

MARMION ABBEY POLICY FOR THE PROTECTION OF CHILDREN

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*{ Note: abbreviations used in references to Standards are: ST = Standard;
R = requirement; C = clarifications; N = footnotes }*

SECTION 1

The Marmion Academy Student Handbook and Faculty Handbook address the Academy's policy on Child Abuse and Reporting Policy.

GENERAL PROVISIONS

ARTICLE I

Policy Statement

Marmion Abbey, Aurora, Illinois, is committed and dedicated to creating a safe environment for all in our community. We believe that all life is sacred and valuable and that each individual demands respect and dignity. Therefore, we will take action and investigate each and every allegation of sexual misconduct or sexual abuse¹ by any Member* who is under the authority of the Abbey. The Members of Marmion Abbey view sexual assault, sexual misconduct, sexual abuse and sexual exploitation by its Members as a violation of human dignity which is morally unacceptable. We condemn every act of child abuse and agree with the Bishops that sexual abuse of children has caused "enormous pain, anger and confusion. Innocent victims and their families have suffered terribly. In the past, secrecy has created an atmosphere that has inhibited the healing process and, in some cases, enabled sexually abusive behavior to be repeated."² Jesus showed constant care for the vulnerable. Child abuse is contrary to the Gospel and opposes what Jesus made part of his mission, the sanctity of children.

- WE, as followers of Jesus, reaffirm our belief that no child should ever feel threatened or endangered.
- WE reaffirm our commitment to provide a safe environment for children and to reach out to those who have been grievously devastated by the actions of our fellow brothers. We stand steadfast to right the wrong.
- WE are committed to help those who have been abused to heal from the trauma caused to them.
- WE will do everything within our power to act in a way that manifests our commitment to God and heal our community.

Therefore, we have adopted and implemented the following policies and procedures for the sake of our community and humanity. Marmion Abbey subscribes to the Charter for the Protection of Children and Young People issued by the United States Conference of Catholic Bishops (Dec. 8, 2002). *We are committed to assisting those who have been abused by Abbey Personnel.*

**A Member is defined as a professed monk, junior professed monk, a novice, or postulant.*

ARTICLE II

Establishment of Policy

Marmion Abbey's Policy is in accord with the revised 2016 Standards For Prevention as published by Praesidium Inc. and approved by the Conference of Major superiors of Men (CMSM).

The Members of our community acknowledge the need to have a policy to reflect our belief that any type of sexual abuse is morally reprehensible. Our primary concern is for the victim and the victim's well-being. Sexual abuse violates human dignity. Marmion Abbey adopts the following policy and procedures:

1. The primary purpose of our policy and procedures is to respond promptly to all allegations of sexual abuse of minors and provide for the protection and safety of children, as well as the well-being of our community. The policies and procedures shall facilitate cooperation and interference with civil authorities responsible for investigating allegations of sexual abuse.
2. Any violation of these policies and procedures is to be reported directly to the Abbot.
3. When an accusation has been made, the Abbot of Marmion Abbey will call a meeting of a Review Board which will oversee the assessment of complaints of the abuse of a minor by a Member. The Review Board will advise the Abbot of its assessment of each complaint regardless of whether the abuse occurred in the present or the past.

[See Praesidium ST 17; R1-R7; C1-C 4]

ARTICLE III

Educational Component

1. The Abbot will establish appropriate programs about the nature and effect of sexual abuse of a minor for the education of Members and for the continuing education of Members who have contact with children and minors.

[See Praesidium ST 5; R1-R4; C1-C 4]

2. The Abbot will instruct all Members about these Policies and Procedures and each Member will receive a set of guidelines for appropriate interaction with children.
3. All Members who serve in any capacity involving children under the age of 18 must complete the prevention and education programs given by the Rockford Diocese. (Details Appendix 1)
4. The Abbot will assist any person in the reporting of suspected child abuse to civil authorities.

ARTICLE IV

Policies for Maintaining Monastic Screening

The Abbot will conduct an assessment of each applicant to determine his fitness for the religious life. A full psychological profile of each applicant to the Abbey shall be obtained. The psychological profile shall be maintained as part of the permanent personnel file. The Abbot may utilize the resources of law enforcement and other community agencies to aid in the assessment process.

The Abbot will also ask every applicant to the monastery to sign an agreement allowing the Abbot to conduct *criminal background checks* and documented reviews of all publicly accessible social media, blogs and web sites controlled by the candidate. **The Abbey requires full disclosure from all applicants for ministry. If an applicant refuses to allow the Abbot to conduct a mandatory criminal background check, does not comply with full disclosure or refuses to sign a statement of suitability, that individual will forfeit acceptance to Marmion Abbey.**

[See Praesidium ST 1; R1-R4; C1-C 5]

The information gained by the Abbot in connection with background checks and screening will be used solely for determining whether the individual is qualified for the monastic life and its ministries.

Boundaries:

All community members are reminded that whatever is said in the Policy booklet of the community about boundaries with minors as well as vulnerable adults also applies in family contexts as well. Wherever we are we are monks of Marmion Abbey.

Child Pornography:

The use of child pornography in any setting is a very serious offense. Any monk accused of being involved with child pornography in any way will be immediately withdrawn from ministry of any kind. It may also be required that the individual undergo therapy to deal with the issue.

Members will report to the appropriate civil authorities all known or suspected possession, distribution, downloading and/or intentional viewing of real or virtual child pornography.

SECTION 2

ARTICLE I

Standards of Conduct for Ministry with Minors

The Abbey will identify and utilize systems of support and accountability for its members with written protocols for responding to reports or allegations.

[See Praesidium: ST 3; R1-R10; C1; with Ns. and ST 4; R1-R4; C1.]

[See also: ST 11; R1-R3; C1]

Thus, the following standards are intended to assist Members in making decisions about interactions with minors in Abbey sponsored and affiliated programs.

A *minor* is anyone under the age of 18. For the purposes of this policy, the term “minors” also includes adults who would be considered uniquely vulnerable to abuse because of physical or mental disabilities.

Abuse and neglect of minors are contrary to the teachings of the Church and are prohibited. Members have a responsibility to protect minors from all forms of abuse and neglect.

1. Prohibited Behaviors

- a. Using, possessing, or being under the influence of illegal drugs and/or controlled substances while in the presence of minors.
- b. Providing or allowing minors to consume alcohol or illegal drugs.
- c. Vulgar, obscene or profane language in the presence of minors.
- d. Speaking to minors in a way that is or could be construed by any observer as threatening, intimidating, shaming, or in any way personally demeaning or humiliating.
- e. Having inappropriate discussions of sexual matters with a minor unless it is a specific job requirement and the Member is trained to discuss these matters.
- f. Being nude in the presence of minors.
- g. Possessing sexually oriented or morally inappropriate materials (magazines, cards, videos, films, clothing, etc.).
- h. Sleeping in the same room with minors unless another adult is present.
- i. Engaging in sexual contact with minors.

j. Engaging in direct or indirect exploitation of a minor for self-gratification.

2. Off-site Events

- a. Members are prohibited from transporting minors without written permission of a parent or guardian. However, if circumstances require such transportation, the Member should inform his Superior as soon as possible.
- b. Members are prohibited from unnecessary and/or inappropriate physical contact with minors.
- c. Minors should be transported directly to their destination. No unplanned stops should be made.
- d. Members are prohibited from having minors stay at their residence. Requests for exceptions should be submitted to the Abbot in writing two weeks prior to the visit.
- e. Changing and showering facilities or arrangements for Members must be separate from facilities or arrangements for minors.

3. Physical Contact

- a. Members are prohibited from using physical discipline in any way for behavior management of minors. No form of physical discipline is acceptable. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force as retaliation or correction for inappropriate behaviors by minors.
- b. Appropriate affection between Members and minors constitutes a positive part of Church life and ministry. The following forms of affection are regarded as appropriate when culturally acceptable for Members roles with minors:
 - Hugs.
 - Pats on the shoulder or back.
 - Handshakes.
 - “High-fives” and hand slapping.
 - Verbal praise.
 - Touching hands, faces, shoulders and arms of minors.
 - Arms around shoulders.
 - Holding hands while walking with small children.
 - Sitting beside small children.
 - Kneeling or bending down for hugs with small children.
 - Holding hands during prayer.
 - Pats on the head when culturally appropriate.

c. Some forms of 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 by Members in ministry roles with minors:

- Inappropriate or lengthy embraces.
- Kissing on the mouth.
- Holding minors over four years old on the lap.
- Touching buttocks, chests, or genital areas.
- Touching knees or legs of minors.
- Tickling minors.
- Showing affection in isolated areas such as bedrooms, closets, staff-only areas, or other private rooms.
- Being in bed with a minor.
- Piggyback rides.
- Any type of massage given by minor to adult.
- Any type of massage given by adult to minor.
- Any form of unwanted affection.
- Compliments that relate to physique or body development.

4. Training for Members Who Work with Minors

- a. Members shall review the “Policies and Procedures” and agree in writing to comply with the policy.
- b. Members who work with minors must participate in training that addresses their role in protecting minors. Such a program will be administered by the Abbey.

