

**A STATEMENT OF POLICY
FOR THE
PROTECTION OF CHILDREN & YOUTH**

MOUNT DE SALES ACADEMY

The current and effective version of Mount de Sales Academy's Child and Youth Protection Policies and Procedures, including the *Statement of Policy for the Protection of Children & Youth* and the *Code of Conduct for Mount de Sales Academy*, which incorporates any revisions to the Mount de Sales Academy's Child and Youth Protection Policies and Procedures that may be made from time to time, is available on the Child and Youth Protection page of the Mount de Sales Academy's website. As the Archdiocese of Baltimore, Mount de Sales Academy utilizes an online compliance management system, *Shield the Vulnerable*.

INTRODUCTION

Mount de Sales Academy is committed to providing safe and healthy environments for children and youth. This commitment is expressed in Mount de Sales Academy's Child and Youth Protection policies. These policies are based upon the policies of the Archdiocese of Baltimore and have been in place since the 1980s. They have been evaluated, strengthened, and disseminated broadly through the years. The Archdiocese implemented mandatory screening and training policies for employees and volunteers in 2003, as well as mandatory safe environment education for children. In 2002, the United States Conference of Catholic Bishops promulgated the Charter for the Protection of Children and Young People and Essential Norms which establish a comprehensive set of procedures for addressing allegations of sexual abuse of minors. Over the years, the Archdiocese has updated its policies. In 2014, the Archdiocese rededicated its efforts to creating safe environments for our children and has revised its policies and expectations for compliance. Mount de Sales Academy has worked closely with the Archdiocese to incorporate these revisions and support for the safety of our students.

Personnel at Mount de Sales Academy are expected to promote the dignity of each person and to understand the power they have to do great good and the power to cause harm. We pray for the healing and reconciliation of all those who have been victims of child abuse. We will exclude from ministry, employment, and volunteer service anyone against whom there is an indicated allegation of sexual abuse, physical abuse, or neglect of a child. We will affirm efforts to provide appropriate and loving outreach to the children and youth of the Mount de Sales Academy.

Mount de Sales Academy wishes to acknowledge the commitment of the clergy, religious, employees, and volunteers to the young people of our Church and the implementation of these policies.

We believe that God's people have the right to healthy ministry and to quality pastoral care.

We believe that at the heart of this ministry is a relationship with God, a desire for holiness, and a commitment to live in right relationship with God's people.

We believe that the protection of those children and youth entrusted to Mount de Sales Academy's care is of paramount interest.

We believe that those who work at Mount de Sales Academy have influenced ability to do great good for children and youth.

We believe that child abuse or attempted abuse causes emotional, spiritual, physical and/or psychological damage.

We believe that Mount de Sales Academy must continue to reach out to those who are victims of child abuse with the very compassion of Christ.

We recognize our responsibility to provide avenues of healing for those who are victims and for their families.

We recognize our responsibility to observe the requirements of Maryland law regarding prompt reporting of suspected abuse and to continue cooperating with civil authorities.

We recognize there are instances where the State may not prosecute even though an allegation has been made. Regardless of criminal proceedings, when an allegation has been made we take appropriate action to promote the safety of children and youth.

We recognize our responsibilities as an employer: Our personnel are entitled to fair treatment under canon and civil law.

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1.0 DEFINITIONS

- 1.1 Abuse:** The physical injury or mental injury of a child by a parent or other person who has permanent or temporary care or custody or responsibility for supervision of a child, or by any household or family member, under circumstances that indicate that the child's health or welfare is harmed or at substantial risk of being harmed; or sexual abuse of a child, whether physical injuries are sustained.
- 1.2 Adult:** A person who is 18 years of age and older.
- 1.3 Application:** The Mount de Sales "Application for Employment" or "Application for Volunteer Service."
- 1.4 Business Office Human Resource Administrator:** A staff member, designated by the Principal, to assist in ensuring the school is in full compliance with the requirements of the Mount de Sales Academy's Child and Youth Protection Policies and Procedures for the employees and volunteers of the school.
- 1.5 Child:** Any individual under 18 years of age.
- 1.6 Child and Youth Protection Policies and Procedures:** Mount de Sales Academy's Child and Youth Protection Policies and Procedures are in *A Statement of Policy for the Protection of Children and Youth, Procedures for Implementation and Compliance*, and the *Code of Conduct for Church Personnel of the Mount de Sales Academy*. The most current policies and procedures are located on the Mount de Sales Academy's website.
- 1.7 CJIS Fingerprint-based Criminal History Record Information Check:** The Criminal Justice Information Services ("CJIS") Central Repository serves as the focal point and central repository for criminal information, including fingerprints. CJIS Fingerprint-based Criminal History Record Information Check is the submission of fingerprints to the state and FBI to obtain information on the existence and content of a criminal record. This check must be processed by the State of Maryland Department of Public Safety and Correctional Services.
- 1.8 Coach:** An individual who, with or without pay or expectation of pay, instructs, supervises, and/or provides leadership or assistance to children and youth participating in a Mount de Sales athletic program.
- 1.9 Criminal History Screening:** An Internet-based background check completed through a third party vendor.
- 1.10 Driving Record Check:** The screening that is done through a third party vendor which checks for certain available driving record information.
- 1.11 Indicated:** A finding that there is credible evidence, which has not been satisfactorily refuted, that abuse or neglect occurred.

