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# DIOCESE OF NASHVILLE

## Safe Environment

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July 2024

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## DIOCESE OF NASHVILLE

# Promulgation of Diocesan Safe Environment Policies and Processes

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### Promulgation of Diocesan Safe Environment Policies and Processes

The following Safe Environment Policies and Processes are hereby approved and promulgated by the Bishop of Nashville as diocesan Law. They will be strictly enforced so that justice may be served, victims protected, and offenders reformed.

Given the 17th of September in the Year of Our Lord 2024 from the Chancery of the Diocese of Nashville by J. Mark Spalding, Bishop of Nashville, and witnessed and attested to by Brian L. Cooper, Chancellor.



Most Reverend J. Mark Spalding, DD, JCL  
Bishop of Nashville



Mr. Brian L. Cooper  
Chancellor



## DIOCESE OF NASHVILLE

### Safe Environment Definitions

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**The following definitions apply to all Safe Environment policies and processes.**

**Bishop:** The sitting Bishop of Nashville (or diocesan or apostolic administrator).

**Catholic Mutual Group (CMG) Connect:** The Safe Environment management database that manages all our safe environment records and provides the trainings needed to receive safe environment certification in the Diocese.

**Church Personnel:** All employees of the Diocese or of any entities subject to the authority of the Bishop of Nashville per Church law, whether clergy, religious, or lay. Church personnel also include all volunteers acting on behalf of the Diocese of Nashville or an entity subject to the authority of the Bishop of Nashville, who have regular contact with minors.

**Clergy:** All ordained persons in the diocese including the Bishop, priests, and deacons.

**Cleric:** A member of the clergy.

**Diocese:** The geographical territory subject to the authority of the Bishop of Nashville.

**Diocesan Safe Environment Program Administrator:** Person(s) responsible for oversight, implementation, and operation of the Safe Environment Program.

**Director for Permanent Deacons:** A Deacon of the Diocese of Nashville who is responsible for assisting the Bishop in the oversight and pastoral care of deacons in the Diocese.

**Investigator:** Individual appointed by the Bishop to review and investigate claims of sexual abuse of a minor presented by or on behalf of the alleged victim/survivor.

**Layperson:** A nonordained adult employee or volunteer of the Diocese.

**Minor:** Anyone younger than eighteen (18) years of age or who is considered by the Code of Canon Law to be the equivalent of a minor because he or she habitually lacks the use of reason.

**Parish:** A canonically established parish within the territory of the Diocese.

**Pastor:** A pastor or parochial administrator of a parish in the Diocese.


**Religious:** For the purpose of these policies, a man or woman who belongs to a religious order, who is not ordained.

**Secretary of the Review Board:** The Moderator of the Curia for the Diocese of Nashville or the Bishop's designated appointee unless the Bishop determines otherwise in a given case. The Review Board Secretary is responsible for maintaining an accurate written record of all statements, correspondence, information gathered, and actions undertaken by the Review Board and by other persons associated with the process.

**Vicar for Priests:** A priest of the Diocese of Nashville who is responsible for assisting the Bishop in the oversight and pastoral care of priests in the Diocese of Nashville.

**Vicar General:** A priest of the Diocese of Nashville who is responsible for assisting the Bishop in the governance of the whole diocese and who possess ordinary executive authority throughout the diocese.

**Volunteer:** A person who serves in any ministry or activity of the Diocese involving regular contact with minors without receiving monetary or in-kind compensation.

Code of Conduct for Church Personnel	
	Effective Date:
	September 17th, 2024
	Last Reviewed on:
	September 12th, 2024
	Page:
	1 of 3

### Authority

Article Six of the *Charter for the Protection of Children and Young People, Revised Edition*, adopted by the USCCB November 2002 and revised June 2018, states:  
 "There will be clear and well publicized diocesan standards of ministerial behavior and appropriate boundaries for clergy and for any other Church Personnel in positions of trust who have regular contact with children and young people."

### Purpose

The purpose of this Code of Conduct is to identify standards of appropriate ministerial behavior and boundaries. The Church must be exemplary. church personnel will be held accountable for their ministerial behavior. In order to maintain the highest level of accountability, behavioral standards must be established. Although not exhaustive, this Code of Conduct provides a basic identification of acceptable behavior.

### Application

This document applies to all church personnel.

### Introduction

- a. Church personnel of the Diocese of Nashville must uphold Catholic values and conduct. Each individual covered by this Code of Conduct, prior to providing any service, must complete the required Catholic Mutual Group trainings, background check, and be certified by his/her Site Safe Environment Coordinator.
- b. The public and private conduct of church personnel can inspire and motivate but can also scandalize and undermine faith. church personnel must always be aware of the responsibilities that accompany their work. Responsibility for adherence to this Code of Conduct rests with everyone. Individuals whose actions are not in conformity with this Code of Conduct will be subject to remedial action by the appropriate superior (i.e., pastor, religious superior, principal, director, bishop, etc.). Corrective action may take various forms, from a verbal reproach to removal from employment and ministry, depending on the specific nature and circumstances of the offense and the extent of the harm.

