



CHILD AND YOUTH
PROTECTION SCHOOL
SELF-ASSESSMENT GUIDE

St. Patrick School

Safe Environment Guidelines

March 2019

*Adapted from the United States Conference
of Catholic Bishops (USCCB) Charter for the
Protection of Children and Young People

CRISIS MANAGEMENT PLAN

CRISIS PLAN

Crisis situations are inevitable in the operation of any organization. We make every effort at St. Patrick School to minimize risk and to assure the safety and security of our students and employees. Since it is not always possible to avoid crisis, planning ahead of time may prevent panic and uncertainties. It is imperative that a media crisis policy be in place for efficient and effective management of internal and external communication during emergency situations that may endanger the health, safety, operation, image or economic stability of the school.

EVACUATION PLAN

Emergency evacuation is coordinated with the aid of the Honolulu Police Department. There are several options for evacuation sites. The type of emergency dictates these options. Notification will be made public as soon as the site is determined.

GENERAL RESPONSE TO EMERGENCY SITUATIONS

- Determine the seriousness of the situations.
- Call 911.
- Render assistance or call a certified First Aid Person to help you.

Contact the Vice-President of School (VPS). Do not call or involve others without further instructions. If it is an emergency that affects the entire school, the Director of Education (DE) will initiate telephone notification of pastor, faculty, staff, parents, or other persons deemed appropriate.

If a child is involved, a staff member must remain with the child at all times during the emergency. All other children are moved to another area. A teacher is to stay with this group until the all-clear signal is given.

A staff member must stand at the entrance of the emergency area to direct emergency response personnel.

Someone from the school must accompany the child/adult who is to be transported in an ambulance to the nearest medical facility.

IMPLEMENTATION OF POLICY

All faculty, staff, and administrators shall be informed of crisis communication procedures. A complete copy of the disaster plan shall be available in the library, offices of the President and Vice-President of School and printed as part of the faculty handbook. Failure to comply with the policy shall be grounds for disciplinary action.

Drills to test compliance, implementation, and familiarity with disaster policy shall be conducted at the discretion of the Education Team.

All Employees and regular volunteers of St. Patrick Church and School shall wear identification badges that show the Name of the Institute, Employee's (or volunteer's) Name, Position and Picture. All Visitors or chaperones to the Campus shall report to the school office. Visitors and chaperones shall sign-in and shall be issued a Visitor/Chaperone badge that must be worn at all times while on campus or excursion. Visitors and Chaperones shall sign-out at the end of their stay.

All employees should report to the school office anyone on campus who is without a visitor or chaperone badge or anyone acting in a suspicious or strange manner.

Any situation that might pose a possible threat to the safety or security of personnel or to the continued operation or fiscal stability of the schools shall be reported immediately. Any situation which poses a hazard or which may be detrimental to St. Patrick School must be reported. Upon notification of such a situation, the Vice-President or the President of School shall determine whether the Crisis Management Team (CMT) should be convened.

The VP of School is designated as the spokesperson, unless otherwise stated by the Pastor, to represent the school in communication with journalists. Other persons may also represent the schools in interviews but only with the approval of the DE or designated spokesperson.

Every contact with a journalist should be documented on a Media Contact Sheet and archived in the VP of School's Office.

CRISIS MANAGEMENT TEAM (CMT)

The President and Vice-President of School shall have the right to make decisions independently or to convene the Crisis Management Team (CMT).

The CMT shall be comprised of the President of School, Vice-President of School, and Level Coordinators.

A copy of this policy and a roster of CMT members with appropriate telephone numbers shall be available in the offices of the President, the office of the Superintendent of Hawaii Catholic Schools, the office of the Vice-President of School.

The CMT shall act as an advisory group in time of emergency situations. The President and Vice-President of School will consult in all decisions during emergency situations that include the closure of buildings, cancellations of classes, suspension of contractual agreements, and the involvement of external emergency personnel such as police.

The Vice-President of School is designated as the spokesperson, unless otherwise stated by the President.

Individual members of the CMT shall be indemnified by St. Patrick Church and School against possible liability incurred in the implementation of their duties.

The CMT will analyze the effect, coverage and impact of the crisis within a week of the event.

CRISIS TEAM INTERNAL COMMUNICATION

- President of School (PS): decision making-giving directions
- Vice-President of School (VPS): decision making-giving directions-checking stations
- Assistant Administrator: giving directions-coordinating the evacuation w/ the President and Vice-President of the School.
- Crisis Support: responding to lock down and evacuation procedures.

1. Communication is made to/from the VP of School and CMT.
2. Communication among CMT members (other than with VPS) is kept at a minimum.
Communication Channels are to be kept open.
3. CMT reports immediately to the VP of School any difficulties in the evacuation.
4. CMT directs Police, Fire and Civil Defense to President and VP of School.
5. In the event of a crisis, the Police, Fire and/or Civil Defense assumes control of the situation upon arrival on campus. The VPS is the liaison between rescue personnel and St. Patrick School.

DISRUPTIONS

Respond to a disruption according to its level of intensity. Generally, there are 3 levels of disruptions.

Level 1: The overall policy in these situations should be containment and removal, with minimum interruption of educational processes.

A Level 1 disruption is confined to one area and poses no threat to students or staff. You are better off dealing with this one yourself. Avoid the implications that may arise with the massive use of outside resources. Inform the VPS after dealing with the incident.

Level 2: The regular school schedule should be allowed to continue with minimal disruption.

A Level 2 disruption occurs when disruption forces are mobile and/or pose a direct threat to members of the school community. VP of School should be notified. Police assistance may be required to control and remove the disruption. If necessary, selected community representatives may be brought in to assist in the stabilization effort.

Level 3: The situation is out of control.

A Level 3 disruption occurs when educational processes have ended for most students and there are serious threats to students and staff. Immediate assistance from the Police is request. Generally, the school should be closed.

LOCK DOWN

The lock down procedure is used in situations involving dangerous intruders or other incidents that may result in harm to persons on campus. A signal will be given **AUDIBLE OR VISUAL** to indicate type of lock down.

Level One

Suspicious person on campus, reports of suspicious activities in area, isolated incidents of violent behavior or aggressive behavior by a student, visitor or parent.

- Lock classroom doors; children, teachers and aides remain inside rooms.
- Class continues as usual; do not open doors until all clear signal.
- Roll is taken and office will contact classroom for attendance.

Level Two/Three

Immediate and/or imminent danger to students and/or staff

- Lock classroom doors; children, teachers and aides remain inside rooms.
- Do not open doors until all clear signal bell.
- Roll is taken and office will contact classroom for attendance.
- Move children to protective areas (e.g. under their desks)
- Turn off lights, students to listen and follow directions.

Children on playground should move to the nearest open door and proceed with lock-down.

AUDIBLE signal over PA system: Three quick rings of the school bell repeated 12+ times.

VISUAL signal w/o PA: A staff member walks from room to room with a RED folder with a star.

The all Clear signal is one long ring from the school bell. Children may return to their classrooms and their normal routine.

EVACUATION PROCEDURES

TEACHERS AND STUDENTS MUST LISTEN FOR EXIT DIRECTIONS.

To Main Area

- All classes are to line up single file and proceed quickly and quietly to the rear of St. Patrick Church. Last person out should close door and turn-off lights. At the rally point, check for class marker.
- Teachers should have their class lists, grade book and the class emergency backpack.
- The teacher responsible for the class at the time of the evacuation leads the class to the designated rally point.
- At the rally point, the teacher should account for all in the class.

To Front Parking Area

- All classes are to line up single file and proceed quickly and quietly to the front parking area of St. Patrick Church. Last person out should close door and turn-off lights. At the rally point, check for class marker.

- Teachers should have their class lists, grade book and the class emergency backpack.
- The teacher responsible for the class at the time of the evacuation leads the class to the designated rally point.
- At the rally point, the teacher should account for all in the class.

Off Site

ALL TEACHERS AND STUDENTS MUST LISTEN FOR EXIT DIRECTIONS.

Emergency Personnel will direct to site chosen for evacuation.

