

# **Principles of Ethics and Integrity in Ministry: Code of Ethics**

**October 1, 2011**



— ARCHDIOCESE OF —  
**NEW ORLEANS**

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# **I. Principles of Ethics and Integrity in Ministry: Code of Ethics**

Relationships among people are a foundation of Christian ministry and are central to Catholic life. Defining healthy relationships is not meant, in any way, to undermine the strength and importance of personal contact or the ministerial role. Rather, it is to assist all who fulfill the many roles that create the living Church to demonstrate their love and compassion for children and adults in the most sincere and genuine relationships. It is with the intention that relationships in ministry be experienced at all times as charitable and without intention to do harm or allow harm to occur, that the following Code of Ethics has been adopted by the Archdiocese of New Orleans. All Church personnel are asked to carefully consider each standard in the Code and within the Policy on Ethics and Integrity in Ministry before agreeing to adhere to the standards and continue in service to the Diocese.

- Church personnel shall conduct themselves in a manner that is consistent with the discipline, norms and teachings of the Catholic Church.
- Church personnel shall exhibit the highest Christian ethical standards and personal integrity.
- Church personnel shall not abuse or neglect a minor or an adult.
- Church personnel shall provide a professional work environment that is free from harassment.
- Church personnel shall not take improper advantage of a counseling, supervisory and/or authoritative relationship for their own benefit.
- Church personnel shall report immediately all concerns about suspicions of inappropriate behavior or physical, emotional, psychological, or sexual boundary violations to their pastor, their principal, the chancellor, or the Vicar General.
- Church personnel shall adhere to reporting laws of the state of Louisiana when they have cause to believe an incident of abuse or neglect of a minor has occurred; they shall also follow the requirements of the Archdiocesan Policy Concerning the Abuse and Neglect of Minors.

## **II. General Definitions**

### **A. Church Personnel**

For the purposes of this policy, the following are included in the definition of Church personnel:

1. Priests and Deacons (Clerics)  
Any cleric of or in the Archdiocese of New Orleans.
2. Seminarians, Aspirants, Deacon Candidates and Religious in Formation
  - a. All seminarians who provide ministerial service in the Archdiocese and are legitimately enrolled in the seminary program of the Archdiocese.
  - b. Those who are enrolled in the permanent diaconate formation program.
  - c. All members of religious institutes and societies of apostolic life who are in formation.
3. Lay Faithful
  - a. All paid personnel whether employed in areas of ministry or other kinds of services by the Archdiocese, its parishes, schools or other agencies.

- b. All volunteers includes any person who enters into or offers himself/herself for a Catholic Church related service of his/her own free will.
- c. Members of religious institutes or societies of apostolic life who are working for the Archdiocese, its parishes, schools or agencies, or who are otherwise engaged in the care of souls, the public exercise of divine worship, and other works of the apostolate (c.678).
- d. Hermits and consecrated virgins residing within the Archdiocese.

## **B. Types of Misconduct**

1. For the purpose of this policy, misconduct includes the four types of behavior listed below:
  - a. Immoral conduct: Conduct that is contrary to the discipline and teachings of the Catholic Church.
  - b. Harassment: The inappropriate and offensive use of power where the purpose or the effect is to create a hostile or intimidating relationship.
  - c. Exploitation: Taking advantage of a relationship for one's own benefit.
  - d. Abuse of minors: The definition of abuse of minors is further defined in Section VI.A.
2. Scandal is an attitude or behavior which leads another to do evil. Scandal damages virtue and integrity. It is a grave offense if by deed or omission another is deliberately let into a grave offense. (Catechism of the Catholic Church, No. 2284).

## **III. Standards of the Archdiocese as to Prevention of Immoral Conduct**

1. Church personnel must be worthy of public trust and confidence. It is essential that Church personnel view their own actions and intentions objectively to assure that no observer would have grounds to believe that inappropriate or immoral conduct exists. All Church personnel have a responsibility to strive to uphold the standards of the Catholic Church in their personal lives and day-to-day ministry.
2. Further, it is fundamental to the mission of the Archdiocese that Church personnel exhibit the highest ethical standards and personal integrity. The purpose of this policy is to ensure that all Church personnel follow the ethical standards of the Catholic Church. Therefore, Church personnel are prohibited from engaging in the following conduct:
  - a. Conduct not in keeping with the morals and teachings of the Catholic Church.
  - b. Actions that are disruptive to the ministry and public worship.
  - c. Procurement or participation in the procurement of abortion, committing homicide or euthanasia.
  - d. Possession or distribution of pornographic material.
  - e. Adultery, promiscuity or illicit co-habitation.
  - f. Abuse or distribution of alcohol, drugs, gambling, or pornography.
  - g. Stealing or any other form of theft, including but not limited to misappropriation of Church funds.
  - h. Sexual harassment, exploitation or abuse.
  - i. Physical assault and fighting.
  - j. Inappropriate use of electronic media, as defined in the Electronic Media Policy of the Archdiocese of New Orleans.
3. Church personnel should not harm the reputation of others by:
  - a. Disclosing, without legitimate cause, any information, faults or failings of others to persons who have no cause to know them.
  - b. Making false allegations against another.

