



Benedictine Abbey of Newark

**SAFE ENVIRONMENT
CODE OF CONDUCT**

Safe Environment Code of Conduct For The Benedictine Abbey of Newark

Preface

This *Safe Environment Code of Conduct (Code of Conduct)* is designed for use as a risk management tool. Created to help The Benedictine Abbey of Newark to implement uniform guidelines for appropriate behavior in situations of teaching, coaching, counseling, spiritual direction and other ministry and educational settings. This document is not intended to address all situations that may arise. Rather, it is intended to create a structure for a variety of circumstances that, if not appropriately addressed, could create a risk of incidents, allegations, claims, and/or lawsuits. The primary objective is to ensure the safety of youth and vulnerable adults involved in interactions and ministry with adults.

The Benedictine Abbey of Newark must be exemplary. All adult members of The Benedictine Abbey of Newark should and will be held accountable for inappropriate behavior. In order to maintain the highest level of accountability, there must be a clear and unambiguous blueprint of appropriate and inappropriate behavior. For those with no intention to do harm, the *Code of Conduct* provides a basic structure for identifying limits they might not see or recognize, and helps people with good intentions perform appropriate behavior. Identifying these limits and boundaries is essential to creating and maintaining an environment that promotes excellence in service and exceptional safety standards. The *Code of Conduct* may also be used as an objective tool when needing to communicate concerns about another's behavior.

For those seeking to use their position to groom or otherwise harm young people and vulnerable adults, the *Code of Conduct*, along with a commitment to honor the code, will highlight The Benedictine Abbey of Newark's commitment to the safety of young people and vulnerable adults.

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I Introduction-Purpose:

This Policy for child protection is intended to insure a safe environment for children and vulnerable adults at The Benedictine Abbey of Newark and to promote the moral values and attitudes of the Catholic Church among all who live and work in this Community. The Church and the Abbey must foster a safe environment for all, especially children and vulnerable adults.

This Policy is also adopted to affirm the obligation of all Members of The Benedictine Abbey of Newark to assist in identifying suspected child abuse, sexual abuse or exploitation and to establish procedures for reporting such improper behavior in compliance with the State of New Jersey Law (N.J.A.S. 9:6-8.10, et seq.). It is also the purpose of this Policy to institute guidelines to be complied with when an allegation/report is made against any Member of the Benedictine Community of The Benedictine Abbey of Newark who has allegedly engaged in sexual misconduct or abuse involving a child or a vulnerable adult.

This Policy is intended to complement and comply with the “Charter for the Protection of Children and Young People” as adopted by the Ad Hoc Committee on Sexual Abuse of the United States Conference of Catholic Bishops at its June 2002 General Meeting and with the subsequent revisions approved during the General Meetings of the USCCB, June 16-18, 2005 and June 15-17, 2011

II Policy:

It is the policy of The Benedictine Abbey of Newark that sexual misconduct or abuse of any type involving a child or a vulnerable adult by any Member of the Benedictine Community shall not be tolerated under any circumstances. The Abbey is committed to responding promptly to allegations/reports of abuse, reaching out to victims and families for healing and reconciliation, cooperating fully with the appropriate civil authorities, educating the monastic community, and ensuring the accountability of the guidelines and procedures established to deal with allegations/reports of abuse.

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III General Definitions:

1. Member: may be any current or former, living or deceased professed religious monk of the Abbey, or a novice.
2. Minor/Child: Anyone under the age of eighteen (18).
3. Vulnerable Adult: Any person, over the age of eighteen (18), who, by reason of some mental infirmity, has such diminished reasoning or cognitive capabilities that they may be considered the equivalent of a minor child.
4. Allegation: 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 Abbey through any form of communication, including any that are anonymous.
5. Report: A third party accusation of sexual abuse of a minor brought against a current Member, former Member, or deceased Member which is conveyed to the Abbey through any form of communication including any that are anonymous.
6. False Allegation/Report: an allegation or report that was proven to be untruthful and fabricated.
7. Implausible: any allegation or report that could not possibly have occurred under the given circumstances (e.g., an accusation is made against a priest who was deceased at the time of the alleged offense). Erroneous information does not necessarily make an allegation/report implausible (e.g., a monk arrived at the monastery a year after the alleged abuse, but all of the other facts of the case are credible and the alleged victim might have mistaken the date).
8. Sexual Abuse or Exploitation: [Legal Definition, NJ Rev Stat § 2C:24-4 (2014)] The employment, use, persuasion, inducement, enticement or coercion of any child to engage in or assist any other person to engage in any sexually explicit conduct, or any simulation of any sexually explicit conduct for the purpose of arousing or gratifying the sexual desires of the adult or minor, or for the purpose of producing any visual depiction, including photographing, videotaping, computer depicting or filming, of any sexually explicit conduct; or the rape, sexual assault, involuntary deviate sexual intercourse, aggravated indecent assault, molestation, incest, indecent exposure, prostitution, statutory sexual assault; or distribution, downloading and/or intentionally viewing of child pornography, or the use of social media or electronic communication for the purpose or “friending” or grooming a minor for any of the above-mentioned purposes or for any other forms of sexual exploitation of children.
9. Child Abuse: [Legal Definition, NJ Rev Stat § 2C:24-4 (2014)] the term “Child Abuse” shall mean any of the following:
 - (i) Any recent act or failure to act by a perpetrator which causes non-accidental serious physical injury to a child under 18 years of age.
 - (ii) An act or failure to act by a perpetrator which causes non-accidental serious mental injury to or sexual abuse or sexual exploitation of a child under 18 years of age.

