

CHAPTER TWO

2009 Methodology and Limitations

METHODOLOGY

Types of Audit

In 2006, the USCCB's Administrative Committee approved that the 2008 audits would begin a one-third/two-thirds auditing cycle: each year, one-third of the dioceses/eparchies will receive a full on-site audit, and the remaining two-thirds of the dioceses/eparchies will participate in a collection, compilation, and review of data.

The year 2009 was the second year in advancing the goal to have every diocese/eparchy receive at least one full on-site audit every three years. The Diocese of Lincoln, the Eparchy of St. Peter the Apostle for Chaldeans, the Eparchy of Newton for Melkites, the Eparchy of Our Lady of Nareg in New York for Armenian Catholics, the Eparchy of St. Josaphat of Parma for Ukrainians, and the Eparchy of Our Lady of Deliverance of Newark for Syriacs refused to participate in the 2009 audits.

As in past years, approximately two weeks before the scheduled on-site audit visits, the full set of audit documents were to be submitted by the diocese/eparchy electronically to the auditor(s), who reviewed them for completeness and consistency with prior audit materials.

The audit documents for 2009 **on-site audits** were as follows:

- Audit Instrument
- Audit Instructions
- Chart A/B (Victim/Accused)
- Chart C/D (Safe Environment Training/Background Evaluations)
- Chart E
- Additional Actions for the Protection of Children Form
- Victim/Accused Questions
- Audit Contacts

Any omissions or inconsistencies identified during the auditor's review of the documents were brought to the

attention of the diocese/eparchy. They were resolved by telephone or e-mail prior to the on-site visit, or else they were scheduled for discussion during the on-site visit. During the on-site audit, the auditors verified the responses through phone calls or personal interviews with the responsible diocesan/eparchial employee(s) as designated on the audit document, reviewed supporting documentation furnished by the diocese/eparchy, and conducted in person and/or phone interviews with parish priests/personnel to determine the availability and understanding of relevant processes/materials at the parish level.

The audit documents for 2009 **data collection audits** were as follows:

- Audit Instructions
- Chart A/B (Victim/Accused)
- Chart C/D (Safe Environment Training/Background Evaluations)
- Additional Actions for the Protection of Children Form

Those dioceses/eparchies participating in data collection audits were instructed to submit completed Chart A/B, Chart C/D, and the Additional Actions form electronically to the auditor(s) for review. Any omissions or inconsistencies identified during that review were brought to the attention of the diocese/eparchy and were resolved either by phone or by e-mail. With little opportunity to review supporting documentation unless it was available on the various Web sites or was provided to the auditor via e-mail, facsimile, or regular mail, responses were taken at face value unless clarification was necessary. If clarification was deemed necessary, the auditors then requested the supporting documentation or attempted to resolve discrepancies by telephone.

For both types of audits, the auditors completed their review and inserted their analyses on the documents, which were then electronically submitted to The Gavin Group, Inc., where a second level of review was

conducted by the special audit coordinator. The special audit coordinator provided quality control to ensure completeness and uniformity of information requested and consistency in the audit process. Once the special audit coordinator completed her review, inserted her comments and analysis (which included an initial determination of compliance), and entered data into the administrative spreadsheets, the documents were electronically forwarded to Mr. William A. Gavin, president of The Gavin Group, Inc., for his review.

Mr. Gavin reviewed all of the information submitted, added his comments onto the documents, independently entered data onto administrative spreadsheets, confirmed or reversed the initial call of compliance, and forwarded all the respective documents to the USCCB Secretariat of Child and Youth Protection for review.

Mr. Gavin and the Special Audit Coordinator periodically compared data collected on the spreadsheets and resolved any differences. At the end of the audit period the spreadsheets were forwarded to the SCYP. This lengthy and detailed process provided the SCYP with an opportunity to review the entire audit procedure, including information initially provided by the diocese/eparchy, as well as the clarifications and analyses at every level of review.

