

DIOCESE OF SACRAMENTO

Code of Pastoral Conduct **For Priests, Deacons, Pastoral Ministers, Administrators,** **Staff, and Volunteers**

I. Preamble

All priests, deacons, pastoral ministers, administrators, staff, and volunteers (collectively “Church Workers”) in our parishes, religious communities/institutes, and organizations must uphold Christian values and conduct. The purpose of this *Code of Pastoral Conduct for Priests, Deacons, Pastoral Ministers, Administrators, Staff, and Volunteers (Code of Pastoral Conduct)* is not to attempt to anticipate every situation that might arise, but to provide a set of standards for conduct and appropriate behavior to guide all Church Workers in pastoral ministry situations. To the extent that pastoral ministry situations overlap with the parish workplace, the Code of Pastoral Conduct is also intended to complement and supplement the standards for workplace conduct that are set forth in the Personnel Handbook for the Diocese of Sacramento.

II. Responsibility for Compliance

The public and private conduct of Church Workers can inspire and motivate people, but it can also scandalize and undermine the people's faith. Church Workers must, therefore, at all times be aware of the responsibilities that accompany their work, and the potential impact of their conduct. They must also know that God's goodness and grace supports them in their ministry.

Accordingly, each individual has a personal responsibility to comply with the *Code of Pastoral Conduct*. Church Workers who disregard this *Code of Pastoral Conduct* will be subject to remedial action by the Diocese of Sacramento. Corrective action may take various forms — including verbal or written warning, termination of employment, or removal from ministry — depending on the specific nature and circumstances of the offense.

This *Code of Pastoral Conduct* is enacted to create a safe, appropriate and Christian environment for all those involved in Church ministry in the Diocese of Sacramento.

Approved and promulgated on the 3rd day of December in the year of Our Lord 2004

WILLIAM K. WEIGAND
Bishop of Sacramento

III. Standards of Conduct

1. Conduct for Pastoral Counselors and Spiritual Directors

Specific pastoral standards apply to Church Workers who provide pastoral, spiritual, and/or therapeutic counseling services to individuals, families, or other groups — collectively referred to in this section as “Pastoral Counselors and Spiritual Directors.

Pastoral Counselors and Spiritual Directors, by the very nature of their particular responsibilities, must respect the rights and advance the welfare of each person they counsel.

- 1.1 Pastoral Counselors and Spiritual Directors must not step beyond their competence in counseling situations and will refer clients to other professionals when the client is in need of attention beyond the training or competence of the counselor.
- 1.2 Pastoral Counselors and Spiritual Directors (Clergy and Religious in particular) should always be aware that their position and authority as religious ministers may draw individuals to cross acceptable relationship boundaries when interacting with them. Pastoral Counselors and Spiritual Directors should be alert to circumstances where individuals begin to seek counseling or relationship needs beyond that which can be appropriately provided by a religious minister. In such instances, Pastoral Counselors and Spiritual Directors should take steps to clarify and appropriately limit the boundaries of the relationship, and, if necessary, should refer the individual to another counselor or professional.
- 1.3 Pastoral Counselors and Spiritual Directors will 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). *[See Section 6]*.
- 1.4 Pastoral Counselors and Spiritual Directors will not audiotape or videotape counseling sessions.
- 1.5 Clergy and Religious who are committed to a celibate lifestyle are called to be an example of celibate chastity in all relationships at all times, particularly in pastoral counseling settings.
- 1.6 Pastoral Counselors and Spiritual Directors must never engage in sexual intimacies with the persons they counsel. This includes consensual and non- consensual contact, forced physical contact, and inappropriate sexual comments.
- 1.7 Pastoral Counselors and Spiritual Directors also will not engage in sexual intimacies with individuals who are close to the client — such as relatives or friends of the client — because they must presume that the risk of exploitation or harm to the client can be created by such intimate relationships.

- 1.8 Pastoral Counselors and Spiritual Directors assume the full burden of responsibility for establishing and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships.
- 1.9 Inappropriate physical contact of any kind between Pastoral Counselors or Spiritual Directors and the persons they counsel (i.e., any touching or hugging beyond the limited type of contact that might be offered in a greeting or as a gesture of Christian comfort to a distraught individual) can be misconstrued and will be avoided.
- 1.10 Counseling sessions will be conducted in appropriate settings at appropriate times. As a general rule, sessions should take place in a professional setting in a parish office or, if no parish office facilities are available, in professional reception or meeting areas in a rectory.
- 1.10.1 No sessions will be conducted in the private living quarters of a Pastoral Counselor/Spiritual Director or client.
- 1.10.2 Sessions will not be held at places or times that would tend to confuse the client about the nature of the counseling relationship. Counseling sessions generally should be held during business hours, in settings consistent with the standards set forth below.
- 1.10.3 In extreme cases involving crisis and/or emergency, a session may need to take place in a location or at a time most convenient for the person being counseled.

