CATHOLIC DIOCESE OF GALLUP

Policy and Procedures for the Protection of Minors

Effective Date – September 5, 2019

With Amendments:

Appendix XVI-Page 2 – May 4, 2024

Appendix VI – New Volunteer Application-September 28, 2024

Appendix VII-Youth Volunteer/Employee form – September 28, 2024

Appendix XIX-Review of Background Check form – September 28, 2024

Appendix V-New Background Check forms – November 14, 2024

Page 6- Index – November 4, 2026

Contact Information

The Diocese of Gallup encourages anyone who has been a victim of sexual abuse by any clergy, employee or volunteer of the Roman Catholic Church to contact the police and Child Protective Services. In addition, the Diocese of Gallup provides support services through its Victims Assistance Office.

Victims Assistance Office

Coordinator – Elizabeth Terrill
505-906-7357(Confidential Line)
victimassistance@dioceseofgallup.org

Office of Safe Environment

505-863-4406
safeenvironment@dioceseofgallup.org

Office of the Metropolitan Archbishop for the Province of Santa Fe

His Excellency Archbishop John C. Wester
For reporting sexual abuse of a minor by a bishop or negligent/intentional mishandling of such abuse or harassment cases call:
505-219-8743

Please continue to pray for the end of all abuse and greater respect of the dignity of the human person.

Diocese of Gallup

Office of the Bishop
Post Office Box 1338
Gallup, New Mexico 87305-1338

January 5, 2023

Reference: Letter of promulgation for an amendment to the *Policy and Procedures for the Protection of Minors for the Diocese of Gallup*

Dear Pastors, Administrators, Principals and Supervisors,

This letter promulgates an approved amendment to the *Policy and Procedures for the Protection of Minors for the Diocese of Gallup.* The current version of the policy (approved September 5, 2019) indicates in Appendix V that the Background Check should include the following: "Financial History: Required for those who work with parish, mission, school or agency funds and all diocesan parish, school or agency employees."

The "Financial History" currently provided by the background check provider is a standard Credit Report which is a separate component from the criminal reporting and driving history. Our experience with this report is that it gives little useful information but it requires extra security procedures and expense. After consultation, to include the Diocesan Review Board, I wish to change the requirements for this component of the background check procedure. It will allow more discretion by the pastor, administrator, or organization supervisor.

Please refer to the attached revised page 2 of Appendix V for the specific process changes. Note that this amendment in no way changes the requirement for who is required to have background checks as stated in *Article 5* of the Policy.

Please know that I am mindful of the great effort made by so many of the leaders and faithful of the Diocese of Gallup toward the protection of the children and vulnerable persons in our midst. Your dedication and work are greatly appreciated in this essential endeavor.

Sincerely in Christ,

+James S. Wall

James Seán Wall
Bishop of Gallup

Attached: Amended page 2 of Appendix V, *Policy and Procedures for the Protection of Minors for the Diocese of Gallup*

Telephone: 505-863-4406 • Fax: 505-722-9131 • Email: officeofbishop@dioceseofgallup.org

Letter - promulgation - amendment - final.docx

JSW

Diocese of Gallup

Office of the Bishop
Post Office Box 1338
Gallup, New Mexico 87305-1338

September 8, 2022
The Nativity of the Blessed Virgin Mary

To all my dear brothers and sisters in Christ,

I am pleased to announce that a new alternative for teaching Safe Environment training to our minors and vulnerable persons is now available. In addition to the two programs now allowed for minors, the vulnerable, and their families in our Diocese (VIRTUS and Protect Yourself), authorize a third choice for use in Religious Education classes or schools of the Diocese of Gallup. It is called *The Circle of Grace* program.

The *Circle of Grace* fully infuses the spirit of our Catholic faith into the presentation of this difficult subject, to each grade level. I ask you to investigate this well-developed program, newly updated and such that all information about it can be obtained online. Access to this copyrighted material is obtained through the username and password given to the Safe Environment Office.

Recognizing that the parents are first and foremost teachers of their children, the program also provides handout sheets with updated information, to help parents talk to their children at home, if they so choose. There is also a parish family night if the parents and parish choose to teach the subject in this way. The Diocesan policy requirements remain unchanged which direct that the school or parish will announce the planned training sessions to the parents prior to the classes. This way the parents have an opportunity to opt in or opt out of the education or to be able to see any material from this program ahead of time to know what is taught and to use the materials at home, if desired.

Please know that my thanks and prayers are with you in your efforts assure the safety of our children while revealing to them the beauty of our faith and the love of Christ for each of them.

Sincerely in Christ,

+ James S. Wall

The Most Reverend James S. Wall

Telephone: 505-863-4406 • Fax: 505-722-9131 • Email: officeofbishop@dioceseofgallup.org

JSW

DIOCESE OF GALLUP
PO Box 1338
Gallup, New Mexico 87305

PROMULGATION

September 5, 2019

Dear Brothers and Sisters in Christ,

Our children and young people are among society's most vulnerable, and the Church takes very seriously the obligations to protect them. The Diocese of Gallup continues to work diligently to comply with the *United States Conference of Catholic Bishops Charter for the Protection of Children and Young People* as part of our church's response to prevent the abuse of children. We are committed to observe its precepts.

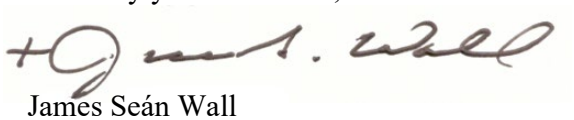
Our actions include scrutiny of new employees and volunteers plus education of our staff, and assemblies for increased awareness, prevention and reporting of abuse. We also mandate education for the children in our programs in the knowledge of behavior to expect from adults and what to do if they encounter anything inappropriate.

With this letter l approve several revisions in the *Diocese of Gallup Policy and Procedures for the Protection of Minors*. The changes were made to provide greater clarity in portions of the previous edition of the policy. Several appendices were added for reference and administrative support to include one which provides firm guidance for allowable activity by persons with a history of various criminal convictions. Our goal is to create an environment within all the facilities and activities in our Diocese that is free of any sort of abuse or activity that would compromise the safety or well-being of all participants. This includes vigilance to risks caused by the changing social realities of our times. Our vision is that our church remains a place of peace and security to learn, play, worship and encounter the Living Christ.

Pope Francis added a new parameter in the scope of abuse prevention with the promulgation of *Vos estis lux mundi (May 7, 2019).* I fully support the directives and protocols issued by the USCCB to implement the Pope's instructions. I and this diocese will abide by the directions and policies established by the metropolitan archbishop for reporting and accountability of the actions of bishops. These will be published for the benefit of the faithful.

The people of the Diocese of Gallup have done outstanding work to ensure the safety and well-being of the children entrusted to our care. I thank all those responsible for carrying out our policies over the past ten years of my episcopacy. Through this revised plan we will continue to improve our programs to provide a safe environment for our children, young people and other vulnerable persons. With this letter I recommit our diocese to this cause and declare that this Policy has the force of diocesan law and is binding on the whole Diocese of Gallup with the effective date of September 5, 2019. May the Lord bless our work, and may we rely on the intercession of Our Lady of Guadalupe, Patroness of the Diocese of Gallup, so that all we do might be to the greater glory of God.

Sincerely yours in Christ,



James Seán Wall
Bishop of Gallup

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Catholic Diocese of Gallup

Policy and Procedures for the Protection of Minors

Policy

It is the policy of the Catholic Diocese of Gallup that any sexual, physical or emotional abuse* of minors is not acceptable and will not be tolerated.

This document initiates the intent and guidance of the *USCCB Charter for the Protection of Children and Young People, June 2011*, as applicable for the Diocese of Gallup. For the intent of the Charter and this policy the offense of sexual abuse of a minor applies to children below the age of eighteen years and in the case of a person who habitually lacks the use of reason is to be considered equivalent to a minor. The definition also extends to the acquisition, possession, or distribution of pornographic images of minors under the age of eighteen, for purposes of sexual gratification, by whatever means or technology.

For the purposes of this policy the suitability for ministry and requirements for standards of behavior apply to all participants in the leadership and conduct of church activity. This includes not only clerics, religious and employees but also the volunteers of the church and those outside agencies contracted or allowed to use its facilities. The process is multifaceted to include education, surveillance, inspection of credentials, legal investigation, response to previously abused persons and procedures to remove permanently from ministry any individual who violates the precepts and sacred trust that ministry entails. It implies the goal to increase awareness among all the faithful to improve the vigilance of the entire community both within the church and in the secular community as well.

Procedures

Article 1. Policy Application

This policy applies to all diocesan personnel and volunteers as defined below:

A. Priests and Deacons (Clerics):
   1. Clerics incardinated in the Diocese of Gallup.
   2. Clerics who are members of religious institutes or other forms of consecrated life and who are assigned to pastoral work in the Diocese or who are otherwise engaged in the public exercise of divine worship, and other works of the apostolate.
   3. Clerics from other ecclesial jurisdictions who are assigned to pastoral work in this Diocese, whether seeking incardination within the Diocese or not.
   4. Retired clerics who legitimately reside within the territory of the Diocese, and are engaged in part-time or supply ministry.
   5. Visiting clerics providing ministry in the Diocese of Gallup.

B. Seminarians, Religious and Deacon Candidates:
   1. All seminarians legitimately enrolled in the seminary program of the Diocese of Gallup.
   2. Those who are accepted in the permanent diaconate formation program.
   3. Members of institutes of consecrated life or societies of apostolic life who are working for the Diocese of Gallup in the Diocesan Pastoral Center, parishes, Catholic schools, missions, retreat centers, or other diocesan locations.

C. The Lay Faithful:
   1. All paid personnel whether employed in areas of ministry or other kinds of services by the Diocese of Gallup in the Diocesan Pastoral Center, parishes, Catholic schools, missions, retreat centers, or other diocesan locations.
   2. All volunteers. This includes any person who enters into or offers himself/herself for service of his/her own free will to the Diocese in all Diocesan facilities to include: the Diocesan Pastoral Center, parishes, Catholic schools, missions, retreat centers, or other diocesan locations.

Prevention & Education

Article 2. Value of a Safe Environment

The Diocese of Gallup is committed to providing a safe environment where we value and honor every individual as created in the image and likeness of God. Ideally no minor will ever be abused; these policies are intended to achieve this ideal. The Diocese of Gallup is dedicated to upholding a culture of safety and the protection of all of God's children from abuse.

Relationships among people are the foundation of ministry within the Catholic Church. Defining healthy boundaries and policies to maintain safe environments are not meant to undermine the importance of personal contact or the ministerial role in any way. Rather, they are meant to assist all employees and volunteers within the Diocese of Gallup to minister safely with consistent written standards which will safeguard all minors, the well-being of the community, and the integrity of the Catholic Church.

Article 3. Office of Safe Environment

The role of the Office of Safe Environment is to cultivate a culture of prevention and safety within the Diocese of Gallup; to educate and inform about safety protocols and practices, and be a resource to parishes and schools on safe environment issues. In addition, it is the responsibility of the Office of Safe Environment to coordinate abuse prevention programs for children in accordance with the requirements set forth within the Charter for the Protection of Children and Young People. The Office of Safe Environment also has the responsibility to conduct audits of all Diocesan programs for compliance of assuring a safe environment for minors. The Office of Safe Environment will keep on record the documentation of those who complete the foundation Safe Environment Training (SET) in the Diocese of Gallup and help to track on-going education. It will also facilitate background checks.

Article 4. Safe Environment Training (SET) Requirements:

All adults serving within the Diocese of Gallup shall:

- Be aware of signs of child abuse. (See Appendix II)
- Be aware of abusive behavior such as grooming behavior. (See Appendix II)
- Follow policy, procedures and take steps to protect minors.
- Abide by Arizona, New Mexico and Tribal Statutes and written Diocesan procedures if abuse is suspected or observed. (See Appendix I – Directory of Terms).

Training of diocesan personnel to assure a safe environment for minors (SET) will consist of two phases. The first is a foundational training covering the basic awareness and responsibilities for the protection of minors. The initial SET is only recognized/accepted when validated by an official certificate from the Office of Safe Environment. In addition, the trained person must sign the Code of Ethics (see Appendix III).

The second phase of SET involves on-going education (or renewal). This will be required annually and must be accomplished within the safe environment training year which is July 1st – June 30th. One of the options for mandatory on-going education must be accomplished yearly beginning in the year following initial foundation training.

The details of SET training and various possible methods of renewal are covered in Appendix XII. Personnel who fail to perform the required continuing education or an approved renewal may not continue ministry until their status is restored. Delinquency is effective on the beginning of the new training year, July 1st. This will affect eligibility to continue employment if not rectified.

A. The following individuals shall complete Safe Environment Training **annually**:
    1. Clergy, Seminarians, Religious (see Article C for exceptions) and Lay Employees in a position that supervises/chaperones minors must complete their initial SET prior to service. All others should complete their initial SET within one month of beginning service within the Diocese. Each year thereafter, Clergy, Seminarians, Religious and Employees should complete their annual SET by June 30th and any additional periodic training as required. For purpose of this section, the term "Clergy, Seminarians, Religious and Employees" shall include the following:
        a. All priests and deacons (Clerics);
        b. All religious, deacon candidates, seminarians; and
        c. All paid personnel whether employed in areas of ministry or other kinds of service by the Diocese of Gallup, parishes, schools, missions, retreat centers or other diocesan locations.
    2. *Affected Volunteers* (see definition in Appendix I) serving in a position that supervises/chaperones minors must complete their initial SET prior to service. All other Affected Volunteers should complete their initial SET within one month of beginning volunteer activities within the Diocese of Gallup. Each year thereafter, all volunteers that require annual SET should complete that training by June 30th according to the guidance of Appendix XII. For purposes of this section, the term "Volunteers" automatically includes:
        a. Every adult volunteer serving in any capacity that focuses on minors
        b. Every adult volunteering in food pantries or regular meal service
        c. Every adult volunteer providing ministerial service in private homes
        d. Every adult serving in an after school program
        e. Every adult volunteering in hospitals and nursing care facilities
        f. Any adult volunteer who routinely works in the same place where minors are allowed and frequently visit.
    3. Affected Volunteers who become inactive in ministry and do not maintain their on-going SET education will become delinquent and not eligible to re-enter active ministry. They can be restored if they complete an approved renewal process within 12 months of becoming delinquent. If they want to return to ministry after that time lapses they will be required to attend a new foundational SET workshop.

4. Minors enrolled in Catholic Schools and/or Diocesan Religious Education Programs should complete an age appropriate Safe Environment Training approved by the Diocese of Gallup within each academic year. The individual school and/or program will maintain documentation of completion of training and letters documenting parents' approval or declination of training.
5. Incardinated clergy who are active in priestly ministry and are living and ministering outside the diocese (including retired clergy) are required to complete the following requirements:
    a. Sign the Code of Ethics annually
    b. Comply with ONE of the following two options for SET:
        i. Follow the Diocese of Gallup's SET requirements (see Appendix XII)
        ii. Follow the requirements of their diocese of residence. The Safe Environment Office must receive a letter annually from the host diocese's Safe Environment Office (or equivalent) stating compliance.

B. Incardinated Clergy NOT in Current Ministry
    1. Incardinated clergy of the Diocese of Gallup who are not in active ministry either due to health or canonical restrictions are not required to undergo repeat background checks, Safe Environment Training or annual Code of Ethics forms.
    2. Incardinated clergy of the Diocese of Gallup who wish to return to ministry after a prolonged absence from ministry:
        a. If they have remained current with the Diocese of Gallup's SET requirements then they must simply make the Safe Environment Office aware of their return to ministry.
        b. If they are not compliant with the Diocese of Gallup's SET requirements, but have been compliant with the diocese where they reside, the Safe Environment Office needs to receive a letter from that diocese stating that they are compliant.
        c. If they have not been compliant with any SET for greater than 24 months, they require foundation SET training.

C. Other Priests, Deacons, and religious brothers and sisters
    1. Those who are visiting the Diocese for an extended period or assigned to the Diocese by a Religious Community including those who are requesting provisional faculties from the Bishop of the Diocese of Gallup to serve in the Diocese must comply with the following:
        a. Priests must notify the Office of Chancellor that they intend to serve in the Diocese and must provide verification to the Office of Chancellor that they are in compliance with the Safe Environment Training requirements of their own Diocese or Religious Community.
        b. Deacons, religious brothers and religious sisters must notify the Office of Chancellor that they are visiting the Diocese, and must provide verification to the Office of the Chancellor that they are in compliance with the Safe Environment Training requirements of their own Diocese or Religious Community.
        c. Any clergy or religious persons in this category are exempt from on-going education for only 3 months' duration. After that time they are obliged to comply with the

policy for on-going education the same as for regular diocesan personnel of the same duties. (per Appendix XII)

d. The Office of Safe Environment will ensure that annual documentation is established in compliance with the Diocese of Gallup SET policy.
e. All records will be maintained per canon law.

2. Those who are visiting the Diocese for a limited, specific purpose (i.e., to celebrate Sacraments, or participate in a retreat/speaking engagement or other short term ministry) and who desire to exercise their faculties must meet the following requirements:
    a. Visiting priests and deacons must secure permission prior to the exercise of their faculties within the Diocese of Gallup. They must notify the Office of the Chancellor that they are visiting the Diocese and provide verification of their credentials in good standing to include compliance with the Safe Environment Training for minors as per requirements of their own Diocese or Religious Community. Normally this is accomplished by a letter of suitability provided by the home diocese. Activities within a parish must always comply with the guidance of the pastor of that parish.
    b. Visiting religious brothers and sisters do not require special permission unless they are assuming some leadership role as a religious member. In that case they must secure permission by notifying the Office of the Chancellor and must provide verification that they are in good standing with their own diocese or religious community to include compliance with the Safe Environment Training requirements appropriate to them.
    c. Visiting clergy who anticipate serving multiple short periods of time, not to exceed an aggregate of 90 days (otherwise Section C, #1 applies), may be authorized for periods of service up to 12 months if requested. New verification of suitability (per 2a) is required for renewal.