- 1.12 Law Enforcement:** The police department, bureau or agency; sheriff's department; State's Attorney's Office; and/or Attorney General's Office.
- 1.13 Local Educational Agency:** A school district (e.g., Baltimore County Public Schools, Howard County Public Schools) that provides students in Mount de Sales Academy with direct services, such as tutoring, speech and language services or occupational therapy, that the students are entitled to receive under federal law.
- 1.14 Minor or Child:** Any individual under 18 years of age.
- 1.15 Misconduct with Minors:** Actions that compromise the safety and well-being of a child or violate appropriate boundaries with a minor. For purposes of this policy, Misconduct with Minors does not include Abuse.
- 1.16 Neglect:** The failure to give proper care or attention to a Child, including the leaving of a Child unattended where the child's health or welfare is harmed or a Child is placed in substantial risk of harm or mental injury, by any parent, school system employee, service provider or other person who has permanent or temporary care or custody or responsibility for supervision of the Child.
- 1.17 Personnel:** Includes priests and deacons with faculties to function in this Archdiocese; seminarians of the Archdiocese; men and women religious approved for ministry by the Archdiocese; and employees and volunteers who are subject to the control, under civil law, of Mount de Sales Academy.
- 1.18 Ruled out:** A finding that abuse or neglect did not occur.
- 1.19 Sexual Abuse:** Any act that involves sexual molestation or exploitation of a Child by a parent or other person who has permanent or temporary care or custody or responsibility for supervision of a Child, or by any household or family member.
- 1.20 Substantial Contact:** Contact with Minors in which the duration and scope in both time and exposure to Minors is neither rare nor limited and may occur on a routine and/or ongoing basis. This includes all overnight activities with Minors.
- 1.21 Unsubstantiated:** A finding that there is insufficient evidence to support a finding of indicated or ruled out.

2.0 SERVICE ELIGIBILITY AND COMMUNICATION WITH THE OFFICE OF CHILD AND YOUTH PROTECTION

In addition to the screening and education of Personnel, the interaction and performance of all individuals at Mount de Sales with students must be monitored as described in the Mount de Sales Academy's Child and Youth Protection Policies and Procedures.

- 2.1** Mount de Sales Academy will exclude from ministry, employment, and volunteer service anyone against whom there is an indicated allegation of sexual abuse, physical abuse, or neglect of a Child.
- 2.2** Personnel are expected to act in a manner that is consistent with Mount de Sales Academy's *A Statement of Policy for the Protection of Children & Youth* and the *Code of Conduct for Mount de Sales Academy*.
- 2.3** Personnel must contact Mount de Sales Academy's Business Office Human Resource Administrator immediately if it is learned that anyone alleged to have engaged in Abuse, Neglect, or Misconduct with Minors is involved in any ministry, class, program or activity at the school. This requirement is in addition to the provisions discussed below regarding reporting to Law Enforcement and screening employees and volunteers.
- 2.4** Restrictions may be placed on any individual alleged to have engaged in Abuse, Neglect, Misconduct with Minors, or similar conduct regarding participation in activities of Mount de Sales Academy.
 - 2.4.1** Such restrictions may be imposed even if the individual is not an employee or volunteer.
 - 2.4.2** If it is learned that a student's parent is a registered sex offender, restrictions will be placed on that parent.
 - 2.4.2** Restrictions might also be placed on an individual who is alleged to have engaged in Abuse, Neglect, Misconduct with Minors, or similar conduct, pending a final determination.
- 2.5** Personnel must not initiate any kind of investigation before contacting the Business Office Human Resource Administrator. The Mount de Sales representative should proceed under the direction of the Business Office Human Resource Administrator and the Principal.
- 2.6** Mount de Sales Academy will contact the Office of Child and Youth Protection and/or the Division of Human Resources of the Archdiocese of Baltimore before terminating the employment or service of Personnel due to an allegation of Abuse or Misconduct with a Minor.

