Diocese of Amarillo
Diaconate Office

Diocese of Amarillo PERMANENT DEACON GUIDELINES

Approved by Most Rev. Patrick J. Zurek, Bishop of Amarillo
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INTRODUCTION –
PERMANENT DEACON GUIDELINES

1 This document is intended to be a convenient and helpful source of information addressing various aspects of the Diaconal Ministry. The Bishop of Amarillo will from time to time issue mission statements, policies, procedures, guidelines, revisions, addendums, supplements, etc., which may affect and/or supersede this document. The Diocese of Amarillo reserves the right to change these guidelines at its discretion.

2 One of the ministries in the Church that was restored after the Second Vatican Council was the Ministry of Deacon as a Permanent Order. In its promulgation of *Lumen Gentium* (Dogmatic Constitution on the Church) and *Ad Gentes Divitus* (Decree on the Church's Missionary Activity), the Council "*reestablished the diaconate as a proper and permanent rank of the hierarchy". "At the lower level of the hierarchy are the Deacons, upon whom hands are imposed not unto the Priesthood, but unto a ministry of service."* (Lumen Gentium #29)

3 Pope Paul VI formally approved the Council's decision in his Apostolic Letter *Sacrum Diaconatus Ordinem* on June 18, 1967. Permission to begin the Permanent Diaconate in this country was granted by Pope Paul VI on August 30, 1968. In, 1968, the Texas Vocation Directors petitioned Bishops of the state to restore the Order of Deacon for service in the Dioceses of Texas.

4 The first class of Deacons in the Amarillo Diocese was ordained in October, 1977. At that time the Amarillo Diocese also included the City of Lubbock and surrounding area. In 1983 Lubbock was divested from Amarillo and became its own Diocese.

5 The Sacrament of Holy Orders *"marks Deacons with an imprint which configures them to Christ, who made himself the Deacon or servant of all"* (*National Directory for the Formation, Ministry, and Life of Permanent Deacons in the United States* # 28 (NDFMLPD). The uniqueness of the Diaconate (Deacons are usually married and secularly employed) is that of an open-ended ministry. As a relatively new ministry in the United States and in particular the Amarillo Diocese, the Diaconate continues to grow and evolve. Its focus, direction, character, and significance are constantly developing to meet the needs of the Church.

6 When the Second Vatican Council restored the Diaconate as a permanent ministry in the Church three motives were at work:

> A desire to restore to the Church the full complement of active apostolic ministries.
>
> The desire to integrate and strengthen with Sacramental Ordination and Grace those who are, in fact, already exercising many diaconal functions.

To provide ministers for those regions where functions vital to the Church's life could not be carried out, without the presence of a Deacon.

7 Deacons are ordained by the local Bishop for service to the Diocesan Church. It is the local Church that mediates, discerns and ratifies one's call to a ministry. It is to this Church that a Deacon commits himself and is bound to service in communion with the Bishop and Priests.

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II CANONICAL OVERVIEW

The Code of Canon Law bears specific applications to the life and ministry of Deacons. The below is a summary and should not be considered an inclusive list of applicable canons:

CANON	DESCRIPTION
213	Pastoral care
215	Joining associations
221	Due process
236,455,1031	Formation
266, 267	Incardination and transfer
273- 274	Assignment per Bishop, Obedience
276, 455	Liturgy of the Hours
276	Mandatory retreat
271, 1031	Marital Status
277, 291, 1087, 1394	Remarriage
281	Financial Remuneration
283	Absences from the diocese
288	No obligation for clerical dress
288	Secular activities
290, 291	Laicization
531	Stole Fees (administration of sacraments and sacramentals)
764	Preach and instruct the faithful
861	Baptism of children
920,921,943	Holy Communion, Viaticum, Benediction
1031	Age requirements
1031	Consent of Wife
1078	Dispensation from marriage
1108, 1111	Witness Marriages
1168, 1169	Impart Blessings
1176	Funerals, wake services

III OBLIGATIONS/DUTIES/MISSION OF PERMANENT DEACONS

1 In the "Rite of Ordination of Deacons" the Bishop proclaims: *"Strengthened by the gift of the Holy Spirit, he will help the Bishop and his Priests in the ministry of the Word, of the Altar, and of Charity, showing himself to be a servant to all. As a minister of the altar, he will proclaim the Gospel, prepare the sacrifice, and distribute the Lord's Body and Blood to the faithful.*

Furthermore, it will be his duty, at the Bishop's direction, to exhort believers and unbelievers alike and to instruct them in holy doctrine. He will preside over public prayer, administer Baptism, assist at and bless Marriages, bring Viaticum to the dying, and conduct funeral rites.

Consecrated by the laying on of hands that come down to us by the Apostles and bound more closely to the service of the altar, he will perform works of charity in the name of the Bishop or the Pastor. With the help of God, he is to go about all these duties in such a way that you will recognize him as a disciple of him who came not to be served, but to serve."

2 The function of diaconal duties must be in concert with the needs and circumstances of the parish or place of extra-parochial ministry to which the Deacon has been assigned.

3 Among the duties which he may be assigned include but are not limited to:
- To function at least one (1) Mass per weekend
- To be available to preach as needed (unless faculty to preach has not been granted by the Bishop)
- To preside at Baptisms
- To make Pastoral visits to the sick and homebound
- To preside at Eucharistic and non-Eucharistic prayer services
- To preside at wake and/or funeral services as needed

4 Deacons are <u>obligated</u> to:
- Attend Mass as best achieved considering family and employment restrictions
- Recitation of the Liturgy of the Hours
- Participate in the annual Deacon retreat
- Attend Diocesan Functions (i.e. ordinations, special occasions, etc.) as dictated by the Bishop)
- Regularly approach the Sacrament of Reconciliation
- To have an on-going relationship with a Spiritual Advisor
- To immerse himself in the Sacred Scriptures through diligent reading and study
- To have a balance of lifestyle in relationship to God, Family, Job, and Church

5 Bishops, in a special way, preside over and govern the particular Churches, aided by the presbytery. The role of the Deacon is to be a helper of the Bishop and Priests and, graced by the Sacrament, to proclaim by their very lives the Church's call to serve the needs of others. During the Ordination Rite Deacons were asked by the Bishop: "*Do you promise respect and obedience to me and my successors?"* To which the Deacon(s) replied *"I do!"*.

6 At the Ordination Rite the Bishop holding the Book of Gospels with the Deacon kneeling before him saying: "*Receive the Gospel of Christ, whose herald you have become, believe what your read, teach what you believe, and practice what you teach*".

7 The Deacon is publicly committed to the service of Christ through the Sacrament of Holy Orders. He is ordained to exercise a threefold ministry; Word, Liturgy, and Charity.

Ministry of the Word – "Proclamation of the Word in varied contexts of ministerial service: catechesis, preparation of sacraments, homiletics (NDFMLPD # 130)…"

Ministry of Liturgy – "celebration of the sacraments and sacramentals, service at the altar. (NDFMLPD # 130)"

Ministry of Charity and Justice - is one of the primary areas of emphasis in the Deacon's ministry. It was for this reason that Deacons were called and ordained in the early Church. The Ministry of Charity continues to give identity to the Deacon, a word which comes from the Greek word, "diakonia," meaning service.

8 The essential role of those in sacred Orders is to lead the Church in caring out the mission of Christ. The three ordained ministries (Bishop, Priest, Deacon) coordinate all the other ministries and services by which the Church exists, lives and acts. The role is to apply the words of St. Paul, "*to equip the saints (that is the whole community) for the work of a ministry building up of the Body of Christ*." At ordination the Bishops asks: *"Do you resolve to discharge the office of Deacon with humble charity in order to assist the Priestly Order and to benefit the Christian people?"*

9 A Deacon who discharges the office of Deacon to its fullness – has a balance of Word, Liturgy, and Charity. On the other hand a Deacon who functions only at the altar, only in liturgical settings, is not fulfilling his diaconal responsibilities.

10 The Deacon exercises his order under the direction and supervision of the Pastor of the parish (or other ministry supervisor) to which he is assigned.

11 The Deacon is not bound by the canonical obligations of clerics to wear Roman collar. It is the policy of Diocese of Amarillo that he is not to wear clerical dress, unless specifically dispensed by the ordinary [Example: Prison Ministry]. The proper attire is normally a collared shirt and dress slacks, or as the occasion dictates.

12 The Deacon is to wear appropriate vesture when assisting or presiding at liturgical celebrations. For Wake Services in funeral homes, the Deacon may wear either, coat and tie or alb and white stole.

13 If a Deacon is present at parish liturgy but does not function or serve at the Eucharist as a communion minister, he is not to vest. At Diocesan celebrations he is to vest unless notified otherwise.

14 The Deacon is not bound by canons restraining clerics from engaging in business, acting as union officials, holding public office, or other positions/employment. However, a Deacon should consult the Bishop before seeking public office. In particular cases the Bishop may forbid such an undertaking*." Care should be taken that Deacons do not carry on profession or trade which the local ordinary considers unsuitable or which will interfere with the fruitful exercise of their sacred office"* (NDFMLPD # 89).

15 Each Deacon must adhere to the highest ethical, moral, and social standards of conduct. As a Deacon, he is expected to conduct himself in a courteous, pleasant, and a professional manner at all times. Deacons at the Ordination Rite confess that "*they resolve to hold fast to the Mystery of Faith with a clear conscience, as the Apostle urges, and to proclaim this faith in word and deed according to the Gospel and the Church's tradition".*

16 Deacons are to nourish their spiritual life from the Scriptures and the Eucharist and are encouraged to participate in daily Mass. They are to be conscientious in devoting time regularly to prayer, to approach the Sacrament of Reconciliation frequently, and to a devotion to the Virgin Mother of God. During the Ordination Rite the Bishop asks: "*Do you resolve to maintain and deepen the spirit of prayer that is proper to your way of life and, in keeping with this spirit and what is required of you, to celebrate faithfully the Liturgy of the Hours with and for the People of God and indeed for the whole world?"*

17 Deacons are to pray the "Liturgy of the Hours" and should not hold themselves lightly excused from the obligation they have to recite morning and evening prayer. They are expected to know the nature and structure of the Liturgy of the Hours and be able to lead it publicly.

18 Each Deacon is strongly encouraged to choose and maintain a Spiritual Director. While the preference is that spiritual directors be Priests, it is appropriate and encouraged to have a trained and/or certified director, whether clergy, religious, or lay person.

19 Deacon are obligated to fully comply with the *Amarillo Diocese Safe Environment Policy* (especially but not limited to Appendix A, F, G, I, J, K and L) and the *Charter for the Protection of Children and Young People – Essential Norms, USCCB* (Articles 12 & 13) - {See Appendix # 5}

IV LITURGICAL FUNCTIONS A DEACON MAY EXERCISE

1 The Deacon's most solemn Ministry of the Word is that of reading the Gospel and preaching at the liturgy. But as one ordained to bring the Good News, he can extend this ministry in almost unlimited ways. At many gatherings and at formal and informal, meetings he can communicate a word of joy and hope. What is appropriate to the office of a Deacon is simply that he proclaims and witness God's Word in all his service, ministries and actions.

2 The Ministry of Preaching, for a Deacon, depends on faculties given by the Diocesan Bishop and diocesan norms. How often the Deacon preaches and instructs the faithful - is to be agreed upon by the Pastor and Deacon.

3 While the Deacon exercises a "Ministry of Liturgy", his exercise of this ministry is to be seen as secondary to his day-to-day service to God's people.

4 Deacons are granted faculties by the Bishop, to be exercised only within the boundaries of their assigned parishes, except with permission of the proper Pastor.

5 The following are the liturgical functions which a Deacon may exercise and the norms for exercising those functions in the Diocese of Amarillo as they apply to Permanent Deacons.

6 To take part in liturgical functions assigned to a Deacon in the approved liturgical books;

To assist the Bishops and Priests at the Liturgy;

Normally, he is to function as Deacon at the Sunday Liturgy and is considered an "ordinary minister" of the Eucharist in a local parish;

He may lead the Congregation in the Penitential Rite, but only "Form C".

Proclaim the Gospel at the Sunday Liturgy and other Liturgical Celebrations.

To administer solemn baptism to children under the age of seven (7);

To give Holy Communion, to administer Viaticum, and to give Benediction of the Most Blessed Sacrament (Canons 910, 921, and 943);

To witness and bless marriages in his assigned parish to include conducting premarital investigation and initiating the processes for convalidation, for declarations of nullity and/or for dissolutions of the bond; administering the Rite of Matrimony within or outside of Mass; giving the nuptial blessing only at marriages outside of Mass.

To witness and bless marriages in a Parish other than the parish of his assignment, where the Marriage is to take place, specific delegation of the Pastor must be so approved.

To preside at funeral and burial rites except for the Mass, a Deacon may conduct all the funeral rites. This includes conducting Vigil (Wake) services, final commendations and prayers at the cemetery, funerals for Catholics, and funerals for unbaptized children (if parents have intended Baptism).

To impart blessings in accord with the norms contained within the liturgical books (Canon 1168 and 1169). Blessing of Sacramentals include medals, religious articles, Holy Water, etc., with the sign of the cross; administering in vocative blessing from the Ritual (unless they are reserved to a Priest); ritual blessings of throats, marriage rings, Baptismal water, but not ashes and oils.

The Liturgy of Benediction of the Blessed Sacrament.

The Celebration of Morning or Evening Prayer or other Rites of the Hours.

Visitation of the sick and Sacrament of Viaticum.

Retreats days of recollections, missions, novenas, etc.

V FUNCTIONS OF THE DEACON AT THE CELEBRATION OF MASS

1 The following are specific principles and norms drawn and summarized from the revised *General Instruction of the Roman Missal* {GIRM}.

2 GIRM # 94. *After the Priest, the Deacon, in virtue of the sacred Ordination he has received, holds first place among those who minister in the celebration of the Eucharist. For the sacred Order of the Diaconate has been held in high honor in the Church even from the early time of the Apostles. At Mass the Deacon has his own part in proclaiming the Gospel, from time to time in preaching God's Word, in announcing the intentions of the Universal Prayer, in ministering to the Priest, in preparing the altar and in serving the celebration of the Sacrifice, in distributing the Eucharist to the faithful, especially under the species of wine, and from time to time in giving instructions regarding the people's gestures and posture.*

3 GIRM # 109. *If there are several present who are able to exercise the same ministry, nothing forbids their distributing among themselves and performing different parts of the same ministry or duty. For example, one Deacon may be assigned to execute the sung parts, another to serve at the altar; if there are several readings, it is well to distribute them among a number of readers, and the same applies for other matters. However, it is not at all appropriate that several persons divide a single element of the celebration among themselves, e.g., that the same reading be proclaimed by two readers, one after the other, with the exception of the Passion of the Lord.*

4 GIRM # 171. *When he is present at the celebration of the Eucharist, a Deacon should exercise his ministry, wearing sacred vestments. In fact, the Deacon:*

a) assists the Priest and walks at his side;
b) ministers at the altar, both as regards the chalice and the book;
c) proclaims the Gospel and may, at the direction of the Priest Celebrant, give the Homily (cf. no. 66);
d) guides the faithful people by giving appropriate instructions, and announces the intentions of the Universal Prayer;
e) assists the Priest Celebrant in distributing Communion, and purifies and arranges the sacred vessels;
f) carries out the duties of other ministers himself, if necessary, when none of them is present.

The Introductory Rites:

5 GIRM # 172. *Carrying the Book of the Gospels slightly elevated, the Deacon precedes the Priest as he approaches the altar or else walks at the Priest's side.*

6 GIRM # 173. *When he reaches the altar, if he is carrying the Book of the Gospels, he omits the sign of reverence and goes up to the altar. It is a praiseworthy practice for him to place the Book of the Gospels on the altar, after which, together with the Priest, he venerates the altar with a kiss.*

If, however, he is not carrying the Book of the Gospels, he makes a profound bow to the altar with the Priest in the customary way and with him venerates the altar with a kiss.

Lastly, if incense is being used, he assists the Priest in putting some into the thurible and in incensing the cross and the altar.

7 GIRM # 274. *A genuflection, made by bending the right knee to the ground, signifies adoration, and therefore it is reserved for the Most Blessed Sacrament, as well as for the Holy Cross from the solemn adoration during the liturgical celebration on Good Friday until the beginning of the Easter Vigil.*

During Mass, three genuflections are made by the Priest Celebrant: namely, after the elevation of the host, after the elevation of the chalice, and before Communion. Certain specific features to be observed in a concelebrated Mass are noted in their proper place (cf. nos. 210-251).

If, however, the tabernacle with the Most Blessed Sacrament is situated in the sanctuary, the Priest, the Deacon, and the other ministers genuflect when they approach the altar and when they depart from it, but not during the celebration of Mass itself. Otherwise, all who pass before the Most Blessed Sacrament genuflect, unless they are moving in procession.

Ministers carrying the processional cross or candles bow their heads instead of genuflecting.

The Deacon may lead the Penitential Rite, but only "Form C".

8 GIRM # 275. *A bow signifies reverence and honor shown to the persons themselves or to the signs that represent them. There are two kinds of bow: a bow of the head and a bow of the body.*

> *a) A bow of the head is made when the three Divine Persons are named together and at the names of Jesus, of the Blessed Virgin Mary, and of the Saint in whose honor Mass is being celebrated.*
>
> *b) A bow of the body, that is to say, a profound bow, is made to the altar; during the prayers Munda cor meum (Cleanse my heart) and In spiritu humilitatis (With humble spirit); in the Creed at the words et incarnatus est (and by the Holy Spirit. . .. and became man); in the Roman Canon at the Supplices te rogamus (In humble prayer we ask you, almighty God). The same kind of bow is made by the Deacon when he asks for a blessing before the proclamation of the Gospel. The Deacon remains standing, he does not kneel. In addition, the Priest bows slightly as he pronounces the words of the Lord at the Consecration.*

9 GIRM # 174. *Once the altar has been incensed, the Deacon goes to the chair together with the Priest and there stands at the Priest's side and assists him as necessary*.

The Liturgy of the Word:

10 GIRM # 175. *During the singing of the Alleluia or other chant, if incense is being used, the Deacon ministers to the Priest as he puts incense into the thurible. Then, bowing profoundly before the Priest, he asks for the blessing, saying in a low voice, Your blessing, Father.*

The Priest blesses him, saying, May the Lord be in your heart. The Deacon signs himself with the Sign of the Cross and replies, Amen.

Having bowed to the altar, he then takes up the Book of the Gospels which was placed on it and proceeds to the ambo, carrying the book slightly elevated. He is preceded by a thurifer carrying a smoking thurible and by ministers with lighted candles.

At the ambo the Deacon greets the people, with hands joined, saying, The Lord be with you. After this, at the words reading from the holy Gospel, he signs with his thumb the book and then himself on his forehead, mouth, and breast. Then he incenses the book and proclaims the Gospel reading.

When this is done, he acclaims, The Gospel of the Lord, and all reply, Praise to you, Lord Jesus Christ. He then venerates the book with a kiss, saying quietly the formula Per evangelica dicta (Through the words of the Gospel), and returns to the Priest's side.

When the Deacon is assisting the Bishop, he carries the book to him to be kissed. In more solemn celebrations, if appropriate, the Bishop may impart a blessing to the people with the Book of the Gospels.

Lastly, the Deacon may carry the Book of the Gospels to the credence table or to another suitable and dignified place.

11 GIRM # 176. *Moreover, if there is no other suitable reader present, the Deacon should proclaim the other readings as well.*

12 GIRM # 177. *After the introduction by the Priest, it is the Deacon himself who announces the intentions of the Universal Prayer, usually from the ambo.*

The Liturgy of the Eucharist

13 GIRM # 178. *After the Universal Prayer, while the Priest remains at the chair, the Deacon prepares the altar, assisted by the acolyte, but it is the Deacon's place to take care of the sacred vessels himself. He also assists the Priest in receiving the people's gifts. After this, he hands the Priest the paten with the bread to be consecrated, pours wine and a little water into the chalice, saying quietly, By the mystery of this water, etc., and after this presents the chalice to the Priest.*

He may also carry out the preparation of the chalice at the credence table. If incense is being used, the Deacon assists the Priest during the incensation of the offerings, the cross, and the altar; and after this the Deacon himself or the acolyte incenses the Priest and the people.

14 GIRM # 179. *During the Eucharistic Prayer, the Deacon stands near the Priest, but slightly behind him, so that when necessary he may assist the Priest with the chalice or the Missal. Only two Deacons are to assist the Priest at the altar. The others remain at their chairs.*

From the epiclesis until the Priest shows the chalice, the Deacon usually remains kneeling. If several Deacons are present, one of them may place incense in the thurible for the Consecration

and incense the host and the chalice at the elevation. Only two Deacons are to assist the Priest at the altar. The other Deacons remain at their chairs.

15 GIRM # 180. *At the concluding doxology of the Eucharistic Prayer, the Deacon stands next to the Priest, and holds the chalice elevated while the Priest elevates the paten with the host, until the people have acclaimed, Amen*.

16 GIRM # 181. *After the Priest has said the prayer for the Rite of Peace and the greeting The peace of the Lord be with you always and the people have replied,' And with your spirit', the Deacon then says the invitation to the Sign of Peace. With hands joined, he faces the people and says, ' Let us offer each other the sign of peace'. Then he himself receives the Sign of Peace from the Priest and may offer it to those other ministers who are nearest to him.*

17 GIRM # 182. *After the Priest's Communion, the Deacon receives Communion under both kinds from the Priest himself and then assists the Priest in distributing Communion to the people. If Communion is given under both kinds, the Deacon himself administers the chalice to the communicants; and, when the distribution is over, standing at the altar, he immediately and reverently consumes all of the Blood of Christ that remains, assisted, if the case requires, by other Deacons and Priests.*

18 GIRM # 183. *When the distribution of Communion is over, the Deacon returns to the altar with the Priest, collects the fragments, should any remain, and then carries the chalice and other sacred vessels to the credence table, where he purifies them and arranges them as usual, while the Priest returns to the chair. Nevertheless, it is also permitted to leave vessels needing to be purified on a corporal, suitably covered, on the credence table, and to purify them immediately after Mass, following the Dismissal of the people.*

The Concluding Rites:

19 GIRM # 184. *Once the Prayer after Communion has been said, the Deacon makes brief announcements to the people, if indeed any need to be made, unless the Priest prefers to do this himself.*

20 GIRM # 185. *If a Prayer over the People or a formula of Solemn Blessing is used, the Deacon says, Bow* {your heads and pray for God's blessing} *down for the blessing. After the Priest's blessing, the Deacon, with hands joined and facing the people, dismisses the people, saying, Ite, missa est (Go forth, the Mass is ended)* or some other appropriate dismissal.

21 GIRM # 186. *Then, together with the Priest, the Deacon venerates the altar with a kiss, makes a profound bow, and withdraws in a manner similar to the Entrance Procession. If the Blessed Sacrament is directly behind the altar, they should genuflect.*

Incensation:

22 GIRM # 276. *Thurification or incensation is an expression of reverence and of prayer, as is signified in Sacred Scripture (cf. Ps 141 [140]:2; Rev 8:3).*

Incense may be used optionally in any form of Mass:

a) during the Entrance Procession;
b) at the beginning of Mass, to incense the cross and the altar;
c) at the procession before the Gospel and the proclamation of the Gospel itself;
d) after the bread and the chalice have been placed on the altar, to incense the offerings, the cross, and the altar, as well as the Priest and the people;
e) at the Elevation of the Host and the Chalice after the Consecration.