Enclosed rooms or offices in which sessions are held should have a window in the door, or, at a minimum, the door should be left open or ajar, unless to do so would risk a breach of confidentiality of the counseling communications.

2. Confidentiality

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

Consultation with the appropriate Church supervisory personnel is required before disclosure of any confidential information obtained during counseling sessions other than those cases where reasonable suspicion of the abuse of minors, elders over 65 years of age, and dependent adults exists. In those cases, mandated reporters are required, by law, to report such suspicions directly to civil authorities.

The obligations contained in these Pastoral Counseling Standards are independent of the seal of the Sacrament of Reconciliation. Under no circumstances whatsoever can there be any disclosure - even indirect disclosure - of information received through the Sacrament of Reconciliation.

- 2.1 Information obtained in the course of sessions will be confidential, except for

compelling professional reasons (as set forth below) or as required by law.

- 2.1.1 If there is clear and imminent danger to the client or to others, the Pastoral Counselor or Spiritual Director may disclose only the information necessary to protect the parties affected and to prevent harm.
- 2.1.2 Before disclosure is made, if feasible, the Pastoral Counselor or Spiritual Director will inform the person being counseled about the disclosure and the potential consequences.
- 2.2 Pastoral Counselors and Spiritual Directors will discuss the nature of confidentiality and its limitations with each person in counseling.
- 2.3 Pastoral Counselors and Spiritual Directors will keep minimal records of the content of sessions, in order to protect against any inadvertent disclosure of client confidences.
- 2.4 Knowledge that arises from professional contact may be used in teaching, writing, homilies, or other public presentations only when effective measures are taken to absolutely safeguard both the individual's identity and the confidentiality of the disclosures.

3. Conduct With Youth

Church Workers will give particular attention to maintaining appropriate contact with youth (minors under the age of 18).

- 3.1 Church Workers must be aware of their own and others' vulnerability to appearance or perception of impropriety when working alone with youth. Church Workers should, therefore, use a team approach to managing youth activities. At least two adults — preferably a team of several adults — will organize and supervise youth activities.
- 3.2 Church Workers will never be alone with youth during any parish or church-related activity or setting. For example, adults should avoid situations that put them in a position of being alone with a minor in a rectory, parish building, school, or other closed room (except as required for the Sacrament of Reconciliation).
- 3.3 Church Workers will observe careful boundaries concerning any type of physical contact with youth. Beyond a simple handshake or hug any physical contact should only take place in public circumstances, and prudent discretion and respect should be applied by Church Workers in order to avoid any appearance of impropriety.
- 3.4 Church Workers will refrain from (a) the possession and/or use of illegal drugs at all times, and (b) the use of alcohol when working with youth or adults under the

age of 21. Church Workers will also refrain from facilitating the use of, serving, or supplying illegal drugs or alcohol to youth or adults under the age of 21.

- 3.5 Clergy and Religious will not allow youth to stay overnight in their private accommodations or residence. An exception would be the case of an immediate family member where there is another adult also present.
- 3.6 Church Workers will not provide shared, private, overnight accommodations for individual youth, 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.
 - 3.6.1 Church Workers will use a team approach to managing emergency situations. A team of adults will consult with each other about the best approach to take in emergency situations.
- 3.7 Church Workers are prohibited from taking youth home or to another location unless another adult is present in the vehicle and the parent/guardian of the youth has given express prior permission.
- 3.8 Church Workers will review and know the contents of the child abuse regulations and reporting requirements for the State of California and will comply with those mandates.

4. Sexual Conduct

Church Workers must not, for sexual gain or intimacy, or any other reason, exploit the trust placed in them by the faith community.

- 4.1 Physical contact with individuals can be misconstrued. Contact between Church Workers and other individuals should, if at all, (a) be completely nonsexual in nature, (b) be otherwise not inappropriate, and (c) take place in a public setting.
- 4.2 Clergy and religious who are committed to a celibate lifestyle are called to be an example of celibate chastity in all relationships at all times, and must scrupulously avoid engaging in any form of sexual conduct with other individuals.
- 4.3 Church Workers who provide pastoral counseling or spiritual direction services must avoid developing inappropriately-intimate relationships with minors, other staff, parishioners, or any other individuals in a pastoral setting. All Church Workers must behave in a professional manner at all times, consistent with the standards of employee conduct that are set forth in the Personnel Handbook and Priest Personnel Policy, as applicable, for the Diocese of Sacramento.
- 4.4 No Church Workers may exploit any other person — youth or adult — for sexual

purposes.

- 4.5 All Church Workers have a responsibility to report sexual misconduct in violation of this Code of Pastoral Conduct. Requests for foreign language interpreters made by Church Workers who are reporting or responding to allegations of sexual misconduct will be accommodated to the extent reasonable and feasible under the circumstances, as determined in the discretion of the Diocese.
- 4.6 It is the policy of the Diocese of Sacramento to investigate any and all allegations of sexual misconduct thoroughly and promptly, and to report to civil authorities any sexual misconduct involving minors. Any such investigation will be conducted in a manner consistent with the procedures set forth in the Personnel Handbook and the Sexual Misconduct Policy for the Diocese of Sacramento, and in a manner that protects the rights of all involved. If the investigation confirms that sexual misconduct has taken place, the Diocese will take corrective action, including discipline, up to and including immediate termination of employment or removal from ministry.

