

*Updated Policy of the Archdiocese of Atlanta Concerning the
Protection of Children and Vulnerable Individuals
from Sexual Abuse by Church Personnel*

Introduction

The sexual abuse of Children and Vulnerable Individuals is reprehensible and tragic. It betrays the trust Children and Vulnerable Individuals naturally place in adults, especially those responsible for their instruction, welfare and guidance. The damage caused by sexual abuse is devastating and long lasting. It is even more tragic when its consequence is a loss of the faith that the Catholic Church has a sacred duty to foster. Sexual abuse of Children is “by every standard wrong and rightly considered a crime by society; it is also an appalling sin in the eyes of God” (Address by Pope John Paul II, to the Cardinals of United States and Conference Officers, April 23, 2002). Our obligation to protect Children and Vulnerable Individuals stems from the mission and example given to us by Jesus Christ himself, in whose name we serve. We want to be as transparent and forthcoming as possible regarding the policies and procedures used by the Archdiocese. Our goals as an Archdiocese are to: (1) provide a safe and secure environment for the Children and Vulnerable Individuals in the Archdiocese; (2) provide for a pastoral response to victims, their families, the accused person, and the community; and (3) reduce the damage done by false accusations against Church Personnel.

Section 1. Definitions

The following words and phrases shall, for purposes of this Policy, have the following meanings:

- 1.1. Actionable. A determination by the Archbishop that an allegation is more likely than not true.
- 1.2. Administrative Leave. The status of an accused Church Personnel who has been relieved of assigned duties. The application of this term varies depending on the canonical status of the accused person and does not necessarily equate to the term as used in Canon Law.
- 1.3. Advisory Board. The board described in Section 8 of this Policy.
- 1.4. Archbishop. The canonically appointed Archbishop of Atlanta or the duly appointed Administrator in the event that, under Canon Law, the office of Archbishop is impeded or vacant. For purposes of this Policy, the Archbishop may act personally or through a designated representative.
- 1.5. Child. Any person under the age of eighteen (18) years.
- 1.6. Church Personnel. Bishops, priests, deacons, religious, lay employees and lay volunteers involved in work for the Archdiocese.

- 1.7. Credible Allegation. An allegation, which offers reasonable grounds for being believed.
- 1.8. Sexual Abuse. Engaging in any of the following conduct with, or involving, a Child or Vulnerable Individual (i) by a person who at the time of the conduct was Church Personnel, or (ii) by an adult who later becomes Church Personnel in a case where the Child was more than five (5) years younger than the adult, or (iii) by a Child, who later becomes Church Personnel, in a case where the offending Child was at least fourteen (14) years old and more than five (5) years older than the other Child.
- a. Conduct that constitutes child abuse, sexual abuse or sexual exploitation as defined in the Official Code of Georgia Annotated (“O.C.G.A.”) § 19-7-5(b)(10) or (b)(11), as those definitions may hereafter be amended or modified, provided, however, that for purposes of this Policy, Sexual Exploitation shall include the statutorily prohibited conduct involving any Church Personnel. (O.C.G.A. § 19-7-5(b)(10) and (b)(11), as they exist on the dates of this Policy, are attached as Appendix 1 to this Policy); or
 - b. Any conduct by Church Personnel about which he or she has previously been admonished or warned by the Archbishop in writing is improper conduct.
- 1.9. Volunteer. Any unpaid person involved in a ministry, activity or service under the authority of the Archdiocese.
- 1.10. Volunteer Who Has Regular Contact with Children. A Volunteer whose ministry, activity or service involves custodial responsibility for the care and supervision, or the reasonable anticipation of actual or potential unsupervised contact with a Child or Vulnerable Individual.
- 1.11. Vulnerable Individual. A Vulnerable Individual aged eighteen (18) years of age or older who, objectively viewed, is unable or unlikely to report abuse, without assistance, because of impairment of physical or mental function.

