

DIOCESE OF CHARLOTTE  
SEXUAL ABUSE AND MISCONDUCT POLICY  
FEBRUARY 19, 2026



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OFFICE OF THE BISHOP

February 19, 2026

Prot. No. 049/26

Dear Brothers and Sisters in Christ,

Reaffirming our sacred obligation to provide a safe environment for all in our parishes, I am promulgating updates to the Diocese of Charlotte's Sexual Abuse and Misconduct Policy and updating our safe environment program and policies, in accordance with the U.S. Conference of Catholic Bishops' *Charter for the Protection of Children and Young People*.

In the decades since establishing a safe environment program and victim assistance ministry, our diocese has remained unequivocally committed to abuse prevention, detection and early intervention. These updates – many of which are already in practice – strengthen our efforts through enhanced awareness training, alignment with the latest best practices, and compliance with revisions to the USCCB *Charter* and changes in North Carolina law.

As of Feb. 19, 2026, the following updates are in effect:

- **Revisions to the Sexual Abuse and Misconduct Policy**, including an updated Code of Conduct for All Church Personnel and an addendum specific to Personnel Engaged in Pastoral Care (Prot. No. B 050/26)
- **Affirmation of mandatory reporting procedures**, in compliance with North Carolina law and as instructed in the USCCB *Charter*
- **Designation of CMG Connect** (implemented in 2024) as the required safe environment training and compliance program for all Church personnel
- **Designation of Safe Haven**, CMG Connect's web-based safe environment curriculum (implemented in 2024), as required training for all Church personnel
- **Reiteration of annual continuing education** on safe environment topics, with recertification required every 12 months
- **Continuation of criminal background checks** with renewal intervals based on personnel category and automated checks conducted every 90 days
- **Continuation of age-appropriate safe environment training for children** in the diocese's Catholic schools and religious education programs
- **Affirmation of the Diocese of Charlotte Lay Review Board** with regular meetings, revised term limits and ongoing policy reviews

These policies apply to all Church personnel serving in the Diocese of Charlotte – including priests, deacons, seminarians, religious, lay staff and volunteers age 18 and older. They will be widely distributed across the diocese and made available online at [www.charlottediocese.org](http://www.charlottediocese.org). Regular independent audits as set forth by the USCCB will continue to monitor the diocese’s compliance with the *Charter* and these safe environment program and policies.

I would like to express my gratitude to the Lay Review Board, the Presbyteral Council, and diocesan leadership for their invaluable guidance and feedback throughout this policy update process.

Let us pray for the Lord’s peace and healing for those affected by abuse, and let us remain steadfast in our commitment to protecting the most vulnerable among us. Only in working together can our parishes, schools and ministries ensure a safe environment for all.

Peace,



+ Most Reverend Michael T. Martin, OFM Conv.  
Bishop of Charlotte



# Table of Contents

1.0	INTRODUCTION .....	3
2.0	DEFINITIONS.....	3
3.0	IMPLEMENTATION AND DISTRIBUTION OF POLICY .....	8
4.0	EDUCATION AND TRAINING .....	9
5.0	SCREENING AND BACKGROUND CHECKS .....	10
6.0	MANDATORY REPORTING OF CHILD SEXUAL ABUSE .....	10
7.0	INITIAL REVIEW OF ALLEGATIONS OF SEXUAL ABUSE OR MISCONDUCT; ADMINISTRATIVE LEAVE .....	12
8.0	INTERNAL INVESTIGATION OF ALLEGATIONS.....	12
9.0	RESOLUTION OF ALLEGATIONS.....	14
10.0	PENALTIES FOR VIOLATIONS .....	14
11.0	WHISTLEBLOWER POLICY .....	15
12.0	HARASSMENT .....	15
13.0	ADMINISTRATION .....	16
14.0	SOCIAL MEDIA ADMINISTRATION .....	16

## 1.0 INTRODUCTION

The Roman Catholic Diocese of Charlotte is committed to providing a safe environment for everyone in all its churches, schools, ministries and entities. We are especially focused on ensuring the safety and protection of children, young people and vulnerable adults. As spelled out in this policy, the Diocese does not tolerate sexual abuse or misconduct of any kind and is dedicated to preventing such behavior through strict protocols for conduct, screening and training, and we report all allegations of abuse to law enforcement. The diocese also offers support, assistance and referrals to help in healing those who have been victims of abuse by clergy or any other employee or volunteer of the Diocese.

