



**Diocese of Burlington**

# **Policies on Ethics and Integrity in Ministry**

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# I. Principles of Ethics and Integrity in Ministry

Relationships among people are the foundation of Christian ministry and are central to Church life. Defining healthy and safe relationships is meant to accentuate the strength and importance of personal contact and the ministerial role, and 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, respectful 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 to allow harm to occur, that the following *Policies* have been adopted by the Diocese of Burlington. All Church personnel are asked to consider carefully each guideline in the *Codes of Conduct for Those Working and Not Working with Minors*, found on pages 20-22 within the *Policies on Ethics and Integrity in Ministry*. Each of the *Policies* herein applies in face-to-face situations, as well as in digital and/or virtual settings.

In addition, Church personnel:

- Will exhibit the highest Christian ethical standards and personal integrity.
- Will conduct themselves in a manner that is consistent with the moral standards, discipline and teachings of the Catholic Church.
- Will provide a professional work environment that is free from physical, psychological, written, or verbal intimidation or harassment.
- Will avoid taking unfair advantage of counseling or advising relationships.
- Will not physically, sexually or emotionally abuse or neglect a minor or vulnerable adult. (For more details, please see Section VI of these *Policies*.)
- Will share concerns about suspicious or inappropriate behavior with an appropriate supervisor, including but not limited to their pastor, their principal, the Office of Safe Environment Programs, the Office of the Vicar General or the Review Board.
- Will report any suspected abuse or neglect of a minor to the **Vermont Department for Children and Families (DCF)**. (For more details, please see Section VII of these *Policies*.)
- Will accept their personal responsibility to protect minors and vulnerable adults from all forms of abuse.

## II. General Definitions

### A. Church Personnel

For the purposes of these *Policies*, the following are included in the definition of Church personnel:

- Priests incardinated in the Diocese of Burlington.
- Priests who are members of religious institutes assigned to pastoral work in the Diocese.
- Priests of other jurisdictions who are assigned to pastoral work in the Diocese; priests seeking incardination in the Diocese; other priests including those who are retired, or who request canonical faculties to do part-time or supply ministry.
- Permanent and transitional deacons incardinated in the Diocese; permanent deacons not incardinated in the Diocese but with canonical faculties to function in the Diocese.
- Seminarians and those enrolled in the Permanent Diaconate Formation Program.
- Women religious and religious brothers working for the Diocese, its parishes, schools or agencies.
- Individuals in other forms of consecrated life who are associated with the Diocese.
- All paid personnel, whether employed in areas of ministry or other kinds of services by the Diocese, its parishes, schools or agencies; also, those who contract their services to Church agencies.
- All volunteers. This includes any person who enters into or offers himself/herself for a Church-related service of his/her own free will, without expecting payment.

### ***B. Types of Misconduct***

For the purpose of these *Policies*, misconduct includes the four types of behavior listed below:

- **Immoral conduct**

Conduct that is contrary to the discipline and teachings of the Catholic Church.

- **Harassment**

Conduct or language which creates an intimidating, hostile or offensive working environment, distinct from reasonable correction, evaluation of work performance and proper supervision.

- **Exploitation**

Taking unfair advantage of counseling or advising relationships.

- **Abuse**

Physical, sexual or emotional abuse of children under the age of 18 or adults who are uniquely vulnerable to abuse because of physical or mental disabilities, or an individual who habitually lacks the use of reason.

### **III. Prevention of Immoral Conduct: Guidelines for Ethical and Moral Behavior**

#### ***A. Definitions***

Because Church personnel enjoy a public trust and confidence, it is essential that Church personnel view their own actions and intentions objectively to assure that no irregularity in conduct exists. All Church personnel have a responsibility to uphold the standards of the Catholic Church in their day-to-day work and personal lives.

1. Immoral conduct is defined as behavior that is contrary to the discipline, moral code and teachings of the Catholic Church and which may result in scandal to the faithful or harm to the ministry of the Church.
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 led into a grave offense (*Catechism of the Catholic Church*, n. 2284).

#### ***B. Standards of the Diocese***

1. It is fundamental to the mission of the Diocese of Burlington for Church personnel to exhibit the highest ethical standards and personal integrity. The purpose of these *Policies* is to ensure that all Church personnel follow the traditional, strong, moral and ethical standards of the Catholic Church. Therefore, Church personnel should not engage in the following conduct:
  - a. Rejection of the teachings of the Catholic Church or the Christian way of life.
  - b. Actions that are disruptive to the Church's ministry.
  - c. Criminal behavior.
2. Church personnel should not harm the reputation of others through:
  - a. Disclosing the faults or failings of others to persons who have no cause to know them.
  - b. Knowingly making false allegations against another.