## Standards for Church Personnel as it Relates to Minors

- a. Church personnel assume full responsibility for establishing and maintaining clear, appropriate boundaries in all ministry situations involving minors.
- b. A degree of vulnerability exists when church personnel minister alone with minors; therefore, a team approach to managing activities involving minors should ordinarily be used.
- c. All physical contact between church personnel and minors must be completely nonsexual and based only on a minor's need. Physical contact when alone with a minor will be avoided.
- d. Church personnel will not engage in the corporal discipline of minors in their care. Discipline problems will be handled in coordination with one's supervisor and the parents/guardian of the minor.
- e. Church personnel will never be alone with a minor in a residence, sleeping facility, locker room, rest room, dressing facility, or other closed room or isolated area that is inappropriate to a ministerial relationship; necessary one-on-one meetings with a minor must take place at times and at locations that create accountability and avoid inappropriate activity.
- f. Church personnel will not employ with minors any topics, vocabulary, recordings, films, games, the use of computers, or any other form of interaction or entertainment that could not be used comfortably in the presence of parents.
- g. Church personnel will never take photographs of minors while they are unclothed or dressing.
- h. Church personnel will never provide minors with alcohol, tobacco, drugs, or anything prohibited by law, nor administer medication of any kind without written parental permission.
- i. Church personnel will not allow an individual minor to stay overnight in their private accommodations or residences when that adult and minor are the only two people present, unless the adult is the minor's relative or legal guardian.
- j. Church personnel will not participate in any overnight ministry event involving minors when no other adults are present.
- k. During overnight ministry events when chaperoning groups involving minors, church personnel will never sleep in a bed, cot, sleeping bag, etc. with a minor.
- l. Church personnel will not engage in one-on-one electronic communication with a minor.
- m. Church personnel who learn of information indicating clear and imminent danger to a minor or to others must disclose the information necessary to protect the safety, health, or well-being of the parties affected by calling 911 immediately and must then communicate such disclosures to their ecclesiastical supervisor.
- n. Church personnel have a duty to report their own unethical or professional misconduct and the misconduct of other church personnel.
- o. Church personnel who become aware of another individual's illegal or inappropriate action will immediately notify the proper civil authorities, their own supervisor, and, if different, the supervisor of the other individual (or next higher authority if required).
- p. Church personnel who become aware of the acquisition, possession, or distribution of child pornographic materials of any form will immediately notify the proper civil authorities, their own supervisor, and, if different, the supervisor of the other individual (or next higher authority if required).
- q. Church personnel who become aware of other church personnel's violation of this *Code of Conduct* will immediately notify their own supervisor and, if different, the supervisor of the other individual (or next higher authority if required).
- r. Church personnel who are uncertain about whether the actions of church personnel are in violation of this *Code of Conduct* will consult their supervisor (or next higher authority if required).

## **Standards for Church Personnel Conduct as it Relates to a Professional Relationship.**

- a. Church personnel will provide a professional work environment that is free from physical, psychological, written, or verbal intimidation or harassment including but not limited to the following:
  - i. Physical or mental abuse
  - ii. Racial insults
  - iii. Derogatory ethnic slurs
  - iv. Hate Speech
  - v. Bullying
  - vi. Display of offensive materials
- b. Church personnel will provide a professional work environment that is free from sexual harassment including but not limited to the following:
  - i. Sexual advances
  - ii. Inappropriate or unwanted touching
  - iii. Explicit or implied sexual comments or jokes
  - iv. Requests for sexual favors
- c. Church personnel have a duty to report their own unethical or professional misconduct and the misconduct of other Church Personnel.
- d. Church personnel who become aware of other church personnel's violation of this Code of Conduct will immediately notify their own supervisor and, if different, the supervisor of the other individual (or next higher authority if required). If the individual is not under the direct supervision of the Diocese of Nashville, the Diocese will immediately refer the complaint to the appropriate supervisory entity, as well as civil authorities if appropriate.
- e. Church personnel who are uncertain about whether the actions of church personnel are in violation of this Code of Conduct will consult their supervisor (or next higher authority if required).



DIOCESE OF  
NASHVILLE

## **Report Abuse by a Bishop**

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The Catholic Bishop Abuse Reporting Service has been established to receive reports of sexual abuse and related misconduct by bishops, and to relay those reports to proper Church authorities for investigation. Where a report includes a crime, such as the sexual abuse of a minor, it will also be reported to civil authorities. Otherwise, reports will be kept confidential.