23 GIRM # 277. *The Priest, having put incense into the thurible, blesses it with the Sign of the Cross, without saying anything.*

Before and after an incensation, a profound bow is made to the person or object that is incensed, except for the altar and the offerings for the Sacrifice of the Mass.

Three swings of the thurible are used to incense: the Most Blessed Sacrament, a relic of the Holy Cross and images of the Lord exposed for public veneration, the offerings for the Sacrifice of the Mass, the altar cross, the Book of the Gospels, the paschal candle, the Priest, and the people.

Two swings of the thurible are used to incense relics and images of the Saints exposed for public veneration; this should be done, however, only at the beginning of the celebration, following the incensation of the altar.

The altar is incensed with single swings of the thurible in this way:

a) if the altar is freestanding with respect to the wall, the Priest incenses walking around it;

b) if the altar is not freestanding, the Priest incenses it while walking first to the right hand side, then to the left.

The cross, if situated on the altar or near it, is incensed by the Priest before he incenses the altar; otherwise, he incenses it when he passes in front of it.

The Priest incenses the offerings with three swings of the thurible or by making the Sign of the Cross over the offerings with the thurible before going on to incense the cross and the altar.

The Purification:

24 GIRM # 279. *The sacred vessels are purified by the Priest, the Deacon, or an instituted acolyte after Communion or after Mass, in so far as possible at the credence table. The purification of the chalice is done with water alone, which is then consumed by whoever does the purification. The paten is wiped clean as usual with the purificator.*

Care is to be taken that whatever may remain of the Blood of Christ after the distribution of Communion is consumed immediately and completely at the altar.

25 GIRM # 280. *If a host or any particle should fall, it is to be picked up reverently; and if any of the Precious Blood is spilled, the area where the spill occurred should be washed with water, and this water should then be poured into the sacrarium in the sacristy.*

Communion under Both Kinds:

26 GIRM # 281. *Holy Communion has a fuller form as a sign when it takes place under both kinds. For in this form the sign of the Eucharistic banquet is more clearly evident and clearer expression is given to the divine will by which the new and eternal Covenant is ratified in the Blood of the Lord, as also the connection between the Eucharistic banquet and the eschatological banquet in the Kingdom of the Father.*

27 GIRM # 284. *When Communion is distributed under both kinds:*

a) the chalice is usually administered by a Deacon or, in the absence of a Deacon, by a Priest, or even by a duly instituted acolyte or another extraordinary minister of Holy Communion, or by one of the faithful who, in a case of necessity, has been entrusted with this duty for a single occasion;

b) whatever may remain of the Blood of Christ is consumed at the altar by the Priest or the Deacon or the duly instituted acolyte who ministered the chalice. The same then purifies, wipes, and arranges the sacred vessels in the usual way. Any of the faithful who wish to receive Holy Communion under the species of bread alone should be given Communion in this form.

28 GIRM # 285. *For Communion under both kinds the following should be prepared:*

a) If Communion from the chalice is done by drinking directly from the chalice, a chalice of a sufficiently large size or several chalices are prepared. However, care should be taken lest beyond what is needed of the Blood of Christ remains to be consumed at the end of the celebration.

b) If Communion from the chalice is done by intinction, the hosts should be neither too thin nor too small, but rather a little thicker than usual, so that after being intincted partly into the Blood of Christ they can still be easily distributed.

29 GIRM # 286. *If Communion of the Blood of Christ is carried out by communicants' drinking from the chalice, each communicant, after receiving the Body of Christ, moves to the minister of the chalice and stands facing him. The minister says, The Blood of Christ, the communicant replies, Amen, and the minister hands over the chalice, which the communicant raises to his or her mouth. Each communicant drinks a little from the chalice, hands it back to the minister, and then withdraws; the minister wipes the rim of the chalice with the purificator.*

30 GIRM # 287. *If Communion from the chalice is carried out by intinction, each communicant, holding a Communion-plate under the mouth, approaches the Priest who holds a vessel with the sacred particles, with a minister standing at his side and holding the chalice. The Priest takes a host, intincts it partly in the chalice and, showing it, says, The Body and Blood of*

Christ. The communicant replies, Amen, receives the Sacrament in the mouth from the Priest, and then withdraws. [It is not proper to consume the Precious Blood at the place of distribution, nor while walking to the Altar.]

Vestiture:

31 GIRM # 335. *In the Church, which is the Body of Christ, not all members have the same function. This diversity of offices is shown outwardly in the celebration of the Eucharist by the diversity of sacred vestments, which must therefore be a sign of the function proper to each minister. Moreover, these same sacred vestments should also contribute to the decoration of the sacred action itself. The vestments worn by Priests and Deacons, as well as the attire worn by lay ministers, are blessed before being put into liturgical use according to the rite described in the Roman Ritual.*

32 GIRM # 336. The sacred garment common to all ordained and instituted ministers of any rank is the alb, to be tied at the waist with a cincture unless it is made so as to fit even without such. Before the alb is put on, should this not completely cover the ordinary clothing at the neck, an amice should be used. The alb may not be exchanged for a surplice, not even over a cassock, on occasions when a chasuble or dalmatic is to be worn or when, according to the norms, only a stole is worn without a chasuble or dalmatic.

33 GIRM # 338. *The vestment proper to the Deacon is the dalmatic, worn over the alb and stole; however, the dalmatic may be omitted out of necessity or on account of a lesser degree of solemnity.*

34. GRIM # 339 *In the Diocese of the United States of America, acolytes, altar servers, readers, and other lay minsters may wear the alb or other appropriate and dignified clothing*.

35 GIRM # 340. *The stole is worn by the Priest around his neck and hanging down in front of his chest, while it is worn by the Deacon over his left shoulder and drawn diagonally across the chest to the right side, where it is fastene**d.***

VI CONTINUING SPIRITUAL DEVELOPMENT

1 Spirituality is concerned with a new way of life that is rooted in God. It is reflected in the Deacon's relationship with God and in his relationship with others. For a Deacon who is married, his spirituality is nurtured further in the Sacrament of Matrimony, which sanctifies conjugal love and constitutes it as a sign of love with which Christ gives himself to the Church. For a celibate Deacon, loving God and serving his neighbor roots his whole person in a total and undivided consecration to Christ. (NDFMLPD # 62)

2 The purpose of continuing spiritual development is to deepen and strengthen these relationships, so that a Deacon's life style will always reflect that holiness and wholeness to which Jesus calls him.

3 Each Deacon is to choose and maintain a Spiritual Director. This person is to be someone with whom he feels he can be direct and honest.

4 The Deacon is to set aside time for retreats and days of reflection and reconciliation. It is a time to foster fraternity and common spiritual renewal among the members of the diaconate. An annual two-night two-day retreat is a minimum (CCL # 276). Annually all Deacons in the diocese are obligated to attend the formal retreat as sponsored by the Diaconate Office, unless excused by the Bishop.

5 While the Diocese will provide an annual Deacon Retreat, this does not preclude a Deacon from pursuing other spiritual retreats and spiritual enhancement opportunities on his own.

6 The signs of spiritual growth are reflected by internal and external behavior and demeanor, a life style of caring with compassion and a sense of sharing in the common unity of all people.

6 The Deacon is to reflect the love of God and bring that presence of God into the community. He is to be committed to a social justice, social service, evangelization, catechesis and celebration of God's Word.

7 The continuing spiritual development of the Deacon calls him to die and rise in Jesus Christ in his daily life.

VII CONTINUING EDUCATION

1 Our faith is often described as a journey. A journey that continues to move with a faith that grows. Deacons share the responsibility with the Bishops and Priests to help show the way for others on their journey. He must not allow himself to stagnate in his own journey.

2 *"Each diocesan Church is to establish a basic minimum of continuing education hours to be filled on an annual basis by all diocesan Deacons in active service. This would be in addition to time allocated for the annual Deacon retreat."* (NDFLM # 254)

3 It is with this purpose, to encourage the Deacon's own journey in faith, that each Deacon in the Diocese of Amarillo is required to complete, each calendar year, twenty (20) clock/contact hours of continuing education through courses, seminars and/or workshops. In addition, it is the responsibility of the Deacon to document this continuing education and file this documentation with the Office of the Diaconate. The Deacon's formation does not end with Ordination!

4 There are several ways in which this continuing education can be obtained.

Each Diocesan and/or Deacon Continuing Education Weekend will count for the actual classroom hours.

Training, education, and workshops offered by the Diocese will count one hour for each hour of presented material. This will include attending applicable Deacon Formation classes (i.e.: canon law, homiletics, theology, etc.).

Reading books on the faith will count for two (2) hours each with a maximum credit of four (4) hours. Each book will be summarized in one page with an explanation how it is applicable to diaconal ministry.

Bilingual training (English for Spanish speaking Deacons, Spanish for English-speaking Deacons) will count one hour for each hour of formal training to a maximum of twenty (20) hours per year.

Other hours could be acquired by College Courses conferences, seminars, etc. that are related to diaconal ministry.

5 The following activities are not normally considered contact hours:

Travel related to meetings of place of instruction, Informal meetings and prayers
Prayer services and liturgies, Spiritual Direction sessions
Parish, Deanery, or Diocesan business or committee meetings
Support groups
Courses not related to diaconal ministerial service

VIII THE WIFE OF A DEACON

1 In recent history, the Latin Church has had the experience of only celibate ordained ministers. Experience of ordained ministers who are married is recent (CCL # 1078). Special attention, catechesis, and direction must be given to this aspect of a ministry, particularly to the mutual relationship between the Sacrament of Marriage and the Sacrament of Orders. Self-giving love is common to both Sacraments. During their formation, as well as after ordination, the candidates and their wives need to appreciate this potential for an integrated spirituality that relates the two Sacraments.

2 A stable marriage and loving family life are positive attributes contributing to this new ministry. In describing the family as the domestic Church, the Second Vatican Council noted that parents are the *"first heralds of the faith to their children"*, significantly, the same word is employed in the ceremony of ordination when the Deacon is told, *"receive the Gospel of Christ whose herald you are..."* This mandate and this familial relationship should be evident and productive in both the formation and ministry of Deacons.

3 The married Deacon must never lose sight of a practical order of priorities: the Sacrament of Matrimony preceded the Sacrament of Orders and thus established a practical priority in the Deacon's life. Consequently, he must be able to support his wife and family before he can be acceptable as an ordained minister. The marriage bond should be enriched by the Sacrament of Orders, just as public ministry is enriched by married ordained ministers of the Gospel.

4 Even though it is clearly understood from the outset that the wife is not to be ordained, nevertheless her marriage and family are truly involved.

5 The Deacon and his wife will need to make a realistic assessment of how her own career, ministry, family, and personal preference will be affected and respected (CCL # 1031).

6 A couple’s personal and spiritual priorities should always be: 1) God, 2) Family, 3) Job, and 4) Church. The Deacon has an obligation to share with his wife whatever his ministries will be, the resultant schedules and time commitment, while ensuring a reasonable balance between Church and family, always keeping confidentiality.

7 Both husband and wife have to be aware that the nurturing and deepening of their mutual sacrificial love will be the most important way that she will be involved in her husband's public ministry in the Church. Good spiritual direction can help both the wife and husband in understanding and appreciating this truth.

8 The wife of the Deacon may become involved in a type of team ministry with her Deacon husband. On the other hand, she may already be involved in a distinct ministry apart from the diaconal ministry of her husband. Having experienced the formation

process of her husband, she may now wish to consider a type of ministry she had not foreseen, but for which she is now significantly qualified.

9 The local Church should recognize the rich ministerial potential that may be present in the wives of ordained Deacons who have participated in the full formation process and should they choose to offer themselves in a ministry, facilitate the utilization of this potential.

10 The witness of a Deacon and his wife are carried out first and foremost as a married couple, that is, in the way they live. The Deacon should be exemplary in the generosity of his ministry and the wife in exercising her discipleship. They should also support and encourage the programs, ministries and discipleship of others.

11 *"In particular the Deacon and his wife must be a living example of fidelity and indissolubility in Christian marriage before a world which is in dire need of such signs. By facing in a spirit of faith the challenges of married life and the demands of daily living, they strengthen the family life not only of the Church community but of the whole society. They also show how the obligations of family life, work and ministry can be harmonized in the service of the Church's mission. Deacons and their wives and children can be a great encouragement to others who are working to promote family life"* (NDFMLPD # 67)

IX THE FAMILY OF THE DEACON

1 The family is called the "Domestic Church" in the teaching of Second Vatican Council and recent popes. As such, it provides an environment for growth in faith and holiness of its members and an opportunity for extending the ministry of Christ to the everyday world. The family of the Deacon has a special call (and corresponding special difficulties) to exemplify the ministry of the "Domestic Church" in a highly visible way.

2 The first order of business in any family is nurturing faith and love in both parents and children. Faith and love are cultivated above all by a conscious and consistent effort to develop healthy, loving relationships. The Deacon has a particular responsibility to see that his ministry, job, and other extra-family commitments do not shove aside his wife and children. Deacons and their Pastors should take extra care to avoid over commitment to parish ministries while at the same time respecting the commitment made to diaconal ministry. There needs to be a reasonable and viable balance.

3 A second area of consideration is the witness of the Deacon's family by example. With prayer and careful thought, the Deacon and his family should examine their lifestyle and ask it if is consistent with the call to follow Jesus. Finances, standard of living, choice of entertainment, and level of giving to the Church and the poor, reflex much a family commitment to the kingdom of God. There is no need to be puritanical or joyless; but sustained, cheerful, sacrificial living is a powerful form of witness by example.

4 The family's involvement in a direct ministry is a third focus for the diaconal family. Careful involvement of a spouse and children in ministerial activities provides and effective means of caring out the family's mandate to evangelize the world. It also, is an outstanding form of catechesis for the Deacon's children in the servant hood of Jesus. Specific examples of appropriate family ministries might include nursing home visitations and working with food pantries and other ministries to the poor.

X MARITAL DIFFICULITES AND/OR DIVORSE

1 Deacons and their families are not immune from experiencing marital or other family discord. As significant discord in the family of a Deacon can adversely affect the Church community, either the Deacon, or his wife, or both should bring marital difficulties to the attention of the Director of the Diaconate when it becomes clear that these difficulties are above and beyond the normal stress and strain of married life. The Director shall assist the Deacon and his wife in every way possible, and will ensure that the resources such as Retrouvaille or Marriage Encounter are made available to them.

2 If marital or other family difficulties are not close to resolution, the Director will meet with the Deacon and his wife to assess whether the ministry of the Deacon has become impaired. If this is the case, or if the family situation deteriorates to the point of scandal, the Director, in consultation with the Vicar for Clergy, shall recommend appropriate action to the Bishop. Appropriate action might include involuntary administrative leave for a specified period of time.

3 *"Divorce between a Deacon and his wife unfortunately can happen. In this situation, suitable Pastoral care should be offered to the Deacon. This Pastoral care, which may be facilitated by the Director of the Diaconate or any other qualified person on behalf of the Bishop, should include ample time to work through the various stages of grieving and adjustment caused by divorce*" (NDFLM # 76).

4 If a divorce should occur, the Deacon has a grave duty to report this to the Bishop and Director immediately. In addition he should begin the process of obtaining a "Declaration of Nullity" (annulment). The Deacon should fully understand that even though an annulment may be granted; he none-the-less will lead a celibate and single person lifestyle henceforth.

5 The Deacon must be willing to fully and truthfully discuss the circumstances of the divorce, in confidence, with the Director, the Vicar for Clergy and/or the Bishop. Based upon all the facts and circumstances of each individual case, appropriate action, if any is needed, will be taken. "*The determination of the divorced Deacon's ministerial status will require sensitivity and prudence* (NDFLM # 76)…" *Frequently, such action will include reassignment, especially if the Deacon is involved in parish ministry, or involuntary administrative leave".*

XI THE DEACON AND THE BISHOP

1 *"The Deacon exercises his ministry within a specific Pastoral context – the communion and mission of the diocesan Church. He is in direct relationship with the Bishop and whom he is in communion and under whose authority he exercises his ministry. In making his promise of respect and obedience to his Bishop the Deacon takes as his model Christ, who became the servant of his Father. The Bishop also enters into a relationship with the Deacon since the Deacon is his collaborator in the service of God's people".* (NDFLM # 41)

2 A Deacon is ordained for the service of a Diocesan Church. Ordained by its Bishop, the Deacon stands in a direct relationship with his Diocesan Bishop, in communion with whom and under whose authority he exercises his ministry. By virtue of his ordination, a Deacon is canonically incardinated into a specific diocese, i.e. The Diocese of Amarillo, and should consider himself available to serve where the needs of the Diocese exist and as the Bishop so discerns.

3 It is the Bishop who assigns a Deacon to a particular ministry. The principal criteria for this assignment are the Pastoral needs of the diocese and local communities and the personal qualification and abilities of the Deacon, as these have been discerned in his previous experience and the course of his formation. The assignment should also take into account his family and occupational responsibilities.

4 It is very important that the particular ministry assigned to a Deacon by his Bishop be very clearly spelled out, preferably in a written document of mission. It should always contain a clear delineation of responsibilities, that is, of the expectations of the diocese, of the particular community in and for which the Deacon serves, and for the Deacon himself. Such job descriptions will go far to prevent misunderstanding and disappointments arising among either the Deacons themselves or other member of the Church. This mission should be regularly evaluated and reviewed and may be revised when changes in Church needs or in development of the Deacon himself suggest it.

5 The Bishop is also responsible for supervising the ministerial life of Deacons. He should, therefore, encourage and support them in their work, involve them in the committees and councils that assist him in the Pastoral care of the diocese, promote their spiritual lives by providing spiritual counselors and continuing education programs for them.

XII THE DEACON AND THE PRIEST/PASTOR

1 Deacons exercise their distinct ministry in communion not only with the Bishop, but also with Priest. The Priesthood and the Diaconate are neither identical nor competitive but complementary ministries. "*The Diaconate is not an abridged from the Priesthood but a distinct and full order in its own right"* (NDFMLPD # 50). Both Priest and Deacon should understand, then, that the Diaconate is not to be thought of or exercised on the model of the Priesthood. *"Deacons and Priests, as ordained ministers, should develop a genuine respect for each other, witnessing to the communion and mission they share with one another and with the Bishop in mutual service to the people"* (NDFLM # 52). Priesthood and Diaconate are two distinct ministries thus for the good of the Church, they must be exercised in communion with one another.

2 Deacons are to make every effort to assist, make welcome, support and get along with the Pastor. While Deacons are often assigned to the same parish for many years, Pastors all too often come and go. As such Deacons must always remember that they are to collaborate with the Pastor who is the administrative and spiritual head of the parish.

3 As in a Diocese so also in a parish, other type of community, institution, or agency, the introduction of Deacons should be part of an overall Pastoral plan. If a Deacon is likely to be assigned to a parish, the Pastor and the people should be involved in drawing up the formal document of diaconal mission. In this way, Priest, Deacons, and the people will all have a clear vision of what may be expected from the new ministers; the work of the local community will be facilitated; and tensions will be much less likely.

4. Approximately every three years the Deacon and Pastor, or when a new Pastor is assigned to the Parish, a new "Deacon Ministry Agreement" should be drawn up. This provides the Pastor and Deacon the opportunity to agree upon ministerial (diaconal) responsibilities. {See appendix #2 "Diocese of Amarillo – Deacon Ministry Agreement".}

5. The priority of 1) God, 2) Family, 3) Job, and 4) Church by a Deacon's involvement in parish/public/private ministry is consistently reiterated and reinforced. The agreement which is negotiated between the Deacon, and the Pastor, and approved by the Diocese, helps to define these priorities properly.

While there must be a reasonable balance between God, Family, Job, and Church; Deacons must recognize that by their ordination they have made a significant commitment to the Parish in which they serve. In particular, the Christmas and Easter Seasons involve much family activity; but they are also the busiest seasons in the life of a parish. Deacons must be ready, able, and available to serve their parish at these Most Sacred times of the Liturgical Year. By the same token the Pastor must be sensitive to the Deacon's personal obligations to family and job in addition to his ministries.

6. Permanent Deacons are not to receive a salary or stipend for their ministry which is described as ordinary diaconal work. {See appendix # 3"Diocese of Amarillo: "Policy for Compensation to Permanent Deacons for Performing Extraordinary Work in Ministry" dated February 18, 2011"}

XIII ROLE OF THE PARISH

Recognizing that the Permanent Deacon's service is normally of a part-time nature with no financial compensation, together with then norms established and recommend by the Diocese of Amarillo, the following may be provided for his ministry by the parish unless otherwise noted:

Permanent Deacons are not to receive a salary or stipend for their ministry which is described as ordinary diaconal work.

A parish or institution does not have permission to give the permanent Deacon a monthly stipend for extraordinary work. It is the Bishop who determines whether any extraordinary work of the permanent Deacon merits a monthly stipend

The Parish/Pastor:

Will provide for release from normal responsibilities to participate in approved spiritual retreats and continuing education programs.

Will allow the Deacon time for ministries outside of the parish to include Prison ministry, hospice, engaged encounter, etc.

Should provide or assist in the purchase of vestments required for the carrying out of the Liturgical role of the Deacon.

Should provide access to an area in which the work of instruction, counseling, study and preparation can be performed by the Deacon.

May provide an expense allowance for the purpose of defraying the costs of continuing education, workshops, retreats, books, subscriptions, liturgical clothing, extraordinary transportation expenses, etc.

Must continuously love, support, and encourage the Deacon, his wife and family.

Appendix # 3: "*Diocese of Amarillo: Policy for Compensation to Permanent Deacons for Performing Extraordinary Work in Ministry*" dated February 18, 2011.

XIV THE DEACON AND THE LAITY

1 By virtue of their ordination, Deacons become members of the clergy, with the rights and responsibilities that follow from that position. They are a unique instance of the clergy; since most of them are married, have secular occupations, who do not engage in the Church's ministry as their sole activity. This combination of an ordained ministry with marriage and secular occupation can be a great strength to their ministry and great opportunity for the Church as a whole. Deacons are, thus, usually qualified to represent the presence of the Church to the world and the needs and challenges of the world to the Church. (NDFMLPD # 56-57)

2 Deacons should consider it an important part of their ministry of service to promote and inspire that participation in the life and activity of the Church, which the laity have as a right and duty by virtue of their Baptism, Confirmation, and charisma. The Diaconate must never be seen or experienced as competitive or threatening to the lay apostolate or to lay ministries, The same Second Vatican Council that restored the Diaconate as a permanent ministry also gave new impetus to lay involvement; and it would be a betrayal of the councils fundamental vision of the Church if one of these initiatives should be considered to impede the other. The whole Church is communion of ministries and services, and the Deacon is in a unique position to foster and to integrate the variety of activities that this communion requires.