### **IV. Prevention of Harassment: Guidelines for Professionalism**

#### ***A. Definitions***

1. Harassment encompasses a broad range of physical, written, verbal or online behavior that includes, but is not limited to, 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.
  - Inappropriate online activity, including cyberbullying.
  - Bullying.
2. Harassment is an offensive use of power where the purpose or the effect is to create a hostile or intimidating work environment.
  3. Harassment may be severe and/or pervasive.
    - 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 offensive conduct.

### ***B. Standards of the Diocese***

1. Church personnel do not engage in physical, psychological, written, verbal or online harassment of employees, volunteers, or parishioners and do not tolerate such harassment by other Church personnel.
2. Church personnel shall provide a professional work environment that is free from physical, psychological, written, verbal or online intimidation or harassment.

## **V. Prevention of Exploitation: Guidelines for Counseling and Advising Relationships**

### ***A. Definitions***

1. Exploitation in the context of these *Policies* refers to Church personnel taking unfair advantage of a counseling or advising relationship.
2. Sexual exploitation is sexual contact between Church personnel and the recipient of counseling services, regardless of who initiates the contact.
3. Conflicts of interest exist when Church personnel take advantage of counseling or advising relationships in order to further their own personal, religious, political, or business interests.

## **B. Standards of the Diocese**

1. Church personnel shall not step beyond their competence in counseling or advising situations and shall refer to other professionals when appropriate.
2. Church personnel must never engage in sexual intimacies with the persons they counsel. This includes consensual contact, forced physical contact, or sexually explicit conversations not related to counseling or advising issues.
3. Church personnel shall not engage in sexual intimacies with relatives, friends, or other individuals who are close to the client, when there is a risk of exploitation or potential harm to the client. Church personnel should presume that a potential for exploitation or harm exists in such intimate relationships.
4. Church personnel assume the full burden for setting and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships.
5. Physical contact should be respectful and consistent with the intent to provide a safe and comfortable counseling environment.
6. Counseling sessions should be conducted in appropriate, professional settings at appropriate times and should not be held in places or at times that would tend to cause confusion about the nature of the relationship.
7. Counseling sessions should not be conducted in private living quarters.
8. Church personnel engaged in formal counseling professions (e.g. counselors for Vermont Catholic Charities or other professional counselors) shall maintain a confidential log of the times and places of sessions with each person being counseled.

## **C. Confidentiality**

1. Information disclosed to Church personnel during the course of counseling, advising, or spiritual direction shall be held in the strictest confidence possible.
2. In accordance with the norms of the *Code of Canon Law* (cf. c.983), the sacramental seal of the Sacrament of Reconciliation (Confession), is inviolable; therefore, it is absolutely forbidden for a confessor to betray the confidence of a penitent in any way and for any reason, even if the penitent frees the confessor. This is applicable whether the penitent is living or dead.
3. Church personnel should discuss the nature of confidentiality and its limitations with each person in counseling.
4. Information obtained in the course of sessions shall be confidential, except for compelling professional reasons or as required by law.

- a. If there is clear and imminent danger to the client, to others or to property, Church personnel are to disclose the information necessary to protect the parties involved and to prevent harm.
  - b. If feasible, before disclosure is made, Church personnel should inform the person being counseled about the disclosure and the potential consequences.
5. Church personnel providing counseling services (cf. Section V(B)(8)) should keep minimal records of sessions.
6. Knowledge that arises from professional contact should not be used in teaching, delivering homilies, or other public presentations lest the individual's identity and the confidentiality of the disclosures be at risk. In the event that general, unspecified examples are used, good pastoral judgment is of the utmost importance when making decisions about the use of information in public ministry and with absolute protection of the person's identity.
7. If Church personnel discover, while counseling a minor, 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 pastoral counselor or spiritual director shall disclose only the information necessary to protect the health and well-being of the minor.

#### ***D. Conflicts of Interest***

1. Church personnel should avoid situations that might present a conflict of interest between a counselor and a person being counseled. Even the appearance of a conflict of interest can call integrity and professional conduct into question.
2. If a conflict of interest exists or arises, the engaged Church personnel should inform all parties of the status of the conflict. Resolution of the issues must protect the person being counseled.
3. Church personnel must establish clear, appropriate boundaries with anyone with whom they have a business, professional, social or online relationship.

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

Abuse of minors is contrary to the teachings of the Catholic Church and is prohibited by the Diocese. Church personnel have a responsibility to actively protect minors from all forms of abuse. In response to the call by the United States Conference of Catholic Bishops to break the "cycle of abuse," the Diocese of Burlington has revised and adopted the following child abuse education and prevention *Policies*.



