

Sisters of St. Francis
o f M a r y I m m a c u l a t e

**Congregation
Policies
and
Procedures**

2025

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POLICIES AND PROCEDURES

I. GENERAL INTRODUCTION

ORIENTATION TO POLICIES AND PROCEDURES

Principles and Values

In our *Constitutions* 55, we state: “We recognize within our membership the dignity of each person, rooted in the gifts received from God to act with good judgment and responsible freedom.” We further affirm that “The principles of Gospel servanthood and shared responsibility are practiced in a spirit of collegiality, subsidiarity, and accountability.” Committing ourselves to live and to serve “in a spirit of loving obedience,” we also “offer accountability to one another” as we recognize “the profound form of shared responsibility” that grounds our life in community (*Constitutions*, 60-61). In our adherence to, implementation and ongoing assessment of the adequacy and appropriateness of these *Policies and Procedures*, we are resolved to grow in our understanding and exercise of individual freedom and responsibility for the sake of our common mission, our common life and our common good. In doing so, may we “willingly serve and obey ‘one another with that genuine love which comes from each one’s heart’ (Gal 5:13)” (TOR Rule, VIII).

Review, Revision and Implementation

The *Policies and Procedures* of the Sisters of St. Francis of Mary Immaculate are reviewed by the members of each Governing Board. The *Policies and Procedures* are revised in accord with mandates from the General Chapter, ongoing recommendations from the Local Coordinators and sisters and the evolving needs of the membership that require changes or new additions to our Congregation *Policies and Procedures*.

II. COMMUNICATIONS

CONGREGATION COMMUNICATIONS

Congregation Mailings

The Congregation sends regular communications to sisters and associates by means of electronic mail and the postal service. To the extent that it is possible, the Congregation is committed to reducing the use of paper for the sake of the environment, but not at the expense of breakdowns in communication. In order to optimize the use of technology in the service of communication, sisters are encouraged to familiarize themselves with the use of the internet, electronic mail and the Members Page of the Congregation Website: www.jolietfranciscans.org.

Email Communications

Daily email notices are sent to sisters by the General Secretary as warranted and requested. Coordinators will ensure that sisters who do not have access to email are notified when a sister, associate or family member dies or in the case of a time sensitive request from the Congregation.

Prayer Requests, Acknowledgements and Announcements

Prayer requests, acknowledgements, and announcements which sisters wish to have included in email notifications, *Staying Connected*, the Website, and/or other Congregation publications are submitted to the General Secretary. When possible, email messages, electronic attachments, computerized documents, or digital photographs are appreciated and may be submitted to the General Secretary as well.

Notification of the Death of a Sister

The Central Administration and the Coordinator are contacted immediately when a sister is dying or has died. The Central Administration is responsible for informing the Congregation of the death of a sister. Family information forms are kept in the office of the General Secretary. Each sister is responsible to update this list of relatives and close friends who are to be contacted in the event of her death.

Notification of the Death of an Associate

When the Congregation receives notification of the death of an Associate, the General Secretary will inform sisters and associates of the death as well as any information provided by family or the Director of Associates regarding funeral arrangements. A parchment copy of the person's Associate Commitment will be sent immediately to the family by the Associate Director in prayerful remembrance.

Notification of the Death of a Relative of a Sister or Associate

When a member of a sister's or associate's immediate family dies, i.e., parent, brother, sister, grandparent, sister-in-law, brother-in-law, the General Secretary is notified. When notification of the funeral arrangements is received, she will notify sisters and associates regarding those.

CONGREGATION PUBLICATIONS

Congregation Website

The website of the Congregation provides a variety of information to the external public interested in knowing about the Sisters of St. Francis of Mary Immaculate. The website provides opportunities for contacting the Congregation as well as links to the sponsored institutions, ministry settings, dioceses, other Franciscan websites and other websites of interest. The Website serves as an archive and database for Congregation publications. It also contains a secure section for private communications internal to the Congregation. This section is password-protected. Safe-guarding access and privacy for this restricted area is the responsibility of every sister.

Submission of News Items, Articles, Photos and other Publishable Materials for Congregation Publications, General Communications and the Website

Any sister interested in submitting news items, articles, photos and/or other publishable material for Congregation publications, general communications and/or the Website is asked to contact the General Secretary. The General Secretary will assist the sister in the process of submitting material to the person directly responsible for a particular publication, general communication, and/or website section.

CONGREGATION RECORDS

Archives

The archives of the Congregation are under the supervision of the General Secretary. The Archivist, who has been trained in the acquisition, organization and preservation of archival materials, assists her in this work.

The archives contain information of historical importance to the Congregation. Information of general historical interest is available to persons doing research on the Congregation through application to the General Secretary. Upon request to the President, a sister may be granted access to non-confidential records in her personal file.

Chairpersons and secretaries of committees, commissions, and other representative groups of the Congregation are responsible for providing the archivist with reports, minutes, correspondence, booklets, programs, and any audio-visual materials that pertain to a specific event or the proceedings of a meeting, assembly or gathering. If in doubt about the historical value of any material, consultation with the archivist is recommended.

Academic Records

Each sister maintains her own academic records. However, at the conclusion of a certificate or degree program, she submits copies of final transcripts, diplomas, certificates, theses, dissertations, etc. to the General Secretary. These are placed in her academic file and maintained through the office of the General Secretary.

If a sister seeks admission to a program which requests transcripts, it is her responsibility to request the necessary transcripts from the respective college/university.

Awards, Honors, and Recognition of Service or Achievement

Upon receiving notification of any award, honor or other form of recognition for service or achievement, sisters are asked to inform the General Secretary in writing and, if appropriate, to provide her with copies of any related documents, citations or photographs.

Directory Information

The Central Administration provides a Picture and Address Directory of Sisters and Associates. This includes contact information and, for the sisters, ministry information. Sisters are responsible for communicating changes to the general secretary.

Family Information

On an annual basis, each sister (or if necessary, her Local Coordinator) is asked to submit an updated version of the Parents and Sibling Information Form to the General Secretary. This form will be sent every summer. *(See Forms: Parents and Sibling Information Form #1)* During the year, in the event of a family member's death, changes in a family member's contact information, or other revisions, the General Secretary is to be notified in order to ensure accuracy, especially in case of an emergency.

Emergency Contacts

Sisters are also asked submit a list of people to be notified at the time of serious illness or death. *(See Forms: Family and Friend Emergency Information Form #2)*

Temporary Changes to Contact Information

In order to ensure communication during an extended time away, each sister is asked to notify her Coordinator of her travel itinerary and provide contact information for communication, if needed.

III. CARE OF MEMBERS

EDUCATION

Professional Study, Enrichment and In-Service Training

Sisters are lifelong learners. As such, they foster growth and development in all aspects of their lives. They pursue educational opportunities that contribute to the performance of their ministries, as well as opportunities that enhance their personal well-being and integration. Any sister who desires to participate in an educational opportunity or an enrichment opportunity communicates with her Coordinator to review the procedures for application and the necessary forms to complete. The Coordinator presents the request to the Councilor who presents it to the Governing Board. Approval for professional study for degree and/or certificate for enrichment, in-service training, continuing education units or sabbaticals is granted by the Governing Board. *(See Forms: Application for Enrichment, etc. Form #7)*

HEALTH CARE

As Franciscan sisters, we are stewards of our physical, mental and spiritual well-being. As a religious community, we are called to encourage one another to be concerned about preserving the gift of health and well-being.

Individual Health Care

Sisters are expected to follow a plan of diet, exercise and wellness in accord with their age, abilities and needs. They are encouraged to seek out appropriate medical advice and attention when health care needs or concerns present themselves.

Each sister is expected to have a primary care physician who coordinates her health care. She maintains contact with specialists who may be treating her for specific conditions, including a dentist and an ophthalmologist. The sister is urged to follow the recommendations of her doctors regarding frequency of visits, laboratory tests, medications, therapies, etc. When in doubt about a specific diagnosis or suggested course of treatment, she is encouraged to seek out further information and/or results of current research on the subject as well as a second medical opinion.

Each sister is encouraged to have a complete physical annually and to keep updated medical records of her conditions and medications. She is also asked to keep an

updated version of the Emergency Information that is to be filed with her coordinator and is in a visible location in her home. (*See Forms: Emergency Medical Information Form #3*)

When a sister is informed that she must be hospitalized, or that she will undergo surgery or other special medical procedures (angiogram, cataract surgery, etc.), she is to contact her Coordinator. If a sister desires prayerful support, she or her Coordinator, will contact the General Secretary with the information.

Care of Sisters Living with Serious Illnesses, Disabling Conditions and the Diminishments of Aging

As a Congregation, we are responsible for creating the conditions whereby chronically ill or aged members are truly part of the community, empowered to live in the least restrictive environment and enabled to feel safe, secure and “at home.” In caring for one another in times of individual vulnerability and personal need, the community is called to express its love generously while at the same time remain mindful of the common good.

When a sister no longer can live independently because of physical or mental decline, her Coordinator and Councilor will make arrangements for the sister to be evaluated by medical advisors, who ultimately determine the level of care needed. After the decision is made as to the appropriate level of care needed, the Coordinator assists the sister in moving into a facility approved by the Governing Board.

When sisters need a temporary stay, the length of the stay will be determined by the sister's doctor(s) and the Director of Nursing services for the facility. This facility also must be approved by the Governing Board who are in dialogue with the sister, her Coordinator, the Councilor and the Coordinator of the skilled care facility. If a transition is required, to the next level of care, the medical professionals will be in dialogue with the Coordinator concerning what is needed for the sister's care.

Health Care Decisions

Both the dignity of the individual sister and the nature of religious life require us to be truthful to our sick, disabled and dying sisters. At all times and in accord with our Franciscan values, the teachings of the Church and best health care practices, the integrity and well-being of the *whole* person – body, mind and spirit - will be considered paramount. All decision-making will be undertaken in an atmosphere of loving care that is compassionate, ethical and consistent.

When a sister is living with a serious illness, disease or condition, decisions regarding treatment, especially end-of-life decisions, are to be made jointly between the sister and those in the Congregation to whom she has entrusted her care. Sisters are asked to inform their families, explain their decisions, and assure their families that they will be involved when the end-of-life approaches and advanced directives are enacted.

Advanced Directives for Health Care

The Power of Attorney for Healthcare for each sister in the state where she lives must be on file with the General Secretary and the sister's Coordinator. This document must be kept up to date to ensure that the POA is living and capable of performing these duties. The Sister is strongly encouraged to designate a sister in our Congregation to be her first agent on the POA. It is the responsibility of each sister to discuss her directives with her POA and other agents. At a certain age and considering a sister's overall health, she may want to discern a DNR with her doctor, her Coordinator and POA.