Section 2. Prohibited Conduct

Sexual Abuse is reprehensible and tragic, and Sexual Abuse by Church Personnel will not be tolerated. While the priestly commitment to the virtue of chastity and the gift of celibacy is well known, all Church Personnel are required to observe appropriate boundaries and behavior which will avoid the occurrence of Sexual Abuse.

Section 3. Service Application Forms for Employees and Volunteers

- 3.1. An application, in a form promulgated, or approved in writing, by the Archbishop (“Service Application”) must be completed by each applicant for any paid position in the Archdiocese and also by any Volunteer who has regular contact with Children. All completed “Service Applications” must be kept as part of the parish/agency/school personnel files.

- 3.2. Each applicant for any position in the Archdiocese and each Volunteer who has regular contact with Children must, as a condition of employment, ministry or service to the Archdiocese, consent to a "Background Check." The "Background Check" will be completed in accordance with the requirements of the "Background Investigation" consent form. The pastor or administrator shall be responsible for reviewing the information thus acquired to determine that there is nothing present which would indicate the person is unfit for the employment, ministry or service for which he or she has applied.
- 3.3. A copy of the "Service Application," including the "Background Check," and other forms on file shall be sent to the Archdiocesan Human Resources Office for the Archdiocese. Upon termination of employment, ministry or service, a copy of the complete parish/agency/school personnel file is to be sent to the Archdiocesan Human Resources Office.

Section 4. Service Application Forms for Clergy and Religious

- 4.1 All superiors of religious institutes or orders proposing individuals for ministry or residence in Archdiocesan parishes or institutions, as well as those simply requesting priestly faculties in the Archdiocese, are required to state clearly in writing that there is no known history which would render the individual being proposed unsuitable to work with a Child or a Vulnerable Individual, including, but not limited to, any past allegation of Sexual Abuse or other misconduct of a sexual nature. This may be done through the use of form "Statement of the Religious Superior."
- 4.2 Clergy, religious or seminarians seeking assignment to perform ministry within the Archdiocese of Atlanta must, before beginning the assignment, have on file with the Archdiocese the "Application by a priest for service in the Archdiocese of Atlanta."
- 4.3 Clergy, religious or seminarians seeking assignment to perform ministry for six (6) consecutive days or more must complete the form, "Application for Assignment," and as a condition of assignment must consent to a "Background Check," which will be performed by the Archdiocese, before such assignment is made.
- 4.4 No pastor, parochial vicar, religious or director of any Archdiocesan institution or facility is permitted to grant residence, or full-time, part-time or regular weekend ministry to any priest, religious or layperson without prior approval from the Archbishop.
- 4.5 Before any clergy or religious is proposed to another diocese for assignment, transfer, or residence, the Archbishop will make notification, similar in nature to the "Statement of Religious Superior," to the local ordinary of the new residence.