## **A. Definitions**

1. A minor is defined as anyone under the age of 18. For the purposes of these *Policies*, the term “minors” also includes adults who would be considered uniquely vulnerable to abuse because of physical or mental disabilities, or an individual who habitually lacks the use of reason.
2. A vulnerable adult more specifically defined in part in Title 33 Vermont Statutes Annotated §6902 as "any person 18 years of age or older who: . . . is impaired due to brain damage, infirmities of aging, mental condition, or physical, psychiatric, or developmental disability."
3. Physical abuse is non-accidental injury which is intentionally inflicted upon a minor.
4. Sexual abuse of a minor 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. Sexual abuse also includes the acquisition, possession, or distribution of child pornography. Sexual abuse has been defined by different civil authorities in various ways, and these norms do not adopt any particular definition provided in civil law. Rather, the transgressions in question relate to obligations arising from divine commands regarding human sexual interaction as conveyed to us by the sixth commandment of the Decalogue. Thus, the norm to be considered in assessing an allegation of sexual abuse of a minor is whether conduct or interaction with a minor qualifies as an external, objectively grave violation of the sixth commandment (Pope John Paul II, *Sacramentorum sanctitatis tutela*, 2001; *Congregation for the Doctrine of the Faith, Normae de gravioribus delictis*, 2010, Art. 6, §1, 1° and 2°; USCCB, *Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995, p. 6). A canonical offence against the sixth commandment of the Decalogue (CIC, c. 1395 §2; CCEO, c. 1453 §1) need not be a complete act of intercourse. Nor, to be objectively grave, does an act need to involve force, physical contact, or a discernible harmful outcome. Moreover, "imputability [moral responsibility] for a canonical offense is presumed upon external violation...unless it is otherwise apparent" (CIC, c. 1321 §3; CCEO, c. 1414 §2). Cf. CIC, canons 1322-27, and CCEO, canons 1413, 1415, and 1416.
5. Emotional abuse is mental or emotional injury to a minor that results, or is likely to result, in an observable and material impairment in the minor’s growth, development or psychological functioning.
6. Neglect is the failure to provide for a minor’s basic needs or the failure to protect a minor from harm.

## **B. Standards of the Diocese**

The following guidelines are intended to assist Church personnel in making decisions about interactions with minors in Church-sponsored and affiliated programs. They are not designed or intended to address interactions within families. For clarification of any guideline or to inquire about behaviors not addressed here, contact your pastor, principal or the Office of Safe Environment Programs at (802) 658-6110. Overnight and off-site youth activities are subject to the provisions set forth in the **Memorandum dated December 15, 2015** issued to all Clergy and Directors of Religious

Education related to the planning and implementation of youth activities in the Diocese, including any attachments to the Memorandum. The Memorandum and any attachments appear following the Codes of Conduct at the end of these *Policies*.

1. Church personnel are responsible for releasing minors in their care only to parents, legal guardians, or other persons designated by parents or legal guardians at the close of services or activities. In the event that Church personnel are uncertain of the propriety of releasing a minor, they should immediately locate or contact their immediate supervisor before releasing the child.
2. Church personnel should report uncontrollable or unusual behavior of minors immediately to parents or legal guardians.
3. Church personnel are prohibited from the use, possession, or being under the influence of alcohol or any illegal drugs while working with minors.
4. Church personnel may occasionally be in a position to provide transportation for minors. The following guidelines should be strictly observed when Church personnel are involved in the transportation of minors:
  - a. Ordinarily, except in an emergency, minors should never be transported without written permission. Written permission should consist of a permission slip signed by each minor's parents, including a list of designated drivers who are authorized to transport the minor.
  - b. Minors should be transported directly to their destination. No unauthorized stops should be made.
  - c. Church personnel should avoid unnecessary and/or inappropriate physical contact with minors while in vehicles.
  - d. Drivers who are assigned to transport minors must be at least 23 years old.
  - e. Ordinarily, except in an emergency, minors should not be transported by one adult alone.
5. Church personnel are prohibited from speaking to minors in a way that is or could be construed by any reasonable observer as threatening, intimidating, derogatory, or demeaning. In addition, staff and volunteers are never to swear in the presence of minors or anyone else they serve in their capacity as Church personnel.
6. Church personnel are prohibited from engaging in any sexually-oriented conversations with minors. However, it is expected that from time to time youth ministry lessons and discussions for teenagers may address human sexuality issues related to dating and sex. These lessons will convey to youth the Church's teaching 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. In addition, Church personnel are not permitted to discuss with minors the Church personnel's own sexual activities.

