be followed by the submission of a written report of suspected child abuse under Child Protective Law – Title 23 PA CSA Chapter 63 using Form PA- CY 47, *Report of Suspected Child Abuse Form* within 48 hours of the initial report to “**ChildLine**”.

This report is to be submitted to the County Children and Youth Agency. This form can be obtained on the web.

Protection of Reporters:

It should be noted that: With exception of revealing the reporter’s identity to law enforcement officials and the district attorney, information about the reporter’s identity who made the report of suspected child abuse or someone who cooperated with an investigation into suspected child abuse shall be protected unless it is found that the release of the reporter’s information will not jeopardize the safety of the reporter. In fact, “Law enforcement officials shall treat all reporting sources as confidential informants.” *(23 Pa. C.S. -6340 (c))*

Knowing the Pennsylvania Protective Services for Children:

Specifically in the State of Pennsylvania there are two agencies that provide protective services for children; Child Protective Services and General Protective Services.

1: PA Child Protective Services has as its purpose to:
(The following is cited in 55 Pa. Code – 3490.2. “Purposes”)

- (1) Protect abused children from further abuse.
- (2) Preserve and stabilize families.
- (3) Implement the CPSL (*Child Protection Service Law*).
- (4) Involve law enforcement agencies in responding to child abuse.
- (5) Prioritize the response and services to children most at risk.
- (6) Encourage more complete reporting of suspected child abuse.

Responsibilities of Child Protective Services

Generally the responsibilities of the Child Protective Services is the care and concern for the specific needs of minor children within the State of Pennsylvania that are in need of protection, care, support and supervision due to circumstance that pose a threat to their safety and wellbeing. This agency responds to reports of child abuse consistent with its mandate under Pennsylvania law. It receives all reports of child abuse and responds according to the specific need of each situation. These responsibilities are mandated under Pennsylvania law and outlined extensively in PA Code treating this service.

2: PA General Protective Services has as its purpose to:
(*The following is cited in PA Code 3490.222. "Purposes"*)

- (1) Protect the safety, rights and welfare of children so that they have an opportunity for healthy growth and development.

- (2) Assist parents in recognizing and remedying conditions harmful to their children and in fulfilling their parental duties in a manner that does not put their children at risk.

County responsibilities for general protective services

(The following is cited in PA Code 3490.231. "Functions of the county agency for general protective services.")

Each county agency is responsible for administering a program of general protective services to children that is consistent with the agency's objectives to:

- (1) Keep children safely in their own homes, whenever possible.
- (2) Prevent abuse, neglect and exploitation of children.
- (3) Overcome problems that could result in dependency.
- (4) Provide temporary, substitute placement in the home of a relative, other individual who has a significant relationship with the child or the child's family, a foster family home or residential child-care facility for children in need of this care.
- (5) Reunite children safely with their families, whenever possible, when children are in temporary, substitute placement.
- (6) Provide a permanent, legal assured family for children in temporary, substitute care who cannot be returned to their own home.
- (7) Provide services and care ordered by the court for children who have been adjudicated dependent

Conclusion & Discussion

When church personnel represent the Church in faithful, authentic and loving ways, others have their eyes opened to the beauty wisdom and tradition of Church teaching. When church personnel seek and maintain the competency necessary to exercise their roles, we can have confidence that people are receiving the best we can offer. When church personnel foster the dignity of each person, and the best interests of others, people grow in insight as to who we are, what we believe, and how we live. And when church personnel live up to their duty of holding one another accountable to conduct and standards, we have the opportunity to meet challenges, correct wrongs, protect the community, and assist in helping the one who is falling short.

The strength of the Eparchy of Passaic can be found in the message of the Gospel and the church personnel who proclaim it in word and deed. They say along with Saint Paul, “Imitate me as I imitate Christ.” Church personnel by actions, in what they say, what they do, and who they are speak the gospel. And they answer the challenge to live a life that is “worthy of the gospel.” Church personnel say to those with whom they minister and work, the words of Saint Paul: “whatever is true, whatever is honorable, whatever is just, whatever is pure, whatever is lovely, whatever is gracious, if there is any excellence and if there is anything worthy of praise, think about these things. Keep on doing what you have learned and received and heard and seen... then the God of peace will be with you.”

Criminal Background Check Process

All Clergy, Employees and Volunteers must complete a Disclosure/Authorization Form as required by the Eparchy of Passaic. This form provides for certain required information and certifications necessary to comply with program requirements.

- All requested information must be provided.
- As presented on this form there are certain certifications that must be made by individuals according to their proposed service by initialing appropriate statements.
- A copy of a current photo driver's license or passport must also be submitted.

OUTSIDE THE STATE OF PENNSYLVANIA individuals serving in parishes and institutions of the eparchy must only complete the *Disclosure/Authorization Form* and submit a copy of a current picture driver's license or passport.

WITHIN THE STATE OF PENNSYLVANIA individuals serving in parishes and institutions of the eparchy in addition to submitting a *Disclosure/Authorization Form* and a copy of a current photo driver's license or passport must accomplish the following:

PA Child Abuse History Certification

PA State Police Criminal History Record Check

Individuals living in the State of Pennsylvania for less than 10 years must also complete the following:

FBI Fingerprint Criminal Background Check

Directory of Important Telephone Numbers

Bishop's Office.....	(973) 890-7777
Chancery.....	(973) 890-7777
Office of the Protosyncellus.....	(973) 890-7777
Eparchial Attorney.....Request the appropriate contact number from the Chancery
Eparchial Coordinator.....	(732) 280-2682
National Child Abuse Hotline.....	(800) 422-4453
State Child Abuse Hotlines:	
Connecticut.....	(800) 842-2288
Florida.....	(800) 962-2873
Georgia.....	*(800) 422-4453
Maryland.....	*(800) 422-4453
New Jersey.....	(877) 652-2873
New York.....	(800) 342-3720
North Carolina.....	*(800) 422-4453
Pennsylvania.....	(800) 932-0313
Virginia.....	(800) 552-7096

*Proper child abuse reporting contact numbers can be obtained for listed state by calling this number which is a national 24 hour - 7 days a week crisis hot line.

References

Charter for the Protection of Children and Young People, United States Conference of Catholic Bishops, June 2002.

Charter for the Protection of Children and Young People, United States Conference of Catholic Bishops, June 2005.

Child Welfare Information Gateway Children's Bureau/ACYF, 1250 Maryland Avenue, SW, Washington, DC.

National Resource Center on Child Abuse and Neglect, American Humane Association, 63 Inverness Drive East, Englewood, CO 80122.

Sexual Abuse Awareness Education Workbook for the Episcopal Diocese of New Jersey, The Reverend Peter K. Stimpson, Trinity Counseling Service, Princeton, New Jersey.

Sexual Misconduct Policy Involving Children and Code of Conduct for Church Personnel, The Byzantine Catholic Eparchy of Passaic, April 2004.

The Role of Educators in Preventing and Responding to Child Abuse and Neglect, Cynthia Crosson-Tower, U.S. Department of Health and Human Services, 2003, Washington, D.C.

Understanding Child Sexual Abuse, The Office of Public Communications, The American Psychological Association, 750 First Street, NE, Washington, DC 20002.