D. Outside Organizations:
    1. Outside organizations who come into contact or interact in any way with minors or who host events/meetings weekly or at least 5 times per month at a Diocesan place of business must meet the following guidelines:
        a. Leader(s) of hosted events/meetings must be in compliance with the volunteer safe environment training requirements set forth in this Policy. This includes completing the following:
            i. Annual safe environment training
            ii. Annual update of the Outside Organization Compliance Form (see Appendix X)
            iii. Face-to-face interview conducted by Diocesan contact (see Appendix XIV for a sample interview)
            iv. Reference check conducted by Diocesan contact
            v. Current Background check (within 5 years)
        b. Organization must annually submit leadership name(s) and contact information to the Diocesan location office
        c. Organization leader(s) must agree to comply with the Policy and Procedures for the Protection of Minors

d. The Diocesan place of business is responsible that all outside organizations complete the Compliance Form and they will be audited annually by the Office of Safe Environment by report or inspection.

2. Visiting individuals or groups from outside the Diocese of Gallup who are coming for a brief specified time for a presentation or event (such as mission groups) must seek prior authorization and complete the "Roman Catholic Diocese of Gallup, Office of Catechetical Ministry/Office of Youth Ministry and Evangelization Guest Speaker/Performer/Missionary Work Approval Form" (See Appendix XVII). Approvals must go through the Office of Catechetical Ministry/Youth Ministry and Evangelization. The leaders of the group must be up-to-date on safe environment training. It is possible to accept the credentials for SET from their originating diocese if properly documented and sent directly by their diocese. Otherwise, they will require training immediately upon arrival before beginning their activity in the Diocese of Gallup.

Article 5. Screening Employees and Volunteers

A. Records/Applications:
   1. All new employees, clergy, and religious brothers and sisters must have an employee application, a background clearance (see below), a documented Face to Face Interview and references (see below). These must be complete and reviewed prior to employment.
   2. All new *Affected Volunteers*, 18 years of age and older, must submit a Volunteer Application Form (see Appendix VI) and complete a background check. References are required and a Face to Face Interview. These are to be completed prior engaging in ministry. (see details below)
   3. All previous employees, clergy, and religious brothers and sisters and *Affected Volunteers* (those who began their activity prior to the effective date of this policy) must be incompliance with existing policies at that time. This would include at a minimum documentation of a background check, SET and a signed Code of Ethics.
   4. Clerics transferred to the Diocese of Gallup from a diocese in the United States of America, either temporarily or with the intent of incardination, must have a letter from the sending diocese verifying their assignment by their bishop. Documentation must also be forwarded giving the status of their background checks and SET education. This will stand in lieu of the application, local background checks and foundational SET as long as the sending diocese is in compliance with the USCCB Charter. Subsequent background checks will be done in the five-year cycle based on the date of their reported review.
   5. Clerics from international locations will be managed and documented as per clerics from the USA except that they will require foundational SET at the onset prior to ministry. They will begin standard background checks after 2 years in service in the Diocese of Gallup and then on a five year cycle.
   6. A personnel/training file should be maintained on all individuals affected by this policy. It may be included in their regular personnel file or separately as long as it is a consistent researchable system of files. All documents will be maintained in a secured locked facility in the Chancery, church, school and/or ministry office as appropriate. Note: The Chancery will be the repository of these documents specifically for all clergy and direct employees of the

diocese. This will include religious brothers and sisters working in the diocese who do not have an organized office in the diocese with a designated supervisor and who are not otherwise included as a direct employee of a school or organization which retains their personnel and training file. (The Office of Safe Environment should be contacted to resolve any question.)

B. Background Checks:
    1. Background Clearance checks will be processed through the Office of Safe Environment. (Background clearance form Appendix V)
    2. The results of the background check must be completed, reviewed and accepted by the supervisor prior to beginning work or ministry. The documents must be annotated with a date of review, approval and signature of reviewer (or an attached note stating the same).
    3. Any indication of criminal activity reported on a Background Check requires a reference to Appendix XVI: The Diocese of Gallup Eligibility for Employees and Volunteers with Criminal Convictions. Convictions determine the applicable restrictions and time frames for expiration of those limitations. The three possible conditions are: Ineligible (I), Advisory (A), and Eligible (E). The "Advisory" condition requires the supervisor to investigate the circumstances. Pastoral judgment is allowed. The information and decision should be documented in writing and placed in the personnel or volunteer folder.
    4. In the case of a person being found ineligible by Appendix XVI, the pastor/organizer/supervisor can seek an exception. They must send a letter to the Safe Environment Office detailing the circumstances and requesting permission to grant privileges that the Criminal Conviction Matrix would otherwise prohibit. The final authority for exceptions rests with the bishop. If approved, a letter of exception will be provided by the Safe Environment Office for inclusion in the employee or volunteer folder.
    5. If any adverse decisions are made based on the background check, the affected individual should be counseled about the decision and allowed to view the document if desired.
    6. Background Checks must include a search of driving citations and convictions for anyone driving diocesan owned vehicles, or transporting non-family member adults or children in privately owned vehicles for official church or school related activities. See Appendix VIII for details of general transportation policy and driver restrictions created by adverse driving records.
    7. Fingerprint security clearance is only required if there is a specified requirement in the job description or due to licensure requirements.
    8. Background checks will be returned to the initiating parish/organization. It is the responsibility of the pastor/organizer/supervisor to review the document and properly annotate that it was checked and by whom. The document must then be secured under lock and key. The keys must be controlled and only specified persons have access to these files. A key access log is required. No information will be released to anyone within the organization who does not have a need to know for business purposes. No sensitive information may be released outside of the organization except by written request of the subject person. A copy of the background check may be given to the subject upon request.
    9. The background clearance must be reprocessed every 5 years.

C. Face to Face Interviews: (See Appendix XIV for sample interviews)
    1. Shall be completed on all new clergy, employees and Affected Volunteers. (May not assume duties until completed.)
    2. Shall be completed on a random selection of clergy, employees and *Affected Volunteers* as part of an annual review of programs for youth safety. (Goal = at least 10% each year)
    3. The interviews will be done by the supervisor of the agency/organization or by a designated qualified individual. (The supervisor must review the document if performed by another person.) Documentation of the interview is retained in the individual's personnel/training file.

D. Reference Checks: (minimum of two)
    1. References shall be obtained on all new clergy, employees and Affected Volunteers. Ordinarily these would consist of a letter received from a person that is an acquaintance, colleague or supervisor of the applicant who is in a position to know details of character, activity and performance, particularly in regards to interactions with minors. Normally the applicant provides these contacts but they must be acceptable to the receiving supervisor as appropriate and reliable. Alternatives would include a direct interview of a contact or a telephone interview which would then be documented in writing for the file. (In the case of new clergy, the testimonial documents of the formation leaders will suffice.)
    2. References must be received and reviewed prior to any work.
    3. The reference documentation is retained in the individual's personnel/training file.
    4. References are only required for the initial application process unless the supervisor has some reason to seek addition information at a later time.

E. Identifying Registered Sex Offenders

    An important part of abuse prevention includes identifying registered sex offenders who may frequent Diocesan Pastoral Center, parishes, Catholic schools, and all other Diocesan locations. Therefore the following steps will be taken:

    1. All employees and volunteers in parish, school, or ministry programs must be registered at a parish, school, or ministry office. Their names must be maintained in the Safe Environment Training database and will be compared to the Arizona and New Mexico Sex Offender website on a regular basis by the Office of Safe Environment, Principals, pastors, parish administrators. (Arizona website www.AZSEXOFFENDER.ORG or New Mexico website www.NEWMEXICOSEXOFFENDER.DPS.STATE.NM.US)
    2. All parents who provide volunteer service in Catholic schools must be registered members of a parish, school, or ministry office. Their names must be maintained in the Safe Environment Training database and shall be compared to the Arizona and New Mexico Sex Offender website on a regular basis by the Office of Safe Environment.

Article 6. Assuring a Safe Environment in Programs that Serve Minors

A. In order to provide a safe environment for minors, all programs sponsored by parishes, schools, retreat centers, or other Diocesan offices shall be supervised or administered **by at least two adults.** At least every two years the Office of Safe Environment will arrange an audit of each program in the

diocese that serves minors. This will be accomplished either by on-site inspection by a diocesan official or by a required report.

B. In their interactions with minors, Employees and volunteers shall:
    1. Maintain high ethical and professional standards.
    2. Establish boundaries appropriate to the ministerial relationship.
    3. Know and abide by the *Code of Ethics* for the Diocese of Gallup and this *Policy.*
    4. Know how and to whom to report inappropriate behavior (boundary violations) and how to report abuse.
    5. Act as role models of proper Catholic values; in particular, they should be examples of chastity based on their state of life.
    6. Avoid situations of excessive personal self-disclosure.
    7. Avoid giving personal gifts

C. Program Leadership shall:
    1. Annually review and approve all programs for minors in schools and parishes. A list of these programs shall be maintained and shall include activities, purpose, sponsors or coordinators of the programs, meeting times and locations.
    2. Ensure that the volunteers are monitored and that sufficient supervision exists.
    3. Ensure that the volunteers are following the Safe Environment Education Requirements including application, background check, reference check, and face to face interview (as applicable).
    4. Know the number and whereabouts of participants.
    5. Maintain records of attendance and/or sign in sheets for each class/session.
    6. Know the location of emergency equipment, first aid kit, fire extinguisher and be aware of building layout and location of emergency exits.
    7. Establish a plan for contacting parents/guardians in case of an emergency.
    8. Communicate the designated meeting place in case of evacuation/emergency.
    9. Read, sign and comply with the Code of Ethics.

D. Parent's rights include:
Parents have a right to observe programs and activities in which their children are involved with permission of administration. Parents who participate in or have continuous, ongoing contact with their child's program shall fulfill the Safe Environment Training requirements for Diocesan employees and volunteers. They have the option to decline the SET offered for their child by signing an "Opt-out" letter.

E. Guidelines/Requirements for Overnight Accommodations for Programs Serving Minors
    1. Leadership shall:
        a. Seek to assure that rooms at a retreat center or hotel/motel empty into interior halls that are lighted and secure.
        b. Seek hotels/motels with security officers on staff.
        c. House those under the age of 18 together according to gender.

d. Ensure no adult rooms with a minor (except a child with a parent).
e. Make rooming lists available to the chaperones and the hotel security officer.
f. Take care to ensure a safe environment for showering, bathing and dressing. Adults and minors shall do these activities at different times and, when possible, in different locations.
g. Secure signed parent permission forms which outlines the exact nature of the activity and location prior to leaving on a trip. This includes day and overnight trips.
h. Secure Driver Information Sheet and verify insurance coverage from employees and volunteers. (see Appendix IX)
i. Provide chaperones with Safe Environment Packet for Travel Chaperones (see Appendix XIII). Also include a copy of Appendix II (Interactions and Behaviors) and Appendix IV (Reporting Form for Abuse of a Minor) Appendix VIII (Diocese of Gallup Transportation Policy) and Appendix IX (Roman Catholic Diocese of Gallup Driver Information Form)
j. For travel outside the country, it is highly recommended that world-wide travel insurance coverage is purchased 30 days prior to travel.
k. At least two adults should be present whenever minors are present with adults.

2. Dorm and Large Room Facility Settings
In dorms and other large room facility settings where multiple participants are lodging overnight, two adults (minimum) are permitted to lodge in the same room as same-gender youth participants. They are encouraged to use the beds closest to the door and farthest away from youth participants.

F. Guidelines for Volunteers and Employees regarding Social media and Technology (Ex: Facebook, Twitter, Texting, etc.)
1. Volunteers and Employees shall maintain high ethical standards and professional behavior when using social media and technology as a means of communication with minors.
2. Volunteers and Employees will request and obtain permission of parents/guardians before using social media and technology as a means of communication with minors.
3. Volunteers and Employees will use social media and technology only as a way to communicate events, meetings, change in schedule with minors and parents/guardians.
4. Volunteers and Employees shall maintain ministerial boundaries when using social media and technology with minors and communicate these boundaries to the minors as well.
5. Abide by the *Diocese of Gallup Social Media Policy.* An approved list of social media websites will be maintained on the diocesan website.

G. Minors Serving in Programs
Minors participating in service are an important part of many activities of the Diocese. This includes peer leaders and minors serving other minors. Following are standards for their service:
1. All minors serving as volunteers must attend an age/grade appropriate Safe Environment Education session annually or have an "Opt-out" letter. Documentation must be kept on file.
2. Minors serving as Peer-leaders for minors must be 12-18 years old and must sign the Diocesan Code of Ethics, be familiar with the *Policy and Procedures for the Protection of*

Minors and have submitted a signed parental consent on the Youth Volunteer Acknowledgement Form. (See Appendix VII)

3. All other minors in recognized positions of service (altar servers, etc.) must have a parental consent on the Youth Volunteer Acknowledgement Form. (See Appendix VII)
4. Programs for minors shall be supervised or administered by at least two Safe Environment-trained adults.

H. Transportation of Minors

1. Guidelines for transporting minors are defined in the *Diocesan Transportation Policy* which is located in Appendix VIII.
2. **Transportation of minors must adhere to the standard of being supervised or administered by at least two adults.**

Reporting

Article 7. Applicable Laws

This policy will be implemented in accordance with Arizona Revised Statue 13-3620, New Mexico Statue 32-1-15 & 32-1-16 NMSA 1978 (See Appendix I – Directory of Terms) and all other applicable State statues; canon law; federal law; tribal law; as well as additional local laws and ordinances. All employees and volunteers must comply with all applicable laws regarding reporting of incidents of actual, alleged or suspected abuse and with procedures outlined in this policy. Federal statutes may contain reporting requirements applicable to Indian Reservations.

Article 8. Obligation to Report

All employees and volunteers, while acting within the scope of their service in a parish, school, or ministry, are mandated to report any abuse of minors to law enforcement and Child Protective Services, as specified by law. (See Appendix I – Directory of Terms and Appendix IV Where and How to Report abuse)

The failure of employees and volunteers to report abuse as required by law and in this policy, will be subject to disciplinary action up to and including dismissal and could be subject to criminal penalties under state or federal law.

If a person of any age reveals abuse to a priest during confession, priest-penitent confidentiality cannot be breached (Canon 983). If a person reveals abuse to a priest outside of a confessional context, the priest shall report the allegation immediately to the appropriate civil authorities as required by law.

Article 9. Procedures When Allegations Are Received
(See Appendix IV –Reporting Form for Abuse of a Minor)

A. When a minor reports *sexual abuse* to an employee or volunteer that person shall:
    1. Listen attentively to the minor.
    2. Stay calm and keep the minor in a safe environment.
    3. Leave questioning of the child for the trained interviewer.
    4. Assure and validate the child: the abuse was not his/her fault and they did the right thing by reporting.
    5. When the minor is stable and secure with another adult, immediately report the allegations by telephone or in person, to law enforcement and Child Protective Services.
    6. Write a summary of the incident, complete the reporting form in Appendix IV and then mail or fax to appropriate law enforcement and Child Protective Services as soon as possible but no longer than 48 hours.
    7. School personnel shall contact Catholic Schools Office and report the call made to Child Protective Services and law enforcement. Information provided should only include date,

time of call, and who placed the call. Catholic School's office shall maintain this information in a log book forever.

8. If the accused is an employee or volunteer of the Diocese, after reporting to law enforcement, immediately contact the Victims Assistance Office. Information provided must include date, time of call, who accused and who reported. The Victims Assistance Office shall maintain this information in a log book forever.
9. The reporting person does <u>not</u> inform the accused or confront them.

B. When an employee or volunteer receives a report from a minor of ***<u>physical abuse</u>***, he/she shall follow the steps above and may also ask what happened, who did it, when did it happen, and where did it happen. If the accused is an employee or volunteer of the Diocese, after reporting to law enforcement, immediately contact the Victims Assistance Office. Information provided must include date, time of call, who accused and who reported. The Victims Assistance Office shall maintain this information in a log book forever.

C. The Diocese is committed to working in good faith with law enforcement and/or Child Protective Services. So as not to compromise an investigation, those who make the report shall not discuss the incident with anyone unless they are required to do so in conjunction with the investigation.

Article 10. Immunity for Reporters of Abuse Made in Good Faith

According to Arizona State Law and New Mexico State Law, persons who make a report of abuse in good faith and without malice are entitled to immunity from any civil and criminal liability.

Article 11. Adults Reporting Past Abuse

An adult who alleges abuse as a child, by clergy, an employee, or a volunteer of the Diocese, is encouraged to contact the Victims Assistance Office to make a report. The Arizona reporting law (ARS 13-3620) and New Mexico reporting law (32-1-15 NMSA 1978) do not apply. The individual has the right to make a report to law enforcement. A report to law enforcement is highly encouraged and support will be offered to assist the individual in making the report.

If the reported abuse took place in another diocese, the Victims Assistance Office may contact the Victims Assistance personnel in that diocese to report and request assistance for the individual. The decision to report to law enforcement in the city/state in which the abuse occurred is encouraged and supported.

Article 12. Anonymous or Unspecified Reports of Abuse

An anonymous report or unspecified report is a report that does not provide sufficient information to ascertain the identity of the victim, of the accused, of the accuser, or to proceed with an investigation. A person who is the subject of an anonymous or unspecified report of sexual misconduct as set forth in this section may be notified of the report by the appropriate authority.