Section 5. Reporting Requirements

- 5.1 Any Church Personnel who has reasonable cause to believe that Sexual Abuse has occurred and who has mandatory reporting requirements under federal, state or local law, including, but not limited to, O.C.G.A. § 19-7-5 shall report, or cause a report of that abuse to be made as required by law, an oral report shall be made immediately, but in no case later than 24 hours from the time there is reasonable cause to believe a child has been abused, by telephone or otherwise and followed by a report in writing, if requested, to a child welfare agency providing protective services, as designated by the Department of Human Services, or, in the absence of such agency, to an appropriate police authority or district attorney. A copy of that report shall be sent immediately and confidentially to the Archbishop, or one of the Vicars General, or, in their absence the Director of the Safe Environment Office of the Archdiocese, who, in turn, will advise the Archbishop. The Archbishop will provide a copy of the report to the Advisory Board if it involves clergy or Religious. The Secretary of Human Resources will be provided a copy of the report if it involves lay employees or volunteers.
- 5.2 Church Personnel who are not required to report Sexual Abuse pursuant to Paragraph 5.1 of this Policy, but who have reasonable cause to believe that Sexual Abuse has occurred shall immediately confidentially report the information to the Archbishop, or one of the Vicars General, or, in their absence, to the Director of the Safe Environment Office of the Archdiocese, unless to do so would violate the priest-penitent relationship of the Sacrament of Penance. The Archbishop will assign a person to investigate the allegations and will provide a summary to the Advisory Board if it involves clergy or Religious. The Secretary of Human Resources will be provided a copy of the report if it involves lay employees or volunteers.
- 5.3 Each reported incident of alleged Sexual Abuse shall be investigated immediately by the Archbishop or his designated representative, in cooperation with any state or federal criminal investigation, with a high degree of pastoral care for the alleged victim and his or her family, the person reporting the incident, the accused person and all other persons whose lives reasonably can be expected by the Archbishop to be affected significantly by the alleged incident.
- 5.4 In the event a report received by the Archbishop presents a Credible Allegation of Sexual Abuse, the Archbishop or his designated representative shall in turn report the information to the appropriate government authorities as provided by O.C.G.A. § 19-7-5(Whether or not a report received by the Archbishop presents a Credible Allegation in the opinion of the Archbishop, a copy of the report shall be sent to the Advisory Board if it involves clergy or Religious. The Secretary of Human Resources will be provided a copy of the report if it involves lay employees or volunteers.
- 5.5 Without limiting the provisions of Subsections 5.1 through 5.4 of this Policy, it is the policy of the Archdiocese to comply with all applicable civil laws with respect to the reporting of allegations of sexual abuse of minors to civil authorities and to advise and support a person's right to make a report to public authorities.

Section 6. When Allegations are Made Against a Lay Employee or Volunteer

- 6.1 When any allegation of Sexual Abuse with respect to an Archdiocesan lay employee or Volunteer is reported to the Archbishop, the Archbishop shall immediately notify the Secretary of Human Resources of the person(s) alleged to be involved, and the substance of the allegations.
- 6.2 Immediately after receipt of an allegation of Sexual Abuse with respect to a lay employee or Volunteer, the Archbishop shall cause a preliminary investigation to be undertaken in accordance with Archdiocesan employment policies and may undertake such additional or independent investigation, as he deems necessary. Based on the results of preliminary investigations the Archbishop shall make a determination as to the credibility of the allegations and he or his designee shall communicate his determination in a timely manner to the victim or the victim's representative and the accused person.
- 6.3 If the Archbishop determines that an allegation of Sexual Abuse involving a lay employee or Volunteer is a Credible Allegation, then in addition to any action taken pursuant to Archdiocesan employment policies, the accused person shall be:
 - i. *Notified in a timely manner of the nature of the allegation;*
 - ii. *Placed on administrative leave pending the completion of the Archdiocesan investigation; and*
 - iii. *Directed to remain away from any school, parish office, parish facility, agency, and other location, which is the subject of the complaint until the Archbishop has determined whether the allegation is Actionable.*
- 6.4 The Archbishop may request that the Secretary of Human Resources advise him in making his determination as to whether an allegation is Actionable. If a lay employee or Volunteer admits that he or she has engaged in Sexual Abuse, does not contest Credible Allegations of Sexual Abuse, or there is a determination by the Archbishop that an allegation of Sexual Abuse is Actionable, sanctions will be imposed in accordance with any applicable provisions of Canon Law, the regular employment policies of the Archdiocese as amplified by this Policy, and Section 12 of this Policy. The Archbishop or his designee shall communicate his determination as to whether the allegation is Actionable to the victim or the victim's designated representative, the accused person, and others required to be notified pursuant to Archdiocesan employment policies.
- 6.5 In instances where an allegation of Sexual Abuse is determined not to be Actionable, the Archbishop will make a determination as to whether the accused person is to be restored to duty and/or whether in his or her former position. The Archbishop may request the advice of the Secretary of Human Resources in making that determination. The Archbishop shall communicate his final determination as to restoration of duties to the alleged victim or the victim's designated representative and the accused person.