3.0 SCREENING AND SELECTION

Mount de Sales Academy is committed to healthy ministry and seeks to engage competent, qualified Personnel. To protect children and youth, Personnel are screened for their fitness to work with Minors.

The Business Office Human Resource Administrator is accountable to the Principal for the proper implementation and compliance with Mount de Sales Academy's Child and Youth Protection Policies and Procedures at his/her location. If the Business Office Human Resource Administrator delegates any task or function, s/he remains accountable for ensuring that the task or function is carried out correctly. Additionally, the Administrator is also accountable for the proper implementation and compliance with Mount de Sales Academy's Child and Youth Protection Policies and Procedures.

3.1 Clergy and Religious

- 3.1.1** All clergy and religious serving at Mount de Sales Academy must be in compliance with Mount de Sales Academy's Child and Youth Protection Policies and Procedures.
- 3.1.2** The Business Office Human Resource Administrator must confirm that all procedures and documentation have been completed regarding all clergy and religious serving at Mount de Sales Academy. If an individual fails to complete any part of the process, then he/she may not serve at Mount de Sales Academy.
- 3.1.3** All clergy and religious serving at Mount de Sales Academy must complete the CJIS Fingerprint-based Criminal History Record Information Check.
- 3.1.4** The Business Office Human Resource Administrator must check with the Office of Clergy Personnel to be certain priests and deacons with faculties to function in this Archdiocese; those enrolled in the Permanent Diaconate Formation Program; men and women religious are approved for ministry before allowing any of them to serve at Mount de Sales Academy.

3.2 Seminarians

- 3.2.1** All seminarians serving at Mount de Sales Academy must be in compliance with Mount de Sales Academy's Child and Youth Protection Policies and Procedures.
- 3.2.2** The Business Office Human Resource Administrator must confirm that all procedures and documentation have been completed regarding all seminarians at Mount de Sales Academy. If an individual fails to complete any part of the process, then he may not serve at Mount de Sales Academy.

3.2.3 All seminarians at Mount de Sales Academy must complete the CJIS Fingerprint-based Criminal History Record Information Check.

3.3 Employees

3.3.1 All requirements of Mount de Sales Academy's Child and Youth Protection Policies and Procedures must be completed with required documentation on or before the first day of employment.

3.3.2 The Business Office Human Resource Administrator will confirm that these screening requirements have been completed. If any of the requirements is not completed, then the employee may not serve.

3.3.3 All applicants for employment must complete the Mount de Sales Academy Application for Employment.

3.3.4 In order to determine eligibility and suitability for service, all applicants for employment must be interviewed by the Principal or his/her designee before an employment offer is extended.

3.3.5 All applicants for employment must provide a minimum of three professional references. The references must be checked and documented by the Business Office before an employment offer is extended.

The Application for Employment requires an applicant to list all employment experience at Mount de Sales Academy. If an applicant has served or worked at another Archdiocesan Entity, then the Business Office must contact each prior Entity and the Archdiocesan Division of Human Resources for references.

3.3.6 In accordance with Maryland law, employees of child care facilities, including schools and day care centers, must apply for CJIS Fingerprint-based Criminal History Record Information Checks on or before the first day of employment.

3.3.6.1 Under Maryland law, a school may not hire or retain an employee who has been convicted of certain specified crimes.

3.3.7 In addition to the requirements of Maryland law for employees of childcare facilities, Mount de Sales Academy requires that **all** employees apply for the CJIS Fingerprint-based Criminal History Record Information Check on or before the first day of employment.

3.3.7.1 In addition, the internet Criminal History Screening must be completed and received by the Business Office on or before the employee may begin service. The employee's continued employment is always contingent upon favorable results of the

Criminal History Record Information Check and a Criminal History Screening.

- 3.3.8** Mount de Sales Academy generally does not require CJIS Fingerprint-based Criminal History Record Information Checks for employees under 18 years of age unless specifically required by Maryland law.
- 3.3.9** The Business Office Human Resource Administrator must contact the Archdiocesan Office of Child and Youth Protection if the application, interview, references, CJIS Fingerprint-based Criminal History Record Information Check, or the Criminal History Screening reveals that the applicant has ever been accused of, charged with, or convicted of Abuse or that the applicant has been terminated from employment or volunteer service at an Archdiocese of Baltimore Entity. In such a situation, the applicant may not begin employment until written approval is received by the Archdiocesan Office of Child and Youth Protection.