3 Although most Deacons will give only part of their time to formal diaconal ministries, they should not neglect the opportunities they have to exercise their ministry in the world or in the marketplace. They do not cease to be Deacons when they go to their secular occupations, and there is much that they can do there precisely as Deacons. The Diaconate is a ministry through which the needs of the world are brought to the Church, and the gifts the Church has to offer are brought to the world. This mediating role can be making visible in particularly powerful ways by the manner in which the Deacon fulfills his secular occupation and his civic and public responsibilities. In turn, Deacons should be able to bring to the Church the appreciation of the meaning and value of the Gospel that derives from their regular and deep involvement in the world, bearing as they do both the questions the world has to pose and the unique insights secular activity can provide.

XV THE DEACON AND THE DIACONAL COMMUNITY

1 It is part of the meaning of ordination that a man is, by this Sacrament, brought into the "ordo" or body of ordained ministers. A communal element is thus essential to the ordination and to exercise of ordained ministry. The mutual support and fraternity of Deacons are not just sociologically or psychologically useful things; they are integral parts of the meaning of their vocation.

2 Deacons are encouraged to cultivate a sense of community among themselves and their families.

3 As a community Deacons should go to great lengths to attend diocesan functions, diaconal retreats, and funerals of their fellow Deacons, wives, and family members, etc.

4 Deacons and wives should serve as mentors to the newly ordained Deacon and to those in formation.

XVI DEACON STATUS CLASSIFICATIONS

1 Deacons will be identified as belonging to one of the following classifications:

ACTIVE: Involved in parochial or special ministry assignment and meeting the obligations of their office and are "in good standing".

RETIRED: They retain their faculties but no longer are required or bound by an appointment to scheduled ministry and are "in good standing".

LEAVE OF ABSENCE: Relieved from active ministry for a period up to one year. The Deacon is prohibited from exercising his faculties and his "standing is in abeyance".

INACTIVE: Deacons are classified as "Inactive" when they have been on an extended Leave of Absence, or are no longer functioning. The Deacon is prohibited from exercising his faculties.

SUSPENDED: Formal suspension from active ministry and the use of faculties as the directive of the Bishop. Suspended Deacons are removed from all listings of Deacons in the diocese. Suspension can result from certain canonical misbehaviors. He is considered "not in good standing".

2 While a Deacon is ordained for life- due to age, health, or other personal reasons he may wish to retire from active diaconal ministry. The process should begin with much contemplation and prayer. It should then proceed to discussion with the parish Pastor, spiritual director, etc. The process formally begins by notifying the Bishop and the Office of Diaconate of his intent, in writing. From here the process will proceed as per Diocesan and canonical regulations.

A retired Deacon retains his faculties, may assist at parish and diocesan functions, but is not normally regularly scheduled. In order to retain faculties, the Retired Deacon must comply with the requirements of the Diocesan Safe Environment Policy. Failure to comply with the Safe Environment requirements – the Retired Deacon's faculties are suppressed.

3 It may be necessary for a Deacon to request a Leave of Absence for personal reasons. This process requires a Letter to the Bishop, with copies to the Pastor and Diaconate Office, and a letter is to be resubmitted if an extension is requested.

The normal period of Leave of Absence from ministry is up to 180 days, and can be extended for one additional 180 day segment thereafter.

Deacons on a Leave of Absence may not function in any capacity without expressed permission of the Bishop.

While on Leave of Absence the Deacon must maintain regular contact with the Director of the Diaconate and should attend Deacon continuing education and retreats. A Deacon who asks to return to active ministry should submit a letter to the Bishop, with copies to the Diaconate Office.

4. Inactive: Deacons are classified as "Inactive" when they have been on an extended Leave of Absence, or are no longer functioning. This could be due to physical or personal matters that preclude one from functioning but anticipate returning to ministry once their issue is resolved. The Deacon is prohibited from exercising his faculties.

5 Suspended Deacons are those who are no longer involved in ministry either by choice or by diocesan mandate. Inactive Deacons do not have any faculties and may not serve in any capacity.

"Bishops are reminded that if the ministry of a permanent Deacon becomes ineffective or even harmful due to some personal difficulties or irresponsible behavior, his ministerial assignment and faculties are to be withdrawn by the diocesan Bishop in accord with Canon Law" (NDFLM # 100).

6 For grave reason, the Bishop may suspend a Deacon de facto prohibiting any exercise of the Deacon's faculties. Refusal to function as a Deacon and/or fulfill one's canonical duties, attempted marriage after ordination without dispensation, public crime, scandal, violations of the *Charter for the Protection of Children and Minors*, Diocesan *Code of Conduct*, joining another religious denomination, heterodox teaching, preaching or theology are regarded as grave reasons that would lead to suspension.

7 The Deacons of the Diocese have the right to make use of the due process when there is a legitimate complaint. The specifics of this procedure are contained in the universal norms (*1983 Code of Canon Law*) and diocesan guidelines which are modeled after the recommendations of the Canon Law Society concerning "Due Process" and as listed in the *Sexual Misconduct With Minors: Policies for Education, Prevention, Assistance to Victims, and Procedures for Determining of Fitness for Ministry {*See Appendix 5 - The Amarillo Diocese Safe Environment Policy, Section "L": IV and V}. After an appropriate investigation, the Deacon could be reinstated or the process of laicization could be initiated by the Bishop.

XVII EXCARDINATION/INCARDINATION

1 Excardination (the releasing of a cleric from the jurisdiction of his ordinary) is handled through the following procedure for Permanent Deacons of the Diocese of Amarillo:

Contact the Director of the Permanent Deacons to determine the process for leaving the diocese in good standing and usual protocols are followed.

Discuss with currently assigned parish Pastor.

In writing notify the Bishop, ministry supervisor, and the Director of Permanent Diaconate that you will be moving outside the juridical boundaries of the Diocese of Amarillo. No formal agreements are to be entered with another diocese without consent of the Bishop of Amarillo.

Contact the Director of the Permanent Deacons of the new Diocese to determine their process for permission to serve in that Diocese as a Deacon.

2 *"The Bishop is under no obligation to accept a permanent Deacon – ordained or incardinated elsewhere – for assignment to a diocesan or parochial ministry. Nevertheless, since a permanent Deacon is an ordained cleric, the Bishop may not ordinarily forbid a visiting permanent Deacon the exercise of his order provided that the Deacon is under no censure"* (NDFLM # 102), and he must present a letter from his Ordinary that he has participated in Safe Environment Training.

Upon agreement of both dioceses the Excardination process will be completed. The usual length of time from Excardination from one diocese to Incardination in another diocese is three (3) years or more.

3 Incardination (the embracing of a cleric into the jurisdiction of a new ordinary) is handled through the following procedure for Permanent Deacons of the Diocese of Amarillo:

An incoming Deacon should have previously advised his Bishop and director of his relocation and interest in serving in the Diocese of Amarillo.

He must provide written proof that he is in good standing.

The new Deacon should contact the Director to determine how to proceed in the Diocese of Amarillo.

In writing, request permission of the Bishop, to function in a probationary status as a Deacon inside the juridical boundaries of the Diocese of Amarillo.

Discuss with assigned parish Pastor.

Once accepted into the diocese of Amarillo – he will be classified as "Active" with the caveat that he is "probationary - extern Deacon".

XVIII MISCELLANEOUS MATTERS

1 Deacons who have secular employment thus income, should realize that their ministerial service is usually without financial remuneration. (CCL # 281p3) Permanent Deacons should not seek or expect supplemental income from the Diocese or Parish in which they serve. The bottom line is the diaconal ministry is for the most part is unpaid service to God and Church.

2 If a Deacon serves a parish or diocesan office in a capacity that requires full or nearly full time ministry, then a salary may be considered. This however is not the norm.

3 Deacons may accept, but neither expect, request or demand a "stole fee" for weddings, vigils, funerals, baptisms, quinceañeras, etc.

4 If a Deacon incurs an inordinate amount of personal expenses related to his ministry, i.e. extensive travel, purchase of ministerial aids, etc.; then such expenses should be negotiated accordingly.

5 In accord with the Guideline of the Permanent Diaconate for the United States, generally speaking Deacons should wear secular garb *"to resemble the lay faithfully in dress and matters of lifestyle"* (NDFMLPD # 89) except when functioning liturgically.

6 At diocesan ceremonies Deacons are to attend and vest accordingly unless advised to the contrary. Most large diocesan celebrations the liturgical vestments (stoles and dalmatics) will be available, thus the Deacon need only bring his alb. Those Deacons who have a specific liturgical role will be vested in alb, stole, and dalmatic. Diocesan celebrations could include but not be limited to: Ordinations, Eucharistic Congress, Our Lady of Guadalupe Celebration, Chrism Mass, Respect Life Mass, etc.

7 Deacons should normally attend and vest for funerals of Clerics.

8 Deacons should maintain regular contact with the Diaconate Office as to any changes that may occur in their lives. This would include change of jobs, address , telephone numbers, email addresses, illnesses, etc. Deacons and wives are strongly encourage to contact the Diaconate Office in time of need when illness or other tragedies strike for inclusion on the Diaconate Family prayer list.

9 The correct title for a Deacon is Deacon, or Deacon (full name), Deacon (first name), Deacon (last name), etc. A Deacon should not be referred to as Reverend or Reverend Mister.

10 Following ordination, a Deacon's continuing education and retreat (for the Deacon and, if married, his wife) as sponsored by the Office of the Permanent Diaconate are to be funded by the Diocese.

11 Diaconate faculties in the Diocese of Amarillo are exercised according to the Diocesan Policy and with the approval of the ministry supervisory. This especially includes the faculty to preach.

12 The nature of diaconal ministry is one of discretion, trust, and confidentiality. It is the ordinary expectation that no confidential information is to be discussed with those whose responsibilities would not normally require them to have access to such information. This would furthermore preclude gossip, backbiting, and negative discussions concerning ecclesial authority, Bishop, Pastors, clergy, diocesan decisions, other sensitive issues and/or personal matters, etc. The Deacon's role should always be one of a positive nature, promoting the welfare and values of the Church, and presenting a positive image as a servant of Christ. To be very clear, confidential material is to be shared with NO ONE without explicit permission of the one who gave the information or is entrusted with it.

13 Deacons seeking re-assignment of ministry or parish must do so by making their intentions known to the Bishop. Deacons may not transfer themselves to another parish without expressed permission of the Bishop.

14 On occasion a Deacon may be call upon to minister in some manner in a parish outside of the Amarillo Diocese. As such, he must first obtain permission from the Diocese he is to visit, and then request permission for the Bishop of Amarillo. The Deacon must provide all the information necessary to adequately prepare a "*Testimonial of Suitability of Ministry*" which will then be forward to the appropriate entity (Diocese, Parish, etc.) being visited. Normally this request should be made two weeks prior to the event. The Bishop's Office is aware that an event like a funeral may require expedited approval. {See Appendix # 4, Testimonial Suitability of Ministry.}

15 As per CCL # 1087 one in sacred orders is prohibited from entering marriage. Therefore, the norm and understanding for all Deacons is that should their wife pre-decease them or divorce occurs, they cannot remarry.

XIX THE OFFICE OF THE DIACONATE

The office of the Diaconate will provide appropriate structures for the formation of candidates and a support network for the continued application of the Diaconal Ministry. As part of the support network the Diaconate office will

1 Provide assistance for the continuing education and spiritual growth of Deacons after ordination

2 Collaborate with Deacons and their families

3. Be available to assist Diaconate Families in funeral vigils, Mass, etc.

4 Encourage and promote the diaconal community and camaraderie.

5 Maintain an up-to-date prayer list and when feasible to immediately notify the Diaconal Family of emergency related events.

6 Regularly review the diaconal ministries' goals objectives, and program

7 Dispense the Deacon's Annual Ministry Report

8 Evaluate the compliance of Deacons by the submission of their Annual Ministry Report, their Spiritual and Educational Development, and their Ministerial participation, etc.

9 Renewal of each Deacon's annual certification and issuance of the Minister's Identification Card.

10 Develop and coordinate Deacon Formation programs

11 Submit an annual budget and related fiscal responsibilities.

12 Serve as liaison between the Bishop, Vicar of Clergy and the Deacons.

ACKNOWLEDGEMENT:

These Deacon Guidelines are a compilation of materials from the Diocese of Galveston-Houston, Diocese of Erie, Diocese of Providence, the Bishops Council on the Permanent Diaconate / National Council of Catholic Bishops, General Instructions of the Roman Missal, National Directory of the Formation, Ministry, and Life of Permanent Deacons in the United States, Code of Canon Law, The Roman Pontifical Rites of Ordination (July 2003), National Association of Diaconate Directors, Most Reverend Patrick J. Zurek, which the Diaconate Office of the Diocese of Amarillo adapted to fit the Diaconal needs herein.

Appendix 1: Code of Pastoral Conduct

Our children are the most important gifts God has entrusted to us. I promise to strictly follow the rules and guidelines in this Code of Pastoral Conduct as a condition of my service in the Diocese of Amarillo. While the below is to be applied specifically on the behalf of minors and vulnerable adults for their wellbeing; none-the–less it is must be considered appropriate behavior with any and all persons regardless as to their age or gender who are entrusted to our Catholic institutions.

As Church Personnel be it Clergy, Staff, or Volunteer, I will

- Treat everyone with respect, loyalty, patience, integrity, courtesy, dignity, and consideration.
- Avoid situations where I am alone with minors at Church activities.
- Use positive reinforcement rather than criticism, competition, or comparison when working with minors.
- Refuse to accept expensive gifts from minors or their parents without prior written approval from the Pastor or administration.
- Refrain from giving expensive gifts to minors without prior written approval from the parents or guardian and the Pastor or administrator.
- Report suspected abuse to the Pastor, administrator, or appropriate supervisor and the local Child Protection Services agency. I understand that failure to report suspected abuse to civil authorities is, according to the law, a misdemeanor.
- Cooperate fully in any investigation of abuse of minors.

As Church Personnel be it Clergy, Staff, or Volunteer, I will not:

- Touch and/or exploit minors in a sexual or other inappropriate manner.
- Expose or participate with minors and/or adults in pornography (explicit or otherwise), via cybersex, phone sex, sexting, etc., in person, photographing, nor via email, text messages, video chat, or any other form of electronic communication or printed material.
- Pose any health risk to minors (i.e., no fevers or other contagious situations.)
- Humiliate, ridicule, threaten, or degrade minors.
- Use any discipline that frightens or humiliates minors. Strike, spank, shake, or slap minors.
- Use, possess, or be under the influence of illegal drugs at any time.
- Use, possess, or be under the influence of alcohol at any time while volunteering.
- Smoke or use tobacco products in the presence of minors.
- Use profanity in the presence of minors.

Diocese of Amarillo
Diaconate Office

(bsw 12/8/2013

Appendix # 2 DEACON MINISTRY AGREEMENT

Deacon: _____ Date: _____

Pastor(s): _____

Parish(s): _____

The purpose of the agreement is to ensure that both pastor and deacon fully understand the ministerial responsibilities of the deacon in the parish. For this reason, a detailed job description of the deacon's ministry is required and should be considered an instrument as to the effectiveness of the deacon's ministry. This agreement can be valid up to three (3) years, but can be adjusted or modified as needs of the parish or deacon requires, and every time there is a change of pastor or deacon assignment. Should the parish be responsible for a "mission", then those responsibilities should also be addressed to meet the needs of that particular community.

Generally speaking, a deacon is most effectively used to assist the Pastor in ministering and building up the local "Body of Christ". In every case, the needs of the diocese and parish should be the determining factors, thus all parties must be flexible. By the same token, most deacons are married and secularly employed thus their schedule should be taken into consideration. This however should not be an excuse to avoid ministry and service. It should be further noted that a deacon is not a properly functioning deacon, if he only serves at the altar.

PASTORAL FUNCTIONS:

A. Religious Education:

1. Adult Education__
2. R.C.I.A. __
3. High School __
4. Youth Ministry __
5. Renew (or similar outreach program)
6. Preparatory catechesis for parents and child celebrating a Quinceañera __
7. Other (specify) _____

B. Sacramental Preparation:

1. Pre-Baptismal Instruction __
2. Pre-Marriage Instruction __
3. Assist in catechesis of parents of children preparing for
    * First Penance__
    * First Holy Communion__
    * Confirmation__
4. Other (specify) _____

C. Pre-Nuptial Work:

1. Preparation of Pre-Nuptial Papers __
2. Annulment Preparation __

LITUGICAL MINISTRY:

A. Assist at the Altar during Mass? Every Sunday_ Monthly_ As Needed_
B. Holy day services: Christmas ___ Holy Week __ others _____.
C. Preach? Yes_ No _ How Often:_____
D. Conduct Celebrations (Liturgy of the Hours, Liturgy of the Word, etc.) outside of Mass? Yes_ No_ As Needed___
E. Solemnly Baptize? Yes_ No_ As Needed____
F. Witness Marriages? Yes_ No_ As Needed or Requested ___
G. Preside at Benediction and Exposition? Yes_ No_ As Needed __
H. Conduct Stations of the Cross? Yes_ No_ As Needed ___
I. Preside at Funerals? (Rosary, commendation, vigils, graveside) Yes_ No_ As Needed__
J. Preside at Quinceañeras? Yes_ No_ As Needed__
K. Other (specify)_____

OTHER DIOCESAN, PASTORAL, CHARITY & JUSTICE MINISTRIES:

A. Pro-Life _
B. Ministry to the Poor_
C. Jail/Prison Ministry_
D. Hospice, Hospital Ministry, Nursing Home _
E. Engaged Encounter _
E. Work with Parish Organizations _ Specify_____
{NOTE: It is not considered appropriate for deacon to serve as an elected voting member of parish bodies; rather he may attend council and board meetings in an ex-officio capacity if the pastor wishes.}
F. Other Ministries: _____

CAVEATS/OBLIGATIONS: _____

Deacons are not to receive a salary or stipend for their ministry which is described as ordinary work, however extraordinary work may warrant financial remuneration which must be approved by the Bishop. (See *Policy for Compensation to Permanent Deacons for Performing Extraordinary Work in Ministry* dated February 18, 2011.)

Diocesan Policy states that the Parish will reimburse the deacon for reasonable out-of-pocket expenses, including mileage if he lives outside the parish of assignment. How will the deacon be reimbursed for expenses?

_____

The Pastor will encourage and allow the deacon to attend the entire Deacon Retreat Weekend and Continuing Education Weekends. The Deacon is not to be assigned to any parochial duties during any part of the Retreat! In addition, certain Diocesan Ministries should be taken into consideration as to time away from the parish.

Signed and agreed to:

_____ _____

Signature of Pastor Signature of Deacon

CC: Deacon,
Pastor(s)
Diaconate Office

APPENDIX # 3: **Diocese of Amarillo: Policy for Compensation to Permanent Deacons for Performing Extraordinary Work in Ministry** | **2013**

This policy concerns the extraordinary work that the Bishop has personally assigned to a permanent deacon to perform at a parish or institution.

General Principle: All permanent deacons who have been given faculties and assignments at a parish or institution are **not** to receive a salary or stipend tor their ministry which is described as ***ordinary*** work. However, with constant concern for the spiritual welfare of the Christian faithful, there may be circumstances that require the Bishop to assign ***extraordinary*** work to a permanent deacon. This work may be at a parish or institution and may be on a temporary or extended period of time. This work is in addition to the ordinary ministry of the permanent deacon. In this case, the Bishop personally will permit a parish or institution to compensate the permanent deacon with a small monthly stipend as long as the extraordinary work perdures. Once the extraordinary work is completed, the stipend shall cease within that month. The monthly stipend is to be seen as an expression of gratitude for the extraordinary work and not as compensation for the overall ministry of the permanent deacon. With this in mind, the following are guidelines concerning this matter:

- It is the Bishop who determines whether any extraordinary work of the permanent deacon merits a monthly stipend.
- The Bishop is the sole authority to permit a parish or institution to give the permanent deacon a monthly stipend for extraordinary work.
- A parish or institution does not have permission to give the permanent deacon a stipend for ordinary or extraordinary work without first seeking the Bishop's permission.
- The amount of the stipend is determined by the Bishop depending on the financial status of a parish or institution.
- There is to be absolutely no other benefits attached to this monthly stipend for the extraordinary work from a parish, institution, or the Diocese of Amarillo.
- The parish or institution is to provide to the permanent deacon a 1099 form at the end of the year for tax purposes. The work is to be considered as contract labor.
- The permanent deacon may choose to forgo at any time the approved monthly stipend from the parish or institution for the extraordinary work.

All other previous policies concerning this matter are abrogated.

February 18, 2011 +Most Rev. Patrick J. Zurek, STL, DD
Bishop of Amarillo

Appendix #4

Testimonial of Suitability for Ministry

<<Date>>

Most Reverend <<Name >>.
Archdiocese/Diocese of << >>
<< >>
<< >>

Your Excellency:

This is to verify that **Deacon** << >> is in good standing in the Diocese of Amarillo.

After reviewing his personnel file, checking with those who worked with him in various assignments, and from my personal knowledge, I am able to certify, in accord with the USCCB Guidelines on the assessment of Clergy and Religious for assignment that **Deacon** << >> has:

- Never been suspended or otherwise canonically disciplined;
- No criminal record, nor have criminal charges been brought against him;
- Not manifested behavioral problems in the past that would indicate he might deal with minors in an inappropriate manner;
- Never been involved in an incident which called into question his fitness or suitability to fulfill the responsibilities and duties of his diaconal ministry due to alcohol, substance abuse, violation of celibacy, sexual impropriety, physical abuse or financial impropriety, or other causes;
- No other particular mental or physical attribute, condition, and or past situation which would adversely affect his performance or priestly ministry.

Reason requesting ministry out of the Diocese of Amarillo

I am able to assure you, to the best of my ability, that **Deacon** << >>is of good character and reputation and qualified to perform his diaconal duties in an effective and suitable manner.

I hereby grant him permission to pursue pastoral ministry in the Archdiocese/Diocese of << >>for a period of << >> with the understanding that such ministry is temporary and not in view of incardination.

_____	_____	_____
Title (Please Print)	Signature	Date

Appendix 5: Diocese of Amarillo

Safe Environment Office

THE AMARILLO DIOCESE SAFE ENVIRONMENT POLICY

To my brother Priests, Deacons, Religious and all the Lay Faithful of the Diocese of Amarillo

Dear Friends in Christ,

Everyone, especially our children, have the right to be safe, secure, and protected from harm, whether sexually, physically, spiritually and/or emotionally, in any and all environments – home, school, neighborhood, community, and for the purposes of this policy – most particularly, in our religious institutions.

As the Bishop of the Diocese of Amarillo, I am committed to "Protect the vulnerable and guard the integrity of ministerial relationships". I further declare: "Sexual misconduct by clergy, church personnel, church leaders and volunteers is contrary to the Christian morals, doctrine, and canon law. It is never acceptable!"

The Diocese of Amarillo will comply fully, with the updated requirements as promulgated by the United States Catholic Conference of Bishops during their June 2011 meeting as per the "Charter for the Protection of Children and Young People" which is made part hereto.

These policies are designed to direct the administration in the implementation of the Safe Environment Program in all the parishes, schools, agencies and programs in the Diocese of Amarillo. Procedurally, this Policy will include citations of each article (one at a time) from the "Charter for the Protection of Children and Young People" followed by a summary of Diocesan Policy as it addresses each article with references to applicable appendices.