- All classes are to line up single file and proceed quickly and quietly to the front parking area of St. Patrick Church. Last person out of the classroom should close door and turn-off lights.
- Teachers should have their class lists, grade book and the class emergency backpack. For an off-site, the homeroom teacher is responsible for and leads the class in the evacuation.
- Classes proceed toward the evacuation site. Students cross only on the light signal.
- At the rally point, the class is directed to the class marker.
- The teacher should account for all in the class.
- The Vice President of School monitors the evacuation via walkie-talkie or cell phone communication with the CMT.

SPECIFIC EMERGENCIES

Tsunami Warning

The school is not in a tsunami inundation zone, so we do not anticipate an evacuation. The following procedures have been adopted in the event of a Tsunami Warning:

If a Warning is issued during school hours, we will feed and take care of the children until parents can safely pick them up. You need not leave work or rush to pick up your children. It is recommended you remain in a safe area until the "all clear" is announced and avoid contributing to unnecessary traffic on roads and highways.

If a Warning is issued before school opens, please keep your children home. School will be closed. Listen to your local radio station.

Hurricane/Tropical Storm/Flooding

The school is not in a flood inundation zone, so evacuation is not the normal procedure. However, if evacuation does become necessary, the Civil Defense Department will direct St. Patrick School to the nearest emergency shelter.

Hurricane or Tropical Storm Watches are issued by the National Weather Service 36 hours prior to the arrival of a storm. Hurricane or Tropical Storm Warnings are issued when one of these storms could affect Oahu in 24 hours or less. When a Watch is issued, we will monitor the storm and make a decision to close the school before the issuance of a Warning.

Earthquake

Should an earthquake of significant magnitude occur on Oahu, we can anticipate considerable disruption to our road networks. If your children are at school, you may not be able to get to them. Please be assured that we will take care of the children until you can safely pick them up.

Please be assured that we will take good care of your children during any emergency or disaster. If school is to be closed, it will be announced over radio or television. In the event that school is closed, all children will be supervised until they are picked up by their parents or authorized persons.

Please do not call during emergencies. Telephone lines need to be kept open and available to take care of urgent needs.

FIRST AID

Survey the scene to make sure it's safe. You can't help by becoming a victim yourself.

DETERMINE THE SERIOUSNESS OF THE SITUATION.

USE EMERGENCY PROCEDURES (CALL 911).

RESPOND TO SITUATION AS OUTLINED IN CMP (Crisis Management Plan).

Don't move a victim if you suspect a neck or back injury.

Ensure the person is breathing.

Ensure the person's heart is beating.

Control severe bleeding.

Do CPR as necessary.

Treat all body fluids as potentially infectious.

Health Precautions

Assume that all body fluids of all persons could be contaminated with infectious agents. If possible, avoid direct contact with body fluids. Disposable gloves should be part of a First Aid kit. If no gloves are available, wash hands vigorously if you come in contact with body fluids. Use disposable gloves, plastic bags, and disinfectant to clean up emergency sites. If used materials (such as bandages or disposable diapers) contain body fluids, dispose of them in a securely tied bag.

INJURY

Administer first aid or call someone to assist. Make the student as comfortable as possible. If injury is determined to be of a less serious nature, then notify the VPS. The Vice-President of School will notify the parents. The parents may make the decision to seek further medical treatment.

Fill out Accident Report Form.

Do not dismiss a student from school until a parent or an adult designated by the parent has been contacted. No ill or injured child should be sent home alone.

If injury is determined to be of a serious nature, Emergency procedures are initiated either by notifying the PDE or the Principal. Do not call or involve others without further instructions.

Fill out the Accident Report Form.

The Vice President/PDE will notify parents of the emergency as soon as possible.

If a student is taken to an emergency medical facility, parents will be instructed to meet the ambulance at the facility.

If the Paramedics determine the situation does not warrant use of their service, the parents will be notified about the incident. The parents may make the decision to seek further medical treatment.

If the parents wish to use a private ambulance, they will be advised that they are responsible for the cost.

BOMB THREATS

Employees receiving or discovering a bomb threat or similar emergency should consider the situation as a serious threat to the safety of St. Patrick School. NOTE: *Do not use radios. Radio transmission may set off a bomb.*

RESPOND TO SITUATION AS OUTLINED IN CMP

1. Notify the Vice President/PDE immediately. Do not call or involve others without further instructions.
2. The VPS/DE will initiate telephone notification to the President of School and Police.
3. If directed by the Police, an EMERGENCY EXIT of the buildings will be initiated.

If the bomb threat is received by telephone, ask the caller these questions:

- When will the bomb explode?
- Where has the bomb been placed?
- What does the bomb look like?
- What kind of bomb is it?
- Why was it placed in this building?
- Who put it here?
- Who are you?

Keep the caller on the phone as long as possible. Record the following information for police and school administration:

- time of the call
- date of the call
- exact words of the caller
- gender and age of the caller
- caller's speech pattern or accent
- any back ground noises

If the object is received by mail, do not handle the package unnecessarily. If a suspicious object is discovered, do not attempt to touch or move the object.

BEGIN EMERGENCY PROCEDURES

- Notify Vice President/PDE from a phone outside the building
- Evacuation of building/ grounds as necessary
- Call 911
- Secure the area to prevent re-entry.
- Follow the building's emergency plan as you wait for EMP.
- Vice President/DE will notify required authorities.

FIRE

DETERMINE THE SERIOUSNESS OF THE SITUATION.

USE EMERGENCY PROCEDURES (CALL 911)

RESPOND TO SITUATION AS OUTLINED IN CMP

Activate the school fire alarm system and evacuate the buildings

1. If telephone is out of service, use a cell phone to call 911 AND notify the VPS/DE.
2. Follow Fire Emergency Procedures below.
3. After implementing Fire Emergency Procedures, VPS/DE will be responsible for required notification.
4. Do not re-enter the building unless all clear signal has been sounded
5. If building cannot be re-entered, wait for further instructions.

FIRE EMERGENCY PROCEDURES

Every classroom's evacuation plan is to be posted on a wall near an exit door.

1. Sound the fire alarm.
2. Evacuate immediately according to emergency procedure.
3. The teacher ensures that no one is left behind. Shut classroom doors. DO NOT CLOSE windows. Take roll book.
4. Classes line up at rally point areas according to Evacuation procedures. However, classes should be prepared to take directions for alternate areas depending on the placement of fire trucks and equipment.
5. The teacher checks to see if all are present. If a student is found missing, the teacher must immediately report the missing student to the VPS. Use assigned patrol inspectors to carry messages between teachers and the Vice-President of School.

THREATS, SUICIDE OR DEATH

1. Any note or threat should be taken seriously. The Vice-President of School should be notified immediately.
2. Upon notification, the VPS/DE will evaluate the situation; begin Emergency procedures if necessary, make appropriate contacts to Pastor, authorities and alternate support services as needed.
3. Local suicide crisis line. 521-4555 (Oahu)

4. Catholic Social Services
5. Implement the Crisis Assistance Team.

PROCEDURE AFTER A DEATH ON CAMPUS OCCURS

First Day

- a) Begin and end the day with a faculty meeting.
- b) Assign roles.
- c) Set up a crisis center in available room/office.
- d) Have the VPS/DE explain facts to students.
- e) Have VPS/DE or designee visit each decedent's classes.
- f) Gather the decedent's personal property to be returned later.
- g) Provide for individual counseling.
- h) Notify community support agencies if needed.

Second Day

- a) Begin with a faculty meeting to review the situation, including feelings of students and staff. Stress normalizing the routine as much as possible.
- b) Review procedures for excused absences and discuss questions regarding a memorial service and the funeral.
- c) Continue faculty crisis support.

If possible, schedule an in-service meeting for the staff to review skills for working through grief and, if death was a suicide, review risk factors, how to diffuse and alleviate guilt, and how to respond to questions and feelings about suicide.

Review or provide a list of crisis services and phone numbers for referral to parents or students.