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- (iii) Any recent act, failure to act or series of such acts or failures to act by a perpetrator which creates an imminent risk of serious physical injury to or sexual abuse or sexual exploitation of a child under 18 years of age.
 - (iv) Serious physical neglect by a perpetrator constituting a prolonged or repeated lack of supervision or failure to provide essentials of life, including adequate medical care, which endangers a child's life or development or impairs the child's functioning.
10. Child Pornography: Any written, printed, electronic, photographic or other depiction or description of a minor in a sexually explicit context or any material of any kind that is produced, created or displayed for the purpose of sexual gratification of adults through the exploitation of minors.
11. Psychological abuse: (also referred to as emotional or mental abuse) is characterized by a person, whether an adult or a minor, subjecting or exposing another to behavior that results in trauma, including, but not limited to, anxiety, depression, or post-traumatic stress disorder. Such abuse is often associated with situations of power imbalance, such as but not limited to, abusive relationships and bullying at home, at school, or in the workplace.
12. Neglect: is the failure of an adult to provide for a minor's basic needs or the failure to protect a minor from foreseeable harm, including but not limited to the failure to provide necessary food or shelter or medical treatment, or lack of appropriate supervision.

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IV Standards of Conduct:

The following listed standards and guidelines are provided to assist Benedictine Community Members in making decisions involving interactions with children and vulnerable adults:

A. Prohibited Behaviors:

1. Using, possessing, or being under the influence of illegal drugs while in the presence of minors or vulnerable adults.
2. Using, possessing, or being under the influence of alcohol while supervising minors or vulnerable adults.
3. Known or suspected acquisition, possession, distribution, downloading and/or intentionally viewing of real or virtual pornographic images of minors under the age of eighteen (18) for the purposes of sexual gratification by whatever means using whatever technology.
4. Providing or allowing minors or vulnerable adults to consume alcohol or illegal drugs.
5. Using profanity in the presence of minors or vulnerable adults.
6. Speaking to minors or vulnerable adults in a manner that could be construed by any observer as being harsh, threatening, intimidating, shaming, derogatory, demeaning, or humiliating.
7. Discussing sexual activities or topics with minors or vulnerable adults unless it is a specific assignment requirement and the Member is trained to discuss these matters.
8. Engaging in any sexually oriented conversation with minors or vulnerable adults unless the conversations are part of a legitimate religious lesson and discussion for teenagers regarding human sexuality issues. On such occasions, the lessons will convey to youth the Church's teachings on these specific topics. If the minor or vulnerable adult have any further questions not answered or addressed by their individual teachers, they should be referred to their parents or guardians for clarification or counseling.
9. Possessing or distributing sexually oriented or morally inappropriate printed materials (magazines, cards, videos, films, books, clothing, etc.).
10. Sleeping in the same beds, sleeping bags, or confined spaces with minors or vulnerable adults.
11. Engaging in sexual contact with minors or vulnerable adults. For the purpose of this Policy, sexual contact is defined as any touching of the person of a minor or vulnerable adult for the purpose of sexually arousing or gratifying either person.
12. Members are prohibited from transporting minors or vulnerable adults without the permission of their parent or guardian.
13. Members are prohibited from unnecessary and/or inappropriate physical contact with minors or vulnerable adults while in a vehicle.

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14. Members are prohibited from having minors or vulnerable adults stay in their room or at their residence.
15. Members are prohibited from using physical discipline in any way for behavior training of minors or vulnerable adults. No form of physical discipline is acceptable. This prohibition includes spanking, slapping, pinching, hitting, and any other physical force as retaliation or correction for inappropriate behaviors by minors or vulnerable adults.

B. Appropriate Behaviors:

The Church supports appropriate social interaction between Members, minors, and vulnerable adults. This is part of Church life and ministry. The following forms of affection are regarded as appropriate examples for Members in ministry roles with minors and vulnerable adults, including those who are part of a Member's family:

- Side Hugs.
- Pats on the shoulder or back.
- Hand shakes.
- “High Fives” and hand slapping.
- Verbal praise.
- Touching hands, faces, shoulders, and arms of minors.
- Arms around shoulders.
- Holding hands while walking with small children.
- Sitting beside small children.
- Kneeling or bending down for hugs with small children.
- Holding hands during prayer.
- Pats on the head when culturally appropriate.

C. Boundaries in Ministry

Monks must never engage in sexual contact, especially with the persons with whom they have a professional and/or pastoral relationship. Monks assume the full burden for setting and maintaining clear, appropriate boundaries in all their relationships. Physical contact in professional and/or pastoral relationships should always be respectful and consistent with the intent to provide a safe and comfortable environment. Physical contact is always interpreted by the recipient, and not the monk. Due discretion must be taken into account regarding any physical contact. Ministry should be conducted in appropriate settings at appropriate times and should not be held at places or times that would tend to cause confusion about the nature of the relationship for the person being counseled. Ministry is never conducted in the cloister or bedrooms.

Monks are responsible for recognizing the warning signs of boundary violations with other adults. Some of these warning signs include, but are not limited to, the following:

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1. Wearing special clothes when one knows he is going to see a particular person.
2. Spending extra time grooming oneself when he knows he is going to see a particular person.
3. Finding ways or reasons to be alone with a particular person.
4. Keeping aspects of one's relationship with a person secret from others, including, but not limited to, how often one talks on the phone or sees the other alone.
5. Giving and receiving special gifts from a particular person.
6. Neglecting to spend time with others because one wants to spend more time with a particular person.
7. Sharing personal information about others with a particular person.
8. Sharing personal information or seeking help with personal problems from a particular person.
9. Excessively looking forward to seeing a particular person.
10. Fantasizing or daydreaming about a particular person.
11. Lying to superiors and/or confreres so that one can spend more time with a particular person.

D. Violations of Boundaries with Minors or Vulnerable Adults:

All members are expected to report all instances of abuse of a minor or a vulnerable adult or if they witness warning signs of violations regarding boundaries with minors or vulnerable adults, such as inappropriate or improper behaviors which are not properly classified as abuse of a minor or vulnerable adult, and the action in and of itself does not warrant notification of the civil authorities; the Member is still required to make proper notification to the Prior or the Delegate for Child Protection.

Additionally, Members must report known or suspected acquisition, possession, distribution, downloading, and/or intentional viewing of real or virtual child pornography. It is the responsibility of the Member who has direct knowledge of the incident to report the conduct to the Prior or the Delegate. The Prior or the Delegate will document all reports, notify the Abbot, and ensure that the proper intervention and remedial action is addressed with the accused Member.