In the implementation of this policy, the Diocese will be guided by the moral teachings and doctrines of the Catholic Church. It will also rely on and comply with all relevant provisions of civil and criminal laws, the Church's *Code of Canon Law*, the *Charter for the Protection of Children and Young People*, the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*, and any directives and decrees from authorities of the Holy See such as *Vos Estis Lux Mundi* and *Vademecum on Certain Points of Procedure in Treating Cases of Sexual Abuse of Minors Committed by Clerics*

This revised "Sexual Abuse and Misconduct Policy" supersedes and replaces any prior policy, including the *Policy of the Diocese of Charlotte Concerning Ministry Related Sexual Misconduct by Church Personnel*, revised in 2003, and applies to all personnel as defined in 2.15 We entrust our efforts to the patronage and prayers of Saint Joseph, Guardian of the Redeemer, who, together with the Blessed Virgin Mary, protected their holy child from all manner of harm, nurturing Him with love, fidelity and steadfastness.

## 2.0 DEFINITIONS

The following definitions are for the purposes of this policy only:

- 2.1. "Child" is a person who has not yet attained 18 years of age.
- 2.2. "Child Sexual Abuse" is any sexual act between an adult and a minor which includes but is not limited to:
  - a. soliciting sexual acts or sexual materials from a minor;
  - b. possession of child pornography;
  - c. providing sexual materials to a minor;
  - d. performing a sexual act or the indecent exposure of the private or intimate parts of the body under circumstances where it is reasonably likely that the act may be witnessed by a minor; and

- e. any offense involving sexual conduct committed against a minor that is prohibited by civil or canon law, this policy or the Diocese of Charlotte's Code of Conduct for Personnel Engaged in Pastoral Care.
- 2.3. "Child Pornography" includes but is not limited to any image of sexually explicit nature in any medium, including images that are simulated, computer-generated, altered, or virtual child sexual abuse material that depict or purport to depict a minor for purposes of sexual gratification, including but not limited to:
- a. images of actual or simulated sexual acts in which a minor is a participant;  
or
  - b. lascivious exhibition of the genitals or pubic area of a minor.
- 2.4. "Civil Authority" or "Civil Authorities" may include law enforcement, social services, and/or state officials. The *Charter for the Protection of Children and Young People* establishes that all allegations of child sexual abuse received by the Church must be reported to civil authorities for evaluation and possible action.
- 2.5. "Civil Law" shall mean the laws, statutes and regulations of the civil authorities of the United States, the State of North Carolina, and any other applicable political jurisdiction.
- 2.6. "Clergy" shall mean all ordained ministers who are regarded as such according to the Code of Canon Law of the Catholic Church.
- 2.7. "Code of Conduct" means rules of behavior for applicable laity, religious, or clergy that are established in this Sexual Abuse and Misconduct Policy or Appendix A: Code for Personnel Engaged in Pastoral Care.
- 2.8. "Credible" describes an allegation that at least retains the semblance of truth after a preliminary investigation and is thereby in the case of a cleric recommended to advance to a judicial or extrajudicial process. A credible allegation is not a finding of guilt.
- 2.9. "Diocese" is both referenced as the entity known civilly as the Roman Catholic Diocese of Charlotte and also encompasses the Roman Catholic Diocese of Charlotte in accord with canon 369 of the *Code of Canon Law*; all parishes and all canonical and civil entities subject to the Bishop of the Roman Catholic Diocese of Charlotte; all other corporations having the Bishop of the Roman Catholic Diocese of Charlotte as their sole member; and all entities, agencies and organizations sponsored by these canonical or civil entities unless they already follow diocesan approved codes of conduct.
- 2.9.1. "diocese" refers solely to the Central Administration of the Diocese of Charlotte.