If you have any other kind of complaint about the bishop—such as parish assignments, church closings, or homily contents—please address those directly to our diocesan bishop instead.

Sexual abuse by a priest, deacon, employee, or volunteer of the Church should be reported to the Tennessee Department of Children's Services or Local Law Enforcement. After a report has been filed with the proper civil authorities the Diocese of Nashville office of Safe Environment should be notified. To be sure you get the help you need, phone numbers and addresses may be found on the diocesan website and within this packet.

If you are the victim of sexual abuse or any other crime, please contact local law enforcement.

[www.ReportBishopAbuse.org](http://www.ReportBishopAbuse.org) or call 1-800-276-1562.





## DIOCESE OF NASHVILLE

# Requirements for Certification to Work or Volunteer with Minors

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### Authority

Article Twelve of the *Charter for the Protection of Children and Young People, Revised Edition*, adopted by the USCCB November 2002 and revised June 2018, states:

"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 minors, parents, ministers, employees, volunteers, and others about ways to sustain and foster a safe environment for minors. Dioceses/eparchies are to make clear to clergy and all members of the community the standards of conduct for clergy and other persons with regard to their contact with minors."

### Process

- a. Potential church personnel must complete the CMG Safe Environment Training prior to employment or volunteering. CMG can be accessed at <https://nashville.cmgconnect.org/> and the required training includes:
  - i. The "Safe Environment Training and Polices – Nashville" training must be completed.
    1. Within that training a background check will be completed. This check is a national criminal check which also checks against the National Sex Offender Registry.
  - ii. Once that training is completed, the local CMG Site Administrator will review the training and background check and will certify or deny the person for ministry. A person's certification lasts one calendar year.
  - iii. Church personnel shall not be allowed to work or volunteer until the process is completed.
- b. All church personnel must complete the "Annual Disclosure" in CMG within 30 days of the anniversary of their certification date to serve as a review of diocesan policies and processes as well as new mandatory material to be focused on each year.
- c. Every five years church personnel must complete the "Safe Environment Training and Polices – Nashville." within CMG. This includes a new background check.
  - i. Automatic quarterly review of background checks is conducted by CMG.
    1. It is the responsibility of the Parish Safe Environment Coordinator to regularly review these results for potential issues.
- d. Non-completion of Articles b. and c. will result in disciplinary action for employees, and volunteers will not be permitted to provide services until completed.
- e. The Administrator of the Diocese of Nashville Safe Environment Program may require additional educational materials and training be completed as required.



## DIOCESE OF NASHVILLE

# Response to an Allegation of Sexual Abuse of a Minor Process

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### Authority

- a. Article Two of the *Charter for the Protection of Children and Young People*, Revised Edition, adopted by the USCCB November 2002 and revised June 2018, states:  
"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."
- b. The Diocese of Nashville Code of Conduct for Church Personnel also governs the process.
- c. TCA 37-1-605, requires that any person "who knows or has reasonable cause to suspect that a child has been sexually abused shall report such knowledge or suspicion to the department [of children services] responsible for the investigation of reports made pursuant to this section or to the judge having juvenile jurisdiction or to the office of the sheriff or the chief law enforcement official [the District Attorney] of the municipality where the child resides."
- d. TCA 37-1-602 specifies that this reporting requirement applies not only to child sexual abuse as defined in the statute, but also to the commission of the same acts involving a person between the ages of 13 through 17 if the act is committed by a parent, guardian, relative, person residing in the child's home, or other person responsible for the care and custody of the child.

### Purpose

This process is intended to create a prompt and reasonable response to all allegations of sexual abuse of a minor by church personnel.

### Application

All church personnel are required by Tennessee Law and by this process to ensure that the reporting of all known or reasonably suspected incidents of child sexual abuse has been made. All Church Personnel are also required to report to the Diocesan Safe Environment Administrator (615-645-9763) all known or suspected incidents of child sexual abuse by Church Personnel. This also includes any church personnel who become aware of the. The Chief Mission Integration Officer will immediately notify the Bishop, or his designee and others as set forth in the reporting process below.

