

ARCHDIOCESE OF ST. LOUIS
CODE OF ETHICAL CONDUCT FOR
CLERGY, EMPLOYEES AND VOLUNTEERS WORKING WITH MINORS

September 26, 2003

INTRODUCTION

On June 14, 2002 – at its Summer Meeting in Dallas – the United States Conference of Catholic Bishops approved the *Charter for the Protection of Children and Young People*. Article six of the *Charter* states that “there will be clear and well-publicized diocesan/eparchial standards of ministerial behavior and appropriate boundaries for clergy and for any other church personnel in positions of trust who have regular contact with children and young people.”

Until now in the Archdiocese of St. Louis there have been guidelines or other directives published at various times and pertaining to particular groups which have specified such standards and boundaries. Following the approval of the *Charter* the task was undertaken to produce a single document which would be normative for all clergy, employees and volunteers working with minors in the Archdiocese of St. Louis.

An initial draft document was developed by a committee appointed for this purpose. A process of consultation followed among those with competence for its particular aspects. This consultation produced helpful comments and suggestions for the clarity and precision of the document as it appears here in its final form.

I am now pleased to promulgate the *Archdiocese of St. Louis Code of Ethical Conduct for Clergy, Employees and Volunteers Working with Minors*. As of this date it becomes normative in the Archdiocese of St. Louis.

This *Code of Ethical Conduct* represents yet one more among our continuing efforts in the Archdiocese of St. Louis to do everything possible to protect children and young people. Our commitment to do so is strong. Our resolve is firm. For the rest we rely on the power of God.

Archbishop Justin Rigali
Apostolic Administrator

26 September 2003

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I. Preamble

It is God who calls people to ministry and to other forms of service in His Church and thereby in varying ways to continue the mission of Jesus Christ. Therefore, those who serve in the name of the Church must be exemplary. Clergy, employees and volunteers must at all times be mindful that they bear an awesome responsibility for the sake of the Gospel. Their personal and professional conduct can and often does inspire and motivate others to deepened faith and personal holiness. However, because of the great trust placed in the Church by God's people, the conduct of the Church's clergy, employees and volunteers can also scandalize, undermine faith and harm those whom God has entrusted to the Church's pastoral care.

It is to be understood, therefore, that all who minister, work or volunteer in the parishes, schools or other institutions, offices or agencies of the Catholic Church must at all times uphold Gospel values in their personal and professional conduct. Clergy, employees and volunteers should and will be held accountable for their behavior. They must exemplify a deep commitment to the Church and its traditions and strive after integrity of life. They must respect the rights and inherent dignity of every other human person. Valuing the pursuit of personal, spiritual and intellectual growth, they must seek to maintain a professional level of competence with regard to the ministry or work entrusted to them.

In order to maintain the highest level of accountability, there must be a clear and unambiguous blueprint of appropriate and inappropriate behavior. The intent of this *Code of Ethical Conduct* is to provide a set of normative standards of conduct for all clergy, employees, and volunteers engaged in ministerial and other Church related situations in the Archdiocese of St. Louis. While this *Code* is not exhaustive in the variety of situations specifically mentioned, it is to be understood that the standards set out herein are to be considered normative for every pastoral or other Church related setting.

Responsibility for adherence to this *Code of Ethical Conduct* rests with the individual. Any member of the clergy, employee or volunteer who violates this *Code* will be subject to appropriate remedial action by the competent authority in each case. Corrective action may take various forms depending on the specific nature and circumstance of the offense, including but not limited to, an oral or written citation or even removal from ministry, termination of employment or discontinuance of one's volunteer efforts.

II. Personal and Professional Interactions

1. Integrity

All clergy, employees and volunteers must maintain a presence of mind about their proper role in the circumstance in which they find themselves.

- 1.1 Clergy, employees and volunteers must always protect the interests and rights of those who are most vulnerable, especially minors.
- 1.2 Explicitly sexual interactions or even sexually suggestive interaction with persons who are served or with whom one works are never appropriate to the ministerial setting. Members of the clergy are expected to conduct themselves chastely according to their state of life.
- 1.3 Those who work or volunteer their service to the Church must protect the confidentiality and privacy rights of others at all times.

2. Proper Conduct for Instances of Pastoral Counseling and Spiritual Direction

Those who provide pastoral counseling and spiritual direction must respect the rights and advance the welfare of each person with whom they have this type of professional ministerial relationship.