- 2.10. "Lay Review Board" is an advisory board called for by the U.S Conference of Catholic Bishops in the *Charter for the Protection of Children and Young People*. Under the Charter, each Diocese must maintain an advisory board of mostly lay volunteers, who are not employed by the Diocese, to independently review allegations of sexual abuse of minors by clergy and Church personnel. In the Diocese of Charlotte, the board hears testimony from victims, witnesses and accused clergy, and employs a professional investigator to examine allegations and help determine whether they should be considered credible. The board offers its opinion on credibility to the Bishop of the Diocese of Charlotte and makes recommendations on disciplinary action, pastoral care for victims, and other responses. It periodically evaluates the effectiveness of the Diocese's policies and procedures related to the protection of minors and the handling of allegations and offers advice to the Bishop of the Diocese of Charlotte. The board includes an experienced pastor and people with expertise in sexual abuse issues, counseling, investigation, law and advocacy for children's and victims' rights.
- 2.11. "Minor" is a person who has not yet attained 18 years of age.
- 2.12. "Moral Teachings of the Catholic Church" refers to those teachings of the Church that belong to the deposit of faith regarding human behavior as interpreted and implemented by the Magisterium of the Church.
- 2.13. "Ordinary" is a canonical term that, in a diocesan context, refers to the diocesan bishop and those priests appointed as episcopal vicars or vicar general. For the sake of this policy, it will refer only to the Bishop and the Vicar General.
- 2.14. "Pastoral Counselor" is a certified mental health professional with in-depth spiritual, religious and/or theological training that uses spiritual resources as well as psychological understanding to assist another in their healing and growth.
- 2.15. "Personnel" includes all persons (clergy, professed religious and laity) who are employed as an introductory, regular full-time, regular part-time, part-time or temporary employee by, are under personal contract of employment with, or volunteer in any of the entities encompassed by the Diocese.
- 2.16. "Reasonable Cause" means that a prudent person, in the totality of the circumstances, would conclude that there is sufficient semblance of truth that the allegation is credible and that it is not manifestly false or frivolous.
- 2.17. "Reg Flag Reporting Service" is the Roman Catholic Diocese of Charlotte's outside independent service that has been engaged to provide the manner by which all reports of child sexual abuse or sexual misconduct are received. All Church personnel are directed to use this system for registering complaints of sexual abuse and misconduct. The Reg Flag Reporting Service provides an opportunity for the reporter to submit their report safely, securely and anonymously 24/7 over the phone or online:

Phone: 1-888-630-5929

Online: [RedFlagReporting.com/RCDOC](https://RedFlagReporting.com/RCDOC)

- 2.18. "Safe Environment Policies" mean the policies and procedures applicable in the Diocese.
- 2.19. "Sexual Act" includes but is not limited to the touching or attempted touching of the sexual, private or intimate parts of a person's body in a manner that a reasonable person would consider to be for the purpose of gratifying the sexual desire of the perpetrator and/or any conduct of a sexual nature.
- 2.20. "Sexual Harassment" is defined in accordance with applicable federal and state law, and refers to the use of explicit or implicit sexual overtones, including the unwelcomed advance or inappropriate promise of rewards or request for sexual favors, or any conduct of a sexual nature (physical or verbal) when:
- a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, advancement or education; or
  - b. submission to or rejection of such conduct by an individual is used as the basis for employment, advancement or educational decisions affecting such individual; or
  - c. such conduct has the purpose or effect of substantially interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive work or educational environment.
  - d. Harassment can also encompass a broad range of physical, written or verbal behavior, including but not limited to the following:
    - Physical or mental abuse
    - Racial insults
    - Derogatory ethnic slurs
    - Unwelcome sexual advances or touching
    - Sexual comments or sexual jokes
    - Requests for sexual favors used (a) as a condition of employment, or (b) to influence other's decisions, such as promotion or compensation
    - Display of offensive materials
- 2.21. "Sexual Materials" include but are not limited to any kind of image, text, writing or audio in any medium, including images that are simulated, computer-generated, altered or animated that:
- a. depict nudity, actual or simulated sexual acts, or an explicit description of sexual subjects, and

