

Standards of Conduct
For
Ministry

Diocese of Cleveland

July 1, 2005

207/2005
May 1, 2005

Dear Brothers and Sisters in Ministry,

As disciples of Jesus and trusted leaders in the Church community, you make a remarkable contribution daily for the good of so many. I am proud to be associated with you in the conscientious and gifted ministry you extend within the Body of Christ. Christ's commandment to love our neighbor is always challenging and is made more complex in the times in which we live. The dignity of each member of our Church calls us to maintain the highest levels of compassion and respect as we fulfill our Gospel mandate. These *Standards of Conduct for Ministry* are an important tool for maintaining such professionalism in all that we do. The promulgation of these *Standards* obliges all of us to a renewed consciousness of the need to protect each person's dignity. I thank you for your generous cooperation in implementing these *Standards* in your life and place of ministry. I respect and appreciate the seriousness with which you will now be accountable to them.

As with any aspect of formation for ministry, these *Standards of Conduct* will require reflection, instruction and discussion. Please read these standards and, through the coming months, make your questions known to the various Secretaries within the diocesan administration. Understanding and implementing these *Standards* will be not only a dimension of on-going formation for those of us already in ministry, but also an important part of our initiation of new ministers, employees and volunteers associating with us in the years to come.

After appropriate consultation, by this Decree, I formally adopt the *Standards of Conduct for Ministry*. These *Standards* will take the place of the *Model Code of Pastoral Conduct*, which I promulgated as an interim code of pastoral conduct for the Diocese of Cleveland on September 21, 2004. This decree is published by my authority as Bishop of Cleveland and is to apply to all Priests, Deacons, Lay Ecclesial Ministers, Administrators, Staff and Volunteers of the Diocese of Cleveland, its parishes and other Catholic Institutions within the Diocese.

This Decree will take effect on July 1, 2005.

Father Ralph E. Wiatrowski
Chancellor

The Most Reverend Anthony M. Pilla
Bishop of Cleveland

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I. INTRODUCTION

This is what Yahweh asks of you: only this, to act justly, to love tenderly, and to walk humbly with your God.¹

Standards of conduct are guidelines and norms derived from more basic principles and values setting forth more specific conduct expected of an individual in more specific situations. Standards of conduct are not solely guidelines, which allow for more discretion on the part of an individual, but may also include norms which are mandatory statements of what one must do in a certain situation.

Guidelines are statements to guide an individual in his or her actions and are not as binding as norms are, given that particular situations may allow for reasonable exceptions and may call for the individual to exercise reasonable discretion. Guidelines indicate objectives toward which an individual should strive or conduct that individuals should ordinarily follow, recognizing that there may be exceptional circumstances. In this document, guidelines are indicated by use of the word "**should**" or "**should not**."

Norms indicate a mandatory statement that must be followed by individuals. Norms indicate a level of conduct below which no individual can fall. In this document, policies are indicated by the words or phrases "**shall**," "**shall not**," "**must**," and "**must not**."

Before each section of standards of conduct, there is text in *italics* which are not standards of conduct, but are statements of the scope of application, guiding principles or definitions.

Responsibility for adherence to the *Standards of Conduct for Ministry* rests primarily with the individual. Clergy, staff, and volunteers who disregard the following *Standards of Conduct* may be subject to disciplinary action by the entity within the Diocese that employs, supervises, or authorizes their ministry or employment, whether it be the diocesan bishop, a pastor, a principal, the executive director of a corporation, or whatever appropriate person within the Church structure. Corrective action may take various forms-from a verbal reprimand to removal from employment or the ministry - depending on the specific nature and circumstances of the offense and the extent of the harm.

This document, unless otherwise stated, applies to clergy, volunteers and all other church personnel in positions of trust who have regular contact with minors.

The *Standards of Conduct for Ministry* for the Diocese of Cleveland also meets the standard required by article 6 of the USCCB *Charter for the Protection of Children and Young People* that all clergy and any other church personnel in positions of trust who have regular contact with children affirm a code of ethics and conduct.