- 2.1 Any counseling conducted by clergy, employees or volunteers must be within the parameters of their training or certification from a recognized association of peers or licensure from the State of Missouri. Those who provide pastoral counseling and spiritual direction must not overstep the limits of their competence. Those who provide pastoral counseling and spiritual direction should also be diligent in referring clients to other qualified professionals when appropriate or necessary.
- 2.2 It must always be clear, both to those who provide pastoral counseling and spiritual direction, as well as to their clients, that it is a counseling or spiritual direction relationship that is in progress.
 - 2.2.1 This includes maintaining a clear distinction between the ministry in which they are engaged and other specialized forms of clinical therapy.
 - 2.2.2 It includes making certain that sessions are conducted in appropriate settings and, at appropriate times, supported by a calendar record of contacts. Counseling or spiritual direction should not take place at times or in locations which could make the nature of the session ambiguous or misleading to the client. No sessions may at any time be conducted in private living quarters.

- 2.3 Those who provide pastoral counseling and spiritual direction should carefully consider the possible consequences before entering into a counseling relationship with someone with whom they have a pre-existing relationship (i.e., employee, professional colleague, friend or other pre-existing relationship).
- 2.4 Those who provide pastoral counseling and spiritual direction are not to audiotape or videotape sessions.
- 2.5 Those who provide pastoral counseling and spiritual direction assume the full burden of responsibility for establishing and maintaining clear and appropriate boundaries in all counseling and counseling-related relationships.
 - 2.5.1 They are to avoid unnecessary social contact with clients during the course of counseling.
 - 2.5.2 They are never to engage in sexual intimacies with the persons they counsel or with other persons who are close to the client, (e.g., relatives or friends). This includes consensual or non-consensual intimacies, forced physical contact, as well as the use of sexual language or comment which is inappropriate to the professional nature of the relationship.
 - 2.5.3 Physical contact of any kind (i.e., touching, hugging, holding) between those who provide pastoral counseling and spiritual direction and the persons they counsel, especially during sessions, can easily be misconstrued and should be avoided. This prohibition of physical contact applies also to the Sacrament of Penance, except for the sacramental imposition of hands.

3. Confidentiality

Information disclosed to a Pastoral Counselor or Spiritual Director during the course of counseling, advising or spiritual direction must be held in the strictest confidence possible.

- 3.1 Information obtained in the course of sessions must be held in confidence, except for compelling professional reasons or as required by law.
 - 3.1.1 If there is clear and imminent danger to the client or to others, those who provide pastoral counseling or spiritual direction may disclose to the necessary authorities only the information necessary to protect the parties affected and to prevent harm (e.g., a client that threatens harm to himself/herself or others).

- 3.1.2 Before disclosure is made, if feasible, those who provide pastoral counseling or spiritual direction should inform the person being counseled about the disclosure and the potential consequences.
- 3.2 At the outset of this type of professional relationship, those who provide pastoral counseling and spiritual direction should discuss with each client the nature of confidentiality and its limits should the client disclose intent to put self and/or others in imminent danger.
- 3.3 Those who provide pastoral counseling and spiritual direction should keep minimal records of the content of sessions.
- 3.4 Knowledge acquired from professional contact may be used in teaching, writing, homilies or other public presentations only when effective measures are taken to safeguard absolutely both the individual's identity and the confidentiality of the disclosures.
- 3.5 While counseling a minor, if a Pastoral Counselor or Spiritual Director discovers that there is a serious threat to the welfare of the minor and that communication of confidential information to a parent or legal guardian is essential to the child's health and well-being, the Pastoral Counselor or Spiritual Director should:

Attempt to secure written consent from the minor for the specific disclosure if such is appropriate under the circumstances.

If consent is not obtained, disclose only the information necessary to protect the health and well-being of the minor.

Consultation with the appropriate Church supervisory personnel is required before disclosure.

- 3.6 In conducting group sessions, those who provide counseling must ensure that no individual is subject to trauma or abuse resulting from group interactions. The nature of the group and the parameters of confidentiality regarding all individual disclosures during group sessions are to be explained to participants at the outset. Such group interactions include pastoral counseling groups, faith formation groups, Renew groups, etc.

These obligations are independent of the sacramental seal of Confession, which demands that under no circumstance whatsoever may there be any disclosure, even indirect disclosure, of information received through Confession.

4. General Conduct

Clergy, employees and volunteers working with minors should maintain an open and trustworthy relationship between the minors and the adult supervisors.