## **IV. Prevention of Harassment: Guidelines for Professionalism Among Church Personnel and Other Adults**

### **A. Definitions**

1. Sexual harassment includes sexual behavior that fails to respect the rights of others, that lowers morale and that, therefore, interferes with ministry effectiveness. Harassment may take different forms, including, but not limited to:
  - a. Verbal: Sexual innuendos, suggestive comments, jokes of a sexual nature, sexual propositions, threats;
  - b. Non-verbal: Sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures;
  - c. Physical: inappropriate physical contact, including touching, pinching, brushing the body, pushing, patting, feeling, tickling, massaging.
2. Harassment must be severe and/or pervasive and must be measured objectively, not subjectively.
  - a. Severe conduct is sufficient to alter a workplace environment even though it may occur only once.
  - b. Pervasive conduct is a persistent pattern of harassment that affects the work place.

### **B. Standards of the Archdiocese as to Prevention of Harassment**

1. The Archdiocese of New Orleans will work to protect the rights of all who serve and are served in the Archdiocese.
2. Church personnel shall provide a professional work environment that is free from harassment.
3. Church personnel shall not engage in harassment and shall not tolerate harassment by other Church personnel.
4. Allegations of harassment shall be taken seriously and reported to the immediate supervisor. If, in the event the allegation of harassment is by the immediate supervisor, the report shall be made to the Director of Human Resources.

## **V. Prevention of Exploitation: Guidelines for Counseling**

### **A. Definitions**

1. Counseling occurs when any Church personnel offers advice concerning moral, spiritual or personal matters.
2. Exploitation occurs when Church personnel take advantage of the counseling relationship for the benefit of the counselor.
3. A conflict of interest occurs when Church personnel take advantage of counseling relationships in order to further their own interest.
4. Sexual exploitation is sexual contact between Church personnel and the recipient of their counseling, regardless of who initiates the contact.

### **B. Standards of the Archdiocese in Prevention of Exploitation**

Church personnel shall set and maintain clear, appropriate boundaries in all counseling relationships, including but not limited to the following.

1. Counseling should be conducted in appropriate settings at appropriate times and should not be held in places or times that would cause confusion about the nature of the relationship for the person being counseled.
2. No counseling should be conducted in private living quarters.
3. Church personnel shall recognize their limitations in counseling situations and shall refer people to other professionals when appropriate.
4. Church personnel should not engage in dating, romantic relationships, exploitation, sexual exploitation, and/or sexual intimacies with persons whom they counsel. Church personnel are also prohibited from engaging in situations or conduct that can give the appearance of exploitation, sexual exploitation, or sexual intimacies with persons whom they counsel or have counseled.

### **C. Standards of the Archdiocese as to Confidentiality**

1. Information of a confidential nature disclosed to Church personnel during the course of counseling, advising, or spiritual direction shall be held in the strictest confidence possible, with due regard for the restrictions of confidentiality in civil and/or canon law.
2. In accordance with the norm of canon law (c.983), the sacramental seal is inviolable by divine mandate; therefore, it is absolutely forbidden for a confessor to betray the confidence of a penitent in any way and for any reason. This is applicable forever, even after the penitent has died.
3. Church personnel shall discuss the nature of confidentiality, including its limitations, with each person who seeks counseling whenever possible and appropriate.

Information learned by clergy and religious who engage in pastoral counseling is confidential and not ordinarily subject to disclosure.

While church personnel may and should strive to keep information confidential, depending on the nature of the information that they receive, they also may be obligated by Louisiana law to inform the civil authorities of abuse or neglect of a minor or be obligated morally (if not also civilly) to report that either the person being counseled or another person is in danger of physical harm.

It may result in such church personnel being mandatory reporters in regard to abuse or neglect of a child under Louisiana law. Similarly, if they receive information that a person is suicidal or homicidal in circumstances that are other than pastoral or spiritual, the priest, deacon or religious has a moral obligation (and possibly a responsibility under civil law) to report such information to persons who need to know, e.g. police and/or parents of a child, to prevent any harm from occurring.