ORGAN, TISSUE AND BODY DONATION

Organ/Tissue Donation for Transplantation/ Grafting by Living Donor

Prior to making any living donor commitment, a sister interested in becoming a living organ or tissue donor consults with her Coordinator and members of her family to discuss her intention and rationale. A Declaration of Intent, along with any other forms that pertain to her decision, is filed in the office of the General Secretary. The Coordinator informs the Councilor of such consultations and decisions. *(See Forms: Declaration of Intent for Organ/Tissue Donation by a Living Donor Form #4)*

Organ/Tissue Donation for Transplantation / Grafting by Deceased Donor

After obtaining information from the Regional Organ Bank and in consultation with her Coordinator and members of her family, a sister may become an organ and/or tissue donor at the time of her death. A Declaration of Intent, along with any other forms that pertain to her decision, is filed in the office of the General Secretary. If a sister has indicated her intention to be an organ donor on her state driver's license, a copy of the license is submitted to the office of the General Secretary. The Coordinator informs the Councilor of such consultations and decisions. *(See Forms: Declaration of Intent for Organ/Tissue Donation by a Deceased Donor Form #5)*

Bequest of Body/Organs for Scientific Research

After consultation with her Coordinator and members of her family, a sister may bequeath her body in whole or in part to medical science. She signs the Congregational form, along with any other forms that pertain to her decision, and forwards the form(s) to be filed in the office of the General Secretary. The Coordinator will inform the Councilor of this decision. (*See Forms: Bequest of Body/Organs for Scientific Research Form #6*)

If any remains are returned, by the medical organization, they will be buried in accord with the Congregation's custom of committal.

JUBILEE

Planning for Jubilee

Ordinarily, the date for the Congregation's annual celebration of Jubilee is celebrated yearly in the summer. In the fall, the Central Administration communicates with the sisters who will celebrate a Silver (25), Ruby (40), Golden (50), Diamond (60) anniversary of profession or 75th, and every succeeding five years, anniversary of Reception. The Jubilarians are invited to offer suggestions for their celebration. After the input, the Central Administration will orchestrate the details of the Jubilee celebration.

PROCESSES REGARDING MEMBERSHIP AND INCORPORATION

Initial Formation

In June, 2024, at an Extraordinary Chapter Session, the decision to discontinue admitting new candidates into membership in the United States was made. Persons interested in pursuing religious life will be referred to other vocational settings.

Transfer into the Congregation from another Religious Congregation

A request for transfer of a religious woman from another congregation is made to the President. Based on Canons 684-685, transfer into our Congregation is made in accord with church law and Congregation policy. The process for incorporation begins once permission is received from the requestor's Congregation. Once this occurs, the President, with Councilor approval, appoints a Congregational member to discern for the next three years with the sister, before the final incorporation is considered.

The President, with the deliberative vote of the Councilors, admits the qualified sister as a perpetually professed member of our Congregation. If the sister is not accepted for final incorporation, she returns to her former Congregation.

Transfer from the Congregation to another Religious Congregation

Requests for information/procedures concerning a transfer from our Congregation to another religious Congregation are made to the President. The President, after consultation with the Councilors, authorizes the initiation of the transfer process. After three years of discernment, if the desired Congregation approves, the transfer is official. If they decline, the sister returns to the Joliet Franciscan Congregation.

Exclaustration

A request for an Indult of Exclaustration is made to the President.

Based on Canons 686-687, Exclaustration consists in the permission granted by legitimate authority for a member of a religious Congregation to remain outside the religious institute for no more than three years, unless granted permission from the Apostolic See. The person so exclaustrated remains a religious, but some effects of the juridic bond with the institute are mitigated with respect to the rights and obligations of the religious.

An Imposed Exclaustration

An exclaustration for a grave cause may be imposed by the President after consultation with her Councilors.

The effects of exclaustration are identical whether it is voluntary or imposed. The person is still considered a religious and the juridic bond with the institute remains. Observance of the vow of chastity is not altered. Obligations entailed under the vow of obedience are partially transferred to the Ordinary of the place in which the religious resides. The vow of poverty is mitigated so that the exclaustrated religious may administer her goods and may maintain a standard of living in keeping with particular circumstances.

Severance from the Congregation

Severance from the Congregation may be initiated either by an individual or by the Congregation. A perpetually professed sister who wishes to initiate a request for an Indult of Secularization (dispensation from vows) contacts the President.

A candidate and a novice are free to leave the Congregation at any time. A temporary professed sister is free to leave after her vows expire, unless the president, with consent of the Councilors, releases her from her vows.

The President, with the deliberative vote of the Councilors, may ask a candidate, a novice or a temporary professed sister to leave the Congregation.

The process of severance of incorporation of a sister bound by perpetual vows, whether initiated by the sister or by the Congregation, follows the universal law of the church (Canons 691-693) and Congregation policy.

Dismissal of sisters in perpetual vows requires the collegial vote of the President and the Councilors. An indult of dispensation from vows is reserved to the Apostolic See. In cases recognized as canonically warranting immediate dismissal, a sister may be dismissed without delay by the President, who then refers the matter to the Apostolic See.

Re-Entry into the Congregation

If a person leaves the Congregation, there is a two-year period before the person can begin the process to re-apply for vowed membership, or to make application for the associate relationship.

RENEWAL OPPORTUNITIES

Annual Retreat

The annual retreat provides each sister with an opportunity for spiritual renewal through prayer, reflection, and contemplative leisure. Each sister budgets the amount needed for her annual retreat and withdraws it when needed. Nowadays, annual retreats can include online opportunities; the sister may withdraw for this from retreat funds when needed. These retreat funds are not annually accumulated.

Annual Vacation

Vacation time provides each sister with an opportunity for personal renewal, rest and relaxation. Each sister budgets the amount needed for her vacation on her Individual Budget Needs form. These vacation funds are not annually accumulated.

Sabbatical

In accord with changes, transitions and the movement of the Spirit in an individual sister's life, the sister may request a sabbatical experience. A request for the sabbatical is to be discussed with the Coordinator and presented to the Central Administration for approval. (Any sabbatical is to be completed in a reasonable time.) (*See Forms: Application for Sabbatical Form #8*)

SPECIFIC DIRECTIVES AT TIME OF DEATH

Funeral Arrangements

The Central Administration in conjunction with the Coordinator arranges for the preparation of the body, the funeral services and burial of a sister's bodily remains. Ordinarily, services are held locally. Services usually consist of a visitation and the Mass of Christian Burial, followed by a committal service and burial. Sisters are invited to volunteer to be honorary pall-bearers, lectors, reflectors, etc. for a sister's funeral.

A sister who wishes an exception to the above arrangements is asked to discuss her preferences with her Coordinator. The sister's preferences are put in writing and filed in the office of the General Secretary.

Burial Arrangements

Ordinarily, and in accord with the custom of the Congregation, the body of a sister is embalmed, reserved in a casket, and buried according to the Rite of Christian burial. A sister may request to have her body cremated, reserved in a burial urn, and buried in accord with Church teachings.

Upon request, a sister, in accordance with her family wishes, may be buried in a family plot. It is necessary that this information be placed in writing, signed by the sister and by a family member, dated, and filed in the office of the General Secretary. Information that is needed includes the name and location of the cemetery as well as

the number of the family plot. If a sister is to be buried in a family plot outside of the Joliet area, the family incurs any additional expenses.

Sisters are encouraged to choose appropriate Scripture readings and/or hymns to be used at their own funerals. These requests are filed in the office of the General Secretary.

If a sister dies while in the United States, her body is returned to Joliet for burial. If a sister dies while in Brazil, her body is buried in an appropriate location in Brazil. If a sister dies while traveling or living in another country or region of the world, decisions for burial arrangements will be made by the President in consultation with the Central Administration and, if necessary, the Regional Coordinator of Brazil, and the sister's family.

Any sister traveling or residing abroad is required to purchase in advance of her departure a Travelers' Insurance policy which in the case of death provides payment for the preparation and return of her body. If the sister dies without such insurance and the cost and/or means to transport her body are prohibitive, the body will be cremated, if possible. If cremation is not possible, the Congregation, in consultation with the sister's family, will determine alternative burial arrangements.

TRANSITIONS IN MINISTRY AND LIVING ARRANGEMENTS

Mission is at the very core of our calling as women religious. We are in ministry for life. We do not retire; we transition to another form of ministry. (Supplement A: Life Transitions)

Transitioning from Active Ministry

After a sister has discerned her current state in life and reaches a conclusion that her ministry role needs to end or become part-time, she contacts her coordinator. After their dialogue, the Coordinator confers with the Councilor and then the Leadership Team, for a final decision. After approval, the sister will seek out new outlets for ministry appropriate to her age, physical condition and energy. (See Policy Supplement A: Life Transitions)

Living Arrangements

Commissioned by God to be stewards of the Earth, we are compelled by a sense of justice to be sharing and sparing in our use of the world's goods and resist the evils of consumerism and materialism. Constitutions #39

Our Living Environment

As members of a Franciscan Congregation, we are called to responsibly steward the gifts and resources entrusted to us, with care for the common good. Our hope is that our "home" is a place of peace, harmony and hospitality. We are respectful and considerate toward each community member. We choose to live simply and reasonably. We keep our living spaces clean, organized and uncluttered. We do not overbuy, or store what is not needed. Our household items and decorum are aesthetically welcoming and safe.

When considering a change in living arrangements or a change in residence the sister enters into dialogue with her Coordinator regarding general guidelines and specific criteria for assessing individual needs and levels of care. The Coordinator discusses the matter with the Councilor who then brings the matter to the Governing Board for approval. At times, in a spirit of dialogue, discernment and care of the person, the process may begin at the initiation of the Councilor who brings the matter to the Governing Board, the Coordinator and the individual sister. *(See Policy Supplement A: Life Transitions)*

TRAVEL ABROAD

Intercultural Exchange between Sisters in the U.S.A and Brazil

Intercultural exchange between the sisters in Brazil and the sisters in the United States is enthusiastically encouraged. If a sister from the United States or from Brazil feels called to share in the life and ministry of the other's culture for a period of time, the sister is to contact her Coordinator.

With the support of her Coordinator, the sister completes the Application for Intercultural Exchange. The application for an inter-cultural experience in Brazil or in the United States is sent directly to the President for her review. The President, the Regional Coordinator in Brazil, and the Governing Board consult with one another about the sister's application and rationale. If the request is approved by the Governing Board and the Regional Coordinator in Brazil, the sister enters into contact

with a member of the Governing Board for the purposes of coordinating this experience in terms of scheduling, cultural orientation, visa application, transportation, and funding.