Third Day

- a) The VPS and Crisis Team will meet.
- b) The VPS/DE will provide a written announcement to be read by staff concerning funeral arrangements. Make faculty aware of the details so they can answer questions that may arise.
- c) The VPS or an appointed staff member will visit or communicate expressions of sympathy to the family.
- d) The VPS and teachers will monitor at-risk students and, if appropriate, begin referrals for continued support.
- e) If death resulted in a high level of community awareness or media coverage, the Vice President will schedule an evening meeting to answer questions.

Follow-up

The Vice-President of School will

- a) Arrange for the return of the decedent's personal property to the family.
- b) Remind faculty to be aware that students may question the spiritual of death.
- c) Provide a list of emergency agencies and phone numbers to the parents of the student body.
- d) Schedule a staff meeting to discuss the interventions that took place and remind people to continue to monitor the behavior of students.

HAZARDOUS WASTE, CHEMICALS

Any situation that might pose a possible threat to the safety or security of personnel or to the continued operation or fiscal stability of the schools shall be reported immediately to the Vice- President of School. Any situation which poses a hazard or which may be detrimental to St. Patrick School must be reported. Upon notification of such a situation, the President or Vice- President of School shall determine whether the Crisis Management Team (CMT) should be convened.

DETERMINE THE SERIOUSNESS OF THE SITUATION.

THE VPS/DE WILL DIRECT THE CONTACT FOR EMERGENCY RESPONSE TELEPHONE NUMBER ON SHIPPING PAPER FIRST, OR REFER TO:
CHEMTREC (1-800-424-9300); CHEM-TEL, INC. (1-800-255-3924);

1. INFOTRAC (1-800-535-5053) OR 3E COMPANY (1-800-451-8346)
2. ISOLATE SPILL OR LEAK AREA IMMEDIATELY FOR AT LEAST 25 TO 50 METERS (80 TO 160 FEET IN ALL DIRECTIONS).
3. KEEP UNAUTHORIZED PERSONNEL AWAY.
4. STAY UPWIND.
5. KEEP OUT OF LOW AREAS. RUN-OFF MAY POLLUTE WATERWAYS.

GASES – FLAMMABLE (PROPANE)

1. Health Precautions
2. Vapors may cause dizziness or asphyxiation without warning.
3. Some may be irritating if inhaled at high concentrations.
4. Contact with gas or liquefied gas may cause burns, severe injury and/or frostbite.
5. Isolate spill or leak area immediately for at least 50 to 100 meters (150 to 330 feet) in all directions.
6. Keep unauthorized personnel away.
7. Stay upwind.
8. Many gases are heavier than air and will spread along ground and collect in low or confined areas (sewers, basements, tanks).
9. Keep out of low areas.

CHEMICAL SUBSTANCES – TOXIC (NON-COMBUSTIBLE)

1. Health Precautions
2. Highly toxic, may be fatal if inhaled, swallowed or absorbed through skin.
3. Avoid any skin contact.
4. Effects of contact or inhalation may be delayed.
5. Fire may produce irritating, corrosive and/or toxic gases.
6. Runoff from fire control or dilution water may be corrosive and/or toxic and cause pollution.

HOSTAGE SITUATION

This is a Level 3 Disruption. Immediate notification of VPS/DE.

Any situation that might pose a possible threat to the safety or security of personnel or to the continued operation or fiscal stability of the schools shall be reported immediately to the Vice- President of School. Any situation which poses a hazard or which may be detrimental to St. Patrick School must be reported. Upon notification of such a situation, the President or Vice-President of School shall determine whether the Crisis Management Team (CMT) should be convened.

1. Do not call or involve others without further instructions
2. The VPS/DE will initiate telephone notification of President of School and Police.
3. The President and Vice President of School/DE will determine if it is necessary to assemble the CMT.
4. If directed by the Police, an EMERGENCY EXIT of the buildings will be initiated.

INTRUDER ON CAMPUS

Any situation that might pose a possible threat to the safety or security of personnel or to the continued operation or fiscal stability of the schools shall be reported immediately to Vice- President of School. Any situation which poses a hazard or which may be detrimental to St. Patrick School must be reported. Upon notification of such a situation, the President or the Vice-President of School shall determine whether the Crisis Management Team (CMT) should be convened.

1. Notify the VPS/DE immediately. Do not call or involve others without further instructions.
2. The Vice President/PDE will initiate telephone notification of the President of School and Police.
3. The President and/or VPS/DE will determine if there is a need to assemble the CMT.
4. If directed by the Police, an EMERGENCY EXIT of the buildings will be initiated.

WEAPONS

Any situation that might pose a possible threat to the safety or security of personnel or to the continued operation or fiscal stability of the schools shall be reported immediately to the Vice- President of School. Any situation which poses a hazard or which may be detrimental to St. Patrick School must be reported. Upon notification of such a situation, the President or Vice-President of School shall determine whether the Crisis Management Team (CMT) should be convened.

A student is expected to obey all state and civil laws. Carrying of dangerous weapons or items construed as weapons (i.e., pocket knives, razors, sharp objects, etc.) are misdemeanor offences according to state law.

1. Notify the Vice-President of School immediately. Do not call or involve others without further instructions.
2. The VPS will initiate telephone notification of the President of School and Police.

MEDIA PROCEDURES

The President of School will request the VPS/DE to direct a statement to all personnel and others on the campus. This statement will specify the nature of the crisis situation and advise of the desired action to be taken.

The statement will immediately be furnished to the VPS and Level Moderators. If circumstances permit, it will be furnished in writing, if not, via telephone and/or facsimile transmission or other such means as are practical. VPS and Level Moderators upon receiving notification of a campus crisis, is to pass the same information along to their teachers and/or staff.

The School will remain operational as long as circumstances permit. Outside inquiries to St. Patrick personnel should be referred to the Vice-President of School. In the absence of phone services, employee resources will be provided for crisis notification (contingent on available personnel).

IMPLEMENTATION OF POLICY

1. The Vice President is designated as the spokesperson, unless otherwise stated by the President, to represent the school in communication with the media. Other persons may also represent the school in interviews but only with the approval of the President or Vice-President of School or Director of Education or designated spokesperson.
2. Every contact with a journalist must be documented on a Media Contact Sheet and archived in the VPS/DE Office.

The Vice-President of School will review with teachers the summary presented below in order to be familiar with the following issues. The Vice-President or President of School are to be contacted immediately to determine whether legal advice should be attained by an attorney for specific situations described below or other legal issues which are not covered by the topics listed. The sections below discuss personnel policy regarding allegations and what lay employees need to know.

I. SEXUAL MISCONDUCT

A. Introduction

- 1. Purpose and Scope:** The issue of unethical sexual conduct is a long-standing problem in society. Within the Church, this concern has caused serious damage to the whole Body of Christ. It has harmed the innocent and undermined trust. Therefore, a pressing need has arisen to acknowledge and address the problem of unethical sexual conduct by clergy, religious, church employees and volunteers. At the same time, the Church must protect the rights of both the accuser and the accused. The Church forbids all sexual harassment and sexual misconduct toward or by its lay employees. The entire Church must create an atmosphere where silence, ignorance and minimization are overcome by truth, Christian love and respect.
- 2.** These personnel policies set forth procedures to be followed whenever allegations or incidents of sexual harassment in the workplace or sexual misconduct have occurred involving lay employees.¹ These policies apply to all diocesan organizations and institutions, all parishes and their activities including Catholic schools, and any other Catholic institutions affiliated with the Dioceses of Honolulu or any parish in its territory.
- 3.** Norms for clerics² and those preparing for ordination³ are treated in C. Norms Regarding Allegations: What All Clerics Need to Know.
- 4. Publication of these Policies:** All lay employees of the Church are to be informed of these policies before the commencement of their service. Acknowledgement of these policies shall be made in writing. Such written acknowledgements shall be maintained by St. Patrick School Safe Environment Office and the employee file.

¹ *Ministry* means any activity carried out in the name of the Church on behalf of any person by any clergy, religious, lay employee, volunteer or contractor. Such activity includes but is not limited to counseling, spiritual direction, confession, teaching, worship, service, coaching and social activities.

² *Clerics* refers to all priests and deacons, both diocesan and religious.

³ Those in formation include both seminarians and men in formation for the permanent diaconate.

