

DIOCESE OF AMARILLO

Office of the Bishop

CODE OF PASTORAL CONDUCT

for Priests, Deacons, Pastoral Ministers, Administrators, Staff and Volunteers for
the Roman Catholic Diocese of Amarillo

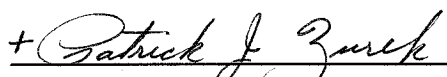
I. Preamble

As leaders in the Church founded by Christ, those who minister within our parishes and institutions must always seek to uphold Christian values and conduct. In addition to following the Gospel and its mandates, they will want to act properly at all times in the light of contemporary society and its needs. This Code of Ethics does not presume to provide the answers to all the ethical questions facing Church leaders. What it does establish is a set of general ethical standards for their lives and ministry. These standards will help to delineate boundaries by which ethical questions can be evaluated.

It is intended that this Code also will stimulate discussion within the Church community in order to broaden consensus on standards of practice and further refine them. This Code is not intended to supersede canon or civil law. This Code will also aid in the training and education of new Church leaders. Lastly, it will demand accountability from Church leaders who may fail to live within the ethical standards of the Code.

Priests, deacons, pastoral ministers, administrators, staff and volunteers in our parishes, religious communities/institutes and organizations must uphold Christian values and conduct. The *Model Code of Pastoral Conduct for Priests, Deacons, Pastoral Ministers, Administrators, and Volunteers (Code of Pastoral Conduct)* provides a set of standards for conduct in certain pastoral situations.

"Code of Pastoral Conduct" adopted June 18, 2009 by Most Reverend Patrick James Zurek and the Charter Review Committee.

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Most Reverend Patrick J. Zurek
Bishop of Amarillo


Louise Ross, Chairperson
Charter Review Board

DIOCESAN PASTORAL CENTER

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II. Responsibility

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

Responsibility for adherence to the *Code of Pastoral Conduct* rests with the individual. Clergy, staff, and volunteers who disregard this *Code of Pastoral Conduct* will be subject to remedial action by the Bishop of the Roman Catholic Diocese of Amarillo or his designated official. Corrective action may take various forms from a verbal reproach to removal from the ministry depending on the specific nature and circumstances of the offense and the extent of the harm.

III. Pastoral Standards

1. Conduct for Pastoral Counselors and Spiritual Directors¹

Pastoral Counselors and Spiritual Directors must respect the rights and advance the welfare of each person.

- 1.1 Pastoral Counselors and Spiritual Directors shall not step beyond their competence in counseling situations and shall refer clients to other professionals when appropriate.
- 1.2 Pastoral Counselors and Spiritual Directors should carefully consider the possible consequences before entering into a counseling relationship with someone with whom they have a pre-existing relationship (i.e., employees, professional colleague, friend, or other pre-existing relationship). [See Section 7.2.2]
- 1.3 Pastoral Counselors and Spiritual Directors should not audiotape or videotape sessions without expressed consent.
- 1.4 Pastoral Counselors and Spiritual Directors must never engage in sexual intimacies with the persons they counsel. This includes consensual and nonconsensual contact, forced physical contact, and inappropriate sexual comments.
- 1.5 Pastoral Counselors and Spiritual Directors shall 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. Pastoral Counselors and Spiritual

¹ Pastoral Counselors and Spiritual Directors: Clergy, staff and volunteers who provide pastoral, spiritual, and/or therapeutic counseling services to individuals, families, or other groups.

Directors should presume that the potential for exploitation or harm exists in such intimate relationships.

1.6 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.

1.7 Physical contact of any kind (i.e., touching, hugging, holding) between Pastoral Counselors or Spiritual Directors and the persons they counsel can be misconstrued and should be avoided.

1.8 Sessions should be conducted in appropriate settings at appropriate times.

1.8.1 No sessions should be conducted in private living quarters.

1.8.2 Sessions should not be held at places or times that would tend to cause confusion about the nature of the relationship for the person being counseled.