### Introduction

- a. Sexual abuse of minors is both a crime and a sin and will not be tolerated by the Diocese of Nashville or any entity subject to the Bishop. Church Personnel who know or suspect child sexual abuse shall report it to appropriate civil authorities.
- b. Under the Code of Canon Law certain acts constitute canonical crimes distinct from any criminal proceeding under civil law. The Church also claims the right to impose penal sanctions on its members in accordance with canon law in order to protect The church community and to promote the spiritual welfare of its members. The Church provides comprehensive and equitable procedures for determining the guilt or innocence of persons accused of canonical crimes and for imposing appropriate sanctions under canon law. The Diocese of Nashville supports and promotes compliance with these Church laws and will employ such procedures when circumstances warrant.
- c. This process addresses the following:
  - i. Response to allegations of sexual abuse in general, and
  - ii. Response to allegations of sexual abuse of a minor by a cleric, and
  - iii. Response to allegations of sexual abuse of a minor by a layperson, and
  - iv. Response to allegations of sexual abuse by the bishop

## **Response to Allegations of Sexual Abuse of a Minor**

- a. All Church Personnel are required to report all known or reasonably suspected incidents of sexual abuse of a minor.
- b. All Church Personnel are bound to report to the Diocesan Safe Environment Program Administrator at (615-645-9763) all known or reasonably suspected instances of sexual abuse of a minor by Church Personnel. If the individual is not under the direct canonical supervision of the Diocese of Nashville, the Diocese will immediately refer the complaint to the appropriate supervisory entity, as well as civil authorities if appropriate
- c. The Chief Mission Integration officer will confirm civil authorities have been notified and then will notify the Bishop.
- d. After the Chief Mission Integration Officer has notified the Bishop of an allegation of sexual abuse by Church Personnel, the Bishop will immediately do the following:
  - i. Appoint an Investigator
  - ii. Notify the Secretary of the Review Board
  - iii. Instruct the Diocesan Attorney to ensure the report of the allegation has been filed with the appropriate civil authorities in accordance with the provisions of the Tennessee law.
  - iv. Notify the Diocesan Risk Manager
  - v. Notify the Diocesan Public Relations Representative
- e. Following compliance with the above reporting procedure, one of the following responses to abuse by a cleric or a layperson will be followed.

## **Response to Allegations of Sexual Abuse of a Minor by a Cleric**

- a. If the accused cleric is a member of a religious order or institute, the Bishop will initiate ongoing contact with the cleric's major superior explaining the substance of the allegation and the procedure provided in this document. If the accused cleric is incardinated or ministering in another diocese, the bishop of that diocese shall be notified in the same manner.
- b. If there is a reasonable cause to believe that a canonical crime may have occurred involving a priest or a transitional deacon, the Vicar for Priests or the Vicar General, and the Diocesan Safe Environment Program Administrator will notify the accused priest or transitional deacon in person, when feasible, that a preliminary investigation will begin in accord with the provisions of this process as well as canon law and will offer to appoint for him a procurator with canonical expertise. The Vicar for Priests or Vicar General will advise the accused cleric of his right to obtain legal counsel. The accused will be provided with the presumption of innocence as well as be afforded the protection of their reputation throughout both civil and canonical investigative processes.
- c. If there is a reasonable cause to believe that a canonical crime may have occurred involving a permanent deacon of the diocese, the Director for Permanent Deacons or the Vicar General, and the Diocesan Safe Environment Program Administrator will notify the accused deacon in person, when feasible, that a preliminary investigation will begin in accord with the provisions of this process as well as canon law and will offer to appoint for him a procurator with canonical expertise. The Director for Permanent Deacons or Vicar General will advise the accused deacon of his right to obtain legal counsel. The accused will be provided with the presumption of innocence as well as be afforded the protection of their reputation throughout both civil and canonical investigative processes.
- d. Pursuant to this process, the investigation will cooperate with any related investigations underway by the Tennessee Department of Children's Services or local law enforcement agencies.
- e. The Investigator, having prudent regard for the appropriate difference between fact, opinion, and rumor will maintain a written record of all actions taken, interviews conducted, and information gathered, being intentional about affording the protection of the accused's reputation throughout this investigative process.
- f. Having completed as much of the investigation as feasible, the Investigator meets as soon as possible with members of the Review Board to discuss the evidence accumulated and determine whether the allegations are such that the cleric is no longer fit for ministry.
- g. The Diocesan Attorney may not represent or advise the accused, nor will the Diocese assist the accused in procuring legal representation in the civil forum or in paying for legal expenses.

