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## Minutes of the 808<sup>th</sup> Provincial Council Meeting January 11-12, Hales Corners, Wis.

PRESENT: Fr. Thomas Cassidy, provincial superior; Fr. Byron Haaland, Fr. Ed Kilianski, Fr. Jack Kurps (via phone due to flight cancellation), and Br. Duane Lemke, councilors; Dn. David Nagel, treasurer; Fr. Bill Pitcavage, guest of the council; Br. Frank Presto, provincial secretary; and Mary Gorski, minutes. Also, Fr. Stephen Huffstetter was present for discussion of the proposed Hall of History at St Joseph's Indian School.

I. Minutes — Councilors acknowledged that they had voted to approve the minutes of the 807th council meeting during a prior conference call.

II. Personal Sharing — Participants took a few minutes to update each other on themselves and their ministries. Some items of note:

- Fr. Cassidy attended the Praesidium training session in Pinellas Park, Fl., which was lead by Fr. Byron Haaland. Both thought that the session went very well.
- Dn. Nagel's time has been consumed with the Sacred Heart at Monastery Lakes building project. He said that interior work is moving along well and would go into more detail during the financial section of the council meeting. The owner's representative has been very valuable.
- Among those joining SCJs in Houston for the Praesidium Training Session were members of the Raymondville and San Antonio communities. Fr. Kilianski said that comments on the workshop were good; several SCJs appreciated the fact that it focused on "positive, celibate living."
- Br. Lemke noted that school is just starting up again for students at the Dehon Formation Community in Chicago.
- Br. Presto reported that his check-up at the Mayo Clinic went well. No abnormalities were found. He will most likely have surgery in spring to address structural concerns around the eye affected by his cancer surgery.

III. Visioning: Role of Local Superior — When possible, the council will begin its meetings with time to discuss a theme or an area of concern. The purpose of this is not to arrive at conclusions or decisions but to discuss topics at a deeper level. During their last meeting councilors discussed the role of local superiors/coordinators. During the January meeting they reflected on the role of leadership on the provincial level. Councilors shared their thoughts (paraphrased and/or summarized):

A. Reaction and Follow-up to Previous Discussion on Local Leadership

- One of the councilors and a member of his local community discussed the change from the term "superior" to "coordinator." Both feel that "coordinator" waters down the position and its responsibilities. Similar thoughts were expressed in other local communities.

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- An SCJ told a councilor that he found that being a coordinator can come with a lot of demands but not necessarily a lot of respect.
- There isn't a good sense of the historical development of the move from the term "superior" to "coordinator."

## B. What is the Role of Provincial Leadership?

### 1. Animation

- How can provincial leadership animate our charism and the living of SCJ religious life? How can we animate our congregation's spirituality on the local level?
- Much of our time on council is spent on the "nitty gritty" of running the province; personnel issues, ministry and financial concerns. These issues are very important; however, we serve the province more effectively if we can also help members to focus on developing healthy relationships in community and enhancing their spiritual life.
- How can we promote better relationships within the province? We can lead by example, and contribute toward better relationship development on the local level; however, what do we do about people who don't want to build relationships?
- God is love. We, as province leadership, need to call the membership to accountability to the Gospel, meaning that we must all practice God's love. This requires much patience but it is what we are called to do.
- We do not need to like everyone in community but we must love each person.
- Loving a person can sometimes mean "tough love."
- It is interesting that some of our men are good at relationships outside of the community, living the Gospel message of love, but are not good with relationships within community. Some people are much different in their ministry than they are in their communities.
- The importance of inviting members of one's community to social events was stressed at a previous meeting. Often, if an SCJ organizes something, members of the community – when invited – will take part. In some communities, the burden of this often falls to one person but it is important to continue the effort. It was also noted that in some communities there may be a person who consistently declines invitations. One's inclination might be to stop inviting that person but councilors said that it is important to always make the offer. It is important not to exclude others. If invited, the decision to take part is then with the individual. People can surprise — the person who says "no" for months may have a change of heart. Those in community should be open to that.
- An important part of our role as provincial leadership is to promote our charism, which is a beautiful charism.
- The example we set in our prayer life, living the vows, and being faithful to what it means to be an SCJ religious is important.
- Provincial leadership must be pastoral; this is basic. How can we do that better? As noted earlier, being pastoral can also mean offering "tough love." Those in leadership can't worry about pleasing everyone.
- We have the responsibility to ensure that all members of the province know that we care about them.

### 2. Province Plan

- The development of our Province Plan is one way in which we work to promote our charism. In the responses to the plan there was enthusiasm and an appreciation for stating the intentions of the council. The plan is a good way of animation.
- Paraphrasing Pope Benedict XVI, it is important in leadership to not get caught in activism but instead to take time to step back and pray and reflect. We did this with the Province Plan.

- The Province Plan was well received; the membership sees the council “doing something.” It is a new approach that SCJs seem to appreciate.

### 3. Positive Mood

- There is a positive atmosphere in the province and support for one another. It is good that so many SCJs are traveling to Raymondville for the celebration of the SCJ presence in Willacy County. Being present at such a moment is very important. Such presence did not often happen in the past when SCJs left a ministry or area.
- There is a refreshing sense in the province. People are enthused about the province plan, and about possibilities for a new venture in Mexico. Having dreams and a vision builds enthusiasm; it is healthy. When we get out of our routines we are more creative in solving problems.

### 4. Acknowledging Grief

- The province has not been good in acknowledging grief. When hard decisions have been made in the province we don’t often process the pain that those affected by the decisions may be going through. There was a lot of grief after Adrian that was not acknowledged.

### 5. Explaining Issues; Sharing Knowledge

- Since coming on council I have learned while people do read the minutes and other items from the Provincialate they often misunderstand what is being stated. We need to encourage dialogue on important issues and make sure that they are clearly understood.
- It is good that the province is well represented geographically on this council. It is important for us to take the time to make sure that SCJs throughout the province are educated on province concerns.