3.4 Volunteers

- 3.4.1** All requirements of Mount de Sales Academy's Child and Youth Protection Policies and Procedures must be completed with required documentation before a volunteer may begin service at Mount de Sales Academy.
- 3.4.2** The Business Office Human Resource Administrator will confirm that these screening requirements have been completed. If any of the requirements is not completed, then the volunteer may not serve.
- 3.4.3** All applicants for volunteer service who are at least 14 years of age must complete the Mount de Sales Academy Application for Volunteer Service. (If the applicant is under 18 years of age, the application must also be signed by the applicant's parent or guardian.)
- 3.4.4** All applicants for volunteer service who are at least 14 years of age who will have Substantial Contact with Minors must provide three adult references. The references must be checked and documented by the Business Office before the applicant may begin serving.
- 3.4.5** The Application for Volunteer Service requires the applicant to list all volunteer and employment experience at Mount de Sales Academy. If the applicant for volunteer service has served or worked at another Archdiocesan Entity, references must include the supervisor of the most recent such Archdiocesan Entity.
- 3.4.5** All Adult applicants for volunteer service who will have Substantial Contact with Minors must complete a Criminal History Screening before beginning the volunteer service. A volunteer applicant's service is contingent upon favorable results of the Criminal History Screening.

3.4.5.1 All Adult volunteers who have Substantial Contact with Minors must complete a Criminal History Screening every five years.

3.4.6 The Business Office Human Resource Administrator must contact the Archdiocesan Office of Child and Youth Protection if the application, interview, references, or Criminal History Screening reveals 1) that the applicant has ever been accused of, charged with, or convicted of Abuse; 2) that the applicant has been terminated from employment or volunteer service at an Archdiocese of Baltimore Entity; or 3) any other questionable or unfavorable information. In such a situation, the applicant may not begin volunteer service until written approval is received by the Entity from the Office of Child and Youth Protection.

3.5 Coaches

3.5.1 All requirements of Mount de Sales Academy's Child and Youth Protection Policies and Procedures must be completed with required documentation on or before a Coach may begin service at Mount de Sales Academy.

3.5.2 The Business Office Human Resource Administrator will confirm that these screening requirements have been completed. If an applicant fails to complete any part of the requirements, then the applicant may not serve as a Coach.

3.5.3 A Coach who receives any remuneration in exchange for working with Minors who are participating in an athletic program will be considered an employee. Therefore, all requirements of Mount de Sales Academy's Child and Youth Protection Policies and Procedures must be completed with required documentation on or before a Coach may begin employment at Mount de Sales Academy.

3.5.3.1 All applicants must provide a minimum of three professional references, one of whom has direct, personal knowledge of the applicant's coaching experience.

3.5.3.2 The references must be checked and documented by the Business Office Human Resource Administrator before an employment offer is extended.

3.5.4 All Coaches who will **not** receive any remuneration in exchange for working with Minors who are participating in an athletic program must complete all screening requirements of applicants for volunteer service who will have Substantial Contact with Minors.

3.5.4.1 All applicants must provide a minimum of three references, including references relevant to Coaching experience.

The references must be checked and documented by the Business Office Human Resource Administrator or his/her designee before the applicant may begin serving.

3.6 Host Families of International Students

3.6.1 All host parents and all adults living in the host household must complete all screening requirements of applicants for volunteer service who will have Substantial Contact with Minors.

3.6.1.1 In addition, host parents must apply for the CJIS Fingerprint-based Criminal History Record Information Check on or before the first day of service at a Covered Entity

3.7 Independent Contractors, Vendors, Lessees, Outside Groups, & Non-Educational Providers

3.7.1 If third parties (such as independent contractors, vendors, lessees, outside groups using the facilities) will have Substantial Contact with Minors at Mount de Sales Academy, Mount de Sales Academy must obtain written verification from the third party that its employees, agents, volunteers, and subcontractors have been screened through a criminal background check which revealed no incidents of Abuse, Neglect, Misconduct with Minors, or other criminal activity that would render them unsafe to have contact with minors. This requirement should be included in any lease, facility use agreement, or other written contract between Mount de Sales Academy and the third party.

3.7.2 A non-Mount de Sales Academy **educational provider**, including any Local Educational Agency, providing services to Mount de Sales Academy must provide documentation to the school that each non-Mount de Sales Academy educational service provider assigned to the school has satisfactorily completed a criminal background check and completed Mount de Sales Academy's safe environment training.