4. If disclosure must be made, when appropriate, the Church personnel should inform the person being counseled about the disclosure.
5. With the exception of knowledge gained in the Sacrament of Penance, knowledge that arises from counseling may be used in teaching, delivering homilies, or other public presentations only when effective measures have been taken to absolutely safeguard both the individual's identity and the confidentiality of the disclosures.
6. If Church personnel discover, while counseling a minor, that there is a serious threat to the physical or moral welfare of the minor and that communication of confidential information to a parent, legal guardian, or legal authority is essential to the child's health and well-being, the Church personnel should disclose only the information necessary to protect the health and well-being of the minor.

Any questions should be discussed with the pastor, supervisor, or the Safe Environment Coordinator.

#### **D. Standards of the Archdiocese as to Conflicts of Interest**

1. Church personnel shall establish clear, appropriate boundaries with anyone with whom they have a spiritual, ministerial, business, professional, or social relationship.
2. Church personnel shall avoid pastoral counseling, situations, or encounters that might present a conflict of interest. Even the appearance of a conflict of interest can call into question integrity and professional conduct.
3. Resolution of conflict of interest issues must protect the person being counseled.

## **VI. Prevention of Abuse: Guidelines for Working with Minors**

### **A. Definitions**

**We refer here to the Policy as to Abuse or Neglect of Minors, Archdiocese of New Orleans.**

1. A minor is any individual under the age of 18. For the purposes of this policy, the term “minors” also includes one who is developmentally and/or cognitively impaired.
2. Abuse is physical abuse, sexual abuse and/or emotional abuse.
3. Physical abuse is non-accidental injury that is intentionally inflicted upon a minor.
4. Sexual abuse is any contact of a sexual nature that occurs between a minor and an adult. This includes sexual molestation or sexual exploitation of a minor and other behavior by which an adult uses a minor as an object of sexual gratification.
5. Emotional abuse is a pattern of behavior that attacks a person’s self worth and interferes with psychological growth, development, and functioning.
6. Neglect is the refusal or willful failure to provide for a minor the proper or necessary medical care, nutrition, or other care necessary for a minor’s well-being.

### **B. Standards of the Archdiocese as to Abuse and/or Neglect of Minors**

1. Abuse and/or neglect of minors are contrary to the teachings of the Church and are prohibited. Church personnel have a responsibility to protect minors from all forms of abuse and/or neglect. In the interest of protecting minors, Church personnel are prohibited from:
  - a. Use of alcohol while supervising minors.
  - b. Use of or possessing illegal drugs.
  - c. Use of profanity in the presence of minors.
  - d. Speaking to minors in a way that is or could be reasonably construed by any observer as harsh, threatening, intimidating, shaming, derogatory, demeaning, or humiliating.
  - e. Discussing their own sexual activities with minors.
  - f. Engaging in any sexually oriented conversations with minors unless the conversations are part of a legitimate lesson and discussion for teenagers regarding Catholic teaching on morality. Sexual morality lessons will convey to youth the Church’s teachings on these topics. If youth have further questions not answered or addressed by their individual teachers they should be referred to their parents or guardians for clarification or counseling.
  - g. Being nude in the presence of minors.



- h. Possessing sexually oriented or morally inappropriate printed or electronic materials (magazines, cards, videos, films, clothing, electronic media, cell phones, computers, etc.).
  - i. Communicating with a minor through the use of electronic means, except when delivering information regarding a program, event, or school function; following the electronic media policy with minors of the Archdiocese.
  - j. Photographing minors without the written consent in the form of a release from a parent or legal guardian.
  - k. Sleeping in the same beds, sleeping bags or small tents with minors.
  - l. Acquisition, possession, or distribution of any form of pornography.
2. Church personnel when responsible for releasing minors in their care will release them only to parents, legal guardians, or other persons designated by parent or legal guardian at the close of services or other Church sponsored or affiliated activities. In the event that Church personnel are uncertain of the propriety of releasing a minor, they should immediately contact their immediate supervisor.
  3. Church personnel should communicate with a parent or legal guardian significant changes in moods or behavior.
  4. Ordinarily a confirmation candidate should select his or her own sponsor. If the parish assigns or assists in the selection of sponsors, they are considered volunteers and must abide by these archdiocesan policies.
  5. Church personnel must be aware of their own vulnerability and that of others when working alone with youth. Do not go into private rooms of the rectory with minors.
  5. Programs for minors will be supervised by at least two adults.