### 6. Vision

- The role of the Provincial Council is to hold up a vision for our common life. A vision is not something that is completed; it is always sought.

### 7. Problem Solving

- I wish we could spend less time on problems and “slot filling.” But this is a necessary part of our work.
- It would be good if more problem-solving could be done on the local level. Often people want to come to the provincial before dealing with their local superior. Perhaps this is another sign that the role and/or authority of the local superior has diminished.
- It can be difficult in leadership – on any level – to be adequately attentive to both “business” and the quality of life we are living.

## C. What are the Issues/Expectations Between Provincial and Local Leadership?

- Expectations need to be better defined. We expect more from local superiors but we first need to define what it is that we expect. And what do they expect from provincial leadership? How can we animate good leadership on the local level? How can we better know what local leadership needs from provincial leadership?
- Communication seems to be top-down. How can we foster better two-way communication between the local level and provincial leadership? How can we encourage local leadership to take responsibility to share information? Communication shouldn’t just take place when requested, it should move freely as needed.
- Local communities used to send a quarterly report to the provincial superior. This was a good way to keep information flowing from the local level. Should this practice be brought back? Perhaps there can be a confidential report for the provincial superior and a more general report that can be shared with the province.
- The March meeting of local superiors should be a good opportunity to further this dialogue, and especially, to get the perspective of local leaders.
- The local superiors meeting could be a good forum for local leadership to share ideas on what works and doesn’t work

in animating communities.

- Eventually it would be good to include other members of local leadership at the meeting of local superiors.
- How can provincial leadership spiritually lead?
- We need to revisit the term “local coordinator.” “Superior” isn’t necessarily a comfortable option — there is a discomfort in being labeled as “superior” to others in a community. “Coordinator” has an unclear meaning. “Superior,” while perhaps not ideal, is better understood. Others noted that the term isn’t as important as understanding the expectations of the role.

D. What are the Responsibilities of Provincial Leadership?

- We have many responsibilities but primary is to lead with a love that enables and fosters SCJ religious life.
- We need to foster the mentality that we are an international congregation. We need to educate our members on the wider congregation and help to develop a sense of interconnectedness. What happens “there” affects us “here.”
- We ask if the membership is reading what we send. However, do we read and discuss what the general administration sends to us?
- That which is specified in canon law regarding the responsibilities of provincial leadership is important; however a greater part of responsibility is – as said earlier – animation.
- We are responsible for calling others to accountability. However, we often only do this when there are problems. We need to discuss what “accountability” means.

E. What are the Expectation Provincial Leaders Have of Themselves and Others in Leadership?

- Honesty, loyalty, circumspection, a love of the province and the congregation.
- Presumption of goodness and that one will do the best he can with the gifts that he has.
- A sense of commitment and belief in what we do.
- To lead not just by representing others but by sharing one’s opinions and beliefs.
- Accountability.
- Patience, especially in light of the fact that all councilors have full-time ministries outside of their council work.
- Prophets of love and servants of reconciliation — we must promote this in ourselves and in the province. In loving each other (councilors and province as a whole) we must accept, affirm and try to have an understanding of each other. We must have a heart that listens.
- There is an expectation that we will properly prepare for our work which means reading all meeting materials and taking the time to creatively think and pray about the issues brought before us.
- Promote dreaming and visioning in ourselves and the wider province.
- Mutual respect; assuming the best of each other. We should be able to disagree without feeling a sense of rejection. Opinions should be stated freely.
- Openness to challenge and be challenged.

F. What Expectations Do Provincial Leaders Have of Provincial Staff (assisting staff and SCJs serving in roles such as provincial treasurer and provincial secretary)?

- Many of the same qualities as noted above regarding elected leadership: honesty and accountability, a sense of commitment.
- Councilors acknowledged their gratitude for support staff and SCJs in non-elected leadership. They are vital in the operation of the province.
- It is good to have the provincial treasurer and provincial secretary in the council meetings. There is an appreciation that this is also done on the general level.
- The knowledge and abilities of the support staff to the provincial treasurer is vital.
- Opinions of support staff are valuable; it is hoped that they feel comfortable sharing their opinions.

#### G. Wrap Up

- At a future meeting the council should talk about what they mean by “accountability and how it can be fostered.”
- The title “local coordinator” needs to be revisited.
- During the next meeting the council needs to reflect more on issues of leadership in preparation for the local coordinators/superiors meeting.

#### IV. Administration

- A. Provincial Superior’s Updates — Since the last council meeting Fr. Cassidy has been to Pinellas Park, where he took part in the Praesidium workshop led by Fr. Haaland. As noted earlier, this went very well.

The weekend after the council meeting Fr. Cassidy will go to Raymondville for the celebration of SCJ ministry in Willacy County. He said that he is happy that the community’s work there is being honored and that a large number of SCJs will be attending.

Later in January Fr. Cassidy will take part in a CMSM retreat and conference in Arizona and from there go to Rome for Fr. David Szatkowski’s doctoral defense.

- B. Hall of History, St. Joseph’s Indian School — Fr. Stephen Huffstetter joined the council for its discussion of the proposed Hall of History. The museum addition was previously discussed at the 807<sup>th</sup> meeting:

*“The C-POSH board and members of the council are concerned that the proposed concept focuses on the history of Native American schools in general instead of St. Joseph’s in particular. This wider focus would include many of the difficulties and abuses found in such schools in the late 1800s and early 1900s. The C-POSH board suggests that it would be better to focus on the fact that St. Joseph’s was developed in a different era and that for many years (40% of the school’s history) students have lived in family-like settings instead of dorms. St. Joseph’s was founded, in part, because a number of Native American groups wanted a Catholic Indian school instead of a government school. In some ways St. Joseph’s was a response to the concerns of past Indian schools.”* 807: VI, G

Fr. Huffstetter said that he heard the council’s concerns about the content of the Hall of History. He said that he wanted to preface their discussion by focusing on the context of the Hall of History. Fr. Huffstetter said that the idea developed out of the school’s strategic planning process. After viewing a similar display at Boys Town, Kory Christianson suggested that a Hall of History be developed at St. Joseph’s. The idea was listed as a goal, but not an immediate one. Once other goals of the plan were addressed, St. Joseph’s revisited the idea. Fr. Huffstetter toured the display at Boys Town and was impressed. The display is a good way to share the mission and philosophy of Boys Town with supporters but also with Boys Town staff.