- b. when considered as a whole by a reasonable person, is for the purpose of sexual gratification and lacks any legitimate literary, artistic, political, educational or scientific value.
- 2.22. "Sexual Misconduct" shall mean any action(s) or word(s) of a sexual nature (other than child sexual abuse as defined in this policy) contrary to the moral doctrine and teachings of the Catholic Church and that cause harm to others, including but not limited to:
- a. any sexual act with another person without consent;
  - b. any sexual conduct that is a violation of civil law;
  - c. sexual harassment as defined in this policy;
  - d. the use of Diocesan computers or other equipment, including internet connections, to possess, obtain or transmit sexual materials; and
  - e. sexual conduct in violation of appropriate professional standards as defined in the Diocese of Charlotte Appendix A: Code of Conduct for Personnel Engaged in Pastoral Care.
- 2.23. "Spiritual Counselor/Director" is one who legitimately helps another form and cultivate a relationship with God by assisting the individual to grow in intimacy with God and to better understand and follow God's will in aspects of their life.
- 2.24. "Victim Assistance Coordinator" refers to an important role created within the Diocese of Charlotte in response to the *Charter for the Protection of Children and Young People*. The diocese has appointed a licensed clinical social worker to assist victims of sexual abuse by clergy or other Church personnel. The coordinator connects abuse survivors to available resources no matter when and where the abuse occurred. For information, please contact the Victim Assistance Coordinator at (704) 370-3363 or [vac@rcdoc.org](mailto:vac@rcdoc.org).
- 2.25. "Vulnerable Adult" is a person over the age of 18 who is in a state of infirmity, of physical or mental deficiency, or deprived of personal freedom, which, in fact, even if occasionally, limits their ability to understand or to consent or in any way resist the offense.

### **3.0 IMPLEMENTATION AND DISTRIBUTION OF POLICY**

- 3.1. This policy shall be binding upon all personnel of the Diocese and its related entities subject to the Bishop of the Diocese of Charlotte, even though some sections may refer to a specific category of personnel. This policy, and any subsequent amendment(s), shall be in effect as of the date of promulgation by the Bishop of the Diocese Charlotte.
- 3.2. A copy of this policy shall be available to all personnel upon completion of the Safe Environment curriculum assigned. A copy may also be requested by contacting the Safe Environment department at [safeenvironment@rcdoc.org](mailto:safeenvironment@rcdoc.org) or (704) 370-3222.
- 3.3. This policy shall be incorporated into all diocesan personnel guidelines.
- 3.4. **Diocesan Clergy and Members of Diocesan Religious Orders**
  - 3.4.1. All clergy of the Diocese of Charlotte, including those on assignment outside of the Diocese and retired priests who continue to assist in public ministry must have a non-expired background check and current Safe Environment training completion on file, including any adverse findings indicated on the most recent background check report.
- 3.5. **Clergy Incardinated in Other Dioceses and Members of External Religious Orders**
  - 3.5.1. All clergy incardinated in other Dioceses and members of external religious orders assigned to or retiring in the Diocese of Charlotte, and engaging in public ministry, must provide documentation from their Local Ordinary or Religious Superior that confirm compliance with all Safe Environment requirements, including a non-expired background check, before engaging in public ministry in the Diocese of Charlotte. The Diocese of Charlotte Ordinary, and/or Safe Environment department, may request annual attestations that ensure continued compliance with the other Diocese's/external religious order's safe environment requirements. In all cases, acknowledgement of the Diocese of Charlotte's policies and code of conduct shall be required on an annual basis.
- 3.6. This policy shall be communicated to the ecclesiastical (Church) superiors who have administrative, supervisory or decision-making responsibilities over all members of religious institutes and societies of apostolic life who serve as personnel of the Diocese or entities subject to the Bishop of the Diocese Charlotte.
- 3.7. Acknowledgment of receipt and understanding shall be included in any contracts of employment within the Diocese.