3.8 Drivers

- 3.8.1** In addition to any other applicable requirements under this policy, a driving record check is required for Personnel who are required to drive others as part of their duties or who operate a vehicle owned or leased by Mount de Sales Academy.
- 3.8.2** The process for anyone operating a Mount de Sales owned vehicle must be completed at a minimum of annually for an employee or volunteer. Any Personnel covered under 3.8.1 who lose their driving license privilege for any reason, including suspension, or accumulate more than three (3) points in any six (6) month period must notify the Business Office Human Resource Administrator immediately and are not allowed to drive Mount de Sales Academy owned or leased vehicles under any circumstance until clearance is given by the Business Office Human Resource Administrator. Continuing employment or service will be determined by the Business Office Human Resource Administrator after evaluating the driver's record.
- 3.8.3** Unfavorable driving record checks will be reviewed by the Business Office Human Resource Administrator. In such cases, the employee or volunteer may not begin driving or continue driving for Mount de Sales Academy until written approval is obtained.

4.0 TRAINING AND EDUCATION

Mount de Sales Academy is committed to training and education on how to prevent, recognize, and report Abuse, Neglect and Misconduct with Minors. By educating adults and children, risks to children are greatly reduced because there is a better understanding and awareness of the issue of Abuse.

4.1 All Personnel must read Mount de Sales Academy's *Statement of Policy for the Protection of Children & Youth* and the *Code of Conduct for Personnel of Mount de Sales Academy* and acknowledge his/her responsibility to comply with Mount de Sales Academy's Child and Youth Protection Policies and Procedures.

4.1.1 All priests and deacons with faculties to function at Mount de Sales Academy, seminarians, and those enrolled in the Permanent Diaconate Formation Program, men and women religious working at Mount de Sales, and employees must acknowledge that he/she has read the policies on the Mount de Sales Academy's online compliance management system, *Shield the Vulnerable*. Documentation is maintained by the Business Office.

4.1.2 Volunteer applicants must acknowledge that he/she has read the policies on Mount de Sales Academy's online compliance management system, *Shield the Vulnerable* by signing the Application for Volunteer Service.

4.2 All priests and deacons with faculties to function at Mount de Sales Academy, seminarians, and those enrolled in the Permanent Diaconate Formation Program, men and women religious working at Mount de Sales, and employees must complete the Internet-based safe environment training for Adults regarding preventing, recognizing, and reporting Abuse, Neglect and the Misconduct with Minors. This training must be completed with required documentation or on before the first day of service. Training documentation must be reviewed and maintained by the Business Office.

4.2.1 This training must be renewed every five (5) years.

4.3 All volunteer applicants who will have Substantial Contact with Minors must complete the Internet-based safe environment training for Adults regarding preventing, recognizing, and reporting Abuse, Neglect and Misconduct with Minors. Training must be completed before the applicant is permitted to volunteer. Training documentation must be reviewed and maintained by the Business Office.

4.3.1 This training must be completed every five (5) years.

4.3.2 Volunteers who are under 18 years of age must receive age appropriate safe environment training regarding preventing, recognizing, and reporting Abuse, Neglect and the Misconduct with Minors.

4.3.3 Education or training offered by other organizations (e.g., Boy Scouts of America, public schools) may not be substituted for the Internet-based safe environment training for Adults.

4.4 Non-Mount de Sales Academy educational providers, including any Local Educational Agency, and designated independent contractors and vendors who have substantial contact with Minors must complete the Internet-based safe environment training for Adults regarding preventing, recognizing, and reporting Abuse, Neglect and the Misconduct with Minors. This training must be completed before providing any service. Training documentation must be reviewed and maintained by the Business Office.

4.4.1 This training must be renewed every five (5) years.

4.5 The Principal or his/her designee must provide an annual review of the Mount de Sales Academy *Statement of Policy for the Protection of Children & Youth*, and the *Code of Conduct for Church Personnel of the Mount de Sales Academy* with employees.

4.6 Due to the sensitive nature of the subject matter, some victims of child sexual abuse may not feel comfortable completing safe environment training. Personnel in this situation may request to receive the materials in an alternative way. These requests are made through the Office of Child and Youth Protection for the Archdiocese of Baltimore.

4.7 Mount de Sales Academy will work with the Office of Child and Youth Protection of the Archdiocese of Baltimore and will provide ongoing opportunities for additional training and education to Personnel on preventing, recognizing, and reporting Abuse, Neglect and the Misconduct with Minors.