5. **Education:** The Vice-President of School and the Safe Environment Office shall arrange programs and seminars for training and education on issues of interpersonal boundaries, sexual harassment and sexual misconduct. Participation in such programs and seminars **is mandatory** for lay employees while in the course of employment.
6. **Background Check:** All lay employees, especially those in ministry with minors per the Safe Environment program shall be subject to a pre-employment background and reference check. This will include a criminal history record check as permitted by federal and state law for any history of sexual misconduct involving minors.
7. **Board of Directors of St. Patrick School:** To the extent referenced in this policy, The President and Vice-President of School conduct all investigations of sexual harassment allegations or sexual misconduct.

II. SEXUAL HARASSMENT

1. **Sexual Harassment:** Sexual harassment is a term applicable to the workplace under US and Hawaii employment law. It is commonly defined as unwanted sexual advances or other unwanted or offensive visual, verbal or physical conduct of a sexual nature by one adult toward another adult. (Any act of sexual harassment toward a minor is also an act of sexual misconduct, which is treated in section III below.) Sexual harassment includes but is not limited to:
 - Unwanted sexual advances or propositions
 - Offering jobs, promotions or benefits in exchange for sexual favors
 - Threatening to demote, fire or withhold benefits if an employee protests, refuses or ignores sexual advances
 - Visual conduct such as leering, making sexual gestures or displaying sexually suggestive objects, pictures, cartoons or posters
 - Verbal conduct such as making or using derogatory comments, epithets, slurs or jokes
 - Verbal abuse of a sexual nature such as graphic commentaries about an individual's body
 - Sexually degrading words used to describe an individual
 - Suggestive or obscene letters, notes or invitations
 - Unwanted physical conduct such as touching, assault, impeding or blocking movements⁴
2. Sexual harassment is completely prohibited by or toward all employees, clerics, religious, volunteers, contractors and any other individual or group while performing service for the Church. Sexual harassment is unacceptable on ecclesiastical property, at ecclesiastical events held at other locations and on church-related trips. All complaints

⁴ Definition of sexual harassment from the Hawai'i Civil Rights Commission. See Appendix 1 for complete text of civil law.

of sexual harassment are to be investigated and acted upon promptly according to the following process.

- a) **Confrontation of the Offender:** Any individual who believes that he or she is being harassed has a right to firmly and promptly notify the offender that his or her behavior is unwelcome and inappropriate. The offender is to stop the offensive behavior immediately.

- b) **Reporting:** Power and status disparities between an alleged harasser and the subject of harassment may make such confrontation ineffective or undesirable. If, in the judgement of the person being harassed, such informal, direct communication between individuals is ineffective or undesirable, the subject of harassment is urged to report the alleged harassment. Individuals who believe they have been or currently are being harassed are encouraged, but not required, to report such harassment immediately pursuant to Step 3 or Step 4. Individuals may wish to document the allegations in writing. A report may also be made by a third party who has certain knowledge of the situation. Reports are to be made as follows:
 - For lay employees working for St. Patrick School, the report of sexual harassment is to be made to the Vice-President of School.⁵
 - For lay employees working in the parishes, the report of sexual harassment is to be made to the Pastor or the Director of Education.
 - For lay employees working for Catholic schools and other Catholic organizations or institutions subject to this policy, the report of sexual harassment is to be made to the Vice-President of School or a designated person appointed by the President of School.
 - The subject of the alleged harassment also has the right to report to the bishop. The bishop will then refer the situation to the appropriate persons.

 - **Protection from Retaliation:** No lay employee is in any way to retaliate against an individual who makes a report of sexual harassment. Any acts of retaliation are to be reported immediately, as above. Any person found to have retaliated against someone for reporting sexual harassment will be subject to disciplinary action, including the possibility of termination from employment or contract.

- c) **Informal Resolution:** With the consent of the person making the complaint, the Vice-President of School or designated representative receiving the complaint may attempt to resolve the matter in an informal manner. If this can be accomplished then the Vice-President of School or designated representative is to write a summary of the complaint and the resolution and send it to the human

⁵ If the Vice-President of School is absent or recuses him or herself, then the employer (President of School) is to appoint another person to handle those responsibilities.

resource director, who is to maintain copies of the reports. The documentation will result in the President, Vice-President of School and/or designated representative being aware of any pattern of harassment by particular individuals.

- d) Formal Complaint:** The complainant may make a formal complaint either verbally or in writing. It is helpful to the process for the complainant to be as detailed as possible regarding the identity of the accused, the nature of the acts, the time and place of the acts and special circumstances surrounding the acts (e.g., use of drugs or alcohol, force or threats, gifts or promises). If the complainant makes the complaint verbally, the authority receiving the complaint is to document the details of the complaint, which the authority is to sign and date. The complainant is encouraged, but not required, to review the written report for accuracy and sign it. Even if the person making the complaint does not sign the document, the claim will still be investigated.
- e) The Investigation:** Any allegation of sexual harassment is to be promptly investigated in a manner that protects the privacy and reputation of the persons involved. Privacy will be maintained for the complainant and the accused throughout the investigation to the extent appropriate under the circumstances and subject to the requirements of applicable federal, state and canon law.
- The complaint will be investigated by the appropriate leadership person, such as the Vice-President or President of School or designated representative as appropriate. The President or Vice-President of School may refer situations that they do not wish to handle to a designated representative. In more difficult situations, the services of an outside investigator may be used.
 - In pursuing the investigation, the wishes of the complainant are to be considered. Nevertheless, the person conducting the investigation should thoroughly probe the matter as he or she sees fit.
 - The accused has the right to a right of defense, which means that he or she must be fully informed of the allegation and evidence against him or her.
- f) Making the Determination:** In making a determination about whether a violation of these policies has occurred, the person conducting the investigation may consult the Board of Directors of St. Patrick School. He or she is also free to seek the advice and counsel of the human resource director, civil attorney, or other resources.
- If the person conducting the investigation finds that a violation of these policies has occurred, the harasser will be subject to appropriate disciplinary action, depending on the severity of the case, and reasonably calculated to prevent further inappropriate conduct. The following are possible disciplinary sanctions:
 1. Rebuke of the offender and warning that a further infraction could result in termination
 2. Withholding of future raise or promotion

3. Reassignment or demotion in employment position
 4. Suspension of employment, including possible suspension without pay
 5. Termination from employment or contract
 6. Exclusion from future service
- In situations where a violation of these policies has occurred, it is recommended that the harasser to be referred for voluntary therapeutic counseling or other professional training, as the situation dictates.
 - In all situations, a written summary of the findings of the investigation and the sanctions imposed will be placed in the person's employment file or volunteer record. A copy of the written complaint and the summary of the findings and sanction imposed are to be sent to the Human Resource person. The human resource director will also maintain records of the findings and sanctions imposed. In situations where it was determined that no sexual harassment occurred, the reasons for this finding will be included in the report.
 - The complainant will be notified of the conclusions and any sanctions imposed.

g) Knowingly False Allegations: If an investigation results in a conclusion that the complainant falsely and knowingly accused another of sexual harassment, the complainant will be subject to possible sanction, including the possibility of termination of employment or contract. Efforts will then need to be made to restore the good name of the accused, as needed.

III. SEXUAL MISCONDUCT/ABUSE

1. **Sexual Misconduct:** Sexual misconduct is defined as any sexual conduct which is contrary to the doctrine or moral teaching of the Catholic Church and any sexual conduct proscribed by the laws of the state of Hawaii. Sexual misconduct included the following:

- **Sexual misconduct involving an Adult:** This form of misconduct between adults may involve activities which are sexual in nature to include sexual touching, lewd talk or jokes, displaying sexual images, indecent exposure, rape or prostitution.
- **Sexual exploitation of an Adult:** This form of sexual misconduct involves any kind of sexual interaction between adults involving a power, knowledge or gratification disparity. *A power disparity* can derive from an unequal role relationship (such as counseling), from advanced age, from the size of the offender or from the manipulative skills of the offender. *A knowledge disparity* can derive from situations where the offender is older, more intelligent or more developmentally advanced mentally, emotionally or psychologically. *A gratification disparity* is due to the fact that primary purpose of the sexual activity is to obtain gratification for the perpetrator and not primarily mutual gratification.