Scope

Parts of this document apply to diocesan personnel, including clergy, all other church personnel (priest, brother, seminarian, religious, certified pastoral minister, parish life coordinator, member of a pastoral team, diocesan or parish employee or any person appointed by the Bishop) and volunteers in positions of trust who have regular contact with children. Other parts of this document may apply only to a certain part of this group.

As an introduction to each section of this document, a statement will indicate the scope of the section, i.e., to whom it applies.

¹Micah 6:8

Codes of Ethics

These *Standards of Conduct* are intended to comply with article 6 of the USCCB *Charter for the Protection of Children and Young People*. These *Standards* tend to be a set of minimum expectations. These standards are not intended to prevent any group of professional ministers within the Diocese of Cleveland from developing a code of ethics for its own use, provided the group obtains appropriate approvals.

Definitions

Clergy (Clerics) are ordained priests and ordained deacons (including both transitional and permanent deacons) who are incardinated in the Diocese of Cleveland, as well as priests and deacons incardinated in other dioceses or religious orders who are engaged in ministry under the control or auspices of the Diocese.

Church Personnel are priests, permanent deacons, transitional deacons, brothers, seminarians, religious, certified pastoral ministers, parish life coordinators, member of a pastoral teams, diocesan or parish employees, employees of a corporation within the juridic person of the diocese, or any persons appointed by the Bishop to an office.

A **Volunteer** is a person who gives his services to the Diocese, a parish or other entity affiliated with the Diocese without any express or implied promise of remuneration. Volunteers who work with children are subject to the obligations of the *Diocese of Cleveland Policy for the Safety of Children in Matters of Sexual Abuse*, which are not to be construed as inconsistent with any policies herein.²

Seminarian includes any student sponsored by the Diocese of Cleveland and participating in any of the various programs of priestly formation.

Minor means any person who is under the age of eighteen (18) years of age or is a physically or handicapped person under twenty-one (21) years of age.

Boundaries mark off the physical, spiritual, and psychological space which is the private preserve of a person upon which there should be no intrusion.

Conflicts of interest occur when individuals take advantage of a ministerial relationship to further their own personal, political, or financial interests.

Confidentiality is a legally enforced expectation that a statement is private since it was made under circumstances showing that the speaker intended the statement only for the individual addressed. One of the circumstances leading to a determination of confidentiality may be the relationship between the speaker and the listener; another is the absence of other persons.

² Under this policy a volunteer is anyone who works with children more than four (4) hours a month or who works with children more frequently than once a month. Examples include but are not limited to, a catechist, coach, altar server coordinator, youth leader, intern, student teacher and others in similar capacities. It does not include the occasional volunteer, such as a driver or chaperone for individual activities.

Counseling, as used in this document, does not refer simply to any giving of advice, but to advice given by a person with at least appropriate credentials.

Pastoral counseling refers to those caring acts of the Church under the guidance of a minister that address issues of care from the perspective of both Christian theology and the modern sciences, especially the modern developmental and psychotherapeutic psychologies.

Spiritual direction is counseling whose primary focus is helping persons grow in their relationship with God through prayer.

II. Standards of Conduct

A. Standards of Conduct Relating to Pastoral Counseling and Spiritual Direction

Scope: Pastoral Counselors and Spiritual Directors: church personnel and volunteers who provide pastoral, spiritual, and/or therapeutic counseling services to individuals, families, or other groups.

Guiding Principle: Pastoral Counselors and Spiritual Directors and others who fall within the scope of these standards of conduct should respect the rights and advance the welfare of each person.