Foreign Travel

Foreign travel is defined as any travel where a passport is needed. A sister anticipating foreign travel for reasons of ministry or personal renewal is to be in dialogue with her Coordinator in the early stages of planning for such travel. The Coordinator brings the request to the Councilor who presents the request to the Governing Board for approval. (*See Forms: Application for Foreign Travel Form #9*)

Travelers Insurance

Any sister traveling abroad ***is required*** to purchase in advance of her departure, a Travelers Insurance policy which in the case of emergency, illness, accident or death provides payment for costs related to care, treatment, travel and/or transport of her body. A copy of the Travelers Insurance Policy, along with emergency contact information, is to be given to the General Secretary and Coordinator prior to travel.

IV. GOVERNANCE

ADMINISTRATION

Coordinator

After the installation of a new Central Administration, a Coordinator (canonical superior) is appointed for each sister.

Local Chapter

After the installation of a new Central Administration, the Governing Board formulates Local Chapters. Local Chapters are established for the purpose of building community, sharing prayer, communication, gathering information, and helping to give input to the Governing Board on various issues facing the world and our Congregation. Ordinarily, sisters remain in the same Local Chapter group throughout the Central Administration's term of office.

Local Unit

Each Local Unit is made up of a sister or sisters missioned to the unit at the time of the Congregation's annual missioning ceremony. Sisters in their respective local units are responsible for preparing, submitting and being accountable for the unit's annual budget.

DECISION MAKING, CONSULTATION & NOTIFICATION

Decisions That Require the Approval of the President

- Change of will after first profession
- Use of patrimony
- Request for Indult of Exclaustration
- Request for Indult of Secularization
- Request to transfer to another Congregation.

Decisions That Require Governing Board Ratification

- Educational requests for professional study and sabbaticals
- Extraordinary circumstances that warrant an extended leave from active ministry
- Admission and incorporation into the Congregation, particularly Temporary and Final Vows
- Membership at the St. Clare House of Prayer
- A North American sister's request to minister in Brazil
- A Brazilian sister's request to minister in the United States
- A sister's request to minister outside of the United States or Brazil
- Foreign travel where a passport is necessary
- Appointment to Congregation ministry
- Extended 30-day retreat

Decisions Requiring Approval of the Coordinator

- Moving to a new residence
- Individual budget needs
- Funding for Enrichment/In-service
- Funding for certification/course work for non-degree study
- Request to give body/organs to science at death
- Request to be an organ/tissue donor
- Request to be buried in a non-Congregational cemetery plot

The Coordinator will then consult with the Councilor to whom she is assigned.

Individual Circumstances Requiring Consultation with the Coordinator

- Major medical expenditures for dental, ocular, hospital and medical services
- An exception to arrangements for burial
- Transitions in Ministry and Living Arrangements

The Coordinator will then consult with the Councilor to whom she is assigned.

Individual Circumstance Requiring Notification of the Coordinator

The serious illness or death of a sister

The death of a sister's immediate family member

The Coordinator will then contact the Councilor to whom she is assigned.

Decisions That Are Made by the Local Unit

Determining an annual budget for the Local Unit

DUE PROCESS

The procedure for Due Process may be initiated in the case of a serious problem that cannot be resolved by any ordinary means available, namely, the Coordinator, the Governing Board or the President.

The President with the consent of the Councilors names a sister, not a member of the Central Administration, as Facilitator for Due Process to extend through the term of office of the Central Administration. The appointment is renewable.

The aggrieved party or parties make/s a request in writing to the Facilitator. A copy of the request is sent to the President, who informs the other members of the Governing Board.

The Facilitator, who is the due process person, organizes and chairs an ad hoc evaluation committee, consisting of three persons. One is selected by each of the contesting parties, and the third by the mutual consent of the two selected. Committee members need not be chosen from the Congregation, but all must be acceptable to both contesting parties.

The facilitator arranges for each member to meet with each contesting party. As soon as members of the committee are satisfied with their findings, the facilitator calls a meeting of the committee. At this meeting the facilitator allows for ample hearing time and then tries to lead the committee to a solution by consensus.

The facilitator may in no way inject her personal opinion or concerns into the hearings. The committee's conclusions are included in a report, signed by the facilitator and committee members, which is given to the President of the Congregation and to both contesting parties. The facilitator receives the signed agreement of the contesting parties.

V. MISSION AND MINISTRY

Annual Missioning and Blessing

Each year at the annual gathering of the Congregation, the Governing Board will commission, affirm, and bless each sister and associate using a theme for the year.

MINISTERIAL COMMITMENTS

Individual Assessment and Criteria for Considering Ministerial Commitments

On a regular basis, each sister is encouraged to assess and/or reassess her personal gifts, individual abilities, ministerial interests and vocational sense of availability for mission. Sisters are urged to seek out ongoing opportunities for ministerial supervision, peer review, and professional development. When a sister is considering a change in ministry, she is to discuss the possibility with her Coordinator and review the Criteria for considering ministerial commitments. (*See Supplemental Policy A: Life Transitions*)

Negotiation of Ministerial Responsibilities, Benefits and Contract Agreements

It is generally necessary to have some form of contract/agreement between each sister and her employer each year. This contract/agreement is to identify and describe in detail the sister's ministerial responsibilities and benefits. The contract/agreement is to be filed in the office of the General Treasurer. If the employer does not provide a contract, the Congregation will provide a general form of contract, which may be used.

If a contract is not used due to the policies of employment, or if a sister is involved in volunteer ministry, a Ministry Information form is to be filed in the office of her Councilor.

Self-Initiated Ministries

When a sister is considering a move into a self-initiated ministry, she must be in dialogue with her Coordinator. The Coordinator will consult with the Councilor and the General Treasurer. The Governing Board is responsible for the approval of self-initiated ministries. The sister must develop a business plan to submit to the Governing Board. (*See Supplemental Policy A: Life Transitions*)

PROFESSIONAL MINISTERIAL CONDUCT

Ministerial Training for Abuse Prevention, Professional Conduct and Risk Management

In accord with best practices for the Protection of Children and Vulnerable Adults, sisters are required to participate in certified ministerial training for the prevention, identification and reporting of abuse and neglect. Each sister involved in ministry is required to participate in a training program (such as *Virtus* sponsored by the National Catholic Risk Retention Group, Inc., *Called to Protect* or *Armatus* sponsored by Praesidium, Inc., or an accredited equivalent) and to submit to the General Secretary documentation attesting to the satisfactory completion of such training. Sisters also are encouraged to participate in Professional Boundary workshops and seminars on risk management in their respective professions, ministries and volunteer activities. (*See Supplemental Policy B: Policy on Response to Allegations of Sexual Misconduct*)

Policy on Response to Allegations of Sexual Misconduct

The Congregation of the Third Order of St. Francis of Mary Immaculate is committed to creating and sustaining environments for life and ministry that are safe, secure and free of sexual misconduct in the form of abuse, exploitation and harassment. If and when an allegation or complaint is made, the President of the Congregation or her designee will respond to the allegation or complaint in accord with the Congregation Policy. The process shall be carried out in conformity with our Franciscan values of compassion, justice, integrity and transparency. The sensitive nature of the information gathered in this process and the dictates of charity require that the information be considered confidential.

Each sister shall be given a copy of the Congregation Policy regarding Sexual Misconduct for her individual review, consideration and compliance. (*See Supplemental Policy B: Policy on Response to Allegations of Sexual Misconduct*)

SPECIALS FUNDS

Fund for Justice, Peace and the Integrity of Creation

The Fund for Justice, Peace and the Integrity of Creation [JPIC] was established in 1984 using interest from the money received from the sale of Congregation land on Theodore and Larkin. The Fund for Justice, Peace and the Integrity of Creation has

been set aside to assist sisters and associates in bringing about a more just society, a commitment to peace and reverence for all creation. Annually, a letter of invitation stating the requirements for application for the funding of projects is sent through a Congregation mailing, usually in March. Application forms are requested from JPIC. The JPIC committee processes the applications according to the established criteria. The Governing Board approves the recommendations.

ST. CLARE HOUSE OF PRAYER

Mission and Ministry

St. Clare House of Prayer extends the mission of the Congregation through contemplative living in the context of a small community dedicated to the ministry of prayer, prayer-related services, and spiritual accompaniment, especially those made poor and vulnerable by the circumstances of life.

Membership

A sister who feels called to become a member of the St. Clare House of Prayer discerns this call with her Coordinator and, if appropriate, with current members of the House of Prayer community. Membership in the community is approved by the Governing Board for a period of three years, after which membership may be extended for another period of three years, if there are no additional and approved applications from sisters who have not yet had the opportunity to be part of this contemplative community. Membership in the contemplative community of St. Clare House of Prayer is rooted in Franciscan virtues of availability, mutual concern and solicitude for the sake of the mission.

Application for Membership

After a period of prayer and discernment, a sister interested in becoming a member or renewing her membership in the contemplative community at St. Clare House of Prayer requests from her Coordinator an application, submits it to her Coordinator who submits it to the Councilor who presents it to the Governing Board for approval.

VI. STEWARDSHIP

FINANCES

General Statements

- We hold all things in common.
- We are **mutually interdependent**.
- From the **common goods** of the Congregation, the **needs of each sister** and the **whole** Congregation are met.

Each sister participates in the mission and ministerial efforts of the Congregation by sharing all income and expenses of the Congregation. The sisters also contribute by sharing their talents and services for the common good.

Financial comprehension is the responsibility of each sister who is able. Each sister needs to understand the Congregation's finances and its implications in regard to her choice of ministry and lifestyle.

Any and all income earned by a sister for any type of ministry, service or activity is sent to the office of the General Treasurer. This includes a sister's regular salary and any money earned over and above her salary. Income is understood as salaries, wages, stipends, pensions, social security and any other taxable income.

AUTOMOBILES, DRIVERS and DRIVING POLICY

Automobiles

According to our vow of poverty and our choice of a Franciscan way of life, cars are owned or leased in the name of the Congregation. Titles for all Congregation cars are held in the office of the General Treasurer.

All automobiles that are owned or leased by the Congregation and designated for the use of a sister or a local community are to be shared with other sisters, depending upon the need and availability of the car.

Sisters who drive are urged to be alert to the transportation needs of the sisters who do not drive. The use of cars is a "pooled effort" wherever possible.

Automobile Insurance

All congregation cars are insured by the Congregation. The insurance card for each car owned by the Congregation is kept in the car at all times.

Liability

The use of a car by a sister carries with it a contingent liability that could affect the entire Congregation.

- If a lawsuit is instituted as a result of an accident, the law in most cases holds the owner (in this case, the Congregation) of the car involved in the accident liable, regardless of who the driver is.
- It is important that a sister who drives a car belonging to another person fully understands that in case of an accident in which she is at fault, the loss will be borne by the owner of the vehicle.
- Likewise, a sister who allows others to drive Congregation-owned or leased cars is placing the total responsibility on the Congregation in case of an accident and consequent lawsuits.

Negligent Entrustment

The Congregation, as a whole, is liable under the policy of negligent entrustment.