Our mission is to create a safe environment for all minors, and anyone, who is entrusted to our Church by:

1. Thoroughly screening (Church Personnel) and supervising all Church ministers, employees and volunteers who work with minors as part of their ministry.
2. Providing appropriate Safe Environment Training in preventing and recognizing child sexual, physical, and/or psychological abuse.
3. Holding all those who work with minors to Christ-centered and professional codes of conduct.
4. Providing age based training for minors in the recognition of what constitutes appropriate and moral behavior.
5. Reporting such sexually inappropriate and/or criminal conduct to appropriate Civil and Church authorities.

Sincerely yours in Christ Jesus,

✠ Most Reverend Patrick J. Zurek, STL, DD Date: April 16, 2012
Bishop of Amarillo

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Safe Environment Structure and Definitions

Minor:
A "Minor" is any person under 18 years of age who participates in a program or programs under the authority of the Roman Catholic Diocese of Amarillo. A minor may also be referred to as a "child" or "young person".

Vulnerable Adult:
Persons 18 years of age or older who, because of physical, mental, emotional or cognitive impairment, or the effects of recent life experiences are presently unable to exercise a reasonable adult's degree of physical or emotional independence or mental insight and judgment.

Adult Minor:
An "Adult Minor" is any person who is at or over the "age of consent" (17 years old) up to their 20th Birthday.

Sexual Abuse:
Is an unlawful form of sexual misconduct, whether it involves a minor or a vulnerable adult. Sexual abuse includes sexual molestation or sexual exploitation of a minor or vulnerable adult and other behavior by which an adult uses another as an object of sexual gratification.

Ultimately, it is the responsibility of the Diocesan Bishop, with the advice of the Diocesan Charter Review Board, to determine the gravity of the alleged act.

Child Abuse:
Any form of infliction of injury to the detriment of a child's physical, mental, moral, or emotional well being.

Church Personnel:
"Church Personnel" shall mean all persons, (clergy, religious and laity) who are employed by, under contract of employment with, or volunteer in any Diocesan Institution or Parish that provides ministry to children, youth, and/or vulnerable adults. Such personnel will be required to undergo the full screening and training process. See Appendix A, B, F, G, I, J, and K.

United States Conference of Catholic Bishops:
The "United States Conference of Catholic Bishops" ("USCCB") developed and approved the revised *Charter for the Protection of Children and Young People* at its June 2011 General Meeting. Each Diocesan Bishop will oversee its implementation in their respective diocese.

Charter for the Protection of Children and Young People:
The "Charter for the Protection of Children and Young People" ("Charter") provides an outline of practical and pastoral steps to develop a safe environment within the Church for children and young people and of preventing sexual abuse of minors.

Bishop of Amarillo:
The "Bishop of Amarillo", through his appointed Safe Environment Personnel, is accountable for the full compliance of the USCCB "Charter for the Protection of Children and Young People".

Vicar General:
The "Vicar General", with the assistance of the Director, will ensure the efficient operation of the Safe Environment Program and serve as liaison between the Bishop and the Charter Review Board, and all Safe Environment components.

Diocesan Charter Review Board:
The "Diocesan Charter Review Board" will serve as a confidential consultative body to the Bishop. The majority of its members are to be laypersons not in the employ of the diocese. This Board will advise the bishop in his assessment of allegations of sexual abuse of minors and in his determination of a cleric's suitability for ministry. It is regularly to review diocesan policies and procedures for dealing with sexual abuse of minors. See Charter Article 2.

Diocesan Attorney:
The "Diocesan Attorney" will serve as legal consultant for any and all issues of legality as they pertain to Safe Environment Issues, in conjunction with the Review Board, Bishop and his designee, Investigator, the Safe Environment Office, Victim Assistance, etc.

Victim Assistance Coordinator/Office:
The "Victim Assistance Coordinator/Office" will be available to reach out to victims/survivors and their families to assist them in healing and reconciliation. This service may include provision of counseling, spiritual assistance, support groups, and other social services agreed upon by the victim and diocese.

This office shall be independent from but in union with all other components of the Diocesan Safe Environment Program. See Charter Article 1.

Investigator of Allegations:
The "Investigator" will review all allegations and accusations of sexual misconduct. Such allegations will be taken seriously and will be thoroughly investigated in accord with the norms set forth in the document titled: Sexual Misconduct with Minors…" The Vicar General and/or the Vicar of Clergy with approval of the Charter Review Board and Bishop, will oversee, appoint, and direct the Investigator. See Charter Articles 2, 4, 5.

Diocesan Director of the Safe Environment Office:
The "Diocesan Director of Safe Environment Office" {hereafter referred to as The Director} will coordinate with the Superintendent of Catholic Education, Director of Faith Formation, Pastors, Institution Administrators, etc. to ensure that:

1. Church Personnel, other volunteers, and especially minors are provided with quality Safe Environment curriculum. Parents are highly encouraged to participate;
2. The Director will constantly review and/or develop programs that are age appropriate and position suitable;
3. The Director will develop a team approach wherein all institutions have either in-house certified Adult Safe Environment Facilitator or an Adult Facilitator at the cluster level. The ideal situation is to have at least two such Adult Trainers in all diocesan institutions;
4. At each training session, "Amarillo Safe Environment Questionnaires" if not previously submitted, will be filled out by the attendee, collected by the Trainer, sent to the Director, who will then forwarded them to the Background and Statistics Coordinator; and
5. The Director will coordinate with the Diocesan Safe Environment Background and Statistics Coordinator who will be responsible for statistics regarding all Safe Environment Training matters to include Church Personnel, Minors, Parents, Continuing Education, etc. See Charter Article 12 and Appendix G & H.
6. The Director will be significantly involved in the preparation for the Charter Compliance Audit. He will report to and coordinate all Safe Environment Matters with the Vicar General.
7. The Director, as appointed by the Bishop, will ensure the efficient operation of the Safe Environment Program, he also will serve as liaison between the Safe Environment components, and in particular in those areas involving statistics as it relates to the annual Charter Audit. He will oversee and ensure a timely review and response to matters involving Church Personnel who have negative (red flag matters) criminal history report. See Charter Articles 1-7, 12-17, Appendix A-K

Diocesan Safe Environment Background & Statistics Coordinator:
The "Diocesan Safe Environment Background & Statistics Coordinator" will ensure that all "questionnaires" are processed and applicants are properly screened:

1) Criminal History check is conducted with the an approved processing center;
2) All data is entered into the database;
3) The database is current and necessary Charter Audit figures are readily available for review;
4) Each parish and diocesan institution administrator will be provided with a Diocesan Roster of the names, trained and cleared Church Personnel along with those who have not been cleared (criminal history) or attended Safe Environment Training to determine suitability for ministry;

5). The Administrator has thirty days to resolve the above matter and return the corrected printout to Background & Statistics Coordinator;
6) The Background & Statistics Coordinator will also maintain the statistics as to the number of minors who are registered in parish programs, the number who received training, the number who opted out, and the number absent, and the number without training.
7) The Background & Statistics Coordinator will keep the Director appraised as to the compliance and non-compliance matters. See Charter Articles 12 & 13 and Appendix D.

Institution:
"Institution" shall mean all parishes, Catholic schools, diocesan offices, retreat facilities, programs, agencies, civil corporations, and organizations whose ecclesiastical superior is the Bishop of Amarillo.

It is the obligation of every "Institution" in the Diocese of Amarillo to ensure that all Church Personnel, whose position or duties place them in contact with minors, vulnerable adults, etc. comply fully with the Safe Environment of this policy.

Those institutions that provide ministry to minors must ensure that they receive Safe Environment Training before or during the month of October, each year; and catch-up training for those who missed previously scheduled training sessions. All minors must receive safe environment training every year! See Appendix C & D.

Institution Administrator:
The "Administrator" is the pastor, principal, or agency head of an Institution. This person is responsible for ensuring that all Church Personnel have complied with the Safe Environment Requirements, all children have received Safe Environment Training, and for accurate records relevant to the program's operation are maintained. See Appendix A – K.

Institution Safe Environment Coordinator:
The "Institution Safe Environment Coordinator" may be the Institution Administrator and/or his designee such as the DRE or assistant principal, assistant agency head, etc., to actually oversee the Safe Environment Program at an Institution. See Charter Article 12 and Appendix G, H, & K.

Institution Adult Safe Environment Facilitator:
Each Institution should have (or access to) an "Adult Safe Environment Facilitator". The Adult Trainer shall be trained and certified by the Director and/or the designee. He/she will be able to offer Safe Environment Training to Church Personnel as well as distribution, collection and the inspection of the "Questionnaires" for legibility and completeness. See Charter Article 12, 13 and Appendix A, B, D, G, H, I, J, & K.

Institution Children & Youth Safe Environment Trainers:
The Church Personnel who are further approved by the Administrator (Pastor, Principal) may train Children and Youth during regularly scheduled Faith Formation Classes and/or as needed. See Charter Article 12, Appendix H.

Safe Environment Month - October:
The Month of October has been designated "Safe Environment Month". As such the bulk of Safe Environment Training of Minors must be conducted before or during the month of October and reported to the Diocesan Safe Environment Office no later than November 15th. It should be noted that catch-up Safe Environment Training should be conducted as needed for those newly enrolled or who have missed regularly scheduled training. See Appendix H

PREAMBLE

Since 2002, the Church in the United States has experienced a crisis without precedent in our times. The sexual abuse of children and young people by some deacons, priests, and bishops, and the ways in which these crimes and sins were addressed, have caused enormous pain, anger, and confusion. As bishops, we have acknowledged our mistakes and our roles in that suffering, and we apologize and take responsibility again for too often failing victims and the Catholic people in the past. From the depths of our hearts, we bishops express great sorrow and profound regret for what the Catholic people have endured.

Again, with this revision of the *Charter for the Protection of Children and Young People*, we re-affirm our deep commitment to creating a safe environment within the Church for children and youth. We have listened to the profound pain and suffering of those victimized by sexual abuse and will continue to respond to their cries. We have agonized over the sinfulness, the criminality, and the breach of trust perpetrated by some members of the clergy. We have determined as best we can the extent of the problem of this abuse of minors by clergy in our country, and we await the results of a study of the causes and context of this problem.

We continue to have a special care for and a commitment to reaching out to the victims of sexual abuse and their families. The damage caused by sexual abuse of minors is devastating and long-lasting. We apologize to them for the grave harm that has been inflicted on them, and we offer our help for the future. The loss of trust that is often the consequence of such abuse becomes even more tragic when it leads to a loss of the faith that we have a sacred duty to foster. We make our own the words of His Holiness, Pope John Paul II: that the sexual abuse of young people is "by every standard wrong and rightly considered a crime by society; it is also an appalling sin in the eyes of God" (Address to the Cardinals of the United States and Conference Officers, April 23, 2002).

Along with the victims and their families, the entire Catholic community in this country has suffered because of this scandal. In the last three years, the intense public scrutiny of the minority of the ordained who have betrayed their calling has caused the vast majority of faithful priests and deacons to experience enormous vulnerability to being misunderstood in their ministry and even to the possibility of false accusations. We share with them a firm commitment to renewing the image of the vocation to Holy Orders so that it will continue to be perceived as a life of service to others after the example of Christ our Lord.

We, who have been given the responsibility of shepherding God's people, will, with his help and in full collaboration with all the faithful, continue to work to restore the bonds of trust that unite us. Words alone cannot accomplish this goal. It will begin with the actions we take in our General Assembly and at home in our dioceses and eparchies.

We feel a particular responsibility for the "the ministry of reconciliation" (2 Cor 5:18) which God, who reconciled us to himself through Christ, has given us. The love of Christ impels us to ask forgiveness for our own faults but also to appeal to all—to those who have been victimized, to those who have offended, and to all who have felt the wound of this scandal—to be reconciled to God and one another.

Perhaps in a way never before experienced, we have felt the power of sin touch our entire Church family in this country; but as St. Paul boldly says, God made Christ "to be sin who did not know sin, so that we might become the righteousness of God in him" (2 Cor 5:21). May we who have known sin experience as well, through a spirit of reconciliation, God's own righteousness.

We know that after such profound hurt, healing and reconciliation are beyond human capacity alone. It is God's grace and mercy that will lead us forward, trusting Christ's promise: "for God all things are possible" (Mt 19:26).

In working toward fulfilling this responsibility, we have relied first of all on Almighty God to sustain us in faith and in the discernment of the right course to take.

We have received fraternal guidance and support from the Holy See that has sustained us in this time of trial.

We have relied on the Catholic faithful of the United States. Nationally and in each diocese, the wisdom and expertise of clergy, religious, and laity have contributed immensely to confronting the effects of the crisis and taking steps to resolve it. We are filled with gratitude for their great faith, their generosity, and for the spiritual and moral support that we have received from them.

We acknowledge and affirm the faithful service of the vast majority of our priests and deacons and the love that their people have for them. They deservedly have our esteem and that of the Catholic people for their good work. It is regrettable that their committed ministerial witness has been overshadowed by this crisis.

In a special way, we acknowledge those victims of clergy sexual abuse and their families who have trusted us enough to share their stories and to help us appreciate more fully the consequences of this reprehensible violation of sacred trust.

Let there now be no doubt or confusion on anyone's part: For us, your bishops, our obligation to protect children and young people and to prevent sexual abuse flows from the mission and example given to us by Jesus Christ himself, in whose name we serve.

As we work to restore trust, we are reminded how Jesus showed constant care for the vulnerable. He inaugurated his ministry with these words of the Prophet Isaiah:

The Spirit of the Lord is upon me,
because he has anointed me
to bring glad tidings to the poor.
He has sent me to proclaim liberty to captives
and recovery of sight to the blind,
to let the oppressed go free,
and to proclaim a year acceptable to the Lord.(Lk 4:18-19)

In Matthew 25, the Lord, in his commission to his apostles and disciples, told them that whenever they show mercy and compassion to the least ones, they show it to him.

Jesus extended this care in a tender and urgent way to children, rebuking his disciples for keeping them away from him: "Let the children come to me" (Mt 19:14). And he uttered a grave warning that for anyone who would lead the little ones astray, it would be better for such a person "to have a great millstone hung around his neck and to be drowned in the depths of the sea" (Mt 18:6).

We hear these words of the Lord as prophetic for this moment. With a firm determination to restore the bonds of trust, we bishops recommit ourselves to a continual pastoral outreach to repair the breach with those who have suffered sexual abuse and with all the people of the Church.

In this spirit, over the last nine years {since 2002}, the principles and procedures of the *Charter* have been integrated into church life.

The Secretariat of Child and Youth Protection provides the focus for a consistent, ongoing, and comprehensive approach to creating a secure environment for young people throughout the Church in the United States.

The Secretariat also provides the means for us to be accountable for achieving the goals of the *Charter*, as demonstrated by its two reports on the implementation of the *Charter* based on independent compliance audits.

The National Review Board is carrying on its responsibility to assist in the assessment of diocesan compliance with the *Charter for the Protection of Children and Young People.*

The descriptive study of the nature and scope of sexual abuse of minors by Catholic clergy in the United States, commissioned by the National Review Board, has been completed. The resulting study, examining the historical period 1950-2002, by the John Jay College of Criminal Justice provides us with a powerful tool not only to examine our past but also to secure our future against such misconduct.

The U. S. bishops charged the National Review Board to oversee the completion of *Causes and Context* study.

Victims' assistance coordinators are in place throughout our nation to assist dioceses in responding to the pastoral needs of those who have been injured by abuse.

Diocesan/eparchial bishops in every diocese are advised and greatly assisted by diocesan review boards as the bishops make the decisions needed to fulfill the *Charter*.

Safe environment programs are in place to assist parents and children—and those who work with children—in preventing harm to young people. These programs continually seek to incorporate the most useful developments in the field of child protection.

Through these steps and many others, we remain committed to the safety of our children and young people.

While it seems that the scope of this disturbing problem of sexual abuse of minors by clergy has been reduced over the last decade, the harmful effects of this abuse continue to be experienced both by victims and dioceses.

Thus it is with a vivid sense of the effort which is still needed to confront the effects of this crisis fully and with the wisdom gained by the experience of the last three years that we have reviewed and revised the *Charter for the Protection of Children and Young People*. We now re-affirm that we will assist in the healing of those who have been injured, will do all in our power to protect children and young people, and will work with our clergy, religious, and laity to restore trust and harmony in our faith communities, as we pray for God's kingdom to come, here on earth, as it is in heaven.

To make effective our goals of a safe environment within the Church for children and young people and of preventing sexual abuse of minors by clergy in the future, we, the members of the United States Conference of Catholic Bishops, have outlined in this *Charter* a series of practical and pastoral steps, and we commit ourselves to taking them in our dioceses and eparchies:

To Promote Healing and Reconciliation with Victims/Survivors of Sexual Abuse of Minors:

CHARTER ARTICLE 1: Dioceses/eparchies are to reach out to victims/survivors and their families and demonstrate a sincere commitment to their spiritual and emotional well-being. The first obligation of the Church with regard to the victims is for healing and reconciliation. Each diocese/eparchy is to continue its outreach to every person who has been the victim of sexual abuse* as a minor by anyone in church service, whether the abuse was recent or occurred many years in the past. This outreach may include provision of counseling, spiritual assistance, support groups, and other social services agreed upon by the victim and the diocese/eparchy.

Through pastoral outreach to victims and their families, the diocesan/eparchial bishop or his representative is to offer to meet with them, to listen with patience and compassion to their experiences and concerns, and to share the "profound sense of solidarity and concern" expressed by His Holiness, Pope John Paul II, in his Address to the Cardinals of the United States and Conference Officers (April 23, 2002). Pope Benedict XVI, too, in his address to the U.S. bishops in 2008 said of the clergy sexual abuse crisis, "It is your God-given responsibility as pastors to bind up the wounds caused by every breach of trust, to foster healing, to promote reconciliation and to reach out with loving concern to those so seriously wronged."

We bishops and eparches commit ourselves to work as one with our brother priests and deacons to foster reconciliation among all people in our dioceses/eparchies. We especially commit ourselves to work with those individuals who were themselves abused and the communities that have suffered because of the sexual abuse of minors that occurred in their midst.

DIOCESAN POLICY: The Victim Assistance Coordinator/Office will be available to reach out to victims/survivors and their families to assist them in healing and reconciliation. This outreach service may include provision of counseling, spiritual

assistance, support groups, and other social services agreed upon by the victim and diocese. This office will be independent from but in union with all other components of the Diocesan Safe Environment Program.

The Bishop and/or his representative will meet with victims and their families with openness and compassion.

CHARTER ARTICLE 2: Dioceses/eparchies are to have policies and procedures in place to respond promptly to any allegation where there is reason to believe that sexual abuse of a minor has occurred. Dioceses/eparchies are to have a competent person or persons to coordinate assistance for the immediate pastoral care of persons who report having been sexually abused as minors by clergy or other church personnel. The procedures for those making a complaint are to be readily available in printed form in the principle languages in which the liturgy is celebrated in the diocese/eparchy and be the subject of public announcements at least annually.

Dioceses/eparchies are also to have a review board that functions as a confidential consultative body to the bishop/eparch. The majority of its members are to be lay persons not in the employ of the diocese/eparchy (see Norm 5 in *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*, 2006). This board is to advise the diocesan/eparchial bishop in his assessment of allegations of sexual abuse of minors and in his determination of a cleric's suitability for ministry. It is regularly to review diocesan/eparchial policies and procedures for dealing with sexual abuse of minors. Also, the board can review these matters both retrospectively and prospectively and give advice on all aspects of responses in connection with these cases.

DIOCESAN POLICY: The Diocese of Amarillo has a policy in place to respond to allegations of sexual abuse for a number of years with the most recent effective June 9, 2009 titled "Sexual Misconduct with Minors."

The Diocese of Amarillo will maintain an updated and current "Diocesan Website" where information on Safe Environment Matters can be viewed. The West Texas Catholic newspaper shall regularly publish, in Spanish and English, the contact information for the Victim Assistance Coordinator; and other safe environment articles including the results of annual Compliance Audits.

The Diocesan Charter Review Board will serve as a confidential consultative body to the Bishop. The majority of its members are to be laypersons not in the employ of the diocese. This Board will advise the bishop in his assessment of allegations of sexual abuse of minors and in his determination of a cleric's suitability for ministry. It is to regularly review diocesan policies and procedures for dealing with sexual abuse of minors.

Ultimately, it is the responsibility of the Diocesan Bishop, with the advice of the Diocesan Charter Review Board, to determine the gravity of the alleged act.

This document serves as the Diocese of Amarillo, Policy and Procedure regarding "Safe Environment/ Charter" matters.

CHARTER ARTICLE 3: Dioceses/eparchies are not to enter into settlements, which bind the parties to confidentiality unless the victim/survivor requests confidentiality, and this request is noted in the text of the agreement.

DIOCESAN POLICY: Confidentiality matters will be handled by the Diocesan Attorney, Review Board, coordinated with the Bishop and/or his designee. The Diocese recognizes transparency is important regarding these matters therefore the diocese will comply accordingly.

To Guarantee an Effective Response to Allegations of Sexual Abuse of Minors:

CHARTER ARTICLE 4: Dioceses/eparchies are to report an allegation of sexual abuse of a person who is a minor to the public authorities. Dioceses/eparchies are to comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities and cooperate in their investigation in accord with the law of the jurisdiction in question.

Dioceses/eparchies are to cooperate with public authorities about reporting cases even when the person is no longer a minor.

In every instance, dioceses/eparchies are to advise victims of their right to make a report to public authorities and support this right.

DIOCESAN POLICY: All reports of alleged sexual abuse or misconduct by Church Personnel will be handled in accordance with the appropriate provisions of civil, canon, and particular law relating to Sexual Misconduct. Each reported incident will be handled with a high level of pastoral care, concern and confidentiality for the alleged victim, the family of the alleged victim, the person reporting the incident, and the alleged perpetrator. See Appendix E.

CHARTER ARTICLE 5: We affirm the words of His Holiness, Pope John Paul II, in his Address to the Cardinals of the United States and Conference Officers: "There is no place in the priesthood or religious life for those who would harm the young."

Sexual abuse of a minor by a cleric is a crime in the universal law of the Church (CIC, c. 1395 §2; CCEO, c. 1453 §1). Because of the seriousness of this matter, jurisdiction has been reserved to the Congregation for the Doctrine of the Faith (Motu proprio, *Sacramentorum sanctitatis tutela*, AAS, 93, 2001). Sexual abuse of a minor is also a crime in all civil jurisdictions in the United States.

Diocesan/eparchial policy is to provide that for even a single act of sexual abuse of a minor*—whenever it occurred—which is admitted or established after an appropriate process in accord with canon law, the offending priest or deacon is to be permanently removed from ministry and, if warranted, dismissed from the clerical state. In keeping with the stated purpose of this *Charter*, an offending priest or deacon is to be offered therapeutic professional assistance both for the purpose of prevention and also for his own healing and well-being.

The diocesan/eparchial bishop is to exercise his power of governance, within the parameters of the universal law of the Church, to ensure that any priest or deacon subject to his governance who has committed even one act of sexual abuse of a minor as described below will not continue in ministry.