- h. If the Bishop accepts a determination of the Review Board that the individual is not fit for ministry, then the Bishop will immediately enact the following measures with respect to the accused cleric:
  - i. Communicate to the accused that he has been deemed not fit for ministry
  - ii. Exclude the accused from all assignments, functions, and ministries
  - iii. Prohibit the accused from public participation in Eucharistic liturgy
  - iv. Relocate the accused to a suitable supportive environment
  - v. Request appropriate medical and psychological evaluation and intervention for the accused as long as this does not interfere with a concurrent investigation by civil authorities
  - vi. Forward the preliminary investigative report to the Congregation for the Doctrine of the Faith in accordance with Church law
- i. With respect to the victim/survivor and his/her family the Diocese will
  - i. Communicate that the accused has been deemed not fit for ministry
  - ii. Express sincere commitment to the spiritual and emotional well-being, healing, and reconciliation of the victim/survivor and his/her family
  - iii. Offer assistance regarding the provision of counseling, spiritual assistance, support groups, and/or other social services agreed upon by the victim/survivor and the Diocese
- j. If the Bishop accepts a determination of the Review Board that the accused remains fit for ministry, the Bishop will communicate this to the reporter, the victim/survivor, and the accused, and will take every step to restore the good name of the accused.
- k. If a cleric admits an allegation of sexual abuse of a minor or the abuse is established by a judicial penal procedure, the cleric will be permanently removed from ministry. If the penalty of dismissal from the clerical state is not applied, the cleric
  - i. Will not be permitted to present himself publicly as a priest
  - ii. Will not be permitted to wear clerical garb
  - iii. Will not be permitted to celebrate Mass publicly
  - iv. Will be required to lead a life of prayer and penance
- l. The Canonical Process Regarding Sexual Abuse of a Minor by a Cleric:
  - i. In accordance with the law of the Church, the Congregation for the Doctrine of the Faith alone examines ecclesiastical crimes against the faith as well as certain more grave ecclesiastical crimes both against morals and committed in the celebration of the sacraments which have been reported to it and, if necessary, proceed to declare or impose canonical sanctions. Among these more grave crimes against morals are sexual abuse of a minor by a cleric involving a minor below the age of eighteen years.
  - ii. In accordance with the law of the Church, when a bishop has at least probable knowledge of an ecclesiastical crime reserved to the Congregation for the Doctrine of the Faith, after he has carried out a preliminary investigation, he is to indicate it to the Congregation for the Doctrine of the Faith. The Congregation will either proceed with the case directly or return it to the Bishop to be adjudicated locally. If the case is returned to the Bishop, it will be processed in accord with the norms of canon law and any other guidance provided by the Congregation.
  - iii. Action regarding ecclesiastical crimes reserved to the Congregation for the Doctrine of the Faith is normally permitted only during the ten-year period immediately following the crime. However, regarding the crime of sexual abuse of a minor by a cleric, action is permitted at any time until the victim has completed the twenty-eighth year of age.
  - iv. Whenever sexual abuse of a minor by a priest or deacon is either admitted or established by an appropriate canonical investigation, the offending priest or deacon will be permanently excluded from ministry and offered professional assistance for his own healing and well-being as well as for the purpose of prevention. If the penalty of dismissal from the clerical state is not applied, the offender is to lead a life of prayer and penance. He will not be permitted to celebrate Mass publicly, to wear clerical garb, or to present himself publicly as a cleric.

## **Response to Allegations of Sexual Abuse of a Minor by a Layperson**

- a. The Diocesan Safe Environment Administrator will notify the pastor or administrator of the accused.
- b. The pastor or administrator where the lay person is employed, or volunteers will be notified and kept informed of the results of the investigation.
- c. The accused employee will be immediately placed on paid leave and not allowed to participate in any church/school activities until the case is resolved.
- d. In the case of a volunteer, he or she will be immediately removed from ministry and not allowed to participate in any church/school activities until the case is resolved.
- e. The Diocesan Victim Assistance Coordinator will work with the Pastor or administrator regarding the provision of counseling, spiritual assistance, support groups, and/or social services agreed upon by the victim/survivor.
- f. If the results of the investigation are that the individual layperson is not fit for ministry, he or she will be terminated and removed from any Church ministries or responsibilities.

## **Response to Allegations of Sexual Abuse of a Minor by a Bishop**

- a. To ensure objectivity, fairness, and justice, all allegations of sexual misconduct by the Bishop are handled outside of the Diocese of Nashville.
- b. The Catholic Bishop Abuse Reporting Service has been established to receive reports of sexual abuse and related misconduct by bishops, and to relay those reports to proper Church authorities for investigation. Where a report includes a crime, such as the sexual abuse of a minor, it will also be reported to civil authorities. Otherwise, reports will be kept confidential.
- c. Anyone who knows or suspects a bishop's sexual misconduct or misconduct in the reporting of allegations of abuse must immediately contact the Catholic Bishop Abuse Reporting Service at (800) 276-1562 or [www.ReportBishopAbuse.org](http://www.ReportBishopAbuse.org).



## DIOCESE OF NASHVILLE

# Abuse of a Professional Relationship Process

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### Purpose

This process is intended to create a prompt and reasonable response to all allegations of abuse of a professional relationship by church personnel.

### Application

This process applies to all church personnel.