7. Church personnel should never be nude in the presence of minors in their care, and should not permit minors in their care to be nude. Changing and showering facilities or arrangements for adults should be separate from changing and showering facilities or arrangements for minors.
8. Church personnel are prohibited from possessing or viewing any sexually-oriented or morally inappropriate printed materials (magazines, cards, videos, films, clothing etc.) on Church property or in the presence of minors. Church personnel are also prohibited from viewing any sexually-oriented or morally inappropriate websites or viewing or sending sexually-oriented or morally inappropriate electronic mail messages on Church property or in the presence of minors. Church personnel are also prohibited from acquiring, possessing or distributing child pornography. Any videos that are used in a class or program, or any links to online videos, should be carefully screened before use.
9. Church personnel are prohibited from being in the same bed, sleeping bag, or tent with a minor unless the adult is an immediate family member of the minor, and with the knowledge of the parent or guardian.
10. Houses used for residences of priests and religious are exclusively for the use of priests and religious. Minors without a parent or guardian are not permitted to be guests in the residence of a priest or religious.

### ***C. Physical Contact with Minors***

The Diocese of Burlington has implemented a physical contact policy that will promote a positive, nurturing environment for our children and youth ministries while protecting our children and our Church personnel from misunderstandings. The following guidelines are to be carefully followed by all Church personnel working in children and youth programs.

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 spanking, slapping, pinching, hitting, or any other physical force as retaliation or correction for inappropriate behaviors by minors.
2. Appropriate affection between Church personnel and minors is important for a child's development and a positive part of Church life and ministry. The following forms of affection are normally appropriate:
  - Side hugs
  - Pats on the shoulder or back
  - Hand-shakes
  - "High-fives" and hand-slapping
  - Verbal praise
  - Arms around shoulders
  - Holding hands while walking with small children
  - Sitting beside small children
  - Holding hands during prayer

- Pats on the head when culturally appropriate (For example, this gesture should typically be avoided in some Asian communities.)
3. Some forms of physical contact 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:
- Any form of unwelcome affection
  - Unwelcome or lengthy embraces
  - Kisses
  - Holding minors over two years old on the lap
  - Touching bottoms, chests or genital areas
  - Being alone with a minor in isolated areas such as bedrooms, closets, staff -only areas or other private spaces
  - Being in bed with a minor
  - Touching knees or legs of minors
  - Wrestling with minors
  - Tickling minors
  - Piggyback or shoulder rides
  - Any type of massage given by minor to adult
  - Any type of massage given by adult to minor
  - Compliments that relate to physique or body development
  - Disrobing or bathing in front of a minor

#### ***D. Screening of Church Personnel Who Work with Minors***

1. All applicants for Church personnel positions, both paid and volunteer, working with minors will be required to complete the following, without exception:
  - a. A standard application that includes a release of information to conduct background checks.
  - b. Criminal records check for the State of Vermont and any other state where the applicant has resided during the past five years.
2. The effect of a criminal record on the applicant's ability to serve is within the discretion of the Office of Safe Environment Programs, in consultation with the Vicar General.
3. Additional screening procedures, such as reference checks and face-to-face interviews are recommended for new applicants.
4. Volunteers for programs working with minors in parishes should be registered members of the parish for at least six months before being placed in a volunteer position with minors. After careful consultation, exceptions may be made for parents of minors in the specific programs in which their child or children are participating, or other exceptions may be made if circumstances warrant and the exceptions receive Diocesan approval. After approval, volunteer

candidates should then enroll in the appropriate youth protection training and be subject to a background check, administered by the Office of Safe Environment Program.

5. Criminal records checks for Church personnel shall be conducted every fifth year of their employment or volunteer position.
6. Church personnel who transfer within the Diocese are strongly encouraged to request in writing their personnel files to be transferred to the new parish or school.

### ***E. Training for Church Personnel Who Work with Minors***

1. Church personnel are required to review and comply with the Diocese of Burlington *Policies on Ethics and Integrity in Ministry* and with the applicable *Diocesan Codes of Conduct* on pp 20-22 of this document.
2. Members of the clergy, religious, employees and all volunteers who work with minors will be required to participate in youth protection training that addresses their role in protecting minors in the Diocese of Burlington. This training must be completed within approximately 90 days of completing their application for ministry and prior to their accepting the ministry. Thereafter, Church personnel are required to remain current with the youth protection training programs. It is also highly suggested that any youth protection newsletters be widely distributed and read by clergy, religious, employees, and all volunteers who work with minors.