5.0 COMPLIANCE WITH MARYLAND REPORTING LAWS

Mount de Sales Academy complies with Maryland laws regarding reporting suspected Abuse and Neglect to civil authorities and cooperates with civil authorities investigating reports of suspected Abuse or Neglect by anyone, including but not limited to Personnel.

- 5.1** Under Maryland law, any person who has reason to believe a Child has been subjected to Abuse (including Sexual Abuse) or Neglect must make a report to the local office of Department of Social Services or Law Enforcement immediately. Notification must also be given to the Principal and/or Business Office Human Resource Administrator.
- 5.2** Alleged Abuse or Neglect that occurred when the victim was under 18 years of age must be reported, even if the victim is now over 18 years of age and even in cases when the alleged perpetrator is deceased.
- 5.3** Specific professionals, including educators and health practitioners who have reason to believe a Child has been subjected to Abuse or Neglect must 1) make an oral report to the local office of Department of Social Services or law enforcement immediately and 2) make a written report within 48 hours to the local Department of Social Services with a copy to the local State's Attorney.
- 5.4** Personnel must also notify the Principal and/or Business Office Human Resource Administrator about the suspected Abuse or Neglect.
- 5.5** Any person who has reason to believe that a child has been subjected to Abuse or Neglect shall notify the local Department of Social Services or the appropriate law enforcement.
- 5.6** **Personnel** should not investigate an allegation of Abuse or Neglect before making the required report. Questions regarding reporting procedures may be directed to Mount de Sales Academy's Business Office Human Resources department.

6.0 REPORTING ABUSE, NEGLECT AND MISCONDUCT TO MOUNT DE SALES ACADEMY

Mount de Sales Academy is committed to listening, healing, and reconciliation.

6.1 In addition to the requirements set forth above and not in lieu of any reporting requirements by law, any person who has reason to believe a Child has been subjected to Abuse (including Sexual Abuse), Neglect, or Misconduct with Minors shall immediately notify the Mount de Sales Academy's Business Office, Human Resources department.

6.1.1 Notification of the Business Office is in addition to any reporting required to civil authorities.

6.1.2 Persons should report to the Business Office at 410-744-8498 X132. The Business Office will notify the Archdiocese Office of Child and Youth Protection.

6.1.3 Persons making reports of Abuse, Neglect or Misconduct with Minors will be advised that Mount de Sales Academy takes such allegations seriously and will respond promptly and in a pastoral way.

6.1.4 To respect the privacy of the victim and those involved as much as possible, confidentiality should be maintained, to the extent possible and practical, consistent with the reporting requirements and Mount de Sales' Policies and Procedures, taking into account:

6.1.4.1 The need to advocate for those who are victims.

6.1.4.2 The need to provide appropriate outreach to victims.

6.1.4.3 The need to be in compliance with civil and canon law.

6.1.4.4 The right of Personnel to be treated fairly.

6.1.4.5 The need to fairly investigate all complaints of Abuse, Neglect or Misconduct with Minors.

6.2 State law contains an exception from mandatory reporting when a priest learns of suspected Abuse or Neglect during the Sacrament of Reconciliation. If Abuse or Neglect is disclosed to a priest in any other setting, State law and Archdiocesan policies regarding mandatory reporting requirements apply unless a priest determines that he is bound to maintain the confidentiality of that communication under canon law, church doctrine, or practice.

7.0 INVESTIGATION BY MOUNT DE SALES ACADEMY PERSONNEL

Upon receiving a report of Abuse, Neglect, or Misconduct with a Minor suspected to have been committed by Personnel, the appropriate persons are convened by the Principal or his/her designee to assist in investigating and providing both immediate and on-going care and assistance to victims, their families, and members of the affected communities. Investigations take place and pastoral care is extended whether the Abuse, Neglect, or Misconduct with a Minor was recent or occurred many years in the past. Because Mount de Sales Academy cooperates with civil authorities, investigation of reports of suspected Abuse or Neglect by Personnel might be delayed pending investigation by the Department of Social Services and/or Law Enforcement.

When the Administration investigates a report of possible Abuse, Neglect, or Misconduct with a Minor by Personnel, the following guidelines apply, some or all of which may be appropriate or necessary depending upon the allegations and circumstances. These guidelines may be modified as appropriate. They may also be used, with appropriate modifications, for reports of suspected Abuse, Neglect or Misconduct with Minors when the accused is not Personnel but is associated with the Academy (e.g., a student or parent of a student, or a recipient of services).