A priest or deacon who is accused of sexual abuse of a minor is to be accorded the presumption of innocence during the investigation of the allegation and all appropriate steps are to be taken to protect his reputation. He is to be encouraged to retain the assistance of civil and canonical counsel. If the allegation is not proven, every step possible is to be taken to restore his good name, should it have been harmed.

In fulfilling this article, dioceses/eparchies are to follow the requirements of the universal law of the Church and of the *Essential Norms* approved for the United States.

DIOCESAN POLICY: The Investigator, as appointed by the Vicar of Clergy and/or the Vicar General, will be accountable to investigate credible allegations made against clergy or other Church Personnel. When a credible accusation is brought forward a preliminary investigation will be initiated in accordance with Canon Law.

Those who had received allegations against them will be informed of their rights to obtain legal civil and/or canonical representation. They will be offered therapeutic professional assistance for prevention and for healing.

CHARTER ARTICLE 6: There are to be clear and well-publicized diocesan/eparchial standards of ministerial behavior and appropriate boundaries for clergy and for any other paid personnel and volunteers of the church in positions of trust who have regular contact with children and young people.

DIOCESAN POLICY: The Diocese of Amarillo has adopted a Code of Conduct for both clergy and laity. This Code is intended to establish guidelines in an effort to recognize and prevent sexual misconduct by personnel of the Diocese.

All Church Personnel and applicants for positions with Institutions shall be provided a copy of the appropriate Code of Conduct prior to beginning their ministry. See Appendix "F".

CHARTER ARTICLE 7: Dioceses/eparchies are to be open and transparent in communicating with the public about sexual abuse of minors by clergy within the confines of respect for the privacy and the reputation of the individuals involved. This is especially so with regard to informing parish and other church communities directly affected by ministerial misconduct involving minors.

DIOCESAN POLICY: The Diocese of Amarillo will insure that it operates in an open and transparent manner with the public regarding sexual abuse of minors while protecting the privacy of those involved. See Article 2.

To Ensure the Accountability of Our Procedures:

CHARTER ARTICLE 8: By the authority of the United States Conference of Catholic Bishops, the mandate of the Ad Hoc Committee on Sexual Abuse is renewed, and it is now constituted the Committee for the Protection of Children and Young People. It becomes a standing committee of the Conference. Its membership is to include representation from all the episcopal regions of the country, with new appointments staggered to maintain continuity in the effort to protect children and youth.

The Committee is to advise the USCCB on all matters related to child and youth protection and is to oversee the development of the plans, programs, and budget of the Office of Child and Youth Protection. It is to provide the USCCB with comprehensive planning and recommendations concerning child and youth protection by coordinating the efforts of the Secretariat and the National Review Board.

DIOCESAN POLICY: The Diocese of Amarillo will be open to full participation and compliance with the U.S. Conference of Catholic Bishops and its Committee for the Protection of Children and Young People.

CHARTER ARTICLE 9: The Secretariat of Child and Youth Protection, established by the Conference of Catholic Bishops, is to staff the Committee for the Protection of Children and Young People and be a resource for dioceses/eparchies for the implementation of "safe environment" programs and for suggested training and development of diocesan personnel responsible for child and youth protection programs, taking into account the financial and other resources, as well as the population, area, and demographics of the diocese/eparchy.

The Secretariat is to produce an annual public report on the progress made in implementing and maintaining the standards in this *Charter*. The report is to be based on an annual audit process whose method, scope, and cost are to be approved by the Administrative Committee on the recommendation of the Committee for the Protection of Children and Young People. This public report is to include the names of those dioceses/eparchies which the audit shows are not in compliance with the provisions and expectations of the Charter.

As a member of the Conference staff, the Executive Director of the Secretariat is appointed by and reports to the General Secretary. The Executive Director is to provide the Committee for the Protection of Children and Young People and the National Review Board with regular reports of the Office's activities.

DIOCESAN POLICY: The Diocese of Amarillo will be open to full participation and compliance with the U.S. Conference of Catholic Bishops and its Secretariat of the Protection of Children and Young People.

CHARTER ARTICLE 10: The whole Church, especially the laity, at both the diocesan and national levels, needs to be engaged in maintaining safe environments in the Church for children and young people.

The Committee for the Protection of Children and Young People is to be assisted by the National Review Board, a consultative body established in 2002 by the USCCB. The Board will review the annual report of the Secretariat of Child and Youth Protection on the implementation of this *Charter* in each diocese/eparchy and any recommendations that emerge from it, and offer its own assessment regarding its approval and publication to the Conference President.

The Board will also advise the Conference President on future members. The Board members are appointed by the Conference President in consultation with the Administrative Committee and are accountable to him and to the USCCB Executive Committee. Before a candidate is contacted, the Conference President is to seek and obtain, in writing, the endorsement of the candidate's diocesan bishop. The Board is to operate in accord with the statutes and bylaws of the USCCB and within procedural guidelines to be developed by the Board in consultation with the Committee for the Protection of Children and Young People and approved by the USCCB Administrative Committee. These guidelines are to set forth such matters as the Board's purpose and responsibility, officers, terms of office, and frequency of reports to the Conference President on its activities.

The Board will offer its advice as it collaborates with the Committee for the Protection of Children and Young People on matters of child and youth protection, specifically on policies and best practices. The Board and Committee for the Protection of Children and Young People will meet jointly several times a year.

The Board will review the work of the Secretariat of Child and Youth Protection and make recommendations to the Director. It will assist the Director in the development of resources for dioceses.

… The Board will offer its assessment of the data gathered and preliminary results to the Committee for the Protection of Children and Young People as the study moves forward.

DIOCESAN POLICY: The Diocese of Amarillo will be open to full participation and compliance with the U.S. Conference of Catholic Bishops and its Committee for the Protection of Children and Young People.

CHARTER ARTICLE 11: The President of the Conference is to inform the Holy See of this revised *Charter* to indicate the manner in which we, the Catholic bishops, together with the entire Church in the United States, intend to continue our commitment to the protection of children and young people. The President is also to share with the Holy See the annual reports on the implementation of the *Charter*.

DIOCESAN POLICY: The Bishop of the Diocese of Amarillo will continue his commitment to the protection of children and young people.

To Protect the Faithful:

CHARTER ARTICLE 12: Dioceses/eparchies are to maintain "safe environment" programs which the diocesan/eparchial bishop deems to be in accord with Catholic moral principles. They are to be conducted cooperatively with parents, civil authorities, educators, and community organizations to provide education and training for children, youth, parents, ministers, educators, volunteers, and others about ways to make and maintain a safe environment for children and young people. Dioceses/eparchies are to make clear to clergy and all members of the community the standards of conduct for clergy and other persons in positions of trust with regard to children.

DIOCESAN POLICY: The Diocese of Amarillo is fully committed to preventing the sexual abuse and/or exploitation of minors or vulnerable adults, and to identifying any instance in which it does occur. To this end, all Church Personnel with regular contact with minors must receive specific training in identifying and responding to potential incidents of sexual misconduct within 45 days of position commencement. Although education alone cannot prevent or change inappropriate sexual behavior, it is essential to help each person to grow and mature in understanding their own sexuality, and thereby reducing risks to minors. See Appendix "A" – "K".

The Director has approved certain curriculum for minors in our parishes and schools, which provides age-appropriate instruction in child sexual abuse. The lessons in this curriculum will be given annually to all minors in Kindergarten through Twelfth Grade in all Diocesan elementary and high schools and parish religious education programs, youth programs, etc. In order to ensure all institutions participate, the month of October has been designated as the "Safe Environment Month" during which time such training will be provided. See Appendix H.

Should a Parish or Catholic School utilize another safe environment program, the appropriate Director of Safe Environment Curriculum must approve it.

Those Church Personnel who are approved by the Administrator (Pastor, Principal) may train Children and Youth. This is usually done in the context of Faith Formation.

If parents choose not to have their children participate in the safe environment training, they must sign an opt-out form, and be offered safe environment training materials that they can use with their children. These materials and forms will be available from the appropriate parish/school representative, and/or available of the Diocesan website. If the parents decline to sign such a form, a notation of this should be made in the record maintained by the school or religious education program. See Appendix H.

Parishes and Catholic Schools must make every effort to ensure any and all minors attending any programs involving children and youth will receive Safe Environment Training. Such training must be offered as many times as is needed to reasonably ensure every minor has attended.

After a reasonable effort to train all minors at an Institution, those that have somehow someway not received training their parents must be provided with the age appropriate materials. Such resolution must be documented noting the child's name, parent's name, and the date the materials were given to the parents.

CHARTER ARTICLE 13: Dioceses/eparchies are to evaluate the background of all incardinated and non-incardinated priests and deacons who are engaged in ecclesiastical ministry in the diocese/eparchy and of all diocesan/eparchial and parish/school or other paid personnel and volunteers whose duties include ongoing, unsupervised contact with minors. Specifically, they are to utilize the resources of law enforcement and other community agencies. In addition, they are to employ adequate screening and evaluative techniques in deciding the fitness of candidates for ordination (cf. United States Conference of Catholic Bishops, *Program of Priestly Formation*, [Fifth Edition], 2006, no. 39).

DIOCESAN POLICY: All "Church Personnel" and Applicants of the Diocese whose position or duties place them in regular or scheduled contact with minors must submit to a background (criminal history) check, administered by the Safe Environment Office and must be so cleared prior to beginning their service. See Appendix A, B, C, I, J, & K.

Conducting background checks is an indispensable tool for creating a safe environment. These checks can identify those whose background poses a substantial risk to minors. They can also ensure that the identity of all personnel of the Diocese has been fully verified. Background checks and their results must be handled with the highest degree of discretion, in order to protect the privacy of all personnel, and to ensure that negative information is not improperly revealed. At the same time, any information that suggests a risk to minors must be treated very seriously.

The Director will review all negative (criminal history) reports on all Church Personnel, in consultation with the following "Administrators" (if applicable):

a. Clergy members -- the Vicar of Clergy.

b. Members of Religious Communities -- the Major Superior.

c. Department of Education staff and teachers -- the Principal.
d. Parish Employees/Volunteers - Pastor
d. Other Departments - the Executive Director or related position.

The Director will evaluate whether the nature of the negative report warrants possible action, and verify that the report does indeed relate to the applicant. Any action taken with regard to any negative report will comply with state and federal law, and the Safe Environment Diocesan Policy. See Appendix J.

CHARTER ARTICLE 14: Transfers of clergy who have committed an act of sexual abuse against a minor for residence, including retirement, shall be as in accord with Norm 12 of the *Essential Norms*. (Cf. Proposed Guidelines on the Transfer or Assignment of Clergy and Religious, adopted by the USCCB, the Conference of Major Superiors of Men (CMCM), the Leadership Conference of Women Religious (LCWR), and the Council of Major Superiors of Women Religious (CMSWR) in 1993.)

DIOCESAN POLICY: The Diocese of Amarillo will insure that no cleric who has committed an act of sexual abuse of a minor will be transferred to another diocese/eparchy for ministerial assignment. Should such a priest and/or deacon relocate his residence to another diocese/eparchy; the Bishop will provide such information, in a confidential manner, to appropriate diocese/eparchy personnel. In case a priest and/or deacon relocate to the Diocese of Amarillo, the suitability for ministry will be addressed under the direction of the Bishop and/or his designee.

CHARTER ARTICLE 15: To ensure continuing collaboration and mutuality of effort in the protection of children and young people on the part of the bishops and religious ordinaries, two representatives of the Conference of Major Superiors of Men are to serve as consultants to the Committee for the Protection of Children and Young People. At the invitation of the Major Superiors, the Committee will designate two of its members to consult with its counterpart at CMSM. Diocesan/eparchial bishops and major superiors of clerical institutes or their delegates are to meet periodically to coordinate their roles concerning the issue of allegations made against a cleric member of a religious institute ministering in a diocese/eparchy.

DIOCESAN POLICY: The Bishop of Amarillo will meet or communicate in some manner periodically with major superiors of clerical institutions to coordinate their roles concerning issues of allegations made against a cleric member of a religious institution ministering in the diocese.

CHARTER ARTICLE 16: Given the extent of the problem of the sexual abuse of minors in our society, we are willing to cooperate with other churches and ecclesial communities, other religious bodies, institutions of learning, and other interested organizations in conducting research in this area.

DIOCESAN POLICY: The Diocese of Amarillo will cooperate with other churches and ecclesial communities, other religious bodies, institutions of learning, and other interested organizations in conducting research in the area of Safe Environment and Sexual Abuse of Minors.

CHARTER ARTICLE 17: …

We commit ourselves to work individually in our dioceses/eparchies and together as a Conference,

through the appropriate committees, to strengthen our programs both for initial priestly formation and for the ongoing formation of priests. With new urgency, we will promote programs of human formation for chastity and celibacy for both seminarians and priests based upon the criteria found in *Pastores Dabo Vobis*, the *Program of Priestly Formation*, and the *Basic Plan for the Ongoing Formation of Priests*. We will continue to assist priests, deacons, and seminarians in living out their vocation in faithful and integral ways.

DIOCESAN POLICY: The Diocese of Amarillo will ensure that all seminarians receive appropriate human formation in regards to chastity and celibacy, and continued human formation for priests. Deacon formation programs and Deacon continuing education will provide related Safe Environment Training in conjunction with on-going human formation.

Conclusion

As we wrote in 2002, "It is within this context of the essential soundness of the priesthood and of the deep faith of our brothers and sisters in the Church that we know that we can meet and resolve this crisis for now and the future."

We wish to reaffirm once again that the vast majority of priests and deacons serve their people faithfully and that they have the esteem and affection of their people. They also have our love and esteem and our commitment to their good names and well-being.

An essential means of dealing with the crisis is prayer for healing and reconciliation, and acts of reparation for the grave offense to God and the deep wound inflicted upon his holy people. Closely connected to prayer and acts of reparation is the call to holiness of life and the care of the diocesan/eparchial bishop to ensure that he and his priests avail themselves of the proven ways of avoiding sin and growing in holiness of life.

It is with reliance on prayer and penance that we renew the pledges which we made in the original *Charter*:

We pledge most solemnly to one another and to you, God's people, that we will work to our utmost for the protection of children and youth.

We pledge that we will devote to this goal the resources and personnel necessary to accomplish it.

We pledge that we will do our best to ordain to the priesthood and put into positions of trust only those who share this commitment to protecting children and youth.

We pledge that we will work toward healing and reconciliation for those sexually abused by clerics.

Much has been done to honor these pledges. We devoutly pray that God who has begun this good work in us will bring it to fulfillment.

This *Charter* is published for the dioceses/eparchies of the United States. It is to be reviewed again after two years by the Committee on the Protection of Children and Young People with the advice of the National Review Board. The results of this review are to be presented to the full Conference of Bishops for confirmation.

NOTE

* 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.
> 2o the acquisition, possession, or distribution by a cleric of pornographic images of minors under the age of fourteen, for purposes of sexual gratification, by whatever means or using whatever technology;

§2. A cleric who commits the delicts mentioned above in §1 is to be punished according to the gravity of his crime, not excluding dismissal or deposition.

In view of the Circular Letter from the Congregation for the Doctrine of the Faith, dated May 3, 2011, which calls for "mak[ing] allowance for the legislation of the country where the Conference is located," Section III(g), we will apply the federal legal age for defining child pornography, which includes pornographic images of minors under the age of eighteen, for assessing a cleric's suitability for ministry and for complying with civil reporting statutes.

If there is any doubt whether a specific act qualifies as an external, objectively grave violation, the writings of recognized moral theologians should be consulted, and the opinions of recognized experts should be appropriately obtained (*Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995, p. 6). Ultimately, it is the responsibility of the diocesan bishop/eparch, with the advice of a qualified review board, to determine the gravity of the alleged act.

[Diocesan Note: While the above pertains to clerics (Priests and Deacons) none-the-less, such behavior will not be tolerated be it by clerics, religious, employees, or volunteers serving under the authority of the Catholic Diocese of Amarillo.]

Bibliography of "The Amarillo Diocese Safe Environment Policy":

United States Catholic Conference of Bishops: "Charter for the Protection of Children and Young Adults" and USCCB 2006 Compliance Audit Instrument

Special Thanks to Amarillo Diocese Safe Environment Contributors

Most Reverend Patrick James Zurek – Bishop of Amarillo
Bishop Emeritus John W. Yanta
Msgr. Michael Colwell
Rev. Phu Phan
Msgr. Harold Waldow
Belinda Taylor
Bernice Noggler
Susan Garner
Joe Garcia
Louise Ross
Members of the Diocesan Charter Review Board
Attorney Fred Griffin
Dcn. Blaine S. Westlake

Essential Norms for Diocesan/ Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons

Office of the President
3211 FOURTH STREET NE • WASHINGTON DC 20017-1194
202-541-3100 • FAX 202-541-3166
Most Reverend William S. Skylstad, DD
Bishop of Spokane
May 5, 2006
THE UNITED STATES CONFERENCE OF CATHOLIC BISHOPS

DECREE OF PROMULGATION

On November 13, 2002, the members of the United States Conference of Catholic Bishops approved as particular law the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*. Following the grant of the required *recognitio* by the Congregation for Bishops on December 8, 2002, the *Essential Norms* were promulgated by the President of the same Conference on December 12, 2002.

Thereafter, on June 17, 2005, the members of the United States Conference of Catholic Bishops approved a revised text of the *Essential Norms*. By a decree dated January 1, 2006, and signed by His Eminence, Giovanni Battista Cardinal Re, Prefect of the Congregation for Bishops, and His Excellency, the Most Reverend Francesco Monterisi, Secretary of the same Congregation, the *recognitio* originally granted to the *Essential Norms* of 2002 was extended to the revised version *donec aliter provideatur*.
As President of the United States Conference of Catholic Bishops, I therefore decree the promulgation of the *Essential Norms* of June 17, 2005. These *Norms* shall obtain force on May 15, 2006, and so shall from that day bind as particular law all Dioceses and Eparchies of the United States Conference of Catholic Bishops.

Most Reverend William S. Skylstad
Bishop of Spokane
President, USCCB

Reverend Monsignor David J. Malloy
General Secretary

Preamble

On June 14, 2002, the United States Conference of Catholic Bishops approved a Charter for the Protection of Children and Young People. The charter addresses the Church's commitment to deal appropriately and effectively with cases of sexual abuse of minors by priests, deacons, and other church personnel (i.e., employees and volunteers). The bishops of the United States have promised to reach out to those who have been sexually abused as minors by anyone serving the Church in ministry, employment, or a volunteer position, whether the sexual abuse was recent or occurred many years ago. They stated that they would be as open as possible with the people in parishes and communities about instances of sexual abuse of minors, with respect always for the privacy and the reputation of the individuals involved. They have committed themselves to the pastoral and spiritual care and emotional well-being of those who have been sexually abused and of their families.

In addition, the bishops will work with parents, civil authorities, educators, and various organizations in the community to make and maintain the safest environment for minors. In the same way, the bishops have pledged to evaluate the background of seminary applicants as well as all church personnel who have responsibility for the care and supervision of children and young people.

Therefore, to ensure that each diocese/eparchy in the United States of America will have procedures in place to respond promptly to all allegations of sexual abuse of minors, the United States Conference of Catholic Bishops decrees these norms for diocesan/eparchial policies dealing with allegations of sexual abuse of minors by diocesan and religious priests or deacons.1 These norms are complementary to the universal law of the Church and are to be interpreted in accordance with that law. The Church has traditionally considered the sexual abuse of minors a grave delict and punishes the offender with penalties, not excluding dismissal from the clerical state if the case so warrants.

For purposes of these Norms, sexual abuse shall include any offense by a cleric against the Sixth Commandment of the Decalogue with a minor as understood in CIC, canon 1395 §2, and CCEO, canon 1453 §1 (Sacramentorum sanctitatis tutela, article 6 §1).2

Norms

1. These Essential Norms have been granted *recognitio* by the Holy See. Having been legitimately promulgated in accordance with the practice of the United States Conference of Catholic Bishops on May 5, 2006, they constitute particular law for all the dioceses/eparchies of the United States of America.3

2. Each diocese/eparchy will have a written policy on the sexual abuse of minors by priests and deacons, as well as by other church personnel. This policy is to comply fully with, and is to specify in more detail, the steps to be taken in implementing the requirements of canon law, particularly CIC, canons 1717-1719, and CCEO, canons 1468-1470. A copy of this policy will be filed with the United States Conference of Catholic Bishops within three months of the effective date of these norms. Copies of any eventual revisions of the written diocesan/eparchial policy

are also to be filed with the United States Conference of Catholic Bishops within three months of such modifications.

3. Each diocese/eparchy will designate a competent person to coordinate assistance for the immediate pastoral care of persons who claim to have been sexually abused when they were minors by priests or deacons.

4. To assist diocesan/eparchial bishops, each diocese/eparchy will also have a review board which will function as a confidential consultative body to the bishop/eparch in discharging his responsibilities. The functions of this board may include

> **a.** advising the diocesan bishop/eparch in his assessment of allegations of sexual abuse of minors and in his determination of suitability for ministry;
>
> **b.** reviewing diocesan/eparchial policies for dealing with sexual abuse of minors; and
>
> **c.** offering advice on all aspects of these cases, whether retrospectively or prospectively.

5. The review board, established by the diocesan/eparchial bishop, will be composed of at least five persons of outstanding integrity and good judgment in full communion with the Church. The majority of the review board members will be lay persons who are not in the employ of the diocese/eparchy; but at least one member should be a priest who is an experienced and respected pastor of the diocese/ eparchy in question, and at least one member should have particular expertise in the treatment of the sexual abuse of minors. The members will be appointed for a term of five years, which can be renewed. It is desirable that the Promoter of Justice participate in the meetings of the review board.

6. When an allegation of sexual abuse of a minor by a priest or deacon is received, a preliminary investigation in accordance with canon law will be initiated and conducted promptly and objectively (CIC, c. 1717; CCEO, c. 1468). During the investigation the accused enjoys the presumption of innocence, and all appropriate steps shall be taken to protect his reputation. The accused will be encouraged to retain the assistance of civil and canonical counsel and will be promptly notified of the results of the investigation. When there is sufficient evidence that sexual abuse of a minor has occurred, the Congregation of the Doctrine of the Faith shall be notified. The bishop/eparch shall then apply the precautionary measures mentioned in CIC, canon 1722, or CCEO, canon 1473—i.e., withdraw the accused from exercising the sacred ministry or any ecclesiastical office or function, impose or prohibit residence in a given place or territory, and prohibit public participation in the Most Holy Eucharist pending the outcome of the process.4

7. The alleged offender may be requested to seek, and may be urged voluntarily to comply with, an appropriate medical and psychological evaluation at a facility mutually acceptable to the diocese/eparchy and to the accused.