Fr. Huffstetter noted that Boys Town is only ten years older than St Joseph’s and that St. Joseph’s has a larger mailing list.

He believes that a Hall of History at St. Joseph’s can be good for sharing the history of the school with staff, benefactors and others, but also be a gathering point for alumni.

Councilors' agreed but returned to their concern about the text. There is not a desire to "sugar coat" the past but councilors thought that perhaps the initial presentation dwelled too much on negative practices which were not a part of St. Joseph's history. Fr. Huffstetter said that it is important to share the history of the school in the context of the history of Indian schools in general. He also noted that prior to the SCJs' operation of St. Joseph's (and before that, Columbus College) the property had been an Indian school. This is another reason why the wider history of Indian schools should be explored, not just St Joseph's.

Fr. Huffstetter reminded the council that they had only seen the initial concepts for the Hall of History. When approval is given to move forward, he anticipates that there will be over 200 pages of text (including the text of displays and videos). Only a small portion of that text will note the negative issues associated with Indian schools.

Fr. Huffstetter acknowledged that the organization hired to develop the Hall of History does not yet have a strong sense of St Joseph's. Some of the concerns that have been raised come from this. However, Fr. Huffstetter said that all text, photos and other materials will be reviewed by St. Joseph's staff. He welcomes the council's review of all text as well. However, the text cannot be more fully developed until the project receives approval from the C-POSH board and Provincial Council.

Speaking in general about the proposed addition, Fr. Huffstetter said that the museum needs more space (it currently has a collection valued at approximately \$1.5 million) and more facilities for visitors. Bathroom space is inadequate when tour buses come. He mentioned the various options St. Joseph's has for financing the addition, the cost of which is estimated at about \$4 million.

Councilors appreciated Fr. Huffstetter's presentation. Several expressed continued concern that the Hall of History not focus too much on the history of Indian schools in general (and abuses found within them). It was noted that much of what might be considered inappropriate now (such as corporal punishment) was a product of its time.

Several councilors did appreciate the ideas shared about fostering reconciliation, including the "Medicine Wheel Garden."

The C-POSH board was to discuss the Hall of History during its conference call the day after the council meeting. If the board approves the funds for further development of the project the council can review the board's decision at its February meeting.

Fr. Huffstetter was thanked for his time with the council. Before leaving, Fr. Huffstetter noted that St. Joseph's had contracted with a strategic planning professional in the Milwaukee area. He suggested that one of their meetings be at the Provincialate Conference Center. The council agreed.

After Fr. Huffstetter left, councilors briefly revisited the discussion. It was felt that Fr. Huffstetter understood the council's concerns. Among those suggested for reviewing further text: Dn. Nagel, Mary Gorski and someone from outside of the organization to get a fresh perspective.

### C. Province Plan —

1. Review — The council reviewed the response it had received from the membership on the proposed Province Plan. It was noted that several of the suggestions for additions to the plan addressed issues and concerns that could fall under one of the eight areas already identified. Some responses requested that timelines be set. However, councilors said that such a plan already has a timeline — the length of the current administration.

Timelines are more appropriate for the individual tasks under each of the eight areas of the plan.

Overall, the council found the responses to be very insightful and helpful and is grateful to the membership for its reflection and work. Although the council did not change the text of the plan, it is taking into account the suggestions made and will incorporate them in various parts of the plan.

The council voted to approve the Province Plan as proposed. Fr. Cassidy will write an introductory letter, acknowledging the province input, and send the letter and the plan to the general administration.

"This plan," said Fr. Cassidy, "is the standard to which we are holding ourselves accountable."

2. Follow up — At each council meeting reports will be given regarding the areas of the plan for which councilors have responsibility.
  1. Spirituality — Fr. Haaland said that he is in the process of planning a retreat in Pinellas Park that will take place in fall; this will be one of several retreats offered around the province. Br. Lemke offered to host one of the retreats at the formation house. Fr. Haaland will have a specific date for the fall retreat soon and share it in *Fridge Notes*. Also, he and Fr. Jim Schroeder are going to rewrite *This Day of God* to make it appropriate for use with benefactors, co-workers and others who have interest in SCJ spirituality. Mary Gorski will get the electronic text of the booklet to Fr. Schroeder. Fr. Haaland will be meeting with Fr. Joe Dean about future possibilities regarding spirituality.
  2. Justice, Peace and Reconciliation — Fr. Kilianski said that he met with Dn. Greg Schill who offered to take on much of the work involved with Justice and Peace. There will be a meeting of the Justice, Peace and Reconciliation Commission on February 16 at the Provincialate Conference Center.

Fr. Kilianski is reviewing the grant process. Kassandra Huerta, administrative assistant, is organizing the paperwork for the grant renewals.

- D. Villa Maria Community — Fr. Jim Brackin suggested that the Villa Maria community be suppressed prior to the move to the new residence. He further suggests that he be named administrator for six months before choosing a new superior and council.

The council will take this up at the February meeting when it begins the process of erecting new communities at the new site.

