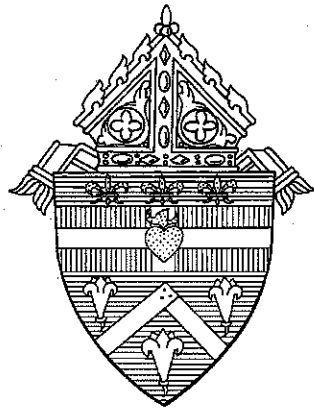


DIOCESE OF HOUMA-THIBODAUX



CODE OF PROFESSIONAL CONDUCT FOR ALL EMPLOYEES AND VOLUNTEERS

Revised: November 30, 2012

CODE OF PROFESSIONAL CONDUCT
For all who Work With, or Have Regular Contact with Youth
Diocese of Houma-Thibodaux

Established October 24, 2003 • Revised November 30, 2012

With deep and prayerful consideration, I hereby decree the promulgation of a revised Code of Professional Conduct, which applies to all clergy, lay employees and volunteers throughout the Diocese of Houma-Thibodaux, and becomes effective immediately on this the November 30, 2012.


This Code is to be promulgated to all people of God as it provides the general outline and spirit of the set of standards for conduct, that being of the highest moral and Christian values, are to be exercised at all times by anyone who provides ministry of any kind in the name of the Church.

The amendments and revisions contained in this revised Code supersede the previous Codes. This Code of Professional Conduct, as revised, shall take effect on November 30, 2012. A copy shall be given to all clergy, seminarians, religious, lay employees and volunteer workers, and shall be perpetual unless revoked or amended by me or by my legitimate successor(s), as Bishop of the Diocese of Houma-Thibodaux.

Given at the Diocesan Pastoral Center, Schriever, Louisiana, on this 30th day of November, 2012.



Most Reverend Sam G. Jacobs
Bishop of Houma-Thibodaux



Deacon Jim Swiler, Chancellor
Diocese of Houma-Thibodaux

Diocese of Houma-Thibodaux

CODE OF PROFESSIONAL CONDUCT

For Priests, Deacons, Pastoral Ministers, Administrators,
Principals, Teachers, Staff and Volunteers
Who Work with or have Regular Contact with Minors

PREAMBLE

This Code of Professional Conduct applies to all clergy, lay employees, and volunteers throughout the Diocese of Houma-Thibodaux in church parishes, schools, religious communities, programs, charities and organizations, and with regard to all other diocesan-related events and activities. This Code of Professional Conduct provides the general outline and spirit of the set of standards for conduct that, being of the highest moral and Christian values, are to be exercised at all times.

RESPONSIBILITY

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

Responsibility for adherence to this Code of Professional Conduct rests with the individual. Clergy, lay employees and volunteers who disregard this Code of Professional Conduct will be subject to remedial action by (the parish, the religious community/institute, the school, the bishop, etc.). 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 caused by the offense or disregard for the Code of Professional Conduct.

DEFINITIONS

1. **Clergy, lay employees and volunteers** - includes all personnel within the Diocese of Houma-Thibodaux, and specifically all priests, deacons, pastoral ministers, spiritual directors, administrators, employees, principals, teachers, staff, and volunteers.
2. **Pastoral Minister, Counselor, Spiritual Director** - includes all personnel (including volunteers) who provide counseling of any kind, including but not limited to spiritual counseling, pastoral counseling, and school counseling under the auspices of the parish or diocese.
3. An **Adult** is any individual who has reached the legal age of majority (18 years of age). A **Youth** is any individual who has not reached the legal age of majority (has not turned 18 years of age).
4. The offense of **sexual abuse** of a minor will be understood in accord with the provisions of *Sacramentorum sanctitatis tutela* (SST), article 6, which reads:
 - §1. The more grave delicts against morals which are reserved to the Congregation for the Doctrine of the Faith are:
 - 1° the delict against the sixth commandment of the Decalogue committed by a cleric with a minor below the age of eighteen years; in this case, a person who habitually lacks the use of reason is to be considered equivalent to a minor.

2° the acquisition, possession, or distribution by a cleric of pornographic images of minors under the age of fourteen, for purposes of sexual gratification, by whatever means or using whatever technology;

§2. A cleric who commits the delicts mentioned above in §1 is to be punished according to the gravity of his crime, not excluding dismissal or deposition.

In view of the Circular Letter from the Congregation for the Doctrine of the Faith, dated May 3, 2011, which calls for “mak[ing] allowance for the legislation of the country where the Conference is located,” Section III(g), we will apply the federal legal age for defining child pornography, which includes pornographic images of minors under the age of eighteen, for assessing a cleric’s suitability for ministry and for complying with civil reporting statutes.