8. 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 (SST, Art. 6; CIC, c. 1395 §2; CCEO, c. 1453 §1). 5

a. In every case involving canonical penalties, the processes provided for in canon law must be observed, and the various provisions of canon law must be considered (cf. *Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995; Letter from the Congregation for the Doctrine of the Faith, May 18, 2001). Unless the Congregation for the Doctrine of the Faith, having been notified, calls the case to itself because of special circumstances, it will direct the diocesan bishop/eparch to proceed (Article 13, "Procedural Norms" for *Motu proprio Sacramentorum sanctitatis tutela*, AAS, 93, 2001, p. 787). If the case would otherwise be barred by prescription, because sexual abuse of a minor is a grave offense, the bishop/eparch may apply to the Congregation for the Doctrine of the Faith for a derogation from the prescription, while indicating relevant grave reasons. For the sake of canonical due process, the accused is to be encouraged to retain the assistance of civil and canonical counsel. When necessary, the diocese/eparchy will supply canonical counsel to a priest. The provisions of CIC, canon 1722, or CCEO, canon 1473, shall be implemented during the pendency of the penal process.

b. If the penalty of dismissal from the clerical state has not been applied (e.g., for reasons of advanced age or infirmity), the offender ought to lead a life of prayer and penance. He will not be permitted to celebrate Mass publicly or to administer the sacraments. He is to be instructed not to wear clerical garb, or to present himself publicly as a priest.

9. At all times, the diocesan bishop/eparch has the executive power of governance, within the parameters of the universal law of the Church, through an administrative act, to remove an offending cleric from office, to remove or restrict his faculties, and to limit his exercise of priestly ministry.6 Because sexual abuse of a minor by a cleric is a crime in the universal law of the Church (CIC, c. 1395 §2; CCEO, c. 1453 §1) and is a crime in all civil jurisdictions in the United States, for the sake of the common good and observing the provisions of canon law, the diocesan bishop/eparch shall exercise this power of governance to ensure that any priest or deacon who has committed even one act of sexual abuse of a minor as described above shall not continue in active ministry.7

10. The priest or deacon may at any time request a dispensation from the obligations of the clerical state. In exceptional cases, the bishop/eparch may request of the Holy Father the dismissal of the priest or deacon from the clerical state *ex officio*, even without the consent of the priest or deacon.

11. The diocese/eparchy will comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities and will cooperate in their investigation. In every instance, the diocese/eparchy will advise and support a person's right to make a report to public authorities.8

12. No priest or deacon who has committed an act of sexual abuse of a minor may be transferred for a ministerial assignment in another diocese/eparchy. Every bishop/eparch who receives a priest or deacon from outside his jurisdiction will obtain the necessary information regarding any past act of sexual abuse of a minor by the priest or deacon in question.

Before such a diocesan/eparchial priest or deacon can be transferred for residence to another diocese/eparchy, his diocesan/eparchial bishop shall forward, in a confidential manner, to the bishop of the proposed place of residence any and all information concerning any act of sexual abuse of a minor and any other information indicating that he has been or may be a danger to children or young people.

In the case of the assignment for residence of such a clerical member of an institute or a society into a local community within a diocese/eparchy, the major superior shall inform the diocesan/eparchial bishop and share with him in a manner respecting the limitations of confidentiality found in canon and civil law all information concerning any act of sexual abuse of a minor and any other information indicating that he has been or may be a danger to children or young people so that the bishop/eparch can make an informed judgment that suitable safeguards are in place for the protection of children and young people. This will be done with due recognition of the legitimate authority of the bishop/eparch; of the provisions of CIC, canon 678 (CCEO, canons 415 §1 and 554 §2), and of CIC, canon 679; and of the autonomy of the religious life (CIC, c. 586).

13. Care will always be taken to protect the rights of all parties involved, particularly those of the person claiming to have been sexually abused and of the person against whom the charge has been made. When an accusation has been shown to be unfounded, every step possible will be taken to restore the good name of the person falsely accused.

Notes

1 These Norms constitute particular law for the dioceses, eparchies, clerical religious institutes, and societies of apostolic life of the United States with respect to all priests and deacons in the ecclesiastical ministry of the Church in the United States. When a major superior of a clerical religious institute or society of apostolic life applies and interprets them for the internal life and governance of the institute or society, he has the obligation to do so according to the universal law of the Church and the proper law of the institute or society.

2 If there is any doubt whether a specific act qualifies as an external, objectively grave violation, the writings of recognized moral theologians should be consulted, and the opinions of recognized experts should be appropriately obtained (*Canonical Delicts*, p. 6). Ultimately, it is the responsibility of the diocesan bishop/eparch, with the advice of a qualified review board, to determine the gravity of the alleged act.

3 Due regard must be given to the proper legislative authority of each Eastern Catholic Church.

4 Article 19 *Sacramentorum sanctitatis tutela states*, "With due regard for the right of the Ordinary to impose from the outset of the preliminary investigation those measures which are established in can. 1722 of the Code of Canon Law, or in can. 1473 of the Code of Canons of the Eastern Churches, the respective presiding judge may, at the request of the Promoter of Justice, exercise the same power under the same conditions determined in the canons themselves."

5 For purposes of these Norms, 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:

1) 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.
2) the acquisition, possession, or distribution by a cleric of pornographic images of minors under the age of fourteen, for purposes of sexual gratification, by whatever means or using whatever technology;

§2. A cleric who commits the delicts mentioned above in §1 is to be punished according to the gravity of his crime, not excluding dismissal or deposition.

If there is any doubt whether a specific act qualifies as an external, objectively grave violation, the writings of recognized moral theologians should be consulted, and the opinions of recognized experts should be appropriately obtained (*Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995, p. 6). Ultimately, it is the responsibility of the diocesan bishop/eparch, with the advice of a qualified review board, to determine the gravity of the alleged act. Removal from ministry is required whether or not the cleric is diagnosed by qualified experts as a pedophile or as suffering from a related sexual disorder that requires professional treatment. With regard to the use of the phrase "ecclesiastical ministry," by clerical members of institutes of consecrated life and societies of apostolic life, the provisions of canons 678 and 738 also apply, with due regard for canons 586 and 732.
6 Cf. CIC, cc. 35-58, 149, 157, 187-189, 192-195, 277 §3, 381 §1, 383, 391, 1348, and 1740-1747. Cf. also CCEO, cc. 1510 §1 and 2, 1°-2°, 1511, 1512 §§1-2, 1513 §§2-3 and 5, 1514-1516, 1517 §1, 1518, 1519 §2, 1520 §§1-3, 1521, 1522 §1, 1523-1526, 940, 946, 967-971, 974-977, 374, 178, 192 §§1-3, 193 §2, 191, and 1389-1396.

7 The diocesan bishop/eparch may exercise his executive power of governance to take one or more of the following administrative actions (CIC, cc. 381, 129ff.; CCEO, cc. 178, 979ff.):

a. He may request that the accused freely resign from any currently held ecclesiastical office (CIC, cc. 187-189; CCEO, cc. 967-971).

b. Should the accused decline to resign and should the diocesan bishop/eparch judge the accused to be truly not suitable (CIC, c. 149 §1; CCEO, c. 940) at this time for holding an office previously freely conferred (CIC, c. 157), then he may remove that person from office observing the required canonical procedures (CIC, cc. 192-195, 1740-1747; CCEO, cc. 974-977, 1389-1396).

c. For a cleric who holds no office in the diocese/eparchy, any previously delegated faculties may be administratively removed (CIC, cc. 391 §1 and 142 §1; CCEO, cc. 191 §1 and 992 §1), while any *de iure* faculties may be removed or restricted by the competent authority as provided in law (e.g., CIC, c. 764; CCEO, c. 610 §§2-3).

d. The diocesan bishop/eparch may also determine that circumstances surrounding a particular case constitute the just and reasonable cause for a priest to celebrate the Eucharist with no member of the faithful present (CIC, c. 906). The bishop may forbid the priest to celebrate the Eucharist publicly and to administer the sacraments, for the good of the Church and for his own good.

e. Depending on the gravity of the case, the diocesan bishop/eparch may also dispense (CIC, cc. 85-88; CCEO, cc. 1536 §1–1538) the cleric from the obligation of wearing clerical attire (CIC, c. 284; CCEO, c. 387) and may urge that he not do so, for the good of the Church and for his own good.
These administrative actions shall be taken in writing and by means of decrees (CIC, cc. 47-58; CCEO, cc. 1510 §2, 1°-2°, 1511, 1513 §§2-3 and 5, 1514, 1517 §1, 1518, 1519 §2, 1520) so that

the cleric affected is afforded the opportunity of recourse against them in accord with canon law (CIC, cc. 1734ff.; CCEO, cc. 999ff.).

8 The necessary observance of the canonical norms internal to the Church is not intended in any way to hinder the course of any civil action that may be operative. At the same time, the Church reaffirms her right to enact legislation binding on all her members concerning the ecclesiastical dimensions of the delict of sexual abuse of minors.

A Statement of Episcopal Commitment

We bishops pledge again to respond to the demands of the *Charter* in a way that manifests our accountability to God, to God's people, and to one another. Individually and together, we acknowledge mistakes in the past when some bishops transferred, from one assignment to another, priests who abused minors. We recognize our roles in the suffering this has caused, and we continue to ask forgiveness for it.

Without at all diminishing the importance of broader accountability, this statement focuses on the accountability which flows from our episcopal communion and fraternal solidarity, a moral responsibility we have with and for each other.

While bishops are ordained primarily for their diocese or eparchy, we are called as well to protect the unity and to promote the common discipline of the whole Church (CIC, c. 392; CCEO, c. 201). Participating in the college of bishops, each bishop is responsible to act in a manner that reflects both effective and affective collegiality.

Respecting the legitimate rights of bishops who are directly accountable to the Holy See, in a spirit of collegiality and fraternity we renew our commitment to the following:

1. Within each province, we will assist each other to interpret correctly and implement the *Charter for the Protection of Children and Young People*, always respecting Church law and striving to reflect the Gospel.

2. We will apply the requirements of the *Charter* also to ourselves, respecting always Church law as it applies to bishops. Therefore, if a bishop is accused of the sexual abuse of a minor, the accused bishop is obliged to inform the Apostolic Nuncio. If another bishop becomes aware of the sexual abuse of a minor by another bishop or of an allegation of the sexual abuse of a minor by a bishop, he too is obliged to inform the Apostolic Nuncio and comply with applicable civil laws.

3. In cases of financial demands for settlements involving allegations of any sexual misconduct by a bishop, he, or any of us who become aware of it, is obliged to inform the Apostolic Nuncio.

4. Within each of our provinces, as an expression of collegiality, including fraternal support, fraternal challenge and fraternal correction, we will engage in ongoing mutual reflection upon our commitment to holiness of life and upon the exercise of our episcopal ministry.
In making this statement, we firmly uphold the dignity of every human being and renew our commitment to live and promote the chastity required of all followers of Christ and especially of deacons, priests and bishops.

This Statement of Episcopal Commitment will be reviewed by the Committee on Clergy, Consecrated Life and Vocations upon the next review of the *Charter*.

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APPENDIX A –
Church Personnel

A-1 Personnel "who have regular or scheduled contact with minors" will hereafter be referred to as Church Personnel**:**

The "Charter for the Protection of Children and Young People" article 13 states: "Diocese are to evaluate the background of all incardinated and non-incardinated priests and deacons who are engaged in ecclesiastical ministry in the diocese and of all diocesan and parish/school or other paid personnel and volunteers whose duties include ongoing, regular, scheduled, and/or unsupervised contact with children."

Therefore all Church Personnel in every Institution who have regular contact with minors must comply fully with the Safe Environment Requirements. A person will be considered to have "regular contact with minors" if they participate in activities directly with minors on a routine, planned, scheduled, or regular on-going basis, particularly if their involvement would permit them to be alone with a minor.

Certain job descriptions should always be deemed to have "regular contact with minors" such as school administrators and administrative staff, teachers, teacher aides, substitute teachers, school or classroom volunteers, guidance counselors, catechists, catechist aides, youth ministers, athletic coaches and volunteers, youth choir directors, trainers of altar servers, and all priests and deacons.

All persons who are involved in overnight activities with minors in any institution or program, even if only on one occasion, will be deemed to have "regular contact with minors". This includes all chaperones involved in any activity.

A-2 Factors to consider in determining if a person has "regular contact with minors":

To determine whether a person's contact with minors is "regular", the following factors should be considered. If the answer to one of these questions is "yes", then the person should be considered to have "regular contact with minors" and classified as "Church Personnel".

a. Is the person's contact with minors direct, usual, planned, scheduled, or frequent (as opposed to incidental)?
b. Do the person's duties frequently bring them into a school, or the location of a religious education program or youth program?
c. Do the person's duties permit them to have private face-to-face dealings with minors?
d. Do the person's duties enable them to come into physical contact with minors?

e. Does the person have the opportunity to be with minors or teen adults in private?
f. Does the person ever have direct supervisory responsibility over minors?
g. Do minors or teen adults typically come into the person's private workspace?
h. Does the person have keys and/or codes to the institution?

If there is any doubt about whether a person's contact with minors and teen adults is "regular", the question should be resolved in favor of requiring them to comply with the Safe Environment requirements.

A-3 Personnel "who do not have regular contact with minors":

People are deemed "not to have regular contact with minors" if:

a. They participate in activities with minors only on an isolated or incidental basis;
b. Their involvement in the activity would not ordinarily permit them to be alone with a minor; and
c. They are under the direct supervision of Church Personnel who are in full compliance with the Safe Environment requirements and who are actually present at the activity.

Personnel, whose only contact with minors is in the course of the Sacred Liturgy, should not, in the absence of other factors, be deemed to have "regular contact with minors", such as: lectors, Eucharistic ministers, ushers, choir members, music ministers and leaders of song.

The Diocese of Amarillo recognizes the inherent danger of establishing lists of those ministries which are more inclined to have regular contact with minors versus those ministries which are less inclined and whose only (minimal and highly visible) contact is in the course of the Sacred Liturgy or related activity. The bottom line is the Administrator knows his facility and personnel best, thus "common sense" must be used in determining who requires and who does not require Safe Environment Screening and Training.

Every person serving in those positions must be made aware, during their particular ministry's training, of the necessity to maintain proper respect for the position/ ministry and the understanding of appropriate boundaries. The Safe Environment Training is available to everyone and all are encouraged to so attend. Furthermore, the Administrator may, if deemed appropriate, require the full Safe Environment Training and/or Background for any and all persons in those positions.
(For additional information see Appendixes B, I, K.)

A-4 Diocesan, Parish, School, Other Catholic Entity Employees:

All employees to include part time, full-time, and contract, regardless as to job assignment are to conform to the standards required of Church Personnel.

A-5 Requirement for all "Church Personnel"**:**

All new Church Personnel of the Diocese whose position or duties would place them in regular contact with minors must complete the Personnel Screening Process.

The Safe Environment Requirements consist of the following components:

a. Completion of a Safe Environment Questionnaire, including providing "personal references" to be forwarded to the Safe Environment Office at least three (3) working days prior to appointment; and
b. Submitting to a background (criminal history) check along with appropriate clearance prior to position commencement.
c. Acknowledgment of receipt of the Diocesan Policy Relating to Sexual Misconduct and the Code of Conduct and
d. Attendance at a Diocesan approved Safe Environment Training Program within 45 days.

A-6 Five-year renewal of background checks, update of questionnaire, and attendance at a Safe Environment refresher course:

Church Personnel will automatically (approximately 5-year intervals) undergo a criminal background check. At that time, designated personnel will be required to submit an updated questionnaire only if there have been significant changes (address, contact information, marriage, name, legal status, an arrest, etc.), and attend a Safe Environment refresher course.

A-7 Institution Safe Environment Trainers of Children and Youth:
Those Church Personnel as per the procedures listed herein and along with the approval by the Administrator (Pastor, Principal) may train Children and Youth during regularly scheduled Faith Formation Classes and/or as circumstance require.

APPENDIX B
Other Personnel

B-1 Principle:

The Diocese of Amarillo is fully committed to implementing the Bishops' "Charter for the Protection of Minors and Young Persons". To do so effectively, it is necessary to determine which of our personnel have "regular and or scheduled contact with minors". In most cases, this determination is very easy, but in others, it will be necessary to examine the person's job requirements and the degree to which they actually come in contact with minors.

B-2 Personnel who are in regular contact with minors - under the age of 18:

Personnel who are under the age of 18 may be in regular contact with minors only if they are under the direct supervision of an adult who is in full compliance with the Safe Environment Requirements and who is actually present with them at the time and place of their service.

B-3 Youth retreats, rallies and other events:

Any and all adults who assist at Diocesan sponsored events involving youth and young people must conform to the Safe Environment Policy of the Diocese of Amarillo. Such Church Personnel include but are not limited to: sponsors, chaperons, prayer partners, teachers, speakers, retreat masters, etc. (See Appendix "A" for further information.)

B-4 Guest Speakers at Parish/School/Diocesan events involving children or youth:

Any and all persons who function at Church sponsored events in the Diocese of Amarillo involving children or minors must have a "letter of clearance" from their home diocese. This letter from the Bishop and/or his representative must state that the person is in good standing, has a current criminal background check, has received Safe Environment Training, and complies with the USCCB Charter. The sponsor of the event is responsible for notifying the guest of the diocesan requirements and complying with them. Upon receipt of the compliance letter, it should be forwarded to the Amarillo Diocese Safe Environment Office.

B-5 Personnel in "Institutions" who are employed by non-Diocesan agencies:

Personnel who are in regular contact with minors in Diocesan programs, but are employed by an outside agency (such as a cleaning contractor) or a public agency (such as a local school district), must comply with the Safe Environment requirements either of the Diocese of Amarillo or the particular entity.

B-6 Personnel in programs that use Diocesan facilities:

Personnel who work with minors in programs or activities that are not sponsored or conducted by an Institution, but that use or rent diocesan facilities are not required to comply with the Safe Environment Requirements. For example, volunteers and leaders of community sports programs that merely hold games at a parish's gym are covered by the child protection requirements of those programs, and are not required to complete the Diocesan Safe Environment Requirements.

B-7 Boy Scouts:

In the case of volunteers with Boy Scout and Cub Scout troops that are sponsored by an Institution, the Safe Environment Requirements will be satisfied if they have:

a. Taken the Boy Scout Youth Protection Training Course;
b. Are up to date with their Boy Scout Youth Protection certification; and
c. Have had a background check (including criminal record and state sexual offender registry checks) within the previous three years.

Troop leaders will be Accountable for ensuring the compliance of their volunteers. They will keep appropriate records regarding all their volunteers, and will report on their compliance to the Administrator of the Institution that sponsors their troop.

B-8 Non Institution Personnel:

Persons who are not employees or volunteers of the Institution who have keys and/or codes must fully comply with this Policy.

B-9 Perpetual or Limited Adoration Hours

Parishes blessed to have Perpetual or Limited Adoration hours, must determine how best to ensure the safety of all participants. It is recognized that having access to the Adoration Areas (Chapel and restroom facilities, etc.) often requires those adorers to have keys and codes for entry. However, such access should be limited only to those adoration areas and thus restricted in some manner (as is reasonably feasible) to other areas such as classrooms, offices, parlors, parish halls, etc.

APPENDIX C
Administrator/Shared Facility

C-1 Designation of "Administrator" for "Institutions":

Each Institution will have an "Administrator" for the Safe Environment Program, as follows:

a. The Pastor of each parish will be the "Administrator" for the Safe Environment Program for all parish programs and activities.
b. The Principal (or equivalent officer) of each Catholic school will be the "Administrator" for that school.
c. The Director or Chief Executive Officer of other Diocesan Institutions will be the designated "Administrator" for that particular Institution.
d. The Diocesan Youth Director will be the "Administrator" for Diocesan Youth Events. He/She will ensure that any and all adults, who assist at Diocesan Youth Events, have complied fully with the Safe Environment Policy.
e. While individual tasks in connection with the Safe Environment program can be delegated to other personnel (i.e. the Director of Religious Education/DRE) to serve as the Institution "Safe Environment Coordinator", the "Administrator" still bears the ultimate responsibility for the implementation of the program in their Institutions and maintaining a viable roster.

C-2 The duties of the Administrator of each Institution:

The Administrator of each Institution will ensure that all Church Personnel who are in regular contact with minors have completed the Safe Environment Requirements.

The Administrator of each Institution, or a person designated by him/her (Safe Environment Coordinator and/or Safe Environment Facilitator), should thoroughly review the Safe Environment Questionnaire of all new personnel to insure the Questionnaire is complete and legible.

C-3 Shared Facilities and Non-Institution Personnel:

Concerns arise when Institutions (e.g., schools and religious education buildings) are being shared with a non-Diocesan program (e.g., an adult education class, AA Meetings, etc.). In this case, great care must be taken to ensure that minors are protected from any contact with members of the general public.

Persons who are not employees or volunteers of the Institution who have keys and/or codes must fully comply with this Policy.

C-4 General Policy:

Institutions in which programs with minors are being held are not public places. The only people who are permitted to be in these areas are those who are directly involved in the program, or who are otherwise authorized to be present (e.g., parents, maintenance workers, etc).

Members of the general public are never permitted to have unsupervised access to any facility or area in which minors are taking part in any Diocesan program.

APPENDIX D
Record Keeping – Church Personnel

D-1 Rosters to be periodically sent to every Institution:

Periodically during each year, the Safe Environment Office will provide to the Administrator and the Safe Environment Coordinator of each Institution a color-coded "Diocesan Roster" that will list all Church Personnel from that Institution, and whether they have completed the basic Safe Environment Requirements. The Diocesan Roster will also include statistics regarding the Safe Environment Training for minors.

When they receive the Diocesan Roster, the Administrators will ensure that:

a. All personnel whose position or duties places them in regular contact with minors are listed, along with appropriate identifying information (name, address, position at the Institution, etc.);
b. All such personnel have fully complied with the Safe Environment requirements (Background Check, Training);
c. Statistics of Children's Training should be compared to the Diocesan Roster.
d. The "Administrator" has 30 days to return the updated and corrected report to the Safe Environment Office.

D-2 Regular updating of the Institutional Records and Diocesan Rosters:

Each Administrator will ensure that their Institution maintains accurate records of all staff (paid and volunteer) that are in regular contact with minors. The Administrator of every Institution will maintain an Institutional Record, which reflects all Church Personnel and their compliance with Safe Environment Requirements. These records should consist of the following items:

a. An "Institutional Record" (or similar registry) of all personnel in the Institution who are in regular contact with minors.

i. Each Institution should keep an updated Record, as well: Changes in staff should be noted on this Record, so that there is a current list of staff.
ii. The Institutional Record should be updated whenever there is a change in the personnel who are in regular contact with minors (e.g., an employee joins or leaves the staff). The Administrator should use the updated Record and compare and verify it with the Diocesan Roster received from the Safe Environment Office (see "c" below).
iii. It is not necessary to send an updated Record to the Safe Environment Office every time there is a change in staff. The Safe Environment Office will obtain information about new personnel from the Background Check Questionnaire and training classes, to update its database accordingly, and include these changes in the rosters that are periodically sent back to the Institution.

b. A "Diocesan Roster" will be forwarded to every Institution by the Safe Environment Office twice annually (November and April) for review and comparison.

It should be noted that information contained in the Diocesan Rosters are based solely upon the Questionnaires submitted to Safe Environment Office, the completed Background Check, as well as the Training for minors as provided by the Diocesan Director of Curriculum & Training.

c. Each Administrator will be provided with a color-coded Diocesan Roster (printout) as to all names, trained, and cleared Church Personnel along with statistics for minors who have received training. Church Personnel who have not been cleared (criminal history) or attended Safe Environment Training will be duly noted.

i. The Administrator has thirty (30) days, to resolve the above matter and return the Diocesan Roster (printout) to Background & Statistics Coordinator.

ii. The Diocesan Roster will contain the names of Church Personnel, along with information about whether they have had a background check and the necessary training.

iii. This Roster should be checked for accuracy, personnel should be added or deleted as necessary, and the corrections should be submitted to the Safe Environment Office so that a current and accurate database can be maintained. The Changes and corrections can be made directly on the Diocesan Roster.

