

Safe Environment Program.



This hyperlinks to Diocese of Dallas document.

Excerpts are included below for your convenience.

1. *Sexual Abuse means an unlawful form of sexual misconduct, whether it involves a minor or a vulnerable adult.*

Sexual abuse of a minor includes sexual molestation or sexual exploitation of a minor and other behavior by which an adult uses a minor as an object of sexual gratification. Sexual abuse has been defined by different civil authorities in various ways. This policy adopts the definition provided in Texas civil law. Also included is the acquisition, possession, or distribution by a cleric of pornographic images, for purposes of sexual gratification, by whatever means or using whatever technology. The transgressions in question relate to obligations arising from divine commands regarding human sexual interaction as conveyed to us by the sixth commandment of the Decalogue. Thus, the norm to be considered in assessing an allegation of sexual abuse of a minor is whether conduct or interaction with a minor qualifies as an external, objectively grave violation of the sixth commandment. (USCCB, Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State, 1995, p.6). A canonical offense against the sixth commandment of the Decalogue (CIC, c. 1395 §2; CCEO, c. 1453 §1) need not be a complete act of intercourse. Nor, to be objectively grave, does an act need to involve force, physical contact, or a discernible harmful outcome. Moreover, "imputability [moral responsibility] for a canonical offense is presumed upon external violation...unless it is otherwise apparent" (CIC, c. 1321 §3; CCEO, c. 1414 §2). Cf. CIC, canons 1322-27, and CCEO, canons 1413, 1415, and 1416.¹¹ Preamble, USCCB, Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons.

1. What does sexual abuse of a minor include?

Read the reporting procedures and requirements of the Texas Family Code.

Sec. 261.101. PERSONS REQUIRED TO REPORT; TIME TO REPORT.

(a) A person having cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect by any person shall immediately make a report as provided by this subchapter.

(b) If a professional has cause to believe that a child has been abused or neglected or may be abused or neglected, or that a child is a victim of an offense under Section 21.11, Penal Code, and the professional has cause to believe that the child has been abused as defined by Section 261.001, the professional shall make a report not later than the 48th hour after the hour the professional first suspects that the child has been or may be abused or neglected or is a victim of an offense under Section 21.11, Penal Code. A professional may not delegate to or rely on another person to make the report. In this subsection, "professional" means an individual who is licensed or certified by the state or who is an employee of a facility licensed, certified, or operated by the state and who, in the normal course of official duties or duties for which a license or certification is required, has direct contact with children. The term includes teachers, nurses, doctors, day-care employees, employees of a clinic or health care facility that provides reproductive services, juvenile probation officers, and juvenile detention or correctional officers.

(c) The requirement to report under this section applies without exception to an individual whose personal communications may otherwise be privileged, including an attorney, a member of the clergy, a medical practitioner, a social worker, a mental health professional, an employee or member of a board that licenses or certifies a professional, and an employee of a clinic or health care facility that provides reproductive services.

(d) Unless waived in writing by the person making the report, the identity of an individual making a report under this chapter is confidential and may be disclosed only:

(1) as provided by Section 261.201; or (2) to a law enforcement officer for the purposes of conducting a criminal investigation of the report.

2. According to the reporting procedures and requirements of the Texas Family Code.

a. Who must report abuse or neglect?

b. How many hours does the reporter have to file the report?

c. Who is legally bound to file the report?

Important information

Teachers can either call CPS or submit a report electronically.

Electronic report is preferred.

Texas Attorney General Child abuse information

B. The Responsibility to Report Child Abuse

Anyone "having cause to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse or neglect" must report the case immediately to a law enforcement agency or to the Texas Department of Protective and Regulatory Services, under Chapter 261 of the Texas Family Code. Failure to report suspected child abuse or neglect is a class B misdemeanor punishable by imprisonment for up to 180 days and/or a fine of up to \$2000. Indicators listed in Part One of this handbook are examples of adequate cause to believe a child is at risk.

The law does not require the person reporting to be certain that a child is being abused or neglected before reporting, only to have reason for believing it. It is a good idea to talk to the child to see if there is a simple or plausible explanation for the appearance of injury or neglect. But a concerned adult should stop well short of trying to investigate or intervene in the suspected abuse. Reasonable suspicions of abuse must be reported to the appropriate authorities. And any time a child discloses abuse to an adult, the adult has reason to make a report. This is true even if the adult feels skeptical about what the child has said; the disclosure should be reported so that appropriate authorities can judge the need for investigation.