- 4.1 Clergy, employees and volunteers must be aware of their own and others' vulnerability when working alone with a minor. They must always be mindful that minors, whether in a social or ministerial situation, are not to be considered as possessing the capacity to make free will and voluntary decisions. That is, wherever they are and whatever they do is only to transpire with the explicit knowledge of their parents or guardians.
- 4.2 Use a team approach in managing youth activities. In general, two adults should be present in situations involving minors with the exception of sacramental confession.
- 4.3 Clergy, employees and volunteers must always observe the following regarding interaction with minors:
 - 4.3.1 When meeting with a minor, the office door should have a window or be left open. Do not meet with a minor if there are no other adults in the immediate vicinity.
 - 4.3.2 Never visit a minor's home without at least one other adult present and without the expressed welcome of parents or guardians.
 - 4.3.3 Do not drive alone with a minor for any reason on a regular basis or for any long distance.
 - 4.3.4 All outings with minors (i.e., retreats, youth group trips, sports-related activities and overnight trips) require the presence of at least two adults at all times.
 - 4.3.5 Adults may not share sleeping quarters with minors, unless accommodations are barrack-style with multiple adults and multiple minors in the same room, each individual having a separate bed.
 - 4.3.6 Locker rooms, shower rooms and dressing rooms are not to be shared with minors unless another adult is present.
 - 4.3.7 Minors are not to be accompanied into restrooms without another adult present unless the circumstance makes it absolutely unavoidable.

- 4.3.8 Minors should be permitted only in the public section of a rectory, never in the private living quarters.
- 4.3.9 Minors should never be permitted to stay overnight in the rectory, even if alone in a separate guestroom.
- 4.4. Physical contact with youth can be misconstrued and should occur: (a) only when completely nonsexual and otherwise appropriate and (b) never in private.
- 4.5 Clergy, employees and volunteers should never be involved with the illegal possession and/or illegal use of drugs and/or alcohol. They must never supply such substances to minors nor may they consume alcohol while functioning in an official capacity with minors. This includes those who are involved with children as coaches or managers of sports teams.
- 4.6 Clergy, employees and volunteers should not provide shared or private overnight accommodation for any minors including, but not limited to, accommodations in any Church owned facility, private residence, hotel room or any other place unless there is ample adult supervision present.
 - 4.6.1 In rare emergency situations when accommodation is necessary for the health and well-being of the youth, the clergy, employees or volunteers should take extraordinary care to protect all parties from the appearance of impropriety and from all risk of harm.
 - 4.6.2 A team approach should always be employed in managing such emergency situations.
- 4.7 Physical force or demeaning language should not be used in disciplining minors. Physical force is only permissible to protect oneself, another innocent party or a child who is out of control.
- 4.8 Prudent caution is to be employed regarding physical displays of affection (e.g., hugging or even social rough-housing), language and topics of conversation used with minors. At no time are any of the above appropriate if they could not also be comfortably, and with approval, carried out in the presence of the minor's parent or guardian.
- 4.9 Clergy, employees and volunteers should refuse to accept expensive gifts from minors or their parents without prior written approval from the pastor or the administrator, in the case of a school, and archdiocesan agencies.
- 4.10 Clergy, employees and volunteers should refrain from giving expensive gifts to minors without prior written approval from the parents or

guardians and the pastor or the administrator, in the case of a school, and archdiocesan agencies.

5. Sexual Conduct

Clergy, employees and volunteers must not, for sexual gratification or intimacy, exploit the trust placed in them by the faith community.

- 5.1 Clergy, employees, and volunteers who are committed to a celibate lifestyle of complete continence are called to be an example of celibate chastity in all relationships at all times.
- 5.2 Employees and volunteers who provide pastoral counseling or spiritual direction services must avoid developing inappropriately intimate relationships with minors, other employees, or parishioners. Employees and volunteers must conduct themselves in a professional manner at all times.
- 5.3 No member of the clergy, employee or volunteer may exploit another person for sexual purposes.
- 5.4 Allegations of sexual misconduct are taken seriously and are to be reported to the competent authority in the archdiocesan office or agency, parish or school, as well as to civil authorities, if the situation involves one who is presently a minor. The norms of the *Pastoral Policy Regarding Alleged Cases of Sexual Abuse of Minors by Clergy or other Church Personnel of the Archdiocese of St. Louis* and the archdiocesan *Policies, Procedures, and Guidelines on Child Abuse* are to be followed without exception in every situation of this kind in order to protect the rights of all involved.
- 5.5 Clergy, employees and volunteers should review and know the contents of the child abuse regulations and reporting requirements for the State of Missouri and should follow those mandates.

6. Harassment

As is true in relationships with adults and equally applicable with minors, clergy, employees and volunteers must not engage in physical, psychological, written or verbal harassment of employees, volunteers or parishioners and must not tolerate such harassment by other Church employees or volunteers.

- 6.1 Clergy, employees and volunteers must maintain a professional work environment that is free from physical, psychological, written or verbal intimidation or harassment.