- **Sexual abuse of a minor:** It is any sexual activity with a child or adolescent under the age of 18 by an adult. Of their nature, they include power, knowledge and gratification disparities. Sexual abuse of a minor can involve sexual touching, lewd sexualized talk, exposure to genitals or indecent images, rape, incest, prostitution, pornography or possession of pornography involving minors. It may occur over short or long periods of time and may be accompanied by varying levels of coercion or even physical violence. ⁶ In canon law, a person who habitually lacks the use of reason is considered equivalent to a minor (canon 99).
- **Sexual misconduct** by any lay employee in any capacity for the Church is completely prohibited.
- a) **Contacting Public Authorities:** If the complaint involves a violation of Hawai'i criminal law such as abuse in any form of a minor, the police or Hawai'i Department of Human Services/Child Welfare Services are to be contacted immediately in accord with the law of the State of Hawai'i. ⁷ If the person making the complaint fails to contact the public authorities, then the President or Vice-President of School who first know of the complaint is to do so. If that person fails to contact public authorities, then the Board of Directors of St. Patrick School will do so. See Appendix 2 for the Hawai'i Sexual Assault Statutes to determine when public authorities should be contacted. All involved are to cooperate fully with all authorities investigating a complaint.
- The President and Vice-President of School may designate a representative to assist the public authorities and to be present at meetings between the public authorities and the accused, if permitted.
- At the earliest opportunity, the President and Vice-President of School (or delegate) will see that the accused is informed of the following:
 - a) That the Board of Directors of St. Patrick School does not represent the accused
 - b) That the accused has the right to retain his or her own civil or canonical legal counsel
 - c) Whether such counsel will be provided at the Board of Directors of St. Patrick School or at St. Patrick School expense

⁶ The Federal Child Abuse Prevention and Treatment Act's definition of sexual abuse states: "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 simulation of such conduct for the purpose of producing a visual depiction of such conduct; or the rape, and in cases of caretaker or interfamilial relationships, statutory rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children" (42 US Code Annotated § 5106g [4] [2003]).

⁷ These reporting requirements are in addition to civil requirements that apply to mandated reporters (see Chapter 350 of the Hawai'i Revised Statutes in Appendix 3).

- **Reporting to the President and Vice-President of School:** All allegations of sexual misconduct situations must be reported to the President and Vice-President of School. If the Pastor/President and Vice-President of School or other supervisors first receive the allegation, they will forward the complaint to the Board of Directors of St. Patrick School, who will then guide the process of evaluation and investigation.
- **Protection from Retaliation:** No lay employee is in any way to retaliate against an individual who makes a report of sexual misconduct. Any acts of retaliation are to be reported immediately to the President and/or Vice-President of School. Any person found to have retaliated against another individual for reporting sexual misconduct will be subject to disciplinary action, including the possibility of termination from employment.
- **Precautionary Measures:** In conjunction with the initial evaluation or at any stage of the process, to prevent scandals, to protect the freedom of witnesses and to guard the course of justice, the President and Vice-President of School may impose precautionary measures such as temporary removal from service while the complaint is evaluated.
- **Initial Evaluation:** The President and Vice-President of School and in certain situations with the Board of Directors of St. Patrick School, will make an initial evaluation of whether the complaint has the semblance of truth. The President and Vice-President of School is to consider, among other things, the facts alleged in the complaint and the circumstances surrounding them, the credibility of the accuser and the internal consistency of the complaint itself in making this initial evaluation. This is not a determination for or against the guilt of the accused but to eliminate manifestly false or frivolous allegations. When an allegation has proven to be unfounded but is publicly known, every step possible will be undertaken to restore the good name of the person falsely accused.
 - a) ***Manifestly False or Frivolous Allegations:*** After consultation, if President and Vice-President of School (or delegate) determines that the complaint does not have at least the semblance of truth, after consultation with the Board of Directors of St. Patrick School, no action will be taken. The complainant is to be informed of the outcome and the accused, if he or she is aware of the allegation, is to be informed of the outcome. (If an allegation is later found to be manifestly false or frivolous as a result of the preliminary investigation, this norm also applies then.)
- **Investigation:** All credible complaints of sexual misconduct will be referred to a team for investigation. If possible, one member of the investigative team shall be an individual who has expertise in dealing with sexual misconduct. Another member of the team will ordinarily be the Vice-President of School.

- a) The investigation will inquire about the facts, circumstances and imputability of the accused. The investigation may be deferred if criminal investigations or civil action are pending. Any investigation may also need to be suspended in accord with the law of the State of Hawai'i in situations involving the sexual abuse of minors until after the police or the Hawai'i Department of Human Services/Child Welfare Services completes its investigation.
 - b) Keeping in mind that the accused has the right to privacy and the right to a good reputation, at least until an act is proven, the investigation team will contact the accused and tell him or her of the nature of the allegation and by whom it was made. The accused must be fully informed of the allegation so that he or she can exercise his or her right of defense. Remind the accused of the prohibition of retaliation for making a complaint of sexual misconduct. The team will take the statement of the accused.
 - c) The findings by the investigative team will be submitted to the President and Vice-President of School and in certain situations the Board of Directors of St. Patrick School. The report will include the opinion of the investigators regarding whether sexual misconduct has occurred and their reasons for their opinion.
- **Conclusion:** The President and/or Vice-President of School will review the results of the investigation and give the accused an opportunity for self-defense. If sexual misconduct is established or admitted, a penalty will be imposed including the following:
 1. Withholding of future raise or promotion
 2. Reassignment or demotion in employment position
 3. Disqualification from future service including volunteer work
 4. Suspension of employment or contract, including possible suspension without pay
 5. Termination from employment or contract
 - The complainant is also to be informed of the results as soon as possible.

IV. CHILD ABUSE

1. Background

Child abuse and neglect generally means the acts or omissions of any person or entity who is in any manner or degree related to the child, is residing with the child, or is otherwise responsible for the child's care, that have caused the physical or psychological health or welfare of a minor child to be harmed, or to be subject to any reasonably foreseeable, substantial risk of being harmed. Teachers, Staff and Administrators, are obligated to report suspected child abuse.

2. Procedure for Reporting Child Abuse and Neglect

- a) Teachers, Staff and Administrators should review Section 350.1 of the Hawai'i Revised Statutes on the next page, and familiarize themselves with the types of injuries and ailments which are associated with child abuse and neglect.
- b) Teachers and staff members shall immediately notify the Vice-President of School of any suspected child abuse or neglect.
- c) The Vice-President of School shall immediately report verbally suspected child abuse and neglect to the Department of Human Services of the State of Hawai'i and should immediately notify the President of School.
- d) As soon as reasonably possible, the Vice-President must submit a written report to the Department of Human Services of the State of Hawai'i.
- e) The written report shall contain the name and address of the child and the child's parents or other persons responsible for the child's care, the child's age, the nature and extent of the child's injuries, and any other information that the reporter believes might be helpful or relevant to the investigation of the child abuse or neglect.
- f) Upon request from the Department of Human Services of the State of Hawai'i, or the police, the school shall provide all information related to the alleged incident of child abuse and neglect including but not limited to, medical records and medical reports, if applicable. (refer to Appendix ??? for Mandated Reporter checklist and reporting form)

Chapter 350
Child Abuse
Hawai'i Revised Statutes

Nothing in this chapter prevents the issuance of a search warrant based on information obtained by the department or the police while investigating an abuse case. 70 H, 627, 780 P. 2d 1103.