D-3 Request for Parish Statistics on Minors Trained

On or before November 15th, the Parish/School will forward to the Safe Environment Office their statistics of compliance. The (a) Parish form must include information as to the number of minors enrolled, opted out, absent, the number remaining to be trained, and the explanation as to why a disparity, if any, between trained and not trained, and the expected future attempts to train all minors. The (b) Classroom Attendance Sheet must list, by name, all minors in each classroom who attended the Safe Environment Training, those who did not with an explanation has to attempts to train, and those parents who opted out. If there are parents who opted-out those (c) signed forms must be forwarded to the Safe Environment Office.

If the parish is not in compliance an additional "FOLLOW-UP REPORT" will be forwarded in January. Should the parish still not be in compliance a "LATE REPORT" will be forwarded in April with copy forwarded to the Bishop's Office. NOTE: Every minor must be accounted for by name.

D-4 On-Site audits:

Periodically, the Safe Environment Office, or persons designated by them, will conduct on-site audits of "Institutions", to determine the degree of compliance with the Safe Environment requirements. Prior notice of these audits will be given to the Institutions to be reviewed. It should be noted that these "Audits" are a prelude to possible U.S.C.C.B. Charter Compliance Audits.

APPENDIX E
Reporting Sexual Abuse

E-1 Principle:

All reports of alleged sexual abuse or misconduct by Church Personnel will be handled in accordance with the appropriate provisions of civil and Canon Law relating to sexual misconduct. Each reported incident will be handled with a high level of Christian care, concern and confidentiality for the alleged victim, the family of the alleged victim, the person reporting the incident, and the alleged perpetrator. See Article # 4.

E-2 Reports to Diocesan personnel and/or Church Personnel:

Any Church Personnel (cleared for service/ministry) who is apprised of information about the sexual, physical, or emotional abuse of a minor or vulnerable adult – **must report that information to appropriate law enforcement officials** as listed below. Such information usually would come from the victim, parent, witness, or offender.

If a report is received of alleged sexual abuse of a minor or vulnerable adult by any Church Personnel:

a. Advise the person (or their parent or guardian) to immediately report the incident to the appropriate District Attorney's Office or Law Enforcement Agency,
b. The Victim Assistance Coordinator, and
c. The "Texas 24-Hour Child Abuse Hotline (1-800-252-5400)
d. The employee will notify the Safe Environment Office immediately (see E-4 below) or if not available
e. The Vicar of Clergy or The Vicar General
f. If in doubt - it is best to contact The Diocesan Director or The Texas Child Abuse Hotline and seek their direction.

If the report is received from an alleged victim or family member, they should be referred directly to the Diocesan Victim's Assistance Coordinator and the person receiving the complaint (information) must report the allegations to the appropriate law enforcement agency.

If a report of a violation of the Code of Conduct or any other alleged sexual misconduct by any Church Personnel is received, they will:

a. Immediately notify their supervisor;
b. Make sure that their supervisor has notified the Safe Environment Office or the Vicar General;

c. If the report is received from an alleged victim or family member, he will also refer the person directly to the Diocesan Victim's Assistance Coordinator.

d. If in doubt - it is best to contact the Diocesan Director or The Texas Child Abuse Hotline and seek their direction.

If Church Personnel receive a report of alleged child or vulnerable adult abuse that occurred outside of a Diocesan program, they will:

a. Advise the person to immediately report the incident to:
   The appropriate law enforcement agency,
   The "Texas 24-Hour Child Abuse Hotline.
b. It would also be advisable for the person or their supervisor to notify
   The Safe Environment Office and/or the Vicar General.
c. If in doubt - it is best to contact the Diocesan Director or The Texas Child Abuse Hotline and seek their direction.

E-3 How reports are to be handled by the Safe Environment Office:

If the Safe Environment Office receives a report of alleged sexual abuse of a minor, or any other alleged sexual misconduct by any Church Personnel, the Director will immediately notify the Vicar General, or as directed to the Bishop, and/or the Diocesan Attorney. If this report comes from an alleged victim or their family, the Safe Environment Office representative will also immediately refer the person to the Diocesan Victim's Assistance Coordinator.

E-4 Record-keeping:

The Director will forward a written report of the predicate of any such allegations, contact information, action taken, and any other relevant information to the Vicar General or Vicar of Clergy.

E-5 Texas Family Code Section § 261.101: PERSONS REQUIRED TO REPORT; TIME TO REPORT.

See Appendix F: Code of Conduct Section 4 Sexual Conduct for Texas Code.

APPENDIX F
Code of Conduct

F-1 Principle:

Sexual misconduct of any kind is gravely contrary to the will of God. In keeping with this bedrock belief, the Diocese has adopted a Code of Conduct for both clergy and laity. These policies are intended to establish guidelines in an effort to prevent sexual misconduct by personnel of the Diocese. They are also intended to provide guidance to the personnel of the Diocese on how to respond to allegations of sexual misconduct if any do occur.

F-2 Distribution of the Code of Conduct to all personnel:

All Church Personnel will be given a complete copy of the appropriate Code of Conduct prior to beginning their ministry/position. {See attached pages}

F-3 Certification of receipt of the Code of Conduct:

All Church Personnel of the Diocese will certify on the "Safe Environment Training Checklist" that they have received training and understand the provisions of the Code of Conduct.

F-4 How the Policy and the Code of Conduct should be enforced:

All Church Personnel should be attentive to any violations of the Code of Conduct in their program. Any violation should be brought to the attention of their supervisor immediately. Personnel may also report violations to the Diocesan Safe Environment Office or the Vicar General.

Supervisors of Diocesan programs are accountable for ensuring that all personnel observe the "Code of Conduct". Supervisors must immediately address any violation as soon as it comes to their attention, and take appropriate corrective and disciplinary action.

Any violation of the Code of Conduct that represents a risk to minors, adult teens, vulnerable adults, or anyone for that matter; or violations that are repeated after having been corrected, will be the basis for termination of a person's employment or volunteer service.

CODE OF PASTORAL CONDUCT

for Priests, Deacons, Pastoral Ministers, Administrators, Staff and Volunteers

(all Church Personnel) **for the Roman Catholic Diocese of Amarillo**

I. **Preamble:**

As leaders in the Church founded by Christ, those who minister within our parishes and institutions must always seek to uphold Christian values and conduct. In addition to following the Gospel and its mandates, they will want to act properly at all times in the light of contemporary society and its needs. This Code of Pastoral Conduct does not presume to provide the answers to all the ethical questions facing Church leaders. What it does establish is a set of general ethical standards for their lives and ministry. These standards will help to delineate boundaries by which ethical questions can be evaluated.

It is intended that this Code also will stimulate discussion within the Church community in order to broaden consensus on standards of practice and further refine them. This Code is not intended to supersede canon or civil law. This Code will also aid in the training and education of new Church leaders. Lastly, it will demand accountability from Church leaders who may fail to live within the ethical standards of the Code.

Priests, deacons, pastoral ministers, administrators, staff and volunteers (all Church Personnel) in our parishes, religious communities/institutes and organizations must uphold Christian values and conduct. The *Model Code of Pastoral Conduct for Priests, Deacons, Pastoral Ministers, Administrators, and Volunteers (Code of Pastoral Conduct)* provides a set of standards for conduct in certain pastoral situations.

"Code of Pastoral Conduct" adopted April 21, 2012 by Most Reverend Patrick James Zurek and the Charter Review Committee.

Most Reverend Patrick J. Zurek — **Chairperson**
Bishop of Amarillo

Louise Ross, — **Charter Review Board**

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II. Responsibility

The public and private conduct of clergy, staff, and volunteers can inspire and motivate people, but it can also scandalize and undermine the people's faith. Clergy, staff, and volunteers (all Church Personnel) must, at all times, be aware of the responsibilities that accompany their work. They must also know that God's goodness and grace supports them in their ministry.

Responsibility for adherence to the *Code of Pastoral Conduct* rests with the individual. Clergy, staff, and volunteers who disregard this *Code of Pastoral Conduct* will be subject to remedial action by the Bishop of the Roman Catholic Diocese of Amarillo or his designated official. Corrective action may take various forms from a verbal reproach to removal from the ministry depending on the specific nature and circumstances of the offense and the extent of the harm.

III. Pastoral Standards

1. Conduct for Pastoral Counselors and Spiritual Directors[1]

Pastoral Counselors and Spiritual Directors must respect the rights and advance the welfare of each person.

1.1 Pastoral Counselors and Spiritual Directors shall not step beyond their competence in counseling situations and shall refer clients to other professionals when appropriate.

1.2 Pastoral Counselors and Spiritual Directors should carefully consider the possible consequences before entering into a counseling relationship with someone with whom they have a pre-existing relationship (i.e., employees, professional colleague, friend, or other pre-existing relationship). [See Section 7.2.2]

1.3 Pastoral Counselors and Spiritual Directors should not audiotape or videotape sessions without expressed consent.

1.4 Pastoral Counselors and Spiritual Directors must never engage in sexual intimacies with the persons they counsel. This includes consensual and nonconsensual contact, forced physical contact, and inappropriate sexual comments.

1.5 Pastoral Counselors and Spiritual Directors shall not engage in sexual intimacies with individuals who are close to the client such as

[1] Pastoral Counselors and Spiritual Directors: Clergy, staff and volunteers who provide pastoral, spiritual, and/or therapeutic counseling services to individuals, families, or other groups.

relatives or friends of the client when there is a risk of exploitation or potential harm to the client. Pastoral Counselors and Spiritual

Directors should presume that the potential for exploitation or harm exists in such intimate relationships.

1.6 Pastoral Counselors and Spiritual Directors assume the full burden of responsibility for establishing and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships.

1.7 Physical contact of any kind (i.e., touching, hugging, holding) between Pastoral Counselors or Spiritual Directors and the persons they counsel can be misconstrued and should be avoided.

1.8 Sessions should be conducted in appropriate settings at appropriate times.

1.8.1 No sessions should be conducted in private living quarters.

1.8.2 Sessions should not be held at places or times that would tend to cause confusion about the nature of the relationship for the person being counseled.

1.9 Pastoral Counselors and Spiritual Directors shall maintain a log of the times and places of sessions with each person being counseled.

2. Confidentiality

Information disclosed to a Pastoral Counselor or Spiritual Director during the course of counseling, advising, or spiritual direction shall be held in the strictest confidence possible.

2.1 Information obtained in the course of sessions shall be confidential, except for compelling professional reasons or as required by law.

2.1.1 If there is clear and imminent danger to the client or to others, the Pastoral Counselor or Spiritual Director may disclose only the information necessary to protect the parties affected and to prevent harm.

2.1.2 Before disclosure is made, if feasible, the Pastoral Counselor or Spiritual Director should inform the person being counseled about the disclosure and the potential consequences.

2.1.3 Pastoral Counselors and Spiritual Directors must discuss the nature of confidentiality and its limitations with each person in counseling.

2.2 Pastoral Counselors and Spiritual Directors should keep minimal records of the content of sessions.

2.3 Knowledge that arises from professional contact may be used in teaching, writing, homilies, or other public presentations only when effective measures are taken to absolutely safeguard both the individual's identity and the confidentiality of the disclosures.

2.4 While counseling a minor, if a Pastoral Counselor or Spiritual Director discovers that there is a serious threat to the welfare of the minor and that communication of confidential information to a parent or legal guardian is essential to the child's health and well-being, the Counselor or Spiritual Director must:

- Attempt to secure written consent from the minor for the specific disclosure.
- If consent is not given, disclose only the information necessary to protect the health and well-being of the minor.
- Consultation with the appropriate Church supervisory personnel is required before disclosure.

2.5 These obligations are independent of the confidentiality of the confessional. Under no circumstances whatsoever can there be any disclosure-even indirect disclosure-of information received through the confessional.

3. Conduct with Minors[2] and vulnerable adults

Church Personnel, *Clergy, staff, and volunteers working with minors shall maintain an open and trustworthy relationship between minors and adult supervisors.*

3.1 Church Personnel must be aware of their own and others' vulnerability when working alone with minors, adult teens, and vulnerable adults. Use a team approach to managing minors' activities.

3.2 Physical contact with a minor can be misconstrued and should occur

[2] A minor is any person under the age of 18 years. For purposes of Canon Law and these policies and proceedings, minor has the same meaning.

(a) only when completely nonsexual and otherwise appropriate, and
(b) never in private.

3.3 Church Personnel must refrain from (a) the illegal possession and/or illegal use of drugs and/or alcohol at all times, and (b) the use of alcohol when working with minors.

3.4 Clergy must not allow any minor to stay overnight in the cleric's private accommodations or residence with the exception of a blood relative who is accompanied by a parent.

3.5 Church Personnel must not provide shared, private, overnight accommodation for minors, adult teens and vulnerable adults, including, but not limited to, accommodations in any Church-owned facility, private residence, hotel room, or any other place where there is no other adult supervision present.

3.5.1 In rare, emergency situations, when accommodation is necessary for the health and well-being of the minor, the clergy, staff, or volunteer should take extraordinary care to protect all parties from the appearance of impropriety and from all risk of harm.

3.5.2 Use a team approach to managing emergency situations.

4. Sexual Conduct

Church Personnel, Clergy, *staff, and volunteers must not, for sexual gain or intimacy, exploit the trust placed in them by the faith community.*

4.1 Church Personnel who are committed to a celibate lifestyle are called to be an example of celibate chastity in all relationships at all times.

4.2 Church Personnel who provide pastoral counseling or spiritual direction services must avoid developing inappropriately intimate relationships with minors, other staff, or parishioners. Staff and volunteers must behave in a professional manner at all times.

4.3 Church Personnel may not exploit another person for sexual purposes.

4.4 Allegations of sexual misconduct must be taken seriously and reported to the Bishop's office or Vicar of Clergy at the Pastoral center and to civil authorities if the situation involves a minor.

Church Personnel will review and know the contents of the child abuse regulations and reporting requirements for the State of Texas and must follow those mandates.

Texas Family Code Section § 261.101. PERSONS REQUIRED TO REPORT; TIME TO REPORT.

§ 261.101 (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.

§ 261.101 (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, and the professional has cause to believe that the child has been abused, 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 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.

§ 261.101 (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, and an employee of a clinic or health care facility that provides reproductive services.

§ 261.101 (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 under statute or to a law enforcement officer for the purposes of conducting a criminal investigation of the report.

5. Harassment

Church Personnel, *Clergy, staff, and volunteers must not engage in physical, psychological, written, or verbal harassment of staff, volunteers, or parishioners and must not tolerate such harassment by other Church staff or volunteers.*

5.1 Church Personnel shall provide a professional work environment that is free from physical, psychological, written, or verbal intimidation or harassment.

5.2 Harassment encompasses a broad range of physical, written, or verbal behavior, including without limitation the following:

- Physical or mental abuse
- Racial insults
- Derogatory ethnic slurs
- Unwelcome sexual advances or touching

- Sexual comments or sexual jokes
- Requests for sexual favors used as:
    - A condition of employment, or
    - To affect other personnel decisions, such as promotion or compensation
    - Display of offensive materials

5.3 Harassment can be a single severe incident or a persistent pattern of behavior where the purpose or the effect is to create a hostile, offensive, or intimidating work environment.

5.4 Allegations of harassment should be taken seriously and reported immediately to the Bishop's office or the Vicar of Clergy of the Diocese of Amarillo.

6. Parish, Religious Community/Institute, and Organizational Records and Information

Confidentiality will be maintained in creating, storing, accessing, transferring, and disposing of parish, religious community/institute, or organizational records.

6.1 Sacramental records shall be regarded as confidential. When compiling and publishing parish, religious community/institute, or organization statistical information from these records, great care must be taken to preserve the anonymity of individuals.

6.2 Most sacramental records older than 70 years are open to the public.

6.2.1 Information regarding adoption and legitimacy remains confidential, regardless of age.

6.2.2 Only staff members who are authorized to access the records and supervise their use shall handle requests for more recent records.

6.3 Parish, religious community/institute, or organization financial records are confidential unless review is required by the Diocese or an appropriate government agency. Contact the Chief Financial Officer of the Diocese upon receipt of any request for release of financial records.

6.4 Individual contribution records of the parish, religious community/institute, or organization shall be regarded as private and shall be maintained in strictest confidence.

7. Conflicts of Interest

Church Personnel, *Clergy, staff, and volunteers should avoid situations that might present a conflict of interest. Even the appearance of a conflict of interest can call integrity and professional conduct into question.*

7.1 Church Personnel should disclose all relevant factors that potentially could create a conflict of interest.

7.2 Church Personnel should inform all parties when a real or potential conflict of interest arises. Resolution of the issues must protect the person receiving ministry services.

7.2.1 No Church Personnel should take advantage of anyone to whom they are providing services in order to further their personal, religious, political, or business interests.

7.2.2 Pastoral counselors should not provide counseling services to anyone with whom they have a business, professional, or social relationship. When this is unavoidable, the client must be protected. The counselor must establish and maintain clear, appropriate boundaries.

7.2.3 When pastoral counseling or spiritual direction services are provided to two or more people who have a relationship with each other, the Pastoral Counselor or Spiritual Director must:

- Clarify with all parties the nature of each relationship,
- Anticipate any conflict of interest,
- Take appropriate actions to eliminate the conflict, and
- Obtain from all parties written consent to continue services.

7.3 Conflicts of interest may also arise when a Pastoral Counselor's or Spiritual Director's independent judgment is impaired by:

- Prior dealings,
- Becoming personally involved, or
- Becoming an advocate for one (person) against another.

In these circumstances, the Pastoral Counselor or Spiritual Director shall advise the parties that he or she can no longer provide services and refer them to another Pastoral Counselor or Spiritual Director.

8. Reporting Ethical or Professional Misconduct

Church Personnel *clergy, staff, and volunteers have a duty to report their own ethical or professional misconduct and the misconduct of others.*

8.1 Church Personnel must hold each other accountable for maintaining the highest ethical and professional standards. When there is an indication of illegal actions by clergy, staff, or volunteers, the Bishop's office or the Vicar of Clergy and the proper civil authorities must be notified immediately.

8.2 When an uncertainty exists about whether a situation or course of Conduct violates this *Code of Pastoral Conduct* or other religious, moral, or ethical principles, consult with:

- Peers,
- Others knowledgeable about ethical issues, or
- The Bishop's office or the Vicar of Clergy of the Diocese of Amarillo.

8.3 When it appears that a member of clergy, Church Personnel has violated this *Code of Pastoral Conduct* or other religious, moral, or ethical principles:

- Report the issue to a supervisor or next higher authority, or
- Refer the matter directly to the Bishop's office or the Vicar of Clergy of the Diocese of Amarillo.

8.4 The obligation of Pastoral Counselors and Spiritual Directors to Report client misconduct is subject to the duty of confidentiality. However, any agreement or duty to maintain confidentiality must yield to the need to report misconduct that threatens the safety, health, or well-being of any of the persons involved except as provided for in Section 2.6.

9. Administration

Employers and supervisors shall treat Church Personnel, *clergy, staff, and volunteers justly in the day-to-day administrative operations of their ministries.*

9.1 Personnel and other administrative decisions made by Church Personnel shall meet civil and canon law obligations and also reflect Catholic social teachings and this *Code of Pastoral Conduct.*

9.2 No Church Personnel shall use his or her position to exercise unreasonable or inappropriate power and authority.

9.3 Church Personnel must read and sign this Code of Conduct before providing services (see Part IV).

10. Staff or Volunteer Wellbeing

Church Personnel, *Clergy, staff, and volunteers have the duty to be responsible for their own spiritual, physical, mental, and emotional health.*

10.1 Church Personnel should be aware of warning signs that indicate potential problems with their own spiritual, physical, mental, and/or emotional health.

10.2 Church Personnel should seek help immediately whenever they notice behavioral or emotional warning signs in their own professional and/or personal lives.

10.3 Church Personnel must address their own spiritual needs. Support from a Spiritual Director is highly recommended.

10.4 Church Personnel must always be aware of their behavior as to the message they may be sending, especially when dealing with minors and adult teens.

10.5 Inappropriate or illegal use of alcohol and drugs is prohibited.

Code of Pastoral Conduct

Our children are the most important gifts God has entrusted to us. I promise to strictly follow the rules and guidelines in this Code of Pastoral Conduct as a condition of my service in the Diocese of Amarillo. While the below is to be applied specifically on the behalf of minors and vulnerable adults for their wellbeing; none-the–less it is must be considered appropriate behavior with any and all persons regardless as to their age or gender who are entrusted to our Catholic institutions.

As Church Personnel be it **Clergy, Staff, or Volunteer, I will**

- Treat everyone with respect, loyalty, patience, integrity, courtesy, dignity, and consideration.
- Avoid situations where I am alone with minors at Church activities.
- Use positive reinforcement rather than criticism, competition, or comparison when working with minors.
- Refuse to accept expensive gifts from minors or their parents without prior written approval from the pastor or administration.
- Refrain from giving expensive gifts to minors without prior written approval from the parents or guardian and the pastor or administrator.
- Report suspected abuse to the pastor, administrator, or appropriate supervisor and the local Child Protection Services agency. I understand that failure to report suspected abuse to civil authorities is, according to the law, a misdemeanor.
- Cooperate fully in any investigation of abuse of minors.

As Church Personnel be it **Clergy, Staff, or Volunteer, I will not:**

- Touch and/or exploit minors in a sexual or other inappropriate manner.
- Expose or participate with minors and/or adults in pornography (explicit or otherwise), via cybersex, phone sex, sexting, etc., in person, photographing, nor via email, text messages, video chat, or any other form of electronic communication or printed material.
- Pose any health risk to minors (i.e., no fevers or other contagious situations.)
- Humiliate, ridicule, threaten, or degrade minors.
- Use any discipline that frightens or humiliates minors. Strike, spank, shake, or slap minors.
- Use, possess, or be under the influence of illegal drugs at any time.
- Use, possess, or be under the influence of alcohol at any time while volunteering.
- Smoke or use tobacco products in the presence of minors.
- Use profanity in the presence of minors.

APPENDIX G
Church Personnel Training

G-1 Principle:

The Diocese of Amarillo is fully committed to preventing the sexual exploitation of minors and vulnerable adults, and to identifying any instance in which it does occur. To this end, all Church Personnel must receive specific training in identifying and responding to potential incidents of sexual misconduct within 45 days of position commencement. Although education alone cannot prevent or change inappropriate sexual behavior, it is essential to help each person to grow and mature in understanding his or her own sexuality, and thereby reducing risk to minors.

G-2 General requirements:

The Safe Environment Training Requirement has three components:

a. Initial training,
b. Five-year renewal training, questionnaire, and criminal background, and
b. Continuing education.

The Administrator of each Institution will ensure that all Church Personnel have completed the appropriate Safe Environment training.