Those who provide Pastoral Counseling and Spiritual Direction:

1. should not step beyond their competence in counseling situations and should refer clients to other professionals when appropriate;
2. 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);
3. should not audiotape or videotape sessions;
4. must never engage in sexual intimacies with the persons they counsel; this includes consensual and nonconsensual contact, forced physical contact, and inappropriate sexual comments;
5. must not engage in sexual intimacies with individuals who are close to the client—such as relatives or friends of the client—when there is a risk of exploitation or potential harm to the client; they should presume that the potential for exploitation or harm exists in such intimate relationships;
6. should assume the full burden of responsibility for establishing and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships;

7. should avoid physical contact of any kind (i.e., touching, hugging, holding), because they can be misconstrued;

8. should conduct sessions in appropriate settings at appropriate times;
- a. should not conduct sessions in private living quarters; those who are clerics must not conduct sessions in private living quarters or areas;
 - b. should not hold sessions at places or times that would tend to cause confusion about the nature of the relationship for the person being counseled;

9. should maintain a log of the times and places of sessions with each person being counseled.

B. Conflicts of Interest

Scope: These standards apply to church personnel and volunteers in positions of trust who have regular contact with minors.

Guiding Principle: Church personnel and volunteers should avoid situations that might present a conflict of interest. Even the appearance of a conflict of interest can call integrity, professionalism, and ministerial conduct into question.

1. Church personnel and volunteers should disclose all relevant factors that potentially could create a conflict of interest.
2. Church personnel and volunteers should inform all parties when a real or potential conflict of interest arises. Resolution of the issues must protect the person receiving ministry services.
 - a. Church personnel and volunteers should never take advantage of anyone to whom they are providing services in order to further their personal, religious, political, or business interests.
 - b. Church personnel and volunteers should not provide counseling services to anyone with whom they have a business, professional, or social relationship. When this is unavoidable, the client must be protected. The counselor must establish and maintain clear, appropriate boundaries.
 - c. When pastoral counseling or spiritual direction services are provided to two or more people who have a relationship with each other, the pastoral counselor or spiritual director should:
 - i. clarify with all parties the nature of each relationship;
 - ii. anticipate any conflict of interest;
 - iii. take appropriate actions to eliminate the conflict; and
 - iv. obtain from all parties written consent to continue services.
3. Conflicts of interest may also arise when church personnel's independent judgment is impaired by:
 - a. prior dealings;
 - b. becoming personally involved; or

- c. becoming an advocate for one (person) against another.

In these circumstances, church personnel should advise the parties that he or she can no longer provide services and make a referral for continued ministry.

C. Confidentiality

Scope: The following standards apply to Pastoral counselors and Spiritual Directors: church personnel and volunteers who provide pastoral, spiritual, and/or therapeutic counseling services to individuals, families, or other groups.

All church personnel are expected to maintain confidentiality within the scope of their duties and as delineated in any job descriptions and employee practices.

The following obligations are independent of the confidentiality of the confessional. Under no circumstances whatsoever can there be any disclosure---even indirect disclosure---of information received through the celebration of the Sacrament of Reconciliation.

Guiding Principle: Information disclosed in ministerial settings during the course of counseling, advising, or spiritual direction shall be held in the strictest confidence possible.

1. Information obtained in the course of sessions should be confidential, except for compelling professional reasons or as required by law.
 - a. If there is clear and imminent danger to the person being counseled or to others, the pastoral counselor or spiritual director should disclose only the information necessary to protect the parties affected and to prevent harm.
 - b. Before disclosure is made, if feasible, the pastoral counselor should inform the person being counseled about the disclosure and the potential consequences.
2. The pastoral counselor or spiritual director should discuss the nature of confidentiality and its limitations with each person in counseling.
3. The pastoral counselor or spiritual director should keep minimal records of the content of sessions.
4. While counseling a minor, the pastoral counselor or spiritual director may discover a serious threat to the welfare of the minor. If 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:
 - a. attempt to secure written consent from the minor for the specific disclosure.
 - b. If consent is not given, the pastoral counselor or spiritual director should 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.

5. The obligation of a pastoral counselor or spiritual director, outside of sacramental confession, to report the misconduct of a person to whom he or she is ministering may be subject to the duty of confidentiality. However, any agreement or duty to maintain confidentiality should yield to the need to report misconduct that threatens the safety, health, or well being of any persons and must yield in the case of sexual abuse of a minor.