Parish Participation

The (arch)bishops and (arch)eparchs of 19 archdioceses, dioceses, and eparchies agreed to allow The Gavin Group, Inc., auditors to conduct detailed interviews in parishes to determine the extent of *Charter* understanding and compliance at the parish level. The parishes were selected by agreement between the (arch)diocesan and (arch)eparchial officials and auditors, with consideration being given to selecting parishes from various types of locations (such as urban, suburban, and rural), as well as those with schools and those without. Interviews included the pastor, school principal if applicable, and staff member(s) designated to coordinate the safe environment program training. Most interviews were conducted in person, although some were conducted by telephone based on time and distance considerations.

Those having parish interviews included the following:

Archdiocese of Baltimore
Diocese of Belleville
Archdiocese of Chicago
Diocese of Colorado Springs
Diocese of Covington
Eparchy of St. Thomas the Apostle of Detroit for the Chaldeans
Diocese of Grand Island
Diocese of Honolulu
Archdiocese of Kansas City in Kansas
Archdiocese of Los Angeles
Diocese of Manchester
Archdiocese of Milwaukee
Diocese of Pittsburgh
Diocese of Portland, Maine
Diocese of San Bernardino
Diocese of San Francisco
Diocese of Savannah
Diocese of Superior
Diocese of Worcester

Workshops

In preparation for the 2009 audits, three workshops were held in March and April 2009. All 195 dioceses and eparchies were invited to send representatives to these workshops. These were free to all the participants with the exception of any travel cost. Representatives from 25 dioceses/eparchies attended these workshops, a 13% response rate.

In addition, the *Audit Training Manual* developed in 2006 by the SCYP in conjunction with The Gavin Group, Inc., was updated, distributed to all workshop attendees, and discussed in great detail. The manual included copies of the 2009 audit documents and set out the minimum requirements for each Article. Also included in the 2009 *Manual* were sample forms to be used as guides for completing the audit documents. Copies of the *Manual* were mailed to those who were unable to attend any of the workshops and who requested a copy.

Format

The 2009 audit documents followed the format of 2008 audit documents with the following minor cosmetic changes: the headings and footnotes on all audit documents were modified to reflect that this is the 2009 audit; the language of question 12-1 on the Audit Instrument was modified from “offer safe environment training” to “ensure safe environment training has been provided . . .” in order to follow the language in the *Charter*.

Training

As in prior years, The Gavin Group, Inc., utilized men and women experienced in management, investigations, and compliance to conduct the audits. Auditor training was conducted in Boston, Massachusetts, for one full day in May. Auditors who were assigned to the 2009 audits had participated in previous full on-site and data collection audits, and all were in attendance for the full training session. The *Audit Training Manual*, the audit process, and audit documents were discussed in detail, including parameters of what was to be considered compliant and non-compliant for each question. Suggestions for identifying and informally resolving issues were discussed, as were instructions for handling matters which could not be informally resolved.

The executive director and associate director of the SCYP also participated and provided an overall national perspective of the audit process, as well as discussing the concerns of the USCCB Committee on the Protection of Children and Young People regarding consistency in the application of the compliance criteria.

LIMITATIONS AND PROBLEMS ENCOUNTERED

Completeness and Accuracy

As in past years, in order for the auditors to reach a conclusion of compliance or non-compliance, both types of audits relied on the completeness and accuracy of the information provided to the auditors by the diocesan/eparchial personnel. For those audits performed on-site, the auditors did not examine personnel files or other confidential materials. Additionally,

though the auditors reviewed many documents while on-site, a notation on the respective response letter to the diocese/eparchy from The Gavin Group, Inc., stated that the conclusions reached as to the compliance of the diocese/eparchy with the *Charter for the Protection of Children and Young People* were based on the completeness and accuracy of the information furnished by the diocese/eparchy to The Gavin Group, Inc.

With regard to ascertaining compliance or non-compliance for those dioceses/eparchies participating in the data collection audits, it had been decided that this determination would not be made solely based on the collection of limited data. In these cases the response letters from The Gavin Group, Inc., stated that based on the fact that the diocese/eparchy was found to be compliant with the *Charter for the Protection of Children and Young People* as the result of 2007 or 2008 full audit, this finding of compliance would be continued for 2009. The next time the diocese/eparchy receives a full on-site audit, the issue of compliance with the *Charter* will be addressed in detail.