Since we participate in a group policy with Christian Brothers Service, leadership as well as membership are responsible should any sister be concerned about the driving of another sister. This concern must be reported immediately to the leadership for direction and follow up.

When the operation of a vehicle owned by the Congregation is entrusted to a sister who is known to be physically or cognitively impaired by another member of the Congregation, the Congregation may be sued for negligent entrustment if an accident involving the impaired driver occurs, even if the accident is not the fault of the sister. In cases of negligent entrustment, an insurance company can hold the Congregation liable for all damages due to the Congregation's failure to comply with state law and insurance company regulations governing driver competency to operate a vehicle.

Automobile Accidents

In case of an accident:

1. Report all accidents to the Agent/Company immediately. The phone number is on the insurance card in the car.
2. Inside each car is an auto accident form to complete. Obtain the following information:
 - a. Name and address of each driver, passenger and witness.
 - b. Make, color, year, and state license plate number of vehicle.
 - c. Name of Insurance Company and policy number for each vehicle involved.
 - d. Sign NO statement.
3. Notify the police, if not on private property.
4. Notify the Congregation business office of the accident regardless of who was at fault. Send all estimates for car repair to the Business Office for approval.
5. Notify the Coordinator immediately.
6. Contact with the other parties involved in the accident will be handled by the insurance agency. No arrangements or agreements may be made between the congregation member and the other party.
7. Each sister who drives is responsible for managing the resolution of any accident in which she is involved. Resolution involves but is not limited to:
 - Providing all required paperwork and communication to resolve the accident;
 - Follow-up with repair of car;
 - Possible evaluation for continued permission to drive as member of the congregation.

Renting an Automobile

Any automobile rented by a sister is to be rented in the name of the Congregation. The sister is required to carry her insurance card when renting an automobile. She

may request an additional one to carry from the Business Office for the purpose of car rentals. If a sister is traveling, she should:

- Bring a copy of a Congregation insurance card with her.
- If this is not possible, the sister's full name and signature on the rental agreement are to include the initials "OSF."
- The Congregation insurance policy provides insurance for rental cars.

Driving Policy

Recognizing that the use of a Congregation vehicle is a privilege and responsibility, sisters must make conscientious decisions about driving. Since the Congregation owns and insures the vehicles, the Congregation of the Sisters of St. Francis of Mary Immaculate assumes the liability for its members. Therefore, every driving sister is responsible for driving safely, for the sake of public safety and for her own personal welfare. Sisters must also accept the consequences these decisions have on themselves, on the Congregation and on others.

With this in mind, sisters are required to periodically evaluate their safe driving performance.

- Sisters are responsible for following all laws and regulations with respect to the State in which they reside for requirements to be approved for a driver's license.
- If a sister does not have a license in the state in which she resides, she must have a state ID card. An ID card does not permit someone to drive.
- If a sister does not have a license in the state in which she resides, she must have a **valid license from another state or a valid license from another state or country.**
- The Congregation may require periodic or regular evaluation of the sister's driving or may deny her the privilege of driving, whether she has a driver license or not.
- A sister may lose her driving privileges due to the State or Court prohibiting her to drive or the Congregation directing that she may no longer drive as a member of the Congregation.

- When a sister has lost her driving privileges, due to evaluation, accident or the decision of leadership, she may no longer be reevaluated or drive again.

The following guidelines have been developed to implement this policy.

1. Each driver obtains and keeps current a valid driver's license issued by the State in which she resides. The Business Office will annually provide a form requesting the driver's license number and expiration date. This information will be kept in the business office ONLY.
2. Each driver complies with traffic laws.
3. Each driver retains current insurance information. A copy should be in the vehicle at all times. Another copy for your wallet is suggested for those times when you will be using a rental car.
4. Each driver reviews the maintenance manual for her vehicle and follows the prescribed maintenance routine.
5. Try to limit driving to good weather; avoid or delay travel in rain, fog, snow, ice or high winds.
6. Each driver will take measures to discourage crime when parking (e.g., by parking near a streetlight, locking the vehicle, not leaving valuables in the vehicle, etc.) Should it be necessary to leave valuables in your car remove them from sight.
7. Each driver follows the procedures to report ANY accident. Accidents require a police report and getting all pertinent information from other drivers involved. All accidents are to be reported within 24 hours to the Business Office and to your Local Coordinator. Accidents include and are not limited to such things as mishaps in your own yard or garage, backing into a telephone pole, hitting a street sign or guard rail and accidents in a parking lot.
8. Ordinarily the driver of cars owned / leased by the Congregation is a Congregation member.
9. Each driver follows the proper procedure to rent a car when needed.
10. Each driver between the age of 65 and 69 will complete a *Driver's Awareness Course* and submits the certificate to the Business Office for a deduction on the Congregation Insurance Policy.
11. Each Driver 70 and over completes the *AARP 55 Alive Defensive Driving Course* every three years and submits a record of that Course to the Business Office.
12. Each Driver age 80 and older is required to have a proficiency road test, administered through the Congregation Insurance Company, every two years.

13. At any time, the Congregation may ask that a Driver be tested by the Congregation Insurance Company regardless of the Driver's age.

The following Guidelines are Signs for a Driver to Stop Driving

1. Swerving over the center line
2. Having difficulty making turns
3. Confusing the gas and brake pedals
4. Missing stop signs or stop lights
5. Getting lost in familiar places
6. Decreased physical strength
7. Decreased ability to turn your head
8. Impaired vision
9. Limited hearing
10. Slowed reaction time due to medication
11. Inability to concentrate or having wandering thoughts
12. Having other drivers honk at you frequently
13. Being spoken to about your driving by police, family or friends
14. Friends no longer feel comfortable being a passenger in your car.
15. Having more than one moving violation within a six-month period
16. Each fall every sister driver completes the **Evaluating Driver Records Chart**. This Chart is completed each fall and after any at-fault accident. A copy is sent to our Business Office which will give a copy to your Local Coordinator.

Source: Mayo Clinic Health Letter

We recognize that age, illness and some medications may compromise your ability to drive safely and make responsible decisions about driving.

- Place the safety of others ahead of personal convenience and independence.

Evaluating Driver Records

Please complete this chart based on your last three (3) years of driving. This form will be updated each year and after any preventable accident. Please send completed form to our Business Office which will forward it to your Local Coordinator. Thank you.

Moving Violation A ticket or citation issued for speeding, failure to stop, etc., and violation while the car is in motion. It does not include parking tickets.

Preventable Accident An accident which was avoidable.

Number of preventable Accidents in last three years

Number of moving violations in last 3 years	0	1	2	3
0	Acceptable	Acceptable	Moderate Risk	High Risk
1	Acceptable	Borderline	Moderate Risk	High Risk
2	Borderline	Moderate Risk	High Risk	High Risk
3	Moderate Risk	High Risk	High Risk	High Risk
4	High Risk	High Risk	High Risk	High Risk

Borderline: The driver may consider taking the On-Line Driver's Awareness Refresher Course.

Moderate Risk: The driver discusses with her Local Coordinator the conditions for continued driving.

High Risk: The driver completes the following steps:

1. The driver discusses with her Local Coordinator the conditions for continued driving.
2. The driver completes a certified defensive driving course and a road test.
3. A certificate of the tests is sent to her Local Coordinator.
4. Another discussion is held with her Local Coordinator regarding the results of the test and the continuation of driving.

5. A decision is made based on the completion of the certified defensive driving course and the road test. If the road test is not completed successfully, the Sister must discontinue driving immediately.

Note: Any one DUI case is considered in the "High Risk" category.

Risk Category:

of Moving Violations _____

of Preventable Accidents _____

Equals Risk Category _____

The Decision to Discontinue Driving

Please note:

- **If any sister is afraid to travel with a sister driver, she will discuss her concerns with that driver and with a Councilor.**
- The Governing Board will review the issues and may request a medical assessment. Depending on the results of the assessment, the Governing Board may recommend a proficiency road test.
- The Governing Board will discuss with the sister the results of these assessments and their decision regarding her driving privileges.

When a sister can no longer drive or chooses not to drive:

- Asking a sister to discontinue driving is done only as a last resort, for the safety of the sister (and others), and to protect our Congregation.
- When a sister is no longer able to drive, the Governing Board will see that there is a plan that addresses both transporting the sister to essential services and meeting her social needs.

BANKING

Annual Budget Process

Annual Budget Forms are mailed each Spring.

- Each local unit submits a budget for living expenses for each fiscal year according to the directives sent from the office of the General Treasurer.
- Annual house budgets are reviewed and approved by the coordinator in consultation with the General Treasurer.
- Each sister requests the amount of money she needs to budget for her personal expenses for the fiscal year

Income

All income earned/received by a sister is sent to the office of the General Treasurer by cash, check or direct deposit.

All checks payable to individual sisters are to be endorsed in the following way before sending to the General Treasurer: "Payable to Sisters of St. Francis for deposit only" followed by the sister's name.

All income (salaries, reimbursements, etc.) sent to the office of the General Treasurer are to be listed on a remittance form. Two copies of this form are sent with the money and the local unit retains one copy (pink) for its files. These forms are available through the office of the General Treasurer.

Invoices, Bank Statements, Canceled Checks, Reports

A local unit maintains these financial items for four years. Older information is to be destroyed in a safe manner.

Central-Bank Activity: Local Unit

The local units of the Congregation use a central bank accounting system. This form of banking is one aspect of the Congregation financial stewardship of resources, held in common. The Office of the General Treasurer is responsible for ensuring that the corporate checking accounts that the sisters use are funded.

Sisters Residences and Central Banking

Sisters live in three types of residence: Independent Living, Assisted Living and Skilled Nursing.

- There are two methods for sisters to use Central Banking to access funds to meet their needs.
- The current bank used for Central Banking for each sister is Old National Bank. Any exceptions are approved by the General Treasurer.
- Each sister has a central banking bank account, regardless of their living situation.
- What is different between the two is that:
 - ❖ Sisters living independently use a central bank checkbook unique to them.
 - ❖ When sisters are in assisted living or skilled nursing they are given a debit card that is an extension of their central banking account.
 - ❖ The General Treasurer is the second signer on the local unit account for each sister and also has a debit card for each sister's account who lives in assisted living or skilled nursing.

Sister(s) Living Independently on Mission

Each sister living independently has access to a corporate checking accounts issued by the Congregation's Operating Account Bank.

- Each sister who lives independently on mission has her own unit checking account from Old National which she must manage in accordance with her annual budget.
- Any exceptions are approved after communication with the General Treasurer.
- Credit Cards – Sisters who live on Mission or who provide direct services for the Congregation members may request a Congregation card to use. This card is registered under the Congregation Federal EIN.

- Occasionally, sisters living independently may choose to have the Business Office pay the health care supplement fee. The expense of the healthcare supplement is included in the sister's monthly unit report

Checks Written on the Central Bank Account

Checks or credit cards are used whenever possible to pay expenses. Congregation codes are recorded on checks to indicate the proper allocation or sent separately to the Business Office with correct identification and coding.