While not every volunteer is required to attend Safe Environment Training, everyone is encouraged to attend.

G-3 Initial training for clergy and members of religious communities:

All clergy must attend a designated Safe Environment Training class. This requirement will apply to all priests, deacons, and candidates for ordination.

Members of religious communities who are active in Institutions, may satisfy their training requirement by completing the training program prescribed by their community, provided that they:

a. Present documentation to their Administrator of completion of the training program, and
b. Attend a Safe Environment class to orient them to the Diocesan Code of Conduct and reporting requirements.

G-4 Safe Environment training for Professional and Supervisory Employees in Catholic Schools:

All Catholic School personnel and volunteers must attend Diocesan Safe Environment Training.

G-5 Initial training for parish based ministries:

All parish based Church Personnel (whether paid or volunteer), CCD teachers, Sacramental teachers, youth workers, counselors, and youth ministers, and anyone in the parish that works with minors must undergo Diocesan Approved Safe Environment Training.

G-6 Who may facilitate a training class for adults/designated personnel:

Safe Environment Training Classes for Adults/ Church Personnel are to be conducted by an Adult Safe Environment Facilitator certified by the Director and/or his designee.

G-7 Training for personnel under 18 years of age:
Personnel who are 14 to 17 years of age and who are in regular contact with minors may satisfy their training requirement by attending Safer Environment Training. Personnel under the age of 14 need not attend a training class.

G-8 Continuing Education:

The Director will locate, evaluate, develop and provide continuing education materials as needs dictate.

G-9 Safe Environment Training of Church Personnel will be comprised of:

a) No less than two hours
b) Attendance sign in sheet
c) Safe Environment Questionnaire
    i. Each person to fill out
    ii Ensure application is complete
d) Review of the Code of Pastoral Conduct
    Sign Safe Environment Training Checklist
e) "An approved" core training program and/or supplemented with the below:
f) "Praesidium" Videos and supplement or as deemed appropriate by the Diocesan Director of Safe Environment Curriculum
g) Review the "Charter for the Protection of Children"
h) Review Amarillo Dioceses "Respecting the Boundaries" pamphlet
i) The Director will update the training materials as is reasonable and thus the above (G-9 a-h) is subject to on-going revision.

APPENDIX H
Training of Minors & Parents

H-1 Principle:
The Bishops' Charter mandates that all dioceses provide education to minors about sexual abuse and its prevention. All minors enrolled in the various programs throughout the diocese must be trained during the Safe Environment Month of October, and reported to the Safe Environment Office by November 15th.

H-2 Education for Minors:
The Director has approved certain curriculum for minors in our parishes and schools, which provides age-appropriate instruction in child sexual abuse. The lessons in this curriculum will be given annually to all minors in Kindergarten through Twelfth Grade in all Diocesan elementary and high schools and parish religious education programs. In order to ensure all institutions participate, the month of October has been designated as the "Safe Environment Month" during which time such training will be provided. All such materials are available to the Amarillo Diocese's website and will be updated as needed.

H-3 Who may facilitate Safe Environment Training for Minors:

Church Personnel who have received Adult Safe Environment Training as listed herein, and who have been cleared for ministry may teach/facilitate Safe Environment Training to children and youth. This is usually done in the context of their assigned Christian Formation Class. The Pastor, Principal, Director, or Safe Environment Coordinator should approve those instructors as they would any other Christian Formation Instructor.

H-4 Education for parents:

The best way to deliver this kind of education for minors is by their parents, who are the primary educators. Parents are encouraged to attend the Safe Environment Training with their children. The Director has resource materials for parents and guardians which are available through all Catholic Schools, Parish Christian Formation programs, and/or the Amarillo Diocese Website – Safe Environment.

H-5 Parental Choice:

If parents choose not to have their child participate in the safe environment training, the parents are to be provided with the safe environment training materials, and will be asked to sign an opt-out form acknowledging they opted out and that the materials were provided to them. These materials and forms are available on Diocesan website. If the parents decline to sign such a form, a notation of this should be made in a record maintained by the school or religious education program.

H-6 Record keeping:

Each Catholic School and Religious Education Program (Institution) in the Diocese will keep records on the number of children and parents/guardians who have received Safe Environment Education and their names as well.

All minors (Kindergarten – 12th Grade) attending Catholic Schools or parish based programs are required to be offered Safe Environment Training during October, the Safe Environment Month, unless their parents "opt-out". Note: Preschool children are not to be included in Safe Environment Training requirements.

Every reasonable effort must be made to provide Safe Environment Education to all minors enrolled in the particular program. Thus the institution must offer the training as often as is necessary to ensure every child has had ample opportunity to attend.

The Diocesan Safe Environment Staff recognizes that some children will, for whatever reason, not attend Safe Environment Education Classes. None-the-less the institution must make every reasonable effort to offer such classes and record the names in attendance and those names in which training was not received. Should multiple and reasonable efforts fail to provide required training, then the appropriate materials should be forwarded to the parents and a proper notation made on the Classroom Attendance Sheet.

The parish or school Safe Environment Coordinator must use common sense as to the number of minors enrolled and the number of minors who regularly attend. If a child is registered initially, but seldom if ever attends classes, then the he or she need not be included in the statistics as either "enrolled" and/or "not trained".

All forms (a) the Parish Report form, (b) Classroom Attendance Sheets, and (c) the parent's signed Opt-Out form are to be mailed to the Diocesan Safe Environment Background & Statistics Coordinator by November 15th and as needed for catch-up purposes. If the parish is not in compliance an additional "FOLLOW-UP REPORT" will be forwarded in January. Should the parish still not be in compliance a "LATE REPORT" will be forwarded in April with copy forwarded to the Bishop's Office. NOTE: Every minor must be accounted for by name.

All forms are available of the Diocesan Website.

It should be noted that the Classroom Attendances sheets (with names), in total should numerically correspond with the Parish Report form, as well as reports submitted to the Faith Formation Office.

While the Institution may have a Safe Environment Coordinator, the responsibility for providing accurate and current figures ultimately falls upon the Administrator.

APPENDIX I
Applicant Requirements

I-1 Safe Environment Requirements for all Applicants:

All new Applicants for positions with an "Institution", whether paid or volunteer, whose position or duties would place them in regular contact with minors, must fully comply with the following Safe Environment requirements:

a. Complete the Personnel Screening Process (i.e., complete the Safe Environment Questionnaire, and submit to a background check).

i. Questionnaires are to be submitted to the Diocesan Safe Environment Office for processing no less than three (3) working days prior to assignment begin date.

ii. Church Personnel must be cleared prior to position commencement and

iii. Acknowledge receipt of the Diocesan Policy Relating to Sexual Misconduct, and the appropriate Code of Conduct.

b. Complete the Safe Environment Training appropriate to their position within 45 days.

If any Church Personnel of the Diocese/Institution fail to satisfy the Safe Environment requirements within the appropriate time period, they may not come into contact with minors in any program or activity in Institutions.

I-2 Personnel who are under the age of 18 and are in regular contact with minors:

Personnel under the age of 18 must also comply with the Safe Environment Requirements as follows:

a. Young people between the ages of 14 and 17 may only be in regular contact with minors, if an adult directly supervises them. This adult must be in full compliance with the Safe Environment Requirements and is actually present at the time and place where they are serving.

b. Personnel who are 14 to 17 years of age must attend Safe Environment Training.

I-3 Safe Environment Compliance for Institutions:

The Administrator is responsible to ensure that all Safe Environment Requirements are adhered to. Should, after reasonable notice and requests to comply, it is determined that the Institution/Administrator has failed to respond and/or continues to be in non-compliance, remedial action will be taken as deemed necessary by the appropriate diocesan authority.

APPENDIX J
Background Checks

J-1 Principle:

Conducting background checks is an indispensable tool for creating a safe environment. These checks can identify those whose background poses a substantial risk to minors. They can also ensure that the identity of all personnel of the Diocese has been fully verified. Background checks and their results will be handled with the highest degree of discretion, in order to protect the privacy of all personnel, and to ensure that negative information is not improperly revealed. At the same time, any information that suggests a risk to minors will be treated very seriously.

J-2 Background checks required for all personnel:

All Church Personnel and Applicants of the Diocese whose position or duties place them in regular contact with minors must submit to a background (criminal history) check, administered by the Diocesan Safe Environment Office and must be cleared prior to beginning their service/ministry.

The Administrator of each Institution will ensure that all Church Personnel and Applicants who are in regular contact with minors have submitted to a background check. The form used as the source of the background check is the Safe Environment Questionnaire.

Failure to submit authorization for a background check, refusal to supply a valid Social Security number, and any false statement made on the authorization form, will constitute grounds for termination of position and being barred from any contact with minors in any program or activity of the Diocese.

J-3 Background checks for those without a valid Social Security number:

For Applicants who do not have a valid Social Security number, the following procedures shall be followed:

a. The person's direct supervisor will have them complete the background check authorization form, leaving the line for Social Security number blank.

b. The supervisor will verify their identity with some form of photo identification (e.g., a driver's license, a passport, an employer-issued ID card, etc.).

c. The supervisor will either:

i. make a copy of the identification document and send it to the Diocesan Safe Environment Office, along with the completed background check authorization form; or

ii.sign and make a notation on the authorization form that the person's identity has been verified.

This procedure will only be available to those who, for justifiable reasons, do not have a valid Social Security number. A person who has such a number, but refuses to submit it, may not have any contact with minors in any Diocesan program.

J-4 How the background checks will be conducted:

The Diocesan Safe Environment Office (Background & Statistics Coordinator) will enter the information provided in the Questionnaire to the appropriate provider. These checks shall seek the following information:

a. Verification of identity;
b. Existence of a criminal record;
c. Listing on a sex offender registry.

Under no circumstances will the Diocesan Safe Environment Background and Statistical Office seek any financial information on the person.

J-5 Renewing background checks:

Church Personnel will automatically (approximately 5-year intervals) undergo a criminal background check. At that time, Church Personnel will be required to submit an updated questionnaire only if there have been significant changes (address, contact information, name change, marital status, legal status, an arrest, etc.).

J-6 Background Check Fees:

The Diocesan Safe Environment Office will cover the cost of the computerized background checks.

J-7 Institutional Record-keeping:

The original Questionnaire will be submitted to the Safe Environment Office, which will be retained in diocesan files.

The Institution may have a "Safe Environment Coordinator" who compiles Safe Environment Records and Statistics; but the responsibility for providing verifiable, accurate and current figures to the Diocesan Safe Environment Office still lies with the "Administrator".

J-8 How negative results will be handled:

The Director will review all negative (criminal history) reports for all Church Personnel, in consultation with the following "Administrators" (as applicable):

a. Clergy members -- the Vicar of Clergy.
b. Members of Religious Communities -- the Major Superior
c. Department of Education staff and teachers -- the Principal.
d. Parish Employees/Volunteers - Pastor

d. Other Departments - the Executive Director or related position.

The Director will evaluate whether the nature of the negative report warrants possible action, and attempt to verify that the report relates to the applicant. Any action taken with regard to any negative report will comply with state and federal law, and the Diocesan Safe Environment Policy.

J-9 Negative results that relate to immigration status:

Information regarding a person's immigration status shall not be the basis for any adverse action in relation to the Safe Environment Program.

J-10 How negative reports regarding a "criminal record involving sexual misconduct or sex offender status" will be handled:

If the background check reveals information that falls under the Bishops' Charter (i.e., it involves the sexual abuse of minors or young people, or is listed in a sex offender registry), the Director will notify the appropriate Administrator as soon as possible.

a. The Administrator, along with another authority figure if deemed necessary, shall interview the person in-question.
b. Said person will be given the opportunity to provide relevant information about the report.
c. The Administrator, if the accusation/conviction is verified, will immediately bar the person from any contact with minors and then
d. Notify the Director as to the status.

The Director will ensure that the person in-question is removed and prohibited from working at any "Institution" that serves children and young people

a. The Director will ensure that an appropriate notation is made in the diocesan file of the removed person to ensure it is fully noted for future reference
b. The Director will notify any of the following as the circumstances dictate:
    i. Bishop and/or
    ii. The Vicar General

J-11 How negative reports regarding "any other kind of criminal record" will be handled:

Background information that reveals negative information (criminal history) that may not fall specifically under the Bishops' Charter (i.e., it does not involve the sexual abuse of minors or young people), will be handled as follows:

a. The Director may:
    i. evaluate the criminal history to determine if it may represent a risk to minors; or
    ii. evaluate the criminal history to determine as to whether it is of such a serious nature that it warrants legitimate concern for the safety and welfare of the Institution and/or

iii. forward the criminal history to the appropriate Administrator for review for his/her determination.

b. In making this determination, the following factors shall be considered:

i. The duties and responsibilities held by the person;
ii.. The bearing of the offense on their fitness to perform those duties;
iii. The length of time since the commission of the offense;
vi. The age at which the person committed the offense;
v. The seriousness of the offense;
vi. Any information provided by the person or someone else on their behalf.

If conditions warrant, the Administrator may bar the person from any contact with minors and/or reassign that person to responsibilities without contact with minors. Regardless as to the decision the Director will be notified.

The Diocesan Safe Environment Background & Statistics Coordinator will ensure that that any person who is removed and prohibited from employment or service at any Institution that serve minors by:

a. Making the appropriate notation in the file of the removed person to ensure it is fully noted for future reference
b. The Director will, as the situation requires, notify the Bishop and/or his designee
c. If the person is employed, the Administrator will make the determination as to employment discharge or reassignment.

J-12 Criminal Histories that are disputed:

Should the person dispute the identity or the validity of the Criminal History Report they may pursue resolution as follows:

a. Contact the law enforcement agency reporting the information and resolve accordingly.
b. Contact a local law enforcement agency, request to be fingerprinted, and have a Criminal History Check conducted and compared to the questioned report to insure proper identity versus possible identity theft.
c. If necessary, contact an attorney to represent them in resolving the reported conviction.
d. All related expenses are to be incurred by the person.

If the negative report suggests that the person may have supplied a false name or Social Security Number, the Director will notify the Administrator of appropriate Institution. The person will be asked to submit a form of identification that has been validly issued by a government agency (e.g., a valid driver license, passport, etc.). If adequate verification is obtained, no further action will be taken.

J-13 Diocesan Record-keeping:

The Safe Environment Office will maintain secure files for the background checks, questionnaires, and reports of any action taken with regard to a negative report.

J-14 Inappropriate, Immoral, Questionable, Borderline Behavior involving minors, young adults, and vulnerable adults:

On occasion some inappropriate, immoral, questionable or borderline behavior may be detected and brought to the attention of the Institution's Administrator. While this behavior may not be a violation of Texas Criminal Statutes, none the less it presents a dilemma as to how to the situation should be addressed by the Administrator. For example such behavior could be a much older person (single or married) dating or having excessive contact with an adult teen(s), an adult teen dating a minor, an adult high on drugs or alcohol in the presence of minors, a person who is employed in adult entertainment, etc. Care must be taken however in that it is often a judgment call as to what constitutes inappropriate behavior; none-the-less some behaviors clearly warrant intervention.

The Institution's Administrator knows his facility, staff, and volunteers best, thus he/she should determine how best to resolve the situation. For example it could be requested that the person refrain from ministry with minors, young people, teen adults, etc.

APPENDIX K
Questionnaire

K-1 The Safe Environment Questionnaire:

All Church Personnel and new applicants for positions in Diocesan programs, whose position or duties would place them in regular contact with minors, must complete a Safe Environment Questionnaire. This requirement applies to both prospective employees and volunteers.

The Safe Environment Questionnaire shall include a request for the following information:

a. Name, including all other names used;
b. Social Security number;
c. Other means of identification;
d. Date of Birth;
e. Current and former addresses
f. Telephone number(s)
g. Names of persons who may be contacted as references to include full name, telephone number, and address.
h. Whether the person has ever been accused, investigated, or disciplined for sexual abuse or misconduct.
i. Other Catholic facilities where they may function.
j. Authorization of the Diocese to conduct a criminal background history.
k. Signature

Church Personnel and applicants must sign the Safe Environment Questionnaire, certifying that their answers are accurate and truthful, and acknowledging that they received the Summary of the Policy on Sexual Misconduct and the Code of Conduct and will comply with them. Applicants will also certify that they understand their responsibility to comply with the Safe Environment Requirements by the appropriate deadline.

Failure to complete the Safe Environment Questionnaire, and every question therein, or making any false statement made on the Questionnaire, will constitute grounds for termination of employment or volunteer service, and being barred from any contact with minors in any program or activity of the Diocese.

K-2 Questionnaire Classifications:

In as much as the Charter Audit Procedures requires six (6) “classifications” of Church Personnel, the Questionnaire offers the following categories:

PRIESTS: include any religious order or diocesan priest in active or supply ministry (including retired priests who continue to celebrate the occasional Mass, wedding, baptism, etc.) since these activities put them in a position to be around children.

DEACONS: include any religious order or diocesan deacon in active or supply ministry (including retired deacons who continue to celebrate the occasional weddings, baptisms, etc.) since these activities put them in a position to be around children.

CANDIDATES FOR ORDINATION: although not specifically mentioned in Article 12 of the Charter, this category should include seminarians and candidates for the permanent diaconate.

EDUCATORS – FULL/PART TIME: Catholic School (primary purpose to educate children in standard academic format) employee who is given payment for services (any form of compensation, whether monetary or other) rendered in which the obligation to withhold for payroll tax (FICA, Medicare, etc.) exists. Educators would be those persons who assist in some manner at a Catholic School. "Educator" does not include Christian Education Teachers, CCD Teachers or Aides, Sunday School Teachers, and Sacramental Trainers in a parish level and/or outside of a Catholic School or related sponsored event, these would be considered Volunteers as listed below.

DIOCESAN EMPLOYEES – FULL/PART TIME: are paid person (other than priests/deacons or educators) who are employed by and work directly for the diocese. This would include but not be limited to office/chancery/pastoral center/maintenance employees, retreat facility workers, youth ministers, etc.

A paid diocesan employee is one who is given payment for services (any form of compensation) rendered in which the obligation to withhold for payroll tax (FICA, Medicare, etc.) exists.

PARISH/SCHOOL EMPLOYEES – are paid persons (other than priests/deacons or educators) who are employed by and work directly for parishes/schools. This would include but not be limited to parish ministers, school support staff, rectory personnel, secretaries, coaches, maintenance personnel, etc. A paid parish/school employee is one who is given payment for services (any form of compensation) rendered in which the obligation to withhold for payroll tax (FICA, Medicare, etc.) exists.

F. VOLUNTEER: are non-paid persons who assist the diocese, including parishes and schools such as catechists, youth ministers, coaches, etc.

K-3 Incomplete, Erroneous, or Improperly Filled out Questionnaires:

Upon discovery that a Questionnaire has missing, incomplete, illegible, erroneous information, or is improperly filled out, thereby impending processing (criminal history checks, data base entry, etc.), the Diocesan Background and Statistics Coordinator will return the Questionnaire to the Administrator for appropriate resolution.

K-4 Five-year Resubmission of Questionnaire:

Church Personnel will periodically (approximately 5-year intervals) be required to renew their background check. This will be done automatically by the Background and Statistics Coordinator. If there have been significant changes in the person's life (i.e. change of name, address, marriage, an arrest, etc.) then a new questionnaire must be submitted. All Church Personnel must undergo retaining every five years.

Bibliography

United States Catholic Conference of Bishops: “Charter for the Protection of Children and Young Adults”.

USCCB 2006 Compliance Audit Instrument

Special Thanks to Amarillo Diocese Safe Environment Contributors

Most Reverend Patrick James Zurek – Bishop of Amarillo
Bishop Emeritus John W. Yanta
Msgr. Michael Colwell
Rev. Phu Phan
Msgr. Harold Waldow
Belinda Taylor
Bernice Noggler
Susan Garner
Joe Garcia
Louise Ross
Members of the Diocesan Charter Review Board
Attorney Fred Griffin
Dcn. Blaine S. Westlake

APPENDIX 6: Deacon Continuing Education

As per the Deacon Guidelines, "*Chapter VII Continuing Education*", after ordination, each deacon is to pursue opportunities for continuing education related to diaconal ministry.

Deacons must be able to demonstrate to the Church that they are competent, well-informed spiritual leaders. As professionals in ministry, deacons must constantly form themselves to fulfil their diaconal ministry, update current ministries and prepare for future ministries.

The Diocese of Amarillo requires a minimum of twenty (20) Continuing Education hours per calendar year: January 1st - December 31st. This can be achieved through theological, spiritual and pastoral studies thus enhancing a deacon's sense of professionalism, accomplishment, self-confidence and competency in their ministry.

These twenty hours of Continuing Education should be above and beyond usual Parish responsibilities, duties, teaching or attending adult education classes, and/or participation in other laity oriented Parish based activities.

This appendix provides additional information to assist each deacon in determining the number and type of contact hours achieved through various kinds of continuing education opportunities.

While the minimum number of contact hours is set at "20", nothing precludes exceeding that number. You are encouraged to report those hours exceeding the required twenty, however surplus hours will not be carried over into the next year except under the most extenuating circumstances.

Credit may be achieved in whole or part using the following guidelines:

1. Certification courses: Many national, regional entities offer courses with issuance of a certificate at the end of an instructional seminar or conference.

2. Announced Diocesan Sponsored courses: Any course or conference offered by the Diaconate Office, Faith Formation Office, etc. that is pertinent to diaconal ministry.

3. Attendance at a full semester of any Deacon Formation course.

4. College courses: One contact hour for each classroom hour attended. Such courses must be related to diaconal ministry.

5. Independent study: Utilization of on-line programs via the Internet (online educational sessions, etc.) – number of specific hours required for course completion.

6. Reading of books that are related to diaconal ministry is encouraged. Two hours per book for a total of four hours. A one page summary of the book to include: Title, Author, ISBN #, Number of pages, brief summary as to the book's contents, and "what value is this book or how can the content be applied into my ministry".

7. Other: courses, conferences, seminars, workshops, and/or Bilingual training.

8. Pursuing a General Education Diploma (GED), classroom hours will count towards the continuing education requirement.

9. The following activities are not normally considered continuing education contact hours:

a. Travel related to meetings of place of instruction, meal times, etc.
b. Informal meetings and prayers
c. Prayer services and liturgies
d. Spiritual direction sessions
e. Pastoral council, diocesan board, administration, business or committee meetings
f. Deanery meetings
g. Support group functions
h. Parish based Adult Education, Faith Formation, RCIA classes, etc.
i. Courses not related to ministerial service

If in doubt, then send full written description of the course (class, workshop, etc.) to the Diaconate Office for consideration.

Deacons are expected to submit a report of all their continuing education activities annually to the Office of the Permanent Diaconate to keep their personnel file current on a standard reporting form available on the diocesan website.

Diocese of Amarillo
Office of the Permanent Diaconate

Annual Deacon Continuing Education Report Form
January 1 – December 31, _____ (year)

NAME: _____

Date: _____

Title of Course/Book	Institution/Instructor / Publisher	Dates of Attendance/ Number of Pages	Classroom/Contact Hours
**********	**********	**********	**TOTAL HOURS:**

Please submit this form to:

Diaconate Office
Diocese of Amarillo
1800 North Spring Street
Amarillo, TX79107