§ 350-1. Definitions

For the purpose of this chapter, unless the context specifically indicates otherwise:

“Child abuse or neglect” means the acts or omissions of any person who, or legal entity which, is in any manner or degree related to the child, is residing with the child, or is otherwise responsible for the child’s care, that have resulted in the physical or psychological health or welfare of the child, who is under the age of eighteen (18), to be harmed, or to be subject to any reasonably foreseeable, substantial risk of being harmed. The acts or omissions are indicated for the purposes of reports by circumstances that include but are not limited to:

1. When the child exhibits evidence of:
 - A. Substantial or multiple skin bruising or any other internal bleeding;
 - B. Any injury to skin causing substantial bleeding;
 - C. Malnutrition;
 - D. Failure to thrive;
 - E. Burn or burns;
 - F. Poisoning;
 - G. Fracture of any bone;
 - H. Subdural hematoma;
 - I. Soft tissue swelling;
 - J. Extreme pain;
 - K. Extreme mental distress;
 - L. Gross degradation
 - M. Death; and such injury is not justifiably explained, or when the history given concerning such condition or death is at variance with the degree or type of such condition or death, or circumstances indicate that such condition or death may not be the product of an accidental occurrence; or
2. When the child has been the victim of sexual contact or conduct, including, but not limited to, sexual assault as defined in the Penal Code, molestation, sexual fondling, incest, or prostitution; obscene or pornographic photographing, filming, or depiction; or other similar forms of sexual exploitation; or

3. When there exists injury to the psychological capacity of a child as is evidenced by an observable and substantial impairment in the child's ability to function; or
4. When the child is not provided in a timely manner with adequate food, clothing, shelter, psychological care, physical care, medical care, or supervision; or
5. When the child is provided with dangerous, harmful, or detrimental drugs as defined by section 712-1240; provided that this paragraph shall not apply when such drugs are provided to the child pursuant to the directions or prescription of a practitioner, as defined in section 712-1240.

“Department” means the Department of Human Services.

“Report” means the initial oral statement and, if required by section 350-1.1 (c), the subsequent written account concerning the facts and circumstances which cause a person to have reason to believe that child abuse or neglect has occurred or that there exists a substantial risk that child abuse or neglect may occur in the reasonably foreseeable future. [L.1982, c 77, §1; am L. 1887, c 204, §and c. 339. §4; am L. 1988, c 141, §29]

Revision Note

Section “350.1.1 (c) “substituted for “350-1.1 (d).”

§350-1.1 Reports

- (a) Notwithstanding any other state law concerning confidentiality to the contrary, the following persons who, in their professional or official capacity, have reason to believe that child abuse or neglect has occurred or that there exists a substantial risk that child abuse or neglect may occur in the reasonably foreseeable future, shall immediately report the matter orally to the department or to the police department:
 - (1) Any licensed or registered professional of the healing arts and any health-related occupation who examines, attends, treats, or provides other professional or specialized services, including, but not limited to, physicians, including physicians in training, psychologists, dentists, nurses, osteopathic physicians and surgeons, optometrists, chiropractors, podiatrists, pharmacists, and other health-related professionals;
 - (2) Employees or officers of any public or private school;
 - (3) Employees or officers of any public or private agency or institution, or other individuals, provided social, medical, hospital, or mental health services, including financial assistance;

- (4) Employees or officers of any law enforcement agency, including, but not limited to, the courts, police departments, correctional institutions, and parole or probation officers;
 - (5) Individual providers of child care, or employees or officers of any licensed or registered child care facility, foster home, or similar institutions;
 - (6) Medical examiners or coroners; and
 - (7) Employees of any public or private agency providing recreational or sports activities.
- (b) Whenever a person designated in subsection (a) is a member of the staff of any public or private school, agency, or institution, that staff member shall immediately notify the person in charge, or a designated delegate, who shall immediately report, or cause reports to be made, in accordance with this chapter.
 - (c) The initial oral report shall be followed as soon as possible by a report in writing to the department. If a police department is the initiating agency, a witness report shall be filed with the department for cases that the police take further action on or for active cases in the department under this chapter.
 - (d) Any person subject to subsection (a) shall, upon demand of the department or any police department, provide all information related to the alleged incident of child abuse or neglect, including, but not limited to, medical records and medical reports, which was not included in the written report submitted pursuant to subsection (c).
 - (e) The director may adopt, amend, or repeal rules, subject to chapter 91, to further define or clarify the specific forms of child abuse or neglect enumerated in section 350-1 for use in implementing this chapter; provided that rules adopted under this subsection shall be limited to such further or clarifying definitions. [L.1967, c 261, §2; HRS §350-1; am L.1970, c21, §1; am L. 1977, c 81, §2; am L. 1979, c 171, §1; am L. 1981, c 59, §1; ren and am L 1982, c 77, §2, am L. 1985, c 17, §1 and c 208, §3, am L. 1987, c 204, §4 and c 339, §4; am L 1988, c 323, §2]

Cross References

Criminal offense of promoting child abuse, see §§ 707-750, 751.

[§ 350-1.15] Orientation and Training

To improve the identification of child abuse and neglect, the department shall offer periodic orientation and training to those responsible for making child abuse and neglect reports pursuant to section 350-1.1. [L. 1988, c 323, §1]

[§ 350-1.2] Non-reporting; penalty

Any person subject to section 350.1.1 (a) who knowingly prevents another person from reporting, or who knowingly fails to provide information as required by section 350.1.1 (c) or (d), shall be guilty of a petty misdemeanor. [L. 1985, c 17, 83; am L. 1987, c 204, §5 and c 339, §4]

[§ 350-1.3] Any person may report

Any person, not otherwise required to report pursuant to section 350-1.1, who becomes aware of facts or circumstances which cause that person to have reason to believe that child abuse or neglect has occurred or that there exists a substantial risk that child abuse or neglect may occur in the reasonably foreseeable future, may immediately report the matter orally to the department or to the police department. [L. 1987, c 204, §1]

[§ 350-1.4] Confidentiality

(a) All reports to the department concerning child abuse or neglect made pursuant to this chapter, as well as all records of such reports are confidential. The director may adopt rules, pursuant to chapter 91, to provide for the confidentiality of reports and records and for the authorized disclosure of reports and records. Any person who intentionally makes an unauthorized disclosure of a report or record made to the department shall be guilty of a misdemeanor.

(b) Every reasonable good faith effort shall be made by the department to maintain the confidentiality of the name of a reporter who requests that the reporter's name be confidential. [L 1987, c 204, § 2]

[§ 350-2] Action on reporting

(a) Upon receiving a report concerning child abuse or neglect, the department shall proceed pursuant to chapter 587 and the department's rules.

(b) The department shall inform the appropriate police department or office of the prosecuting attorney or the relevant information concerning a case of child abuse or neglect when such information is required by the police department or the office of the prosecuting attorney for the investigation or prosecution of that case; provided that the name of a reporter, who requested that the reporter's name be confidential, shall only be released to a police department or an office of the prosecuting attorney pursuant to court order.

(c) The department shall maintain a central registry of reported child abuse or neglect cases and shall promptly expunge the reports in cases if:

- (1) The department has found the reports to be unsubstantiated; or
- (2) The petition arising from the report has been dismissed by order of the family court after an adjudicatory hearing on the merits pursuant to chapter 587.

For purposes of expungement under paragraph (1), a report is unsubstantiated only when the department has found the allegations to be frivolous or to have been made in bad faith.

However, the department may retain records and information of alleged child abuse and neglect with respect to the child that is the subject of the alleged abuse.

The department shall adopt rules as may be necessary in carrying out this section. [am L. 1998, c 134, §5]

Cross Reference

Rulemaking, see chapter 91; Vexatious Litigants, see chapter 634J

[§ 350-3] Immunity from Liability

(a) Anyone participating in good faith in the making of a report pursuant to this chapter shall have immunity from any liability, civil or criminal, that might be otherwise incurred or imposed by or as a result of the making of such report. Any such participant shall have the same immunity with respect to participation in any judicial proceeding resulting from such report.

(b) Any individual who assumes a duty or responsibility pursuant to section 350-2 or chapter 587 shall have immunity from civil liability for acts or omissions performed within the scope of the individual's duty or responsibility. Nothing in this section shall limit the liability of the department, any other state agency, or any private organization for the conduct of individuals provided immunity herein. [L. 1967, c 261, §4; HRS §350-3; am L. 1986, c 229, §1; am L. 1987, c 204, §7 and c 339, §4]

[350-4] REPEALED: L. 1992, c 200, § 1.