1.9 Pastoral Counselors and Spiritual Directors shall maintain a log of the times and places of sessions with each person being counseled.

2. Confidentiality

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

2.1 Information obtained in the course of sessions shall be confidential, except for compelling professional reasons 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 should inform the person being counseled about the disclosure and the potential consequences.

2.1.3 Pastoral Counselors and Spiritual Directors must discuss the nature of confidentiality and its limitations with each person in counseling.

- 2.3 Pastoral Counselors and Spiritual Directors should keep minimal records of the content of sessions.
- 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.
- 2.5 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 Counselor or Spiritual Director must:
- Attempt to secure written consent from the minor for the specific disclosure.
 - If consent is not given, 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.
- 2.6 These 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 confessional.

3. Conduct with Minors²

Clergy, staff, and volunteers working with minors shall maintain an open and trustworthy relationship between minors and adult supervisors.

- 3.1 Clergy, staff, and volunteers must be aware of their own and others' vulnerability when working alone with minors. Use a team approach to managing minors' activities.
- 3.2 Physical contact with a minor can be misconstrued and should occur
- (a) only when completely nonsexual and otherwise appropriate, and
 - (b) never in private.
- 3.3 Clergy, staff, and volunteers must refrain from (a) the illegal possession and/or illegal use of drugs and/or alcohol at all times, and (b) the use of alcohol when working with minors.

² A minor is any person under the age of 18 years. For purposes of Canon Law and these policies and proceedings, minor has the same meaning.

3.4 Clergy must not allow any minor to stay overnight in the cleric's private accommodations or residence with the exception of a blood relative who is accompanied by a parent.

3.5 Clergy, staff, and volunteers must not provide shared, private, overnight accommodation for minors, 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.

3.5.1 In rare, emergency situations, when accommodation is necessary for the health and well-being of the minor, the clergy, staff, or volunteer should take extraordinary care to protect all parties from the appearance of impropriety and from all risk of harm.

3.5.2 Use a team approach to managing emergency situations.

4. Sexual Conduct

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

4.1 Clergy, religious, staff, and volunteers who are committed to a celibate lifestyle are called to be an example of celibate chastity in all relationships at all times.

4.2 Clergy, staff, and volunteer who provide pastoral counseling or spiritual direction services must avoid developing inappropriately intimate relationships with minors, other staff, or parishioners. Staff and volunteers must behave in a professional manner at all times.

4.3 No clergy, staff, or volunteer may exploit another person for sexual purposes.

4.4 Allegations of sexual misconduct must be taken seriously and reported to the Bishop's office or Vicar of Clergy at the Pastoral center and to civil authorities if the situation involves a minor.

4.4 Clergy, staff, and volunteers will review and know the contents of the child abuse regulations and reporting requirements for the State of Texas and must follow those mandates.

5. Harassment

Clergy, staff, and volunteers must not engage in physical, psychological, written, or verbal harassment of staff, volunteers, or parishioners and must not tolerate such harassment by other Church staff or volunteers.

- 5.1 Clergy, staff, and volunteers shall provide a professional work environment that is free from physical, psychological, written, or verbal intimidation or harassment.
- 5.2 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
- 5.3 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.
- 5.4 Allegations of harassment should be taken seriously and reported immediately to the Bishop's office or the Vicar of Clergy of the Diocese of Amarillo.

6. Parish, Religious Community/Institute, and Organizational Records and Information

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

- 6.1 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.
- 6.2 Most sacramental records older than 70 years are open to the public.

6.2.1 Information regarding adoption and legitimacy remains confidential, regardless of age.

6.2.2 Only staff members who are authorized to access the records and supervise their use shall handle requests for more recent records.

6.3 Parish, religious community/institute, or organization financial records are confidential unless review is required by the Diocese or an appropriate government agency. Contact the Chief Financial Officer of the Diocese upon receipt of any request for release of financial records.

6.4 Individual contribution records of the parish, religious community/institute, or organization shall be regarded as private and shall be maintained in strictest confidence.