- 3.8. A signed acknowledgment of receipt and understanding shall be required by all personnel. The Safe Environment training and compliance system used by the Diocese, currently CMG Connect, will contain the electronically signed acknowledgment of this policy. The signed acknowledgments of receipt and understanding of these guidelines may also be filed in the appropriate personnel file by the individual's supervisor. The required acknowledgment is contained on the last page of this policy.
- 3.9. Failure to execute the acknowledgement specified in Section 3.7 shall not affect the obligation to comply with this policy by any personnel.
- 3.10. This policy does not and is not intended to create any contractual obligation, expressed or implied, on the part of the Diocese or those entities subject to the Bishop of the Diocese of Charlotte.

## **4.0 EDUCATION AND TRAINING**

- 4.1 All personnel must receive training in the policies of the Diocese regarding sexual misconduct and the prevention of child sexual abuse. Furthermore, all personnel must receive training in identifying and responding to potential incidents of sexual abuse and misconduct and the code of conduct relevant to them. The training materials to be used will be specified by the Safe Environment Department. This training must be completed at the beginning of a person's volunteer service or employment and at such other intervals as are specified by the Safe Environment Department.
- 4.2 Clergy incardinated in other Dioceses and members of external religious orders assigned to or retiring in the Diocese of Charlotte, and engaging in public ministry, must remain current with the safe environment requirements as defined in 3.5.1.
- 4.3 Personnel may not interact with minors or vulnerable adults in any program or activity of the Diocese or any of its parishes or entities until they comply with the training requirement.
- 4.4 Education and resources about child sexual abuse and its prevention shall also be provided to minors in Catholic schools and religious education programs and to their parents. Parents may choose not to have their child(ren) participate in the child protection training in their school or religious education program. In such cases, resources shall be offered to the parents so that they can instruct their child(ren).
- 4.5 All training and educational materials shall be reviewed to ensure that they fully conform to the moral teachings of the Catholic Church. No educational materials may be used that fail to fully conform to the moral teachings of the Catholic Church.

## **5.0 SCREENING AND BACKGROUND CHECKS**

- 5.1 All personnel of the Diocese must be screened for suitability for service. Due to the religious nature of all Diocesan entities, the diocese shall evaluate the suitability of persons applying for employment or volunteer service, and those who have already entered such service, based on the moral teachings of the Catholic Church. The diocese reserves the right to make decisions about employment or volunteer service that will promote the religious principles of the Catholic Church. Failure to submit full and complete information required for a background check, or any false statement made during the screening process, shall constitute grounds for termination of employment, and/or restriction from volunteer service, and being barred from any contact with minors or vulnerable adults in any program or activity of the Diocese, or any other sanction that the diocese deems appropriate.
- 5.2 This screening will be conducted in accordance with the policies of the Diocese and will include a background check (including checks of criminal history and sex offender registry status).
- 5.3 Screening will be conducted at the time of application for service according to policies established by the diocese. The diocese may also periodically conduct an updated screening of personnel. This may occur at any time the diocese deems necessary or appropriate, in accordance with diocesan policies, and/or if the diocese receives information that warrants additional screening, in its sole discretion.
- 5.4 Results of background checks will be evaluated by the diocese to determine if there might be a risk to minors or vulnerable adults. The results of background checks shall be handled according to the policies and procedures established by the diocese and in full conformity with all applicable provisions of state and federal law.
- 5.5 Clergy incardinated in other Dioceses and members of external religious orders assigned to or retiring in the Diocese of Charlotte, and engaging in public ministry, must remain current with the safe environment requirement of a non-expired background check as defined in 3.5.1 and authorized to participate in any public ministry within the Diocese by the ordinary.