- 6.6 When an allegation is determined by the Archbishop not to be Actionable, the Archdiocese will make good faith efforts to restore the ministerial reputation and status of the accused person.
- 6.7 In response to a Credible Allegation of Sexual Abuse involving a lay employee or Volunteer, the Archbishop will take reasonable action to provide the family of the victim with appropriate spiritual care and pastoral support. Such care and support will be coordinated through the Office of Child and Youth Protection (formerly known as Project Aware). Any pastor-priest or other person designated by the Archbishop to assist in this pastoral process should avoid being concerned with the validity of the allegations. His or her function is strictly pastoral in nature without regard to the truth of any allegation or to the circumstances surrounding the alleged incident. The person who reported the alleged Sexual Abuse shall also be given appropriate pastoral care.
- 6.8 In all instances of alleged Sexual Abuse by a lay employee or Volunteer, reasonable care will be taken to protect the rights of all parties involved, particularly those of the person claiming to have been Sexually Abused and the person against whom the charge has been made. It is the responsibility of any lay employee or Volunteer who is accused of Sexual Abuse to obtain his or her own personal legal representation.

Section 7. When Allegations are Made Against Clergy or Religious in Service to the Archdiocese or Residing in an Archdiocesan Rectory, Convent or Facility

- 7.1 When any allegation of Sexual Abuse with respect to Archdiocesan clergy, or any other clergy or religious within the Archdiocese, is reported to the Archbishop, the Archbishop shall notify the Advisory Board of the person(s) alleged to be involved and the substance of the allegations.
- 7.2 Immediately after receipt of an allegation of Sexual Abuse involving a member of the clergy or religious the Archbishop shall undertake a preliminary investigation of the allegation, which investigation will be initiated and conducted in harmony with Canon Law. Based upon the results of his investigation, the Archbishop shall make a determination as to the credibility of the allegations, and communicate his determination in a timely manner to the victim or the victim's representative, the accused person, and the Advisory Board. The Archbishop may request that the Advisory Board advise him in making his determination as to whether an allegation is a Credible Allegation.
- 7.3 If the Archbishop determines that an allegation of Sexual Abuse that has been made against a member of the clergy or religious is a Credible Allegation, the accused person shall be:
- i. Notified in a timely manner of the nature of the allegations;*
 - ii. Immediately relieved of his or her active ministerial duties pending the outcome of the Archbishop's investigation; and*

iii. *Directed to remain away from any school, parish office, parish facility, agency, and other location, which is the subject of the complaint until the Archbishop has determined whether the allegation is Actionable.*

- 7.4 The Archbishop may request that the Advisory Board advise him in making his determination as to whether an allegation is Actionable. If a member of the clergy or religious admits that he or she has engaged in Sexual Abuse, does not contest Credible Allegations of Sexual Abuse against him or her, or if there is a determination by the Archbishop after an appropriate process in accord with Canon Law that an allegation of Sexual Abuse is Actionable, sanctions will be imposed in accordance with Section 12 of this Policy. If an allegation is determined by the Archbishop to be a Credible Allegation or Actionable, the Archbishop shall consult with the Advisory Board in making an assessment of the accused person's fitness for ministry. The Archbishop shall communicate his final determination as to whether the allegation is Actionable, and the sanctions imposed, in writing to the victim or the victim's designated representative, the accused person, and the Advisory Board.
- 7.5 As provided in Subsection 12.5 of this Policy, in every case involving allegations of Sexual Abuse against clergy or religious, the processes as provided for in and the various provisions of Canon Law will be observed and in the event of an irreconcilable conflict between the applicable provision of Canon Law and this Policy, the provisions of Canon Law will prevail. This may include a request by a priest or deacon for dispensation from the obligation of holy orders, or by the bishop proceeding to seek dismissal from the clerical state even without the consent of the priest or deacon. In accordance with due process, the accused person will be encouraged to retain the assistance of civil and canonical counsel. When necessary, the Archdiocese will provide canonical counsel to any accused priest or deacon.
- 7.6 Where an allegation of Sexual Abuse by a member of the clergy or religious is not admitted or it is determined by the Archbishop after an appropriate investigation not to be Actionable and the Archbishop has not determined that the accused person is unfit for ministry, the Archdiocese will make reasonable efforts to restore the ministerial reputation and status of the priest, deacon or religious.
- 7.7 If the Archbishop determines that an allegation of Sexual Abuse, which has been made with respect to a member of the clergy or religious from a diocese or congregation other than the Archdiocese of Atlanta is Actionable, the Archbishop will immediately notify the appropriate superior of the actions, which have been taken and will be taken by the Archdiocese.
- 7.8 In response to a Credible Allegation of Sexual Abuse involving a member of the clergy or religious, the Archbishop will take reasonable action to provide the family of the alleged victim with appropriate spiritual care and pastoral support. Such care and support will be coordinated through the Office of Child and Youth Protection. Any pastor/priest or other person designated by the Archbishop to assist in this pastoral process should avoid being concerned with the validity of the allegations. His or her function is strictly pastoral in nature without regard to the truth of any allegation or to