7. Conflicts of Interest

Clergy, staff, and volunteers should 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, staff, and volunteers should disclose all relevant factors that potentially could create a conflict of interest.

7.2 Clergy, staff, 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.

7.2.1 No clergy, staff, or volunteer should take advantage of anyone to whom they are providing services in order to further their personal, religious, political, or business interests.

7.2.2 Pastoral counselors 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.

7.2.3 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 must:

- Clarify with all parties the nature of each relationship,
- Anticipate any conflict of interest,
- Take appropriate actions to eliminate the conflict, and
- Obtain from all parties written consent to continue services.

7.3 Conflicts of interest may also arise when a Pastoral Counselor's or Spiritual Director's independent judgment is impaired by:

- Prior dealings,
- Becoming personally involved, or
- Becoming an advocate for one (person) against another.

In these circumstances, the Pastoral Counselor or Spiritual Director shall advise the parties that he or she can no longer provide services and refer them to another Pastoral Counselor or Spiritual Director.

8. 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.

- 8.1 Clergy, staff, 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, staff, or volunteers, the Bishop's office or the Vicar of Clergy and the proper civil authorities must be notified immediately.
- 8.2 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, consult with:
- Peers,
 - Others knowledgeable about ethical issues, or
 - The Bishop's office or the Vicar of Clergy of the Diocese of Amarillo.
- 8.3 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:
- Report the issue to a supervisor or next higher authority, or
 - Refer the matter directly to the Bishop's office or the Vicar of Clergy of the Diocese of Amarillo.
- 8.4 The obligation of Pastoral Counselors and Spiritual Directors 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 except as provided for in Section 2.6.

9. Administration

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

9.1 Personnel and other administrative decisions made by clergy, staff, and volunteers shall meet civil and canon law obligations and also reflect Catholic social teachings and this *Code of Pastoral Conduct*.

9.2 No clergy, staff or volunteer shall use his or her position to exercise unreasonable or inappropriate power and authority.

9.3 Clergy, staff, and volunteers must read and sign this Code of Conduct before providing services (see Part IV).

10. Staff or Volunteer Wellbeing

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

10.1 Clergy, staff, 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, staff, 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, staff, and volunteers must address their own spiritual needs. Support from a Spiritual Director is highly recommended.

10.4 Inappropriate or illegal use of alcohol and drugs is prohibited.

IV. Code of Conduct

Our children are the most important gifts God has entrusted to us. I promise to strictly follow the rules and guidelines in this Code of Conduct as a condition of my providing services to the minors of our Diocese.

As Clergy, Staff, or Volunteer, I will

- Treat everyone with respect, loyalty, patience, integrity, courtesy, dignity, and consideration.
- Avoid situations where I am alone with minors at Church activities.
- Use positive reinforcement rather than criticism, competition, or comparison when working with minors.
- Refuse to accept expensive gifts from minors or their parents without prior written approval from the pastor or administration.
- Refrain from giving expensive gifts to minors without prior written approval from the parents or guardian and the pastor or administrator.
- Report suspected abuse to the pastor, administrator, or appropriate supervisor and the local Child Protection Services agency. I understand that failure to report suspected abuse to civil authorities is, according to the law, a misdemeanor.
- Cooperate fully in any investigation of abuse of minors.

I will not:

- Touch and/or exploit minors in a sexual or other inappropriate manner.
- Expose or participate with minors in pornography, cybersex, phone sex, sexting, etc. in person, nor via email, text messages, video chat, or any other form of electronic communication.
- Pose any health risk to minors (i.e., no fevers or other contagious situations.)
- Humiliate, ridicule, threaten, or degrade minors.
- Use any discipline that frightens or humiliates minors. Strike, spank, shake, or slap minors.
- Use, possess, or be under the influence of illegal drugs at any time.
- Use, possess, or be under the influence of alcohol at any time while volunteering.
- Smoke or use tobacco products in the presence of minors.
- Use profanity in the presence of minors.