- E. Fr. Placido Rebello — During the last council meeting Fr. Cassidy proposed that the U.S. Province sponsor doctoral studies for two members of the Indian District. In return, at least one of the two would serve for a period of time at Sacred Heart School of Theology. The council endorsed this suggestion. Fr. Cassidy contacted Fr. Kusmaryadi, regional superior of India. Fr. Kus has offered to send Fr. Placido Rebello for such studies. He will be available in April, 2011. Fr. Kus hopes that a second SCJ can be sent to the States next year.

Fr. Rebello speaks English fluently and has previously spent time in the United States. Fr. Cassidy suggests that he do his studies at Loyola of Chicago so that he can live with the Dehon Formation Community.

- F. Policy Regarding Appropriate Behaviors With Minors — Br. Presto reviewed changes made to the policy following council input at its December meeting. After noting several minor changes the council voted to approve the policy. It is attached as Addendum A. The policy will also be distributed in booklet form.

## V. Personnel

- A. Fr. Charles Wonch — Fr. Wonch has resigned from his role as coordinator of Sacred Heart Monastery due to health reasons. He has been assigned to the Villa Maria Community for one year. His situation will be reevaluated at the end of that year.
- B. Bishop Evert Baaj — Fr. Cassidy noted that the bishop is turning 90 this year.
- C. Fr. Vincent Suparman — His paperwork, allowing for ministry in South Dakota, is expected to be completed soon.
- D. Fr. Zbigniew Morawiec — He will be visiting Our Lady of Guadalupe, Houston, to investigate possibilities for ministry there. Fr. Kilianski will be hosting him.
- E. Personnel Plan — Fr. Cassidy plans to have a schema for province personnel needs for the council to review at its next meeting.

## VI. Finance

- A. Principal Finance — After reviewing information prepared by the Principal Financial Group which addressed concerns previously raised by councilors, the council voted to move the management of investments for the Lay Employee Pension Trust

to the Principal Financial Group.

- B. Sacred Heart at Monastery Lake — Progress is being made; tile work has been done in the fourth floor apartments.

Councilors asked if anything will be salvaged from Villa Maria. There are not definite plans but it is assumed that some salvaging will be done. Part of the old convent went to Habitat for Humanity. The heating/cooling units will be saved as replacements for the units at the Development Office. Furniture from Villa Maria is going to the Dehon Formation Community.

- C. 37<sup>th</sup> Street — The property has been appraised at \$500,000; however, some enhancements to the property were not taken into consideration. Kathleen Dahlgren has asked that they be reviewed. After the review, the Archdiocese of Milwaukee will be contacted to determine whether it might know of an organization that might be suitable for purchase and use of the building.
- D. Raymondville — An appraiser has been contacted regarding the Raymondville property.
- E. Baileys Harbor — The Diocese of Green Bay will have a representative meet with the Catholic Youth Expedition about concerns regarding use of the property that formerly housed St. Joseph's Retreat Center.
- F. Investment Meetings — Investment meetings are scheduled for February 15-16 at the Provincialate Conference Center. Councilors are welcome to attend the stakeholders' meeting on February 16.
- G. Personal Checking and Savings Accounts — Fr. Cassidy will send a letter to the province regarding permissions for personal savings and checking accounts. This will go out January 14.

VII. Evaluation — Councilors said that they appreciated once again beginning their meeting with “visioning” and checking in. This sets a good tone for the rest of the meeting. Fr. Kurps noted the difficulty of following the meeting on the phone; councilors said that his presence was missed in the room.

VIII. Conference Call — The council will meet by conference call on Wednesday, January 19, at 1 p.m., to review these minutes.

## Appropriate Behaviors with Minors

This policy contains guidelines for acceptable and unacceptable behaviors by members of the US Province of the Priests of the Sacred Heart.

### *Definitions*

The following definitions are pertinent and applicable to this policy.

A **member** is defined as a person for whom the province is fully responsible according to proper law. This includes those who are now deceased. It also includes those persons who have been dispensed from their vows but only for the duration of their vows.<sup>1</sup>

A **candidate** is defined as an individual who is applying for membership in the province. This includes novices.<sup>2</sup>

A **minor** is any person under the age of 18.<sup>3</sup> It should be noted that the CDF recently included those persons who are developmentally disabled in their definition of minors.

**Sexual abuse** is defined as “contact or interaction between a minor and an adult when the minor is being used for sexual stimulation of the adult. This occurs when an adult engages a minor in any sexual activity, including direct sexual contact as well as sexual non-contact, such as frottage, exhibitionism, and the distribution, downloading and/or intentional viewing of child pornography”.<sup>4</sup>

An **allegation** is defined as “a first-person accusation of sexual abuse of a minor brought against a current member, former member or deceased member which is reported to the province through any form of communication including any that are anonymous.”<sup>5</sup>

**Public ministry** is defined as that “ministry which is under the authority of a diocesan bishop and/or under the sponsorship of a religious institute, and/or with the permission of the major superior.”<sup>6</sup> It is also interpreted by the USCCB Committee on the Protection of Children and Young People as “being any ministry that includes persons other than the priest himself.”<sup>7</sup>

**Ecclesiastical ministry** is defined as any ministry under the authority of a diocesan bishop.<sup>8</sup>

Sexual abuse of a minor runs contrary to the Gospels and the teaching of the Roman Catholic Church. Members and candidates are enjoined to protect minors from all forms of abuse and neglect to the best of their abilities.

The first step to prevention and protection requires maintaining appropriate boundaries. The following statements provide further guidance in this matter.

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<sup>1</sup> Definition as found in the Glossary of Terms of the Instruments of Hope and Healing, August 2010 edition.

<sup>2</sup> Ibid

<sup>3</sup> Ibid

<sup>4</sup> Ibid

<sup>5</sup> Ibid

<sup>6</sup> Ibid

<sup>7</sup> 2009 Annual Report on the Implementation of the Charter for the Protection of Children and Young People, p.14.

