



Policy

ON Sexual Misconduct

Society of St. Sulpice

Province of the U.S.A.

SOCIETY OF ST. SULPICE PROVINCE OF THE U.S.A.

POLICY ON SEXUAL MISCONDUCT

Introduction and Rationale

The nature and purpose of the Society of St. Sulpice is described in the opening pages of the *Constitutions*. Its life and ministry is stated in clear and concise terms in Article 1.

Dedicated to Jesus Christ, the High Priest, the Society of the Priests of Saint Sulpice, born in the apostolate of Jean Jacques Olier, its founder, is a community of diocesan priests whose vocation is the service of those ordained to the presbyteral ministry.

With this fundamental purpose in view, they devote themselves to the discernment of vocations, to the initial and ongoing formation of priests or to the exercise of other ministries. They fulfill this work with the desire to instruct others in the “interior life” and to form in them the “apostolic spirit.”

The Society is a Society of Apostolic Life of pontifical right.

The seminary of Saint Sulpice. . .has consecrated and dedicated itself to Jesus Christ our Lord not only to honor Him as High Priest and the great Apostle of his Father, but also to respect him living in the Apostolic College. Daily, the seminary prays for an apostolic spirit for itself and for the whole Church so as to renew in her the love of Jesus Christ and his attitude of religion toward his Father, particularly among the clergy who, as the source of holiness, must then diffuse it among all peoples. (*Divers ecrits*, I, 67)

The Society has been given as its mission the renewal of the Church in the love of Jesus Christ through the renewal of the Church's ministers. The assumption of this mission creates the expectation that Sulpicians are committed to being models of Christian living.

In this context sexual misconduct is contrary to the fundamental dignity of each person, to our faith in Jesus Christ and to the mission of the Society of St. Sulpice. Therefore, beyond any provisions of civil law, sexual misconduct by the personnel of the Society of St. Sulpice and those who assist them in their ministries is totally inappropriate, unacceptable, and outside the scope of their duties and employment.

It is the intention of the Society of St. Sulpice that all of its institutions, programs, missions, and places where Sulpicians minister be places in which to work, study, or come for ministry.

Though Sulpician institutions, programs and missions serve primarily adults, on occasion, minors visit them for educational and other pastoral services. It is the intention of the Society of St. Sulpice that all of its institutions, programs, and missions be safe places for minors.

Moreover, since it is fundamental to the charism of the Society of

St. Sulpice that Sulpicians adhere to the highest standard of Christian behavior, any person who has been harmed by a member or an associate is of special concern to the Society and deserving of our care and respect. All personnel in Sulpician institutions, programs, and missions are expected to exercise their duties in an exemplary manner.

Because of the seriousness with which we view this subject, the Society of St. Sulpice has developed this policy to deal with incidents and accusations of sexual and ministerial misconduct on the part of its members and those who work with them. The primary purpose of this policy on sexual misconduct is to prevent such behavior and, if injury has already occurred, to care for the victim and the victim's family. The needs of others injured by sexual misconduct, namely, those who have placed their trust in the Society of St. Sulpice as well as the many who have their service and reputation questioned because of the failures of a few, are addressed in this policy.

Definition of Terms

1. **Sulpicians** are priests who are definitive or temporary members of the Society of St. Sulpice, Province of the United States, or who are candidates for membership in the Society who have been released by their diocesan bishops and are serving in a Sulpician assignment.
2. **Sulpician personnel** include all clerics, religious and laypersons, whether Catholic or not, who are Sulpicians, faculty members, students, employees or volunteers of Sulpician institutions, programs, and missions in the Province.
3. **Sexual Misconduct** includes inappropriate or illegal words or behaviors of a sexual nature.

4. **Sexual Harassment** is a form of Sexual Misconduct consisting of unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by an employer, supervisor, co-worker, teacher or student which interferes with employment, promotion, job or academic performance. Sexual harassment occurs when unwelcomed sexual conduct unreasonably interferes with an individual's job or academic performance or creates an intimidating, hostile, offensive working or academic environment.

5. **Sexual Contact** is some form of physical contact for the purpose of sexually arousing or gratifying either party (including but not limited to touching the thighs, genitals, buttocks, pubic region or chest)

6. **Sexual Exploitation** is a form of Sexual Misconduct consisting of any kind of sexual contact between a counselor, spiritual director, advisor, teacher, etc., and a person served regardless by whom it was initiated.

