



ARCHDIOCESE OF ST. LOUIS

**CODE OF ETHICAL CONDUCT FOR
CLERGY, EMPLOYEES AND VOLUNTEERS
WORKING IN MINISTRY**



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ARCHDIOCESE OF ST. LOUIS

OFFICE OF THE ARCHBISHOP

September 13, 2012

On June 14, 2002, the United States Conference of Catholic Bishops approved the *Charter for the Protection Children and Young People*. Article six of the *Charter* requires all dioceses to have written “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.” On September 26, 2003, Archbishop Justin Rigali promulgated the *Archdiocese of St. Louis Code of Ethical Conduct for Clergy, Employees and Volunteers Working in Ministry*, and directed that it become normative in the Archdiocese of St. Louis.

As your archbishop, I join my predecessors Cardinal Justin Rigali and Cardinal Raymond Burke in pledging my unwavering commitment to the protection of children and young people. As I express my commitment to protect children and young people in the Church, I offer my heartfelt apologies to anyone who has suffered sexual abuse at the hands of a member of the clergy or any worker in the Church. Through the efforts of the Archdiocesan Office of Child and Youth Protection, we remain committed to the prevention of sexual abuse of minors in the Church, to the promotion of safety for children and young people, and to the ongoing care of those who have suffered sexual abuse.

It is the policy of the Archdiocese of St. Louis that all clergy, employees and volunteers whose service in the Church brings them into contact with children must complete a national criminal record check and agree to regular updates. They must also attend a *Protecting God’s Children* workshop and sign this *Code of Ethical Conduct*.

The Church relies on the help of God’s grace to remain firm in her resolve and effective in her action to protect children and young people. Let us all pray that we may always express the love of Christ for children and the most vulnerable in our midst.

Invoking God’s blessing upon you and your homes, I remain

Sincerely yours in Christ,

Most Reverend Robert J. Carlson
Archbishop of St. Louis

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VULNERABLE ADULTS

The ethical conduct outlined in the following pages pertains not only to interactions with minors but also to those interactions with vulnerable adults over the age of 18 years. An adult is considered vulnerable when he/she is significantly impaired in the ability to, or otherwise unable to, protect his/her own rights and vital interests or to report abuse or neglect without assistance because of physical, mental or emotional impairment.

I. PREAMBLE

It is God who calls people to ministry, therefore, those who serve in the name of the Church must be models of exemplary behavior. Clergy, employees and volunteers must at all times be mindful that they bear a tremendous 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 damage and diminish the faith of 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 live with integrity. 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 definitive 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 activities within 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 appropriate 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 termination of one's volunteer status.

II. PERSONAL & PROFESSIONAL INTERACTIONS

1. GENERAL CONDUCT

Clergy, employees and volunteers (hereinafter referred to as “Church personnel”) working with minors should maintain an open and trustworthy relationship between the minors and adult supervisors.

- I.1 Church personnel must be aware of their own and others’ vulnerability when working alone with a minor. Whether in a social or ministerial situation, the minor’s location and activities should be known by parents or guardians at all times. Church personnel must also be mindful that minors do not possess the capacity to make freewill and voluntary decisions.
- I.2 Church personnel should use a team approach to managing activities. In general, at least two adults should be present in situations involving minors with the exception of sacramental confession.
- I.3 Church personnel must always observe the following regarding interaction with minors:
 - I.3.1 Church personnel should only meet with a minor where other adults can have open access to the room. The entry door should either have a window or be left open. Do not meet with a minor if there are no other adults in the immediate vicinity.
 - I.3.2 Never visit a minor’s home without at least one other adult present and without the expressed welcome of a parent or guardian.
 - I.3.3 Adults providing transportation for parish or archdiocesan-sponsored events may not be alone in a vehicle with one child. It is permissible for one adult to provide transportation for two or more minors, but at no time should one adult be alone with one child in a vehicle. Transportation arrangements must be made in advance to avoid the possibility of an adult and minor being alone in a vehicle.
 - I.3.4 All outings with minors (e.g. retreats, youth group trips, sports-related activities and overnight trips) require the presence of at least two adults at all times. Documented parental consent via signed permission form, handwritten note, or electronic communication must be obtained prior to the event in order for the minor to attend.

II. PERSONAL & PROFESSIONAL INTERACTIONS

- I.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 adult and each minor must have a separate bed.
- I.3.6 Adults may not share locker rooms, shower rooms and dressing rooms with minors unless another adult is present.
- I.3.7 Adults may not accompany minors into restrooms without another adult present unless circumstances make it absolutely unavoidable.
- I.3.8 Minors should be permitted only in the public section of a rectory, never in the private living quarters.
- I.3.9 Minors should never be permitted to stay overnight in a rectory, convent or religious community, even if alone in a separate guestroom.
- I.4 Physical contact with youth can be misconstrued and should occur:
 - (a) only when completely nonsexual and otherwise appropriate, and
 - (b) never in private.
- I.5 Church personnel 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 as coaches or managers of youth sports teams.
- I.6 Church personnel 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 ample adult supervision is present.
 - I.6.1 In rare emergency situations when shared or private overnight accommodation is necessary for the health and well-being of the minor, Church personnel should take extraordinary care to protect all parties from the appearance of impropriety and from all risk of harm.
 - I.6.2 A team approach should always be employed in managing emergency situations that require shared or private overnight accommodation for the health and well-being of minors.