[350-5] Admissibility of Evidence

The physician-patient privilege, the psychologist-client privilege, the spousal privilege, and the victim-counselor privilege shall not be grounds for excluding evidence in any judicial proceeding resulting from a report of child abuse or neglect pursuant to this chapter. [L. 1967, c 261, §6; HRS §350-5; am L. 1987, c 204, §8; am L. 1992, c 217, §3]

Cross References

Physician-patient privilege, see §626-I, rule 504

Psychologist-client privilege, see §626-I, rule 504-1

Spousal privilege, see §626-I, rule 505

[§§ 350-6, 7] REPEALED: L. 1987, C 204, §§ 9, 10.

V. COOPERATION WITH THE POLICE (*Policy 5044*)

A. School Cooperation with the Police

- 1.** The President, Vice-President of School, teachers and staff must cooperate if the police have a search warrant or are arresting a student.
- 2.** If the police wish to ask a student questions during school hours, the President and Vice-President of School should cooperate within reason.
 - a. The Vice-President of School, teachers and staff can ask that the police wait until the conclusion of a class to interview a student.
 - b. The Vice-President of School, teachers and staff can ask that the police interview the student in an office in order to protect the student's privacy rights.
 - c. The Vice-President of School, teachers and staff should suggest that they, rather than the police, escort a student to the designated office to be interviewed.

VI. THE AMERICANS WITH DISABILITIES ACT OF 1990 (“ADA”) (Policy 6002.1)

A. Background

The ADA is designed to eliminate discriminatory policies, practices and physical barriers affecting disabled persons in the areas of employment, public services, public accommodations and services operated by private entities and telecommunications. The Church and all affiliated employers are required to comply with the ADA as it relates to discrimination in employment.

The policy of St. Patrick School does not discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment.

Additionally, the ADA requires employers to reasonably accommodate qualified individuals with disabilities. It is the policy of St. Patrick School to comply with all federal, state, and local laws concerning the employment of persons with disabilities. St. Patrick School will reasonably accommodate qualified individuals with a disability to that they can perform the essential functions of the job in question.

An individual who can be reasonably accommodated for the job in question, without undue hardship, will be given the same consideration for that position as any other employee or applicant.

All employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of other individuals in the workplace, which threat cannot be eliminated by reasonable accommodation, will not be hired. Current employees who pose a direct threat to the health and safety of the other individuals in the workplace will be placed on appropriate leave until an organization decision has been made in regard to the employee's immediate employment situation.

B. Employment

1. The President and Vice-President of School cannot require a job applicant or employee to be in "good health."
2. The President and Vice-President of School can require a job applicant or employee to comply with all state and federal health requirements.
3. Job applicants and employees with contagious diseases, including those who test positive for AIDS are protected by the ADA as long as they do not pose a direct threat to the health of themselves or others. "Direct threat" is statutorily defined under the ADA and requires medical and legal analysis.
4. Do not ask questions or make comments about an applicant's health or condition during the interview process. If you are unsure what constitutes a health problem, contact Hawaii Catholic Schools, State Department of Health, or the Department of Education of Hawaii.

C. Public Accommodations

1. The Church is generally exempt from Title III of the ADA which deals with the physical environment for public accommodations and services operated by private entities.
2. For example, the Church can operate a daycare center, a nursing home or a private school and is not required to make special renovations under the ADA.
3. The Church may be subject to Title III if it **RENTS OR LEASES** space on Church property to a non-Church entity to run a public accommodation (i.e., a daycare center, a nursing home or a private school).
4. The President, Vice-President of School and teachers must be aware that renting or leasing space to a non-Church entity may subject the Church to expensive renovations to Church property.
5. The President and Vice-President of School should check with the Board of Directors of St. Patrick School before renting or leasing space to any non-Church entities, even for a short period of time.

VII. HUMAN IMMUNODEFICIENCY VIRUS (“HIV”) (Policy 5041.5)

A. Background

HIV is a retrovirus infection with the later stages known as Acquired Immune Deficiency Syndrome (AIDS). HIV infection includes the period in which the individual has the infectious agent within the body, but feels or show no outward symptoms. For purposes of these policies and procedures, the term “HIV infection” includes any HIV-infected person, with or without symptoms or impairments, including those diagnosed as have AIDS.

It has been determined that HIV-infected students do not pose a transmission risk to others in the school setting and therefore should not be excluded from the school setting based on their HIV status.

It is the policy of St. Patrick School, that students who are infected with HIV have a right to continue their education. See Appendix ???? for procedure.

B. Confidentiality (HRS § 325)

1. All information (written or verbal) regarding an individual’s HIV status shall be treated with strict confidentiality.
2. All persons informed of a student’s HIV status may not pass this information on to anyone else without the specific written consent of the parent or legal guardians. Violations of the confidentiality may result in penalties not less than \$1,000 or more than \$10, 000 per violation.
3. Parents or legal guardians have the right to decide whether school personnel, including principals, teachers, health nurses/aides, or others should be made aware of a child’s HIV status on a need-to-know basis.

C. Education in Infection Control Using University Precautions

Education in infection control using universal precautions, which apply to all blood-borne pathogens, including hepatitis B virus (HBV) and human immunodeficiency virus (HIV), is mandated by law, and shall be initiated by school administrators for all staff to prevent the spread of disease in the school setting. Please consult the Legal Summary paragraph regarding blood-borne pathogens for guidance in developing precautions.

D. Procedures (Policy 5041.5)

1. HIV Status Information

Any individual, whether an employee or volunteer in the Catholic Schools, who is informed by a student’s parent or legal guardian of his/her child’s HIV status shall keep the information strictly confidential.

2. Confidentiality of Records/Consent Forms

All written materials (health record, release form, etc.) which contains HIV-related information on a student are strictly confidential. Any records of this nature must be kept in a locked, confidential file.

Records may be released only with prior written consent of the parent or legal guardian.

3. Coordination of School Health Services

Parents or legal guardians should be advised that in the best interest of their child's health, the school health nurse/aide (if applicable) should be informed of the HIV status of their child for the following reasons:

- a) To assist in the administration of medication during school hours, as appropriate;
- b) To notify parents or legal guardians of outbreaks of communicable diseases such as measles or chicken pox, which might adversely affect the HIV-infected immune-compromised child; and
- c) To monitor and coordinate with the primary physician regarding the child's health status when in school

4. Education for all Staff

School administrators shall encourage all staff under their supervision to participate on a regular basis in educational programs that are designed to help them understand and to make them more comfortable with persons infected with HIV.

VIII. BLOODBORNE PATHOGENS (Policy 5041.5)

A. Background

1. Blood-borne pathogens are pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to hepatitis B virus (HBV) and human immunodeficiency virus (HIV).
2. Blood-borne pathogens are present in blood and other materials such as semen and vaginal secretions, torn or loose skin and unfixed tissues or organs.
3. A person can be infected with blood-borne pathogens through open cuts, nicks, skin abrasions, dermatitis, acne, or the mucous membranes of the mouth, eyes, or nose.

B. Required Procedure to Prevent Infection (29 CFR §1910-1030)

1. Principals should create and make available, an Exposure Control Plan which:
 - a. Identifies employees that are reasonably anticipated to have contact with blood or other potentially infectious materials from the performance of the employee's duties.
 - b. Analyzes the potential hazards of each job description.
 - c. Establishes measures to reduce the risk of exposure to blood-borne pathogens on the job.
2. Have appropriate containers for the disposal of materials contaminated with blood or body fluids such as waste, towels and needles.
3. Inform employees that they should wash their hands with soap, antiseptic towelettes or antiseptic hand cleanser immediately after they remove gloves or other protective equipment or come in contact with blood or body fluids.
4. Make sure clean protective equipment such as gloves, gowns, aprons, lab coats, face shields, protective eye wear, masks, mouthpieces, and resuscitation bags or other ventilation devices are available for use by employees when appropriate.
5. Make sure areas of possible contamination are cleared and disinfected.
6. Have appropriate disposal methods to contaminated material.