<sup>8</sup> Instruments of Hope and Healing, August 2010 edition

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*A Non-Inclusive Listing of Unacceptable Behaviors* (some of these behaviors are illegal and subject to criminal prosecution):

1. Using, possessing or being under the influence of illegal substances while in the presence of minors.
2. Using, possessing or being under the influence of alcohol while supervising minors.
3. Providing or allowing minors to purchase or consume alcohol and/or illegal substances.
4. Using profanity in the presence of minors
5. Speaking to minors in a manner that is harsh, threatening, intimidating, shaming, derogatory, demeaning or humiliating.
6. Involving minors in a discussion/conversation about sexual activities unless it is a specific job requirement. The Member must have had specific training for this role.
7. Engaging in any sexually oriented conversation with minors unless these discussions are part of a legitimate lesson or discussion for teenagers in terms of human sexuality and ethics. These lessons need to convey the Church's teachings on these topics. If the minors have specific questions that were not addressed or answered in these lessons, they should be referred to their parents or guardians for further clarification.
8. Being nude in the presence of minors.
9. Possessing or using sexually oriented or morally inappropriate materials (i.e. magazines, cards, photographs, videos, clothing).
10. Using computers or hand-held telecommunication devices to access, upload or download material that is sexually oriented or morally inappropriate. This includes electronic forms of pornography, virtual and real.
  - a. It is noted that this behavior may be criminal and needs to be reported to the appropriate civil authority immediately upon discovery.
11. Sleeping in the same bed, sleeping bag or small tent with minors.
12. Engaging in sexual contact with a minor. Sexual contact is defined as vaginal intercourse, anal intercourse, oral intercourse, the touching of an erogenous zone of another person (including but not limited to the thighs, genitals, buttocks, pubic region or chest) or mouth-to-mouth and/or French kissing for the purpose of sexual arousal or gratification.

*Off-site Events:*

1. Members and candidates are prohibited from transporting minor(s) without expressed written permission from the parent or guardian.
2. Members and candidates are prohibited from unnecessary and/or inappropriate physical contact with minor(s) while in a vehicle.
3. Minor(s) must be transported directly to their destination. No unplanned or unannounced stops will be made.
4. Members and candidates are prohibited from having minor(s) stay at their residence. Any request for an exception to this item (i.e. Come and See weekend at the Formation House) must be approved by the Provincial Superior in writing at least two (2) weeks in advance.
5. The facilities for changing clothes and showering for members and candidates must be separate from those for minor(s).

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*Physical Contact:*

1. There are some forms of physical affection utilized by adults to initiate inappropriate contact with minors. This contact often occurs when the adult and the minor are isolated from others. This contact must be avoided.
2. The following are offered as a non-inclusive guide to assist members and candidates in maintaining a safe environment for all concerned. These examples of affection are **not** to be used by members and candidates in their role as public, ecclesial ministers.
  - a. Lengthy embraces.
  - b. Kissing on the mouth.
  - c. Holding minors who are four years or older on one's lap.
  - d. Touching buttocks, chests or genital areas.
  - e. Showing affection in isolated areas such as bedrooms, closets, secluded offices, staff-only areas or other private rooms.
  - f. Being in bed with a minor.
  - g. Touching knees or legs of minors
  - h. Wrestling with or tickling minors
  - i. Providing piggyback rides
  - j. Any type of massage given to a minor by an adult.
  - k. Any type of massage given to an adult by a minor.
  - l. Any form of unwanted affection.
  - m. Compliments that relate to physique or the minor's body development.

*Physical Discipline:*

Members and candidates are prohibited from using physical discipline in any way for the behavior management of minors. No form of physical discipline is acceptable. This includes spanking, slapping, pinching, hitting or any other physical force as a corrective agent.

*A Non-Inclusive Listing of Appropriate Types of Behavior:*

1. Appropriate affection within limits between members, candidates and minors is a positive component of life and ministry. The following forms of affection are examples of acceptable behavior:
  - a. Hugs
  - b. Pats on the shoulder or back
  - c. Hand-shakes
  - d. "High fives" and similar types of hand slapping
  - e. Verbal praise
  - f. Touching hands, shoulders and arms
  - g. Arms around shoulders
  - h. Holding hands while walking with small children
  - i. Sitting beside small children
  - j. Kneeling or bending down for hugs with small children
  - k. Holding hands during prayer
  - l. Pats on the head when culturally appropriate.
2. The following are examples of appropriate behavior related to public pools, beaches and water parks:

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- a. If possible, avoid changing clothes in public areas where minors will be present. Opt for an individual stall with a door, if possible.
  - b. Wear modest swimwear.
  - c. Maintain all of your normal boundaries while in the water and surrounding environment. [If you would not do something on dry land, then do not do it in the water.]
  - d. Do not let children hug you or hang on you in the water.
  - e. Try to utilize the pool when minors are less likely to be present.
3. A good rule of thumb is to exercise prudence and discretion by practicing restraint and not initiating the physical contact.
  4. It is prudent to seek parental permission for the above behaviors when conditions and timing so warrant this.

*Training Programs:*

1. Members and candidates will be trained in appropriate behaviors. These may include (but are not limited to) training in Safe Environments, Virtus or other models utilized by the province or a particular diocese.
2. Members and candidates of the US Province will comply with Standard 5 of the 2008 edition of the Instruments of Hope and Healing for continuing education.<sup>9</sup>
3. The leadership of the US Province does require all members and candidates to attend province sponsored training. All persons in or preparing for public, ecclesial ministry will participate in this training in addition to training in the diocese where they live/work.
4. Written proof of all training hours need to be forwarded to the Provincial Secretary and will be included in the member's file.

*Guidelines for Programs that Involve Minors:*

1. Programs for minors in which members and candidates are involved must be supervised by at least two adults who are physically present.
2. Those members in leadership roles (pastors, formation team, directors of agencies, local superiors) need to be aware of all programs sponsored by entities under their supervision in which members or candidates are involved. It is prudent for a list of these activities to be maintained centrally. These programs should be examined on a regular basis to determine if adequate supervision and appropriate standards of conduct are employed.

