

DIOCESE OF ALLENTOWN

CODE OF CONDUCT FOR DIOCESAN CLERGY, LAY EMPLOYEES AND LAY VOLUNTEERS

**(24 October 2003)
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Code of Conduct

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Code of Conduct

I. Preamble

All Church personnel, including Diocesan Clergy, Lay Employees and Lay Volunteers must uphold Christian values and conduct. The Code of Conduct for the Diocese of Allentown provides a set of standards for conduct in certain pastoral situations.

For purposes of this Code of Conduct, the term “Church personnel” includes any person who performs tasks for the Church within the Diocese of Allentown or one of the schools, parishes or any other entity subject to Canon law within the five county region of the Diocese of Allentown. This includes priests, deacons and seminarians as well as all lay persons, members of consecrated life, together with those persons who provide paid or volunteer services within the Diocese of Allentown.

The Code of Conduct does not present an exhaustive list of expectations, standards or requirements. Rather, this Code accompanies the Universal Law of the Church, civil law, and Diocesan policies, including but not limited to the Diocese of Allentown Policy Regarding Sexual Abuse of Minors, all of which are made a part of this Code of Conduct by reference.

II. Responsibility

The public and private conduct of clergy, employees, and volunteers can inspire and motivate people, but it can also scandalize and undermine the people’s faith. Clergy, employees, 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 Conduct rests with the individual. Clergy, employees, and volunteers who disregard this Code of Conduct will be subject to remedial action, up to and possibly including dismissal or termination. 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. Standards of Conduct

1. Conduct for Diocesan Clergy, Lay Employees and Lay Volunteers

Individuals who are subject to this Code of Conduct must respect the rights and advance the welfare of each person. In particular, they:

- 1.1 Shall not step beyond their competence in counseling situations and shall refer clients to other professionals when appropriate.
- 1.2 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). [See Section 7.2.2]
- 1.3 Should not audiotape or videotape counseling sessions. An exception to this standard may only be granted for educational purposes on a case by case basis in conformity with the guidelines established by and with the prior written consent of the Secretary for Catholic Human Services.
- 1.4 Must never engage in sexual intimacies with the persons they counsel. This includes consensual and nonconsensual contact, forced physical contact, and inappropriate sexual comments.
- 1.5 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. They should presume that the potential for harm or exploitation exists in such intimate relationships.
- 1.6 Assume the full burden of responsibility for establishing and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships.
- 1.7 Should avoid physical contact of any kind (i.e., touching, hugging, holding) between themselves and the persons they counsel as this can be misinterpreted.
- 1.8 Should conduct sessions in appropriate settings at appropriate times.
 - I.8.1 No sessions should be conducted in private living quarters, but rather only in public office areas.
 - I.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 Shall maintain a log of the times and places of sessions with each person being counseled.



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2. Confidentiality

Information disclosed to individuals who are subject to this Code of Conduct 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, clergy, employees, and volunteers may disclose only the information necessary to protect the parties affected and to prevent harm.

2.1.2 Before disclosure is made, if feasible, clergy, employees, and volunteers should inform the person being counseled about the disclosure and the potential consequences.

2.2 Clergy, employees, and volunteers should discuss the nature of confidentiality and its limitations with each person in counseling.

2.3 Clergy, employees, and volunteers 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 clergy, employees, and volunteers discover that there is a serious threat to the welfare of the minor (i.e., anyone under the age of 18) and that communication of confidential information to a parent or legal guardian is essential to the child's health and well-being, the clergy, employee, or volunteers should:

- 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 to the parent or legal guardian.

2.6 Clergy, employees, and volunteers will take all steps necessary to comply with the requirements of the Pennsylvania Child Protective Services Law.

2.7 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. A priest may never disclose anything revealed in the Sacrament of Confession, not even with the penitent's permission. Further, all others who in any way (e.g., inadvertent overhearing) have information received through the confessional are obliged to secrecy (Canon 983).



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3. Conduct With Youth

Individuals who are subject to this Code of Conduct and are working with youth (persons under the age of 18) shall maintain an open and trustworthy relationship between youth and adult supervisors.

- 3.1 Clergy, employees, and volunteers must be aware of their own and others' vulnerability when working alone with youth. Use a team approach to managing youth activities.
- 3.2 Physical contact with youth can be misconstrued and should occur: (a) only when completely nonsexual and otherwise appropriate; and (b) never in private.
- 3.3 Clergy, employees, and volunteers should 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 youth.
- 3.4 Clergy should not allow individual young people to stay overnight in the cleric's private accommodations or residence.
- 3.5 Clergy, employees and volunteers should avoid being alone with youth, and whenever possible, a second adult should be present at all times.
- 3.6 If one on one pastoral care of a youth is necessary, the schedule of times and locations should create accountability, such as in a parish office when other adult personnel are on duty – or in those situations where the presence of an adult is not usual or practical, another adult should be informed that the meeting is taking place. The meeting place should be accessible and visible with the door where the meeting is taking place left ajar, unless there is a clear window built in to the door.
- 3.7 Minors not accompanied by an adult, other than the priest or seminarian, should not be allowed in priests' residences.
- 3.8 Church personnel are not to share private, overnight rooms with minors. This includes, but is 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.
- 3.9 Church personnel shall never provide youth with alcohol, illegal drugs, tobacco products, pornography or other inappropriate material
- 3.10 Our children are the most important gifts God has entrusted to us. Because of this, all Church personnel are to strictly follow the rules and guidelines in the Diocese of Allentown Code of Conduct. Therefore, as a condition of providing services to children and youth, and furthermore to all Church personnel, I:

(a) **Will**

- Treat everyone with respect, loyalty, patience, integrity, courtesy, dignity, and consideration.
- Avoid situations of being alone with children and/or youth.
- Use positive reinforcement rather than criticism, competition, or comparison when working with children and/or youth.
- Refuse to accept expensive gifts from children and/or youth or their parents without prior written approval from the pastor or administrator.



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- Refrain from giving expensive gifts to children and/or youth 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 to civil authorities as required by the Pennsylvania Child Protective Services Law. Failure to report suspected abuse to civil authorities is, according to the law, a crime.
- Cooperate fully in any investigation of abuse of children and/or youth.

(b) and Will Not

- Smoke or use tobacco products in the presence of children and/or youth.
- Use, possess, or be under the influence of alcohol at any time in the presence of children and/or youth.
- Use, possess, or be under the influence of illegal drugs at any time.
- Pose any health risk to children and/or youth (i.e., no fevers or other contagious situations).
- Strike, spank, shake, or slap children and/or youth.
- Humiliate, ridicule, threaten, or degrade children and/or youth.
- Touch a child and/or youth in a sexual or other inappropriate manner.
- Use any discipline that frightens or humiliates children and/or youth.
- Use profanity in the presence of children and/or youth.



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4. Sexual Conduct

Individuals who are subject to this Code of Conduct must not, for sexual gain or intimacy, exploit the trust placed in them by the faith community.

- 4.1 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. Other employees and volunteers are called to a chaste lifestyle according to their state in life (vocation) in all relationships at all times.
- 4.2 Those who provide pastoral counseling and/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 Clergy, employees, and volunteers may not exploit another person for sexual purposes.
- 4.4 Allegations of sexual misconduct should be taken seriously and reported pursuant to the requirements of the Diocese of Allentown Policy Regarding Alleged Sexual Abuse of Minors and pursuant to the Pennsylvania Child Protective Services Law, if the situation involves a victim who is a minor. If the situation involves an adult victim of sexual misconduct, the allegation must be reported to your supervisor, who, depending on the circumstances, may need to report the allegation to the proper civil authority.

The procedures set forth in the Diocese of Allentown Policy Regarding Alleged Sexual Abuse of Minors will be followed to protect the rights of all involved.

- 4.5 Clergy, employees, and volunteers should review and know the contents of the Pennsylvania Child Protective Services Law and reporting requirements for the Commonwealth of Pennsylvania and should follow those mandates.



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5. Harassment

Individuals who are subject to this Code of Conduct 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, employees, and volunteers shall provide a professional work environment that is free from physical, psychological, written, or verbal intimidation or harassment. Such actions harm another's dignity, privacy, and violates the mission of the Diocese of Allentown.

5.2 Harassment encompasses a broad range of physical, written, or verbal behavior, including, but not limited to, the following:

- Physical or mental abuse; or -
- Racial insults; or -
- Derogatory ethnic slurs; or -
- Unwelcome sexual advances or touching; or -
- Sexual comments or sexual jokes; or -
- Requests for sexual favors used as:
 - a condition of employment; or -
 - to affect other personnel decisions, such as promotion or compensation; or -
- 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. The Diocese of Allentown prohibits all such conduct, whether committed by supervisory or non-supervisory personnel, as well as a third party (non-employee of the Diocese) engaged in business with the Diocese.

5.4 Allegations of harassment will be taken seriously and should be reported immediately to the Diocese, Parish, or other organization.

5.5 Individuals subject to this Code of Conduct will also be subject to the diocesan policies prohibiting sexual harassment.



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6. Parish and Diocesan Records and Information

Confidentiality will be maintained in creating, storing, accessing, transferring, and disposing of parochial and diocesan records.