- 1.7 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 person who is out of control.
- 1.8 Prudent caution is to be employed regarding physical displays of affection, topics of conversation, and language used with minors.
 - 1.8.1 Church personnel must not touch or embrace a minor inappropriately. This includes physical games such as wrestling or tickling. Touching and embracing a minor is not appropriate if it could not also be done comfortably in the presence of the minor's parent or guardian.
 - 1.8.2 Church personnel must not engage in any inappropriate, sexually-oriented conversation with minors.
 - 1.8.3 Church personnel must not use inappropriate language or behavior when working with minors.
- 1.9 Church personnel should not accept expensive gifts from minors, their parents, or vulnerable adults without prior written approval from the pastor or school administrator, and archdiocesan agencies.
- 1.10 Church personnel should refrain from giving expensive gifts to minors without prior written approval from the parents or guardians and the pastor or school administrator, and archdiocesan agencies.

2. INTEGRITY

All Church personnel must adhere to moral and ethical principles no matter what role or circumstances they find themselves in.

- 2.1 Church personnel must always protect the interests and rights of those who are most susceptible to harm, especially minors and vulnerable adults.
- 2.2 Explicit sexual interactions and sexually suggestive interaction with minors, vulnerable adults and co-workers are never appropriate and are prohibited. Church personnel are expected to live a chaste lifestyle that respects self and others.
- 2.3 Those who work for or volunteer their service to the Church must protect the confidentiality and privacy rights of others at all times.

II. PERSONAL & PROFESSIONAL INTERACTIONS

3. 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.

- 3.1 Any counseling conducted by Church personnel 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, and should be diligent in referring clients to other qualified professionals when appropriate or necessary.
- 3.2 Pastoral Counselors and Spiritual Directors must have a clear understanding with their clients that the purpose of their relationship is only for counseling or spiritual direction.
 - 3.2.1 Pastoral Counselors and Spiritual Directors must maintain a clear distinction between the ministry in which they are engaged and other specialized forms of clinical therapy.
 - 3.2.2 Pastoral Counselors and Spiritual Directors must make certain that sessions are conducted in appropriate settings and, at appropriate times, supported by a calendar record of the contact. 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. Sessions may not be conducted in private living quarters.
- 3.3 Pastoral Counselors and Spiritual Directors should carefully consider the possible consequences of entering into a counseling relationship with someone whom they have a pre-existing relationship (e.g. employee, professional colleague, friend).
- 3.4 Pastoral Counselors and Spiritual Directors must not make audio or video recordings of their sessions.
- 3.5 Pastoral Counselors and Spiritual Directors assume the full burden of responsibility for establishing and maintaining clear and appropriate boundaries in all counseling and counseling-related relationships.

- 3.5.1 Pastoral Counselors and Spiritual Directors are to avoid unnecessary social contact with clients during the course of counseling, including the use of social media engagement and communication.
- 3.5.2 Pastoral Counselors and Spiritual Directors are never to engage in sexual intimacies with the persons whom they counsel or with other persons who are close to the client (e.g. relatives or friends). This includes consensual or nonconsensual intimacies and forced physical contact, as well as the use of sexual language or comments which are inappropriate to the professional nature of the relationship.
- 3.5.3 Physical contact of any kind (e.g. touching, hugging, holding) between Pastoral Counselors and Spiritual Directors and the persons whom they counsel 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.

4. 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.

- 4.1 Information obtained from clients during counseling sessions must be held in confidence, and disclosed only for compelling professional reasons or as required by law.
 - 4.1.1 If there is clear and imminent danger to the client or to others, Pastoral Counselors or Spiritual Directors may disclose to the 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).
 - 4.1.2 If feasible, Pastoral Counselors and Spiritual Directors should inform their client about the disclosure and the potential consequences before the disclosure is made to the appropriate authorities.
- 4.2 Pastoral Counselors and Spiritual Directors should discuss with each client, at the start of their professional relationship, the nature of confidentiality including its limits should the client disclose intent to put himself/herself and/or others in imminent danger.

II. PERSONAL & PROFESSIONAL INTERACTIONS

- 4.3 Pastoral Counselors and Spiritual Directors should keep appropriate records of the content of counseling sessions.
- 4.4 Knowledge acquired by Pastoral Counselors and Spiritual Directors from professional contact with a client may be used in teaching, writing, homilies or other public presentations only when effective measures are taken to safeguard both the client's identity and the confidentiality of the disclosures.
- 4.5 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 minor's health and well-being, the Pastoral Counselor or Spiritual Director must:
- Attempt to secure written consent from the minor for specific disclosure if such written consent is appropriate under the circumstances, and
 - if written consent is not obtained, disclose only the information necessary to protect the health and well-being of the minor, and
 - consult with the appropriate Church supervisory personnel before disclosure.
- 4.6 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 must be explained to all participants at the beginning of the counseling session. Such group interactions include pastoral counseling groups, faith formation groups, Renew groups, etc.