### ***F. Supervision of Programs that Involve Minors***

1. Parents are encouraged to be a part of any and all services and programs in which their children are involved in the Diocese of Burlington. Parents have an open invitation to observe programs and activities in which their children are involved. They should have the ability to access all events, curriculum, schedules, etc., having to do with their children. However, parents who desire to participate in or have continuous, ongoing contact with their child's programs in the Church will be required to complete the volunteer application process and to participate in the training described in Section VI (E)(2).
2. At least two adults should be present at all programs for minors, and these programs should not be sponsored or administered by only one adult without supervision. Exceptions may be made for teachers in classrooms and for coaches on sports teams, as long as the pastor or principal has given prior approval.
3. Church personnel under the age of 18 must work under the direction of an adult supervisor.
4. Church personnel in leadership roles must be aware of all programs for minors that are sponsored by a parish or school. A list of these programs should be maintained in the central office and include activities, purpose, sponsors or coordinators of the programs, meeting times and locations. Leaders are encouraged to examine these programs and consider whether they have adequate supervision.

5. Because new programs for minors are far more likely to have difficulties than established ones, individuals are not permitted to develop new programs for minors without proper review and consent within the parish or school. Requests to develop new programs should be submitted in writing to the pastor or principal for subsequent consultation and review with the pastoral council and /or school board. This review process should consider whether the plan for a new program includes adequate adult supervision and will be structured to comply with the guidelines for interactions with minors defined in Section VI (B).

## VII. Reporting Incidents, Allegations and Concerns

### A. Reporting Immoral Conduct, Harassment or Exploitation

1. Church personnel have a duty to report violations of the *Policies on Ethics and Integrity in Ministry*.
2. When there is an indication of sexual misconduct by Church personnel, Church personnel must report to the police and to the **Vermont Department for Children and Families**. Church personnel shall also inform the Office of Safe Environment Programs and/or the Office of the Vicar General (802) 658-6110.
3. When Church personnel perceive any indication of immoral conduct, harassment or exploitation, they must report to one or more of the following:
  - The pastor of the parish.
  - The principal of the school.
  - Office of the Superintendent of Catholic Schools.
  - Office of Safe Environment Programs.
  - Office of the Vicar General at (802) 658-6110.
4. Allegations of immoral conduct, harassment or exploitation will be taken seriously, and Diocesan procedures will be followed to protect the rights of all involved.
5. Questions about the applicability of these *Policies* should be addressed to the Office of Safe Environment Programs at (802) 658-6110.
6. If infractions of *Diocesan Policy* are confirmed, Church personnel will be subject to disciplinary action. Disciplinary action will follow the Workplace Behavior and Corrective Action guidelines outlined in Section VIII of these *Policies*.

### B. Reporting Inappropriate Behavior with Minors

1. Because the Diocese of Burlington is dedicated to maintaining a zero tolerance for sexual abuse of minors, it is imperative for every member of this community to participate actively in the protection of minors. In the event that Church personnel observe inappropriate behavior

toward minors on the part of other Church personnel, it is their personal responsibility to immediately report their observations to the appropriate authority. Examples of inappropriate behavior would be *Policy* violations, neglectful supervision, poor role modeling, seeking private time with minors, taking minors on overnight trips without other adults, swearing or making suggestive comments to minors either in person or by other means of verbal, written or online communication.

2. Inappropriate behaviors or *Policy* violations that relate to interactions with minors should be reported to an appropriate superior, including but not limited to one or more of the following:
  - The pastor of the parish.
  - The principal of the school.
  - Office of the Superintendent of Catholic Schools.
  - Office of Safe Environment Programs.
  - Office of the Vicar General at (802) 658-6110.
3. All reports of inappropriate behavior toward minors must be taken seriously. Diocesan procedures will be carefully followed to ensure that the rights of all those involved are protected.
4. When inappropriate behaviors are reported to a pastor or a principal, he or she shall gather additional information about the nature of the concern and **immediately** contact the Office of Safe Environment Programs.
5. If those gathering information about inappropriate behavior have a concern that there is the possibility of abuse, they will contact the **Vermont Department for Children and Families** and file a report. See Section VII (C) below for additional procedures in the event that there is a suspicion of abuse of minors.
6. If at any point, *Policy* violations toward minors are confirmed, Church personnel will be subject to disciplinary action. Disciplinary action will follow the Workplace Behavior and Corrective Action guidelines outlined in Section VIII of these *Policies*. No priest or deacon who has committed an act of sexual abuse of a minor may be transferred for a ministerial assignment in another diocese/eparchy.