If there is any doubt whether a specific act qualifies as an external, objectively grave violation, the writings of recognized moral theologians should be consulted, and the opinions of recognized experts should be appropriately obtained (*Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995, p. 6). Ultimately, it is the responsibility of the diocesan bishop/eparch, with the advice of a qualified review board, to determine the gravity of the alleged act.

GENERAL APPLICATION

1. Clergy, lay employees and volunteers shall be responsible for adherence to this Code of Professional Conduct.
2. Clergy, lay employees and volunteers who violate or disregard this Code of Professional Conduct will be subject to disciplinary action up to and including dismissal.
3. This Code of Professional Conduct is to be used in conjunction with the other employment-related rules, guidelines and policies as applicable to each individual.
4. Each cleric, lay employee and volunteer shall sign acknowledgment of receipt of this Code of Professional Conduct, a copy of which shall be placed in the individual's safe environment file.

STANDARDS OF CONDUCT FOR PASTORAL MINISTERS, COUNSELORS, SPIRITUAL DIRECTORS, AND VOLUNTEER MINISTERS

1. Pastoral Ministers, Counselors, Spiritual Directors and all volunteers shall respect the rights, and seek to advance the welfare, of each person to whom they minister.
2. Pastoral Ministers, Counselors, Spiritual Directors and all volunteers shall establish and maintain clear, appropriate, and professional boundaries in all ministry and/or counseling relationships.
3. Pastoral Ministers, Counselors, Spiritual Directors and all volunteers shall consider the possible consequences before entering into a counseling, or other relationship with a person with whom they have a pre-existing relationship, i.e., employee, colleague, friend.
4. Pastoral Ministers, Counselors, Spiritual Directors and all volunteers shall conduct counseling (or any other individual sessions) in appropriate settings and at appropriate times. This prohibits meetings of any kind, with an individual person, in the private living quarters of the counselor/minister.

5. Pastoral Ministers, Counselors, Spiritual Directors and volunteers shall not engage in any form of sexual intimacy to whom they are ministering. This includes, consensual and non-consensual contact, forced physical contact, and/or inappropriate sexual comments.
6. Pastoral Ministers, Counselors, Spiritual Directors and volunteers shall not engage in sexual intimacies with individuals who are close to the person to whom they are ministering, when there is a risk of potential harm to whom they are ministering.
7. Pastoral Ministers, Counselors, Spiritual Directors and volunteers shall not audiotape or videotape any session with any person to whom they are ministering.
8. Pastoral Ministers, Counselors, Spiritual Directors and volunteers shall not step beyond their competence in counseling or pastoral ministry situations, and shall refer clients or other persons to appropriate professionals.
9. Pastoral Ministers, Counselors, Spiritual Directors and other volunteers should avoid any physical contact, which is or could be interpreted as sexual, with the person being counseled, or with any person to whom they are ministering.

CONFIDENTIALITY

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

1. Under no circumstances shall there be any disclosure of information received through Sacramental Confession.
2. Pastoral Ministers, Counselors, Spiritual Directors and volunteers may disclose certain information, if there is clear and imminent danger to the person being counseled or to others. In such event, the person being ministered to should be informed of the necessity of making the required disclosure and of the potential consequences. The disclosure should be limited to the information necessary to protect the affected person(s) from harm.
3. Pastoral Ministers, Counselors, Spiritual Directors and volunteers should discuss with each person being ministered to, as part of the initial meeting, the nature of the ministry relationship, and the issues of confidentiality, including the above-stated limitations.
4. Pastoral Ministers, Counselors and Spiritual Directors may use the knowledge gained from prior and/or ongoing counseling sessions in teaching, writing, public speaking, and/or homilies, only after effective measures have been exercised to safeguard the identity of any person or persons.
5. The mandatory reporting requirements of state law limit the confidentiality of counseling sessions. In the event that otherwise confidential information is disclosed to Pastoral Ministers, Counselors, Spiritual Directors or volunteers, they should advise the person being counseled that the disclosure will be made.

SPECIFIC CONDUCT WITH YOUTH

Clergy, lay employees and volunteers, shall maintain an open, trustworthy and respectful relationship between youth and adult supervisors, and shall strive to provide a safe place for youth.