D. Conduct With Youth

Scope: These standards apply to church personnel and volunteers in positions of trust who have regular contact with minors.

Guiding Principle: Church personnel and volunteers working with youth shall maintain an open and trustworthy relationship with the youth with whom they are working.

1. Church personnel, and volunteers must be aware of their own and others' vulnerability when working alone with youth. They should use a team approach to managing youth activities.
2. Clergy, church personnel and volunteers should not counsel or meet with a minor alone in a separate room unless there is a window on the door or the door is open, except in the case of sacramental confession within a church building.
3. Church personnel and volunteers should be committed to a lifestyle that serves as an example of chastity in all relationships at all times.
4. Physical contact with youth can be misconstrued and should occur:
 - a. only when completely nonsexual and otherwise appropriate, and
 - b. never in private.
5. Church personnel and volunteers:
 - a. must refrain from the illegal possession and/or illegal use of drugs and/or alcohol at all times,
 - b. and should refrain from the use of alcohol when working with youth.
6. Staff and volunteers should not provide shared, private, overnight accommodations for individual young people including, but not limited to, accommodations in any church-owned facility, private residence, hotel room, or any other place where there is no other adult supervision present.
 - a. In rare, emergency situations, when accommodation is necessary for the health and well being of the youth, church personnel and

volunteers should take extraordinary care to protect all parties from the appearance of impropriety and from all risk of harm.

- b. A team approach should be used to manage emergency situations.
7. All youth trips, especially overnight ones, should have a sufficient number of adult (over the age of 21) chaperones present. When staying overnight with minors, no clergy, church personnel or volunteers should sleep in the same bed, sleeping bag, small tent, or room with minors.
8. Clergy, church personnel and volunteers should never accompany minors to movies, sporting events or other forms of entertainment without at least one other adult chaperone over the age of 21 being present.
9. Clergy, church personnel and volunteers should never be present in locker rooms or other dressing rooms used by minors without another adult over the age of 21 being present.
10. Clergy, church personnel and volunteers should not give expensive gifts or gifts of a personal nature to minors nor accept expensive gifts or gifts of a personal nature from minors without prior express permission of the minor's parents or legal guardians.

E. Sexual Conduct

Scope: These standards of conduct apply to all church personnel and volunteers.

Guiding Principle: Church personnel and volunteers must not, for sexual gain or intimacy, exploit the trust placed in them by the faith community.

1. Since all are called by Baptism to the virtue of chastity, church personnel and volunteers who are committed to a chaste lifestyle should be an example of chastity in all relationships at all times.
2. Church personnel and volunteers who provide pastoral counseling or spiritual direction services must avoid developing inappropriate intimate relationships with minors, other staff and parishioners and should behave in a professional manner at all times.
3. No church personnel or volunteer shall exploit another person for sexual purposes.
4. Allegations of sexual misconduct must be taken seriously and reported to the appropriate person in the parish, community/institute, diocese, or organization and also to civil authorities if the situation involves a minor, following the *Diocese of Cleveland Policy for the Safety of Children in Matters of Sexual Abuse*. The procedures of this policy shall be followed to protect the rights of all involved.
5. Church personnel and volunteers should review and know the contents of the child abuse regulations and reporting requirements for the State of Ohio and should follow those mandates.

F. Harassment

Scope: These standards apply to all church personnel and volunteers.

Guiding Principle: Church personnel and volunteers must not engage in physical, psychological, written, or verbal harassment of other church personnel, volunteers, parishioners or others, and must not tolerate such harassment by other church personnel or volunteers.

"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*
- Display of offensive materials*
- Requests for sexual favors used as a condition of employment, or to affect other personnel decisions, such as promotion or compensation.*

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.

1. Church personnel and volunteers should provide and/or contribute to a professional work environment that is free from physical, psychological, written, or verbal intimidation or harassment.
2. Allegations of harassment should be taken seriously and reported immediately to the appropriate person in the parish, community/institute, diocese, or organization. The policy and procedures of the diocese, parish, community/institute or organization, as appropriate, will be followed to protect the rights of all involved.