- 6.1 Sacramental records shall be regarded as confidential. When compiling and publishing parochial or diocesan statistical information from these records, great care must be taken to preserve the anonymity of individuals.
- 6.2 Sacramental Registers are not open to the public for viewing or research. Information regarding a particular register entry for a particular person may be given to a person who is entitled to make such a request, provided the following precautions are observed.
 - 6.2.1 Information regarding adoption and legitimacy remains confidential, regardless of age. The procedures for registering the baptism of adoptives or the issuing of baptismal certificates for adoptives promulgated by the National Conference of Catholic Bishops (now the United States Conference of Catholic Bishops) on 20 October 2000 and disseminated by the Chancery on 25 October 2000 must be followed.
 - 6.2.2 Only staff members who are authorized to access the records and supervise their use shall handle requests for sacramental records.
- 6.3 Parochial, school, cemetery or other diocesan financial records, including contribution records, are confidential unless review is required under diocesan regulations or by governmental regulations or agencies. Contact must be made with the Secretary for Temporal Services upon the receipt of any request for release of financial records.
- 6.4 Individual contribution records of the Parish or the Diocese shall be regarded as private and shall be maintained in strictest confidence.



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7. Conflicts of Interest

Individuals who are subject to the Code of Conduct 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, employees, and volunteers should disclose all relevant factors that potentially could create a conflict of interest.

7.2 Clergy, employees, 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 Clergy, employees, or volunteers should not take advantage of anyone to whom they are providing services in order to further their personal, religious, political, or business interests.

7.2.2 Clergy, employees, or 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 cleric, employee, or volunteer 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 cleric, employee or volunteer must:

- Clarify with all parties the nature of each relationship; and -
- Anticipate any conflict of interest; and -
- 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 cleric's, employee's, or volunteer's independent judgment is impaired by:

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

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



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8. Reporting Misconduct

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

8.1 Clergy, employees, and volunteers must hold each other accountable for maintaining the highest ethical and professional standards. When there is an indication of illegal actions by others, you should notify the proper civil authorities immediately. Also notify the Diocese, Parish, or other organization.

8.2 When an uncertainty exists about whether a situation or course of conduct violates this Code of Conduct or religious, moral, or ethical principles, or constitutes professional or other misconduct, consult with:

- Peers; and/or -
- Others knowledgeable about ethical issues; and/or –
- Legal counsel; and/or –
- The Chancery Office.

8.3 When it appears that a cleric, employee, or volunteer has violated this Code of Conduct or other religious, moral, or ethical principles:

- Report the issue to a supervisor or next higher authority; and/or -
- Refer the matter directly to the Chancery Office.

8.4 Your obligation to report client misconduct is subject to the duty of confidentiality. However, any agreement or duty to maintain confidentiality must yield to the requirements of the Pennsylvania Child Protective Services Law and 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.



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9. Administration

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

- 9.1 Personnel and other administrative decisions made by clergy, employees, and volunteers shall meet civil and canon law obligations and also reflect Catholic social teachings and this Code of Conduct.
- 9.2 No cleric, employee, or volunteer shall use his or her position to exercise unreasonable or inappropriate power and authority.
- 9.3 Each volunteer providing services to children and youth must read and sign the Volunteer Code of Conduct before providing services.

10. Clergy, Employee and Volunteer Well-being

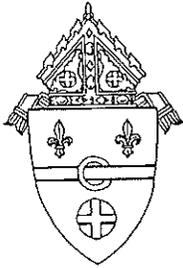
Clergy, employees, and volunteers have the duty to be responsible for their own spiritual, physical, mental, and emotional health.

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

11. Legal Compliance

Applicable to Diocesan Clergy, Lay Employees and Lay Volunteers.

- 11.1 Consistent with the requirements of good citizenship, understanding of and compliance with all applicable laws and civil law regulations is expected and required. If you have questions regarding what laws or regulations are applicable, please consult Diocesan legal counsel.



DIOCESE OF ALLENTOWN
Code of Conduct
Acknowledgment Form for
DIOCESAN CLERGY, LAY
EMPLOYEES AND LAY VOLUNTEERS

I hereby acknowledge that I have received a copy of the Code of Conduct for Diocesan Clergy, Lay Employees and Lay Volunteers dated 24, October 2003 and revised 15 May 2014. I have reviewed the Code of Conduct and understand its contents. I understand that I should speak with my supervisor or the appropriate Diocesan representative with regard to any questions that I may have regarding the Code of Conduct.

I understand that in working with children and/or youth, I am also subject to a background check including criminal history. I understand that any action inconsistent with the Diocese of Allentown Code of Conduct or failure to take action mandated by the Code of Conduct may result in my removal from involvement with children and/or youth, and/or removal from ministry. My signature confirms I have read this Code of Conduct and agree to follow the standards set forth in the Code of Conduct.

I further understand that the Diocese of Allentown has issued the Code of Conduct for informational and guidance purposes only and that the Diocese does not intend for the Code to create a contract of employment or any type of binding obligation on the Diocese. The Diocese of Allentown may periodically review the Code of Conduct and it reserves the right to amend or interpret the Code as it deems appropriate in its sole discretion. A copy of this acknowledgment form shall be placed in my personnel file.

(Date)

(Signature of Employee)

Diocesan Location

(Please print name)