7. **A minor** is anyone under the age of 18. For the purposes of this policy "a minor" also includes an adult who is especially vulnerable to abuse because of mental or physical disability.

8. **Sexual Abuse** of a Minor is a form of Sexual Misconduct consisting of the manipulation, forcing or tricking of a minor into sexual contact. Sexual abuse is deemed to have occurred even when the minor initiates the sexual contact.

9. **The Review Board** is a consultative body of five members appointed by the provincial council who advise the provincial superior in responding to certain accusations of Sexual Misconduct on the part of Sulpician personnel.

Statement of General Policies

All Sulpician personnel have an obligation not only to avoid Sexual Misconduct but also to attempt to prevent such misconduct and to protect potential victims.

All Sulpician personnel will comply with all applicable provisions of federal, state, and local law and canon law as well as the procedures outlined in this policy.

The Society of St. Sulpice is committed to dealing with all reported accusations of Sexual Misconduct in a comprehensive, objective and pastoral manner with due regard to the rights of all.

All complaints and incidents are considered important. All involved persons should receive timely communication.

Any communication or action taken should be done in a caring manner, so as not to compound the traumatic experience of the persons concerned. The pastoral needs and the rights of the accused will also be respected and protected.

In light of the harm of both Sexual Misconduct and false accusations, each report of Sexual Misconduct will be carefully reviewed.

The Society of St. Sulpice will avoid exacerbating the hurt of all persons involved by respecting their confidentiality in the public forum whenever possible. It is the intention of the Society to preserve the due process of civil and canon law in any statements made at the public level.

The Society of St. Sulpice is committed to comply fully with all federal, state, and local laws regarding Sexual Misconduct, Sexual Harassment, Sexual Exploitation, and Sexual Abuse of a Minor

and to comply fully with all applicable reporting requirements.

Sulpician personnel with special responsibility for minors will receive special education and supervision in their work or ministry.

If there is a case involving the Sexual Abuse of a Minor, legal requirements must be complied with in a timely manner as mandated by law.

Should a Sulpician be accused of the sexual abuse, this policy will be superseded in that case by the policy entitled, “Policy on the Sexual Abuse of a Minor by a Sulpician.”

Certain signs of affection or approval in relation to a minor that are not normally inappropriate are not prohibited by this policy, e.g., hugs, pats on the shoulder or back, verbal praise, etc. (N.B. Cultural sensitivity is called for here. For example, patting a child on the head may be offensive in some Asian cultures.)

The Society will comply with diocesan reporting requirements in the diocese where the alleged misconduct has occurred or with other institutional reporting requirements, where appropriate.

No requirement of this policy is to be construed in such a way that it would violate the priest/penitent relationship of the Sacrament of Reconciliation, and this relationship is presumed to be operative in the priest-spiritual director/directee relationship.

Procedures

1. Initial Reporting of Complaint

Whenever any person has reasonable cause to believe that a minor or an adult has been subject to Sexual Misconduct by Sulpician

personnel as defined in this document, that person must make an immediate report to the appropriate Sulpician authority. If the complaint originates in a local Sulpician community, the appropriate person to receive the report is normally the local superior. In other cases, the report is to be made directly to the provincial superior or, in his absence, to the personnel officer.

The person receiving the complaint listens sensitively to the complainant to obtain the essential elements of the complaint without probing into unnecessary details. These are then put into a written summary.

If the complaint originates in a local Sulpician institution, program or mission, the local superior promptly notifies the provincial superior or the personnel officer of the Society. In the absence of either aforementioned officer, the local superior contacts one of the four provincial consultants.

The provincial superior or his delegate will discuss with the local superior how to respond to the allegation. Because each case is distinct, the following is a general outline of the response system for such allegations but is not a procedure that is to be followed in the same way for each unique case. The process is to be modified by the provincial superior or by the local superior, with the approval of the provincial superior, according to the circumstances of the case.

II. Initial Response to the Allegation

All complaints of Sexual Misconduct by Sulpician personnel are taken seriously.

Normally, as is the accepted practice in Catholic dioceses and religious communities in the U.S., the accused person is placed on paid administrative leave pending resolution of the issues that

prompted the complaint.

Initially, the provincial superior or the local superior will conduct an inquiry, either directly or through a delegate, as early as is practicable after the first complaint to determine whether the allegations are credible. The results of this inquiry will be documented in writing.

If the inquiry requires an interview with a minor who is a victim, a licensed mental health professional will be present to assist with the interview.