E. Supervision of Programs or Activities that Involve Minors or Vulnerable Adults:

The monitoring and supervision of programs and activities involving minors is important for safeguarding minors and involves several aspects. One aspect involves having structural guidelines or standards for the programs and activities for minors. These include the approval of new programs, how many adults need to be present and the like. In addition to setting structural guidelines and standards, the Abbey administration must make sure the structural safeguards are followed. Programs and activities must be monitored and supervised to do that.

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Another aspect of monitoring and supervision is that supervisory personnel and others monitor and supervise the activities of adults and minors so that inappropriate behaviors and interactions can be detected or interrupted, and stopped. Some behaviors and interactions are potentially harmful to minors in and of themselves. Examples include providing alcohol or drugs to minors or actually having sexual contact with a minor. Other behaviors and interactions are not necessarily harmful in and of themselves but are the same behaviors and interactions known to be used by those who abuse minors to “groom” them or their parents for eventual abuse or which provide the privacy molesters need in order to abuse minors. Examples of those behaviors and interactions include, but are not limited to, holding children over the age of three on the lap, transporting a child or youth alone, and the like.

Programs for minors in which monks are involved must be supervised by at least two adults. The Abbey administration shall be aware of all programs for minors that are sponsored by the school, or agency where monks supervise. A list of these programs shall be maintained in the Abbot’s office and include activities, purpose, sponsors, coordinators of the programs, meeting times, and locations. Abbey officials shall examine these programs and assure adequate supervision.

The Abbot and the Abbey’s administration shall ensure that:

1. Members who work with minors or vulnerable adults on a regular basis must participate in training that addresses their role in protecting them.
2. Extracurricular Programs or activities outside of a classroom involving minors or vulnerable adults that include Members should be supervised by at least two adults.
3. Members serving in leadership roles shall be aware of all programs for minors and vulnerable adults that are sponsored by their parish, school, or other institution of assignment. There shall be adequate adult supervision of these programs and activities at all times.

C. Monitoring and Supervision of Monks in Ministry

The monitoring and supervision of programs and activities involving professional and/or pastoral relationships with monks is important for safeguarding adults from sexual exploitation. Monks who provide pastoral counseling to others shall be required to refer individuals to professional counseling after six (6) sessions have been held. Monks practicing formal spiritual direction shall submit that ministry to peer or supervisory review with a spiritual advisor approved by the Abbot. Monks who provide either pastoral counseling or spiritual direction are expected to maintain a log of the times and places of sessions with each person being counseled. Monks in professional and/or pastoral relationships are responsible for seeking the counsel and guidance of a supervisor, should they find themselves at risk of acting on sexual or romantic attraction to a parishioner, client or counselee.

Monks are not permitted to develop new programs and activities that include professional and/or pastoral relationships without written approval from the Abbot or Prior. Requests to develop new activities or projects should be submitted in writing to the Abbey

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administration. The Abbot, in consultation with his staff or council, will consider whether the plan for a new activity includes adequate monitoring and supervision.

Monitoring and supervision include, but are not limited to, the following:

1. Documentation, such as, record keeping, calendars, appointment books, reports of meetings, sessions, potential problems/concerns.
2. Periodic interviews of monks who have professional and/or pastoral relationships.
3. Scheduled routine reviews of the performance of monks who have professional and/or pastoral relationships, including an assessment of the monk's ability to set and maintain clear personal boundaries.
4. An up-to-date list roster of monks who have professional and/or pastoral relationships in the Abbey's personnel office or other place where records are kept.

Every effort should be made to create an environment for monks who have professional and/or pastoral relationships so that monitoring by others is convenient, for example, along well-traveled hallways or in areas where others work. There should always be windows in offices, classrooms or other places where monks meet with individuals. The windows should remain unobstructed by blinds, furniture, plants, or other adornments. Office setting should convey safety and comfort without the use of couches, loveseats, beds, futons or other furniture that would encourage close seating between monks and the individual with whom he has a professional and/or pastoral relationship.

D Expectations of Confidentiality

Information disclosed to a monk during the course of pastoral counseling, academic advising, or spiritual direction shall be held in confidence whenever possible, except for compelling professional reasons or as required by law. Specifically, if there is clear and imminent danger to the client or to others, the monk is to disclose the information necessary to protect the parties involved and to prevent harm. Before disclosure is made, if feasible, the monk should inform the person being counseled about the disclosure and the potential consequences.

E Conflicts of Interest

Conflicts of interest exist when a monk in a professional and/or pastoral relationship seeks to further his own personal, religious, political, or business interests. A monk should avoid situations that might present a conflict of interest. Even the appearance of a conflict of interest can call into question the integrity and conduct of the monk.

If a conflict of interest exists or arises, the monk must inform all parties, especially his immediate supervisor. Resolution of the issues must protect the person being counseled. The monk is responsible to establish clear, appropriate boundaries with anyone with whom there is a business, professional, pastoral, or social relationship.

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V Screening and Selection Process:

The Benedictine Abbey of Newark seeks to maintain a safe and secure environment where Members may minister appropriately to the spiritual needs of all persons. In order to preserve and maintain such an environment, it is critically necessary that thorough screening and selection procedures be conducted of all Members who would be in contact with minor children and/or vulnerable adults. The Abbey will ensure that the appropriate criminal background record checks and child abuse history clearances are completed, as required by law, in order to carry out its obligation to create and maintain a safe environment for all persons.

As an integral part of the procedure for application for admission to the Novitiate of the Benedictine Community of The Benedictine Abbey of Newark, candidates will be thoroughly screened during the selection- for-formation process by the Vocations Office and the Monastic Chapter.