### Introduction

- f. Abuse of a professional relationship by church personnel will not be tolerated by the Diocese of Nashville or any entity subject to the bishop. If the cleric or layperson is not under the direct supervision of the Bishop of Nashville, the Diocese will immediately refer the complaint to the appropriate supervisory entity as well as to civil authorities as appropriate.
- g. The Catholic Church asserts that certain acts constitute ecclesiastical crimes distinct from any criminal proceeding under civil law. The Church also claims the right to impose penal sanctions on its members in accordance with canon law in order to protect the Church community and to promote the spiritual welfare of its members. The Church provides comprehensive and equitable procedures for determining the guilt or innocence of persons accused of canonical crimes and for imposing appropriate sanctions under canon law. The Diocese of Nashville supports and promotes compliance with these Church laws and will employ such procedures when circumstances warrant.
- h. This process makes a distinction between the types of abuse of a professional relationship:
  - i. Those of a sexual nature, such as sexual abuse, advances, touching, comments, jokes, or requests for sexual favors
  - ii. Those of a non-sexual nature, such as but not limited to physical or mental abuse, racial insults, derogatory ethnic slurs, hate speech, bullying, or displays of offensive materials

### Response to Allegations of Sexual Abuse of a Professional Relationship by a Cleric

- a. All allegations of sexual abuse of a professional relationship by a cleric should be reported to the Office of the Bishop at 615-783-0761.
- b. Any acts of sexual misconduct by a cleric with an adult in the context of counseling or spiritual direction are to be considered abuse of a professional relationship.
- c. Allegations that involve sexual misconduct by a cleric in one of the following circumstances are also canonical crimes that require a response governed by Church law. Force, threats, public display, open cohabitation, absolution of an accomplice, or solicitation on the occasion or under the pretext of confession.
- d. The Diocese and all church personnel will cooperate fully with all criminal investigations. Any investigation undertaken on behalf of the Diocese will not in any way interfere with a criminal investigation.
- e. If the alleged misconduct involving a cleric constitutes an ecclesiastical crime and is not reserved to the Congregation for the Doctrine of the Faith, then the Bishop must decide whether to initiate a penal process in accordance with canon law and diocesan norms.
- f. If the accused is a cleric and an ecclesiastical crime is not involved, the Bishop will intervene pastorally with the appropriate admonition, penal remedy, or penance pursuant to canons 1339-1340 of the Code of Canon Law. The Bishop may also insist on a medical and psychological evaluation of the priest as a condition for continued assignment in the Diocese.

## **Response to Allegations of Sexual Abuse of a Professional Relationship by a Layperson**

- a. All allegations of sexual abuse of a professional relationship by a layperson should be reported to pastor, principal, executive director, or human resources office depending on the site of the abuse.
  - i. If the accused is the principal, then the complaint should be filed with the Superintendent of Schools who will then notify the Diocesan Safe Environment Program Administrator.
  - ii. If the accused is the executive director at a diocesan entity subject to the direct authority of the Bishop, then the complaint should be filed with the Diocesan Safe Environment Program Administrator (615-645-9763).
- b. Pastors and administrators should follow the human resources policy of their entities and should notify the Diocesan Safe Environment Program Administrator (615-645-9763) of any situation prior to starting an investigation.
- c. This process is to be observed in addition to any other provisions and procedures contained in the Employee Handbooks of the Diocese or of entities subject to the Bishop.
- d. An accused layperson's employment or involvement may be suspended until the case is resolved, or employment or involvement may be terminated immediately if the allegation is acknowledged or the accused is found to be unfit for ministry, after consultation with the Chief Mission Integration Officer or Diocesan Attorney.

## **Response to Allegations of Non-Sexual Abuse of a Professional Relationship by a Cleric**


Allegations of a non-sexual nature should be directed to the Office of The Bishop at 615-783-0761.

## **Response to Allegation of Non-Sexual Abuse of a Professional Relationship by a Layperson**

- a. Allegations of a non-sexual nature will be treated as a human resources matter.
- b. Allegations of a non-sexual nature will be addressed according to the individual employment policies of the entity where the lay person is employed or volunteers.
- c. The Diocesan Human Resources office is available for consultation and support as needed.

## **Response to an Allegation of Sexual or Non-Sexual Abuse of a Professional Relationship by a Bishop**

- a. To ensure objectivity, fairness, and justice, all allegations of misconduct by a bishop are investigated outside of the diocese he oversees.
- b. The Catholic Bishops Abuse Reporting Service has been established to receive reports of sexual abuse and related misconduct by bishops and to relay those reports to proper Church authorities for investigation. Where a report includes a crime, it will also be reported to civil authorities. Otherwise, reports will be kept confidential.
- c. Anyone who knows or suspects a bishop's misconduct or a bishop's failure to properly address misconduct must immediately contact the Catholic Bishops Abuse Reporting Service at (800) 276-1526 or [www.reportbishopabuse.org](http://www.reportbishopabuse.org).