5. Supervision of Programs that Involve Minors

- a. Programs for minors in which members are involved should be appropriately supervised and when possible by more than one adult.
- b. Members in leadership roles shall be aware of all programs for minors that are sponsored by the Abbey. A list of these programs shall be maintained in the Abbey’s administration offices and include activities, purpose, sponsors or coordinators of the programs, meeting times and locations. Leaders shall examine these programs and consider whether there is adequate supervision.

ARTICLE II

Procedures for Reporting Abuse of Minors or Vulnerable Adults

1. In addition to reporting to the civil authorities, Members shall report any suspected or known abuse of minors or vulnerable adults that may have been perpetrated by Members directly to the Abbot, including cases in which the victim is no longer a minor (as obligated by the civil laws of the state in which the abuse occurred).

[See Praesidium ST 13; R1; C1]

2. Reports by non-members of suspected or known abuse may be made to any of the following:

- a. The Abbot;
- b. A member of the monastic community;
- c. A member of the Review Board
- d. The Head of School

In the event that any member of the monastic community other than the Abbot is contacted, that individual will advise the accuser to contact the Abbot. Should the accuser be reluctant to speak with the Abbot, the contact person should take down basic information and inform him/her that it will be given to the Abbot.

3. An anonymous, specific and verifiable letter of concern may be sent to any of the above. Anonymous concerns will be investigated to the extent that it is feasible based on known information.

4. Any Member having reason to believe that an individual who is currently a minor or a vulnerable adult and has been abused by a member or non-member shall report such abuse to civil authorities immediately.

5. If abuse of a minor is confirmed through investigation, civil authorities shall be re-contacted and a follow-up report will be submitted, if requested. If investigation indicates the allegation is not credible, civil authorities will be contacted in writing with the knowledge of the accused to provide the additional information.

6. If the alleged victim is a minor at the time the allegation is received, his or her identity will be provided to the civil authorities. If the alleged victim is an adult at the time the allegation is received and consents, his or her identity will be provided to the civil authorities. If the alleged victim is an adult at the time the allegation is received and does not consent to having his or her identity revealed, the alleged victim's identity will not be disclosed.

7. The Abbey will cooperate fully with investigations by civil authorities.

ARTICLE III

Responding to Incidents and Allegations of Sexual Abuse

Allegations and reports of sexual abuse may come from a variety of sources, including alleged victims or their family members, diocesan offices, Members of the community, a colleague in the workplace or from an alleged perpetrator. Because each case is distinct, the following is a general outline of the response system for allegations of abuse but is not a procedure that is to be followed in the same way for each unique case. The process is to be modified according to the nature of the allegation, the needs of the alleged victim and the circumstances of the accused Member. In every case, the Abbey commits itself to dealing pastorally and compassionately with, and protecting the rights of, all those involved.

[See Praesidium **ST 6**; R1-R7; C1 and **ST 11**; R1-R3; C1]

A. Initial Response

1. The Abbot (or his delegate) will receive allegations of sexual abuse and coordinate assistance to anyone who brings an allegation of abuse by a Member of the Abbey.
2. When an allegation of abuse is first received, the Abbot shall attempt to gather sufficient information to complete a preliminary report. The information would include the following:
 - a. Name of the alleged victim;
 - b. Age of alleged victim;
 - c. Address and phone number of alleged victim;
 - d. Name of alleged perpetrator;
 - e. Approximate dates of alleged abuse;
 - f. Nature, type and location of alleged abuse;
 - g. Any additional relevant details.
3. Upon receipt of an allegation of sexual abuse of a minor, the Abbot will promptly follow Abbey reporting procedures and report the allegation to civil authorities (See **Reporting Procedures - Page 9**).
[See Praesidium **ST 12**; R1-R3; C1; -C 4 with Ns re Canon Law]
4. The Abbot and the monastic community will cooperate fully with any investigation by civil authorities.
[See Praesidium **ST 14**; R1-R2; C1 with Ns re Canon Law]
5. The Abbot will offer to meet in person with the alleged victim if he or she so desires. The Abbot will maintain a compassionate and pastoral manner regardless of the demeanor of the alleged victim, recognizing that the experience of abuse and difficulty of coming forward may bring out strong emotions during the disclosure process.

6. The Abbot shall offer a Victim's Assistance Coordinator to assist with the immediate and ongoing needs of individuals who have experienced abuse and their families.
[See Praesidium ST 9; R1-R2; C1-C2]
7. The Abbot will notify the accused Member of the allegation and its substantial details. He will take steps to ensure that the accused Member receives the support and assistance he needs while the allegation is being investigated. This support may take the form of assigning a mentor for the accused.
8. The Abbot will inform the accused Member of his right to seek canonical and civil counsel before any further conversation into the matter. The monastic community recognizes that the Member may need assistance to engage such counsel.
9. The Abbot will document all reports and allegations of abuse and the Abbey's response – including anonymous reports and allegations.
[See Praesidium ST 16; R1-R4; C1; -C6]

B. Internal Investigation

[See Praesidium ST 15; R1-R5; C1-C3 with Ns]

1. During investigations by civil authorities or by the monastic community, the Member who is the subject of the investigation will be temporarily removed from ministry responsibilities and duties.
2. The Abbot (or his delegate) will designate an Investigator to independently gather information regarding the allegations.
3. The Investigator will review the allegations, question the parties involved, and act as the representative of the Abbey.
 - a. The Investigator will advise any parties that he/she represents the Abbey and that conversations with the Investigator are not subject to any attorney/client privilege.
 - b. The Investigator will advise the parties that, although pastoral care is available, the Investigator will not be the one to provide that care.
 - c. The Investigator, who shall obtain statements from the parties and any witnesses, will keep the Abbot informed regarding the status of the investigation. In order to fulfill his responsibilities, the Abbot will consult with the Review Board at each juncture of the process and will convene the Board within 48 hours of receiving the final report from the Investigator.
 - d. In the cases of verified or undisputed incidents, an investigation will be conducted to identify any other victims and to obtain information to form the on-going supervision plan for the Member who has abused.
4. In order to fulfill his responsibilities, the Abbot will consult with the Review Board as appropriate during the investigation and will convene the Board as soon as possible after receiving the final report of the Investigator.

5. Should an allegation be unsubstantiated, the Abbot will reinstate the accused Member to ministry and will work towards the restitution of his good name .
6. Abbey investigations will be documented. Documentation of Abbey investigations will be stored in the office of the Abbot. A summary of the investigation findings will be stored in the personnel file of the Member who is the subject of the investigation.
7. Documentation of investigations are the property of the Abbey and shall remain with the office of the Abbot following election of a new Abbot.
8. The Abbot will maintain contact with the accused Member throughout the entire process.

C. Decision-Making

1. In the case of a Member found guilty of sexual misconduct, the monastic community will also provide for the pastoral care and treatment of the Member, offering him fraternal support in whatever penalties are imposed upon him by the legal system or restrictions imposed upon him by the Abbot.
2. Upon the conclusion of the investigation, the Abbot will exercise his judgment in delivering an appropriate response. If the accused Member has admitted to the substance of the allegation, or in those cases where the allegation continues to be deemed credible or has been substantiated, the Abbot's response could include any of the following:
 - psychological and medical assessment and intervention;
 - restrictions on community life and personal activities;
 - limitations imposed on ministerial activities, including total removal from public ministry.
3. In cases where the allegation has been deemed credible or has been substantiated, the Abbot will contact the appropriate diocesan offices to communicate the nature of the allegation and to inform the diocese of the procedure followed and the response of the Abbot to the allegation.
4. In cases where an allegation of sexual abuse of a minor is substantiated, the Member may not return to public ministry.
5. If an allegation is deemed to be without merit, the Abbot will coordinate communication with all appropriate parties so that reconciliation can take place where possible and repair of damage to reputations can be undertaken.
6. In all instances, the final disposition with regard to monastic status of the Member rests with the Abbot, always recognizing
 - The Member's right to appeal to the Abbot President of the Congregation.
 - It is the Abbot's responsibility to communicate his decision to the person who made the complaint, to the Member involved, and to other parties, including the Bishop, as necessary and appropriate.

7. If at any time during the course of implementing these internal procedures, civil or criminal proceedings are initiated against the accused Member, these procedures may be suspended immediately, to be resumed, if deemed necessary, only after the completion of the civil or criminal proceedings. In such a case, the Abbot's delegate shall recommend to the Abbot a possible course of action with respect to the accused Member, in keeping with the intention of these procedures and in the interests of justice.

D. Assistance To Those Affected

1. The Abbot will communicate this policy and develop a Safe Environment Program which offers outreach to every person who has been the victim of sexual abuse as a minor by a Member. This outreach program will include provision of counseling, support groups, and other social services which may be necessary to help aid the victim in coping with the abuse, whether the abuse was recent or occurred many years ago. The assistance will include referrals and funding for psychological counseling with a licensed mental health professional. Requests will be considered on an individual basis.
2. The Abbot or his representative "will offer to meet with the victim and their families, to listen with patience and compassion to their experiences and concerns, and to share the profound sense of solidarity and concern expressed by our Holy Father in his Address to the Cardinals of the United States and Conference Officers."³
3. The Abbot or his representative, when required by civil law, will explain to the alleged victim the legal requirements for reporting child abuse or neglect.