APPENDIX A

Documentation for Safe Environment Representing Youth (Articles 12 and 13 of the *Charter for the Protection of Children and Young People*)

Name of School: _____

Address/City/Zip Code: _____

For the Fiscal Year Ended June 30, 20_____

Grade Level	Number of Students Enrolled	Number of Students who completed SE Training	Date(s) Trained	Number of students whose parent(s) declined to have their child participate	Parent received SE training materials? (If "no," explain in comments section)	Number of students absent	Parent received SE training materials? (If "no," explain in comments section)	COMMENTS
Preschool					Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	
Kindergarten					Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	
1					Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	
2					Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	
3					Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	
4					Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	
5					Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	
6					Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	
7					Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	
8					Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	
9					Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	
10					Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	
11					Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	
12					Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	

Please mark the curriculum resource used:

Grade(s) used (Preschool, Kindergarten, Grade 1, etc.)

<input type="checkbox"/> Circles of Care	
<input type="checkbox"/> Learning About L.I.F.E.	
<input type="checkbox"/> My Body is Special	
<input type="checkbox"/> My Body, My Boundaries	

Other curriculum resources used (write in the name of the curriculum):

Grade(s) used (Preschool, Kindergarten, Grade 1, etc.)

<input type="checkbox"/> Mc Gruff	
<input type="checkbox"/> Stop Bullying (Stand Up for Yourself and Others)	
<input type="checkbox"/> Bullying	

Describe additional activities to the requirements of the Safe Environment program to further the protection of children (e.g. Keiki I.D., participation in child abuse prevention campaign, etc.); please include dates:

Additional Comments:

TOTALS:

Total Number of Children/Youth enrolled	Total Number of Children/Youth who completed Safe Environment	Total Number of Children/Youth whose parents declined to have their child participate

I certify that the school affiliated organization has implemented the safe environment program and that the information reported here is accurate.

Name of person completing this form (*please print clearly*): _____ Title: _____

Signature: _____ Date: _____

Phone Number: _____ Email: _____

Name of Pastor or Principal (*please print clearly*): _____ Title: _____

Signature: _____ Date: _____

Required for Parishes and Schools

APPENDIX B

Documentation for Safe Environment Representing Adults

(Articles 12 and 13 of the *Charter for the Protection of Children and Young People*)

Name of School: _____

Address/City/Zip Code: _____

For the Fiscal Year Ended June 30, 20__

Provide the number of persons in each category:

To the extent possible, if persons belong in more than one category, count them in their primary category (e.g. educators who are also parents should be counted as educators; catechists who are also employees should be counted as employees).

Note: Do NOT include priests and deacons in your count; these numbers will be obtained directly from the Diocese of Honolulu's Office of Clergy.

Definitions:

Educators ó salaried teachers in diocesan and parish schools (include principals and administrators).

School Employees ó paid persons (other than teachers/principals and administrators) who are employed by and work directly for schools, including but not limited to school support staff, cafeteria staff, etc.

Volunteers/Others ó non-paid persons who have ongoing, unsupervised contact with minors, who assist the parish/school/diocesan affiliated organization, including but not limited to catechists, youth ministers, coaches, etc.

SCHOOL

	Total Number	Of Total Number, How Many Have Completed Background Screening?	Completion Date for Those <i>not</i> Background Screened	Of Total Number, How Many have completed Safe Environment Training?	Completion Date for those <i>not</i> Safe Environment Trained
SCHOOL					
Educators <i>(part & full-time)</i>					
School Employees <i>(part & full-time)</i>					
Volunteers/Others <i>(who have ongoing, unsupervised contact with minors)</i>					
SCHOOL	Use the space below to explain any gaps between the total numbers and the numbers remaining to be trained and/or complete background screening.				
Educators <i>(part & full-time)</i>					
School Employees <i>(part & full-time)</i>					
Volunteers/Others <i>(who have ongoing, unsupervised contact with minors)</i>					

I certify that the parish/school/diocesan affiliated organization has implemented the diocesan safe environment program and that the information reported here is accurate.

Name of person completing this form (*please print clearly*): _____ Title: _____

Signature: _____ Date: _____

Phone Number: _____ Email: _____

Name of Pastor or Principal (*please print clearly*): _____ Title: _____

Signature: _____ Date: _____

Required for Schools

APPENDIX C

Youth Safe Environment Curriculum and Training Resources

1. McGruff.org (Prek to Gr 8; Bullying)
2. Stopbullying.gov (Prek to Gr 8; Bullying)
3. Pacer.org (Prek to Gr 12; Bullying)
4. Circle of Care
Developed and maintained by the Diocese of Manchester, NH
PDF documents posted on the Diocese of Honolulu website:
www.catholichawaii.org
 - Introduction to Circles of Care
 - Circles of Care Preface
 - Early Years: PreK and Kinder Lesson Plan
 - Grade 1 Lesson Plan
 - Grade 2 Lesson Plan
 - Grade 3 Lesson Plan
 - Grade 4 Lesson Plan
 - Grade 5 Lesson Plan
 - Grade 6 Lesson Plan
 - Grade 7 & 8 Lesson Plan
 - High School Bullying-Harassment Lesson (English or Spanish)
 - High School Hazing Lesson Plan (English or Spanish)
 - High School Relationships Lesson Plan (English or Spanish)
 - Sexting Lesson Plan
5. Learning About L.I.F.E.
Family-based program developed by Sr. Kieran Sawyer, SSND and Dr. Kathie Amidei
Information available at:
<http://www.sisterkieransawyer.org/learning-about-l-i-f-e/>
6. Sexual Violence and Prevention Curricula and Training Program
Curriculum for Grades Kinder to 12, developed and maintained by the Sec Abuse Treatment Center
Information available at:
<http://www.satchawaii.com>

Videos for Gr 6-12

1. TMW Media Group
 - Cyberbullying
 - www.tmwmedia.com

2. QSP, Inc.
 - Stop Bullying (Standing up for Yourself and Others)
 - Bullying (What Every Adult Needs to Know)
 - www.paracletepress.com

3. Fox Pro Media
 - Dating Violence
 - Bullying
 - www.foxpromedia.com

4. Paraclete Video Production
 - A Cry for Help (How to Help a Friend Who is Depressed or Suicidal)
 - www.paracletepress.com

5. Educational Video Network (EVN)
 - Aggression, Intimidation, and Bullying (1609D)
 - Bullying, Fear, and Depression (1667D)
 - Supplemental study materials: www.edvidnet.com

6. GOCO, INC.
 - FOR ADULTS ONLY
 - Abused Kids: See It! Stop It!
 - www.gomediaco.com

APPENDIX D

Adult Safe Environment Training and Resources

1. In2vate

- Christian Brothers Risk Management Services
- Administration: Online Security Awareness Training (CJIS)
- Employees/Volunteers: Online training modules
 - Employment practices
 - Student-related risks
 - Human Resources
 - Risk management for the Workplace
 - Safety environments for Children
 - Fleet Safety
 - Workplace Safety
- For more information:
 - Visit www.cbs.org
 - Contact: Beth Edwards, Risk Services Coordinator
 - beth.edwards@cbsservices.org

2. Background Clearance and Fingerprinting

- State and National Criminal History Record Checks
- Hawaii Criminal Justice Data Center (HCJDC)
- Contact: Jennifer Sablan, Dissemination Services Supervisor, DAG, Hawaii

APPENDIX E

Acknowledgement and Agreement

I acknowledge that by signing below, I have received the St. Patrick School Safe Environment Guideline and have carefully read the handbook.

I agree to abide by the Handbook policies, regulations, procedures and guidelines set forth by the Administration of St. Patrick School, the Diocese of Honolulu, and the State of Hawaii regulatory agencies. I further understand that these policies, regulations and guidelines may be amended, added to, and modified at any time according to the time frame delineated in the Handbook.

In addition, I agree to abide by any consequences as may result from infractions to any policies, regulations or guidelines.

Lastly, the *Charter for the Protection of Children and Young People* issued by the United States Conference of Catholic Bishops (USCCB) requires that education and training on ways to make and maintain a safe environment be provided to children, youth, parents, ministers, educators, volunteers and others.

Thus, consistent with the diocesan policy, I agree to participate in on-line safe environment training as part of the religious education curriculum.

Name (printed) _____

Signature _____

Date: _____