This screening process will include the candidate's completing:

1. The Guidance Summary form
2. Autobiographical Statement
3. A series of personal interviews
4. Submission of Letters of Recommendation
5. Submission of academic transcripts
6. Completion of a physical examination and medical-history form
7. Psychological testing/evaluation which includes:
 - a. A psychological evaluation which was conducted by a licensed psychologist.
 - b. A psycho-sexual history which was conducted by either a licensed psychologist or a licensed mental health professional with skills in conducting psycho-sexual histories and in assessing psycho-sexual health in preparation for a life of celibate chastity.
8. A criminal history record check and child abuse history clearance
9. Sexual offender registry check
10. A social media check - a review of publically accessible content on all social media, personal blog sites, and web sites associated with accounts controlled by the Candidate.
11. If appropriate, the submission of Testimonial Letters and Questionnaires.

The Candidate must submit a minimum of three documented personal references, including at least one from a family member, and two professional references, for a total of five references.

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A Candidate, who has an established allegation/report of sexually abusing a minor in his past, or who has acquired or intentionally viewed child pornography, cannot be permitted to continue through the selection process.

To assure The Benedictine Abbey of Newark's ability to demonstrate that it has taken all reasonable actions to assure that appropriate persons conduct ministry, complete accounts must be recorded of all activities constituting background checks, and the Abbey shall maintain such records indefinitely.

Public record checks shall be reviewed for each new assignment and updated accordingly.

Additionally, Members of the Benedictine Community will participate in safe-environment training programs (e.g. *Virtus*) for working with and teaching minor children and/or vulnerable adults. A record of attendance to this training will be maintained by the Delegate for Child Protection.

VI Roles and Responsibilities:

A. Abbot:

Allegations/reports of sexual misconduct or abuse may come from a variety of sources, including alleged victims or their family members, diocesan officials, members of the community, a colleague in the work place, or from an alleged perpetrator. In a specific case where a Member of the Benedictine Community is accused of sexually abusive behavior toward a minor child or a vulnerable adult, the Abbot will exercise the following responsibilities:

1. The Abbot will ensure that all reported allegations/reports are brought to the attention of the proper civil authorities, and when required by the guidelines set forth by the State of New Jersey Department of Children and Families, notification will be made to the 24 hour Child Abuse Hotline [1-877 NJ ABUSE (1-877-652-2873)].
2. If appropriate, the Abbot will also ensure that a written report is made within 48 hours of the telephone report on DCF form 9-32 and sent to the State of New Jersey Department of Children and Families Agency in the county in which the suspected abuse occurred.
3. The Abbot will begin to conduct or assign his Delegate to conduct a complete and thorough investigation of the allegation/report.
4. Based upon the final outcome of the investigation, the Abbot will take appropriate action, which may include:
 - a. Pastoral care response to the person making the complaint.
 - b. Intervention with the accused Member, including complete removal from ministry/assignment or supervision of activities.
 - c. Further notification of the proper civil authority (e.g., District Attorney, the appropriate police agency or Child Protective Service Agency).
 - d. Notification to the leadership of any organization or ministry in which a Member has admitted to, or is suspected of, having sexually abused a minor, to the extent possible.

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- e. Issuance of a public statement concerning the allegation/report, when appropriate.

B. Abbot's Delegate:

The Delegate is appointed by the Abbot and is in charge of the investigation of alleged sexual misconduct and subsequent interventions. The Delegate will:

1. In the absence of the Abbot, ensure that all reported allegations/reports are brought to the attention of the proper civil authorities, and when required by the guidelines set forth by the State of New Jersey Department of Children and Families, notification will be made to the 24 hour Child Abuse Hotline [1-877 NJ ABUSE (1-877-652-2873)].
2. In the absence of the Abbot, if appropriate, also ensure that a written report is made within 48 hours of the telephone report on DCF form 9-32 and sent to the State of New Jersey Department of Children and Families Agency in the county in which the suspected abuse occurred.
3. Conduct a complete and thorough investigation of any and all allegations/reports of sexual abuse or misconduct by any Member of the Benedictine Community.
4. Prepare an investigative report and collect any pertinent materials or evidence relating to the allegation/report for presentation to the Abbot and to The Benedictine Abbey of Newark Review Board.
5. Recommend to the Abbot the names(s) of anyone who could assist the Delegate in conducting the investigation.
6. Provide the Abbot a post-investigation recommendation and the recommendation to the Review Board. In addition, the Delegate will work in conjunction with:
 - a. the appropriate civil authorities to satisfy the legal reporting requirements for the benefit of the community and the public.
 - b. diocesan or parish representatives if the accused monk is assigned through the diocese when an allegation/report is received.
 - c. the Abbot to draft a public statement concerning the allegation/report, if appropriate.

C. Members:

Members of The Benedictine Abbey of Newark community, in their varying roles as clergy, teachers, social services workers, school administrators, health care professionals, chaplains, parish and school administrators, youth ministers, and in any assignment which involves contact with children or vulnerable adults in the course of their work or professional practice, are defined as **mandated reporters** of child abuse or student abuse. As such, community members are required to follow the established reporting procedures in compliance with the State of New Jersey Law.

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Duty to Report:

1. The reporting mandate applies to those children with whom the Member comes into contact through work or through the church or school with which the Member is associated. The mandate to report applies to all suspected child abuse, not just abuse that has been perpetrated by Church/School personnel. Possible abusers could include parents, relatives, other siblings, neighbors, youth group leaders, sports coaches, family friends, and other children. The reporting mandate also applies to second-hand reports of abuse if the Member has 'reasonable cause to suspect' that child abuse has occurred.
2. The State of New Jersey Law specifically grants legal immunity to any individual who, in good faith, makes a report of suspected child abuse.
3. Members of the clergy are not permitted by Church law and are not required by state law to report information received privately during sacramental confession.
4. Members in assignments away from the Abbey should follow the reporting mandates applicable to their assigned parish, school or diocese.
5. Members assigned at the Abbey are required to report all instances of suspected abuse to the Prior or the Abbot's Delegate for Child Protection, who will subsequently document all incidents and inform the Abbot.

D. Procedures for Reporting by Members

All monks are required by this policy to report known or suspected sexual misconduct, including sexual abuse of minors, the sexual exploitation of adults, and the sexual harassment of employees to the appropriate authorities, both internal (Abbey administration) and external (e.g. police). Separate files of cases will be created at the time the report or allegation is received and will be kept secure in the Case Management Office.