3. What are the consequences for failing to report child abuse or neglect?

4. Should you submit a report to CPS if you are not 100% positive that the offense would meet the definition of abuse or neglect?

For the following questions, refer to the Safe Environment Program excerpts below.

3: Conduct for Ministerial Work

3.1 In connection with Ministerial Work, Church Personnel shall:

- a. Adhere to the teachings and precepts of the Catholic Church.
- b. Respect the rights, dignity, and worth of each person from conception to natural death.
- c. Conduct relationships with others free of deception, manipulation, exploitation, or intimidation.
- d. Work to ensure just treatment for colleagues, employees, volunteers, parishioners and others with whom they interact.
- e. Seek to provide an environment that is non-discriminatory, free from all forms of abuse and promotes respect, self-control, and personal safety.
- f. Make no false accusations against another or reveal the faults and failings of another to those who have no right to know.
- g. Be responsible stewards of the human, temporal, and financial resources of the Church.
- h. Maintain a high level of competence in their designated role in the Church and prudently attend to the physical, spiritual, mental, and emotional well-being of those with whom they interact.
- i. Church Personnel are prohibited from speaking in a manner that is derogatory or demeaning in performing their Ministerial Work. This includes refraining from swearing or using foul language.
- j. Church Personnel are prohibited from possessing any sexually explicit or morally inappropriate materials on Church property, at Church sponsored events, or in the presence of minors or vulnerable adults. Such materials include, but are

not limited to: magazines, videos, films, recordings, computer software, computer games, or printed materials. In addition, Church Personnel must refrain from engaging in topics of conversation or entertainment in connection with Ministerial Work, which is inappropriate for minors or vulnerable adults.

- k. Church Personnel are to refrain from sexually offensive humor and conversation in connection with their Ministerial Work.

5. Teachers are engaged in Ministerial work in the Diocese of Dallas. Why are the following situations violations of this conduct code, cite the code number from the list above.

- Telling a student they need to pray for their parents if they voted for insert name of political candidate because they are going to hell.
- Using foul language while coaching a group of students to help motivate them.
- Telling your colleagues in the faculty lounge that the science teacher constantly yells at the students and has no classroom management.

4: Conduct when working with Minors/Vulnerable Adults

All clergy, staff, and volunteers of the Diocese will observe the following for dealing with minors other than their immediate family.

4.5 Touching should be age appropriate and based on the need of the minor and not on the need of the adult. Avoid physical contact when alone with a minor. If a minor initiates physical contact, an appropriate, limited response is proper.

6. What would be an example of appropriate touch for Pre K- Kinder children that would not be appropriate for middle school children?

- 4.10 Topics, vocabulary, recordings, films, games or the use of computer software or any other form or personal interaction or entertainment that could not be used in the presence of parents should not be employed with minors. Acquisition, possession or distribution of pornographic material is never appropriate.
- 4.11 Do not administer medication of any kind without written parental permission.
- 4.12 If you recognize inappropriate personal or physical attraction developing between yourself and a minor, maintain clear professional boundaries between yourself and the minor or refer the minor to another adult supervisor.

7. During one of your after school tutoring sessions, the kids start talking about shows and movies on Netflix. They don't know that you have seen them and you know they are rated R and definitely not appropriate for teenagers. They ask you about the show. What are some appropriate responses?

8. You begin to notice that a student frequently stops by your room to hang out. You don't think much of it, and you always keep your classroom door propped open. But a colleague tells you that the kids say the student has a crush on you. What do you do?

On *Conduct When Working With Minors* section, there are 24 standards. [Click here](#) to review them before answering the questions (p. 10-12).

9. What do you think are the 3-4 points that are important to remember about creating a safe environment when working with minors, especially in a school setting?

10. Standard 4.21: You are working late one night at home and see an email from a student around 10 p.m. They are asking a time sensitive question for an assignment due tomorrow, what do you do? How will you keep yourself safe? (list examples)

11. Standard 4.21, 4.22: You are working as a basketball coach and are thinking about giving your cell phone number to the kids and parents to stay in contact with them regarding practices and games. Is this appropriate? Is it a good idea? Is there a way to get them the information without giving your cell phone number and following the diocesan standards?