## **6.0 MANDATORY REPORTING OF CHILD SEXUAL ABUSE**

- 6.1 If personnel know or should reasonably know that a juvenile has been or is the victim of a violent offense, sexual offense or misdemeanor child abuse under G.S. 14-318.2, they shall:

- a. immediately report the criminal incident to the appropriate law enforcement agency; pursuant to N.C.G.S. § 14-318.6;
  - b. strongly urge the alleged victim (or their parent or guardian) to immediately report the incident to law enforcement; and
  - c. immediately report the incident to the Red Flag Reporting System safely, securely and anonymously 24/7 over the phone by calling 1-888-630-5929 or online at RedFlagReporting.com/RCDOC. If it is not possible for the individual to file a report with the Red Flag Reporting Service, then they shall immediately notify the Safe Environment Department for assistance with entering the allegation with the reporting service at 704-370-3222 or safeenvironment@rcdoc.org.
- 6.2 Full cooperation shall be given by the Diocese and its personnel to any investigation conducted by civil authorities. The Diocese will not interfere in any way with any investigation being conducted by civil authorities.
- 6.3 Church personnel who fail to report as required by North Carolina law or by this policy may face penalties imposed by civil authorities, as well as disciplinary action by the diocese, up to and including termination. All personnel are responsible for compliance with applicable law. Merely reporting incidents to a supervisor is not sufficient if applicable law requires other or additional reporting.
- 6.4 The Diocese of Charlotte reports all allegations of sexual abuse of a minor to local law enforcement. The diocese also notifies its Victim Assistance Coordinator, a licensed counselor who aids the complainant. In addition, the diocese informs its Lay Review Board, an independent advisory group that investigates allegations of abuse and misconduct for possible personnel discipline.
- 6.5 The diocese may suspend any internal investigation of an allegation of child sexual abuse until civil authorities either conclude their investigation or authorize the diocese to proceed with its own investigation.
- 6.6 Neither the absence of complete information nor the lack of consent from the alleged victim, their parent(s) or legal guardian, or the individual providing the information shall impede or delay the prompt reporting of any allegation of abuse to the appropriate civil authorities.
- 6.7 Reports made pursuant to this policy, and their investigation shall be kept confidential to the extent possible, consistent with the need to conduct an appropriate investigation and with reporting procedures set forth in this policy. Disclosure of such reports to individuals not involved in the investigation may result in discipline, up to and including termination of the violator's position in the Church.

- 6.8 Nothing in this policy shall require or permit a priest to violate the priest/penitent relationship of the Sacrament of Penance (see *Code of Canon Law*, canons 983 and 984), or the privilege of confidential communication made to a priest in confession "or a confidence made to him in his professional character as spiritual advisor." (See N.C.G.S. § 8-53.2).
- 6.9 Persons who report alleged incidents pursuant to this policy, and those who cooperate with investigations of such reports, shall be entitled to the protections of the "whistleblower" protections set forth in this policy.
- 6.10 All mandatory reporting requirements defined above also apply to vulnerable adults.

## **7.0 INITIAL REVIEW OF ALLEGATIONS OF SEXUAL ABUSE OR MISCONDUCT; ADMINISTRATIVE LEAVE**

- 7.1. After receiving a report of child sexual abuse, sexual abuse, or sexual misconduct, an inquiry shall be immediately undertaken by the Director of Human Resources or the Vicar General, or their delegate. This initial evaluation shall not delay the reporting of an incident of child sexual abuse or any other criminal activity to law enforcement.
- 7.2. Following the inquiry, if the allegation at least seems it could be true, the accused person shall be relieved from ministry, volunteer service and/or employment in the Diocese, if applicable, and placed on administrative leave pending the outcome of the internal or outside investigation.
- 7.3. If the accused, who is placed on administrative leave, is a member of the clergy, and assigned to public ministry, the impacted community will be informed about the reason for his absence at the discretion of the Bishop of the Diocese of Charlotte in accordance with Canon 220 and *Vademecum on Certain Points of Procedure in Treating Cases of Sexual Abuse of Minors Committed by Clerics*.
- 7.4. If the accused is a member of a Religious Order, the major superior shall be notified of the allegation, and the subsequent procedure will be coordinated with him.