Pastoral Response

Article 13. Review Board

A. Purpose:
The Review Board serves as a confidential consultative body to the Bishop regarding allegations of sexual abuse by a cleric (an ordained priest or deacon). The Bishop will notify the Review Board chairperson of any allegation of sexual abuse by a cleric by phone with follow up at the next Review Board meeting. The Review Board chairperson will then notify the Review Board members of the allegation. The Review Board is not investigatory in nature, but advisory in its capacity to assist the Bishop in assessing the allegations on the basis of the facts and proofs gathered by the Investigator (the person who investigates the allegation). The Review Board must also examine any exculpatory evidence brought to its attention that might exonerate the accused cleric. The Review Board members are held in confidentiality to all aspects of the allegations.

The Review Board is to meet on at least a quarterly basis. The Bishop will apprise the Review Board of any allegations, investigations and outcomes until the case is resolved. After receiving the advice of the Review Board and the conclusion by decree of the preliminary investigation the Bishop determines whether it is probable that a delict (crime) has been committed as alleged (Canon 1718, §1). (See Appendix XV for details.)

B. Membership
Members are appointed by the Bishop and serve for a term of 5 years. The appointment may be renewed, and shall continue until a successor is appointed (*Essential Norms 5*). The members shall consist of:
    1. At least five persons of outstanding integrity and good judgment, who are in full communion with the Catholic Church, the majority of whom are lay persons *not* in the employ of the Diocese.
    2. At least one experienced and respected pastor.
    3. At least one member with particular knowledge and expertise regarding the sexual abuse of minors.
    4. The Promoter of Justice, *ex-officio* (non-voting member).
    5. Vicar General, *ex-officio* (non-voting member).
    6. Chancellor, *ex-officio* (non-voting member).
    7. Consultant, the Director of the Office of Safe Environment, (non-voting member)
    8. Consultant, Victims Assistance Coordinator (non-voting member).

C. The Role
    1. To advise the Bishop in assessing allegations of the sexual abuse of minors by priests, deacons, religious or lay persons.
    2. To assist the Bishop in determining suitability for ministry of priests, deacons, religious or lay persons.

3. To advise the Bishop regarding all aspects of these cases of sexual abuse of minors, whether past or present.
4. To offer advice to the Bishop about the preliminary investigation of an allegation.
5. To review diocesan policies regarding the sexual abuse of minors.
6. To review with the Bishop that the procedures have been followed regarding notification of the proper authorities regarding the sexual abuse of minors.

Article 14. Canonical Procedures Regarding Alleged Sexual Misconduct by a Cleric with a Minor

A. An allegation of sexual misconduct by a cleric with a minor is brought to the Office of Safe Environment; the Director reports a credible allegation of a minor to the civil authorities, and to the Bishop and the Vicar General and Chancellor. The Bishop may decide to initiate an inquiry in accord with canon law, in a manner that does not interfere with any investigation conducted by civil authorities. The Bishop must cooperate with any investigation conducted by civil authorities.

B. In addition to any civil investigation, if the Bishop determines the accusation is credible, a decree is issued to begin a preliminary investigation (Canon 1717).
    1. The Bishop may take one or more of the following precautionary measures to protect the rights of all involved, and to avoid scandal to the faithful (Canon 381, §1; 129ff) (Essential Norms 9). He may require the cleric:
        a. To refrain from contact with persons under the age of 18.
        b. To refrain from contact with persons having lodged the complaint, with members of their families, and to refrain in any way from obstructing the preliminary investigation itself.
        c. To reside in a place specified by the Bishop.
        d. To refrain from public celebration of the sacraments and public exercise of ecclesiastical office.
    2. The accused cleric will be afforded the presumption of innocence until such time that accusations are proven creditable or discredited. Although the above actions may be required efforts will be made to protect the reputation and the rights of the cleric until the investigation is complete.
    3. The accused will be advised to seek counsel. They wish to seek advocates in both civil and canon law.
    4. After the decree opening the preliminary investigation, the Bishop appoints an Investigator to conduct the investigation (Canon 1428).
    5. The Investigator makes a preliminary progress report to the Bishop. The Bishop decides the disposition of the case; either
        a. The Investigator's report is sent to the Review Board, or
        b. The Bishop issues a decree concluding the preliminary investigation due to lack of evidence. The exonerated cleric then works with the Vicar General or Chancellor regarding future planning.

C. The Review Board studies the reports sent to it by the Bishop and makes a recommendation to him regarding:
    1. The credibility of the accusation.
    2. The credibility of the accuser.
    3. The credibility of the witnesses.
    4. The next steps regarding the accused.

D. The Bishop receives the recommendation of the Review Board and determines whether or not it is probable that a delict has been committed as alleged (Canon 1718, §1).

E. The Bishop issues a decree that the investigation has been concluded; the same decree states that one of the following 3 steps will be taken:
    1. A decree with a referral to the Congregation for the Doctrine of the Faith (CDF)
        a. The Bishop issues a decree placing the cleric on "administrative leave" by decree after consultation with the Promoter of Justice.
        b. The Bishop issues a mandate to the Promoter of Justice to prepare acts, or evidence, of the case.
        c. The Bishop writes his own opinion on the case for the CDF to determine if a delict was committed.
            i. If the Bishop has made the determination that there is sufficient evidence that the sexual abuse of a minor has occurred, the provisions of Canon 1722, or "administrative leave," are to be put in place. The provisions of Canon 1722 may be applied only *after* the preliminary investigation is completed and the matter is ready to be referred to the Congregation for the Doctrine of the Faith.
            ii. The Promoter of Justice is to be consulted, and the accused is to be cited in writing. The citation is to inform the cleric of the accusation and the proofs which have been gathered, and to provide the cleric the opportunity to respond. Placing the accused on "administrative leave" is not a statement of presumed guilt, but is intended to protect all parties involved.
        d. After reviewing the case, the CDF directs the Bishop on how to proceed.

    2. A decree with no referral to the CDF, stating that the allegations lodged against the cleric have been found to be manifestly false, i.e. there is not enough evidence to show that sexual abuse took place.

    3. A decree from the Bishop stating that administrative remedies will be issued for inappropriate conduct.
        a. When inappropriate conduct has taken place, it may not be possible to establish the probability that a crime was committed; therefore, a criminal trial may not be warranted. The Bishop can make use of an administrative act, a "remedy," to best protect the community, yet protect the rights of the cleric (Canon 88; *Essential Norms* 9). The *Code of Canon Law* allows for the following actions:

i. The Bishop may request that the cleric freely resign from office (Canons 187-189).
ii. If the accused is truly not suitable for an office, the Bishop may remove the cleric from office observing the required canonical procedures (Canons 192-195; 1740-1747).
iii. Delegated faculties may be administratively removed (Canons 391, §1; 142, §1); faculties granted by the law may be removed or restricted by the competent authority.
iv. Circumstances in a particular case may constitute the just and reasonable cause for a priest to celebrate the Eucharist with no member of the faithful present, and may also forbid the priest to celebrate the Eucharist publicly and to administer the sacraments (Canon 906).
v. The Bishop may dispense the cleric from wearing clerical attire (Canons 85-88; 284).

b. Such administrative actions are to be issued through written decrees. Any such actions are for the good of the Church and for the cleric. A cleric may also take recourse against such administrative acts in accord with canon law (Canon 1734).

Article 15. Communication/Notification Regarding Allegations Against a Cleric

Officials of the Diocese of Gallup will notify parish leadership and parish communities as soon as reasonably possible when a cleric serving there has been withdrawn from ministry because of credible allegation(s) of sexual misconduct with a minor(s). In addition, parishes and the Diocese at large will be notified when a cleric who once served in the Diocese has been arrested, indicted or convicted of sexual misconduct with a minor anywhere. Parishes will also be notified when the Bishop returns a cleric to ministry due to a finding that such an allegation is unfounded; appropriate steps will be taken to restore the cleric's good name, including the following:

A. The Vicar General and the Director of the Office of Safe Environment will inform the Director of Communications as soon as possible when the Bishop has approved the withdrawal from or return to ministry of any cleric.

B. The Vicar General, the Chancellor, Tribunal officials, Director of the Office of Safe Environment, the Diocesan General Counsel and the Director of Communications will develop the communication materials.

C. The communication materials will then be submitted to the Vicar General, Chancellor, and the Bishop for final review and approval.

D. After final approval, plans will be made with the Bishop, Vicar General, or the local Dean and/or his representatives, to be present at any parish affected by a cleric's withdrawal from or return to ministry to convey the current status and oversee the distribution of the communication materials announcing the withdrawal from or return to ministry.

E. After final approval, communication materials will be shared with the affected parish and the Voice of the Southwest. The same material will be posted on the Official Web Site of the Diocese of Gallup for sixty (60) days if the communication involves a withdrawal or return to ministry and for fourteen (14) days if the communication involves an announcement of an arrest, indictment or conviction of a priest anywhere who once served in the Diocese.

F. Upon request from the public media, the Director of Communications or a designated representative will disseminate information regarding the cleric's withdrawal from ministry.

G. The Diocese will not enter into any settlement which binds the parties to confidentiality unless the victim/survivor requests confidentiality and this request is noted in the text of the agreement.

Article 16. Report Procedures for Accused Persons Other than Clerics

When a religious brother or sister or a lay employee or volunteer is accused of abuse of a minor the same procedures with be followed as outlined in Articles 7 through 15. The notification of civil authorities is similar. The proceedings will be adjusted for other actions *mutatis mutandi;* that is, changing whatever must be altered to fit the particular circumstance and canonical status of the individual.

Article 17. Discipline for Violation of the *Diocese of Gallup Policy and Procedures for the Protection of Minors*

A. Employees, volunteers, and clerics are bound to abide by the Diocese of Gallup Policy and Procedures for the Protection of Minors. A proven violation of the Policy and Procedures for the Protection of Minors by an employee or a volunteer of the Diocese of Gallup is subject to consequences. These may include termination from one's position and restrictions on future service to the Diocese.

B. A cleric who has been credibly accused (or convicted) of abuse of minor will never be transferred or moved to another location with the intent to allow the person to resume ministry functions. Every effort will be made to make a full disclosure to another diocese if a cleric removes himself from the Diocese of Gallup and attempts to establish faculties elsewhere. (The same applies for religious and laypersons in similar situations.)

C. A cleric or layperson holding an ecclesiastical office are subject to the rights and obligations provided by canon law, and can only be removed from a position through legitimate means. A person aggrieved by the reasons for removal from ecclesiastical office may make hierarchical recourse to the one who issues the decree (Canon 145; 184; 1732-1739).

D. Guidelines for Interactions with Perpetrators of Abuse of Minors (Sex Offenders): Any individual (cleric, religious or lay person) who is known to by the diocese to be a sex offender may not engage in activity with children in any program under the auspices of the diocese. This group includes any credible accused clergy or laity and anyone whose name is listed in the Registered Sex Offender national database. The following guidelines apply to these individuals:

1. Subject to the caveat in the final paragraph of this policy, the Diocese of Gallup prohibits Sex Offenders from coming into any parish/school building or upon any parish/school ground, or attending any parish/school sponsored event, except pursuant to advance written permission from the pastor, principal or his/her delegate.
2. The pastor/principal or his/her delegate must adhere to the following guidelines in granting permission:
    a. The person offers a compelling reason for the parish/school to grant such permission.
    b. The permission can be granted without adversely impacting the safe environment.
    c. The stipulations must indicate that the individual:
        i. may not come into contact with any child except their own
        ii. may not pick up/deliver any other children to events
        iii. May not hold a position or office that involves children/minors
        iv. The pastor/principal shall be informed when to expect the presence of the individual on the property.
    d. Acceptable places that the individual may go within the grounds or facility will be specified to include designated restroom facilities
    e. For group activities such as sports events or performances an adult-age designated companion, approved in the written letter of permission, must accompany the individual at all times.
3. The pastor, principal or his/her delegate will make this decision in consultation with the Safe Environment Coordinator.
4. The individual may not hold a volunteer or employee position but may participate as a member of the assembly for religious events, or as a spectator for athletic events, *etc*. with the above stipulations.
5. Notwithstanding any of the foregoing, this policy will not operate to restrict or impose requirements on any Sex Offender to attending Parish Masses or the Sacrament of Reconciliation.

Article 18. Response to Survivors of Abuse

The diocese will make every effort to support the healing process for anyone harmed by abuse. All the members of the church are called upon to offer prayers and assistance as possible. The diocese will sponsor counseling as needed for any victim of abuse by clergy or employees of the diocese (see Appendix XVII). The bishop and other diocesan officers are willing to meet with survivors to assist them. Survivors should contact and work with the Victims Assistance Coordinator as an avenue to secure the help that they need.

Article 19. Report to USCCB

A copy of this document shall be filed with the United States Conference of Catholic Bishops. The document will be reviewed and revised periodically and all amendments will be forwarded to the United States Conference of Catholic Bishops within thirty (30) days of the revision.

Appendix I
Directory of Terms

Administrative Act: the Bishop may act in the best interest of the Church, while remaining within the confines of canon law; certain actions, most especially those that may negatively impact ones position within the Diocese, require that action be taken in writing, and transmitted to the effected party. A party has a right to recourse consistent with canon law regarding the act of the Bishop.

Affected Volunteer: An *Affected Volunteer* is a lay person giving of their time voluntarily without compensation to a ministry of the church who has a defined position of specified duty, leadership or recognized position of authority/responsibility with oversight of activities or places where minors are present. This designation means that the person must fully comply with all the screening and SET requirements. Not all volunteers are "Affected Volunteers" for the purpose of this policy. (Anyone regularly engaged in activities with children is automatically included.) Others would include ushers, extraordinary ministers of Holy Communion, lectors, instructors, and chairpersons of various church committees (but not necessarily committee members). Example: The chairperson for the annual bazaar would be included but not everyone volunteering to help. However, the persons in charge of the child care becomes affected by the guidelines. The pastor or supervisor of the church organization or entity has the authority and responsibility to determine the status of a volunteer to determine if they are subject to this policy. In general if there is a question the preferred choice is to include the volunteer in the requirements.

Arizona Statutes: http://www.azleg.state.az.us/ars

Arizona Statute 13-3620: Duty to report abuse, physical injury, neglect…Full text can be located at the following website: http://www.azleg.state.az.us/ars/13/03620.htm

Arizona Sex offender website: http://www.AZSEXOFFENDER.ORG

Chancellor: a person stably appointed to oversee the care and organization of diocesan records, as well as notarize documents when necessary. Other duties may be assigned such as serving in an oversight position in various administrative processes (cc 483-4)

Charter for the Protection of Children and Young People and ***Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons:*** In June 2002, the United States Conference of Catholic Bishops created a document stating their commitment to ensure that the sexual abuse would not happen again. The *Charter* provides a framework for the *Essential Norms,* a set of guidelines created for dioceses in the United States to complement canon law regarding any sexual abuse of minors by cleric.

(Definitions Continued – Page 2 of 4)

Code of Canon Law: body of universal laws that govern the Latin Rite of the Catholic Church

Congregation for the Doctrine of the Faith (CDF): Dicastery (office) of the Holy Catholic Church that addresses matters of the faith, also directs a bishop on how to proceed with grave delicts, including cases of sexual abuse of a minor.

Decree: decision of a Bishop made in writing in virtue of his executive, judicial or legislative power.

Delict: a criminal act in the Church, subject to canonical action

Office of Safe Environment: created to assist the Diocese of Gallup with the implementation of the *Policy and Procedures for the Protection of Children and Youth* in accord with the *Charter for the Protection of Children and Young People* and *The Essential Norms.* The Director of the Office of Safe Environment receives allegations of sexual misconduct with minors, coordinates pastoral outreach to affected individuals and communities, assists in the continued development and training of all employees and volunteers, and maintains responsibility for the ongoing administration of the Office of Safe Environment.

Ecclesiastical office: stable positions in the Church exercised for a spiritual purpose. At the diocesan level, these offices include the diocesan bishop, vicar general, judicial vicar, Episcopal vicar, chancellor, finance officer, promoter of justice, judge, investigator, notary, and dean. At the parish level, these officials include the pastor and the parochial vicar.

Emotional abuse: parent, guardian or custodian demonstrates behavior which is likely to have the effect of terror, rejection, isolation, humiliation or debasement of a child. Child is exhibiting severe anxiety, depression, withdrawal or untoward aggressive behavior which could be due to serious emotional damage by a parent, guardian, or custodian which can only be diagnosed by a medical doctor or psychologist.

Essential Norms: a document created by the United States Conference of Catholic Bishops. This document ensures that each diocese and eparchy will have policies and procedures in place to respond promptly to all allegations of sexual abuse of minors by diocesan and religious priests or deacons. This is particular law (mandatory) for all dioceses.

Faculties: permissions granted to a cleric to serve the People of God, such as permission to witness a marriage, act as confessor, or to administer confirmation.

Investigator: the person appointed by the Bishop or a judge to gather evidence in a case concerning the public good, i.e. criminal or marriage cases.

(Definitions continued Page 3 of 4)

Minor: a person who has not reached full legal age (18 years old). For the purpose of training requirements and youth volunteer status, the term "minor" also includes a person who is of full legal age, enrolled in High School and is declared as a dependent on the parents most recent federal income tax form. For this policy definition extends to those persons who habitually lack the use of reason is to be considered equivalent to a minor.

New Mexico Statutes: http://www.nmonesource.com/nmnxtadmin/nmpublic.aspx

New Mexico Statute 32A-4-2: definitions full text at http://law.justia.com/codes/new-mexico/2006/nmrc/jd_32a-4-2-d505.html

New Mexico Statute 32A-4-3: every person who knows or has reasonable suspicion of child abuse or neglect shall report the matter immediately to….full text at http://law.justia.com/codes/new-mexico/2006/nmrc/jd_32a-4-3-adad.html

New Mexico Sex Offender website: http://www.nmsexoffender.dps.state.nm.us/

Physical Abuse: impairment of a minor's physical condition and includes any of the following: skin bruising, pressure sores, bleeding, failure to thrive, malnutrition, dehydration, health or welfare, burns, fracture of a bone, subdural hematoma, soft tissue swelling, injury to any organ, and any physical condition with imperils.