E. Filing a Complaint with Civil and Church Authorities

1. If an allegation of sexual abuse is made against a Member associated with the Abbey, the Abbot will be notified immediately. If the allegation is concerning sexual abuse of a minor, then the authorities will be notified immediately. All reports to the civil authorities will be made in accordance with Illinois law.⁴ A report will be filed when there is reasonable cause to believe that a child under the age of 18 is suffering physical or emotional injury from sexual abuse sustained by the accused. Reporting to the church does not relieve the obligation to report child abuse to the civil authorities.
2. Once an allegation is made, the needs of the alleged victim should be assessed. The alleged victim may then be advised of his/her rights, and should be informed that counseling or assistance is available. The alleged victim will be told that the offer of assistance is not contingent upon willingness to file a complaint or the willingness to refrain from filing a complaint. If financial assistance is given, the victim is asked to sign a statement acknowledging that the assistance being received is not an admission of guilt or legal wrongdoing. If a legal settlement is entered into, the alleged victim is asked to sign a statement that he/she will keep the amount of the settlement confidential. This statement will not deny the fact that the abuse took place or the pain the alleged victim has suffered. The alleged victim will be informed that the information gathered in the investigation is confidential but not necessarily privileged by civil authorities.

3. The Abbey will not enter into confidentiality agreements except for grave and substantial reasons brought forward by the victim/survivor and noted in the text of the agreement.
4. “For the sake of due process, the accused is to be encouraged to retain the assistance of civil and canonical counsel. When necessary, the diocese/eparchy will supply canonical counsel to the priest.”⁵ In the monastic context this applies to all Abbey Members.
5. The Abbey will observe the norms of canon law concerning the gathering of information from children during an investigation. (CIC 1550)
6. The alleged offender may be requested to obtain appropriate medical and psychological evaluation at a facility that is mutually acceptable to the Abbot and the accused.
7. If an allegation of sexual abuse is made against a former or deceased Member, it shall be processed in the same manner as an allegation made against a current Member under the authority of the Abbot.

F. Determinations and Recommendations

1. The Review Board shall recommend to the Abbot what action should be taken with regard to the Member and determine:
 - whether the accusation is proved to be false and what further actions should be taken to protect the good name of the accused;
 - whether the behavior was inappropriate but was not categorized as sexual abuse, what further actions should be taken;
 - whether the accused is able to return to ministry or retain position held;
 - whether the accused should be withdrawn from the ministry, if he has not withdrawn, what restrictions should be placed on him;
 - whether the file should remain open for some reason or be closed;
 - whether the accused has been found guilty and what restrictions or monitoring programs/devices will be implemented;
 - such other actions as the Review Board deems appropriate.
2. No Member who has committed an act of sexual abuse of a minor may be transferred for ministerial assignment to another Abbey, Diocese, or religious community. Before a Member can be transferred for residence to another religious community, the Abbot shall transfer information regarding the charge of sexual abuse in a confidential manner to the receiving Abbot or Superior⁶.

SECTION 3

ARTICLE I

Functions and Duties of the Review Board

A. Establishment and Purpose

1. The Abbot and the Abbey Council hereby establish a Review Board for the purpose of providing advice to the Abbot on the implementation and administration of the “Policies and Procedures.” The Review Board exists solely to provide such advice and has no independent power or authority.
2. The Review Board shall consist of five to seven individuals who are known for their objectivity and sensitivity to the issue of abuse of minors.
3. The Review Board shall include representation from the following groups: religious (of the Abbey), professionals from the social sciences, (psychologists, counselors, victims’ advocates and/or social workers), representatives from the legal or law enforcement profession or state protective services, and laity, preferably parents.
4. While it may occasionally be acceptable for a Review Board member to also be an employee of the Abbey, it is preferable for the Review Board members not to be employees of the Abbey. At no time may the majority of Review Board members be employed by the Abbey.

B. Appointment and Removal of Members

1. The Abbot shall appoint members of the Review Board by letter of appointment signed by the Abbot. A member of the Review Board may be removed at the discretion of the Abbot in consultation with the chair of the Review Board. Members shall be removed by letter of removal signed by the Abbot.
2. Review Board members shall serve a term of three years.
3. It is preferable for the Review Board to have no more than two new Review Board members in one year. When possible, terms should be staggered to provide continuity for the Board.
4. Vacancies created by the departure of Review Board members during their term shall be filled by appointment of the Abbot. Review Board members appointed to fill a vacancy before the expiration of a term shall serve for the remainder of the unfinished term, and may then be reappointed to a full term at the discretion of the Abbot.

C. Conditions of Membership

1. The Review Board members may serve as volunteers or as paid professionals.
2. The Abbey shall reimburse all Review Board members for reasonable expenses incurred in attending meetings of the Review Board or in otherwise performing their duties as members of the Review Board.
3. The Abbey indemnifies and holds harmless all Review Board members for any and all claims, lawsuits, damages or other actions, including but not limited to reasonable costs of defense, which may arise from their service on the Review Board. However, the Abbey does not indemnify Review Board members for intentional tortuous or criminal acts.

D. Officers

1. The Abbot shall name a Chairperson who shall serve for a term of one year and may be reappointed at the will of the Abbot. The Chairperson shall call and chair meetings of the Review Board, ensure that the work of the Review Board is properly documented and communicated to the Abbot and appoint other ad hoc officers and assistants from among the other Board members as may be required to accomplish the work of the Advisory Committee.
2. The Chairperson shall appoint a recording secretary to record the decisions and other relevant actions of the Review Board.

E. Record Keeping

1. The files of the Review Board are the property of the Abbey. The Abbot and all current Review Board members shall have access to the Review Board's files. The Review Board's files shall be stored at a place designated by the Abbot.
2. The Review Board shall create a file on each case or matter it considers. Each file shall contain:
 - a written description of the matter presented to the Review Board,
 - a written summary of the advice given by the Review Board,
 - a written summary of the action ultimately taken by the Abbot in light of the Review Board's advice,
 - and such other information as the Review Board determines to be relevant to any future consideration of the case or matter by the Review Board or the Abbey.

F. Confidentiality

1. Review Board members shall sign a confidentiality agreement and undergo a criminal background check.
2. The records and other information received by the Review Board shall be treated as confidential, subject to the requirements of law and the policies of the Abbey.
3. The Review Board's advice to the Abbot regarding particular cases shall be confidential; provided, however, that the Abbot may, at his discretion, disclose the

advice he received from the Review Board. The advice or positions taken by particular Review Board members shall not be disclosed and need not be recorded in the Review Board files.

4. The Abbey recognizes that the Review Board may receive confidential and sensitive information that could be used to injure the reputations of individuals. At the same time, the Abbey recognizes that the Review Board's records may contain information relevant to civil and criminal law investigations.
5. It is the policy of the Abbey to cooperate fully with all legal requirements and law enforcement agencies while, at the same time, respecting any applicable civil and canon law rights and requirements of confidentiality and privacy.
6. The law of certain states and of the United States prohibits the disclosure of certain information, such as mental health communications, substance abuse and alcohol treatment records and HIV testing and AIDS treatment records. The Review Board shall protect the confidentiality of such information, which it may receive by way of appropriate releases of information, to the fullest extent of the law.

G. Operating Procedures

1. The Review Board shall meet annually, in person or by electronic means, at a date and time established by the Board.
2. The Abbot shall convene the Review Board at each step of the investigation and processing of an allegation of sexual misconduct in which the Review Board is to participate. The process is outlined in *Responding to Incidents and Allegations of Sexual Misconduct* (page 8). The Abbot may choose to convene the Review Board at other times as he deems advisable.
3. The Abbot shall convene the Review Board by notifying the Chairperson. The Chairperson shall promptly contact the members of the Review Board and schedule a meeting as soon as practical.
4. At a meeting called to consider an allegation of misconduct, the Chairperson shall call the meeting to **order** and introduce the Abbot, his representative or Investigator to present the matter(s) brought before the Review Board.
5. The Abbot shall provide the Review Board with information relevant to the matter under consideration, subject to the requirements of civil or canon law which may prohibit disclosure of such information. Where possible, the Abbot shall obtain the necessary consents to release all such information. The Review Board shall maintain the information with great respect to its confidentiality.
6. The Abbot or representative may present information in any form: oral, written, graphic or recording for the Review Board's consideration. After the presentation, the Review Board members may ask questions, request additional information, or discuss the matter with the Abbot or representative.
7. After the question and answer period or discussion is completed, the members shall deliberate and formulate their advice outside the presence of an outside investigator.

Deliberations may take place in the presence of the Abbot or his representative, at the discretion of the Review Board.