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<sup>9</sup> Standard 5 states: "The Institute will educate its members regarding the prevalence, identification, and prevention of sexual abuse of minors, giving special attention to topics that are of unique relevance to religious." Requirement 1 of Standard 5 states: "All members who serve in public ministry, even those who only occasionally serve in public ministry, must participate in a minimum of three hours of education over a three-year period."  
Approved during the 808<sup>th</sup> Provincial Council Meeting, January 2011

## Reporting Abuse

This policy statement defines standards for the US Province of the Priests of the Sacred Heart.

The following definitions are pertinent and applicable to this policy.

A **member** is defined as a person for whom the province is fully responsible according to proper law. This includes those who are now deceased. It also includes those persons who have been dispensed from their vows but only for the duration of their vows.<sup>10</sup>

A **candidate** is defined as an individual who is applying for membership in the province. This includes novices.<sup>11</sup>

A **minor** is any person under the age of 18.<sup>12</sup> It should be noted that the CDF recently included those persons who are developmentally disabled in their definition of minors.

**Sexual abuse** is defined as “contact or interaction between a minor and an adult when the minor is being used for sexual stimulation of the adult. This occurs when an adult engages a minor in any sexual activity, including direct sexual contact as well as sexual non-contact, such as frottage, exhibitionism, and the distribution, downloading and/or intentional viewing of child pornography”.<sup>13</sup>

An **allegation** is defined as “a first-person accusation of sexual abuse of a minor brought against a current member, former member or deceased member which is reported to the province through any form of communication including any that are anonymous.”<sup>14</sup>

**Public ministry** is defined as that “ministry which is under the authority of a diocesan bishop and/or under the sponsorship of a religious institute, and/or with the permission of the major superior.”<sup>15</sup> It is also interpreted by the USCCB Committee on the Protection of Children and Young People as “being any ministry that includes persons other than the priest himself.”<sup>16</sup>

**Ecclesiastical ministry** is defined as any ministry under the authority of a diocesan bishop.<sup>17</sup>

All members and candidates of the US Province are required to report any known or suspected abuse of a minor to the appropriate civil authorities (defined as the local police and/or the appropriate state social services department). All members and candidates are mandated reporters. Failure to report suspected abuse may result in criminal prosecution.

<sup>10</sup> Definition found in the Glossary of Terms of the Instruments of Hope and Healing, August 2010 edition.

<sup>11</sup> Ibid

<sup>12</sup> Ibid

<sup>13</sup> Ibid

<sup>14</sup> Ibid

<sup>15</sup> Ibid

<sup>16</sup> 2009 Annual Report on the Implementation of the Charter for the Protection of Children and Young People, p.14.

<sup>17</sup> Instruments of Hope and Healing, August 2010 edition

Approved during the 808<sup>th</sup> Provincial Council Meeting, January 2011

All members and candidates of the US Province are required to report any known or suspected possession, downloading, uploading, distribution and/or intentional viewing of child pornography through the use of electronic equipment, including handheld devices. This report must be made to the local law enforcement and to the Provincial Superior. Failure to report this activity may result in criminal prosecution.

## **Responding to Warning Signs of Boundary Violations and/or Inappropriate Behaviors**

Any member of the US Province, who observes any action of a confrere which is contrary to the policy statement “**Appropriate Behaviors with Minors**”, or who receives an oral or written report of such activity from another person, must inform the Provincial Superior immediately. The member who observes these activities is strongly encouraged to let the confrere know of his concerns and that the Provincial Superior has been contacted. Even a singular occurrence of inappropriate behavior constitutes an important warning sign which needs to be addressed appropriately and quickly.

If the behavior is observed again, no matter the time frame between episodes, the Provincial Superior is to be informed again of the inappropriate behavior and its repetition.

In all cases, the Provincial Superior will ensure that the necessary steps to interrupt and terminate the inappropriate behavior and cause it to cease are taken.

## Responding to Allegations

The United States Province of the Priests of the Sacred Heart is committed to insuring the safety of the people of God. The US Province acknowledges the USCCB *2002/2006 Charter for the Protection of Children and Young People* as well as the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons (2006)* that have been promulgated as mandates that its members will follow. The US Province has committed itself to being accredited by Praesidium Religious Services Inc. and to following the standards of accreditation adopted by CMSM which are known as *the Instruments of Hope and Healing*. The US Province received initial accreditation in April 2008 and endeavors to maintain this accreditation.

This policy defines how the legitimately elected leadership and appointed administration of the US Province will respond when the province receives an allegation of sexual abuse or inappropriate behavior by one of its members against a minor.

### Definitions

The following definitions are pertinent and applicable to this policy.

A **member** is defined as a person for whom the province is fully responsible according to proper law. This includes those who are now deceased. It also includes those persons who have been dispensed from their vows but only for the duration of their vows.<sup>18</sup>

A **candidate** is defined as an individual who is applying for membership in the province. This includes novices.<sup>19</sup>

A **minor** is any person under the age of 18.<sup>20</sup> It should be noted that the CDF recently included those persons who are developmentally disabled in their definition of minors.

**Sexual abuse** is defined as “contact or interaction between a minor and an adult when the minor is being used for sexual stimulation of the adult. This occurs when an adult engages a minor in any sexual activity, including direct sexual contact as well as sexual non-contact, such as frottage, exhibitionism, and the distribution, downloading and/or intentional viewing of child pornography.”<sup>21</sup>

An **allegation** is defined as “a first-person accusation of sexual abuse of a minor brought against a current member, former member or deceased member which is reported to the province through any form of communication including any that are anonymous.”<sup>22</sup>

**Public ministry** is defined as that “ministry which is under the authority of a diocesan bishop and/or under the sponsorship of a religious institute, and/or with the permission of the major superior.”<sup>23</sup> It is also interpreted by the USCCB Committee on the Protection of Children and Young People as “being any ministry that includes persons other than the priest himself.”<sup>24</sup>

**Ecclesiastical ministry** is defined as any ministry under the authority of a diocesan bishop.<sup>25</sup>

<sup>18</sup> Definition found in the Glossary of Terms of the *Instruments of Hope and Healing*, August 2008 edition.