- 6.2 Harassment encompasses a broad range of physical, written or verbal behavior, including without limitation the following:
- Physical or mental abuse;
 - Racial insults;
 - Derogatory ethnic slurs;
 - Unwelcome sexual advances or touching;
 - Sexual comments or sexual jokes;
 - Requests for sexual favors used as a condition of employment, or to affect other personnel decisions, such as promotion or compensation;
 - Display of offensive materials.
- 6.3 Harassment can be a single severe incident or a persistent pattern of behavior where the purpose or the effect is to create a hostile, offensive or intimidating work environment.
- 6.4 Allegations of harassment are to be taken seriously and reported immediately to the competent authority in the archdiocesan office or agency, parish or school. The applicable personnel policy of the archdiocese or the parish, school or agency is to be followed to protect the rights of all involved.

7. Conflicts of Interest

Clergy, employees and volunteers must in any professional interaction avoid situations that might present a conflict of interest. Even the appearance of a conflict of interest can call integrity and professional conduct into question.

- 7.1 Clergy, employees and volunteers should disclose all relevant factors that potentially could create a conflict of interest. Sound moral principles, uprightness, sincerity and transparent accountability must be the hallmarks of conduct for all who serve in the Church.
- 7.2 Conflicts of interest may also arise when the independent judgment of one providing pastoral counseling or spiritual direction is impaired by prior dealings, becoming personally involved or becoming an advocate for one person against another. In these circumstances, the counselor or spiritual director should advise the parties that he or she can no longer provide services and refer them to another counselor or spiritual director.

8. Reporting Ethical or Professional Misconduct

Clergy, employees and volunteers have a duty to report their own ethical or professional misconduct and the misconduct of others.

- 8.1 Clergy, employees and volunteers must hold each other accountable for maintaining the highest ethical and professional standards. When there is

an indication of illegal actions by clergy, employees or volunteers, the proper civil authorities should be notified immediately as well as the competent authority at the archdiocesan office or agency, parish or school.

- 8.2 When an uncertainty exists about whether a situation or course of conduct violates this *Code of Ethical Conduct* or other religious, moral or ethical principles, consult with the Archdiocesan Director of Human Resources, others who are knowledgeable about ethical issues or the Review Administrator of the Gennesaret committee.
- 8.3 When it appears that a member of the clergy, an employee or a volunteer has violated this *Code of Ethical Conduct* or other religious, moral or ethical principle, the matter is to be reported to the employment supervisor or next higher authority or the Review Administrator of the Gennesaret committee.
- 8.4 The obligation of those who provide pastoral counseling and spiritual direction to report client misconduct is subject to the duty of confidentiality. However, any agreement or duty to maintain confidentiality must yield to the need to report misconduct that threatens the safety, health or well-being of any of the persons involved as provided for in Section 3.1.

9. Administration

Employers and supervisors should treat clergy, employees and volunteers justly in the day-to-day administrative operations of their ministries.

- 9.1 Personnel and other administrative decisions made by clergy, employees and volunteers must meet the requirements of civil and canon law and be consistent with Catholic social teachings and this *Code of Ethical Conduct*.
- 9.2 No member of the clergy, employee or volunteer may use his or her position to exercise unreasonable or inappropriate power and authority.
- 9.3 Clergy, employees and volunteers providing services to minors must read and sign the Code of Conduct before providing services.

10. Clergy, Employees and Volunteers Well-being

Clergy, employees and volunteers have the duty to be responsible for their own spiritual, physical, mental and emotional health.

- 10.1 Clergy, employees and volunteers should be aware of warning signs that indicate potential problems with their own spiritual, physical, mental and/or emotional health.
- 10.2 Clergy, employees and volunteers should seek help immediately whenever they notice behavioral or emotional warning signs in their own professional and/or personal lives.
- 10.3 Clergy, employees and volunteers must address their own spiritual needs, at the heart of which are frequent participation in the celebration of the Eucharist and the Sacrament of Penance. Support from a Spiritual Director is highly recommended.
- 10.4 Inappropriate or illegal use of alcohol and drugs is prohibited.

Archdiocese of St. Louis

**Commitment to Ethical Conduct for
Clergy, Employees and Volunteers Working with Minors**

Our children are the most important gifts God has entrusted to us. I promise to follow strictly the rules and guidelines in the *Archdiocese of St. Louis Code of Ethical Conduct for Clergy, Employees and Volunteers Working with Minors* as a condition of my providing services to the children and youth of our Archdiocese.

I understand that since I may be working with minors, I will be subject regularly to a thorough background check including criminal history. I understand that any action inconsistent with this *Archdiocese of St. Louis Code of Ethical Conduct for Clergy, Employees and Volunteers Working with Minors* or failure to take action mandated thereby may result in my removal from my position of working with minors.

I further understand that I may, as a condition of continuing in my position, be required to participate in education and training provided by the Archdiocese or the school, parish or agency with which I am associated.

Printed Name: _____

Signature: _____

Date: _____