8. After the Review Board receives presentation and information from the Abbot or representative, the Board shall carefully consider and deliberate over the information.
9. The Review Board shall make recommendations on the matters and at the times provided for in *Responding to Incidents and Allegations of Sexual Abuse* (page 10).
10. The recommendations of the Review Board shall be summarized in writing for presentation to the Abbot and a document shall be signed by the Chairperson on behalf of the full committee. The original written recommendation shall be presented to the Abbot and a copy shall be maintained in the files of the Review Board.
11. The Abbot shall share recommendations of the Review Board with the Abbey Council as needed.
12. The Review Board is to, at least annually, review each “Safety Plan” and then offer recommendations to the Abbot. [See Praesidium ST 21; R1-R5]

H. Conflicts of Interest

1. Any Review Board member who is related by blood or marriage to, in any kind of employment, financial or business relationship with, in any kind of professional or spiritual counseling relationship with, or who would have any other conflict of interest or the appearance of a conflict of interest with the alleged victim or the accused Member, shall inform the Chairman of the conflict and recuse himself or herself from all deliberations concerning the particular matter in question.
2. Any Review Board member who determines that he or she has a conflict of interest or the appearance of a conflict of interest with the Abbey itself or with the work of the Review Board shall inform the Abbot and the Chairperson of the conflict and shall resign from the Review Board.

I. Required Training for Review Board Members.

1. The individuals on the Review Board are provided initial formation for their unique role in providing confidential consultation to the Abbot. These individuals are provided copies and an explanation of the following documents:
 - *Charter for the Protection of Children and Young People*
 - *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*
 - *2002 CMSM Statement of the Assembly*
 - *Most recent CMSM Revised Standards for Accreditation*
 - *The Marmion Abbey Policies and Procedures for the Protection of Children. (most recent edition)*
2. The Abbey will provide individuals on the Review Board with on-going formation regarding best practices in the disposition of cases of sexual abuse of minors by abbey Members or non-members.

J. How Information Will be Disseminated to Review Board Members.

1. When considering the disposition of a case of sexual abuse of a minor by a Member, the individuals of the Review Board are given the following:
 - The initial report of the allegation, such as take-in forms, letters, emails, etc.
 - Documentation of notice to civil authorities
 - Report on the investigation
 - Any other cases of sexual misconduct by the Member, including adults.
 - Other relevant disciplinary action.
 -
2. The Abbot or his representative may present information in any form, oral, written, graphic or recording for the Review Board's consideration. After the presentation, the Review Board Members may ask questions, request additional information, or discuss the matter with the Abbot or representative. After the question and answer period or discussion is completed, the Members shall deliberate and formulate their advice outside the presence of the investigator. Deliberations may take place in the presence of the Abbot or his representative, at the discretion of the Review Board. After the Review Board receives the presentation and information from the Abbot or his representative, the Board shall carefully consider and deliberate over the information.
3. Using agreed upon standards of operation that are considered under its procedures.

K. Possible Alternatives for the Disposition of Cases

1. After carefully reviewing all of the information, the Review Board will make a recommendation to the Abbot regarding, a.) the assessment of the allegation of sexual abuse allegedly committed by a Member and b.) the suitability for ministry for the accused Member.
2. Based on the facts and circumstances, an allegation of sexual misconduct can be established only when there is objective certainty that the accusation is true and that an incident of sexual abuse of a minor has occurred.
3. After hearing the Review Board, the Abbot alone judges whether an allegation of sexual abuse of a minor by a Member has, or has not, been established.
4. The judgment of the Abbot must be objective, i.e. based on facts and circumstances discovered in the course of the investigation. The judgment of the Abbot admits to the contrary (falsity of the accusation) is indeed possible but highly unlikely or improbable, to the extent that the Abbot has no fear of the contrary (falsity of the accusation) may be true.

L. The Review Board will have two weeks to deliver a response and recommendations to the Abbot of Marmion Abbey regarding an allegation as of the day on which they meet and receive information about it. (ST 17)

M. The Abbot will also consult with legal counsel in relation to the Review Board and allegations, particularly when the victim has retained counsel him or herself and whenever he considers necessary.

ARTICLE II

Reasonable Cause Determined

1. The Review Board shall determine whether there is reasonable cause to suspect that the accused engaged in sexual abuse of a minor and what actions should be taken with respect to the allegation(s).
2. Once an allegation of sexual abuse is made against a Member, the Abbot will immediately place the accused person on administrative leave. Such leave shall prohibit the accused from participation in any ministries of the Abbey pending the outcome of the *preliminary* investigation. If the allegation(s) support the charge of sexual abuse against a Member, he shall be placed on restriction and begin a permanent program of therapy, evaluation and rehabilitation. Members on restriction shall have no pastoral, teaching or unsupervised contact with children under the age of eighteen (18), nor shall they be allowed to work at the Academy or to attend any Academy event, whether social or academic or to serve at local parishes, celebrate Mass publicly, administer the sacraments or serve as spiritual directors. The Member shall not be able to leave the Abbey without permission.
3. “When even a single act of sexual abuse by a priest or deacon is admitted or is established after an appropriate process in accord with canon law, the offending priest or deacon will be removed permanently from ecclesiastical ministry, not excluding dismissal from the clerical state, if the case so warrants.”⁷ “Removal from the ministry is required whether or not the cleric is diagnosed by qualified experts as a pedophile or suffering from a related sexual disorder which requires professional treatment.”⁸

SECTION 4

Supervision and Care of Members Who Have Abused Minors or Vulnerable Adults

These procedures describe the elements of a pastoral care framework which will be developed for each Member of the Abbey about whom a credible accusation of sexual abuse has been made. Most of these procedures address cases where the accusation is that of abuse of a minor or vulnerable person.

The purpose of this framework is to:

- assure the Church and the public, especially children and minors, of all reasonable measures to prevent any future occurrence;
- provide a structure within which the Member can continue his life in the Order as a vowed Member of our monastic community;
- provide appropriate care for the Member and the opportunity for such personal conversion and rehabilitation as may be needed;
- guide superiors, the Member, and others in determining work, place of residence, and other activities; and
- assure Member of our Abbey of both proper care and appropriate limits with respect to their brothers in the Abbey.

It is intended that all of the elements below be adapted in a Safety Plan for each Member, depending on such factors as severity of the accusation(s), notoriety, age and health of the Member, and the recommendations of the Review Board.]

The framework, however, sets out the elements to be developed in writing for each Member, reviewed by the Review Board, and shared with the Member, his superiors, and, as appropriate, other monks of his Abbey or place of residence. The Safety Plan shall be reviewed for compliance at least annually and signed by the Member and the Abbot and the Abbot must, at least annually, evaluate a member's compliance with the Safety Plan. [See Praesidium ST 24; R1-R3] and : [See Praesidium ST 19; R1-R5; C1-C5 and ST 20; R1-R2; C1-C2]

A. Evaluation and Therapy

1. A Member about whom a credible allegation has been made may be asked to submit to a professional evaluation as to his psychological condition and proclivity to harmful behavior in the future.
2. The Member is free not to undergo an evaluation. If the Member agrees to undergo an evaluation, the Abbot or his delegate will arrange for the evaluation.
3. Subsequent to that evaluation, the Member may be asked to participate in such in-patient and/or out-patient treatment as recommended by the evaluating professionals, as well as such other physical, psychological, and spiritual rehabilitation as may be recommended by such professionals or the Review Board, as well as the terms of his Safety Plan.
4. The Member may be required to report to the Abbot in writing periodically (e.g., monthly, quarterly or annually, as appropriate to the situation), describing his progress in terms of work, therapy, spiritual direction, community life, and such other matters as may be appropriate.

5. Information resulting from such evaluation, treatment and correspondence is the property of the Member. He may agree to make it available to the Abbot or he may decline to do so.
6. A Member may further agree to have the information available to the Review Board.
7. Any information about a Member who has been accused of abuse shall be kept confidential by those receiving it, except as required by law to be revealed.

B. Place of Residence

1. Any restricted Member would be allowed to live only in another monastic community or appropriate supervised place of residence, as determined by the Abbot.
“High risk” members should be visited at least annually by outside auditors.
[See Praesidium ST 25; R1-R2; C1-C4]
2. No separate apartment, private home, or other domicile would be allowed as a permanent residence for the Member.

C. Public Ministry as a Member

1. An ordained Member found to have abused a minor or vulnerable person would not be allowed to function publicly as a priest or deacon, including public celebration of the sacraments, use of the title “Father” or “Reverend” in public communications, and the wearing of clerical attire.
2. In the case of a Brother, he would not be allowed to function publicly in external ministry associated with a religious congregation (e.g., school teaching, coaching, parish staff work) or use of the title “Brother” in public.
3. Permission to wear the habit within the confines of the receiving Abbey will be granted following the local custom.
4. For a Member credibly charged with sexual abuse of an adult, the Abbot will consider the nature and circumstances of the allegation and the advice of the Review Board in determining removal from, suspension from, or restrictions on public ministry.