the circumstances surrounding any alleged incident. The person who reported the alleged Sexual Abuse shall also be given appropriate pastoral care.

- 7.9 In all instances, care will be taken to protect the rights of all parties involved, particularly those of the person claiming to have been a victim of Sexual Abuse and the person against whom the allegation has been made.

Section 8. Advisory Board

8.1 The Advisory Board shall consist of at least five (5) persons of outstanding integrity and good judgment, in full communion with the Church. The majority of the Board shall be laypersons not in the employ of the Archdiocese, at least one of whom shall have particular expertise in the treatment of the sexual abuse of minors. One member of the Board shall be an experienced and respected pastor of the Archdiocese. The members of the Advisory Board, in their role as board members, are not acting as experts in psychology, law, Sexual Abuse, or any other area. They will rely upon information provided to them by the Archdiocese and independent sources, and have no duty of independent verification. The role of the Advisory Board is to provide the Archbishop with advice and counsel pursuant to this Policy.

8.2 The Board is a confidential consultative body to the Archbishop, and in such capacity shall:

- i. Serve in an advisory capacity to the Archbishop in assessing allegations of Sexual Abuse involving members of the clergy or religious as set forth in Section 7.*
- ii. Advise the Archbishop, in a confidential manner, when requested, on the fitness for ministry of clergy or Religious alleged to be or to have been involved in Sexual Abuse and/or further steps to take with clergy or Religious with regard to fitness for continued ministry;*
- iii. Review Archdiocesan policies and procedures and guidelines that may be established by various Archdiocesan departments for dealing with allegations of Sexual Abuse by clergy or other Church Personnel in order to recommend to the Archbishop any modifications in those policies and procedures, if appropriate.*

8.3 The Board is advisory to the Archbishop and shall report to him in writing of its recommendations. If the Archbishop requests the advice of the Advisory Board, the Archbishop shall provide all pertinent evidence relating to the alleged Sexual Abuse to the Advisory Board. If any recommendation from the Advisory Board is not unanimous from the members of the Board, a minority report shall also be made in writing.

8.4 The members of the Advisory Board shall be chosen by the Archbishop. With regard to the lay members of the Board, conflicts of interest, either actual or implied, shall be avoided. Each member of the Advisory Board serves at the pleasure of the Archbishop. Each member will be appointed for a term of five (5) years, which can be renewed.

- 8.5 The Advisory Board may adopt such policies and procedures as may be necessary to conduct its duties as are consistent with the provisions and intent of this Policy.

Section 9. Archdiocesan Offices of Child and Youth Protection

The goal of the Child and Youth Protection is to protect children and vulnerable individuals from sexual abuse and provide a safe environment in the Archdiocese of Atlanta. The Office of Child and Youth Protection is divided into two separate offices: The Office of Safe Environment and The Office of Victim Assistance. Each office has a different purpose, as described below.