**C. Standards of the Archdiocese as to Offsite and/or Overnight Events**

1. The following standards shall be observed when Church personnel are involved in the transportation of minors:
  - a. Clergy and church personnel are prohibited from transporting minors without written permission of their parent or legal guardian.
  - b. Minors should be transported directly to their destination.
  - c. Church personnel assigned to transport minors must be at least 21 years old and have a valid driver's license. Drivers shall comply with any transportation policy adopted by the Archdiocese of New Orleans.
  - d. In transporting minors, an adult driver should be accompanied by a second adult whenever possible. The driver will not use a cell phone or any electronic communication device while driving with minors in the car, van, bus.
2. Church personnel are prohibited from having minors stay at their residence, unless they are supervised by at least two adult employees or volunteers who have received the background check and Safe Environment training.
3. Sleeping, changing and showering facilities or arrangements for adults, except for their own children, must be separate from facilities or arrangements for minors. An exception is made when high school students in their junior or senior years are participating in Archdiocesan activities.
4. Drivers must comply with civil laws regarding transportation.

#### **D. Standards of the Archdiocese as to Physical Contact with Minors**

1. Church personnel are prohibited from using physical discipline in any way for behavior management of minors. No form of physical discipline is acceptable. This prohibition includes any physical force as correction or retaliation for inappropriate behaviors by minors.
2. Appropriate affection between Church personnel and minors is important for a child's development. It also constitutes a positive part of Church life and ministry. The following forms of affection are regarded as appropriate examples for most Church sponsored and affiliated programs:
  - a. Pats on the shoulder or back.
  - b. Hand-shakes.
  - c. "High-fives" and hand slapping.
  - d. Hugs that are initiated by a child.
  - e. Verbal praise.
  - f. Touching hands, shoulders and arms of minors.
  - g. Arms around shoulders.
  - h. Holding hands while walking with small children.
  - i. Sitting beside small children.
  - j. Kneeling or bending down for hugs with small children.
  - k. Holding hands during prayer.
  - l. Pats on the head when culturally appropriate.
3. Some forms of physical affection have been used by adults to initiate inappropriate contact with minors. In order to maintain the safest possible environment for minors, the following are examples of affection that are **not** to be used in Church sponsored and affiliated programs:
  - a. Kisses on the mouth.
  - b. Holding minors over four years old on the lap.
  - c. Touching buttocks, chests or genital areas.
  - d. Inappropriate physical affection in all places, non-public as well as public.
  - e. Being reclined with a minor.
  - f. Touching knees or legs of minors.
  - g. Wrestling with minors, except for school sanctioned wrestling programs where coaches are demonstrating moves to teach, etc. and it is in the presence of others.
  - h. Tickling minors.
  - i. Piggyback rides.
  - j. Any type of massage given by minor to adult.
  - k. Any type of massage given by adult to minor, except for qualified athletic training.
  - l. Any form of unwanted affection.
  - m. Compliments that relate to physique or body development.

- n. Inappropriate or lengthy embraces.

#### **E. Standards of the Archdiocese as to Screening of Church Personnel who Work with Minors**

1. Applicants for Church personnel positions that will involve working with minors must complete the following:
  - a. **A standard application** that includes a release of information to conduct criminal background checks. Applicants shall also be required to read, agree to and sign the Policy Concerning the Abuse or Neglect of Minors and the Code of Ethics for Church personnel.
  - b. **A criminal records check** shall be conducted prior to employment or volunteer services and every three years thereafter.
2. Using the Archdiocese of New Orleans database, administrators can access the Safe Environment information necessary for the transfer of an employee or volunteer from one site to another.
4. Church personnel are to report immediately to the pastor, principal, or supervisor, any arrests which occur subsequent to the background check.

#### **F. Standards of the Archdiocese as to Training for Church Personnel who Work with Minors**

1. Church personnel shall review yearly the Policies on Ethics and Integrity in Ministry and the Policy Concerning the Abuse or Neglect of a Minor and agree to comply with the archdiocesan policies.
2. Church personnel who work with minors shall participate in Safe Environment training before beginning work with minors and every three years thereafter.

#### **G. Standards of the Archdiocese as to Supervision of Programs that Involve Minors**

1. Parents have a right to observe programs and activities, excluding regular classroom curriculum, in which their children are involved. However, parents who desire to participate in or have ongoing or unsupervised contact with their child's programs in the Church shall fulfill the requirements of the volunteer application process as stated in this section.
2. Any adult attending an overnight event with minors shall complete the requirements for Safe Environment training and background screening according to the policies of the Archdiocese.
3. Church sponsored activities for minors shall be supervised by at least two adults.
4. Church personnel under the age of 18 shall work under the direction of an adult supervisor.
5. Supervisors shall examine programs to ensure they have adequate supervision at all times.
6. All new programs for minors must be approved by the pastor, principal, or a director of Archdiocesan programs.
7. Summer Camp requirements of the Archdiocese of New Orleans will be followed for ratio of adults to minors.