D. Appropriate Work

1. If physically and mentally able, the Member who has been removed from public ministry should engage in appropriate work in support of the ministries of the Abbey or in other service to people in need. However, he will not be permitted to work in any position which allows access to minors. [See Praesidium ST 20; R1-R2; C1-C2]

Such employment might include the following:

- internal work in another community of the Order;
- administrative work for the Abbey;
- remunerative non-ministerial work to support the ministries of the Abbey;
- appropriate service to people in need.

2. Where appropriate, Members restricted or removed from public ministry may need vocational assessment and/or occupational counseling to assist in determining meaningful and useful work. The Abbot should consult with the Member involved to determine his interests and capacities and to promote his initiative in developing work opportunities, where appropriate.
3. In all cases, the service of prayer for the Order and the Church would be a valuable contribution to the Order.

E. Community Support and Community Roles

1. The monastic community can and should play an important part in helping a Member who has been restricted and who wishes to continue his life as a Member.
2. After a Member has submitted to evaluation and appropriate treatment, monks of the community should welcome the restricted Member as a brother.
3. It may also be appropriate for a properly trained mentor to be appointed for the member who would oversee compliance with the Safety Plan, assist and support him in his efforts to maintain his program of care and treatment
[See Praesidium ST 22; R1-R4; C1-C2 and ST 23; R1-R2.; C1-C3]
4. A restricted Member, within the community, as allowed by Canon Law, would be permitted to celebrate the Eucharist only with Members present, lead community prayer, hear confessions of Members only, and perform community jobs and other responsibilities.
5. A restricted Member would not be allowed to serve as Superior. A restricted Member must have the specific permission of the Abbot to serve as minister of the community or community consulter.
6. If the member is to live in another monastic community, upon the recommendation of the Abbot, the receiving Abbot/Prior or Superior shall, as appropriate, inform all or part of the community in which such a Member shall live of the fact that a Member is so restricted and the appropriate specific terms of his Safety Plan, so that the community can assist him in achieving its goals.
7. Communities may need the advice and consultation of appropriate professionals to assist the community's readying itself to receive the restricted Member and to provide him the necessary care and support.

F. Contact with Others

1. Under no circumstances would a Member credibly accused of abuse of a minor be allowed contact with minors without the supervision of other adults present at the time.
2. This prohibition would include meals in restaurants, going to the movies, riding in automobiles, or private conferences in parish or community offices, community parlors, bedrooms of Members, etc.

3. Similar prohibitions may be applied to a Member credibly accused of abuse of an adult.

G. Travel, Vacation, Retreat

1. For a Member credibly accused of abuse of a minor, vacations alone or with minors, even supervised, would not be permitted. Vacation should be restricted to other monastic communities or travel with other Members or members of his family.
2. Retreats in locations alone would not be permitted, and retreats would be restricted to monastic communities.
3. Other travel may be restricted to that related to assigned work or family visits; if appropriate, a Member companion also may be required for travel.
4. Additional specific permissions for travel may be required from the Abbot.
5. Doubts about specific travel should be referred by the receiving Abbot/Prior or Superior to the Abbot. Again, similar prohibitions may be applied to a Member credibly accused of abuse of an adult.

H. Driving

1. Restrictions may be placed on driving alone.
2. Some restricted Members may be required to request specific permissions for use of house cars from the receiving Abbot/Prior or Superior, to keep a driving log or to only drive with other Members.

I. Publications and Publicity

1. Restrictions on publications, letters to the editor, web-pages, radio and television appearances, and email may be appropriate.
2. Sensitivity for victims would dictate caution with regard to photographs of Members displayed in Abbey publications and institutions, especially those in service to minors.
3. In some cases a Member's use of mail and phone may need to be regulated.

J. Information for Members and Others

1. The Abbot, in consultation with the Abbey Council, will determine whether and/or how to inform the Abbey Membership—in general terms—of those Members who have been restricted.
2. The Abbot, in consultation with the Abbey Council, will determine whether and/or how to inform others who may have a need to know—in general terms—of those Members who have been restricted.

K. Supervision of Members on Safety Plans

1. Supervision of Members who have safety plans can be conducted by qualified individuals, including Members, employees, or third-party contractors of the abbey.
2. Individuals who supervise Members on safety plans will be physically and emotionally capable and adequately trained to perform the duties involved in supervision.
3. Individuals who supervise will have all pertinent information, that is not privileged, of cases to fulfill their role, which may include relevant history of sexual abuse of a minor, all allegations of sexual misconduct (including adults), history of compliance with safety plans, current progress in treatment (if applicable), and any history of substance use and/or abuse.
4. Individuals who supervise will receive written guidelines and adequate training regarding their role and procedures for supervision.
5. Due regard must be given to the need for any member who has a safety plan to authorize the release of any confidential information to members of the Review Board.
6. Where members and/or the abbey may be subject to criminal and/or civil liabilities, the abbey should consult with legal counsel about the text and implementation of the safety plan.

L. Regular Review of Safety Plans

1. The Abbot or his delegated representative will annually evaluate and document compliance, or non-compliance, with the safety plan, and report to the Review Board annually regarding compliance or non-compliance with the safety plan.
2. The member on a safety plan, his supervisor, and local superior are notified in advance of this annual review so that they can contribute to the evaluation.

M. Supervisor Guidelines

1. The supervisor of a religious priest or brother on a safety plan is appointed by the Abbot.
2. The supervisor may be a member of the abbey or a third party contracted for purposes of supervision.
3. The supervisor will be qualified by training or experience for the role of supervision.
4. The supervisor is an integral part of a positive, informed support system for the member on a safety plan to ensure a safe environment for minors, vulnerable adults, the abbey and the member being supervised.
5. The supervisor will be provided with:
 - Accurate knowledge of the member's allegations and problem behaviors.
 - Accurate knowledge of the rules, restrictions and expectations in the safety plan. This should also include knowledge of the requirement of the Charter and Norms of the U.S. Conference of Catholic Bishops.
 - Awareness of the member's potential arousal patterns.
 - Familiarity with the member's schedule and whereabouts.
 - Knowledge of and the consequences for violations of the safety plan.

- The ability to hold the member accountable for violations of the safety plan, including imposing consequences.
- The ability to intervene in any onset of a risky or problem behavior.

6. The Supervisor will:

- Meet regularly with the members for a formal review of compliance with the safety plan
- Maintain all documentation of compliance and non-compliance
- Maintain documentation of imposing consequences for non-compliance
- Maintain all logs and records required by the safety plan
- Report all cases of non-compliance to the Abbot or his delegate
- Provide regular updates to the Abbot or his delegate regarding the member's compliance with the safety plan.

N. Supervisor Checklist for Information

For each member that is assigned to the supervisor, the following are necessary

- Relevant history of sexual abuse of a minor
- All allegations of sexual misconduct, including those with adults.
- History of compliance or non-compliance with safety plans
- Current progress in treatment, as applicable
- History of substance use and/or abuse, as applicable

(Note: Due regard must also be given to the member's civil and canonical rights regarding the authorization of the release of any confidential information to individuals involved in supervision.)

Endnotes

1. USCCB, "Charter for the Protection of Children and Young People", Preamble and text. Sexual abuse of a minor includes sexual molestation or sexual exploitation of a minor and any other behavior by which an adult uses a minor as an object of sexual gratification. Sexual abuse has been defined by different civil authorities in various ways, and these norms do not adapt any particular definition provided in civil law. Rather, the transgressions in question relate to obligations arising from references to human sexual interaction as conveyed to us through the Decalogue and specifically the sixth commandment. (Code of Canon Law, c. 1395, s2). But, the norm to be considered in assessing any allegation of sexual abuse of a minor is whether conduct or interaction with a minor qualifies as an objective grave violation of the sixth commandment. However, a canonical offense, that is objectively grave, against the sixth commandment of the Decalogue need not be a completed act of intercourse. Nor to be objectively grave need it involve force, physical contact or result in a discernibly harmful outcome. Moreover, moral responsibility for a canonical offense is presumed unless otherwise apparent. If there is any doubt about whether any specific event fulfills the conditions, an opinion from a recognized moral theologian should be obtained.

2. Preamble Charter for the Protection of Children and Young People.

3. USCCB Charter, art. 1.

4. 325 ILCS 5/4 (2002), The Abused and Neglected Child Reporting Act, *amended by* Pub. Act 93-0356, July 24, 2003.

5. USCCB Essential Norms #6 & 8A.
6. USCCB Essential Norm #12
7. Cf. Code of Canon Law, c. 1395 - 2 and USCCB Essential Norms, subsection 8.
8. Essential Norms footnote #4.