Peer-Leader: a minor (12-17 years of age) who is given a role of leadership of other minors in association with adult leaders. This is a position with defined responsibilities and accountability to the adult leaders.

Preliminary investigation: the investigation required by canon law. Once initiated through a decree, this process is used to gather evidence and to make the determination as to whether initiating a trial is necessary. The preliminary investigation must be brought to a conclusion through a decree, and either led to exoneration, administrative action, or a trial.

Promoter of Justice: The promoter of justice functions as the prosecutor of a penal case (Canon 1430). Like a plaintiff in a contentious case, the promoter brings the action, educes evidence, argues the case, and appeals if necessary. The promoter's duty is to seek justice, and his/her concern is the public good. The promoter is not to prosecute if he/she decides there is no basis for the prosecution. The Promoter of Justice is to be consulted prior to the citation of the accused regarding the placing of the accused on "administrative leave". The Promoter of Justice attends Review Board meetings and offers canonical advice; however has no voice in the Review Board's determinations and recommendations.

(Definitions continued Page 4 of 4)

Sexual Abuse: intentionally or knowingly engaging in sexual conduct or conduct with a minor who is under the age of eighteen years of age. Abuse shall include inflicting or allowing sexual abuse, sexual conduct with a minor, sexual assault, molestation of a child, commercial sexual exploitation of a minor, sexual exploitation of a minor, incest, or child prostitution as detailed in the Arizona Revised Statutes and New Mexico Statutes.

Safe Environment Training or SET: is a general term used in this document to designate education processes designed to increase the awareness of individuals about the risks to children from many sources and how to respond. It also includes education for children to encourage them to be alert for inappropriate behavior of adults and how to seek help. This term includes both initial and various on-going or renewal education on the subject.

Vicar General: Vicar General/Moderator of the Curia is an appointed priest who, under the authority of the Bishop, is to coordinate those things which pertain to the treatment of administrative affairs and to take care that the other members of the curia properly fulfill the office entrusted to them (CC 473 §2). In cases concerning the sexual abuse of minors, the Vicar General/Moderator of the Curia works in conjunction with diocesan officials to conduct a fair investigation, to disseminate the information through various officials to the community, and to ensure that all policies and procedures are in accord with canon law, civil law and various Church norms.

Appendix II
Interactions & Behaviors

The lists provided below are not intended to be exhaustive.
If you identify inappropriate behaviors/interactions you must report them to the program supervisor. If you suspect abuse call Child Protective Services and Police.

Appropriate **Interactions**	***Inappropriate*** **Interactions**
Appropriate affection between Church employees/volunteers and minors constitutes a positive part of Church life, ministry, and healthy child development. Depending on the circumstances the following forms of interaction are customarily (but not always) regarded as appropriate:	Some forms of behavior and physical affection have been used by adults to initiate inappropriate contact with minors. In order to maintain the safest possible environment for minors, the following are examples of affection that are not to be used:
Appropriate **Physical Interactions** • Side hugs • Shoulder-to-shoulder or "temple" hugs • Handshakes • "High-fives" and hand slapping • Pats on the head or back when culturally appropriate • Touching hands, shoulders, or arm around shoulders • Holding hands (with smaller children in escorting situations) • Holding hands during prayer	***Inappropriate*** **Physical Interactions** • Any form of affection that is unwanted by the child • Showing affection in isolated areas • Physical contact insisted on or requested by the adult • Inappropriate or lengthy embraces • Full frontal hugs • Kisses on the mouth • Touching knees or legs • Touching buttocks, chest or genital areas • Wrestling • Piggyback rides • Tickling • Tackle football • Touch, pull, push or strike a child in anger • Allowing a child to cling to a staff person's leg • Any type of massage given by minor to adult • Any type of massage given by adult to minor

***Appropriate* Behavior** • Consistently abiding by the *Code of Ethics* and the *Policy for the Protection of Minors.* • Providing a Safe Environment where dignity of every individual is ensured • Knowing how and to whom to report inappropriate behavior. • Maintaining a professional relationship when dealing with minors, avoiding emotional attachment and/or vulnerable situations. • Maintaining an awareness of the powerful attraction of minors to adults in positions of authority and trust. If a personal or physical dependency begins to develop, the minor is to be referred to another qualified adult. • Recognizing if physical care of a minor requires more than one appointment, parents must be notified. • Giving modest gift to a group of minors.	***Inappropriate* Behavior** • Contacting or receiving contact from minors via PERSONAL communication tools including but not limited to: computer, phone, cell phone, instant messaging, email, or social networking site. • Being alone with a minor(s), without another responsible adult present, in any closed areas that are inappropriate while working in the scope of ministry program. Including but not limited to: a vehicle, restaurant, residence, sleeping facility, locker room, rest room facility, hot-tub or pool. • Allowing minors to have, or assist minors in gaining access to alcohol, drugs, pornographic material, or any illegal substance. • Allowing minors to have, or assist minors in gaining access to inappropriate websites, movie, audiotapes, DVDs, or CDs. • Photographing minors while at school or in catechetical programs without proper parental/guardian consent. • Singling out a minor with a personal gift.
***Appropriate* Verbal Interactions** • Positive reinforcement • Appropriate jokes • Encouragement • Verbal Praise • Texting a reminder about a meeting or event to all members of an organization. • Setting up a program Facebook page where only public communications are used.	***Inappropriate* Verbal Interactions** • Name calling or Cursing; Telling off-color or sexual jokes • Shaming or Belittling • Compliments that relate to physique or body development. • Telling secrets, asking children to keep secrets. • Using harsh language that may frighten, threaten or humiliate a minor. • Racial insults or ethnic slurs or making derogatory remarks about the child or his/her family. • Discussing sexual encounters with minors, or in any way involving children in the personal problems or issues of adults. • Verbal Praise using inappropriate language and/or terms of endearment. • Texting a minor regarding a personal meeting or issue. • Emailing or instant messaging a minor to discuss personal issues or inappropriate comments.

Sexual Abuse Indicators

Physical Indicators	Behavioral Indicators
• Torn, stained, bloody underclothing • Pain or itching in genital area • Difficulty walking, sitting • Bruises or bleeding in external genitalia • Sudden weight gain or loss • Venereal disease, urinary or yeast infections • Bedwetting • Disrobing	• Single out by parent • Withdrawn, depressed, lack of emotional concern, hysterical • Overly concerned about siblings • Poor self-esteem, lack of confidence • Peer problems, school difficulties • Excessively seductive, inappropriate sex play • Suicide attempts, run-aways • Alcohol or other drug use • Excessive people-pleasing activity • Inappropriate affect (laughing about a sad event) • Difficulty sleeping, night terrors, refusing to sleep alone • Disrobing

Physical Abuse Indicators

Physical Indicators	Behavioral Indicators
• Unexplained injuries, such as bruises, fractures or burns • Injuries that don't match the given explanation • Untreated medical or dental problems	• Withdrawal from friends or usual activities • Changes in behavior — such as aggression, anger, hostility or hyperactivity — or changes in school performance • Depression, anxiety or unusual fears or a sudden loss of self-confidence • An apparent lack of supervision • Frequent absences from school or reluctance to ride the school bus • Reluctance to leave school activities, as if he or she doesn't want to go home • Attempts at running away • Rebellious or defiant behavior • Attempts at suicide

Specific signs and symptoms depend on the type of abuse and can vary. Keep in mind that warning signs are just that — warning signs. The presence of warning signs doesn't necessarily mean that a child is being abused. However, these red flags deserve investigation.

Appendix III

Code of Ethics

Acknowledgment Form

- Diocesan personnel (all clergy, religious, lay volunteers and employees) will strive to exhibit the highest Christian ethical standards and personal integrity in their day-to-day work and personal lives, supporting the teachings, discipline and traditions of the Catholic Church.
- Diocesan personnel shall strive to conduct themselves in a professional and respectful manner in both Church and work environments avoiding any flagrant or public misconduct.
- **It is the policy of the Catholic Diocese of Gallup that any sexual, physical, or emotional abuse of any person is not acceptable and will not be tolerated, especially minors and vulnerable adults.**
- Diocesan personnel will not neglect a minor or vulnerable adult who is in their care.
- Concerns about inappropriate or questionable behaviors and circumstances involving minors will be reported to the program supervisor, pastor or principal.
- In accordance with the law of the State of Arizona, State of New Mexico or Federal Law and policies of the Diocese of Gallup, any suspected abuse or neglect of a minor will be reported immediately. The Office of Safe Environment is available for clarification when in doubt of policy or procedure
- Diocesan personnel will not possess or distribute pornographic images by any type of media and will report pornographic images of minors as abuse.
- Diocesan personnel will provide a professional work environment that is free from physical, psychological, sexual, written or verbal abuse or harassment and will avoid any discrimination based on age, race color, sex, disability, national origin or veteran status.
- Diocesan personnel will respect the integrity of all individuals and protect the confidentiality and privacy of all information to which they have access.
- Diocesan personnel will not take unfair advantage of a supervisory or pastoral relationship for their own benefit.
- Personnel involved in counseling will maintain an appropriate professional environment so as to avoid any setting for misconduct or the appearance thereof. Counselors will take care to function within the scope of their training and credentials
- Diocesan personnel will conduct financial affairs with diligence to adhere to Diocese policies to make certain that all activities meet the tests of integrity and transparency. Diocesan property will be protected.
- All personnel will be alert to conflicts of interest with outside activity so as to avoid compromises in management or appearance of inappropriate influence. Potential conflicts will be reported to supervisors.
- Diocesan personnel will use social media and social networking with appropriate care to avoid any appearance to represent the diocese in personal communication and to maintain appropriate interactions. Communications must be free of any harassment or discriminatory language or anything that would reflect negatively upon the Diocese.
- All personnel will exercise caution in any communication with a minor via electronic media. All such communication must be open to parents and supervisors. Sharing of any minor's information may not be done without parental consent.
- Diocesan personnel will maintain proper security procedures to protect the network from unwelcome intrusion and compromise.
- Diocesan personnel will share concerns about inappropriate behavior (not involving minors) with their pastor/parish coordinator, their administrator, or in cases where the behavior directly involves these people, with the Chancellor.

(Page 1 of 2)

This document is a compendium of the essential ethical and practical guidance that crosses multiple different ministries, duties and disciplines within the Diocese and its functions. Because it is impossible to compile a comprehensive list of specific acts constituting misconduct, employees and volunteers must use common sense, guided by the principles set forth above, to direct their behavior and to abide by the current policies of the Diocese. The major policies that guide the function and ethical performance of duties for all Diocesan personnel are as follows:

Diocese of Gallup Policy and Procedure Manual
Diocese of Gallup Policy and Procedures for the Protection of Minors.
Social Medial Policy for the Diocese of Gallup
Finance Directives and Finance Council Norms for Parishes and Organizations in the Diocese of Gallup
Conflict of Interest Policy for the Diocese of Gallup
Office of Catholic Schools Administrative Handbook

By signing this I am stating that I have received a copy of the *Code of Ethics (Acknowledgement Form),* I have read it, and understand it, and I agree to abide by it. I also am aware of the major Diocesan policies and my obligation to read and abide by any of the guidance in those documents which applies to my duties in my work and interaction with Diocese of Gallup and its personnel. I am aware that all of these policies are available on the Diocesan Webpage and I may obtain printed copies by request.

A violation of this *Code of Ethics* can result in disciplinary action up to and including removal from serving in programs and/or termination of employment. It may also result in a release of information to law enforcement officials, the church community and the public media. No right of privacy may be assumed in this circumstance.

Acknowledgment:

I have potential conflicts of interest with my Diocesan duties: (Please check)

☐ NO

☐ YES (please list on the lines below your signature.)

Please check one:

___ Priest ___ Deacon ___ Religious Brother ___ Employee
___ Seminarian ___ Deacon Candidate ___ Religious Sister
___ Volunteer

_____ _____ _____ _____

Date Printed Last Name Printed First Name Signature

Potential Conflicts of Interest: (Please specify any perceived conflict to include membership on nonprofit and for-profit boards (and your spouse), any for-profit businesses for which you or an immediate family member are an officer of director, or a majority shareholder and the name of your employer and any businesses you or a family member own.)

_____

_____

_____(use a separate page if needed)

To be kept on file at the Chancery for all Clergy of the Diocese, and employees of the Chancery plus other religious members who do not have an organization office in the Diocese. All others to be kept on file in local parish, mission, school or other agency.

Appendix IV

Reporting Form for Abuse of a Minor

As per Arizona Statue 13-360 and New Mexico Statue 32A-4-3: After a call is made to the Police or Child Protective Services to report suspected abuse a written statement must be submitted by mail or fax within forty-eight (48) hours.

Complete this form and submit to appropriate authorities and retain a copy of the report for your personal records (if multiple minors are suspected of being abused, a separate form for each minor must be completed):

General Information			
Date/Time reported to Police or CPS Child Abuse Hotline:	Ask for location (or) fax # of where to send report:	Police or CPS Hotline phone # used to make report:	Name of Person report was given to, Badge number if available:
Person Making Report			
Last Name of Person Making Report:	First Name of Person Making Report:	__ Clergy __ Employee __ Volunteer	Contact Phone number for person submitting report:

Parent/Person(s) Having Custody of Minor			
(1) Parent, Guardian or Custodian Last Name	Parent, Guardian or Custodian First Name		__ Parent __ Guardian __ Custodian
Street Address/Physical Address	City	State	Zip
Home Telephone Number	Work Telephone Number	Cell Phone Number	
(2) Parent, Guardian or Custodian Last Name	Parent, Guardian or Custodian First Name		__ Parent __ Guardian __ Custodian
Street Address/Physical Address	City	State	Zip
Home Telephone Number	Work Telephone Number	Cell Phone Number	

Minor's Information			
(1) Child's Last Name	Child's First Name		Child's Date of Birth
Street Address/Physical Address	City	State	Zip

[**Reporting Form for Abuse of a Minor - Continued]**

Alleged Abuser's Information (as much as is known)				
Last Name	First Name			Date of Birth
Street Address/Physical Address	City		State	Zip
Home Telephone Number	Work Telephone Number	Cell Phone Number		
Relationship to Child __ Clergy __ Employee __ Volunteer	Parish/School			Address/Location Where Alleged Abuse Occurred
Reason for report: (Circumstances leading to the suspicion that the child is a victim of abuse/neglect and/or Suspicion concerning previous injury or neglect to this child or other children in this family situation)				

If the alleged abuse of the minor was a result of a member of the clergy, employee, or volunteer of the Catholic Church, contact the Victim's Assistance Office at 505-906-7357 and provide a copy of this report via confidential fax 505-297-3113.

Reporting Contacts & Guidance

Bureau of Indian Affairs – Indian Country Child Abuse Hotline 1-800-633-5155

Arizona Agency: Child Protective Services - Dept. of Economic Security
Website: https://extranet.azdes.gov/dcss/edcss/findoffice/index.jsf
Child Abuse Hotline: 1-888-SOS-CHILD (1-888-767-2445)
Adult Abuse Hotline: 1-877-SOS-ADULT (1-877-767-2385)

New Mexico Agency: Children, Youth, and Families Dept.
Website: https://cyfd.org/contact-us
Child Abuse Hotline: 1-855-333-SAFE (7233) or text #SAFE
Adult Abuse Hotline: 1-866-654-3219 or 1-505-476-4912

If Physical Abuse, of a child has been revealed to you or you have reasonable belief or have observed that there is abuse:

1. Listen attentively to the minor.
2. Stay calm and keep the minor in a safe environment.
3. Ask questions:
   What happened? Who did it? When did it happen? Where did it happen?
4. Assure and validate the child: the abuse was not their fault and they did the right thing by report.
5. When the minor is stable and secure with another adult, immediately report the allegations by telephone or in person to law enforcement and Child Protective Services.
6. Write a summary of the incident, complete the reporting form in Appendix IV and then mail or fax to appropriate law enforcement and Child Protective Services within 72 hours.
7. School personnel shall contact the Department of Education at 505-863-4406 and report the call made to CPS/Police Department. Information provided should only include date, time of call, and who placed the call. The Department of Education shall maintain this information in a log book.
8. If the accused is an employee or volunteer of the Church, after reporting to law enforcement, immediately contact the Office of Safe Environment at 505-863-4406 or Victim's Assistance office at 505-906-7357.

If Sexual Abuse, of a child has been revealed to you or you have reasonable belief or have observed that there is abuse:

1. Listen attentively to the minor.
2. Stay calm and keep the minor in a safe environment.
3. Leave questioning of the child for the trained interviewer.
4. Assure and validate the child: the abuse was not their fault and they did the right by reporting.
5. When the minor is stable and secure with another adult, immediately report the allegations by telephone or in person to law enforcement and Child Protective Services.
6. Write a summary of the incident, complete the reporting form in Appendix IV and the mail or fax to appropriate law enforcement and Child Protective Services within 72 hours.
7. School personnel shall contact Department of Education at 505-863-4406 and report the call made to CPS/Police Department. Information provided should only include date, time of call, and who placed the call. The Department of Education shall maintain this information in a log book.
8. If the accused is an employee or volunteer of the Church, after reporting to law enforcement, immediately contact the Office of Safe Environment ?at 505-863-4406 or Victim's Assistance office at 505-906-7357.
   ***If you have any questions on reporting or you need assistance contact** Office of Safe Environment at 505-863-4406 or Victim's Assistance office at 505-906-735

Appendix V
Background Clearance Information and Forms

Information:

The approved background check company for the Diocese of Gallup is Selection.com

For volunteer or employee new users with access to the internet:

Please register within VIRTUS Online by going to: https://www.virtusonline.org/virtus/reg_2.cfm?theme=0&amp:org-21955 or you can also go to www.virtus.org and click on "First-Time Registrant" and select Gallup from the dropdown list. Your parish and your school will be billed directly by Selection.com.