- 7.1** The Principal will be assisted by appropriate Personnel in investigating and responding to allegations of abuse. Appropriate personnel will speak with the person(s) making the report and others who may have relevant information in order to obtain as clear and detailed information as possible.
- 7.2** After receiving the initial report, the Principal or a designee will determine the specific steps needed to proceed, guided by the following values:
 - 7.2.1** The safety and protection of children and youth.
 - 7.2.2** A fair and honest search for the truth.
 - 7.2.3** The need to provide appropriate outreach to victims.
 - 7.2.4** The need to be in compliance with civil and canon law.
 - 7.2.5** The right of all persons to be treated fairly.
 - 7.2.6** The need to investigate and take appropriate action in all cases of alleged Abuse, Neglect or Misconduct with a Minor.
- 7.3** Victims of Abuse, Neglect, or Misconduct with a Minor by Personnel are offered appropriate support. This may include pastoral care and counseling, outlining the process and informing of the reporting requirements of the state law.
- 7.4** Mount de Sales Academy Personnel will meet with the person who is accused.

- 7.4.1** If the accused is a religious or a cleric from another diocese, the investigation and pastoral outreach to all involved will be coordinated with the appropriate Major Superior or Bishop.
- 7.4.2** Mount de Sales Academy Personnel will make a recommendation regarding the employment/volunteer service status while the preliminary investigation is taking place and/or pending the completion of the investigation.
- 7.4.3** Mount de Sales Academy Personnel will assist the accused in finding pastoral care and counseling, if it is appropriate. They will remind the accused of the right to retain both civil and canonical counsel and to explain as fully as possible the process that is being undertaken.
- 7.4.4** The accused will be instructed to have no contact with the person(s) making the allegation or with the victim(s) and that any retaliation against the person(s) will result in immediate termination of employment or volunteer service.
- 7.5** Mount de Sales Academy will cooperate with any investigation being conducted by the Department of Social Services and/or law enforcement.

8.0 OUTREACH TO VICTIMS

Mount de Sales Academy will continue to reach out to victims of Abuse, Neglect and Misconduct with a Minor by Personnel. Mount de Sales recognizes the importance of not only offering support to those who are victims, but to family members as well.

- 8.1** The Business Office Human Resource Administrator will attempt to ensure that assistance for victims is coordinated, and this will include offering counseling and pastoral services and maintaining a list of support service for victims and their families.

9.0 COMMUNICATIONS

Mount de Sales Academy is committed to openness and transparency. This commitment will be met to the extent possible while also respecting the privacy and reputations of all individuals and applicable law.

- 9.1** Mount de Sales Academy shall communicate the key components of the Mount de Sales Academy's Child and Youth Protection Policies and Procedures to their school community.
- 9.2** Mount de Sales Academy's Child and Youth Protection Policies and Procedures will be readily available publicly through the website. They will also be the subject of public announcements at least annually.
- 9.3** To insure appropriate and consistent communications with all affected communities, the Director of Communications is responsible for all media contacts. All media inquiries regarding Mount de Sales Academy's Child and Youth Protection Policies and Procedures, allegations of Abuse, Neglect or Misconduct with a Minor or related matters should be referred to the Director of Communications. The Director of Communications will consult with, guide, and coordinate relevant persons in the handling of media inquiries.
- 9.4** Recognizing the importance of supporting a community directly affected by Abuse, Neglect or Misconduct with a Minor allegations, the Director of Communications will coordinate with the Administration to ensure the affected community receives timely, factual, and pastorally appropriate communication from Mount de Sales.
- 9.5** Mount de Sales Academy will not enter into confidentiality agreements with respect to alleged Abuse, Neglect, or Misconduct with Minors involving Personnel except in cases where confidentiality is requested by the victim.

10.0 APPROPRIATE ACTION TAKEN AS A RESULT OF THE INVESTIGATION

10.1 As a result of an investigation of Abuse, Neglect, or Misconduct with Minors, Mount de Sales Academy will undertake appropriate action with affected communities consistent with this *Statement of Policy for the Protection of Children & Youth*.

10.1.1 Appropriate personnel action may include termination of Personnel.

10.1.2 In those instances when there is an indicated allegation of Abuse by Personnel, the alleged offender will be permanently relieved of all employment and volunteer service.