SECTION 5

EXECUTIVE SUMMARY

Prevention and Education

1. A Member should never take students on over-night events unless one or more other adults attend. Members never sleep in the same room with students.
2. A Member should avoid all behavior and language that is sexual in content or inappropriately intimate.
3. A Member giving counseling or spiritual direction should do so in a setting and at a time that is professionally defensible.
4. A Member should never do special favors or give gifts or loans to another person whose value and/or frequency would be open to misinterpretation.
5. If any Member becomes aware that he is sexually attracted to children, he should come to the Abbot and share this fact. Such information will be kept confidential. If the Member's

assignment brings him in contact with children, he may be administratively removed from that assignment until an evaluation has been completed. The Abbot's actions should be documented [See Praesidium ST 6; R6 C1-C2 and ST 23; R1-R2.; C1-C3]

6. All Members of Marmion Abbey will attend scheduled training sessions that include the following subjects:

- Appropriate boundaries with minors.
- Nature of the problem of sexual abuse.
- Signs and symptoms of sexual abuse in children and youth.
- Policies and procedures for prevention of sexual abuse by Members.
- Policies and procedures for prevention of sexual abuse on Marmion-owned property.
- Policies and procedures for reporting allegations of sexual abuse.
- Types of disclosures and how to respond appropriately.
- Policies and procedures for responding to allegations of sexual abuse.

7. Deadline for completing training:

During their year of novitiate and after Simple Profession, Members who will work with or have direct contact with children, shall complete the prescribed training before 20 days of assuming duties.

Boundaries

Positive:

Appropriate signs of affection and support are acceptable as a positive part of Church life and ministry. The following forms of affection are regarded as appropriate when culturally acceptable for monks in ministry roles with minors:

- Hugs
- Pats on the shoulder or back
- Handshakes
- “High-fives” and hand slapping
- Verbal praise
- Touching hands, faces, shoulders and arms of minors
- Arms around shoulders
- Holding hands while walking with small children
- Sitting beside small children
- Kneeling or bending down for hugs with small children
- Holding hands during prayer
- Pats on the head when culturally appropriate

Negative:

In order to maintain the safest possible environment for minors, the following are examples of inappropriate signs of affection:

- Inappropriate or lengthy embraces
- Kissing on the mouth
- Holding minors over four years old on the lap
- Touching buttocks, chests, or genital areas
- Showing affection in isolated areas such as bedrooms, closets, staff-only areas, or other private rooms
- Being in bed with a minor
- Touching knees or legs of minors
- Tickling minors
- Piggyback rides
- Any type of massage given by a minor to an adult
- Any type of massage given by an adult to a minor
- Any form of unwanted affection
- Compliments that relate to physique or body development

Prohibited behaviors: (See page 6 of “Policy” for a complete list)

- Providing or allowing minors to consume alcohol or illegal drugs
- Vulgar, obscene or profane language in the presence of minors
- Speaking to minors in a way that could be construed by an observer as threatening, intimidating, shaming or in any way personally demeaning or humiliating
- Having inappropriate discussions about sexual matters with minors
- Being nude in the presence of minors
- Possessing sexually oriented or morally inappropriate materials
- Sleeping in the same room with a minor unless another adult is present
- Engaging in sexual contact with a minor
- Transporting minors without written permission of a parent or guardian
- Inappropriate or unnecessary physical contact with a minor

Reporting Procedures

Reporting Procedures for an accusation of abuse (For a complete description see page 9 of the Policy)

- A suspicion about boundary violations is to be reported to the Abbot

- When a Member receives an accusation of abuse, whether done by himself or by another, he is to report this accusation to the Abbot
- The Abbot or his designate will secure all pertinent information about the alleged abuse
- The Abbot in conjunction with the Member making the report will then inform DCFS of such an accusation
- The Abbot will inform the accused of the accusation and temporarily remove him from ministry until the resolution of the case
- The Abbot will call a session of the Review Board to evaluate the information and to supervise the procedure
- The Abbot will inform the Abbey lawyer as well as the insurance carrier of the accusation
- If a civil investigation is being conducted, the Abbot and the Board will only continue their investigation if they have consulted and informed the civil authorities and they have not expressed an objection.
- The Abbot and the Board will cooperate fully with any civil investigations
- When the investigation is complete the Board will advise the Abbot on what needs to be done
- The Abbot will implement the recommendations of the Review Board
- The Abbot will communicate annually to the community regarding community commitment to protection of minors and the Abbey's current initiatives and actions with respect to protection of the vulnerable, healing of those harmed by abuse, and fulfillment of Accreditation Standards.

[See Praesidium ST 7; R1-R3; C1-C5 and ST 8; R1-R4.; C1-C3 and ST 9; R1-R2; C1-C2 and ST 10; R1-R2; C1-C3]

APPENDIX (added in 2013)

Marmion Abbey Electronic Communication and Social Media Policy

Marmion Abbey acknowledges that technology has advanced to the point that many electronic and telecommunication devices are easily accessible and allow swift communication. Also, technology offers an effective and important means to retrieve and share information. Yet, the use of technology requires judgment, discretion, and prudence to ensure that a monk maintains proper boundaries, adheres to basic moral principles, avoids situations that may jeopardize his integrity as a religious, and respects others at all times. When using electronic communication, a monk is to take necessary precautions to avoid inappropriate and excessive access and use. All use of these resources is subject to the normal requirements of legal, moral, and ethical behavior.

Marmion Abbey recognizes that appropriate electronic communication between a monk and a minor has value, particularly since it is a primary means that today's youth use in relation to important people in their lives. Yet, Praesidium, Inc. reports that in over two-thirds of its adult-to-youth sexual abuse investigations in recent years, the alleged offender used technology or electronic communication as part of the offense. In light of growing evidence that technology has been used by many to groom and entice young people into abusive

relationships, the abbey takes special measures to prevent inappropriate electronic interaction between a monk and a minor. In keeping with Catholic ethical teachings the following policies of Marmion Abbey emphasize the positive use of technology and establish safeguards to prevent inappropriate or abusive relationships with minors, as well as to avoid situations that may be open to misinterpretation or misunderstanding.

DEFINITIONS

1. *Electronic Communication* – a message or interaction through a device which provides direct communication, including but not limited to voice or text-based telecommunication devices and computers, and other venues that facilitate indirect contact/cyber-interaction using an intermediate method, including but not limited to Internet-based social networks.
2. *Electronic mail* – digital information or communication transmitted by use of the Internet, a computer, an electronic tablet, a facsimile machine, a pager, a mobile telephone, or any other electronic device or means, which is sent to a person identified by a unique address or address number and received by that person.
3. *Social networks* – locations on the Internet where users may interact with other users; examples include, but are not limited to, Facebook, MySpace, Flickr, YouTube, and Twitter.
4. *Internet sites* – any site (including but not limited to web pages, newsgroups, user groups, usenet, chat rooms, blogs, applications, games) accessed by electronic means through a computer, mobile phone, tablet, or similar device.
5. *Online Gaming* – any game played over some form of computer or electronic network such as the Internet.
6. *Minor* – an individual under 18 years of age or, for the purpose of this policy, any student, parishioner or client at the ministry site of a monk, under 18 years of age.

COMMUNICATIONS AND BOUNDARIES

1. A monk's electronic communication with a minor is limited to an appropriate and approved ministry purpose.
2. A monk does not enter into any type of communication with a minor that is not within the scope of his ministry, or any communication that would undermine the parent-child relationship or serve to foster an inappropriate relationship with a minor or group of minors.
3. A monk avoids relationships and communication, particularly with minors, that take on the following characteristics:
 - Relationships that are secretive.
 - Relationships that are exclusive.

- Relationships that are competitive.
- Relationships that are obsessive.

GENERAL GUIDELINES

1. A monk is to respect appropriate boundaries in all electronic communication, especially with minors.
2. Any adult who becomes aware of a boundary violation regarding Electronic Communication and Social Media by a monk is to notify his ministry site supervisor, his local director, or the religious superior.
3. If a minor in need reaches out through electronic media to a monk for support and/or guidance, he is to be supported, but directed to continue the conversation with a trusted adult in a supervised ministry setting. If the individual is in danger, is a danger to himself or herself, or is a danger to others, the monk notifies appropriate professionals and abides by all mandatory reporting laws.
4. A monk is to report to the Abbot immediately any communication with a minor that may be construed as inappropriate and forward that communication to the Abbot.
5. A monk is never to communicate on personal level with a minor via Internet based social networking sites, mobile phones, texting, instant messaging, etc. A monk may use electronic communication with a minor only for ministry-related and ministry-appropriate communication.
6. A monk may use electronic media for more personal communication with relatives who are minors, provided the relatives' parents are aware of the existence of such communication.
7. Each monk is to inform young people with whom he may interact electronically that abbey policy limits such communication to ministry-related topics, forbids discussion or sharing of personal information, and prohibits extensive and frequent communication with individual students.
8. A monk understands that even communication considered private in the digital world often has the possibility of becoming public, sometimes without an individual's knowledge or consent.
9. In all electronic communication and postings, a monk is not to say or post anything that is, or could be construed by any observer, as harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning, or humiliating. Furthermore, any sexually oriented conversation or discussion about sexual activities is prohibited. (See Rol 207 and EMP Page 6, #5)
10. If electronic communication or social networking postings are a regular and an integral part of a monk's professional activities with minors, the monk is to establish a mechanism whereby a supervisor has access to the communications or postings.