### **C. Reporting Abuse of Minors**

1. *Church personnel who are mandated reporters, as defined in 33 V.S.A. §4913, and who have cause to believe a minor may have been or is being abused must immediately (within 24 hours) report their suspicions to the Vermont Department for Children and Families 24-hour line at (800) 649-5285, and are encouraged to report to the Office of Safe Environment Programs and/or the office of the Vicar General at (802) 658-6110. 33 V.S.A. §4913 defines mandatory reporters as:*

*(a) Any physician, surgeon, osteopath, chiropractor, or physician's assistant licensed, certified, or registered under the provisions of Title 26, any resident physician, intern, or any hospital administrator in any hospital in this state, whether or not so registered, and any registered nurse, licensed practical nurse, medical examiner, emergency medical personnel as defined in 24 V.S.A. § 2651(6), dentist, psychologist, pharmacist, any other health care provider, child care worker, school superintendent, school teacher, school librarian, school principal, school guidance counselor, and any other individual who is regularly employed by a school district, or who is contracted and paid by a school district to provide student services for five or more hours per week during the school year, mental health professional, social worker, probation officer, any employee, contractor, and grantee of the agency of human services who have contact with clients, police officer, camp owner, camp administrator, camp counselor, or member of the clergy who has reasonable cause to believe that any child has been abused or neglected shall report or cause a report to be made in accordance with the provisions of section 4914 of this title within 24 hours. As used in this subsection, "camp" includes any residential or nonresidential recreational program.*

2. Church personnel who are not mandated reporters shall report suspected abuse of a minor to the pastor, administrator, or appropriate supervisor and should report to the appropriate office of the **Vermont Department for Children and Families** any allegation of sexual abuse of a minor.
3. Failure by mandated reporters to report suspected abuse of a minor in Vermont is a crime punishable by a fine whether or not such abuse occurs during a church-related activity. Reports may be made confidentially and anonymously. A person who mistakenly reports suspected abuse is immune from civil or criminal liability as long as the report was made in good faith and without malice.
4. In addition to reporting to the **Vermont Department for Children and Families**, Church personnel who are mandated reporters shall report any suspected or known abuse of minors that may have been perpetrated by Church personnel directly to the Diocese of Burlington, so that immediate and proper steps may be taken to ensure the safety of alleged victims. Reports of suspected or known abuse may be made confidentially to an appropriate superior, including any of the following:
  - The pastor of the parish.
  - The principal of the school.
  - Office of Superintendent of Catholic Schools.
  - Office of Safe Environment Programs.
  - Office of Vicar General at (802) 658-6110.
5. If the situation meets the criteria for a **DCF** and/or police investigation, the Diocese will cooperate fully with the investigation. Interviews will be conducted within the framework of the investigative processes of the **Vermont Department for Children and Families**.
6. When the Diocese receives information of suspected abuse of minors by Church personnel other than clerics, the Bishop, in consultation with the Review Board, will assess the



individual's fitness for ministry.

7. When the Diocese receives information of suspected abuse of minors by clerics, the Bishop, in consultation with the Review Board, will assess the individual's fitness for ministry in accord with the Canons of the *Code of Canon Law*, and supplemental universal legislation, as well as the USCCB's *Charter for the Protection of Children and Young People* and *The Essential Norms*.
8. During investigations by civil authorities, Church personnel who are the subject of the investigation may be temporarily removed from Church responsibilities and duties.
9. Documentation of internal assessments will be stored in the Diocesan personnel files.
10. Internal assessments will follow Diocesan procedures with the guidance of the Review Board.
11. If abuse of a minor is confirmed, Church personnel will be subject to termination. If abuse by a member of the clergy is confirmed, procedures will follow the appropriate norms of the *Code of Canon Law* and Article 5 of the *Charter for Protection of Children and Young People* (USCCB).

## **VIII. Workplace Behavior and Corrective Action**

*Please refer to the Diocesan Human Resources Policy 0016 for all disciplinary procedures.*

## **IX. The Church's Pastoral Response to Misconduct in Ministry**

The Diocese of Burlington will take all allegations seriously and will immediately and thoroughly investigate all concerns. Investigations will be conducted with the guidance of the Review Board and will follow Diocesan procedures.

### ***A. Care of the One Who Brings Allegations of Misconduct***

1. The Diocese of Burlington will respond immediately and effectively to deal with any accusation of misconduct brought against Church personnel. The willingness of the Diocese to respond to an allegation is in no way a judgment of the person being accused. Innocence is always presumed until facts prove otherwise. At all times, it is expected that an allegation brought by the one directly involved or by that person's parent or legal guardian is based on fact, and is an honest representation of the truth. It is always important for all members of the Church to be sensitive to the needs and feelings of those who allege misconduct.