10.2 The Administration shall make a formal written report on all allegations of Abuse, Neglect or Misconduct with Minors by Personnel to the Board of Trustees. The report will include the following:

10.2.1 Indicated Allegations:

10.2.1.1 A summary of the allegation and the investigation.

10.2.1.2 Any findings or conclusions reached by Mount de Sales as a result of the investigation.

10.2.1.3 A record of the report made to civil authorities.

10.2.1.4 A record of and/or recommendations for the care of any victims who were identified.

10.2.1.5 A record of the notification of the preliminary findings of the investigation to the accused.

10.2.1.6 A record of and/or recommendations for appropriate personnel action which may include termination of Personnel.

10.2.1.7 A record of and/or recommendations for the pastoral care of the community affected by the incident.

10.2.1.8 A record of and/or recommendations for an appropriate communications strategy that is as transparent as possible while respecting the confidentiality of victims, but consistent with complying with the law.

10.2.1.9 A copy of the report will also be placed in the accused's personnel or volunteer file, as applicable.

10.2.2 Ruled Out Allegations:

- 10.2.2.1** A summary of the allegation and the investigation.
- 10.2.2.2** Any findings or conclusions reached by Mount de Sales as a result of the investigation.
- 10.2.2.3** A record of the notification of the preliminary findings of the investigation to the involved parties.
- 10.2.2.4** Recommendations for the restoration of the person's status.

11.0 INDEPENDENT REVIEW BOARD AND ITS PURPOSE

An ad hoc Independent Review Committee will be established by the Mount de Sales Board of Trustees to review reports of Abuse, Neglect and Misconduct with Minors by Personnel and all actions taken by the school to ensure the integrity of the process for responding to such reports. The Independent Review Committee provides an assessment of allegations.

11.1 All allegations of Abuse, Neglect or Misconduct with Minors by Personnel are reviewed by the Independent Review Committee. Additionally, the Principal may seek advice from the Independent Review Committee.

11.1.1 The Independent Review Committee will review the report to the Board of Trustees to make an independent assessment of the allegations and the conclusions of the investigation. It will also make an assessment as to the accused's fitness for employment or volunteer duty. These assessments will be communicated to the Principal.

11.1.2 The Independent Review Committee will review actions taken by the school Administration to ensure compliance with the Child and Youth Protection Policies and Procedures.

11.2 The Independent Review Committee shall be composed of at least three of the Board of Trustees. The members of the Independent Review Board are selected by the President of the Board on the basis of their maturity, credibility, and ability to exercise good and independent judgment. The total committee shall not exceed five people.

11.2.1 If available, one member of the Independent Review Committee should be a priest who is an experienced and respected pastor of the Mount de Sales Academy Board of Trustees and, if available, one member should have particular expertise in the treatment of the Abuse or Neglect of Minors.

12.0 COMPLIANCE WITH MOUNT DE SALES ACADEMY CHILD AND YOUTH PROTECTION POLICIES AND PROCEDURES

It is the expectation of Mount de Sales Academy that all Personnel comply with Mount de Sales Academy's Child and Youth Protection Policies and Procedures and contribute to a safe and healthy environment for those served by the school.

12.1 The Principal is responsible for ensuring that all employees and all volunteers who have Substantial Contact with a Child are in compliance with the requirements of Mount de Sales Academy's Child and Youth Protection Policies and Procedures and that all required documentation is maintained.

12.1.1 The Business Office Human Resources Administrators is delegated the authority to ensure the school is in full compliance with the requirements of Mount de Sales Academy's Child and Youth Protection Policies and Procedures for Personnel. The Business Office Human Resources Administrator maintains compliance records for the school so only those who are compliant may work or volunteer with children. The Business Office Human Resources Administrator must maintain appropriate confidentiality regarding sensitive information and make sound judgments regarding an individual's eligibility for service in accordance with these policies and in consultation with the Principal, the Archdiocese of Baltimore Office of Human Resources and/or Archdiocese of Baltimore Office of Child and Youth Protection as discussed above.

12.2 All persons are required to comply with all requirements of Mount de Sales Academy's Child and Youth Protection Policies and Procedures. Failure to follow and document all requirements may result in disciplinary action, up to and including termination. Volunteers are also expected to comply with the policies; failure to follow the requirements may result in the cessation of volunteer service.

12.3 The Business Office Human Resource Administrator will provide training to Personnel on Mount de Sales Academy's Child and Youth Protection Policies and Procedures.

12.4 Questions regarding the interpretation or application of Mount de Sales Academy's Child and Youth Protection Policies and Procedures are encouraged and should be directed to the Business Office Human Resource Administrator.