11. A monk complies with all federal and state laws, as well as all applicable contracts and licenses governing use of electronic media.
12. Transmission of any material in violation of civil or criminal codes is prohibited, including threatening or obscene materials or any materials/programs protected by trademarks or copyright laws.

GUIDELINES FOR EMAIL, TEXTING, INSTANT MESSAGING, VOICE COMMUNICATION

13. A monk is to use a ministry-based email account (the Marmion server e mail account if at the abbey), if possible, for all email communication with minors and their parents. If the ministry site cannot offer an email account, the monk is to set up an email account for ministry-related communication that is distinct from his personal email account.
14. Texting between a monk and a minor is to be the exception rather than the rule. It is to be avoided unless there is an emergency situation in which it is necessary.
15. A monk is to keep copies of all emails to and from students and parents and save texts from students and parents in a folder on his phone.
16. A monk is not to participate in instant messaging with a minor.
17. Voice communication with a minor over a land line phone, mobile phone, Skype or a similar program, or any other form of digital transmission always is to be for ministry-related matters. Such communication is to be infrequent and brief and avoids the appearance of a peer-to-peer relationship.

GUIDELINES FOR USE OF SOCIAL MEDIA

18. All use of social media is considered public behavior. Anything posted on social media reflects not only upon the individual, but also on the religious community of which he is a member. In social network postings (whether written, photographic, video, or audio), a monk posts nothing that compromises his personal integrity or that of the monk community. He is to be professional, respectful, and courteous at all times.
19. A monk is to maintain a private profile on any social networking site so that a minor does not have access to his private information.
20. A monk is not to “friend” minors or to communicate with them through social network site, except when the minors are relatives and their parents have access to the information shared.
21. Each monk is to be aware that friending graduates may mean that current students have access to information posted.

22. On social network pages, a monk is not to contradict Church teaching, criticize other monks or co-workers, disagree with abbey, Academy or ministry site policies, or be critical of abbey, Academy or ministry site authority.
23. Because information of a social networking page is public information, a monk is to avoid posting anything which works against the building of unity and brotherhood within community.

GUIDELINES FOR USE OF INTERNET

24. A monk is to monitor his use of the Internet so that it does not become addictive or interferes with community responsibilities and community dynamics.
25. A monk is never permitted to view sites that promote obscene or pornographic material. Possession, distribution, downloading, and/or intentional viewing of real or virtual child pornography is a criminal act.
26. If a monk has a blog or participates in other blogs or post comments of websites, he is to adhere to the same principles of conduct outlined above regarding social media.

GUIDELINES FOR ONLINE GAMING

27. A monk is not to engage in online gaming which includes, encourages, or facilitates electronic communication with a minor beyond the comparison of scores for a game.
28. If a monk participates in online role playing games or avatar-based games, he is not to take the role of a character or to assume an identity that is inconsistent with his commitment as a vowed religious.
29. A monk is not to participate in a role playing game or an avatar-based game in which minors participate.

CONSEQUENCES

30. The inappropriate use of technology, social media, the Internet, or any other form of electronic communications may result in, but are not limited to, restrictions to the use of computers, mobile phones, or other electronic devices.
31. Any use, possession, or transmission of child pornography will be turned over to criminal authorities for prosecution and may result in dismissal from the abbey.
32. Any transmission of sexually explicit, graphic, or suggestive material, particularly to or from a minor, is a serious boundary violation and will result in a monk's immediate removal from active ministry and further disciplinary actions.
33. The Abbot has the authority to revoke the tacit permission for any and all use of electronic devices on a case by case basis.

Note: Text is based on the Policy of the Brothers of the Sacred Heart of New York Province

Marmion Abbey Response to Sexual Misconduct:

Maintaining Boundaries in Ministerial Relationships

Marmion Abbey recognizes that sexual misconduct by members has devastating consequences for victims and their families, for the lay and religious communities, and for the perpetrators. We have become increasingly aware of the effects of this tragic behavior and have developed a steadfast commitment to helping those affected.

This brochure is intended to provide basic information and (1) how the Abbey defines sexual misconduct within ministerial relationships, (2) what its procedures are for responding to complaints of sexually inappropriate behavior, and (3) to whom those subjected to sexual misconduct can turn for help.

Sexual Misconduct In A Ministerial Relationship

A ministerial relationship is one which a person receives pastoral care from a religious, including:

- Clergy
- Members of religious communities
- Spiritual directors and pastoral counselors

Sexual misconduct is a general term that encompasses sexual harassment, sexual exploitation, and sexual abuse.

Sexual harassment is defined as unwanted sexualized conduct or language between co-workers in any setting, whether in the church setting or outside of it. It may include, but is not limited to:

- Unsolicited sexual advances and propositions
- The use of sexually degrading words to describe an individual or his/her body
- The telling of inappropriate or sexually-charged jokes
- Retaliation against a co-worker who refuses sexual advances
- Offers of preferential treatment such as promotions, positive performance evaluations, or favorably assigned duties or shifts in exchange for sexual favors

Sexual exploitation consists of sexual contact between a religious and person receiving pastoral care from him.

Sexual abuse is sexual contact between a religious and minor or vulnerable adult.

Sexual exploitation or sexual abuse can include physical contact or actions such as:

- Sexual touch or other physical contact that makes the person being touched feel uncomfortable
- Giving a sexually charged gift (such as lingerie)
- A prolonged hug when a brief hug is customary behavior
- Kissing on the lips when a kiss on the cheek would be appropriate
- Showing sexually suggestive objects or pornography
- Sexual intercourse, anal, or oral sex

Sexual exploitation or sexual abuse can also include verbal behavior such as:

- Innuendo or sexual talk
- Suggestive comments
- Descriptions of sexual experiences, fantasies, or conflicts
- Sexual propositions

To be clear, Marmion Abbey's stance is this: Sexual misconduct-whether harassment, exploitation, or abuse-by Members, employees, and volunteers is contrary to Catholic morals, doctrine, and canon law. It is never acceptable in a pastoral relationship with a student, parishioner, employee, spiritual directee, counseling client, or anyone who has sought the abbey's ministry.

It is not uncommon for those who seek the abbey's ministry to feel attracted to a monk or to be flattered by his attention. A layperson's attraction to a Member or enjoyment in being the object of

his sexual interest does not excuse any form of sexual misconduct on his part, however. It is entirely the responsibility of the monk to maintain appropriate emotional and sexual boundaries with those with whom he works and/or serves.

How Marmion Abbey Responds To Complaints Of Sexual Misconduct

Marmion Abbey responds to all allegations of sexual misconduct with great care. To ensure that we handle each instance promptly, thoroughly, and compassionately, the Abbey has established the position of Victim Outreach Coordinator. The Victim Outreach Coordinator is a professional who will listen to, understand, and offer help, including appropriate psychological counseling for those affected by Member misconduct. [See Praesidium ST 10; R1-R2; C1-C3]

Marmion Abbey, through the Victim Outreach Coordinator and independent investigators will respond swiftly to evaluate and investigate any accusation of sexual misconduct by a member. Any members who have engaged in the sexual abuse of a minor will be a part of the Abbey's aftercare program. This rigorous relapse prevention program provides appropriate psychological treatment specific for offenders, and entails ongoing monitoring and supervision for the rest of their lives in the Abbey.

Marmion Abbey, consistent with the directives of the Catholic Bishop's *Charter for the Protection of Children and Young People*, has also established the Abbey's Review Board (ARB). This interdisciplinary board of lay professionals advises the Abbey on all matters related to sexual misconduct.

Preventing Sexual Misconduct

In addition to establishing procedures for responding to sexual misconduct, the Abbey has undertaken a series of measures to prevent future incidents of abuse. These include extensive mandatory psychological evaluation of seminarians and novices before they enter formation and the provision of continuing education programs for Members about issues of sexuality and personal conduct.

Conclusion

It is our firm belief that each monk must maintain appropriate boundaries with all persons, both inside and outside of the abbey, in order to preserve the integrity of the ministerial relationship. Moreover, we call upon those with knowledge of a member's inappropriate behavior-whether past or present-to come forward with this information to the appropriate superiors or delegates, so that innocent victims may be spared from further harm. In short, we ask everyone to join with us to protect the safety of children, women, and men, and with firm determination, to promote healing where there is pain.

Where To Turn For Help: Your case will be handled with the strictest sensitivity and confidentiality. This is the contact information for the Abbey.

Office of the Abbot
Marmion Abbey
850 Butterfield Road
Aurora, IL. 60502
(630) 897-7215 ext 312

Victim Pastoral Outreach Coordinator:
Contact the Office of the Abbot for this information

Guidelines for Victim Outreach Coordinator

The Victim Outreach Coordinator is a person, appointed by the Abbot of Marmion Abbey, who has expertise in counseling and dealing with victims of sexual abuse. The Victim Outreach Coordinator is not a member of the Review Board. The Victim Outreach Coordinator may be a member of Marmion Abbey or a lay person. The Victim Outreach Coordinator maintains a professional relationship with the alleged victim and/or family and does not act officially as a therapist, attorney or spiritual director.