E. Reporting Boundary Violations

Monks must report when another monk violates the Abbey's policy regarding the following:

1. Boundaries with minors or when another monk exhibits warning signs of inappropriate behavior with minors.
2. Boundaries with adults in professional and /or pastoral relationships or when another monk exhibits warning signs of inappropriate behavior with adults.
3. Boundaries with employees or when another monk exhibits warning signs of inappropriate behavior with employees.

This report may be made directly to the Abbot or to the following abbey official, including but not limited to the Prior, Subprior, the Abbot's Delegate for child protection. The Abbot or his Delegate coordinates appropriate assistance for the at-risk monk with the Case Management Office and draws up a written plan to ensure the on-going cessation of problem behaviors.

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F. The Review Board:

The Review Board serves as a reviewing body for the investigative report and recommendations of the Delegate in cases of alleged sexual misconduct or abuse. The Board will ratify or reject the findings of the investigation and recommendations it receives and/or offer its own judgments and recommendations to the Abbot, including the need for additional investigation or any additional action that needs to be taken concerning a particular allegation /report. Should the Board determine that the investigated and presented allegation/report appears to be credible, the normal policy in regard to inappropriate behavior of Members of the Benedictine Community will be followed. In particular cases, the Review Board will also make recommendations relative to the fitness for ministry or any other assignment of a monk. The Review Board will review each written individualized supervision plan for Members who are required to be on a plan. The Board will review the specific supervision plans at least annually and offer recommendations to the Abbot.

The Board will also advise and present recommendations regarding the appropriate pastoral response to a person who made an allegation and a plan for the possibly affected parish or school. The Board's role and purpose are strictly advisory to the Abbot, and it has no independent power or authority.

The Abbot will appoint five (5) members to the Board for a term of five (5) years with the option to extend the appointment. Membership on the Board will include clergy and lay men and women from the community who possess experience and professional expertise to properly review presented allegations, evaluate the investigative findings, and offer advice and recommendations to the Abbot.

The Review Board will act in compliance with the *Charter for the Protection of Children and Young People* and *The Essential Norms* adopted by the United States Conference of Catholic Bishops (USCCB) on June 14, 2002 and with the approved revisions of their June 2005 and June 2011 Meetings.

G. Pastoral Response to the Alleged Victim:

The appropriate pastoral response for any alleged victim of sexual abuse by a Member of the Benedictine Community will be coordinated by the Abbot on an "as needed basis." The Abbot will contact a pre-arranged group of clerical or lay mental health professionals to offer their expertise and guidance to harmed individuals, families, parishes or other church related institutions affected by public allegations of sexual misconduct. The intention of the pastoral response is to provide appropriate spiritual and psychological help to anyone affected by the alleged misconduct. In those cases where the Abbey bears no legal liability for an offense, the Abbot, if appropriate, may offer alleged victims of abuse and their families counseling assistance.

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H. Support and Assistance to Members:

The Abbot will offer to provide support and assistance to any Member who discloses concerns about his own attraction to minors or potential boundary violations with minors or vulnerable adults. Every effort will be extended to offer compassionate support and appropriate resources to restore his health, including but not limited to evaluation and/or treatment.

VII Responses to Allegations/Reports:

The Abbot or his Delegate will review the specific policies and procedures for making an allegation/report against a member of the Benedictine Community on assignment or in residence in a given Diocese.

Level 1 Response:

When an allegation or report of sexual misconduct is made against a Member of the Benedictine Community, the Prior and/or the Delegate must be notified immediately, and he/they will implement the steps presented in this policy. The Delegate will be assigned to interview, if possible, those person(s) making the allegation/report. The Delegate will also interview the accused.

In cases when the Abbot directly receives an allegation from an alleged victim, the Abbot will attempt to initiate an interview, not only to listen to the alleged victim's complaint, but also to evaluate the needs of the person. This may not always be appropriate due to the facts of the allegation/report or in instances where a young child is the alleged victim. The Abbot will ensure that the proper civil authority notification is made.

The Member will be advised of his civil and canonical rights, including the right to have an advisor or attorney present for the interview. If the Member is not represented by an advisor or attorney, the Abbot will request that the Member choose one other person, usually another Member of the Benedictine Community, to be his support person. The substance and source of the allegation/report will be shared with the accused Member. It should be especially noted that the steps presented in this policy should not be construed as a presumption of guilt of the accused Member. Every effort will be taken to safeguard the right to privacy and good reputation of all parties associated with the incident(s) under investigation, especially of the accuser and the accused.

The Delegate will conduct investigative interviews and will write a summary of the investigation. The Delegate, after conducting initial interviews with the alleged victim and the accused Member, will discern the credibility of the allegation/report. The Delegate will present to the Review Board or the Abbot his recommendation to pursue or not to pursue the matter further. The Review Board will review the recommendations of the Delegate and make an independent recommendation of whether or not to pursue the matter. The findings of both the Delegate and the Review Board are submitted to the Abbot for his decision on the disposition of the case. If the Abbot's decision is not to pursue the case, then all parties will be informed of the decision and the matter will not be pursued further. Appropriate steps will be taken to repair any damage to the Member's reputation.

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Level 2 Response:

If the Abbot decides there are reasonable warrants for the credibility of the allegation/report, the investigation will proceed. At this time of the investigation, the following steps will be taken:

1. The Abbot or the Delegate, after appropriate consultation, will notify the pastoral care group to provide appropriate spiritual and psychological help to the alleged victim, the families and the accused.
 - a. The Abbot will recommend that the alleged victim contact an advocate for victims of sexual abuse and/or sexual exploitation to assist the victim in evaluating his or her individual needs.
 - b. The Abbot will offer the alleged victim the assistance of counseling. The Abbot will periodically review with the alleged victim the continued need for counseling.
2. The Delegate and the Abbot will meet to discuss the formulation of a statement or letter from the Abbot to the various constituencies of The Benedictine Abbey of Newark. If the Member is or has served in a parish, a prepared statement may be read at the Sunday masses, with the approval of the Diocese in which the parish is located.
3. At this level of the process the Member is placed on administrative leave of absence, being suspended from all of his ministerial duties. He is again further advised of his civil and canonical rights.
4. As soon as possible, the Member is required to undergo a complete psychological evaluation at a facility selected by the Abbot. The Member is to grant permission that the results of this evaluation be shared by the treatment facility with the Abbot. The Abbot will also confidentially provide the therapist with any pertinent information in his possession pertaining to the accused Member.
5. The Delegate will present a full and complete report of the investigation, including the reported results of the psychological evaluation, and any further pertinent information to the Review Board. The Review Board will offer its own independent recommendation for the disposition of the case to the Abbot.