5. Harassment

Church Workers must not engage in any form of harassment against staff, volunteers, or parishioners, and must not tolerate such harassment by other Church Workers.

- 5.1 Church Workers will help provide a professional work environment that is free from any form of harassment or discrimination.
- 5.2 Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon the protected characteristics designated as protected by law, such as race, color, gender, religion, national origin, age, or physical or mental disability.
- 5.3 Examples of harassment may include, but are not necessarily limited to, jokes, kidding, or teasing directed at a person based on his or her protected status. Sexual harassment — a particular form of sex discrimination — is conduct based on sex, whether directed towards a person of the opposite or same sex, and may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented kidding or teasing, practical jokes, jokes about obscene printed or visual material, and physical contact such as patting, pinching, or brushing against another person's body.
- 5.4 All Church Workers share a responsibility to help assure that each parish is harassment-free. If any parish employee or other Church Worker feels that he or she has experienced or witnessed harassment, he or she is to notify his or her immediate supervisor, the Pastor, or, in the alternative, the Office of Lay Personnel or the Vicar Episcopal for Canonical Affairs at the Pastoral Center of the Diocese. The Diocese forbids retaliation against anyone for reporting harassment, assisting in

making a harassment complaint, or for cooperating in a harassment investigation.

- 5.5 It is the policy of the Diocese to investigate all complaints of harassment or discrimination thoroughly and promptly. If an investigation confirms that a violation of the anti-harassment provisions of this Code of Pastoral Conduct has occurred, the Diocese will take corrective action, including discipline, up to and including immediate termination of employment or removal from ministry.

6. Conflicts of Interest

Clergy, staff, and volunteers will avoid situations that might present a conflict of interest.

- 6.1 A conflict of interest occurs when Church Workers use or attempt to use their positions for personal gain or in a manner detrimental or disruptive to the interests or mission of the Diocese. It is a conflict of interest, for example, for Church Workers to engage in independent business activity in a manner that exploits (or appears to exploit) their status as religious/pastoral ministers at the expense of individuals served by ministry.
- 6.2 Church Workers will avoid conflicts of interest. Church Workers who engage in independent business will disclose those facts to individuals to whom they minister, prior to engaging in any business dealings with those individuals, and Church Workers will not take advantage of anyone they serve.
- 6.3 Conflicts of interest may also arise when a Pastoral Counselor's or Spiritual Director's independent judgment is impaired by prior dealings with a client, personal involvement, or taking sides to advocate for one (person) against another. If such circumstances arise, the Pastoral Counselor or Spiritual Director will advise the parties that he or she can no longer provide services and refer them to another Pastoral Counselor or Spiritual Director.

7. Reporting Ethical or Professional Misconduct

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

- 7.1 Church Workers must hold each other accountable for maintaining the highest ethical and professional standards. When there is a clear indication of criminal activity by other Church Workers, each individual has an obligation to notify the Office of the Bishop or the Vicar Episcopal for Canonical Affairs at the Diocese, and to notify the proper civil authorities immediately.
- 7.2 When an uncertainty exists about whether a situation or course of conduct violates this *Code of Pastoral Conduct* or other religious, moral, or ethical principles, Church Workers should consult with supervisors and/or the additional contacts set

forth in the reporting provisions of the Personnel Handbook for the Diocese.

7.3 When it appears that a member of clergy, a staff member, or a volunteer has violated this *Code of Pastoral Conduct* or other religious, moral, or ethical principles, Church Workers will:

- Report the issue to a supervisor or next higher authority, or
- Refer the matter directly to the Office of the Bishop or the Vicar Episcopal for Canonical Affairs at the Diocese.

8. Administration

8.1 Personnel and other administrative decisions made by Church Workers will meet civil and canon law obligations, will comply with this *Code of Pastoral Conduct*, and will comply with any relevant provisions in the Personnel Handbook for the Diocese.

8.2 Every person employed with or otherwise engaged in ministry for the Diocese of Sacramento will have read and signed this *Code of Pastoral Conduct*.

8.3 Each person providing services to children and youth must also read and sign the Guidelines for Adults working with Children document before providing services.

9. Church Workers: Personal Well-being

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

9.1 Church Workers will be aware of warning signs that indicate potential problems with their own spiritual, physical, mental, and/or emotional health.

9.2 Church Workers will seek help immediately whenever they notice behavioral or emotional warning signs in their own professional and/or personal lives.

9.3 Church Workers must address their own spiritual needs. Support from a Spiritual Director is highly recommended.

9.4 Inappropriate or illegal use of alcohol and drugs in a manner that in any way impacts the ministry of Church Workers is prohibited.