G. Organizational Records and Information

Scope: These standards of conduct apply only to pastors, administrators, parish life coordinators, and any other persons who may be in charge of a parish, parochial vicars, parish staff and any others who may have charge of or access to sacramental records.

Guiding Principle: Confidentiality should be maintained in creating, storing, accessing, transferring, and disposing of parish, religious community/institute, or organizational records.

1. Sacramental records shall be regarded as confidential. When compiling and publishing parish, religious community/institute, or organization statistical information from these records, great care must be taken to preserve the anonymity of individuals.

2. Sacramental records are not open to the public.
 - a. Information regarding adoption and legitimacy remains confidential, regardless of age of the document.
 - b. Only staff members who are authorized to access the records and supervise their use should handle requests for more recent records.
3. Parish, or organization financial records are confidential unless review is required by the diocese or an appropriate government agency. Individuals in charge of diocesan, parish, or church related corporate financial records should contact the Diocesan Legal Office with regard to diocesan or parish records or the appropriate supervising authority for other records upon receipt of any request for release of financial records.
4. Individual contribution records of the parish, religious community/institute, or organization should be regarded as private and should be maintained in strictest confidence.

H. Reporting Ethical or Professional Misconduct

Scope: These standards apply to church personnel and volunteers.

Guiding Principle: Church personnel and volunteers should report their own ethical or professional misconduct and the misconduct of others and must report sexual abuse of minors in accord with the Policy for Safety of Children in Matters of Sexual Abuse.

1. When an uncertainty exists about whether a situation or course of conduct violates this document or other religious, moral, or ethical principles, church personnel and volunteers should consult with:
 - a. peers
 - b. others knowledgeable about ethical issues, or
 - c. the Chancery office.
2. When it appears that someone within the scope of one of these standards of conduct has violated one or more of these standards of conduct, then church personnel:
 - a. should report the issue to the individual's supervisor or next higher authority.
 - b. If it is a matter of sexual abuse of a minor, reporting shall be done according to the *Diocese of Cleveland Policy for the Safety of Children in Matters of Sexual Abuse*.
3. Church personnel and volunteers should hold each other accountable for maintaining the highest ethical and professional standards.

I. Administration

Scope: These standards apply to church personnel who are employers and supervisors.

Guiding Principle: Employers and supervisors shall treat justly church personnel and volunteers in the day-to-day administrative operations of their ministries.

1. Personnel and other administrative decisions made by church personnel shall meet civil and canon law obligations and also should reflect Catholic social teachings and these *Standards of Conduct*.
2. No employer or supervisor should use his or her position to exercise unreasonable or inappropriate power and authority.

J. Well-Being of Church Personnel and Volunteers

Scope: These standards apply to church personnel and volunteers.

Guiding Principle: Church personnel and volunteers should be responsible for their own spiritual, physical, mental, and emotional health.

1. Church personnel and volunteers should be aware of warning signs that indicate potential problems with their own spiritual, physical, mental, and/or emotional health.
2. Church personnel and volunteers should seek help immediately whenever they notice behavioral or emotional warning signs in their own professional and/or personal lives.
3. Church personnel and volunteers should not engage in inappropriate use of alcohol and drugs and must not engage in illegal use of alcohol and/or drugs.
4. Church personnel and volunteers should address their own spiritual needs.

K. Priests

Scope: This applies to all ordained priests who are incardinated in the Diocese of Cleveland, as well as priests incardinated in other dioceses or religious orders who are engaged in ministry under the control or auspices of the Diocese.

Guiding Principle: Priests should exercise professional caution in all interactions with minors.