1. Clergy, lay employees and volunteers shall refrain from (a) the illegal possession and/or illegal or inappropriate use of drugs and/or alcohol at all times, and (b) the possession of and/or use of alcohol when working with youth.
2. Clergy, lay employees and volunteers should be aware of the potential impropriety, and even the appearance of impropriety, when working alone with any youth. Adult supervisors shall always use a team approach in managing youth activities.
3. Clergy shall not, for any reason, share overnight accommodations with anyone under the age of 18 years in any church-owned facility, the cleric's private accommodations or hotel room, or any other place.
4. Church/diocesan owned building can be used to house youth as long as chaperone requirements are met.
5. Separate sleeping quarters for boys and girls; under no circumstances are girls and boys to be mixed. This includes separate restroom and/or shower facilities (or at least a set time frame for each gender to use the facilities). This also includes a separate time for the use of facilities for the chaperons.
6. Chaperones must also be of the same gender as the supervised youth in the sleeping quarters. A sufficient number of chaperons must be available to supervise the area. During the day events it is required that there be a minimum of one adult chaperon per eight minors.
7. Chaperones are to sleep in a different area of the sleeping quarters from the youth.
8. In rare emergency situations, when accommodation is necessary for the health and well being of youth, and the above prohibition cannot be avoided, the minister shall take extraordinary care to protect all parties from the risk of harm and the appearance of impropriety. Supervisors shall use a team approach to manage emergency situations.
9. Clergy, lay employees and volunteers shall refrain from singling out or paying special attention to individual children and/or youth. They shall not give them gifts of any kind without prior knowledge and approval of their parent(s) or guardian(s).
10. Clergy, lay employees and volunteers shall take every precaution to wear proper and/or, appropriate attire at all times when working with youth, and ensure that youth do likewise.
11. Physical contact with youth can be misconstrued and should occur (a) only when completely nonsexual and otherwise appropriate, and (b) **never in private**.

REPORTING STANDARDS

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

1. Clergy, lay employees and volunteers **shall hold one another accountable** for maintaining the highest ethical, moral and professional standards.
2. Clergy, lay employees and volunteers shall take seriously every allegation or report of unethical behavior and/or professional misconduct.

3. In the event that the allegation or report involves any form of abuse, either mental, physical, and/or sexual, or the substantial risk of danger to the health or welfare of any youth, then clergy, lay employees and volunteers shall immediately report same to local law enforcement authorities and to their immediate supervisor.
4. When an uncertainty exists about whether a situation or course of conduct violates this *Code of Professional Conduct* or other moral, religious or ethical principles, consult with the location or Diocesan Safe Environment Supervisor.

ADMINISTRATION

Personnel and other administrative decisions made by clergy, lay employees and volunteers shall meet civil and canon law obligations, reflect Catholic Social Teachings, and the standards of this Code of Professional Conduct.

1. Clergy, lay employees and volunteers shall not use their positions to exercise unreasonable or inappropriate power and authority or take advantage of anyone to further their personal, religious, political or business interest.
2. Clergy, lay employees and volunteers shall avoid any situation that might present a conflict of interest or even the appearance of a conflict of interest.
3. Clergy, lay employees and volunteers shall inform all affected parties including without limitation, their supervisor, when a real or potential conflict of interest exists.

WELL-BEING OF CLERGY, EMPLOYEES AND VOLUNTEERS

1. Clergy, lay employees and volunteers should be aware of warning signs that indicate potential problems with their own spiritual, physical, mental and/or emotional health.
2. Clergy, lay employees and volunteers should seek help immediately whenever they notice behavioral or emotional warning signs in their own professional and/or personal lives.
3. Clergy, lay employees and volunteers should cooperate with and support one another.

HARASSMENT

1. Clergy, lay employees and volunteers shall not engage in any form of physical, psychological, written and/or oral harassment of any individual and shall not tolerate any such conduct by any other Church personnel.
2. Clergy, lay employees and volunteers shall maintain a professional work environment that is free from any and all forms of physical, psychological, written and/or oral intimidation or harassment.
3. This prohibition against harassment encompasses a broad range of physical, psychological, written and/or oral behavior, including without limitation: physical or mental abuse; racial insults; comments or jokes; derogatory ethnic slurs; unwelcome sexual advances or touching; sexual comments or sexual jokes; display of offensive materials; or requests for sexual activity or behavior of any kind for any reason.
4. Clergy, lay employees and volunteers shall take every report or allegation of harassment seriously and shall report same to their immediate supervisor.

COMMUNICATION STANDARDS

1. Clergy, lay employees and volunteers should be open to, and accessible to one another, and to all people at their location.
2. Clergy, lay employees and volunteers should address and seek to resolve all conflicts promptly, efficiently and fairly.
3. Clergy, lay employees and volunteers shall not create, send, forward, or transmit any message containing hostile, intimidating and/or offensive material pertaining to race, sex, gender, religion, national origin, disability, or age, in any form or medium including, without limitation, verbal, handwritten, typewritten, electronic communication, using any equipment, computer, Church-owned telephone and/or cellular phone, or other electronic devices used in connection with Church-related employment, ministry and/or activities.

Be on your guard for yourselves and for all the flock of which the Holy Spirit has made you the overseers, to feed the Church of God, which he bought with his own blood. Acts 20:28 NAB