In addition, for current Virtus users, once you login to Virtusonline.org you may see you need a background check in red. The previous background check did not merge with Virtus. If you proceed and enter your information for the background check, your parish will be contacted by the Safe Environment office to determine if a background check is needed. If one is not needed your background information will be deleted and no further action is needed by you. Your parish will provide the Safe Environment office with the date of the old background check.

All background checks are received at the Diocese of Gallup and upon review are forwarded to the parishes/schools. Credit information is not sent to the parishes/schools/agencies as that is retained at the Diocese. If there is an issue with the credit report, the parish pastor, administrator, priest, school principal or agency director will receive a letter from the Chancery. If there is a finding on the background check that affects the applicant's eligibility, they must be notified by that representative.

Volunteer or employee users will be required to answer the following questions:

1. Will your duties routinely include the handling of money over $1,000 a month or managing funds or making financial decisions on behalf of the church organization (or were you directed to obtain a credit report?) □ Yes □ No

2. Do you anticipate driving as part of your duties on behalf of the parish, school, organization or diocese? □ Yes □ No

Answering "yes" or any of the above questions will result in a credit or motor vehicle report being generated.

Note: All parish/school employees must obtain a Criminal Report and a Driving History as a condition of employment. All diocesan employees will obtain all three reports as a condition of employment.

For volunteer or employee **new users** without internet access:

This appendix contains three pages of forms and a Summary of Your Rights Under the Fair Credit Reporting Act for use by those parishes whose users do not have internet access. The forms are as follows:

1. Request and Instructions to Procure an Investigative Background Report and/or Consumer report.
2. Selection.com – A two-page disclosure and authorization form are to be completed by the employee or volunteer. This is the document transmitted to the investigating agency through the office of Safe Environment.

   A Summary of Your Rights Under the Fair Credit Reporting Act is Appendix V Supplement.

The volunteer or employee will complete the forms in their entirety. They must include their date of birth and social security number. Parishes/Schools **WILL NOT** submit a paper check with the forms. Your parish/school will be billed directly by Selection.com

REQUEST AND INSTRUCTIONS TO PROCURE AN INVESTIGATIVE BACKGROUND REPORT AND/OR CONSUMER REPORT

Reporting on: _____

Parish, school, or other agency: _____

Position: (check one) _____clergy ____staff (employee) _____Volunteer

Check all that reports that apply:

_____ Criminal Report (Statewide & National Criminal Search, Social Security Trace and FBI Sex Offender.) Required for all employees and volunteers of parishes, missions, schools or Agencies that are affected by this Policy.

_____ Driving History:
Required for all employees of the parishes, missions, schools or agencies of the Diocese.
Required for all volunteers affected by the Policy who drive on behalf of parishes, missions, schools or agencies of the diocese.

_____ Financial History (Credit Report):

Required for all employees and volunteers who handle over $1,000 in cash, checks or Negotiable financial instruments per month on average.

Strongly – advised for all employees and volunteers who routinely manage funds on behalf of a church organization; that is, they decide who money is expended, receive or make purchases, or make substantial monetary decisions.

Strongly – advised for any employee who routinely has keys and access to the areas of a church or organization where monies and incoming mail are handled or stored.

The pastor, administrator or organization supervisor is free to require a Credit Report and Driving History on any employee or volunteer if they deem it necessary, regardless of the above parameters.

The decision by the pastor, administrator, or organization supervisor to not require a Credit Report or Driving History should be documented in the personnel file of the individual.

Please send this page plus the two-page signed Authorization and Disclosure document to:

Safe Environment Office
Diocese of Gallup
P.O. Box 1338
Gallup, NM 87305

*****PLEASE DO NOT STAPLE FORMS TOGETHER. THANK YOU.

SELECTION.COM
Where smart hiring begins®

MA, MN, OK, NY, ME, WA, NJ, and CA applicants only: If you want a free copy of the report(s) ordered, check this box ☐

****Please enter your legal name on your drivers license or passport*****

Full Name (Printed) _____
First Middle Last Maiden/Other

Complete Residence Address _____
Street Number/PO Box Street Name

_____
City State Zip Code County

Date of Birth _____ Social Security Number _____ Gender _____ Race _____

Driver's License Number _____ State Issued _____

Daytime Telephone Number: _____ Email _____

Please list all additional residences that you have resided in during the last 7 years

_____
Street Number/PO Box City State Zip County

_____
Street Number/PO Box City State Zip County

_____
Street Number/PO Box City State Zip County

*This information is voluntary. However, without this information we will be unable to properly identify you in the event of adverse information during the course of our background search.



DISCLOSURE

To assist **The Diocese of Gallup** in obtaining a consumer report, the following information is provided.

FAIR CREDIT REPORTING ACT BACKGROUND CHECK DISCLOSURE

In connection with your employment application (including contract or volunteer services), the prospective Employer ("The Employer") may seek background information about you from a Consumer Reporting Agency. This information will be in the form of Consumer Reports as defined by the federal Fair Credit Reporting Act.

Consumer reports are a compilation of information that are expected to be used to evaluate you for employment eligibility or for promotion, reassignment, and retention as an employee (including contract or volunteer services). These reports may contain information about your character, general reputation, personal characteristics, and mode of living. Consumer Reports may also include credit reports, criminal records, education verifications, employment history, worker's compensation, credentials, drug testing results and driving records, among other resources.

SELECTION.COM® or another Consumer Reporting Agency will compile and assemble the reports for the Employer.

A summary of your rights under the federal Fair Credit Reporting Act (FCRA) is being provided to you with this disclosure.

Signature _____ Date _____

RELEASE FORM

FCRA Authorization

I acknowledge that I have received and read the Fair Credit Reporting Act Background Check Disclosure, a summary of Rights Under the Fair Credit Reporting Act, and this authorization. I certify that I understand the documents I have received.

I hereby authorize the Employer or its authorized agents, for employment purposes (including contract or volunteer services), to obtain Consumer Reports after The Employer receives this authorization, including any time during that I may be employed by The Employer.

I hereby authorize law enforcement agencies, public and private schools, federal, state, and local agencies and courts, credit bureaus, information bureaus, current and former employers, financial institutions, licensing agencies, governmental agencies, the military, and other individuals and entities to provide any and all information that is requested by SELECTION.COM®, or other consumer reporting agencies, or The Employer.

I understand that any information that I provide in an employment application or that I otherwise disclose during my employment (including contract or volunteer services) may be used to obtain Consumer Reports.

Full name (Printed) _____
First Middle Last Maiden/Other

Signature _____ Date _____

*This information is voluntary. However, without this information we will be unable to properly identify you in the event of adverse information during the course of our background search.

Para información en español, visite www.consumerfinance.gov/learnmore o escribe a la Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552.

A Summary of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under FCRA. For more information, including information about additional rights, go to www.consumerfinance.gov/learnmore or write to: Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552.

• **You must be told if information in your file has been used against you.** Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment – or to take another adverse action against you – must tell you, and must give you the name, address, and phone number of the agency that provided the information.

• **You have the right to know what is in your file.** You may request and obtain all the information about you in the files of a consumer reporting agency (your "file disclosure"). You will be required to provide proper identification, which may include your Social Security number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:

o a person has taken adverse action against you because of information in your credit report.
1o you are the victim of identity theft and place a fraud alert in your file.
o your file contains inaccurate information as a result of fraud.
o you are on public assistance.
o you are unemployed but expect to apply for employment within 60 days.

In addition, all consumers are entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See www.consumerfinance.gov/learnmore for additional information.

• **You have the right to ask for a credit score**. Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.

• **You have the right to dispute incomplete or inaccurate information.** If you identify information in your file that is incomplete or inaccurate, and report it to the consumer 1 reporting agency, the agency must investigate unless your dispute is frivolous. See www.consumerfinance.gov/learnmore for an explanation of dispute procedures.

• **Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.** Inaccurate, incomplete, or unverifiable information must be removed or corrected, usually within 30 days. However, a consumer reporting agency may continue to report information it has verified as accurate.

• **Consumer reporting agencies may not report outdated negative information**. In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.

• **Access to your file is limited.** A consumer reporting agency may provide information about you only to people with a valid need – usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.

• **You must give your consent for reports to be provided to employers**. A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to www.consumerfinance.gov/learnmore

• **You may limit "prescreened" offers of credit and insurance you get based on information in your credit report**. Unsolicited "prescreened" offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt out with the nationwide credit bureaus at 1-888-567-8688.

• The following FCRA right applies with respect to nationwide consumer reporting agencies:

CONSUMERS HAVE THE RIGHT TO OBTAIN A SECURITY FREEZE

You have a right to place a "security freeze" on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit.

As an alternative to a security freeze, you have the right to place an initial or extended fraud alert on your credit file at no cost. An initial fraud alert is a 1-year alert that is 2 placed on a consumer's credit file. Upon seeing a fraud alert display on a consumer's credit file, a business is required to take steps to verify the consumer's identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting 7 years.

A security freeze does not apply to a person or entity, or its affiliates, or collection agencies acting on behalf of the person or entity, with which you have an existing account that requests information in your credit report for the purposes of reviewing or collecting the account. Reviewing the account includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

• **You may seek damages from violators**. If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.

• **Identity theft victims and active duty military personnel have additional rights.** For more information, visit www.consumerfinance.gov/learnmore.

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

TYPE OF BUSINESS: CONTACT	CONTACT
: 1.a. Banks, savings associations, and credit unions with total assets of over $10 billion and their affiliates b. Such affiliates that are not banks, savings associations, or credit unions also should list, in addition to the CFPB:	a. Consumer Financial Protection Bureau 1700 G Street NW Washington, DC 20552 b. Federal Trade Commission Consumer Response Center 600 Pennsylvania Avenue NW Washington, DC 20580 (877) 382-4357
2. To the extent not included in item 1 above: a. National banks, federal savings associations, and federal branches and federal agencies of foreign banks b. State member banks, branches and agencies of foreign banks (other than federal branches, federal agencies, and Insured State Branches of Foreign Banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act. c. Nonmember Insured Banks, Insured State Branches of Foreign Banks, and insured state savings associations d. Federal Credit Unions	a. Office of the Comptroller of the Currency Customer Assistance Group P.O. Box 53570 Houston, TX 77052 b. Federal Reserve Consumer Help Center P.O. Box 1200 Minneapolis, MN 55480 c. Division of Depositor and Consumer Protection National Center for Consumer and Depositor Assistance Federal Deposit Insurance Corporation 1100 Walnut Street, Box #11 Kansas City, MO 64106 d. National Credit Union Administration Office of Consumer Financial Protection 1775 Duke Street Alexandria, VA 22314
3. Air carriers	Assistant General Counsel for the Office of Aviation Consumer Protection Department of Transportation 1200 New Jersey Avenue SE Washington, DC 20590
4. Creditors Subject to the Surface Transportation Board	Office of Public Assistance, Governmental Affairs, and Compliance Surface Transportation Board 395 E Street SW Washington, DC 20423
5. Creditors Subject to the Packers and Stockyards Act, 1921	Nearest Packers and Stockyards Division Regional Office
6. Small Business Investment Companies	Associate Administrator, Office of Capital Access United States Small Business Administration 409 Third Street SW, Suite 8200 Washington, DC 20416
7. Brokers and Dealers	Securities and Exchange Commission 100 F Street NE Washington, DC 20549
8. Institutions that are members of the Farm Credit System	Farm Credit Administration 1501 Farm Credit Drive McLean, VA 22102-5090
9. Retailers, Finance Companies, and All Other Creditors Not Listed Above	Federal Trade Commission Consumer Response Center 600 Pennsylvania Avenue NW Washington, DC 20580

Appendix V Supplement

APPENDIX VI

VOLUNTEER APPLICATION FORM

This form is to be completed, signed and returned to the Parish/School/Agency office at which you wish to provide volunteer services. A copy of the completed form will be kept on file.

Last Name First Middle SSN Date

Present Steet Address City/State/Zip Daytime phone Evening phone

Permanent street address (if different from present address) Cell phone Email Address

Have you ever volunteered for a Diocesan location? ☐ yes ☐ no Are you 18 years of age or older? ☐ yes ☐ no

I am interested in VOLUNTEERING at ☐ school _____; ☐ parish _____;

☐ agency _____.

Interested in VOLUNTEERING at: ☐ school activities ☐ religious activities ☐ youth ministry ☐ coaching
☐ other: _____.

I am available ☐ mornings ☐ afternoons ☐ evenings ☐ weekdays ☐ weekends Date available: _____

Volunteer Activities

Please list all current and previous volunteer activities beginning with our current or most recent position first. Use additional pages if needed. Include any other names worked under if different from the name you used on this form.

Parish/Company/Organization Name Phone From To

Address City State Zip

Duties/Responsibilities

****

Parish/Company/Organization Name Phone From To

Address City State Zip

Duties/Responsibilities

****

Parish/Company/Organization Name Phone From To

Address City State Zip

Duties/Responsibilities

References

Please provide two personal/professional references. If you have resided in this area for less than two years, please provide at least one reference from your previous area of residence.

Name			Name		
City	State	Phone	City	State	Phone
Relationship	Years known		Relationship	Years known	

Do you have any medical condition or physical impairment we should be made aware of? ☐ yes ☐ no If yes please explain: _____

_____.

IMPORTANT: Please read and sign below

The information provided on this form is true and complete. If accepted as a volunteer, any misstatement or omission of fact on this form may result in suspension of my services. I understand the Diocese of Gallup may require a criminal background check, a motor vehicle check (if driving for parish/school/agency) and a credit check (if handling funds more than $1,000 per month) and forms will be provided. I release the Diocese of Gallup and all diocesan locations from all liability that may result.

I further understand if I work with children or vulnerable adults I will adhere to the Policies and Procedures for the Protection of Minors and will complete approved Safe Environment Training.

_____

PRINTED NAME

_____ _____

SIGNATURE DATE

****

Office Use Only

_____ (Check one) ☐ Approved ☐ Not Approved

Date of in person/phone interview Date: _____

Background check(s) needed: Virtus needed

☐ Criminal ☐ Driving ☐ Credit ☐ Yes ☐ No

Signed: _____

Pastor/Administrator/Staff

Date Volunteer service ended: _____

Signed: _____

Pastor/Administrator/Staff

Appendix VII
Youth Volunteer/Employee Acknowledgement

Dear Parents/Guardians of students:

Your child has requested to volunteer or become employed with the Catholic parish or school program.

All youth volunteers/employees will be asked to complete safe environment lessons through the Safe Environment Office at the Diocese of Gallup. Any youth who is employed will also be asked to review the Diocese.of.Gallup.Policy.and.Procedures.for.the.Protection.of.Minors and sign a.Diocesan.Code.of.Ethics. We ask that you review the second page of this permission form which provides an abbreviated portion of the Code.of.Ethics.and.Interactions.and.Behaviors.from.the.Policies.and.Procedures.for.the.Protection.of.Minors¡.. Please retain that page.

Youth volunteers/employees work in conjunction with adult supervisors. The youth volunteers/employees are required to abide by the rules and requests established by the program supervisor.

The following information is from the Diocese.of.Gallup.Policies.and.Procedures.for.the.Protection.of.Minors¿

Minors participating in service are an important part of many activities of our Diocese. This includes peer leaders and minors serving other minors. Following are standards for their service:

1. All minors who are volunteering or are employed must attend an age/grade appropriate Safe Environment Education session or have an "Opt-out" letter. Documentation must be kept on file.
8¡ Minors who volunteer or are employed must sign a Diocesan Code of Ethics, be familiar with the.Policies.and.Procedures.for.the.Protection.of.Minors and have submitted a signed parental consent on the Youth Employee Acknowledgement.
9¡ All other minors in recognized positions of service (i.e. altar servers, etc.) must have a parental consent on the Youth Volunteer/Employee Acknowledgement Form. (Appendix VII)
0¡ Programs for minors shall be supervised or administered by at least two Safe Environment-trained adults.

By signing this document, you are providing permission for your child to be employed or volunteer in the parish or school and you will assist your child in ensuring a safe environment is maintained for all children and youth in the Diocese of Gallup.

Parish/School name	Date
Parent name (printed)	Parent Signature
Youth name (printed)	Age
Youth signature	Date

Youth Volunteer/Employee Acknowledgement – Awareness Information

Responsibilities as a youth employee for the safety of minors:

- Exhibit the highest Christian ethical standards and personal integrity
- Conduct themselves in a manner that is consistent with discipline, norms, and teachings of the Catholic church.
- Encourage an environment that is free from all forms of abuse including intimidation, harassment and bullying.
- Immediately report any form of abuse to minors to an appropriate

Expectations of Adult Employees and volunteers while working with youth employees:

Adults can be expected to:

- Always take action in the best interest of the safety of the youth in their presence
- Treat children and youth with respect
- Exercise discipline in manner that does not belittle the youth
- Communicate primarily to the group rather than individuals, especially in electronic media

Adults will not:

- Use tobacco products in the presence of minors
- Possess, use or distribute alcohol or illegal drugs in the presence of youth employees and minors.
- Strike, spank, shake or slap children/youth
- Frighten, humiliate, ridicule, threaten or degrade children/youth
- Possess or distribute pornographic images by any type of media
- Use their authority for their own benefit, particularly at the expense of a child
- Use profanity in the presence of a child
- Touch a child/youth in a sexual or other inappropriate manner such as
    - Any unwanted touch
    - Lengthy or inappropriate front embrace
    - Kisses on the mouth
    - Touching buttock, chest or genital areas
    - Wrestling or tackle football
    - Tickling
    - Massage; either to youth or receive from youth
- Be alone with a child or youth in a closed or private place (behind closed doors)
- Give expensive gifts to youth/children
- Show excessive favoritism toward certain children
- Photograph individual children without parental consent
- Tell off-color or sexual jokes or discuss sexual encounters
- Use texting or other electronic media to arrange personal meetings with children
- Use electronic media to discuss personal or intimate issues with a child

Peer-Leaders

Youths serving as Peer-leaders assume a role with responsibility similar to that as an adult. Therefore, nearly all the expectations for adults apply to them as well. The ultimate goal of a safe environment for youth can only be accomplished through leadership with integrity at all levels.