- If a payment is an ACH (automatic clearing house) or EFT (electronic funds transfer), then the original check or its copy may not be returned by the bank to the office of the General Treasurer.
- The codes for the expenses are still required in the Business Office for tracking expenses in Local Units.
- If a transaction occurs at a register in a store and the actual check is returned to the sister, that check should be turned into the Business Office with the account codes recorded on it in a timely manner.
- All transactions and "Unknowns" must be resolved by the end of the fiscal year, which is June 30. A listing of the code numbers is available through the office of the General Treasurer.

Personal Credit Cards

- If you have a personal credit card issued under your own social security number, do not use it to set up a payment plan for an item; purchases over time unless cleared through General Treasurer, i.e. a new phone.
- The congregation is not liable for a sister's personal credit card; the sister herself is.
- If a sister uses a personal credit card, she should not accrue interest on it.

*Sisters **T**ransitioning to Assisted Living and Skilled Care*

When a sister moves from independent living to assisted living and/or to skilled nursing, the local unit checking account she used is changed to a debit card account

in the sister's name. The General Treasurer also has a debit card also for this sister's account.

*Sister(s) **Living in Assisted Living or Skilled Nursing***

Each sister living in either assisted living or skilled nursing is issued a debit card from Old National Bank. This card is related to the sister's checking account used when the sister lived independently.

- By use of this debit card a sister's expenses can be tracked and when necessary submitted for records or evaluation of eligibility for government benefits.
- The Business Office usually pays for monthly health care supplement invoices for sisters in Assisted Living and Skilled Care.
- The Business Office pays as many expenses as possible i.e. cell phone; healthcare supplements; medical bills sent to Business Office; with the sister's debit card held by the Treasurer name to meet the sister's need.
- When a sister lives in assisted living or skilled care, the sister has personal use of the debit card in her name for personal needs, i.e. food store and restaurant expenses; clothes or spiritual reading.
- The coordinator or another Congregation member may assist the sister in these activities.
- Sisters in Assisted living or Skilled Nursing do not have personal or individual credit cards.

Individual Bank Account Using the Congregation EIN

If a unit outside of the Joliet or Chicago area needs to have a local bank account, then the name of this account is the Sisters of St. Francis with the minimal balance required in its local bank; the identification number is NOT to be the sister's Social Security

If a sister has use of an account under the Congregation EIN other than the one issued to her from the Central Banking Account of the Congregation bank, Old

National, then this account is to be reported on the annual budget form with all account information.

Individual Bank Account Using an Individual Sister's Social Security Number

All personal checking accounts used by an individual under an individual's social security number counts as assets for that person when application is made for government benefits. On an annual basis the account information is reported on the budget papers submitted by each local unit. The asset limit allowed per individual for government benefits is set each year by the federal government.

Eligibility for Government Benefits

If a sister's Social Security number is associated with a personal, shared, joint or family bank account or on a family member's account to serve the purpose of some type of family care or relationship, this information is investigated at the time the Congregation applies for government benefits for the sister.

The funds in these accounts are counted as assets belonging to the sister and may prohibit her from receiving government benefits, supplemental help or reduced insurance or *prescription* premiums. There is a five year "look back" period on ownership of assets to be eligible for Medicaid.

Please note:

Sisters may not own assets under the vow of poverty; i.e. property, real estate, cars, retirement accounts, and trusts. Sisters who have 403b or 401k accounts from ministry or employment as a member must have the Congregation as a beneficiary. The assumption of the Congregation is that each sister will be evaluated to determine her eligibility for government benefits for supported living and skilled nursing facilities. Given the Congregation's understanding of sisters' assets, it believes that few sisters own assets as identified above or have pension benefits that would make them ineligible for government benefits.

If a sister currently owns property and assets which make her ineligible for government benefits and has held such assets over the limit for at least 5 years, she may put the Congregation at risk due to practices that are not consistent with the vow of poverty. The assets which belong to her should be used to support her until exhausted. At that time a reapplication for government benefits would be made.

Monthly Local Unit Report

Each month the local unit will receive a computerized report of all expenditures made on the Central Account by that individual unit. If there are any “Unknowns” or incomplete information, the sister should contact the Business Office to complete the transaction. One copy will also be sent to the Coordinator and one copy will be kept in the office of the General Treasurer.

Reimbursements

All reimbursements (for example, medical or insurance, etc.) are sent to the office of the General Treasurer. The reimbursements will be recognized and recorded on the local unit monthly report.

BENEFITS

Social Security

The Congregation participates in the Social Security Program.

- All sisters who receive Social Security Benefits should have those funds deposited electronically in the Congregation’s Social Security Account.
- The official and legal address for all sisters receiving government benefits is 1433 Essington Road, Joliet, IL 60435.
- When a sister reaches age 65, application for social security and Medicare ordinarily is made by the Congregation Government Benefits Coordinator with the sister.
- The application for Social Security can generally be completed online with the permission of the sister.
- The sister must authorize the direct deposit of social security into the common Congregation Social Security account.

Pension Plan

When an employer provides an option for enrollment in a pension or other retirement plan, the sister discusses the option with the General Treasurer. Together

they make the decision. All pension checks are direct deposits into the Congregation account.

Closing of Local Units

When the Local Unit is closed, the checkbook and financial records are sent to the office of the General Treasurer. The records of previous years are destroyed. Materials of interest, such as artifacts or memorabilia from the Local Unit, may be sent to the Director of the Archives.

Disposition of Property

When a sister leaves a residence, all durable goods should be identified. Decisions about the disposition of durable goods from the Local Unit (e.g. furniture, kitchenware, electronics, and appliances) are made in consultation with the Local coordinator, the Councilor and the General Treasurer.

Purchases Made with State Tax Exemption Number

The Congregation of the Third Order of St. Francis of Mary Immaculate, Joliet, has been issued a tax exemption identification number.

To claim the exemption, the sister must provide the number to the supplier when purchasing tangible property for organizational use. If this number is needed for the above purpose, contact is made with the Congregation Business Office.

Individual sisters making purchases for their personal use may not use this exemption.

Health Insurance

All sisters have health coverage. Sisters who are under 65 participate in health insurance provided by their employer or by the health insurance policy provided by the Congregation.

When an employer pays a contribution to the Congregation through the office of the General Treasurer in lieu of participation in a health insurance policy, a premium equivalent to that which the employer would pay to an outside agent is requested. Questions concerning health insurance are to be discussed with the office of General Treasurer.

Sisters who are 65 or older participate in Medicare. If they are employed and receive health insurance benefits, then the health insurance policy is usually primary with Medicare secondary. Sisters may request a supplemental policy to Medicare, such as Blue Cross, AARP, United Healthcare, etc. or Medicaid. To assist the sister in selecting a policy, she contacts the Congregation Benefits Coordinator.

Sisters in transition work with the office of the General Treasurer to insure that medical health coverage is in place.

Major Medical Expenses

When a sister is expecting to have major expenditures for dental, ocular, hospital or other medical attention, the matter is discussed with the Coordinator. The Coordinator will be in consultation with the Councilor and the General Treasurer.

Any individual medical bill over \$1,000 is discussed with the General Treasurer for payment processing. These expenses are recognized in Major Medical on the General Ledger of the Congregation.

PATRIMONY

General Statements

Property, e.g., land, real estate, investments owned by a sister at the time she makes profession and any property acquired after profession, e.g., inheritances from parents and relatives is known as her patrimony.

In the beginning of a sister's life in the community, she may not have received any patrimony or ever thought she would. All professed sisters of this Congregation retain title to their property and the capacity to acquire other property.

Before first profession, a sister signs a legal form of cession by which she cedes the administration, use, and income of her property (patrimony) to whomever she may choose. The President provides the sister with a Form of Cession of Administration of Patrimony. This form needs to be checked and reviewed periodically with each sister to be sure the person is still alive and the sister understands the responsibility.

If a form of cession and disposal were omitted due to lack of property and property is then acquired, or if the form of cession and disposal was made and other property is acquired in the future, the cession is made or repeated at that time.

- ❖ For example, if articles of material value are given or bequeathed to an individual sister as part of her patrimony (ex. a precious heirloom, gold or diamond wedding rings of parents, valuable jewelry, etc.), she must include in her will provisions for the disposition of such articles.
- ❖ The executor of the will is responsible for making sure the distribution of all assets is concluded. This is important to be sure personal items are organized for disposition upon death. This includes items like family mementos, perhaps books, pictures, ETC. These items should be designated and included in the sister's will to be handled by the executor of the will.
- ❖ To prevent disagreements with family and the dichotomy of who really is to receive items after a sister dies, clear intentions must be stated. If everything is not identified, investigated and distributed by the responsible party for this activity, all other items will be disposed of in a prompt manner with no further activity with regard to ownership.

A sister **may change** the cession and disposition of her property **only** with the permission of the **President** of the Congregation.

If a sister terminates membership in the Congregation, the act of cession and disposition becomes null and void.

When a sister cedes the administration of her patrimony to the Congregation, she gives it to the General Treasurer, who puts it into the restricted fund known as the Patrimony Account. The Congregation uses interest earned from the invested Patrimony Account. Should a sister terminate membership in the Congregation, the principal is returned to her. Upon her death, the principal is disbursed according to the sister's legal will.

If a sister has patrimony held outside the Congregation, she is responsible that all legal and taxable requirements are satisfied for the patrimony. The responsibility of patrimony upon the death of the sister needs to follow the direction of the sister's will.

Summary:

A sister is to have only one will. Before a sister changes her will, she must seek permission of the President. The will that is most recent is the one that is executed upon a sister's death.

As an act of radical poverty, having received legal counsel, a sister may, at least ten years after final profession, seek permission of the President of the Congregation to renounce wholly, or in part, whatever she now has or might acquire in the future. The President provides the sister with a *Form for the Renunciation of Patrimony*.

Gifts

Since patrimony is the only property to which a sister retains the title, all gifts other than patrimony become the common property of the Congregation.

Monetary gifts other than patrimony, designated for personal use, can be used for that purpose if the sister so wishes and can do so in accordance with the simple living she has chosen. She deposits it in the Accommodation Account. To use these funds, the sister writes a check to the appropriate entity under the code used for Accommodation Account. Upon a sister's death the Accommodation Account is turned over to the Congregation.

Monetary gifts given to the Congregation directly or through an individual sister are to be used for the purpose for which they were given. Gifts that donors intend to be used as deductibles on income tax returns are not intended for an individual's use, but rather for the work of the Congregation.

Power of Attorney for Finance and Property

Any sister who is entitled to benefits (government, insurance, etc.) or who is a trustee, signatory or beneficiary of property for which she is required to complete civil documents and/or federal/state tax forms, must execute a legally binding *Power of Attorney for Property* document. Ordinarily the General Treasurer or President would serve in this role.