Level 3 Response:

If the allegation/report has been substantiated, the following parties will be appropriately addressed to attempt to overcome the effects of the misconduct and to ensure there are no future incidents of such behavior.

1. Victim – Any person who has been affected by the misconduct of a Member will be offered appropriate support by the Abbot or the Delegate, including assistance for counseling and spiritual help. (This support will be in accordance with previously outlined Section VI Roles and Responsibilities, Subsection (D), Pastoral Response to the Alleged Victim; and VII Responses to Allegations/Reports, Level 2 Response (1)).
2. The Affected Parish or Institution - If the Member is assigned to parish ministry, the Delegate will offer, in collaboration with the Diocese, an outreach program to the parish

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or community that is directly affected by the Member's misconduct through the help of the Pastoral Care group constituted for this purpose by the Abbot.

3. Member – If and after an allegation/report is substantiated, a decision will be made (with all considerations of Due Process under Canon Law) concerning the Member's future by the Abbot. The decision ordinarily would not permit the Member to return to public ministry. The Abbot's decision will include, but is not limited to:
 - a. Suspension of all duties assigned to the Member.
 - b. Further review of the Member's psychological evaluation. If the evaluation recommends treatment or other specific action, the Abbot will follow this recommendation unless circumstances warrant otherwise.
 - c. If the member receives psychological treatment, the Abbot will take the following precautions:
 1. Have the Member live at the monastery.
 2. Find appropriate work or vocational retraining.
 3. Establish specific limitations on involvement with children, students or employees. The member will not be permitted to work in any assignment which allows access to minors, or in any ecclesiastical ministry.
 - d. After treatment, the Abbot and the Member, in consultation with the Member's treatment professional and other advocates, will establish an aftercare program.
 - e. If the Member completes the recommended treatment and the aftercare program and receives a positive evaluation, the Abbot, after the appropriate consultation, will consider giving the Member a permanent assignment with appropriate and specific safeguards, including the Member's cooperation and participation in a written individualized supervision plan.
 - f. If at any time the Abbot, with appropriate consultation, determines that Member cannot continue in monastic life, the Abbot will seek to have the Member leave the monastery voluntarily. If the Member does not leave voluntarily, the Abbot may initiate appropriate canonical actions.
4. Civil Authorities – All allegations/reports of sexual misconduct or abuse committed by a Member shall be reported in a timely manner to the civil authorities in the jurisdiction in which the alleged incident occurred. The Benedictine Abbey of Newark will comply with the reporting requirements of State of New Jersey Law (N.J.A.S. 9:6-8.10, et seq.) and recognizes the right of an individual to report to civil authorities any allegation/report of sexual misconduct unlawful according to State and Federal law. The allegation/report will be reported regardless of whether the person making the accusation is a minor or an adult at the time the allegation/report is received; regardless of whether the accused Member is living or dead, or whether he is a current or former member of the Abbey; regardless of whether the alleged victim's identity is known; and regardless of whether the allegation/report is believed to be credible at the time it is received.

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- a. If the alleged victim is a minor at the time the allegation/report is received, his or her identity will be provided to the civil authorities. If the alleged victim is an adult at the time the allegation/report is received and consents, his or her identity will be provided to the civil authorities. If the alleged victim is an adult at the time the allegation/report is received and does not consent to having his or her identity revealed, the alleged victim's identity will not be disclosed.
- b. An allegation/report will be documented at the time it is received and will contain information about how the allegation/report was handled.
- c. The Abbey will cooperate fully with all investigations by the civil authorities.

VIII: Supervision of Offenders

Important parts of this Policy are the elements of a pastoral care framework which will be developed for each monk of the Abbey for whom an allegation of sexual misconduct has been established. The purpose of this framework is to assure the Church and the public, especially victims, of all reasonable measures having been put in place to prevent any future occurrence; provide a structure within which the monk can continue his life as a member of the Abbey; provide appropriate care for the monk and the opportunity for such personal conversion and rehabilitation as may be needed; guide monastic superiors, the monk, and others in determining work, residence, and other activities; encourage the monastic community in welcoming and supporting the monk in his desire to continue the monastic life within this framework; and assure the monastic community of both proper care and appropriate limits with respect to their brothers in the Abbey.

A Immediately after a Report or Allegation

A monk about whom a report or allegation of sexual misconduct against a minor or vulnerable adult has been made shall be placed immediately under strict supervision, preferably within the cloister of the monastery whenever possible, and will remain under strict supervision until assessment and evaluation procedures are completed and a written plan is developed and implemented.

Supervision will consist of greatly restricted movement on the campus of the Abbey where a vulnerable population exists, monitored computer/internet access, restricted use of communication, restricted leaves from campus, and assignment of a supervisor/monitor.

B Risk Assessment

A monk about whom a report or allegation of sexual misconduct has been established will be asked to submit to a professional assessment of risk and evaluation of his psychological condition. If the monk agrees to undergo an evaluation, the Abbot (or his delegate) will arrange for the assessment. The monk is free not to undergo a psychological evaluation. If the monk offender declines a risk assessment, the Abbot nonetheless continues to impose strict supervision conditions under obedience.

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Subsequent to that evaluation, the monk may be asked to participate in such in-patient and/or out-patient treatment as recommended by the evaluating professionals, as well as such other physical, psychological, and spiritual rehabilitation as may be recommended by such professionals or the Review Board.