The Victim Outreach Coordinator's duties include the following.

- To listen with respect to the alleged victim and/or family.
- To offer support and professional resources to the alleged victim, the victim's family and other affected persons, assisting with referrals to therapists and/or support groups.
- To explain to the alleged victim the Abbey's response to the allegations raised.
- To offer to be present during meetings between the alleged victim and/or family and Abbey, including the Abbey and / or the Review Board.
- To coordinate all communications between the alleged victim and/or family and the Abbey, keeping all parties apprised of developments in the case.

Marmion Abbey Policy on Visitors to the Abbey

This policy serves as a guide to Marmion Abbey, regarding visitors, i.e., people who do not belong to their Institute but, with permission, reside in at the abbey for more than 30 days according to the norms of Marmion Abbey. For example, such visitors may be in a special ministerial assignment, enrolled in an educational program, enjoying the benefits of a sabbatical, etc. and may be unable to live in a house of his own Institute. In these cases, the following guidelines apply:

1. When the Abbey accepts a visitor to reside in the abbey for more than 30 days from another monastery, from any institute of consecrated life, from a Major Seminary or from a Diocese, he must have the written permission of the visitor's proper Major Superior or Bishop. That permission must note that the visitor is in good standing in his own Institute or Diocese, has had no allegations of sexual abuse of minors, and include the duration of the residency.
2. The Abbey receiving any visitor to reside at the Abbey for more than 30 days provides the visitor with a copy of the *Marmion Abbey's Policy and Procedures for the Protection of Children (Policy)*.
3. The Abbey receiving a visitor to reside at the abbey for more than 30 days provides the visitor with an orientation program regarding the Abbey's *Policy* as well as other pertinent information established by the Abbey for such visitors, e.g., criminal background check, educational training, etc.
4. The visitor signs a statement that he has read and understood the Abbey's *Policy*. A copy of this document is kept in the Office of the Abbot.
5. If a visitor shall reside in the abbey for more than one year, the visitor is required to fulfill the Abbey's educational training program expected for all members of the Abbey as stated in its *Policy*.

Marmion Abbey Policy on Returning Members Who Have Lived Outside of the Abbey

This policy refers to those members who have lived outside of the Abbey for more than one year. It includes, but is not limited to, those members who have lived and worked or studied outside of the Abbey.

Upon returning to permanently reside in the Abbey the member will abide by the *Marmion Abbey Policy and Procedures for the Protection of Children* and participate in any on-going education related to abuse prevention offered by the Abbey and/or any Diocese in which he serves (and as required by each Diocese)

Regarding the Communication of Allegations of Sexual Abuse to the Bishop, the Local Community, the Apostolate, and Society in General.

Within the confines of respect for the rights of all the individuals involved, the Abbey is committed to transparency and openness in its public communications concerning allegations of sexual abuse. The Abbot will contact the Bishop and appropriate diocesan offices to communicate the nature of the allegation and to inform the diocese of the procedure which is being followed and the response of the Abbot to the allegation. In addition, the Abbot will inform the leadership of any organization or ministry in which the Member has admitted to or is suspected of sexual misconduct with a minor.

[See Praesidium ST 18; R1-R2; C1-C2]

The Abbot, or his delegate, will inform the abbey community or the community in which such a member lives of the fact that a member is accused of sexual abuse of a minor, that the accusation is being investigated and the member is on restriction. The appropriate specific terms of his Safety Plan are shared, so that the community can assist him in achieving its goals.

The Abbot or his delegate notifies the accused confrere's appropriate authority of the apostolate (ie. Head of the School, Bishop, etc.), stating that the confrere is removed from ministry and is under supervision due to an accusation of sexual abuse. The Abbot shall invite indicated members of the apostolate to share any pertinent information they have concerning the accused monk to him, the Review Board chairperson, or any monk.

Communication Policy concerning the media

If anyone, including Review Board Members, is contacted by the media concerning an abuse allegation:

- a. Be polite, expressing interest and concern.
- b. Inform the reporter that it is best to contact the Abbot or his spokesperson, since he is the one who will be handling the matter.
- c. Give the reporter the Abbot's name and phone number.
- d. Immediately, inform the Abbot that you have been contacted by the media, and provide all the details you have.

Responding to Warning Signs, Boundary Violations, or Inappropriate Behavior in a Member

- a. If and when a member knows that another member has violated Marmion Abbey's policies regarding boundaries with minors, he should as soon as possible notify the Abbot or his delegate who is responsible for responding to such concerns.
- b. If and when a member notices warning signs that another member could be violating boundaries, he should also notify the Abbot or his delegate.
- c. Members in formation who are not able to maintain appropriate boundaries with minors, despite guidelines and instruction, are not permitted to continue.

GLOSSARY OF TERMS

Allegation. A first-person accusation of sexual abuse of a minor brought against a current Member, former Member, or deceased Member which is reported to the Institute through any form of communication, including any that are anonymous.

Candidate. An individual who is applying for membership in an Institute.

Child Pornography. Any activity which involves a graphic depiction of a minor that is sexually explicit. (14)

Confidential. Private information which shall be kept restricted from others and only be disclosed to an authorized person for legitimate reasons of the Institute or because the disclosure is legally required.

Confidential Documents. Documents which are given confidential status as defined by the Institute in its policies and procedures and as required by canon and civil law and whose confidential status has been communicated to the Members of the Institute.

Established Allegation. Based upon the facts and the circumstances, there is objective certainty that the accusation is true and that an incident of sexual abuse of a minor has occurred.

[This is a definition which keeps it in line with the concept of moral certainty required by canon law. The judgment of the Major Superior must be objective, i.e. based upon facts and circumstances discovered in the course of the investigation. It is not based upon a percentage of the evidence, i.e. *most likely true or most likely occurred*, which implies 50 + 1% of the evidence. It allows for the canonical principle within moral certitude which states that the

judgment of the Major Superior admits that the contrary (the falsity of the accusation) is indeed possible but highly unlikely or improbable, to the extent that the Major Superior has no fear that the contrary (the falsity of the accusation) may be true.]

High-Risk Member. A Member who has sexually abused a minor in the past and is likely to sexually abuse a minor again if left untreated and/or unsupervised.

Institute. The individual religious province, association, monastery, abbey, congregation, society or order that is seeking Accreditation.

Major Superior. The responsible leader according to the proper law of the Institute that is seeking Accreditation.

14 From a presentation given at the USCCB Promise to Protect seminar on September 13, 2007 by Kenneth V. Lansing, which was adapted from his work, *Cyber “Pedophiles”: A Behavioral Perspective*, Chapter 4 of *Prosecuting Internet Child Exploitation Cases* (James S. Peters ed., US Department of Justice, USA Book): “The legal definition of the term “child pornography” varies from state to state and under Federal law. Under most legal definitions, child pornography involves a visual depiction of a child that is sexually explicit. The Federal child pornography law defines a child (minor) as someone who has not yet reached his or her 18th birthday.”

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Member. A person for whom an Institute is responsible according to canon law and the proper law of the Institute.

Ministry:

Ecclesiastical Ministry. Any ministry that is under the authority of a diocesan bishop.

Public Ministry. Any ministry that is under the authority of a diocesan bishop and/or under the sponsorship of a religious institute, and/or with the permission of the Major Superior.

Minor. Anyone under the age of 18. (15)

Report. A third-party accusation of sexual abuse of a minor brought against a current Member, former Member, or deceased Member which is conveyed to the Institute through any form of communication, including any that are anonymous.

Review Board. An advisory group of individuals not employed by the Institute with unique knowledge, expertise and experience, who provide counsel and recommendations to the Major Superior in situations involving the sexual abuse of a minor.

Risk Assessment. The prediction of the degree of possibility of re-offense for someone with a known history of sex offenses. (16)

Safety Plan. A formal, written supervision program for an individual who, it has been established, has sexually abused a minor.

Sexual Abuse of a Minor. Contact or interaction between a minor and an adult when the minor is being used for sexual stimulation of the adult. This occurs when an adult engages a minor in any sexual activity, including direct sexual contact as well as sexual non-contact, such as frottage, exhibitionism, and the distribution, downloading, and/or intentional viewing of child pornography.

15 This definition of a minor reflects the stipulation of the USCCB *Charter for the Protection of Children and Young People* (revised June 2011), which states that “for purposes of this Charter, the offense of sexual abuse of a minor will be understood in accord with the provisions of *Sacramentorum sanctitatis tutela* (SST), article 6, which reads:

§1. The more grave delicts against morals which are reserved to the Congregation for the Doctrine of the Faith are:

1o the delict against the sixth commandment of the Decalogue committed by a cleric with a minor below the age of eighteen years; in this case, a person who habitually lacks the use of reason is to be considered equivalent to a minor.”

16 According to Association for the Treatment of Sexual Abusers (ATSA), risk assessment is “concerned with predicting the degree of possibility of a sexual re-offense for someone with a known history of sex offending . . . the task of risk assessment is to strike a scientific and ethical balance among the identification of offenders, while optimizing public safety.”

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**Child Protection Program of the
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