The purpose of this document is to guarantee that in the event a sister is unable to act on her own behalf, the appointed person with Power of Attorney for Property is legally authorized to act as her agent.

A copy of the Power of Attorney for Property document is to be kept on file in the Office of the General Secretary. All sisters execute legally binding *Power of Attorney for Property* document.

This document allows the Congregation to work on the sister's behalf in providing assistance to close accounts; resolve financial issues and conclude the business affairs of a sister after death.

It is the sister's responsibility to select another person to serve as POA for Property, if her current one can no longer serve. The selection of the new person should be as indicated by community guidelines and to complete the paperwork for submission to the General Secretary office,

Trusts

If a sister is included in a trust set up by her family, relatives, or friends, she informs the office of the General Secretary that it exists. This information is kept in her personal file.

Wills

Before first profession, a sister makes a will indicating who is to receive her property at her death. To be effective, the will needs to be freely determined and freely written. The sister is encouraged to seek legal counsel when making a will.

Sisters are encouraged to review their wills from time to time. A sister must request permission from the President to change her will. A signed copy of the will which includes the date and notarization of the newly executed will must be given to the General Secretary in a sealed envelope for the sister's personal file.

Upon her death, if a sister's patrimony exceeds \$100,000.00 and she does not have a proper trust agreement designating beneficiaries with the rights of survivorship, the sister's will may need to be filed in Probate Court in the State of Illinois.

If a sister leaves the Congregation, her will is returned to her. She is encouraged to make a new will, since the final will made by a religious remains valid in civil court.

TAXES

Income Tax

If a sister is employed by a church-related organization, i.e., one listed in the Official Catholic Directory her wages are tax-exempt. Income taxes are not to be withheld for sisters in this category.

If a sister works for another organization (i.e., one not in the Official Catholic Directory), she requests that income taxes be withheld from her salary.

All W-2 forms and/or 1099 forms received from employers are to be sent to the office of the General Treasurer no later than the 15th of February each calendar year. The General Treasurer is responsible for filing income taxes (Federal and/or State) for the individual sisters. Completed tax forms are prepared by the Congregation CPA firm. Any returns are sent to the office of the General Treasurer and credited to the local unit account of the sister as part of her income.

Social Security Taxes/FICA

The Congregation has opted for coverage for Social Security under Public Law 90-603 which was made effective October 30, 1972.

In a taxable situation, the employer pays half of the required Social Security tax. The employee pays the other half, which is deducted from the sister's paycheck.

The Congregation pays the Social Security for all sisters who work for employers in the Official Catholic Directory up through age 69.

If a sister is in a self-initiated ministry or has income from contracted services, she pays the entire Social Security amount as both employer and employee. In this way she continues to contribute to her annual Social Security deposit account.

For all active sisters, the Congregation pays the total Social Security amount based on a Fair Market Value up to age 70.

VII. CONGREGATION RELATIONSHIPS

ASSOCIATES

Associate Relationship

Information and literature concerning the Associate Relationship may be obtained from the Director of Associates. Criteria, guidelines and procedures for becoming an associate are outlined and discussed in the Associate Handbook (2015).

Companion Sisters / Associates

Companion sisters/associates are those sisters/associates selected by the individual associate to accompany the person as a representative of the Congregation. Ordinarily, the companion sister/associate is well-known to the associate as friend, co-worker, mentor, etc.

SPONSORED INSTITUTIONS

Sponsorship

Sponsorship describes the way in which the Sisters of St. Francis of Mary Immaculate continue to have varying degrees of influence over institutions that were founded by the Congregation and are separately incorporated from the Congregation. There are different models of sponsorship used in our sponsored institutions. Currently, *Joliet Catholic Academy* has a two-tiered model of governance whereby specific reserved powers are held by the Congregation through a Board of Members, while the organizational operations of Joliet Catholic Academy are governed by their Board of Directors.

The University of St. Francis

The University of St. Francis, while founded by the Congregation, is now sponsored by a Pontifical Public Juridic Person, the Third Order Franciscan University Alliance. This was established August 11, 2024, upon approval of Dicastery for Religious Life. The Congregation appointed three members to this Governing Body at its inception and will until we can longer do so. The Congregation continues to hold seats on USF's Board of Trustees.

Congregational Appointment to Service on Boards of Sponsored Institutions

In order to exercise Franciscan mission influence as the founding Congregation and/or sponsor, the Governing Board of the Congregation is responsible for appointing qualified persons of confidence to serve terms of office as Members, Trustees and/or Directors on the boards of sponsored institutions. In some cases, these appointments extend solely to members of the Central Administration, in other cases, these appointments extend to qualified sisters in the Congregation at large, in still other cases, these appointments extend to qualified clergy, vowed religious and lay leaders who, after consultation, are chosen by the President to serve as designated representatives of the Congregation on specific boards.

AFFIRMATIVE ACTION STATEMENT

In compliance with the Federal Executive Order 11546 (42 USCA Sec. 2000c) 1970 and the Civil Rights Act of 1964, Titles VI and VII, the Congregation of the Third Order of St. Francis of Mary Immaculate, Joliet, Illinois agrees to take affirmative action to ensure that current employment policies are in effect without discrimination on the basis of gender, race, creed, national origin, disability or sexual orientation.

SUPPLEMENTAL POLICY A

LIFE TRANSITIONS

*In ministering to others, we ourselves are enriched; in
standing by those who suffer, we learn compassion.*

Our Constitutions #23

Full Time to Part Time Compensated Ministry

Our sisters are in ministry for life. We do not retire; we transition to another form of ministry. We believe that aging is a life-long process, unique to each sister. In community, this process represents both a challenge and an opportunity for continued growth. We respect the dignity of each sister. We support each other's spiritual, intellectual, emotional, physical and social well-being as well as our commitment as a Sister of St. Francis of Mary Immaculate.

When a sister takes vows as a professed member of the community, the community assumes responsibility for her life-long care. This includes the responsibility to ensure that each sister is offered assistance in accessing the health and wellness care entitlements available to her through the civil government. A sister does not work in order to accumulate wages or to build up a pension fund for her elder years. Any stipend received as remuneration from her work goes into the common fund from which the needs of all are met. The same holds true for any government grants, entitlements and programs.

When a sister reaches an age or a state of health which she feels necessitates her partial or complete withdrawal from full-time ministry and movement into an elder or part-time ministry, she seeks advice from her doctor, her spiritual director, confessor, or other professionally competent consultants. Their discernment process about the timing and nature of such a decision is made with the Local Coordinator in dialogue with the sister and in appropriate consultation with ministry site representatives and her local community. The Local Coordinator will discuss the decision with her Councilor before a final decision is made.

A Sister of St. Francis of Mary Immaculate may thus transition from active full or part time paid ministry to volunteer ministries where her gifts may be used. We creatively seek new outlets for ministries appropriate to our age, physical condition, and energy.

Such a development may entail changes in our ministry. When a sister withdraws from full-time active ministry, she remains mindful of the mission of the Congregation according to her capabilities, which is the very core of her calling as a religious.

When the sister's level of care changes, her Local Coordinator will use the instruments below to assess the Sister's situation. Based on that Assessment the Local Coordinator will initiate an evaluation (usually done by the County) to recommend the next appropriate level of care for the sister. Once determined, the Local Coordinator will consult with her Councilor concerning the next steps to be taken to locate the appropriate Facility which will meet the sister's needs. Once the Facility is determined, the councilor will present their findings to the Central Administration for a final decision. Once there is a decision, the Local Coordinator for that Facility will assist in the process of the sister's relocation.

Criteria when Considering Living Arrangements

We commit ourselves to living with and for one another in mutual affection and loyalty. We reverence each one's dignity and challenge one another to ever greater personal holiness. Constitutions #9 Commissioned by God to be stewards of the earth, we are impelled by a sense of justice to be sharing and sparing in our use of the world's goods and to resist the evils of consumerism and materialism.

Constitutions #39

Our choice of housing is based on our philosophy of stewardship. As Sisters of St. Francis of Mary Immaculate and as individuals, we are called to be followers of Jesus; we are stewards of the gifts and resources entrusted to us. It is our responsibility to use these resources without greed or waste and to share and conserve them for the purpose of proclaiming the Reign of God. Therefore, our choice of housing

- enhances our mission as a Franciscan Apostolic/Evangelical Congregation.
- witnesses to a simple lifestyle.
- reflects social responsibility to our neighbors and neighborhood and to the people with no options.
- provides the elements necessary for the wellbeing of the members based on our needs and resources.

When considering a change in living arrangements or a change in residence we offer the following guidelines to be discussed between the sister and her Local Coordinator:

- The sister's present spiritual, physical, emotional, and psychological capabilities and needs
- Options for housing available through our Congregation
- The proximity to Congregation/Community support and facilities
- The needs and capabilities of the sister in her local community or her surrounding area
- The needs of the Congregation
- Opportunities for ministry
- Our call to simplicity and stewardship in financial choices

Criteria for Determining Appropriate Level of Care

The overall philosophy for understanding a Sister's **Appropriate Level of Care** can be summarized as follows:

- A sister's quality of life is paramount.
- A sister's independence should be supported, and her ability to age gracefully in community should be supported.
- Sisters active in ministry and living in an independent community residence have limited time to care for a sister in their midst who is experiencing significant changes in health status (physical, cognitive, or behavioral).

Criteria for Independent Living in Community

The following must be present at all times for a sister to be considered **Independent**:

- A sister is physically and mentally capable of performing all *activities of daily living*. *Activities of daily living* refer to eating, bathing, dressing appropriately, doing her laundry and keeping her room clean; performing toileting functions, and the ability to walk/drive/use public transportation/go outside without assistance.
- A sister is able to move about independently and respond appropriately to emergencies even though she may be using a standard cane, or four-pronged cane, to assist her in walking.
- A sister is able to prepare her own meals when necessary, dine without assistance, or negotiate alternatives such as Meals on Wheels or Frozen Meals.
- A sister is continent or she may have incontinence, a colostomy, or catheter, yet cares for herself through the proper use of medical materials or supplies.
- A sister is able to seek and follow directions, make appointments for health care, and arrange transportation to ministry site or medical appointments.

- A Sister is generally mentally alert, able to plan daily events, and emotionally stable. On rare occasions she may become disoriented or forgetful.
- A Sister is able to participate in community prayer, attend the Eucharist, visit a spiritual director and participate in community recreational activities.
- A Sister is able to use money responsibly.

Criteria for Placement in Assisted Living

A Sister may have a wide range of functional capabilities, although she may experience minimal loss of cognitive and/or emotional health and require some assistance in personal care and the performance of the *activities of daily living* (ADL's).