Review Board	
	Effective Date:
	September 17th, 2022
	Last Reviewed on:
	September 12th, 2022
	Page:
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### Authority

- i. Article Two of the *Charter for the Protection of Children and Young People, Revised Edition*, adopted by the USCCB November 2002 and revised June 2018, states:  
"Dioceses/Eparchies are also to have a review board that functions as a confidential consultative body to the bishop or eparch."
- j. Norms Four and Five of the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* adopted by the USCCB on December 2002 and revised on May 2006 also govern this policy.

### Purpose

This document provides policies and procedures for the Catholic Diocese of Nashville Review Board.

### Application

This document applies to the Catholic Diocese of Nashville Review Board.

### Introduction

- a. On June 14, 2002, the United States Conference of Catholic Bishops (USCCB) approved the Charter for the Protection of Children and Young People (hereafter referred to as "The Charter"). The third revision of the Charter was approved by the full body of U.S. Catholic bishops at the June 2018 Plenary Assembly. 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. Hereafter, priests, deacons, and other church employees and volunteers will be referred to as "church personnel."
- b. To ensure that each diocese in the United States has procedures in place to respond promptly to all allegations of sexual abuse of minors, the USCCB proposed *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* (hereafter referred to as "the Norms") for diocesan and religious priests and deacons and other Church Personnel (i.e., employees and volunteers). These Norms are complementary to the universal law of the Church which has traditionally considered sexual abuse of minors a grave and serious offense involving punishment for the offender. Those Norms were approved by the Congregation for Bishop in December 2002 and became effective March 1, 2003. The revised Norms were approved by the full body of bishops at its June 2005 General Meeting, received the subsequent *recognitio* of the Holy See on January 1, 2006, and were promulgated May 5, 2006. They provide for the creation of a Review Board.



## Board Composition

- a. The Diocese of Nashville Review Board (hereafter referred to as the "Board") is a confidential consultative body to the Diocesan Bishop composed of eight members appointed to a five-year term by the Bishop in accordance with the *Response to an Allegation of Sexual Abuse of a Minor Process* hereafter referred to as the "Diocesan Process"), the Charter, and the Norms. Board membership includes:
  - i. A mental health professional with expertise in the treatment of the sexual abuse of minors
  - ii. A physician
  - iii. A victim/survivor advocate
  - iv. One who possesses financial expertise
  - v. A judge or lawyer
  - vi. A sexually abused victim/survivor or a parent of a victim/survivor
  - vii. An experienced and respected pastor within the diocese
  - viii. The Moderator of the Curia of the Diocese of Nashville or the Bishop's designated appointee
- b. All members must be persons of outstanding integrity and good judgment. At least five of the members must be in full communion with the Catholic Church. The majority of the members are to be lay persons not in the employ of either the Diocese of Nashville or any entity subject to the authority of the Bishop of Nashville.

## Officers

- a. The Secretary of the Review Board is the Moderator of the Curia or the Bishop's designated appointee unless the Bishop determines otherwise in a given case. The Moderator of the Curia or the Bishop's designated appointee may not be elected Board Chairperson or Vice Chairperson. As Board Secretary, the Moderator of the Curia or Bishop's designated appointee shall be responsible for maintaining an accurate written record of Board minutes, correspondences, information gathered, and actions undertaken by the Review Board and by other persons associated with the process.
- b. The Board Chairperson shall be responsible for conducting all Board meetings. In the absence of the Chairperson, the Vice Chairperson shall be responsible for conducting Board meetings.
- c. The Chairperson and Vice Chairperson shall be elected to serve a term of twelve months by written ballot cast by those Board members present at the first Board meeting of each fiscal year.
  - i. No nominations will be received.
  - ii. A majority vote shall be necessary to elect. In the event that a majority vote is not received by anyone, successive ballots shall be taken until one shall be elected.
  - iii. Voting for the Chairperson shall take place first, followed by voting for the Vice Chairperson.
  - iv. Should the position of Chairperson or Vice Chairperson become vacant before completion of the twelve-month term, a subsequent election shall be conducted employing the same election procedures to fill the vacancy until the next regular election.

## Functions

- a. The five functions of the Board are:
  - i. To assess allegations of sexual abuse of a minor by Church Personnel according to the diocesan process and these policies and procedures in order to advise the Bishop in his determination of the suitability for ministry of the accused.
  - ii. To review the diocesan code of conduct and processes for responding to allegations of sexual abuse of minors at least every two years in order to recommend to the Bishop any appropriate modifications
  - iii. To make recommendations concerning fitness for ministry in individual cases
  - iv. To review and make recommendations concerning victim/survivor requests for monetary assistance, as well as requests for counseling and other assistance pursuant to the Victim/Survivor Assistance Program
  - v. To review and make recommendations concerning diocesan methods of reaching out to victim/survivors of sexual abuse

## **Confidentiality**

- a. In order to ensure the integrity of this process, every effort to safeguard the personal privacy of all persons, proceedings, and files will be made.
- b. The Board members will treat all information contained in investigative reports as well as the total content of its own proceedings with absolute confidentiality and will sign a statement committing not to disclose such information in any way except to the Bishop in the form of a written report in accordance the Review Board Process.