2. The Church will offer counseling services to the victim of misconduct to enable healing. This assistance for an individual victim may vary with circumstances, and support from the Diocese will be determined in proportion to the defined course of therapy. The Diocese will provide reasonable assistance as the need arises. Victims have the right to report to law enforcement and to one or more of the following: the pastor of the parish; the principal of the school; the Office of the Superintendent of Catholic Schools; the Office of Safe Environment Programs; the Office of the Vicar General at (802) 658-6110.

### ***B. Care of Church Personnel Accused of Misconduct***

1. The Diocese of Burlington has a deep concern for any Church personnel accused of misconduct.
2. The Diocese will take great care in ensuring that a proper investigation is conducted following any allegation of misconduct. All investigations will follow Diocesan procedures and will be conducted with the guidance of the Review Board. The rights of the accused will be taken into consideration throughout the investigation process, and every effort will be made to protect the interests of an individual who may be falsely accused. The accused should be offered civil and canonical counsel, accorded the presumption of innocence, and given the opportunity to receive professional therapy services.
3. During investigations of allegations, the accused may be removed from contact with alleged victims to ensure the integrity of the investigation and the safety of alleged victims during the information-gathering process. At all times, it is expected that an allegation brought by the one directly involved or by that person's parent or legal guardian is based on fact, and is an honest representation of the truth. This action should in no way be interpreted as a presumption of guilt. In the event that allegations are not founded, the accused Church personnel will resume his or her position as quickly as possible. Every reasonable effort will be made to restore the individual's good name.
4. In the event that allegations are founded and the accused is not permitted to resume work within the Diocese, the Diocese will offer pastoral care to the extent that it is able.
5. Any allegation of misconduct involving a priest, deacon or religious will be taken seriously and the process outlined in this document will be followed. The Bishop, in reaching final decisions, will always be guided by the appropriate canons of the *Code of Canon Law* and other supplemental legislation.

### ***C. Care of the Community Affected by Misconduct***

1. The Diocese also has a special concern for the parishes and other Diocesan organizations served by personnel who are accused of misconduct.
2. The Diocese will make every effort to provide pastoral care to the individuals in a parish or other Diocesan organization who experience an incident or allegation of misconduct.

3. Whenever a priest under restriction in this Diocese relocates to another diocese, the Bishop of the Diocese of Burlington shall notify the Bishop of the Diocese of new residency of the cleric's address, as well as the cleric's imposed restrictions in ministry.

## **X. Role of the Diocesan Review Board**

The Bishop of the Diocese shall appoint and maintain a Review Board that functions as a confidential, consultative body to the Bishop. The majority of its members are to be lay persons not in the employ of the Diocese. The Review Board shall serve in an advisory capacity to the Bishop, making determinations and recommendations required under the *Policies on Ethics and Integrity in Ministry*.

1. The Review Board shall assist the Bishop as a confidential, consultative body in addressing allegations of violations of the *Policies on Ethics and Integrity in Ministry* and in promoting the *Policies on Ethics and Integrity in Ministry*.
2. The Bishop may seek a recommendation from the Review Board concerning a Church personnel's fitness for ministry.
3. The Review Board shall offer advice on all aspects of cases. The Board may offer advice retrospectively and prospectively on these matters.
4. The Review Board shall regularly review the *Policies on Ethics and Integrity in Ministry* and accompanying procedures. Recommendations for changes shall be presented to the Bishop for approval.
5. The involvement of the Review Board as a consultative body to the Bishop shall be communicated to the victim and the accused.
6. The Bishop shall appoint members to the Review Board for a term of five years, which can be renewed.
7. The identity of Review Board members shall not be widely publicized. All discussions regarding allegations and instances of abuse are strictly confidential.
8. Review Board members shall undergo a criminal records check.

ROMAN CATHOLIC DIOCESE OF BURLINGTON  
Office of Safe Environment Programs

**CODE OF CONDUCT FOR CHURCH PERSONNEL WHO DO NOT WORK WITH MINORS**

The Diocese of Burlington is grateful to the many faithful Catholics who are Church personnel in the Diocesan parishes and Catholic Schools, and who take on important responsibilities though they do not work with minors (anyone under the age of 18). In keeping with the principles set forth in the *Diocese of Burlington Policies on Ethics and Integrity in Ministry*, to ensure healthy and safe relationships in ministries, and in order to cultivate a safe environment which encourages and enables Church personnel to engage fully in the traditions of teaching, celebrating, participating in and being formed by the Catholic faith, the following guidelines in the form of a *Code of Conduct* are established.