<sup>19</sup> Ibid

<sup>20</sup> Ibid

<sup>21</sup> Ibid

<sup>22</sup> Ibid

<sup>23</sup> Ibid

<sup>24</sup> *2009 Annual Report on the Implementation of the Charter for the Protection of Children and Young People*, p.14.

<sup>25</sup> *Instruments of Hope and Healing*, August 2008 edition

Approved during the 808<sup>th</sup> Provincial Council Meeting, January 2011

### *Allegation*

The normal person to receive and respond to an allegation of inappropriate behavior and/or sexual abuse is the current Provincial Superior. If possible, the Provincial Superior should respond to the person making the report with care and compassion.

### *Initial Responses*

The following steps must be taken upon receipt of any allegation.

1. If the allegation concerns someone who is a minor, the law enforcement authorities of the appropriate jurisdiction will be notified immediately.
2. If the allegation is historical and the person is no longer a minor, the laws of the appropriate jurisdiction regarding reporting will be followed.
3. If the party who has been named in the allegation is a current member or candidate, the Provincial Superior will notify him of the allegation.
  - a. If the person is currently exercising public and/or ecclesiastical ministry, the person's ability to exercise this ministry will be rescinded temporarily.
    - i. This is not to be interpreted as a presumption of guilt. It is required by the Dallas Charter and the Essential Norms.
  - b. The Local Ordinary will be informed of the allegation and that the person's ability to exercise public, ecclesiastical ministry has been temporarily rescinded.
  - c. The named party will be informed that he has a right to legal counsel, both civil and canonical.
4. If the named party is a former member or candidate, the Provincial Superior will attempt to notify the person and, if appropriate, the Local Ordinary where the person currently resides. Proof of this attempt to communicate with the person will be maintained.
5. The Provincial Superior will notify the current civil and canonical lawyers for the province.
6. If the alleged victim is known and identifiable, the Provincial Superior or his representatives shall reach out to the person to assist in the process of healing. An independent agency may be utilized for this assistance. The agency will keep the Provincial Superior informed of its efforts to promote healing.
7. There may be situations where the province is unable to reach out to an alleged victim. This may occur if the person chooses to remain anonymous or has been identified because she/he is a plaintiff in a legal complaint against the province, its ministries and/or its members. Once the province becomes aware of the identity of the claimant, it will make every attempt to reach out to that person and provide pastoral care. It should be recognized that this desire to provide pastoral care may be limited during the course of civil or criminal litigation.

### *Process*

It is the responsibility of the Provincial Superior to determine if the allegations are credible. A member who is alleged to have committed inappropriate behaviors has the right to secure canonical and civil legal representation paid for by the province. A person has a right to their good name and a presumption of innocence during the process of investigation and determination.<sup>26</sup>

The following process will be utilized whenever an allegation is received. It is important to note that some of the following will be delayed if a criminal investigation is in process simultaneously

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<sup>26</sup> Canons 220 and 1717.2

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because the criminal investigation takes precedence. The criminal investigation has the higher priority so as to avoid possible charges of tampering with witnesses, interfering with or obstructing a criminal case, etc.

1. The services of an independent, professional, third party investigator will be contracted.
  - a. If a criminal investigation is being conducted, the investigator contracted by the province will delay his/her work.
  - b. The US Province will cooperate with the criminal investigation.
2. The Provincial Superior may request a full, complete psychological evaluation.
3. The Provincial Superior will use the information and reports from the investigator and psychological evaluators to determine if the allegations are credible and established.
4. He may use other information and materials that he deems pertinent to this decision.
 

The above cited information may include the results of the criminal investigation, the verdict rendered in a civil or criminal trial or a judicial finding regarding a filed suit.
5. The Provincial Superior will communicate his initial decision to the Milwaukee Area Review Board. He will forward support material pertinent for their review.
6. The input and consensus opinion of the Milwaukee Area Review Board will be incorporated into the Provincial Superior's final determination about whether the allegations are credible and established.
7. The Provincial Superior will formally communicate his findings as necessary and appropriate.

### *Decision*

The province will continue to be compassionate to all concerned throughout the various dimensions of this situation. This is especially true once a determination has been finalized.

1. When possible, the province will offer assistance to the alleged victim. This assistance will be of a pastoral and therapeutic nature.
2. If the allegation **IS NOT** established as credible, all efforts will be made to restore and/or repair the member's name and reputation. His permission to exercise public, ecclesiastical ministry will be returned.
3. If the allegation **IS** established as credible, the following will be invoked:
  - a. Permission to exercise ecclesial, public ministry will be revoked permanently. Permission to exercise ecclesial ministry within the confines of the religious institute may be revoked as well.
  - b. The member will not be permitted to wear any religious garb in public.
  - c. A safety plan (as defined in the Instruments of Hope and Healing, Standards 19-25) will be established and enforced.
  - d. The member will undergo a risk assessment to determine the potential likelihood of repeated behavior of this type. This risk assessment will be used as one of multiple tools in the development and implementation of a safety plan.
  - e. This safety plan must be reviewed by the Milwaukee Area Review Board initially and on an annual basis.
  - f. A supervisory team will be established to monitor the member's behavior.
  - g. All civil and public requirements will be followed as required.
  - h. The appropriate Local Ordinary or the leadership of any organization or agency employing the member will be notified.<sup>27</sup>

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<sup>27</sup> Standard 18 of the Instruments of Hope and Healing, August 2008  
Approved during the 808<sup>th</sup> Provincial Council Meeting, January 2011

- i. If applicable, the Congregation of the Doctrine of the Faith will be notified in accord with Canon Law and the Essential Norms.<sup>28</sup>
4. The member's right to appeal shall be respected and honored. The conditions stated above remain in effect until the appeal process has been exhausted and a final decree has been promulgated.