- 9.1 The Archdiocesan Office of Victim Assistance shall aid in the immediate pastoral care of persons who claim to have been a victim of Sexual Abuse by Church Personnel. In addition, the office will ensure that the family of the alleged victim will receive appropriate spiritual care and pastoral support.
- 9.2 The Office of Victim Assistance will be headed by a coordinator. This individual, at the direction and instruction of the Archbishop, will coordinate and monitor the spiritual care and pastoral support supplied to alleged victims and to the family members of alleged victims of Sexual Abuse including but not limited to, counseling, spiritual assistance, support groups, or other social services agreed upon by the alleged victim and the Archdiocese.
- 9.3 The Office of Safe Environment will, at the direction and instruction of the Archbishop, assist the Archdiocese in establishing and maintaining "safe environment programs." The office will cooperate with parents, civil authorities, educators and community organizations to provide education and training for children, parents, pastors and ministers, educators and others about ways to make and maintain a safe environment for Children.

Section 10. Complaints - Cooperation with Authorities

- 10.1 The Archbishop shall adopt procedures for making complaints or allegations of Sexual Abuse involving Church Personnel. The procedures shall be made readily available in printed form and will be the subject of periodic public announcements regarding those procedures.
- 10.2 The Archdiocese shall cooperate with authorized state and federal civil and criminal authorities in their investigation of allegations of sexual abuse of minors involving Church Personnel.

Section 11. Media and Communications

- 11.1 a) The Archdiocese is committed to openness and transparency in its dealings with the community, especially with the parish communities and other constituent communities of the Archdiocese which may be directly affected by ministerial

misconduct involving minors and will meet this commitment to the extent possible while also respecting the privacy and reputations of individuals involved.

b) The Communications office is responsible for all media contacts; therefore, all media inquiries regarding this Policy, alleged Sexual Abuse involving Church Personnel, and related matters which are made to schools, parishes, or agencies of the Archdiocese should be referred to the Communications office, which will consult with, guide and coordinate relevant persons in the handling of subsequent media inquires and responses.

11.2 The Archdiocese will not enter into confidentiality agreements with respect to alleged Sexual Abuse, except in cases where confidentiality is requested by a victim or survivor of such Sexual Abuse for grave and substantial reasons proffered by the victim or survivor, which reasons are noted in the text of the confidentiality agreement.

Section 12. Sanctions

12.1 Where Sexual Abuse by a lay employee or Volunteer is admitted or an allegation of Sexual Abuse is determined by the Archbishop to be Actionable, the accused person shall be immediately terminated as a Church Personnel.

12.2 (a) Where Sexual Abuse by a member of the clergy or religious is admitted, or an allegation of Sexual Abuse is determined by the Archbishop to be Actionable after an appropriate process in accord with Canon Law:

- i. The accused person shall be permanently removed from active ministry and will not receive a future assignment;*
- ii. The accused person shall not be transferred for ministerial assignment;*
- iii. Under no circumstances shall the accused person ever be allowed to minister in the Archdiocese of Atlanta; and*
- iv. If the penalty of dismissal from the clerical state has not been applied (e.g., for reasons of advanced age or infirmity), the accused person shall be required to lead a life of prayer and penance; and if he is a member of the clergy, he will not be permitted to celebrate Mass publicly, to wear clerical garb, or to present himself publicly as a member of the clergy.*

(b) It is the intent of this Policy that after there has been a determination of even a single Actionable occurrence of Sexual Abuse, the accused member of the clergy or religious will not remain in active ministry and will not receive a future assignment.

12.3 (a) If the accused person is an Archdiocesan clergy or religious and a determination is made that an allegation of Sexual Abuse is Actionable or that the accused person is unfit for ministry, the Archbishop may refer him to a facility for comprehensive medical and psychological evaluations and intervention, if possible, so long as this does not interfere with any investigation by state or federal civil and criminal authorities. If the accused person refuses such referral, the Archbishop shall take appropriate steps in accordance with Canon Law to enforce his decision.