- I will recognize the dignity of each person and refrain from behaviors or words that are disrespectful.
- I will perform my ministry in a manner consistent with the mission of the Catholic Church, the Diocese of Burlington and the laws of the State of Vermont.
- I will work collaboratively with the pastor, supervisors and associates in my ministry.
- I will maintain appropriate physical, emotional, and online boundaries with the persons whom I serve in my ministry.
- I am aware of appropriate Internet and social media use and of maintaining appropriate boundaries with regard to interactions with others, especially children and adolescents.
- I will model healthy and positive behaviors with children, adolescents and other adults.
- I have a responsibility in all relationships to witness the chastity appropriate to my vocation in life whether celibate, married or single.
- I agree to adhere to civil and ecclesial law, policy and procedure for reporting abuse, suspected abuse, or neglect.
- I am aware of and will comply with the *Diocese of Burlington Policies on Ethics and Integrity in Ministry*.

**This *Code of Conduct* is grounded in our Christian values. It lists behaviors that we expect from every Diocesan Church personnel. While it may seem expansive, it is not exhaustive (by way of example, providing false statements or information to attain positions). Church personnel are expected to use sound judgment and seek advice through their leadership personnel regarding situations not covered in this *Code of Conduct*.**

**By signing this *Code of Conduct*, I am demonstrating my agreement to follow all the guidelines listed in this document. I understand that any violations of this *Code of Conduct* may result in reprimand or termination from my volunteerism and/or employment position with the Diocese.**

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Role: \_\_\_\_\_

Date: \_\_\_\_\_

Last Revised: May 1, 2018

ROMAN CATHOLIC DIOCESE OF BURLINGTON  
**Office of Safe Environment Programs**

**CODE OF CONDUCT FOR CHURCH PERSONNEL WHO WORK WITH MINORS**

Church personnel who work with minors (anyone under the age of 18) through the Diocese of Burlington or any of its parishes or schools have the legal, moral, and religious responsibility to perform their duties in a way that educates and assists - and does not harm - the minors with whom they work. In keeping with that obligation, the Diocese of Burlington establishes the following *Code of Conduct* for all who minister to minors in the parishes of the Diocese, teach minors in the schools of the Diocese, coach minors on sports teams connected with the Diocese or any of its parishes or schools, or in any other way work with minors throughout the Diocese of Burlington.

**As one of the teachers, coaches, ministers, employees and/or volunteers who work with minors in or through the Diocese of Burlington, I solemnly pledge that:**

- I will, to the best of my ability, perform my work in a manner consistent with the mission of the Catholic Church and the Diocese of Burlington and the laws of the state of Vermont.
- I will always remember that I am not a peer of the minors with whom I work, and I will perform my duties accordingly.
- I will partake in the required youth protection training as outlined in Section VI (E)(2) of the *Policies on Ethics and Integrity in Ministry*.
- I will maintain appropriate physical and emotional boundaries with the minors with whom I work.
- I will partake in appropriate Internet and social media activity and maintain appropriate boundaries with regard to interactions with others, including any minors with whom I work.
- I will avoid situations where I am alone with a minor at Church activities or in other contexts.
- I will refrain from any and all physical conduct, non-curricular conversations and other communications with minors that have a sexual purpose or result.
- I will report suspected abuse or neglect of a minor to the appropriate authority (e.g., DCF, law enforcement), as well as to the pastor, administrator, or appropriate supervisor (see Section VII (B)(2)).
- I will not touch a minor in a sexual or other inappropriate manner.
- I will not acquire, possess or distribute child pornography.
- I will cooperate fully in any investigation of abuse of minors.
- I will treat everyone with respect, loyalty, patience, integrity, courtesy, dignity and consideration.
- I will use positive reinforcement rather than criticism, competition or comparison when working with minors.
- I will neither accept expensive gifts from minors nor give expensive gifts to them without prior written approval from the parents or guardians and from the pastor and/or administrator.
- I will not smoke or use tobacco products in the presence of minors.
- I will not use, possess or be under the influence of alcohol while working with minors.
- I will not use, possess or be under the influence of illegal drugs at any time
- I will not knowingly pose any health risk to minors (i.e., no fevers or other contagious matters).
- I will not strike, spank, shake, or slap minors.
- I will not humiliate, ridicule, threaten, or degrade minors.
- I will not use any discipline that frightens or humiliates minors.

- I will not use profanity in the presence of minors.

**I understand that, in working with minors, I am subject to a thorough background check, including criminal history. I understand that any action inconsistent with this *Code of Conduct* or failure to take action mandated by this *Code of Conduct* may result in removal from my position.**

**I also understand that this *Code of Conduct* does not abrogate or replace any other obligations that I have under any applicable law, guideline, policy or regulation.**

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Role: \_\_\_\_\_

Date: \_\_\_\_\_

Last Revised: May 1, 2018

## **XI. Attachments**

(insert Memorandum and attachments referenced on page 10)