## **8.0 INTERNAL INVESTIGATION OF ALLEGATIONS**

- 8.1 When allegations are made of child sexual abuse involving personnel of the Diocese, contact with the alleged victim and family should be promptly initiated by the Diocese's Victim Assistance Coordinator, whose role is to offer to help connect abuse survivors to available resources.

- 8.2 In conducting the internal investigation, any findings and recommendations of civil authorities shall be considered.
- 8.3 Both the complainant and the accused person have the following rights and duties:
- a. the right to offer information relevant to the report, along with the duty that any such information be accurate.
  - b. the right to know the status and results of the investigation once concluded, providing that such notice does not interfere with any investigation being conducted by civil authorities.
  - c. the duty not to interfere with the investigation.
- 8.4 Accused persons have the following additional rights and duties:
- a. the right to be informed that a report has been made, provided that such notice does not interfere with any investigation being conducted by civil authorities;
  - b. the right to be informed of the nature of the allegation, provided that such notice does not interfere with any investigation being conducted by civil authorities;
  - c. the right to be presumed innocent until the allegation is resolved through a canonical and/or civil process;
  - d. the right to appeal within the diocese and the Holy See a determination that the accused person committed an act of child sexual abuse or sexual misconduct, in accord with the norm of canon law;
  - e. the duty not to contact the complainant while the investigation is pending;
  - f. the duty not to encourage, request, aid or approve any other person making contact with the complainant or any other person who is providing information to the investigation with the intent to influence their cooperation with the investigation; and
  - g. the duty not to engage in, encourage, request, aid or approve any action that is intended to have a detrimental effect on the reputation of the complainant, or of any other person who is providing information or cooperating with the investigation.
- 8.5 Medical, psychological and spiritual assistance and, in appropriate instances, economic assistance may be offered by the diocese to any alleged victim who requests it, in the spirit of Christian charity and even justice.
- 8.6 Any media contact or inquiries regarding a report of child sexual abuse must be directed to the director of the Office of Communications.

## **9.0 RESOLUTION OF ALLEGATIONS**

- 9.1 In instances where the Lay Review Board conducts an investigation according to its policy, at the completion of its investigation, the Lay Review Board shall determine whether or not there is reasonable belief of the allegation and shall provide their conclusions and recommendations to the Bishop of the Diocese of Charlotte.
- 9.2 A person shall be regarded to have committed an act of child sexual abuse or sexual misconduct if:
- a. The truth of the allegation is manifestly evident; clearly and unmistakably apparent or obvious, or easily perceived or understood without the need for elaborate explanation or analysis; or
  - b. If the accused person admits to, is found responsible for, or declines to contest an allegation of child sexual abuse brought in any civil, criminal or administrative court, canonical judicial or extrajudicial process, tribunal or agency, including the Diocese's Lay Review Board. Any clergy member or lay person who the Lay Review Board determines that there is reasonable belief to the allegation of child sexual abuse or sexual misconduct through its process may appeal that finding to the ordinary.
- 9.3 If an allegation is found to have been false or without reasonable belief, the accused person shall be eligible to return to employment or service, subject to any reasonable conditions as merited under the circumstances.
- 9.4 If an allegation has become a matter of public knowledge but is determined to have been false or not credible, the diocese will take appropriate corrective action to address any harm to the accused person's reputation.

