



Religious Sisters of Charity

Caritas

10668 St. James Dr.

Culver City, CA 90230

Telephone: (310) 559 0176 / Fax: (310) 559 3530

California Region of the Religious Sisters of Charity

Policies for Sisters Regarding Child Abuse or Child Neglect

As Religious Sisters of Charity, we value and respect all children, and therefore, our words, attitudes, and actions are motivated by the Gospel, and should demonstrate love and respect for these children and vulnerable adults with whom we may come in contact, always recognizing their God-given dignity.

Many of the Sisters of the California Region are in ministry under the authority of the Catholic Church, either in the Archdiocese of Los Angeles or the Diocese of Orange. Any Sister working under the authority of the Catholic Church in the Archdiocese of Los Angeles or the Diocese of Orange is subject to the guidelines and policies of that diocese with regard to child abuse or child neglect.

In California, most dioceses have designated “*Protecting God’s Children:*” or the “*Virtus*” program as the safety/ protection program to be used. These programs include training and information sessions for all adults who come into contact with children, as well as information sessions for children and their parents.

In order to safeguard children and vulnerable adults, a protection policy has been implemented in the California Region of the Religious Sisters of Charity. The following is the protection policy of the California Region:

Definition: Child or vulnerable adult abuse or neglect is any act or omission that endangers or impairs a child or vulnerable adult’s physical or emotional health, development, and/or well-being. This includes:

- Physical abuse and/or corporal punishment
- Emotional abuse and/or deprivation
- Physical neglect and/or inadequate supervision
- Sexual abuse and/or exploitation

Legal Responsibility:

- Initial Reporting:
In most instances, where sisters work directly with children, e.g. school, counseling, religious education, the sister is a “*mandated reporter*”. Child care custodians and health practitioners are in the category of mandated reporters. That

being the case, the [California Penal Code](#) requires a mandated reporter, who knows or who reasonably suspects that a child or vulnerable adult has been a victim of child or vulnerable adult abuse or neglect, must report the incident to the local [Child Protective Agency](#) immediately by telephone. The telephone number for such reporting is found under "[Government Agencies, Social Services](#)" or under "[County Children's Services](#)" in the Telephone Directory. As well as reporting to this agency, the sister must notify her ministry supervisor, e.g. principal or pastor, and her Regional Leader immediately. (If a principal, the sister must notify the Department of Catholic Schools in her diocese.)

- After the initial report to the agency by telephone, it is the responsibility of the sister who has the initial reasonable suspicion or knowledge of any suspected child or vulnerable adult abuse to submit a copy of the *Child Abuse Report Form (DOJ SS 8572)* to the Child Protective Agency or Social Services within thirty-six (36) hours.
 - Ministry Supervisors should have copies of this reporting form on file. The Regional Leader also has copies available.
 - These reporting forms are also available online:
www.ag.ca.gov/childabuse/pdf/ss_8572.pdf
- A copy of this submitted reporting form should be given to the supervisor and to the Regional Leader.

Note: *Persons required to report, that is "mandated reporters," are not liable either for civil damages or for criminal prosecution for reporting child abuse.*

Responsibility of Sisters in the Region outside of diocesan supervision:

Any sister who is in direct contact with children or vulnerable adults outside of diocesan supervision should follow the reporting procedures, as outlined above, if she has knowledge or reasonable suspicion that there is a child or vulnerable adult abuse or neglect incident.

- In local settings, not within the purview of the diocese, the sister should report any incidents to her Local Leader or contact person, and to the Regional Leader.
- In the California/Venezuela Region, the Regional Leader is the *Designated Person* in the California part of the Region, and the Local Leader in Venezuela serves as the *Designated Person*.

Definitions:

Under the provisions of the [Child Abuse and Neglect Reporting Act \(California Penal Code 11164-11174.3\)](#):

- A *child* is any person under the age of eighteen (18).
- A *child care custodian* includes school personnel, religious education personnel, daycare and extended day personnel. (*A complete list of childcare custodians may be found at www.leginfo.cagov.calaw.html*)
- A *health practitioner* includes social worker, psychologist, licensed nurse, and a marriage, family, and child counselor.

- Reasonable suspicion means suspicion based on facts that would cause a reasonable person in a like position, drawing on his or her training and experience, to suspect child abuse or neglect.
- A child protective agency is defined as police or sheriff's department, probation, or county welfare department. i.e. In Los Angeles County, the appropriate child protective agency is either the Los Angeles County Department of Children's Services or the law enforcement agency having jurisdiction over the area in which the abuse occurred. In most cases, this would be the area where the abuse is suspected to have occurred – where the child resides or in the case of on-site suspected abuse or neglect, where the child is attending school, daycare, counseling, etc. (The same process would apply to the suspected abuse or neglect of a vulnerable adult.).