The list below is only a guideline for the criteria when considering the need to place a sister in assisted living. Add up the points next to all characteristics that apply to the sister's circumstances. When the sum is ten or higher, the sister is a likely or definite candidate for an independent evaluation by a healthcare professional, and if appropriate will be referred to and placed in assisted living.

POINTS

- | | |
|---|---|
| 2 | A sister is unable to use the telephone in an emergency. |
| 2 | A sister needs regular reminders to eat or needs help in preparing meals. |
| 2 | A sister requires a living environment tailored to her needs (handrails, shower bars, special toilet seats, stronger lighting, and special chairs). If these needs cannot be met in her present living environment, then she is assigned these two points. If her living environment is capable of being modified to meet her needs for such elder-friendly devices, then she should not be assigned points in this area. |
| 3 | A sister needs counseling and supervision to cope with new physical and emotional problems, to participate in community activities, and to respond appropriately and safely to her physical environment. |
| 4 | A sister needs assistance with the taking of medications. She needs assistance in visiting the physician and in keeping appointments. |
| 5 | A sister requires reminders and/or actual assistance to participate at community prayer and Liturgy. |

- 2 A sister needs some supervision because of cognitive disorientation, the inability to make appropriate decisions, and other signs of mental incapacity. For example, she must be reminded to turn off the stove or water.
- 3 A sister is confined to a wheelchair, uses a walker or cannot negotiate steps or stairs.
- 3 A sister is occasionally disoriented and forgetful.

_____ TOTAL POINTS

Criteria for Skilled Nursing Care

A sister has a physical condition that requires treatment or therapy from a licensed professional or is bed-bound and requires 24-hour nursing assistance to assure care and personal safety.

This point system and criteria, listed below, are only guidelines to assist in making a decision about the level of care a sister needs. When considering the need to place a sister in a skilled nursing facility (SNF/Nursing Home), add up the points next to the characteristics that apply to the sister's condition. For placement in a skilled nursing facility (SNF), consider 8 or more points as indicative of the need for placement, necessitating an independent evaluation by a healthcare professional, and a subsequent referral to (and placement in) a skilled nursing facility.

POINTS

- 4 A sister is confined to bed or confined to a wheelchair.
- 4 A sister requires twenty-four-hour nursing care and/or therapy.
- 4 A sister needs assistance with the ADL's (bathing, dressing, eating, toileting, etc.). She cannot take her medications and must be watched when taking her medications.
- 4 A sister displays frequent or constant signs of forgetfulness, memory lapses or signs of impaired cognition and judgment.

- 2 A sister cannot take care of her laundry, bed-making, and personal grooming.
- 2 A sister needs assistance engaging in social activities, prayers, and family contacts.
- 2 A sister needs someone to make medical appointments and transport her to the doctor's office.
- 3 A sister cannot control bladder or bowel function, soils or wets while asleep or awake, or regularly uses bedpan or incontinence products.

_____ TOTAL POINTS

Transition Policy: March 17, 2025

SUPPLEMENTAL POLICY B

POLICY ON RESPONSE TO ALLEGATIONS OF SEXUAL MISCONDUCT

The Congregation of the Third Order of St. Francis
of Mary Immaculate, Joliet, Illinois
Policy Effective March 20, 1995
Revised July 2003
Revised November 15, 2010
Reviewed 2025

Introduction

The Congregation of the Third Order of St. Francis of Mary Immaculate is committed to creating and sustaining environments for life and ministry that are safe, secure and free of sexual misconduct in the form of abuse, exploitation and harassment.

If and when an allegation or complaint is made, the President of the Congregation or her designee will respond to the allegation or complaint in accord with the Congregation Policy. The process shall be carried out in conformity with our Franciscan values of compassion, justice, integrity and transparency. The sensitive nature of the information gathered in this process and the dictates of charity require that the information be considered confidential.

Each sister shall be given a copy of the Congregation Policy regarding Sexual Misconduct for her individual review and consideration. Each sister involved in ministry is required to participate in a training program (such as *Virtus* sponsored by the National Catholic Risk Retention Group, Inc., *Called to Protect for Ministries* or *Armatus* sponsored by Praesidium, Inc., or an accredited equivalent) and to submit to the General Secretary documentation attesting to the satisfactory completion of such training.

Rationale for Policy on Response to Allegations of Sexual Misconduct

The Sisters of St. Francis of Mary Immaculate recognize that sexual misconduct of any type is contrary to our form of life and inconsistent with the vows we have professed as members of the Congregation.

The Congregation of the Third Order of St. Francis of Mary Immaculate is committed to responsible intervention and appropriate ongoing action in the event of allegations or complaints of sexual misconduct by a member of the Congregation.

Such intervention will ordinarily include appropriate pastoral care and other professional assistance to the persons who may have been harmed or negatively affected by the alleged misconduct, including the person making the report, the alleged victim, the accused member, and other persons and/or communities who may be directly or indirectly impacted by such allegations.

The Congregation is committed to preserving the dignity of the person making the report, the alleged victim, and the member who is accused or suspected of having engaged in sexual misconduct. The Congregation will endeavor to guarantee that all parties are treated fairly and justly.

This policy describes, in general, the behavioral boundaries that all members must adhere to, as well as the process that will be followed in order to investigate any allegation or reasonable suspicion that a member of the Congregation may have engaged in sexual misconduct with a minor or a vulnerable adult.

The policy also describes the action that may be taken after an investigation is complete, including the Congregation's pastoral response to the alleged victim, his or her family, the accused member, and other persons and/or communities affected by the results of the investigation.

Definitions

Sexual misconduct as used in this policy means sexual abuse, sexual exploitation or sexual harassment as defined below:

Sexual Abuse means any sexual contact or conduct with a minor or vulnerable adult. This includes behaviors involving direct personal contact or means of communication such as the internet. It has the meaning ascribed to it in the applicable statute.

Sexual Exploitation means any sexual conduct between a member and a person with whom the member has a professional or ministerial relationship, whether initiated by the member or by the person being served. This includes behaviors involving direct personal contact or means of communication such as the internet.

Sexual Harassment means any unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature that are coercive, intimidating, or hostile. This includes behaviors involving direct personal contact or means of communication such as the internet.

Vulnerable Adult means any person, 18 years of age or older, who because of impairment of mental or physical function or emotional status is unable to give informed consent to sexual contact and is unlikely to report abuse or neglect without assistance.

Minor means any person under the age of 18 years.

Policies for Maintaining Ethical Ministry with Minors

The following standards are intended to assist members in making decisions about interaction with minors in Church sponsored and affiliated programs. They are not designed or intended to address interactions within families.

1. Prohibited Behaviors

- a. Using, possessing, or being under the influence of alcohol or illegal drugs while in the presence of minors.
- b. Using, possessing, or being under the influence of alcohol or illegal drugs while supervising minors.
- c. Providing minors with alcohol or allowing them to consume illegal drugs.
- d. Swearing in the presence minors.
- e. Speaking to minors in a way that is or could be construed by any observer as harsh, threatening, intimidating, shaming, derogatory, demeaning, or humiliating.
- f. Discussing sexual activities with minors unless it is a specific job requirement and the member is trained to discuss these matters.
- g. Engaging in any sexually oriented conversations with minors unless the conversations are part of a legitimate lesson and discussion for teenagers regarding human sexuality issues. On such occasions, the lessons will convey to youth the Church's teachings on these topics. If youth have further questions not answered or addressed by their individual teachers they should be referred to their parents or guardians for clarification or counseling.
- h. Being nude in the presence of minors.

- i. Possessing sexually oriented or morally inappropriate printed materials (magazines, cards, videos, films, clothing, etc.).
 - j. Sleeping in the same beds, sleeping bags or small tents with minors.
 - k. Engaging in sexual contact with minors. For the purposes of this policy, sexual contact is defined as vaginal intercourse, anal intercourse, oral intercourse, or the touching of an erogenous zone of another (including but not limited to thighs, genitals, buttocks, pubic region or chest) for the purpose of sexually arousing or gratifying either person.
2. Off-site events
- a. Members are prohibited from transporting minors without written permission of their parent or guardian.
 - b. Members are prohibited from unnecessary and/or inappropriate physical contact with minors while in vehicles.
 - c. Minors should be transported directly to their destination. No unplanned stops should be made.
 - d. Members are prohibited from having minors stay at their residence. Requests for exceptions should be submitted to the Major Superior in writing two weeks prior to the visit.
 - e. Changing and showering facilities or arrangements for Members must be separate from facilities or arrangements for minors.
3. Physical contact
- a. Members are prohibited from using physical discipline in any way for behavior management of minors. No form of physical discipline is acceptable. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force as retaliation or correction for inappropriate behaviors by minors.
 - b. Appropriate affection between members and minors constitutes a positive part of Church life and ministry. The following forms of affection are regarded as appropriate examples for members in ministry roles with minors:
 - i. Hugs.
 - ii. Pats on the shoulder or back.
 - iii. Handshakes.
 - iv. "High-fives" and hand slapping.
 - v. Verbal praise.
 - vi. Touching hands, faces, shoulders and arms of minors.

- vii. Arms around shoulders.
 - viii. Holding hands while walking with small children.
 - ix. Sitting beside small children.
 - x. Kneeling or bending down for hugs with small children.
 - xi. Holding hands during prayer.
 - xii. Pats on the head when culturally appropriate. (For example, this gesture should typically be avoided in some Asian communities).
- c. Some forms of physical affection have been used by adults to initiate inappropriate contact with minors. In order to maintain the safest possible environment for minors, the following are examples of affection that are not to be used by members in ministry roles with minors:
- i. Inappropriate or lengthy embraces.
 - ii. Kissing on the mouth.
 - iii. Holding minors over four years old on the lap.
 - iv. Touching buttocks, chests, or genital areas.
 - v. Showing affection in isolated areas such as bedrooms, closets, staff only areas or other private rooms.
 - vi. Being in bed with a minor.
 - vii. Touching knees or legs of minors.
 - viii. Wrestling with minors.
 - ix. Tickling minors.
 - x. Piggyback rides.
 - xi. Any type of massage given by a minor to an adult.
 - xii. Any type of massage given by an adult to a minor.
 - xiii. Any form of unwanted affection.
 - xiv. Compliments that relate to physique or body development.
4. Supervision Programs that Involve Minors
- Programs for minors in which Members are involved, must be supervised by at least two adults.

Obligation of Sisters to Report Incidents of Sexual Misconduct

Any member shall report known or suspect current abuse of minors or vulnerable adults to civil authorities within 48 hours regardless of state mandatory reporting

laws. If any member has any questions regarding their duty to report the abuse of any minor or vulnerable adult, the member should discuss this issue with the President.

Members of the Congregation shall report to the President of the Congregation any incident of sexual abuse, sexual exploitation or sexual harassment by a member of the Congregation. If the President is the member accused or suspected of committing sexual abuse, sexual exploitation, or sexual harassment, the member shall report the incident to the next in command.