*Other*

The Director of Communications for the US Province of the Priests of the Sacred Heart will be responsible for all contacts with the media.

The Provincial Secretary is responsible for maintaining the full documentation of this situation securely in accord with established province policy.

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<sup>28</sup> Norm #6 from Essential Norms (2006)

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## Victim Assistance

The Victim Assistance Coordinator is a person or agency that has been appointed by the Provincial Superior.

Victim assistance should be provided to the victims of abuse as determined by the Provincial Superior. The coordinator or agency should have expertise in counseling and dealing with persons who have experienced sexual abuse.<sup>29</sup>

The Victim Assistance Coordinator may not be a member of the Milwaukee Area Review Board. The Victim Assistance Coordinator may be a member of the province if the member has been trained for this type of ministry. Normally the US Province will engage an agency similar to the Chicago-based organization known as *Pathways to Hope* to provide victim assistance and care where possible.

The Victim Assistance Coordinator's duties include the following:

- To listen with compassion and respect to the alleged victim and/or members of the family.
- To offer support and professional resources, assisting with referrals to therapists and/or support groups.
- To explain to the alleged victim the province's response to the allegations.
- To offer to be present during meetings between the alleged victim and/or family and the Provincial Superior.
- To coordinate all communications between the alleged victim and/or family and the Provincial Superior in order to keep all parties aware of the developments in the case.

The Victim Assistance Coordinator maintains a professional relationship with the alleged victim and/or family members. The Victim Assistance Coordinator may not act officially as a therapist, attorney or spiritual director.

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<sup>29</sup> There may be instances when the province is unable to reach out to an alleged victim. This may occur if the victim chooses to remain anonymous or is identified because she/he is a plaintiff in litigation against the province, its members and ministries. The province will attempt to reach out and provide pastoral care once the alleged victim is identified while recognizing that this attempt may be limited due to the prevailing circumstances.

Approved during the 808<sup>th</sup> Provincial Council Meeting, January 2011

## **Members Who Have Abused Minors**

The Provincial Superior shall prepare a safety plan for any religious who has sexually or physically abused a minor. This safety plan must be in place for the following:

1. Any religious who admits to sexually and/or physically abusing a minor.
2. Any religious who has been convicted of sexual or physical abuse of a minor.
3. Any religious who has a credible allegation against him of sexual or physical abuse of a minor.
4. Any religious for whom a safety plan exists may not be permitted to work in any position that allows access to minors, including any position within a parish or school, nor, in compliance with the 2002 Dallas Charter and Essential Norms, in any public, ecclesiastical ministry. Such prohibitions will be written into the safety plan.

Approved during the 808<sup>th</sup> Provincial Council Meeting, January 2011

## **Guidelines for Supervision of Members on Safety Plans**

The Supervisor of a member of the US Province who is subject to a safety plan is appointed by the Provincial Superior.

The Supervisor may be a member of the institute or a third party contracted for the purposes of supervision.

The Supervisor will be qualified for this role by training, either academic or experience.

The Supervisor is an integral part of a positive, informed support system for the member who is on a support plan. This plan was developed to ensure a safe environment for minors, the US Province and the member under supervision.

The Supervisor will be provided with:

- Accurate knowledge of all allegations and problem behaviors of the member.
- Accurate knowledge of all the treatment programs and aftercare requirements which are required by the safety plan.
- Accurate knowledge of the restrictions, expectations and history of the safety plan.
- The Supervisor should be aware of the member's potential arousal patterns.
- The Supervisor will be provided copy of the current safety plan.
- The Supervisor should have copy of the following documents:
  - The 2002/2006 Dallas Charter and the Essential Norms developed by the USCCB;
  - The CMSM/Praesidium Accreditation Standards known as the Instruments of Hope and Healing; and,
  - The appropriate policies as defined and published by the Provincial and Council.

The Supervisor will:

- Have regular meetings with the member for a formal review of compliance with the safety plan.
- Maintain all documentation of compliance, non-compliance and consequences.
- Maintain logs and records which are required by the safety plan.
- Report all cases of non-compliance to the Provincial Superior or his delegate.
- Provide the Provincial Superior with regular updates regarding the member's compliance with the safety plan.

Further expectations:

- The Supervisor is expected to hold the member accountable for any and all violations of the safety plan as well as impose consequences.
- The Supervisor will intervene when possible to prevent the onset of a risky or problem behavior.

Approved during the 808<sup>th</sup> Provincial Council Meeting, January 2011

## CALENDAR

2011

February 17-18	Provincial Council meeting
March 1-2	Local superiors (coordinators) meeting
March 21	Deadline for SCJ feedback on proposed Mexico project
March 29-30	Provincial Council meeting
May 9-11	Provincial Council meeting (budgets)
May 23-24	North American councils meeting (Chicago)
Week of July 11	Province Assembly, Hales Corners, Wis.
November 14-16	SCJ Retreat, Pinellas Park, FL

## UPDATES

FR. FRANK WITTOUCK

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FR. RICHARD JOHNSTON

In general, all of his mail should go to Our Lady of Guadalupe in Houston. However, Fr. Richard is often in Fort Worth. If you need to reach him there his contact information is:

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Fort Worth, TX 76179  
281-468-0961

## NECROLOGY

BR. EVENTIUS ALBERTUS LEONARDUS BENSCHOP, a member of the Flemish Dutch Confederation, died January 9. He was born in 1923 and ordained in 1945.