In conducting a risk assessment with an outside professional agency, the monk will be asked to give permission for the sharing of his personal file and all relevant information with the agency. He will also be asked to give permission for sharing the risk assessment with the Abbot and with the Review Board.

C Public Ministry of a Monk-Offender

When the monk who has sexually abused a minor is a priest or deacon, he will not be allowed to function publicly as a priest or deacon, including public celebration of the sacraments, use of the title "Father/Brother" or "Reverend" in public communications, and the wearing of clerical attire or the monastic habit in public.

When the monk who has sexually abused a minor is not a priest, he will not be allowed to function publicly in external ministry associated with the Abbey (e.g., school teaching, coaching, parish staff work) or use of the title "Brother" in public communications, and the wearing of clerical attire or the monastic habit in public.

When the monk has sexually exploited an adult or sexually harassed an employee, the Abbot will consider the nature and circumstances of the allegation(s) and the advice of the Review Board in determining removal or suspension from, or restrictions of public ecclesiastical ministry, using ecclesiastical titles, and wearing clerical garb or the monastic habit.

D Appropriate Work for an Offender

For Benedictines, the service of prayer in the Church and the world is a valuable contribution. Truly, as Saint Benedict noted, common prayer is the Work of God. Thus, full participation in the monastic horarium of prayer is a meaningful and significant contribution to the life of the monastic community.

We recognize that making a contribution for the good of the community or for the good of the Church and society is an important pathway to healing and wholeness. If physically and mentally able, the monk offender who has been removed from public ecclesiastical ministry should engage in appropriate work in support of the Abbey or in other service to people in need. Such work might include the following:

1. administrative work of the Abbey;
2. remunerative non-ecclesiastical work to support the ministries of the Abbey;
3. manual or clerical labor inside the monastery;
4. working at a food bank or soup kitchen, or some other form of supervised social service, with the informed consent of that agency;
5. or some other appropriate work for which the monk is able or qualified.

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Monks removed from public ecclesiastical ministry may need vocational assessment and/or occupational counseling to assist in determining meaningful and useful new work. The Abbot should consult with the monk offender involved to determine his interests and capacities and to promote his initiative in developing work opportunities, where appropriate.

E Place of Residence

A monk offender who has been assessed by professionals to be at low risk will be allowed to live in the monastery or in another appropriate supervised place of residence where there will be no unsupervised contact with his sexual target, as determined by the Abbot. No separate apartment, private home, or other domicile will be allowed as a permanent residence for such offenders.

A monk offender who has been assessed by professionals to be a high risk to reoffend may need to reside in a specialized facility where he can be properly cared for and where he will have no access to his sexual targets.

F Safety / Supervision Plans

After sexual misconduct has been established, it is intended that all of the aforementioned elements be adapted in an individualized Safety Plan for a monk who has sexually abused a minor (or an individualized Supervision Plan for a monk who has sexually exploited an adult or sexually harassed an employee), depending on such factors as the severity of the accusation(s), age and health of the monk, and the recommendations of the risk assessment, and the recommendation of the Review Board. This framework, however, sets out the elements to be developed in writing for each monk, reviewed annually by the Review Board, and shared with the monk, his monastic superiors, his supervisor, and, as appropriate, other monks.

The Safety/Supervision Plan shall be implemented and signed by the monk, the Abbot, and at least one individual who is directly involved in the supervision of the monk. Signing the plan indicates that the signatories have read and understood all aspects of the supervision/safety plan. The plans are issued under the vow of obedience. Compliance with each plan shall be documented and there shall also be an annual review of each plan by the Review Board. Each plan will also be subject to review by a professional independent third-party accrediting agency, as often as required by the same agency.

Supervision of monks who have Safety/Supervision Plans can be conducted by qualified individuals, including monastic superiors, other monks, employees, or a competent third-party.

1. Individuals who supervise monks with Safety/Supervision Plans should be physically and emotionally capable and adequately trained to perform the duties involve with supervision.
2. Individuals who supervise will have adequate information of cases to fulfill their role, which may include all relevant history of sexual misconduct, history of compliance with Safety/Supervision Plans, current progress in treatment (if applicable), history of substance abuse (if applicable).

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3. Individuals who supervise will receive written guidelines and adequate training regarding their role and procedures for supervision.
4. Individuals who supervise will have all the pertinent information about the monk that is not privileged, including relevant history of sexual abuse, all allegations of sexual misconduct, history of compliance with Safety/Supervision Plans, current progress in treatment, if applicable, history of substance use and/or abuse, if applicable.

G Community Support

The monastic community plays an important role in helping a monk offender who has been restricted and who wishes to continue his life as a monk. After a monk has submitted to evaluation and appropriate treatment, his confreres should welcome him as a brother. It may also be appropriate for a mentor, either a confrere or an approved lay person, to be appointed for the monk offender who could assist and support him in his efforts to maintain his program of care and treatment.

A monk offender who is a priest may, at the Abbot's discretion, be permitted to celebrate and preach at the Conventual Mass, lead or read at community prayer, hear confessions of other monks; he always retains the right to celebrate Mass privately. A monk offender is not allowed to serve as a superior or as a member the Abbot's Council.

H Contact with Others

Under no circumstances will a monk who has sexually abused minors be allowed to have contact with any minors without the ongoing and strictest supervision of other adults present at the time. This prohibition includes but is not limited to being alone with a minor for a meal in a restaurant, going to the movies alone with a minor, riding alone in an automobile with a minor, or having a private conference with a minor in parish or monastery offices, community parlors, etc.

A monk who has sexually exploited an adult or sexually harassed an employee, may not have contact with the victim of his offense(s), or with anyone who may be part of his personal sexual target. Additional prohibitions may be necessary for such a monk depending on the nature and gravity of the sexual exploitation or sexual harassment.

Travel plans, vacations, and retreats are to be specified in the Safety/Supervision Plan and to be monitored by the supervisor. Typically, retreats in locations alone are not permitted, as our retreats are usually done within the monastic community. Other travel may be restricted, including but not limited to, that which is related to assigned work or family visits; if appropriate, a monk companion for travel also may be required. Additional specific permissions for travel are required from the Abbot. Doubts about specific travel should be referred by the supervisor to the Abbot.