These obligations are exclusive 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.

5. SEXUAL CONDUCT

Church personnel must not exploit the trust placed in them by the faith community to attain sexual gratification or intimacy.

- 5.1 Church personnel who are committed to a celibate lifestyle of complete self-restraint are called to be an example of celibate chastity in all relationships at all times.

- 5.2 Church personnel who provide pastoral counseling or spiritual direction services must avoid developing inappropriate intimate relationships with clients. They must conduct themselves in a professional manner at all times.
- 5.3 Church personnel must not exploit another person for sexual purposes. This includes, but is not limited to, the creation, distribution and/or possession of all forms of child pornography.
- 5.4 Allegations of sexual misconduct are taken seriously and are to be reported to the proper 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 Church personnel 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

Church personnel must not engage in physical, psychological, written or verbal harassment of employees, volunteers or parishioners of any age and must not tolerate such harassment by other Church personnel.

- 6.1 Church personnel 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

II. PERSONAL & PROFESSIONAL INTERACTIONS

- 6.3 Harassment can take place in a single severe incident or as 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 must be taken seriously and reported immediately to the proper 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

Church personnel must avoid professional interactions and situations that could present a conflict of interest. Even the appearance of a conflict of interest can call integrity and professional conduct into question.

- 7.1 Church personnel should disclose all relevant factors that could potentially 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.

8. REPORTING ETHICAL OR PROFESSIONAL MISCONDUCT

Church personnel have a duty to report their own ethical or professional misconduct in addition to the misconduct of others.

- 8.1 Church personnel must hold each other accountable for maintaining the highest ethical and professional standards. When there is an indication of illegal actions by Church personnel, the proper civil authorities should be notified immediately as well as the proper 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 Executive Director of the Office of Child and Youth Protection (OCYP), the Archdiocesan Director of Human Resources, school administrators, or others who are knowledgeable about ethical issues.
- 8.3 When it appears that a member of Church personnel has violated this *Code of Ethical Conduct* or other religious, moral or ethical principles, the matter is to be reported to the employment supervisor, or next higher authority, or the Executive Director of the Office of Child and Youth Protection (OCYP).

- 8.4 Pastoral Counselors and Spiritual Directors are subject to the duty of confidentiality when reporting client misconduct. 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 stated in Section 4.1.

9. ADMINISTRATION

Employers and supervisors should treat Church personnel justly in the day-to-day administrative operations of their ministries.

- 9.1 Administrative decisions made by employers must meet the requirements of civil and canon law and be consistent with Catholic social teachings and this *Code of Ethical Conduct*.
- 9.2 Employers and supervisors may not use his or her position to exercise unreasonable or inappropriate power and authority.
- 9.3 Employers and supervisors providing services to minors must read and sign this *Code of Ethical Conduct* before providing services.

10. WELL-BEING OF CLERGY, EMPLOYEES AND VOLUNTEERS

Church personnel have the duty to be responsible for their own spiritual, physical, mental and emotional health.

- 10.1 Church personnel should always be aware of warning signs that indicate potential problems with their own spiritual, physical, mental and emotional health.
- 10.2 Church personnel should seek help immediately whenever they notice behavioral or emotional warning signs in their own professional and/or personal lives (e.g. excessive use of alcohol or controlled substances, etc).
- 10.3 Church personnel 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.

II. PERSONAL & PROFESSIONAL INTERACTIONS

11. THE USE OF ELECTRONIC MEDIA AND ELECTRONIC DEVICES

When communicating with a minor using any form of electronic media or an electronic device it is essential that the communication is consistent with Catholic values. The communication should be respectful to the minor and their parents or guardian and be direct in nature as to avoid any misunderstanding. This includes photos and posts on Facebook, Twitter, Instagram, Snapchat and any other social media platform.

- 11.1 Always make every attempt to be transparent when communicating with a minor by including the minor's parents or guardian and/or other adults in ministry. Private electronic messages (e.g. via email, text, social media platforms, etc.) between an adult and a minor must be avoided.

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MISSOURI DEPARTMENT OF SOCIAL SERVICES, CHILDREN'S DIVISION

CHILD ABUSE AND NEGLECT HOTLINE

1-800-392-3738

MISSOURI DEPARTMENT OF HEALTH & SENIOR SERVICES

ADULT ABUSE AND NEGLECT HOTLINE

1-800-392-0210

For reporting procedures and other information related to reporting incidents of suspected abuse, please refer to the Archdiocese's *Policies, Procedures and Guidelines on Child Abuse* or contact the Archdiocesan Office of Child and Youth Protection at 314-792-7704.