Treatment of Suspected Victim of Child Abuse or Neglect:

If it is necessary for someone from Child Services, the child protective agency, or County Welfare Department of Social Services to come to the site to interview the child or vulnerable adult, the suspected victim has the option of being interviewed in private, or of selecting an adult to be present with him/her during the interview. (*The protective agency should inform the suspected victim of that right prior to the interview.*) The person selected by the suspected victim may decline the request to be present with the suspected victim. If the child or vulnerable adult should choose a sister who works on site, and she agrees to the request, the following applies:

- She lends support to the child or vulnerable adult by her presence and enables the suspected victim to feel comfortable.
- She does not participate in the actual interview.
- She does not discuss the facts or circumstances with the suspected victim.
- She is subject to the confidentiality requirements of the law.

Definitions:

- **Types of Suspected Abuse:**

- Child-to-Child
- Adult-to-Child

Child-to-child: When reporting child-to-child suspected abuse, the following should be given consideration:

- ✓ Age: Are the children involved of a similar age, or is there a decided difference in age between the suspected victim and the suspected offender?
- ✓ Size: Are the children equal in terms of physical size, or is the suspected offender larger or stronger in physical appearance?
- ✓ Power: Does the situation appear to be one of mutual consent or responsibility, or is the suspected victim overpowered by the use of threats, fear, etc.?

- ✓ Behavior: Are the circumstances of the situation considered to be “*typical*”, or are they unusual? Does the behavior appear to indicate knowledge of adult sexual behavior?

After taking the above into consideration, if the incident is suspected to be abuse, the sister is required to report the incident

- to her ministry supervisor,
- to the Local Leader or Contact Person of her Community,
- to the Regional Leader,
- and to a protective agency designated for such reports in her location (police, sheriff, Protective Services, or County Social Services.).

If the incident is not judged to be abuse, but rather inappropriate behavior, the supervisor should meet with the child and parent(s) in order to bring the incident to resolution. If the supervisor should be a sister, this meeting would be her responsibility and should be documented.

Any incident of child abuse alleged to involve a sister or an adult under a sister’s supervision, must be reported immediately by telephone to a child protective agency. If it is a sister making this report, then the sister making the report should also notify her Local Leader or Contact Person and the Regional Leader by telephone. If allegations are brought against a sister, she should immediately notify her Local Leader or Contact Person and the Regional Leader by telephone.

Every person has the right to be respected and treated with dignity befitting a child of God. Every person has the right to have appropriate boundaries respected. Every person has the right to challenge any behavior or comment that is offensive or inappropriate. It is the responsibility of everyone to protect the safety of children and vulnerable adults and to promote healing where there is injury with firm justice and mercy toward all.

Therefore, in any area of ministry within Los Angeles Archdiocese or the Diocese of Orange where a sister is involved and/or supervising those involved with children or vulnerable adults, personnel must be

- Trained in “*Protecting God’s Children*” or participate in the “*Virtus*” training,
- Be informed of their obligation to report any suspected occurrence of child abuse to the proper authorities,
- In certain settings, *Child Abuse Reporting Acknowledgement Forms* are signed annually by personnel in direct contact with children. This is specified according to the guidelines within each diocesan setting.

In settings outside of diocesan supervision, where sisters have direct contact with children or vulnerable adults, and/or are responsible for those who do, sisters must make certain that they themselves, and any personnel whom they supervise, be familiar with the tenets of keeping children and or vulnerable adults safe. They may choose to incorporate “*Protecting God’s Children*” or the “*Virtus*” program as part of this training

for protecting children and vulnerable adults. Each should be trained to recognize and report suspected child or vulnerable adult abuse, and be familiar with the procedures for reporting abuse ([California Penal Code 11165.7 \[34b\]](#)).

Volunteers working directly with children or vulnerable adults, although not “*mandated reporters*,” should also be trained to recognize and report suspected child or vulnerable adult abuse, and be familiar with the procedures for reporting abuse ([California Penal Code 11165.7 \[34b\]](#)).

A copy of this policy should be available in each house of the California/Venezuela Region of the Religious Sisters of Charity. Each sister should be familiar with its contents and the accompanying forms. Sisters in supervisory positions of other adults in direct contact with children or vulnerable adults must be familiar with and properly trained in all procedures, programs, and regulations pertaining to the safety of children and vulnerable adults within her diocese where she ministers. The same holds true with regard to the procedures, programs, and regulations for the reporting of any suspected abuse.