In instances where the provincial superior deems that advice from the Review Board is necessary or advisable, the provincial superior or his delegate will convene such a Board as early as is practicable. The Board will avail itself of the services of a licensed mental health professional competent in these matters and such other experts as may be necessary to respond to the matter. -

III. Consultation with the Review Board

In instances where a Review Board is deemed necessary or advisable, the following policies will apply.

The Review Board will receive copies of both the initial complaint and the results of the investigation.

Anyone mentioned in the initial complaint may be contacted for an interview. Two members, if possible, of the Review Board will conduct each interview. Whenever necessary a licensed mental health professional will be present to assist.

Within a reasonable amount of time after the final interview has been conducted, the Review Board will meet to review the results of the interviews and render a summary-recommendation to the

provincial superior.

In its report to the provincial superior, the Review Board will include a summary of the accusations and of all other pertinent data, and a recommendation for appropriate administrative actions, if any, to be taken in the matter.

IV. Resolution of the Complaint

After the investigation is complete and after receiving advice from the Pastoral Review Board, where applicable, the provincial superior or the local superior formally responds to the complainant and the accused. The final decision should be documented in writing.

If the complaint is deemed credible or has been substantiated, and depending upon the severity of the misconduct, the response can range from a verbal warning to termination of employment, dismissal from a program or other very serious action.

In some cases, the accused person may also be referred for appropriate medical evaluation or intervention prior to a final disposition of the case.

If an allegation has been deemed unsubstantiated and without merit, the superior will coordinate communication with all appropriate parties so that reconciliation can take place where possible and the good name of the accused can be restored, if necessary.

V. Communication Procedures and Media

Unless determined otherwise by the provincial superior, any media contact or inquiries will be addressed only by the provincial superior or his delegate, after consultation with the Society's Attorney.

In order to respect the right to privacy of all concerned, Sulpician

personnel, as defined in this document, should not discuss, make public comments, or offer an opinion on the accusation without specific permission of the provincial superior.

Applicability

This policy applies to all Sulpician personnel as defined in this document. A copy of this policy on Sexual Misconduct is to be communicated by means of educational and training programs to all Sulpician personnel.

Receipt of this policy and agreement to comply with its provisions will be acknowledged and dated in writing by all Sulpician personnel. These acknowledgments are kept on file in the Provincial Office.

False Accusation

There is always the possibility of false accusations made for whatever reason. All should know that both civil and canon law may provide penalties for making false accusations of Sexual Misconduct.

Prevention and Education

Each adult is and must be responsible for his or her own sexual growth and maturity. To support this responsibility, the Society of St. Sulpice is committed to providing appropriate programs for Sulpician personnel which include information and training applicable to the recognition and prevention of Sexual Misconduct. All Sulpician personnel will be required to attend such programs as directed.

Within its educational institutions, the Society is committed to a

proactive approach to educating its students in the prevention of Sexual Misconduct, harassment, exploitation, and Sexual Abuse of a Minor and in developing intervention strategies for dealing with these in a pastoral context.

All persons working within the institutions, programs, and missions of the Society of St. Sulpice will be required to attend a training program on the prevention of Sexual Misconduct and a review of the Sexual Misconduct policy of the Society of St. Sulpice as a condition for employment. They will be required to execute an Affidavit of Responsibility. This affidavit is to be placed in their personnel file.

Some Sulpician personnel have special responsibility for minors. These include those administering and conducting educational programs for minors, those offering pastoral services to minors, and others who may supervise minors in the course of their work or ministry. Such personnel, including some seminarians in their pastoral assignments, are to be identified by the local superior and expected to attend the special educational programs required by the local diocese (or the equivalent of these programs).

Even where there is no reason to believe that Sexual Abuse of a Minor has occurred, if anyone detects a member of Sulpician personnel who exhibits signs of unhealthy boundaries or relationships with minors, this is to be communicated promptly either to the local superior or to the provincial superior.

Use of the Internet

All Sulpician personnel, whether employees, faculty, staff or students are expected to conduct their use of the internet and other computer technology and services, whether on equipment or facilities belonging to the Society of St. Sulpice, to the individual, or to others, in a manner that is ethically and legally proper. Improper use of the internet, e-mail, or other computer service for any Sexu-

al Misconduct, or any unethical or illegal activity will not be tolerated. The Society reserves the right to examine employee, faculty, staff and student computer files and usage information in those rare instances where it is deemed necessary to do so, by the provincial superior or his delegate, to protect the safety, health or welfare of the community or to investigate allegations of misconduct.

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