## **10.0 PENALTIES FOR VIOLATIONS**

- 10.1 Any person who is found responsible for an act of child sexual abuse as defined in this policy shall be permanently barred from exercising any employment, volunteer service or ministry with any entity or program of the Diocese. In the case of clergy, this finding is reserved to the Holy See.
- 10.2 If any priest or deacon is found to have committed an act of child sexual abuse, the offending priest or deacon will be subject to penalties prescribed in canon law, including permanent removal from ecclesiastical ministry and dismissal from the clerical state, if the case so warrants.
- 10.3 Any person who is found to have committed any other act of sexual misconduct as defined in this policy shall be subject to appropriate disciplinary action, up to

and including termination of employment or volunteer service, and being permanently barred from exercising any employment, volunteer service or ministry with any entity or program of the Diocese.

- 10.4 In the case of a person found to have committed an act of sexual harassment as defined in this policy, appropriate disciplinary action will be taken, up to and including termination of employment or volunteer service and being permanently barred from exercising any employment, volunteer service or ministry with any entity or program of the Diocese. Corrective action will also be taken to address any negative effects of the harassment and to prevent any possible future harassment.
- 10.5 A person who knowingly and maliciously makes a false allegation of child sexual abuse or sexual misconduct may be subject to appropriate disciplinary action, up to and including termination, and are subject to canonical penalties.
- 10.6 Any action to be taken against an employee of any diocesan entity pursuant to this policy shall be the sole responsibility of the person's legal employer. Nothing in this policy shall create a joint employer relationship of any kind with regard to any employee of any diocesan entity or program.

## **11.0 WHISTLEBLOWER POLICY**

- 11.1 The Diocese expressly prohibits any form of retaliation including harassment, intimidation or adverse employment actions against personnel who raise suspected violations of law, cooperate in inquiries or investigations, or identify potential violations of diocesan policies, including reports or complaints of ministry-related sexual misconduct. No person who, in good faith, reports a concern shall be subject to retaliation of any kind including, in the case of an employee, adverse employment consequences. Moreover, anyone who retaliates against a person who has reported a concern in good faith is subject to discipline up to and including dismissal from their position in the Diocese.

## **12.0 HARASSMENT**

*Personnel must not engage in physical, psychological, written or verbal harassment of anyone – including staff, volunteers or parishioners – and must not tolerate such harassment by others.*

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

- 12.2 Harassment can be a single severe incident or a persistent pattern of behavior in which the purpose or the effect is to create a hostile, offensive or intimidating work environment.
- 12.3 Allegations of harassment should be taken seriously and reported immediately to the appropriate person in the parish, community/institute, Diocese or organization, as spelled out in the *Diocese of Charlotte Sexual Abuse and Misconduct Policy*. Diocesan employees should also refer to the section on Harassment located within the *Diocese of Charlotte Personnel Policies Handbook* for additional information.

## **13.0 ADMINISTRATION**

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

- 13.1. Administrative decisions made by clergy, staff and volunteers shall meet civil and canon law obligations and reflect Catholic doctrinal, moral and social teachings.
- 13.2. No clergy, staff or volunteer shall use his or her position to exercise unreasonable or inappropriate power and authority.
- 13.3. Pastors, or their delegates, are responsible for ensuring that each volunteer providing services to children and youth must read and acknowledge *Sexual Abuse and Misconduct Policy*, the *Mandatory Reporting Policy* and the *Protocols for Ministry with All Minors* before providing services.

## **14.0 SOCIAL MEDIA ADMINISTRATION**

*The primary purpose of social media and digital communication is to provide information about – and engage audiences in – a ministry, school or event. Note that social media/digital communication is not confidential and may be shared or reposted to others.*

*Social media/digital communication includes but is not limited to texting, email, photos or images, recordings, video/films, software, and social media apps and platforms.*

- 14.1. Personnel will not post inappropriate content (messages, text and images) on any website, social media platforms, text messaging, etc., which may reflect negatively on a parish, school, ministry and the Diocese of Charlotte.