Appendix VIII

Diocese of Gallup Transportation Policy

Policy Statement

As it carries out its mission in service of the Body of Christ, transportation is critical to many of the pastoral and charitable works of the Local Church. While never failing in this mission of service, we must at the same time seek to develop and implement practices aimed at limiting the risk associated with our transportation activities and protecting the financial and other assets that the faithful have made available to us specifically for the purpose of carrying out our mission. This risk management is the responsibility of all clergy, religious, lay employees, volunteers, and faithful in the Diocese of Gallup. Adherence to the Transportation Policy is required of all parishes and schools in the Diocese as well as other diocesan institutions.

Related policy information

1. **Church-owned Vehicles (belonging to the Diocese or as property any of its schools or other agencies)**
    a. Drivers must be 21 years of age or older.
    b. If minors are transported, driver must be 25 years of age or older.
    c. Drivers must have a valid driver's license and no physical disability that could in any way impair their ability to drive the vehicle.
    d. Each driver must complete a "Driver Information Sheet". The sheets are retained on file for the duration of each individual's service as a driver.
    e. Annual driver records must be obtained for frequent or regular drivers of parish or school vehicles. The record can be obtained from www.azdot.gov or www.mvd.newmexico.gov. The form is titled "Motor Vehicle Record Request".
    f. The use of 10 to 15 passenger vans to transport children or adults is prohibited(*). The vans may be used for cargo vans only if all but the two front seats are removed.
    g. Beginning July 1, 2018 all vans and buses must meet Federal Motor Vehicle Safety Standards (FMVSS) for visibility, bus body structure requirements for rollover accidents, strength of body panel joints and occupant protection requirements for passenger seating and barriers. A copy of the FMVSS regulations can be obtained from Catholic Mutual Group.
    h. Seat belts must be used at all times. Each occupant must have a seat belt. No passengers are permitted in the bed of a pick up or in the cargo area of a vehicle. This requirement does not apply to buses which are not equipped with seat belts, provided they meet the federal requirements as stated in §1.g.
    i. Church-owned vehicles may be driven outside of the United States only if adequate insurance is purchased for these occasions. If such a trip is planned, the Chief Financial Officer for the Diocese must be consulted.
2. **Personal Vehicles used for Church Business or activities of ministry**
    a. Drivers must be 21 years of age or older.
    b. If minors are transported, driver must be 25 years of age or older.
    c. Drivers must have a valid driver's license and no physical disability that could in any way impair their ability to drive the vehicle.
    d. The attached driver information form must be completed for each driver and kept in parish/school files.
    e. The use of 10-15 passenger vans to transport children or adults is prohibited. The vans may be used for cargo vans only if all but the two front seats are removed.
    f. The vehicle must be currently registered and in good operating condition and have all the safety equipment as required by law.
    g. The vehicle must be insured for the following minimum liability limits: $100,000 per person and $300,000 per accident.
3. **Rented/leased vehicles**
    a. The rental or lease of 10-15 passenger vans to transport children or adults is prohibited immediately.
    b. When any vehicle is being rented or leased and the following conditions are met, liability insurance must be purchased from the rental agency: (a) minors will be transported in the vehicle or (b) non-church employees will be transported in the vehicle.
    c. If the vehicle will be driven to Mexico, purchase Mexican insurance. Make two copies and keep one in the vehicle and one with the group leader.
4. **Chartered Vehicles**
    a. Obtain a Certificate of Auto Liability naming the Diocese and the location (parish, school, etc.) as an additional insured.
    b. Minimum liability limits are $1,000,000 combined single limit. If more than 15 people are being transported then minimum acceptable limits are $5,000,000 combined single limit.

Appendix XIII (continued)

Unacceptable Drivers

The following policy defines the standards for drivers as employees and volunteers for the Diocese of Gallup and its organizations. A driver becomes unacceptable when their record exceeds the number of accidents/violations in the guidelines below.

These standards are based upon the accident/violation history of the driver for the prior three years. The sources of driving history used in applying these standards will include those on the driver's Motor Vehicle Record, usually reported on a background check. It may be supplemented by reported incidents on an application, by insurance claims sources and by public sources of criminal or driving citations.

A driver is unacceptable if the driver's accident/violation history in the last three years:

1. Includes one or more of the following serious violations:
    a. Driving under the influence of alcohol or drugs
    b. Hit and run
    c. Failure to report an accident
    d. Negligent homicide arising out of the use of a motor vehicle
    e. Operating during a period of suspension or revocation
    f. Using a motor vehicle for the commission of a felony
    g. Operating a motor vehicle without owner's authority (grand theft)
    h. Permitting an unlicensed person to drive
    i. Reckless driving
    j. Speed contest
2. Consists of any combination of accidents and moving violations which total three.

All accidents must be included in the above determination, both "at fault" and "not at fault" accidents. While the latter may not have been caused by that driver, there is usually no way to make these distinctions from MVR information.

Except in states that forbid "non-employment" citations and accidents, all moving violations must be included in the above determination, whether the offense was committed with a commercial or a personal vehicle. A driver's personal driving habits and attitudes will almost universally be the same while driving a commercial vehicle.

Disqualification for driving under this directive may impose a restriction for hiring if driving is an essential element of the job description for proposed employment. A person may become ineligible to continue employment if the employee incurs citations that cause an unacceptable status after hiring.

These restrictions apply specifically to driving privileges. Criminal citations may invoke further restrictions for employment or volunteer opportunities as addressed elsewhere in other policies. Exceptions must be approved through the Office of the Bishop.

Ref: *Catholic Mutual Catholic Umbrella Pool II Vehicle Safety Program Unacceptable Drivers*

Appendix IX

THE ROMAN CATHOLIC DIOCESE OF GALLUP

DRIVER INFORMATION FORM

(Please Type or Print)

DRIVER INFORMATION					
Driver Last Name	First Name		Middle Initial	Date of Birth	
Mailing/Physical Address	City		State	Zip Code	
Home Phone# Cell Phone#	Driver's License#		State	Expiration Date	

VEHICLE INFORMATION				
Name of Owner				
Owner Mailing/Physical Address (if different from above)	City		State	Zip Code
License Plate#	State	Date of Expiration		
Model of Vehicle	Make of Vehicle	Year of Vehicle		

If more than one vehicle is to be used, the above information must be provided for each vehicle.

INSURANCE INFORMATION		
When using a privately owned vehicle, the insurance coverage is the limit of the insurance policy covering that specific vehicle.		
Insurance Company	Policy #	Date of Expiration
Liability Limits of Policy*		

*Please Note: The minimum acceptable limits for privately owned vehicles are $100,000/$300,000.

**A copy of the active auto policy should be attached confirming the liability limits.

CERTIFICATION
I certify that the information given on this form is true and correct to the best of my knowledge. I understand that as a volunteer driver, I must be 21 years of age or older. I must be 25 years of age or older to transport minors. I must possess a valid driver's license, have the proper and current license and vehicle registration and have the required insurance coverage in effect on any vehicle used. _____ _____ Signature Date

Appendix X

Safe Environment Outside Organization Compliance Form

Catholic Diocese of Gallup

As part of our mission to provide a safe and secure environment for our parishioners, employees, students, teachers, and any others who may be on our premises or property, we require that all outside organizations who come into contact or interact in any way with minors or who host events weekly or at least 5 times per month at a Diocesan place of business meet Diocesan Safe Environment guidelines and provide certain information regarding their organization and the local leader(s), and that they certify that such information is correct.

ORGANIZATION'S INFORMATION				
Name of Organization				
Type of Organization and Place of Domicile				
Type of Service provided by Organization				
LEADERSHIP INFORMATION				
Last Name	First Name	Middle Initial	Date of Birth	Social Security #
Mailing Address & Physical Address	City	State	Zip	Gender: __ Male __ Female
Length at above address _____ Years _____ Months If you have resided at the above location less than 5 years, list previous addresses below. If additional space is needed please attach an additional sheet.				
Mailing Address & Physical Address	City	State	Zip	____ Years ____ Months
Mailing Address & Physical Address	City	State	Zip	____ Years ____ Months
Home Telephone #	Cell Phone #	Organization Position/Title		
Email Address				
DIOCESE OF GALLUP QUESTIONNAIRE				
1. Reason organization is meeting on Diocesan premise(s)?				
2. Name(s) and address(s) of parish(s), school(s) or Diocesan Institution(s) hosting your organization.				
3. Who is your (parish/school/diocesan institution) contact (provide Name, Phone & Email)?				
4. What activities will your organization be engaged in at said parish(s), school(s) or Diocesan Institution(s)?				
5. How often will your organization use the parish(s), school(s) or Diocesan Institution(s) facility (i.e. 1hour/week; 2 hours/6times per month)?				
REFERENCES (Minimum of 3 required. If residing in Diocese of Gallup less than 3 years, 2 references				

must be from previous location.)				
Reference Name:	**Mailing Address, City, State, Zip**	**Daytime Phone number**	**How long have you known this person?**	**Has this person agreed to be a reference?**
Professional/Civic				
Personal				
Personal				
Family Member				
Family Member				

BACKGROUND CHECK INFORMATION

Have you changed your last name in the past 5 years? __ Yes __ No
Was name change due to marriage/divorce? __ Yes __ No
What was your previous last name? _____

Have you, or to your knowledge, has any member of your organization, ever been accused of or arrested for physically, sexually, or emotionally abusing a child or an adult? __ Yes __ No If Yes, please explain

Indicate if you or any member of your organization have ever been arrested, indicted, awaiting trial or have ever admitted to committing a misdemeanor or felony. If yes please list offense, date, jurisdiction and outcome. ___ Yes ___ No

Do you, or to your knowledge, any member of your organization have any outstanding warrants? ___ Yes ___ No

Is there anyone living in your home or any member of your organization that is a registered sex offender, been accused of or is awaiting trial for a criminal offense against a child? __ Yes __ No

What state do you currently live in? _____ At any time in the past 5 years have you lived in a different state? __ Yes __ No If yes, what state did you live in? _____

Driver's License: State_____ Number _____ Expiration date _____

SAFE ENVIRONMENT TRAINING CLASS, LOCATION and DATE

Date: _____ Location: _____ Trainer: _____

DECLARATION/CERTIFICATION- Leadership Person
*Please read each statement and **initial** on the lines below.*

_____ I certify that I will update this form annually. I further certify that all statements and (initials only) information contained in this Compliance Form are true and that any misrepresentation or omission is cause for rejection of the organization to be on the property of a Diocese of Gallup place of business, and further, that any misrepresentation or omission is cause for the termination and/or cancellation of any contract with said organization.
_____ I understand that a background check may be conducted prior to and during my (initials only) service. I authorize investigations of all statements contained in the application.
_____ I certify that all members of our organization will observe the Catholic Diocese of (initials only) Gallup rules and regulation while on the property of any Diocese of Gallup place of business, and that all members of our organization will conduct themselves in a professional manner and will exhibit the respect and good behavior that is required in the presence of children and in sacred places.
_____ By signing this Compliance Form, I hereby represent and agree that I am duly (initials only) **authorized to act for and on behalf of the said organization, and that this Compliance Form is and shall be binding upon the Organization.**

*** **DO NOT SIGN UNTIL YOU HAVE READ AND INITIALED THE ABOVE STATEMENTS.**

Applicant Signature: _____ Date: _____

Trainer Review

I have reviewed the applicant document and verify applicant completed training and initialed the declaration statements. Trainer Signature: _____ Date: _____

Screening Committee

I have reviewed the applicant document and have highlighted missing or incomplete information. Screening Committee Signature: _____ Date: _____

Diocesan Safe Environment Requirements for Outside Organizations

All outside organizations who come into contact or interact in any way with minors or who host events weekly or at least 5 times per month at a Diocesan place of business must meet the following guidelines:

1. Leader(s) of hosted events/meetings must be in compliance with volunteer safe environment training requirements. This includes completing the following:
    a. Annual safe environment training
    b. Annual update of the Outside Organization Compliance Form
    c. Face-to-face interview conducted by Diocesan contact
    d. Reference check conducted by Diocesan contact
    e. Current background check (within 5 years)
2. Organization must annually submit leadership name(s) and contact information to Diocesan location office.
3. Organization leader(s) must agree to comply with the *Diocese of Gallup Policy and Procedures for the Protection of Minors.*

Appendix XI

Checklists for Pastors, School, Parish, Diocesan Place of Business Administrator/Director

Check list for Employees, Clergy, and Religious Brother/Sisters:

Base File ---

___* Application completed

___ Safe Environment Training (SET) completed prior to service if working with minors, within one month of beginning service if not working with minors. (copy of official certificate certified by the Office of Save Environment); must be in file

___ Code of Ethics (Appendix III) signed. (copy to be kept in file)

___* Reference Check – Two received and the review annotated by reviewer.

___ Background clearance (Appendix V) completed, results received, reviewed and annotated prior to service with minors (copy to be kept on file)

___* Face to face interview – completed and documented for record

___ Fingerprinting completed only if required by job description or for licensing.

___ Driver Information sheet (Appendix IX) completed – if required.

Recurring documentation ---

___ SET (renewal/ongoing) ***annually***

___ Background clearance every 5 years

___ Sign Code of Ethics again annually with review of all pertinent published policies.

___ Face to Face Interviews - periodic/if selected

Check list for *Affected Volunteers*: (volunteers working with minors or in positions of authority)

Base File ---

___* Volunteer Application (Appendix VI) completed or Youth Volunteer Acknowledgment form (Appendix VII) completed

___ SET prior to service working with minors. (copy of official certificate certified by the Office of Save Environment); must be kept in file

___ Code of Ethics (Appendix III) signed. (copy to be kept on file)

___* Face to Face Interview (Appendix XIV) completed

___ Background clearance (Appendix V) completed, results received, reviewed and annotated prior to service with minors (copy to be kept on file)

___ Fingerprinting completed only if required by job description or for licensing.

___* Reference Checks– two received and the review annotated by reviewer.

___ Driver Information sheet (Appendix IX) completed if driving on behalf of the parish, mission, school or agency or if driving minors

Recurring documentation ---

___ SET (renewal/ongoing) ***annually***

___ Background clearance every 5 years

___ Sign Code of Ethics again only if a major change in pertinent published policies.

___ Face to Face Interviews - periodic/if selected

Checklists for Pastors, School, Parish, Diocesan Place of Business Administrator/Director (continued)

Check lists for Minors:

A. Group Files for school classes or religious education groups)

___ Maintain class roster of names and names of associated instructors
___ Maintain list of students by classes receiving their SET within the academic year.
___ Maintain by classes the letters of parental consent for SET education.
___ Maintain by classes the documentation of parental opt-out for SET education.
___ Maintain by classes the memoranda for parents refusing to sign the SET opt-out.

B. Group Files Youth Volunteers for short-term events (not over a year)

___ Volunteer Acknowledgement Form for each minor
___ Documentation of age appropriate SET (if not received in school or RE)

C. Individual Files for Long-Term Positions (example: altar servers)

___ Volunteer Acknowledgement Form
___ Documentation of age appropriate SET annually (if not received in school or RE)

D. Individual Files for Peer-Leader Positions

___ Volunteer Acknowledgement Form
___ Code of Ethics document signed (only once)
___ Documentation of age appropriate SET annually (if not received in school or RE)

Check list for Outside Organizations on diocesan property:

___ Safe Environment Compliance Form completed and on file prior to service (Outside Organization Appendix X)
___ Outside Organizations in contact or interact in any way with minors must complete:
- ___ Annual SET training or on-going education
- ___ Annual update of Outside Organization Compliance Form (Appendix X)
- ___ Face to Face interview (Appendix XIV)
- ___ Reference checks in advance of activity
- ___ Leaders signature on Code of Ethics.
- ___ Background checks for leader(s) in advance of activity.

Record Location: All clergy files are kept at the Chancery and also the files of religious brothers and sisters who do not have an organization office in the Diocese with a designated supervisor. All others are kept at the parish, school, or other organization office. (The Office of Safe Environment should be contacted to resolve any question as to who maintains a record.)

NOTE: (*) Existing employees/volunteer (those engaged in ministry prior to the effective date of this policy (1 July 2016) are exempt from current applications forms, references and face to face interviews if not done previously. Background checks, Code of Ethics and SET are required to be eligible for ministry. Files for minors have no exceptions and must be brought up to date with all prescribed documents.

Appendix XII

Safe Environment Training (SET)- Implementation

Catholic Diocese of Gallup

Managing the environment in which our children and vulnerable adults live and play requires constant vigilance and continued learning. The Office of Safe Environment of the Gallup Diocese is responsible to assist the Bishop and the Catholic community to maintain diligence in our task of protecting minors from harm. It will exercise this duty by maintaining a spectrum of education resources about safe environments for minors. Changes will be made in what is offered as new threats are identified and improved teaching products become available. The Bishop maintains approving authority for all programs. The following guidance is the current standard for SET until further notice:

1: Foundation Safe Environment Training (SET) for Adults

A. *VIRTUS – Protecting Gods Children* is the standard foundational training for adults of the Diocese of Gallup. This three-hour workshop is led by a trained facilitator who will validate the training.