Dates of Audit Periods

The audit period for the 2009 audit was July 1, 2008, through June 30, 2009.

Definitions Used for Articles 12 and 13

The definitions utilized in 2009 for Articles 12 and 13 were slightly modified as follows:

- The definition of “Candidate for Ordination” was clarified to reflect the term “permanent diaconate” (Audit Instrument question 13-1 and Chart C/D).
- The parenthetical definition under Parish/School Employees (Chart C/D) was corrected to reflect “educators” as opposed to “teachers.”
- Question 3 of Chart C/D relating to the March 31, 2006, memo from Bishop Gregory M. Aymond, then-chair of the bishops’ Committee on the Protection of Children and Young People, was modified to obtain information through the end of the calendar year 2009.
- The instruction regarding International Priests was modified (Chart C/D).

Parish Audits

Although the *Charter* is silent on how records are to be kept, parish audits found inconsistencies, often within a given diocese, on where and how records should be maintained. This resulted in confusion between the parish and chancery personnel and had an impact on the accuracy of the numbers provided to the auditors. The staff at the SCYP worked closely with a number of dioceses, helping them to improve their record-keeping systems. This assistance sometimes included a visit by an SCYP staff member to a diocese to help work through the record-keeping challenges with their personnel.

Standard for Compliance on Article 12 (Safe Environment Training)

As in the 2008 audits, dioceses/eparchies were asked if the safe environment program(s) being utilized had been approved by the bishop/eparch. This was critical in those instances where no diocesan/eparchial safe environment training was offered for children and youth attending religious education classes and instead the diocese/eparchy relied solely on training provided by the public school systems. Some dioceses advised that they did not provide safe environment training to the students in the religious education classes because their particular state had mandated safe environment training in all the public schools—only for the auditors to find that the public schools did not provide any training because the safe environment training in that state was an unfunded mandate.

Statistics

The dates of the uniform audit period were designed to give an optimum opportunity to ensure that all persons covered under Articles 12 and 13 (i.e., those whose duties include ongoing, unsupervised contact with minors) have been trained and have had background evaluations completed. While the dioceses/eparchies were instructed to identify a “snapshot in time” (i.e., on or around the end of the audit period of June 30, 2009) and to use those statistics for Chart C/D, there continued to be significant confusion.

Because of the way in which dioceses/eparchies track their numbers, particularly those of children and youth, these numbers remain, at best, estimates. During the 2009 audit, there were numerous instances of the numbers of individuals in certain categories (particularly children and volunteers) spiraling downward, based on the fact that numbers provided in previous years were estimates and that more refined record systems were employed for the 2009 audit.

Timeliness

The dioceses/eparchies that participated in the two-thirds data collection audits were instructed to submit the completed audit documents to the auditor by August 31, 2009. That deadline was not met by a significant number of dioceses/eparchies. To complicate matters, requests for clarification by the auditors were often not responded to in a timely manner. The late submission of audit documents by some of the dioceses/eparchies participating in the data collection audits also had a tendency to include numbers that fell outside the parameters of the audit, thus taking more time than allotted for the data collection process.

Workshops

Those dioceses/eparchies that did not send representatives to the audit training workshops had more difficulty completing the audit documents than those who had diocesan/eparchial personnel attend. Many of those in attendance at the workshops were not the individuals specifically responsible for collecting the information and completing the audit documents. This added to the audit difficulty for some dioceses/eparchies. This year, more than in past years, continuous turnover in diocesan/eparchial personnel assigned either to implement portions of the *Charter* or to complete the audit documents for submission to The Gavin Group, Inc., resulted in incomplete and/or incorrectly completed forms. Resolving these difficulties required additional time and effort on the part of many additional personnel within the diocese/eparchy as well as The Gavin Group, Inc., and the SCYP.