An anonymous, specific and verifiable letter of concern may be sent to the President, instead of direct notification.

Responding to Incidents and Allegations of Sexual Abuse

Allegations of sexual abuse, sexual exploitation, or sexual harassment, may come from a variety of sources, including the alleged victim or his/her family members, Diocesan offices, members of the community, a colleague in the workplace, or from the alleged perpetrator. Because each is distinct, the following is a general outline of the response system for an allegation of abuse but is not a procedure that is to be followed in the same way for each unique case. The process is to be modified according to the nature of the allegation, the needs of the alleged victim, and the circumstances of the accused Member. In every case, however, the Congregation commits itself to dealing pastorally with and protecting the rights of all those involved.

1. The President shall receive allegations of sexual abuse and coordinate assistance to anyone who brings an allegation of abuse by a member of the Congregation.
2. When an allegation of abuse is first received, the President shall attempt to gather sufficient information to complete a preliminary report. The information would include the following:
 - a. Name of the alleged victim
 - b. Age of alleged victim
 - c. Address and phone number of alleged victim
 - d. Name of alleged perpetrator
 - e. Approximate dates of alleged abuse
 - f. Nature, type and location of alleged abuse
 - g. Any additional relevant details

3. Upon receipt of an allegation of sexual abuse of a minor, the President will promptly follow the Congregation's reporting procedures and report the allegation to civil authorities (see Reporting Procedures).
4. The President and the Congregation will cooperate fully with any investigation by civil authorities.
5. The President will offer to meet in person with the alleged victim if he or she so desires. The President will maintain a compassionate and pastoral manner regardless of the demeanor of alleged victim, recognizing that experience of abuse and difficulty of coming forward may bring out strong emotions during the disclosure process.
6. An Assistance Coordinator may be assigned to assist with the immediate and ongoing needs of individuals who have experienced abuse, and their families.
7. The President will notify the accused member of the allegation and its substantial details. She will take steps to ensure that the accused member receives the support and assistance she needs while the allegation is being investigated. This support may take the form of assigning a mentor for the accused.
8. The President will inform the accused member of her right to seek canonical and civil counsel before any further conversation into the matter. The Congregation recognizes that the member may need assistance to engage such counsel.
9. The accused or suspected member will immediately be temporarily removed from ministry duties and responsibilities. The Congregation will ensure that the member does not have any access to minors, and that behavioral plans are to be put in place to ensure that the accused will not have access to minors. This plan may include, without limitation, restrictions on social functions, ministry, working, and travel. Should the allegations be unsubstantiated, the member will be reinstated and the restrictions removed.

Investigation of Allegations of Sexual Misconduct

On receipt of an allegation of sexual misconduct by a member, the President will convene a Sexual Misconduct Review Committee to assess the credibility of the allegation and undertake any warranted investigation. The President may reserve the investigation to herself or she may appoint a designated Investigator from the Sexual Misconduct Review Committee. If the accused member is the President, the next individual in command will conduct the investigation.

1. During investigations by civil authorities or by the Congregation, the member who is the subject of the investigation will be temporarily removed from ministry responsibilities and duties.
2. The President will designate an Investigator to independently gather information regarding the allegations. In the cases of verified or undisputed allegations, an investigation will be conducted to identify any other potential victims and to obtain information to inform the on-going supervision plans for the Member who has abused.
3. In order to fulfill responsibilities, the President will consult with the Review Committee at each juncture of the process and will convene the Committee within 48 hours of receiving the final report from the Investigator.
4. Should a member be found guilty of sexual misconduct, the Congregation will provide for the pastoral care of the victim and the victim's family.
5. In the case of a member found guilty of sexual misconduct, the Committee will also provide for the pastoral care and treatment of the member, offering her support in whatever penalties are imposed upon her by the legal system or whatever restrictions are imposed upon her by the Congregation.
6. Should an allegation be unsubstantiated, the Congregation will reinstate the accused member to ministry and will work towards the restitution of her good name.
7. Congregation investigations will be documented. Documentation of the investigations will be stored in the office of the President. A summary of the investigation findings will be stored in the personnel file of the member who is the subject of the investigation.
8. Documentation of investigation is the property of the Congregation and shall remain with the office of the President following election of a new President.
9. The President will usually assign an Investigator to review the allegations, question the parties involved, and act as the representative of the Congregation.
 - a. The Investigator will advise any parties that he/she represents the Congregation and that conversations with the Investigator are not subject to any attorney/client privilege.
 - b. The Investigator will advise the parties that, although pastoral care is available, the Investigator will not be the one to provide that care.

- c. The Investigator, who shall obtain statements from the parties and any witnesses, will keep the President informed regarding the status of the investigation.
10. The President will maintain contact with the accused member throughout the entire process.
11. When she has received the completed investigation report, the President will present the results of the investigation to the member for response.

**General Responsibilities of the President (or her designee)
regarding Sexual Misconduct Policy & Response to Allegations of
Sexual Misconduct**

The President (or her designee):

- Educates members of the Congregation with regard to issues and updates related to the Sexual Misconduct Policy
- Receives complaints and allegations
- Informs the accused or suspected member of the allegation or complaint
- Protects and preserves confidentiality where possible and guarantees confidentiality within the limitations of confidentiality under the law
- Observes and enforces the prescriptions of Canon Law along with the Policies and Procedures of the Congregation
- Ensures the notification of Child Protection Agency or Civil Authorities, when necessary
- Ensures the notification of the Congregation Attorney
- Ensures the notification of the Insurance Carrier, when necessary
- Follows and obeys civil laws governing allegations of sexual misconduct
- When appropriate, works cooperatively with diocesan authorities and agencies
- When appropriate, works cooperatively with law enforcement agencies and protective services as mandated by law
- Guarantees that the investigation is responsibly undertaken and carefully concluded
- If warranted, convenes a Sexual Misconduct Review Committee and appoints a designated Investigator
- If convened, communicates effectively with the Sexual Misconduct Review Committee in the assessment, management and investigation of allegations and complaints

- Ensures the following of procedures and the confidential safeguarding of documentation
- Speaks publicly on behalf of the Congregation to the Media or designates a Media Spokesperson to do so on her behalf or that of the Congregation
- Provides necessary, adequate and appropriate information to members of the Congregation regarding a public allegation against a member
- Informs members of the Congregation of the protocol to be followed regarding inquiries and clearly identifies the person(s) authorized to speak on behalf of the Congregation
- In the event an allegation is made against the President of the Congregation, the Vice-President of the Congregation is designated to fulfill the General Responsibilities as stated above.

Specific Responsibilities of the President (or her designee) to the Complainant

The President (or her designee) shall respond to the complainant, alleged victim, and family members and may:

- Meet with the complainant to hear his or her concerns and provide appropriate pastoral assistance
- Inquire about the well-being of the complainant or alleged victim
- If warranted, refer the person to the designated Investigator from the Sexual Misconduct Review Committee

The President (or her designee) shall make no judgment concerning the credibility of allegation or complaint. No admission of guilt is made with regard to the member.

After investigation, if the allegation is determined to be credible, the complainant and/or the alleged victim will be offered psychological or spiritual counseling, other personal assistance, or expenses for other needs, as appropriate. If the allegation of complaint is deemed not credible, the President (or her designee) exercises discretion in the discontinuation of contact and services according to the particulars of the case.

Specific Responsibilities of the President (or her designee) to the Accused or Suspected Member

During the investigation, the President (or her designee) provides for the well-being of the member against whom allegations or complaints have been brought. This may be done in dialogue and cooperation with the Sexual Misconduct Review Committee.

The President (or her designee) will provide for appropriate assistance to ensure that the member's legal and canonical rights are safeguarded and guarantee that proper pastoral attention is paid to her spiritual, emotional and physical well-being. This may involve recommending treatment options and decision-making regarding ministerial or professional limitations, living circumstances, and possible restrictions.

In the process of intervention with the accused or suspected member, the President (or her designee) informs the member of the allegation and of her legal rights. The President (or her designee) informs the member that her statement to the President (or her designee) may not be privileged communication under civil law, and that she has the right not to respond to the allegation. The President (or her designee) shall advise and assist the member in obtaining personal civil and canonical legal counsel. The President (or her designee) also requests that the member chooses one other person, usually another member of the Congregation, to be her support person and that the member informs the President (or her designee) of the name of the support person.

Sexual Misconduct Review Committee and Designated Investigator

The Sexual Misconduct Review Committee may include a lawyer, a physician, a mental health professional, a woman religious, and a member of the laity. A designated member of the Sexual Misconduct Review Committee is appointed by the President (or her designee) to serve as the Designated Investigator of the allegation or complaint.

The duties assigned to the Designated Investigator in conjunction with the Sexual Misconduct Review Committee by the President of the Congregation (or her designee) shall be:

1. To conduct an investigation in connection with an allegation or suspicion; the investigation normally will include:
 - an interview with the person making the allegation or complaint

- an interview with the alleged victim
 - an interview with the accused or suspected member of the Congregation
 - interviews with the other knowledgeable persons
2. To make recommendations regarding the allegation or complaint to the President (or her designee) and to propose adequate and appropriate responses.

If law enforcement officers or the State's Attorney are also conducting an investigation, the President (or her designee), in dialogue with the appointed Investigator and the Sexual Misconduct Review Committee may await the outcome of the civil investigation before taking any action.

Specific Responsibilities of the President (or her Designee) with regard to Mistaken Accusations

There is always the possibility of false or mistaken accusations. It is important for all Congregation members to know that both civil law and canon law (CC 1390-1391) provide penalties for crimes of falsehood and false accusation. If it appears that the allegation was false or mistaken, every effort will be made on the part of the President (or her designee) to restore the good name of the member.

Specific Responsibilities of the President (or her designee) for the Pastoral Needs of the Congregation and Other Affected Communities

The pastoral needs of the Congregation membership and the other communities affected by allegations, verifications or mistaken accusations of Sexual Misconduct on the part of a Sister of St. Francis of Mary Immaculate will be addressed by the President (or her designee) in adequate and appropriate ways. This will be carried out in accord with Franciscan values and in a manner that will contribute to healing, reconciliation, and restorative justice.

Assuming personal responsibility for knowing, understanding and complying with the contents of the Policy is a matter of congregational accountability and an expressed expectation of the leadership of the Congregation.

This policy, which shall be reviewed periodically, becomes effective on November 15, 2010.

In making Revisions to the 2003 Policy, the Sisters of St. Francis of Mary Immaculate are grateful to the Blessed Sacrament Province of the Congregation of Notre Dame for permission to adapt selected sections from their *Policies for Responding to Complaints of Sexual Harassment, Ministerial Sexual Exploitation and Complaints of Sexual Abuse of Minors* (2007). We also are grateful to our legal counsel, Kopon Airdo, LLC, Attorneys at Law.