B. Exceptions may be made to accept the credentials of visiting or transferring clergy, lay ministers or volunteers. Credit for foundational training programs in SET will be considered if properly documented and sent directly from the prior diocese, properly certified through the Chancellor's office. The sending diocese must be in compliance with the USCCB Charter for the Protection of Children and Young People to the satisfaction of the Bishop.

C. The foundation training document for SET, either *VIRTUS* or an alternative, must be certified by the Office of Safe Environment, otherwise it is not valid.

D. Exceptions may be made to take the foundation training online in lieu of the three-hour live workshop. This will be on a case by case basis for those who, for valid reasons, cannot attend a live workshop. This training must be approved by the Safe Environment Office.

2. On-going Education (Renewal) for Adults

Several alternatives will be made available for continuing education about the safe environment for minors. We hope to accommodate some differences in learning styles and in some cases limited access to electronic media.

A. The preferred continuing education is conducted via the Internet through the VIRTUS Online program.

- This consists of monthly Training Bulletins delivered to the Email address of the participants. Each instructional publication addresses a different aspect of protecting children. There are questions at the end of each publication to complete the training.
- To satisfy the requirement to be current in SET the participant must complete all published training bulletins for the training year up through May 30th. Otherwise, on **June 30th they will become delinquent and no longer eligible to participate in** ministry.

(Continued)

B. The second alternative for ongoing SET is VIRTUS - Keeping the Promise.
   - This is an instructional program available on the Internet. It is a review and update educational session with videos and interactive questions. Its focuses on refreshing the information presented in the original VIRTUS program plus updates on current threats to minors.
   - Only those who choose this method of renewal will be assigned this training session. Individuals choosing to use this form of education must notify the Office of Safe Environment (phone, letter, or email)
   - This training must be accomplished each year prior to June 30th. Otherwise the person is no longer eligible for ministry.

C. The third alternative is to repeat another session of the foundation SET training. (Currently VIRTUS-Protecting God's Children)
   - This training may be done any time during the usual SET year but must be accomplished each year prior to June 30th. Otherwise the person is no longer eligible for ministry.

3. Certification of Code of Ethics for Adults
   A. The Diocese of Gallup Code of Ethics must be reviewed and signed by all new adults entering work or ministry in the diocese who are required to have SET.
   B. Clerics and employees of the diocese (those reporting directly to the Chancery) must sign this document annually. This process offers the opportunity to review the critical policies of the diocese, particularly those most pertinent to the ministry of each person. This document will reflect periodic changes as the various policies of the diocese are updated.
   C. Supervisors may elect to have employees and volunteers sign a new Code of Ethics document if changes occur in policies that need to be acknowledged.

4. Minors enrolled in Catholic Schools and/or Diocesan Religious Education Programs will be offered age appropriate Safe Environment Training during each academic year.
   A. These programs must be approved by the Bishop upon recommendation by the Office of Safe Environment and the Superintendent of Schools.
   B. The goal will be to complete the training early in the school year if possible.
   C. The training sessions must be announced to the parents with the opportunity to opt-in or opt-out of the education. The individual school and/or program must maintain documentation of completion of training and letters documenting parents' approval or declination of training.
   D. The parents who "opt-out" of the SET for their children should be offered materials on safe environment for children so they may instruct their own children. If a parent refuses to sign the "opt-out" letter, then the supervisor or designee must write a memorandum to be placed in the files.

(Continued)

E. The current approved programs for the Religious Education at the parish level include two options:
    1. *Teaching Touching Safety*. This program by VIRTUS has age-appropriate versions from kindergarten through 12th grades.
    2. *Protect Yourself Rules.* This program funded by the Barbara Sinatra Children's Center Foundation has age-appropriate instruction materials from kindergarten through 8th grade. (High school students will need to be taught from the *VIRTUS Teaching Touching Safety program*.)

F. The program for the diocesan schools is the curriculum from RCL Benziger entitled *Family Life.*

5. Documentation:
    A. The Office of Safe Environment will track the performance of all adult personnel that engage the SET process. This includes the documentation of the foundation training event and on-going education. Regular reports will be issued to the parishes, school and other major components for the use of supervisors.
        1. One-hundred percent registration on the VIRTUS website is expected. This will be accomplished by all those who take the VIRTUS foundation training. Registration information will be given to participants in order for them to get registered and complete ongoing training.
        2. All participants must let their supervisor know how they plan to complete ongoing training. If a participant indicates the choice to repeat the foundation course annually, the Safe Environment Office must be notified. This will allow the Safe Environment office to generate accurate reports.
    B. Responsibility to secure and maintain a current valid training status is a shared responsibility to include the offices of diocese, all subordinate parts and the individual minister, employee or teacher. However, it is the particular duty of the pastor, administrator, principal, or any other leader in charge of a program for minors that no one is allowed access to minors who is not properly trained and supervised.
    C. At the parish and program level it is essential that documentation files exist and are properly checked and updated as necessary. These files will have other required documents as specified elsewhere in this and other policies.
        1. For adults individual files must be kept for each adult employee or volunteer. For proper SET documentation these personnel files must at a minimum include:
            - Documentation of foundational SET education
            - Validation of any on-going SET education
            - A signed copy of the Code of Ethics
        2. For minors the documentation is usually kept by classes, or by volunteer group but may be filed individually at the option of the supervisor. These files must include:
            - Documentation of SET education events for the academic year (July 1- June 30)
            - Consent letters for SET (or Opt-out letters) for each minor in the class/group
            - Memoranda documenting refusal of parent to sign for SET (if applicable)

Appendix XIII
Youth Safe Environment Packet for Travel Chaperones

A. Check prior to departure:

1) Secure signed parent permission forms which outlines the exact nature of the activity and location prior to leaving on a trip. This includes day and overnight trips.
2) Verify any allergies or other health issues. Make arrangements for the security of any medications.
3) Make certain that transportation arrangements meets the guidelines of the Diocese of Gallup Transportation Policy. Secure Driver Information Sheets and verify insurance coverage for all drivers and current driver's license are in hand.
4) Check for any required travel and insurance documents.

B. Suggestions for the lodging arrangements:

1) Seek to assure that rooms at a retreat center or hotel/motel empty into interior halls that are lighted and secure.
2) Seek hotels/motels with security officers on staff.
3) House those under the age of 18 together according to gender.
4) Ensure no adult rooms with a minor (except a child with a parent).
5) Make rooming lists available to the chaperones and the hotel security officer.
6) Ensure a safe environment for showering, bathing and dressing. Adults and minors shall do these activities at different times and, when possible, in different locations.
7) At least two adults should be present whenever minors are present with adults.

C. The general policy is that adults should not enter rooms designated only for youth, particularly the sleeping quarters. Exceptions may occur:

1) Dorm and large room facility settings where multiple participants are lodging overnight
   - two adults (minimum) may lodge in the same room as same-gender youth participants
   - try to use the beds closest to the door and farthest away from youths
2) A room designated for youth may be entered In the case of a serious concern for the health and well-being of the youth. In this situation the following guidance is given:
   - At least two adults should participate
   - Entrance should be announced verbally so youth may cover themselves for modesty.
   - The concerns which predicated the entrance/inspection should be explained to the youth.
   - The group/tour supervisor must be notified if not already informed.
   - A brief note should be written immediately after the event (no later than 8 hours) to document the incident. It should include the reason for the entry and the findings. The document should be signed and dated by all adults who participated and given to the group/tour supervisor. This information should be reported to the pastor or supervisor of the sponsoring organization upon return home.

The remainder of this packet should include the addition of copies of the following:

Appendix II	Signs of Abuse
Appendix IV	Report Form for Reporting Abuse of a Minor
Appendix VIII	Diocese of Gallup Transportation Policy
Appendix IX	Roman Catholic Diocese of Gallup Driver Information Form

Appendix XIV
Face to Face Interview (Examples)

Initial Employment or pre-ministry:

This interview should be accomplished for all new employees and all Affected Volunteers (those involved with children or work in the same space). It may be incorporated into a larger pre-employment but the major issues should be documented for the record. The primary focus is to assure suitability for work in the environment with minors. It is a time to emphasize the commitment of the Diocese to the safety of children and no tolerance for any form of abuse of minors. **This document should be signed and dated and will remain in the person's file permanently**. The following are suggested questions and areas to discuss and document.

1) A review of the application document should be done with the applicant. Discuss any pertinent information or missing information.

2) Please explain why you are interested in obtaining a position within the Diocese of Gallup.

3) Please describe your experience working with children and adults, your degree, credentials, and any certifications you may hold.

4) What area(s) in particular are you interested in obtaining a position(s)?

5) Part of your responsibility in obtaining a position in the Diocese of Gallup is completing the Safe Environment Training, which involves understanding, detecting and possibly reporting child abuse. Are you willing to do this? Have you had previous training in this area?

6) Some positions require background checks and fingerprinting. Would that be a problem for you?

7) Other direct job related questions --

8) Is there any other information that you feel the Diocese needs to know to properly consider your application?

Ongoing Employment Interview (Periodic):

The principal reason for the later interviews is part of the annual review of the program for the protection of minors as an ongoing process of improvement. It also serves to provide insights into the health of the current ministry program**. This document should be signed and dated and kept permanently in the person's file.** Suggested questions would include:

1) Review current activity of the person being interviewed and note the degree of involvement with minors.

2) "Do you have any concerns about the safety of minors in the conduct of your current ministry?
"How is the physical safety such as outer door security, and unsecured inner rooms."
"How about fire hazards or failure to follow policy or protocols for child safety?"

3) "Do you have any concerns about co-workers or outside persons due to inappropriate behavior toward minors or adults or regarding activity outside of the ministry that is contrary to church teachings?"

4) "Do you have any suggestions for improving the safety of minors in the activity of your ministry or the site of ministry?" Do you have any suggestions to make the program more effective?

Appendix XV

Diocese of Gallup Review Board Policy and Procedures

Approved on March 2, 2013

Policy

The policy of the Review Board (hereafter 'Board') of the Diocese of Gallup (hereafter 'Diocese') are those set forth in the revised "Charter for the Protection of Children and Young People" (hereafter 'Charter') and the revised "Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons" (hereafter 'Norms'). These documents were approved by the United States Conference of Catholic Bishops in November 2002. The policy and procedures of the Review Board of the Diocese of Gallup will be updated in accordance with any revisions, amendments or other modifications to the Charter or the Norms or any other applicable document subsequently approved by the United States Conference of Catholic Bishops.

The policy and procedures of the Review Board regulate the organization and conduct of the Board in its execution of the responsibilities assigned to it in the Charter and Norms. The policy and procedures of the Review Board of the Diocese of Gallup will be update in accordance with any revisions, amendments or other modifications to the Diocese of Gallup Policy and Procedures for the Protection of Minors, the Charter or the Norms or other applicable document subsequently approved by the United States Conference of Bishops or the Bishop of the Diocese of Gallup.

Procedures

A. Purpose of the Review Board The Review Board serves as a confidential consultative body to the Bishop regarding allegations of sexual abuse by a cleric (an ordained priest or deacon). The Bishop will notify the Review Board chairperson of any allegation of sexual abuse by a cleric by phone with follow up at the next Review Board meeting. The Review Board chairperson will then notify the Review Board members of the allegation. The Review Board is not investigatory in nature, but advisory in its capacity to assist the Bishop in assessing the allegations on the basis of the facts and proofs gathered by the Investigator (the person who investigates the allegation). The Review Board must also examine any exculpatory evidence brought to its attention that might exonerate the accused cleric. The Review Board members are held in confidentiality to all aspects of the allegations.

The Review Board is to meet on at least a quarterly basis. The Bishop will continue to apprise the Review Board of any allegations, investigations and outcomes until the case is resolved. After receiving the advice of the Review Board and the conclusion by decree of the preliminary investigation the Bishop determines whether it is probable that a delict (crime) has been committed as alleged (Canon 1718, §1).

B. Membership

Members are appointed by the Bishop and serve for a term of 5 years. The appointment may be renewed, and shall continue until a successor is appointed (*Essential Norms 5*). The members shall consist of:

1. At least five persons of outstanding integrity and good judgment, who are in full communion with the Catholic Church, the majority of whom are lay persons *not* in the employ of the Diocese.
2. At least one experienced and respected pastor.
3. At least one member with particular knowledge and expertise regarding the sexual abuse of minors.
4. A member who misses two unexplained consecutive meetings, the Board shall deem the position vacant and inform the Bishop.
5. For purposes of confidentiality, all members are required to return all correspondence, materials, etc. which were generated or received, by any media, during their term of office. These shall be returned to the current Chairperson within thirty (30) days of the end of their term.
6. All public communications of the board shall be accomplished through the Diocesan Media liaison or designated Diocesan public relations person.
7. The Promoter of Justice, *ex-officio* (non-voting member).
8. Vicar General, *ex-officio* (non-voting member).
9. Chancellor, *ex-officio* (non-voting member).
10. Consultant, the Director of the Office of Safe Environment, (non-voting member)
11. Consultant, Victims Assistance Coordinator (non-voting member).
12. Each member shall serve a term of five (5) years. At the end of the five (5) year term, membership shall be re-evaluated by each member, the board and in consult with the Bishop, with at least 3-4 members of the current board remaining for another term of service. All the above will be in consult and under the direction of the Bishop.

C. Consultative Role

1. To advise the Bishop in assessing allegations of the sexual abuse of minors by priests and deacons.
2. To advise the Bishop in assessing allegations of the sexual abuse of adults, who may not have appropriate competency to protect themselves, by priests and deacons
3. To assist the Bishop in determining suitability for ministry of priests and deacons.
4. To advise the Bishop regarding all aspects of these cases of sexual abuse of minors, whether past or present.
5. To offer advice to the Bishop about the preliminary investigation of an allegation.
6. To review all treatment options necessary to the recovery of abused children/victims.
7. To review diocesan policies regarding the sexual abuse of minors.
8. To review with the Bishop that the procedures have been followed regarding notification of the proper authorities regarding the sexual abuse of minors.
9. To allow the Ethics in Ministry Board to handle allegations of sexual activity between consenting adults.
10. To perform an annual board self evaluation.

The Bishop, in accord with the norms of canon law, will determine the future of a cleric accused of sexually abusing a minor. The sexual abuse of a minor is a crime in canon law.

D. Review Board Executive council

1. The officers of the Board shall include a Chairperson, Vice-Chair and Secretary, also known as the Executive Council. They shall be selected by and from the board membership within the first year and the positions shall be subject to election annually thereafter.
2. The Board's Executive Council shall consist of the three persons holding the executive positions. Emergency action may be taken by the Executive council as outlined herein.

E. Review Board Action

1. At the request of the Bishop, the Board shall initiate its review of any allegation with due deliberate speed.
2. Initial Review
   The initial review shall be to determine if the allegation is current, possibly ongoing and in need of immediate remedial action, including but not limited to advisement of removal of the alleged perpetrator from one's current position and referral to civil authorities.
3. First Formal Review
   If an allegation is not current and the possible abuse is not contemporary, the Board shall convene a review at the next regularly scheduled Board meeting.
4. Ongoing Reviews
   The Board shall continue to monitor all aspects of an allegation both current and contemporary until one of the following occurs:
   i. The allegation is deemed to be non-credible;
   ii. ii. The victim upon his/her own volition does not wish to pursue the matter but only after direct conversation with the victims assistance coordinator or documented attempts to do so; or,
   iii. Civil and diocesan investigation has been successfully completed and the victim has received all reasonable and appropriate counseling and support.
5. Nature of Reviews
   Where possible, all reviews should be comprised of the entire Board with a quorum being four members. In the event of an emergency, a meeting may be held by any means necessary. Scheduled meetings may continue as a committee of the whole even without a quorum in the event of an emergency or unplanned absence of a quorum. In the event, the actions of the committee of the whole may be confirmed telephonically, electronically or at the next scheduled meeting.
6. Emergency Initial Reviews and ongoing emergency reviews may be completed by the Executive Council of the board if necessary. These actions shall then be reviewed at the next convened meeting of the Board. The Executive Council shall define and document the nature of the emergency.

F. Board Compensation

1. Board members agree to serve without compensation.
2. In accordance with applicable Diocesan policy and at the discretion of the Bishop or his designee, Board members may be reimbursed for travel, or extraordinary travel, lodging, meals or other expenses when such expenses are incurred as a part of their services to the Diocese as a member of the Board.

G. Amendments/Additions to the Review Board Policy and Procedures a.

Amendments/Additions to the Review Board Policy and Procedures shall be adopted upon the vote of the Board. Such vote shall be with no more than a single dissenting vote in the event of a membership of five or two dissenting votes in the event of a membership of six or more.

Appendix XVI

The Diocese of Gallup Eligibility for Employees and Volunteers with Criminal Convictions.

The following matrix relates criminal convictions to allowable activity by employee/volunteer by categories of activity. "Advisory" status allows the pastor or supervisor to use discretion regarding the candidate's acceptability after reviewing the information and additional investigation as indicated. Exceptions for persons in the "Ineligible" status can only be approved by the Bishop.