Restrictions on driving may also be part of the Safety/Supervision Plan. Typically, restrictions are placed on driving alone. No one under supervision may have a vehicle for his own use. Monks under supervision may be required to request specific permission for use of house cars, or may be required to drive with a companion monk. A log is to be

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kept of any travel outside the Abbey by the Prior and forwarded to the Case Management Office.

Announcements for anniversaries regarding monk offenders should not appear in Abbey publications. No articles or photographs featuring a monk offender should appear in any publication, whether it is one of ours or a forum such as diocesan or secular newspapers.

A monk offender may, with the express permission of the Abbot, write an article under his name in a professional, peer-reviewed journal. In some cases a monk's use of email, internet, and phone may need to be regulated.

The Abbot, in consultation with the Review Board, will determine whether and/or how to inform the monastic community—in general terms—of those monks who are under supervision. The Abbot, in consultation with the Review Board, will determine whether and/or how to inform others who may have a need to know—in general terms—of those monks who have been restricted.

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IX Protocol for Visiting Religious Students:

This Policy will also serve as a guide to Members of other religious institutes and Societies of Apostolic Life regarding visiting religious to The Benedictine Abbey of Newark if they intend to reside at the Abbey for more than 60 days.

1. The visiting religious must have written permission from their proper Major Superior. The permission must note that the visitor is in good standing in his own institute and has no allegations or reports of sexual abuse of minors, and include the duration of the residency.
2. The visitor will be provided a copy of The Benedictine Abbey of Newark *Safe Environment Code of Conduct*.
3. The visitor will be provided with an orientation of the Abbey's Code of Conduct, as well as other pertinent information concerning criminal background checks, child abuse history clearances, and child abuse awareness education.
4. The visitor will be asked to sign an acknowledgement and compliance statement verifying that he has read and understands the Abbey Code of Conduct. A copy of the statement will be maintained by the Abbot's Delegate.
5. If the visitor resides at the Abbey for more than three months, he is required to fulfill the child abuse awareness educational training program expected of all Community Members.

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IX Review-Emendation:

As Abbot, I will ensure this policy is periodically reviewed, evaluated, and revised to meet the needs of the Benedictine Community and all whom we serve. I will convene the Allegation Review Board, at least annually, to review the entire Policy and its implementation. The Review Board will then recommend any specific revisions to me for my review, approval and promulgation.

This policy supersedes all other policies established for the protection of minors at The Benedictine Abbey of Newark at the time of promulgation; it is not intended to supersede canon law or civil law.

As Abbot of The Benedictine Abbey of Newark, I retain the right at all times to address matters pertaining to this policy brought to my attention on a case-by-case basis in order to respond to specific situations and issues which may require an alternate response, with due respect for canon law and the criminal and civil statutes of the State of New Jersey and the goals of this Policy for child protection.

I approve and promulgate as policy for The Benedictine Abbey of Newark, this 1st day of August 2017.

A handwritten signature in cursive script, reading "Melvin J. Valvano, O.S.B.", written over a horizontal line.

Melvin J. Valvano, O.S.B., Abbot
The Benedictine Abbey of Newark

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I. General Statement of Intent

I will:

- Treat everyone with respect, loyalty, patience, integrity, courtesy, dignity, and consideration.
- Avoid situations of isolation or being alone with children and/or youth at St. Benedict's Prep/St. Mary's activities and those of all other ministries of the Benedictine Abbey of Newark.
- Use positive reinforcement with young people rather than criticism, competition, or comparison.
- Refuse to accept expensive gifts from children and/or youth or their parents without prior written approval from the supervisor.
- Refrain from giving gifts to children and/or youth without prior written approval from the parents or guardian and the supervisor.
- Report suspected abuse to the proper contact within The Benedictine Abbey of Newark and the local Child Protection Services agency. I understand that failure to report suspected abuse to civil authorities is a violation of state law.
- Cooperate fully in any investigation of abuse of children and/or youth.
- Comply with the behavioral standards in the Code of Conduct as they apply to electronic communications.

I will not:

- Smoke or use tobacco products in the presence of children and/or youth.
 - Use, possess, or be under the influence of alcohol while in my role for St. Benedict's Prep School or any other ministry of the Benedictine Abbey of Newark.
 - Use, possess, or be under the influence of illegal drugs at any time.
 - Pose any health risk to children and/or youth (i.e., no fevers or other contagious situations).
 - Strike, spank, shake, humiliate, ridicule, threaten, degrade or use discipline that frightens or humiliates minors.
 - Touch a child and/or youth in a sexual or other inappropriate manner, or show them pornographic or sexually explicit material.
 - Use profanity or engage in any sexually explicit talk in the presence of children and/or youth.
 - Connect with the children electronically, including social media, without advance approval from the supervisor.
-

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Date**

Signature

Acknowledgement of Receipt

The purpose of this Code of Conduct is to make clear to clergy, employees and volunteers that certain behaviors are unacceptable and to ensure proper monitoring of all youth. The following is the official receipt denoting that the individual whose signature appears below has read and understands the guidelines contained in the attached Code of Conduct document.

Please complete, sign, detach this entire page from full packet, and submit:

I have read and understand the guidelines contained in the attached Code of Conduct, and I intend to follow these guidelines and to monitor and protect children and young people in my service to St. Benedict's Prep/St. Mary's Oratory, and all other ministries of the Benedictine Abbey of Newark. I understand that any action inconsistent with this Code of Conduct or failure to take action mandated by this Code of Conduct may result in my removal as a volunteer or employee.

_____ **Full legal name (please print)** _____

_____ **Signature** _____

_____ **Date** _____

_____ **Position / Ministry** _____

_____ **Email or phone number** _____

Please complete this page, sign it, detach it from the full packet and return it to the Local Safe Environment Coordinator for the Benedictine Abbey of Newark. This sheet will be kept on file at Newark Abbey indefinitely.

Office Use Only

Date submitted / processed: _____ Received by (name): _____

Notes: _____