1. Whenever possible, a priest should avoid being alone with a minor, excluding sacramental confession (normally taking place within a church), counseling and spiritual direction (normally occurring in the professional offices of the church or rectory with an open door or a closed door with a window).
2. Minors are permitted only in the public areas of a rectory and never in the private living quarters of a priest. Staff and volunteers should not encourage individual minors to stay overnight in a priest's private accommodations or residence. Nor are minors permitted in any private residence, cabin, condominium, summer home or other dwelling whether leased or owned by a priest unless the minor is accompanied by his or her parents or guardians.
3. Pastors should not have minors working in rectories or parish offices if the situation exists where a minor is alone with an adult.
4. Priests should never be alone with a minor in a closed room, except for the cases delineated in number 1 above, or sleep in the same room with a minor.
5. Priests should never accompany minors to movies, sporting events, or other forms of entertainment without at least another adult over the age of 21 present.
6. Priests should never be present in locker rooms or other dressing rooms used by minors without another adult over the age of 21 present. Likewise, clergy should never change clothes or shower in facilities that are being used by minors.
7. Priests should never obtain or possess sexually explicit or pornographic materials, nor participate in the distribution or receipt of pornographic materials through any medium or share these materials in any way with minors.
8. All youth trips, especially overnight trips, must have a sufficient number of adult chaperones. Priests should never be the sole chaperone on any youth trip.
9. Priests who find themselves attracted to minors or who frequently seek their companionship rather than that of adults should seek advice and assistance from the Secretary and Vicar for Clergy and Religious, who may suggest a professional evaluation with a trained psychological expert.
10. Conversations or discussions of a topic of a sexual nature with minors should be limited to the priest's teaching office or made in response to specific questions.
11. Priests should avoid using inappropriate expressions of physical affection with minors, including but not limited to:

inappropriate or lengthy embraces; kisses on the mouth, holding minors over two years of age on the lap; touching bottoms, chests or genital areas; sleeping in bed with a minor; wrestling with minors; piggy back rides; any type of massage given to or received from a minor; any form of unwanted affection; compliments that relate to physique or body development; any form of physical affection/contact given to minor in private.

12. Priests should avoid taking unfair advantage of counseling relationships with a minor for personal benefit or gratification.
13. Priests should share concerns about suspicious or inappropriate behavior of a cleric or other church personnel with a minor with the Secretary and Vicar for Clergy and Religious, in addition to following the reporting duties delineated under Ohio law and the *Diocese of Cleveland Policy for the Safety of Children in Matters of Sexual Abuse*.
14. With regard to minors within a priest's extended family or in cases where priests may have children, priests should follow these standards of conduct with due discretion, diligence and prudence, adapting those standards which should be adapted because of family relationships.
15. Priests
 - a. must refrain from illegal possession and/or use of drugs and/or alcohol at all times and they should not engage in inappropriate use of alcohol and drugs; and
 - b. should refrain from use of alcohol when working with youth. Priests should not give alcohol to minors or share alcohol with minors, except for distribution of Holy Communion under both species.

L. Permanent Deacons

Scope: This applies to all ordained permanent deacons who are incardinated in the Diocese of Cleveland, as well as permanent deacons incardinated in other dioceses or religious orders who are engaged in ministry under the control or auspices of the Diocese.

Guiding Principle: Permanent Deacons should exercise professional caution in all interactions with minors.

Permanent Deacons should follow the same standards of conduct as priests with regard to relationships arising out of ministry. With regard to their own family and their own private dwellings, permanent deacons should follow these standards of conduct with due discretion, diligence and prudence, adapting those standards which should be adapted because of family relationships (note that standards 2, 4 and 5 will be the ones most likely where these adaptations must be made).

Standards of Conduct Acknowledgment Form

Employees and Volunteers

Parish/School Agency – CYO & Community Services

Date _____

I have received a copy of the *Standards of Conduct for Ministry*. I have read and understand these Standards of Conduct, and I agree to abide by them. I understand that a violation of these standards can result in disciplinary action, up to and including termination as an employee or volunteer and/or removal from ministry.

Signature

Print Name

Position

The signed *Standards of Conduct Acknowledgment Form* shall be kept in employee personnel files at the agency/parish/school or in a general volunteer file at the agency/parish/school.