Eligibility Matrix (Page 1 of 2)

Conviction*	Eligibility																	
Category ==>	Employee			Volunteer														
Activity ==>	All			DRIVER			CONTACT W/ MINORS			CONTACT W/ MONEY			MINISTRY			OTHER		
Time since conviction (years) ==>	0-3	>3-7	>7	0-3	>3-7	>7	0-3	>3-7	>7	0-3	>3-7	>7	0-3	>3-7	>7	0-3	>3-7	>7
Alcohol Consumption/possession	E	E	E	I	A	A	I	A	A	E	E	E	E	E	E	A	A	A
Arson (Felony)	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I
Arson (Misdemeanor)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Battery (Felony)	I	I	A	I	I	A	I	I	A	I	I	A	I	I	A	I	I	A
Battery (Misdemeanor)	A	A	A	A	A	E	I	A	A	A	A	E	A	A	E	A	A	E
Assault/Domestic Violence (Felony)	I	A	A	I	A	A	I	A	A	I	A	A	I	A	A	A	A	A
Assault/Domestic Violence (Misdemeanor)	I	A	A	A	A	A	I	A	A	A	A	E	I	A	A	I	A	A
Auto theft	I	I	A	I	I	A	I	I	A	I	I	A	I	I	A	I	I	A
Burglary/breaking and entering (Felony)	I	I	A	I	I	A	I	I	A	I	I	A	I	I	A	I	I	A
Burglary/breaking and entering (Misdemeanor)	I	A	A	I	A	A	I	A	A	I	A	A	I	A	A	I	A	A
Child abuse/molestation	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I
Child Neglect (Felony)	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I
Child neglect (Misdemeanor)	I	A	A	I	A	A	I	A	A	I	A	A	I	A	A	I	A	A
Child Support	E	E	E	E	E	E	E	E	E	A	A	A	E	E	E	E	E	E
Computer Crimes	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Criminal Mischief	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Custodial Interference	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Disorderly Conduct	A	E	E	A	E	E	A	E	E	A	E	E	A	E	E	A	E	E
Drug (Felony)	I	I	A	I	I	A	I	I	A	I	I	A	I	I	A	I	I	A
Drug (Misdemeanor)	A	A	A	I	A	A	I	A	A	I	A	A	I	A	A	I	A	A
Embezzlement	I	I	A	I	A	A	I	A	A	I	A	A	I	A	A	I	A	A
False Imprisonment	I	A	A	I	A	A	I	A	A	I	A	A	I	A	A	I	A	A
Forgery	I	I	A	I	I	A	I	I	A	I	I	A	I	I	A	I	I	A
Fraud (Felony)	I	I	A	I	I	A	I	I	A	I	I	A	I	I	A	I	I	A
Fraud (Misdemeanor)	I	A	A	I	A	A	I	A	A	I	A	A	I	A	A	I	A	A

Eligibility Matrix (Continued - page 2

Conviction*	Eligibility																				
Category ==>	**Employee**			**Volunteer**																	
Activity ==>	All			DRIVER			CONTACT W/ MINORS			CONTACT W/ MONEY			MINISTRY			OTHER				
Time since conviction (years) ==>	0-3	>3-7	>7	0-3	>3-7	>7	0-3	>3-7	>7	0-3	>3-7	>7	0-3	>3-7	>7	0-3	>3-7	>7		
Fraud (Felony)	I	I	A	I	I	A	I	I	A	I	I	I	I	I	A	I	I	A		
Fraud (Misdemeanor)	I	A	A	I	A	A	I	A	A	I	A	A	I	A	A	I	A	A		
Harassment	A	A	A	A	A	A	A	I	I	A	A	A	A	A	A	A	A	A		
Kidnapping	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I		
Manslaughter	I	I	A	I	I	A	I	I	A	I	I	A	I	I	A	I	I	A		
Murder	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I		
Prostitution/Solicitation	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I		
Rape	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I		
Robbery	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I		
Sexual Assault	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I		
Stalking	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I		
Theft/ Larceny/possession stolen prop/cc abuse (felony)	I	I	A	I	I	A	I	I	A	I	I	I	I	I	A	I	I	A		
Theft/ Larceny/possession stolen prop/cc abuse (misdemeanor)	I	A	A	I	A	A	I	A	A	I	A	A	I	A	A	I	A	A		
Traffic Offenses (felony)	I	I	A	I	I	I	I	I	A	I	I	A	I	I	A	I	I	A		
Traffic Offenses (other)	A	A	E	A	A	E	A	A	E	A	A	E	A	A	E	A	A	E		
DWI/DUI**	I	A	A	I	A	A	I	A	A	I	A	A	I	A	A	I	A	A		
Trespassing	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		
Weapons poss. (felony)	I	I	A	I	I	A	I	I	A	I	I	A	I	I	A	I	I	A		
Weapons poss. (misdemeanor)	A	A	E	A	A	E	A	A	E	A	A	E	A	A	E	A	A	E		
Worthless checks felony	I	I	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		
Worthless checks misdemeanor	A	A	A	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E		
All other categories	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		

Terms explained:	E = Eligible: allows but does not require that the individual be hired/retained/provided with a volunteer or employee opportunity. A = Advisory: indicates that further inquiry may be necessary to determine whether the individual is eligible/ineligible. (Supervisor's discretion) I = Ineligible: it is prohibited to hire/retain/allow service for any individual in an activity with this designation.
* **Qualification:**	This chart only for "Adult-charged" crimes. Crimes charged as "juvenile" usually do not show on background checks. If present, all would be considered as "A" - advisory.
** DWI/DUI	Driving parish vehicles or driving on behalf of parish not allowed for convictions that occurred within 0-3 years.

Appendix XVII

Diocese of Gallup

Counseling for Persons Sexually Abused by Employees of the Church

Purpose: The leadership of the Diocese of Gallup recognizes the grave harm that sexual abuse causes, particularly when inflicted upon children. Although nothing can possibly erase all the negative effects of abuse, appropriate counseling has been shown to help abused persons to diminish the effects on their life and empower them to a better state of mental and emotional health.

Policy Statement: The Diocese of Gallup is committed provide proper counseling for those persons abused by clergy and other employees within our jurisdiction. This will usually take the form of payment for the services of qualified counselors. Certain procedures must be followed to establish the valid need for services, the liability of the diocese in each case, the certification of those providing the counseling, the mechanism for payments and rational scope and duration of services.

Definitions: The counseling for which the Diocese of Gallup is willing to pay is intended to be therapeutic in nature. This implies that there is an identified problem related to the abuse that is amenable to counseling. Objective goals must be defined for this treatment. Among those goals would be improved function and self-respect. One of the goals must also be an increased freedom from the effects of the past adverse events to include an expected decrease in the need for interventional treatment and, eventually, cessation of regular counseling. A target number of sessions is expected. A transition to non-therapeutic community support is anticipated. Our interpretation is that chronic, long-term counseling is not a proper outcome since it creates a state of counseling "addiction" which increases the dependency of the person rather than liberating them and is a constant reminder that they are impaired. It is recognized that an occasional resurgence of problems may occur do to external influences and life experiences. A brief period of additional counseling may be warranted in those cases.

Procedures: The first step to establish counseling support is to contact the diocese and validate the needs of the person abused. The survivors of abuse who have previously established their claim through the Chapter 11 proceedings (Case No. 13-13676-t11, effective August 10, 2016) are already identified. Other persons who desire monetary compensation will need to apply to the Trustee of the Chapter 11 settlement for consideration to be included in the "Unknown Tort Claims" provision contained in that legal action. Those persons desiring counseling may present their case directly to the Diocese of Gallup.

The point of contact is the Victim Assistance Coordinator (VAC). This officer will receive the request for services and the claims of the abuse. (The process can be handled through a representative but written authorization by the abused person would be required.) The VAC will require basic information about the person abused, the accused employee, the site of the abuse, the time frame and the effects of abuse for which counseling is requested. Additional independent investigation may be required at the discretion of the VAC based upon the initial information.

Once a valid need is defined, a source for counseling must be approved. We do not wish to be contentious in the matter, but it is necessary that we manage this process properly for the best benefit of the abused person and for proper business practices. If a counselor has already been identified, some information will be required to validate their qualifications. Usually a state license and documentation of malpractice insurance is adequate. A tax ID (W-9 Form) is also require for payment. If the abused person does not have a counselor in mind, the VAC can help locate a qualified counselor.

The usual number of sessions approved at the onset is ten (10). If there is a desire for additional sessions after that course, new contact with the VAC is required for authorization in advance. Written justification will be required. Usually this would be provided by the current counselor. Documentation would include: the diagnosis

addressed by the counseling, the current status of the person, a summary of progress, an assessment of persistent issues that are amenable to further counseling, a proposed plan that would include modalities of treatment to be employed, objective goals, estimated number of sessions required, and a target date to complete the treatment.

Our experience indicates that the customary charge for this type of treatment usually does not exceed $100.00 per routine visit. The VAC must validate any charges for routine visits anticipated to exceed that cost due to locality differences. We do understand that the initial visit is more complex and will cost more. Charges for special diagnostic testing, if required, are an expected additional cost but should be clearly delineated on the bill. Special testing must be approved in advance if it exceeds $300.00.

Invoices for payments should be submitted with clear identification of the person served by the counseling. Charges in excess of those authorized will not be paid. The invoices should be addressed to:

Diocese of Gallup
Attn: Chancellor
PO Box 1338
Gallup, NM 87301

Contacts: Victim Assistance Coordinator
Diocese of Gallup
PO Box 1338
Gallup, NM 87305
505-906-7357
victimsassistance@dioceseofgallup.org

Chancellor
Diocese of Gallup
PO Box 1338
Gallup, NM 87305
505-863-4406
chancellor@dioceseofgallup.org

His Excellency, Bishop James Wall, has expressed his sincere regrets and apologies for any harm caused in the past by employees or volunteers of our diocese. He has coordinated an intensive program of training and vigilance to prevent any recurrence of this criminal behavior. He has instructed the staff of the diocese to offer whatever assistance is feasible to aid those who were abused. The counseling program is a part of that assistance. It is our hope that following the guidelines above, we can facilitate effective counseling and provide some healing for the lives of those who were affected.

Appendix XVIII

Roman Catholic Diocese of Gallup
Office of Catechetical Ministry/Office of Youth Ministry and Evangelization
Guest Speaker/Performer/Missionary Work Approval Form

To ensure integrity and unity of the faith; any person under consideration to present a lecture, course, workshop, performance, retreat or otherwise speak/perform/do mission work/give an address on matters of faith and morals must submit the requisite documentation before approval can be made. This directive applies especially to those who come from outside the diocese or those inside the diocese who are not certified to engage in religious instruction and evangelization by the Diocese of Gallup.

1. Type of Activity:

☐ Lecture ☐ Workshop ☐ Conference ☐ Artistic Performance
☐ Course ☐ Retreat ☐ Mission Work ☐ Other

2. Name of Guest Speaker/Presenter/Group Leader: _____

3. Program/Group Name: _____

4. Mailing Address: _____

4. Telephone: _____ **Email Address:**_____

4. Date(s): from ___/___/____to __/___/___ **Location:** _____

5. Sponsorship (within the Diocese of Gallup):

a. Parish/School/Organization :_ _____
b. Pastor/Principal/Director: _____

6. Attachments:

Please submit the following with this form:

- ☐ Tentative Program Agenda/performance/Work to be done (description and outline of materials to be presented)
- ☐ Resume or Curriculum Vitae
- ☐ Support Letter
  - For Catholics:
    - Clergy: A letter of suitability from the speaker/leader's superior or ordinary
    - Laity: A letter of good standing from one's pastor/ordinary
  - Non-Catholics: a letter of reference from a reputable person, preferably Catholic, who is knowledgeable about the guest or group leader

7. Attestation:

I, _____, (please print) agree to adhere to Diocesan policy and guidelines and that my Presentation/Performance/Activity is in no way antithetical to Catholic teachings and is consistent with the mission of the Diocese of Gallup Office of Catechetical Ministry/Youth Evangelization and Catechesis. I understand that any required instruction such as safe environment for minors must be accomplished prior to beginning the proposed activity.

Signed: _____

Approval and Recommendation

I approve the above-named speaker/presenter/group to present the proposed program. The Office of Catechetical Ministry/Youth Evangelization and Catechesis reserves the right to revoke this certificate at any time for any reason.

_____ Date _____/_____/_____
Director of Catechetical Ministry/Youth Evangelization and Catechesis

Certification is valid until ___/___/_____

PLEASE RETURN TO:

Director, Office of Catechesis/Youth Ministry
religiouseducation@dioceseofgallup.org
503 W. Historic Route 66, Suite B
Gallup, NM 87301
505-863-4406, Ext. 17 / Fax 505-863-2269

Appendix XVIV

Implementation Directives for Pope Francis's Apostolic Letter,
You Are the Light of the World (Vos Estis Vox Mundi)

By Archbishop John C. Wester, Metropolitan, Province of Santa Fe

(The Province of Santa Fe includes the Archdiocese of Santa Fe, Dioceses of Las Cruces and Gallup, and the Arizona Dioceses of Phoenix and Tucson)

ALBUQUERQUE – Monday, July 1, 2019–IMMEDIATE RELEASE–In 2002, the United States Conference of Catholic Bishops (USCCB) enacted the Charter for the Protection of Children and Young People, commonly referred to as the Dallas Charter. The bishops also received authority from the Vatican to make the Charter canon law for the Church in the United States. This comprehensive plan for the protection of children and young people includes a zero tolerance policy that requires priests and deacons who have committed child sexual abuse to be removed from ministry.

One criticism of the Charter has been that it does not apply to bishops or those equivalent in the law (abbots, for example). Pope Francis has remedied this deficiency with his recent Apostolic Letter entitled, You Are the Light of the World (Vos Estis Vox Mundi). This means that the Pope has enacted universal law that pertains to the reporting and handling of complaints against bishops. Pope Francis has mandated that, starting June 1, 2019, a process be established for Church investigations of complaints against bishops for the sexual abuse of a minor. This process also addresses complaints against bishops for sexual acts involving adults regarded as vulnerable and for the negligent or intentional mishandling of such abuse or harassment cases. The process also mandates the internal reporting of such cases, offers whistleblower protection for those reporting and prohibits any imposition of silence on those reporting.

At the USCCB meeting held in Baltimore, MD, from June 11–14, 2019, the bishops of the United States voted on several action items pertaining to the Pope's Apostolic Letter, all of which received overwhelming approval. The first of these items was the "Implementation Directives." These directives outline the use of lay experts in the entire reporting and investigative process. They also call for a third party national reporting system (this will be up and running as soon as possible but no later than May 31, 2020.) The bishops also approved the "Protocols" for dealing with bishops who are removed or who resign for reasons related to sexual abuse or abuse of power. Finally, the bishops committed themselves to codes of conduct that include prohibitions against sexual misconduct and harassment. Moreover, they renewed their pledge to be subject to the Charter, to promote the ongoing formation for bishops and to include the expertise of lay professionals throughout the reporting process.

Please note that Pope Francis's Apostolic Letter and the measures passed by the United States bishops in Baltimore in June of 2019 refer to Catholic Church laws, policies and procedures. If you wish to report a bishop or his equivalent in law for a crime, then you must first call your local civic authorities, i.e., the police and the child protection agency in your area. Secondly, please call the third party national reporting system telephone number.

It is important to remember that even though it will take time to establish the national third party reporting system, the universal law is already in effect regarding the reporting and handling of

complaints against bishops. Therefore, in the Province of Santa Fe, if you wish to report a bishop for the sexual abuse of a minor, sexual acts involving adults regarded as vulnerable and/or for mishandling such cases, please call the following number during regular business hours:

505.219.8743

If you call outside of business hours please leave a message, including your phone number, and your call will be returned as soon as possible. The layperson who handles these calls will immediately inform the Archbishop of Santa Fe as well as the Apostolic Nuncio in Washington, DC (the Apostolic Nuncio is the Pope's representative in the United States). This will begin the process of investigation, which will result in appropriate measures being taken based on that investigation. It is important to remember that even though the Pope has directed that Metropolitan Archbishops (archbishops of an archdiocese that includes other dioceses in what is called a "province"), are responsible for effecting this new mandate, qualified lay persons are involved in the entire process. These reports will be sent to Rome and action - will be taken fairly and conclusively, and in a timely manner. If a report comes in about the Metropolitan Archbishop, then it will be directed to the senior suffragan bishop of the province who will direct the process. At present, the senior bishop in the Province of Santa Fe is Bishop Thomas Olmsted, Bishop of the Diocese of Phoenix. Once the national third party reporting system is in place, then the public will be notified and the Santa Fe Province number shown above will be discontinued.

If you have any questions or concerns regarding Pope Francis's Apostolic Letter or the decisions of the United States Catholic Bishops, please contact the Pastoral Center in your diocese. Please continue to pray for all victims of clergy sexual abuse and for the Church's efforts to provide a safe environment for all children and young people. May the Lord Jesus, who blessed the little children, bless our efforts as well--END

Appendix XIX

Review of Background Check

(Suggested documentation of review or use a separate narrative covering the same information)

Date of Review: _____

Person Reviewed: _____ Birthdate: _____

Processing date for Background check: _____

Components included in this background check: (check those included)

_____ 1) Criminal Report
_____ 2) Driving History
_____ 3) Credit Report

Review: (check as applies)

_____ This background check was reviewed by the undersigned. No flags were reported on the criminal report or driving history. No discrepancies or other issues were identified. The Credit Report (If done) was reported to have no signs of serious financial distress or mismanagement.

_____ This background check was reviewed by the undersigned. There were discrepancies or issue of concern as noted below:

_____
_____
_____

Actions based upon this review:

_____ This person, in accord with the policies of the Diocese of Gallup, is cleared for employment or as a volunteer without restrictions.
_____ This person cannot serve as an employee or volunteer based on this review in compliance with the policies of the Diocese of Gallup.
_____ This person may serve but policies require some restrictions as noted below. (Annotate if any of these restrictions will expire and in what time frame.)

_____

_____

Reviewer: _____ _____
Signature of Pastor or Authorized Reviewer Title of Reviewer

The original of the background check may be retained in a secure file or properly shredded. However, this record of review of the background check is a **permanent document** for the personnel file.