(b) If the accused person is a religious and the Archbishop determines that the allegation is Actionable, a decision as to rehabilitation will be made by his or her religious superior.

- 12.4 The Archbishop shall consult with the Advisory Board with respect to the imposition of sanctions and remedial actions under this Section 12 if the accused person is clergy or Religious.
- 12.5 In every case involving clergy and religious who are subject to Canon Law, the processes and sanctions as provided for in Canon Law will be observed and in the event of an irreconcilable conflict between the applicable provision of Canon Law and this Policy, the provisions of Canon Law will prevail. The necessary observance of canonical norms internal to the Church is not intended to hinder the course of any civil or criminal action.
- 12.6 Clergy, staff or volunteers who fail to comply with the provisions of this policy will be subject to actions by the Archdiocese as may be deemed necessary up to and including termination from any positions with the Archdiocese and/or with any parish, mission or other Catholic institutions and organizations which are subject to the administration, authority or governance of the Archdiocese in accordance with civil, criminal and Canon Law. Applicants for positions with the Archdiocese who fail to comply with the provisions of this policy, as applicable, will be denied such positions.

Appendix 1

Child Abuse, Sexual Abuse and Sexual Exploitation are defined in Official Code of Georgia Annotated (O.C.G.A.) Section 19-7-5 as follows:

Child Abuse

- (A) Physical injury or death inflicted upon a child by a parent or caretaker thereof by other than accidental means; provided, however, that physical forms of discipline may be used as long as there is no physical injury to the child;
- (B) Neglect or exploitation of a child by a parent or caretaker thereof;
- (C) Sexual abuse of a child; or
- (D) Sexual exploitation of a child

Sexual Abuse

- (A) "Sexual abuse" means a person's employing, using, persuading, inducing, enticing, or coercing any minor who is not that person's spouse to engage in any act, which involves:
- (B) Sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex;
- (C) Bestiality;
- (D) Masturbation;
- (E) Lewd exhibition of the genitals or pubic area of any person;
- (F) Flagellation or torture by or upon a person who is nude;
- (G) Condition of being fettered, bound, or otherwise physically restrained on the part of a person who is nude;
- (H) Physical contact in an act of apparent sexual stimulation or gratification with any person's clothed or unclothed genitals, pubic area, or buttocks or with a female's clothed or unclothed breasts;
- (I) Defecation or urination for the purpose of sexual stimulation; or
- (J) Penetration of the vagina or rectum by any object except when done as part of a recognized medical procedure.

As is the case in O.C.G.A. Section 19-7-5, "Sexual Abuse" does not include consensual sex acts involving persons of the opposite sex when the sex acts are between minors or between a minor and an adult who is not more than five years older than the minor.

Sexual Exploitation

"Sexual exploitation" means conduct by any person who allows, permits, encourages, or requires that child to engage in:

- (A) Prostitution, as defined in O.C.G.A. Section 16-6-9 or
- (B) Sexually explicit conduct for the purpose of producing any visual or print medium depicting such conduct, as defined in O.C.G.A. Section 16-12-1 00.



Acknowledgement of Receipt (Sexual Abuse Policy)

I hereby acknowledge that on _____ I received a copy of the Archdiocese of Atlanta's "**Updated Policy of the Archdiocese of Atlanta Concerning the Protection of Children and Vulnerable Individuals from Sexual Abuse by Church Personnel**", revised effective June, 2012, that I have read the Policy, understand its meaning, and agree to conduct myself in conformity with the Policy as the Policy may be amended in the future. I also understand that this acknowledgment will be kept in my personnel file.

Name: _____
[Please type or print]

Signature: _____

Parish/School/Organization: _____

Date: _____

Please check one:

- Priest
- Deacon
- Aspirant/Candidate to the Permanent Diaconate
- Religious
- Seminarian
- Employee
- Independent Contractor
- Volunteer