## DIOCESE OF NASHVILLE

### **Diocesan Safe Environment Coordinator**

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1. Implements and coordinates the various policies, programs, and procedures mandated within the Diocese of Nashville regarding the creation and maintenance of a safe environment, including the evaluation and background checks of all employees and of volunteers who have regular contact with minors.
2. In collaboration with the Director of Faith Formation and the Superintendent of Schools, develops, and ensures the implementation of new educational materials related to maintaining a safe environment, with additional emphasis on Catholic schools, multicultural diversity with individuals of various ethnicities, and individuals with disabilities.
3. Assures conformity of diocesan policies and codes of conduct to the Charter and Norms of the United States Catholic Conference of Bishops (USCCB).
4. Serves as the initial point of contact for reports of new abuse cases, involving the appropriate personnel per USCCB and diocesan policies.
5. Assures appropriate and timely response to allegations including canonical and civil processes and victim/survivor outreach services.
6. Maintains reference materials and available training programs in order to provide for and ensure a local safe environment within all subsidiary ministries and organizations.
7. Coordinates with the Site Safe Environment Coordinators regarding the implementation of the diocesan programs and policies as they relate to creating and maintaining a safe environment for children, young people, and vulnerable adults.
8. Implementation and audit of the mandatory reporting requirements both under Tennessee State Law and diocesan policies.
9. Serves as Secretary of the Diocesan Safe Environment Committee (DSEC) with oversight and coordination of the duties and responsibilities of the DSEC. Cooperates in the maintenance of timely and correct data entry, file management, and correspondence.
10. Serves as the point of contact and coordinates with the audit team from USCCB.



## DIOCESE OF NASHVILLE

### **Site Safe Environment Coordinator**

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The administrator of each parish, school, and other diocesan entity whose mission entails service and/or ministry involving minors will designate a Safe Environment Coordinator to oversee local safe environment programs and the proper implementation of diocesan safe environment policies and procedures. Specific duties and responsibilities of the Safe Environment Coordinator include the following:

1. Cooperation with employees, volunteers, parents, civil authorities, educators, community organizations, and the Diocesan Safe Environment Coordinator to provide education and training for children, youth, parents, ministers, educators, volunteers, and others about ways to provide for and maintain a safe environment for children, specifically regarding the prevention, identification, and reporting of sexual abuse of minors.
2. Maintenance of resources and available training programs in order to provide for and maintain a local safe environment within the subsidiary ministry or organization.
3. Implementation and coordination of the various policies, programs, and processes mandated within the Diocese of Nashville regarding the creation and maintenance of a safe environment. Including, the training and background checking of all church personnel who have regular contact with minors, specifically the process of reviewing background checks and certifying church personnel. Additionally, the regular maintenance of the training platform to ensure user compliance and accuracy of user information is expected.
4. Providing education and familiarization regarding the policy and processes of the Diocese of Nashville related to creating a safe environment, including the Code of Conduct for Church Personnel, Response to an Allegation of Sexual Abuse of a Minor Process, and Abuse of a Professional Relationship Process, and Requirements for Certification to Work or Volunteer with Minors.
5. Familiarization with the mandatory reporting requirements both under Tennessee State Law and pursuant to diocesan policies.
6. Cooperation with the Diocesan Safe Environment Coordinator regarding the implementation of the diocesan programs and policies as they relate to creating and maintaining a safe environment for the children and young people. Including submitting Safe Environment Compliance Affirmation Forms and being the point of contact for diocesan site surveys.
7. The Site Safe Environment Coordinator shall report directly to the administrator of the local entity, e.g., pastor, high school principal, etc.



## DIOCESE OF NASHVILLE

### **Victim/Survivor Assistance Coordinator**

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Article Two of the *Charter for the Protection of Children and Young People* and Norm Three of the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* oblige each diocese to 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 clergy or other Church Personnel. Specific duties and responsibilities of the Victim/Survivor Assistance Coordinator include the following:

1. Assists with diocesan efforts to reach out to victims/survivors and their families and to demonstrate sincere commitment to their spiritual and emotion well-being.
2. Assists in providing counseling, spiritual assistance, support groups, and other services agreed upon by the victim/survivor and the Diocese.