

***GUIDELINES***  
***for***  
***ETHICS***  
***&***  
***INTEGRITY***  
***in***  
***MINISTRY***

***Diocese of St. Cloud***  
***September 2003***

***(Revised 9/01/07)***

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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 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 Guidelines for Ethics and Integrity in Ministry has been adopted for the Church personnel in the Diocese of St. Cloud. All Church personnel are asked to read the Guidelines for Ethics and Integrity in Ministry before agreeing to adhere to the standards and continue in service in the diocese.

- Church personnel will exhibit the highest Christian ethical standards and personal integrity.
- Church personnel will conduct themselves in a manner that is consistent with the discipline and teachings of the Catholic Church.
- Church personnel shall provide a professional work environment that is free from physical, psychological, written, or verbal intimidation or harassment.
- Church personnel will avoid taking unfair advantage of a counseling relationship for the benefit of themselves.
- Church personnel will not physically, sexually or emotionally abuse or neglect a minor or an adult.
- Church personnel will accept their personal responsibility to protect minors and adults from all forms of abuse.

## **II. GENERAL DEFINITIONS**

### **A. Church Personnel**

For the purposes of these guidelines, the following are included in the definition of “Church personnel” as outlined in the Sexual Misconduct Policy for the Diocese of St. Cloud:

1. All priests, permanent deacons and transitional deacons of the diocese;
2. All religious priests, deacons and brothers working in parishes and other institutions in the diocese;
3. All those non-ordained persons to whom a participation in the exercise of the pastoral care of a parish is entrusted according to Canon 517, Section 2, of the Code of Canon Law;
4. All clerics of other jurisdictions assigned for work in the diocese;
5. All women religious working in parishes and other Church institutions in the diocese;
6. All personnel of Catholic schools in the diocese (administration, faculty and support staff);
7. All youth ministers in the parishes, schools and Church institutions in the diocese;
8. All religious education directors and teachers in the parishes in the diocese;
9. All personnel of diocesan campus ministry programs in the diocese;
10. All paid personnel in the offices of the Diocesan civil corporation, in the parishes within the diocese, in the schools within the diocese, the Society for the Propagation of the Faith for the Diocese of St. Cloud;
11. All who volunteer for work in the offices and institutions, noted in the previous paragraph, with persons of special concerns as stated in the policy regarding vulnerable persons; and
12. Such other personnel as designated or assigned by the bishop of the diocese.

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

For the purpose of these guidelines, misconduct includes the four types of behavior listed below and as stated in the Diocese of St. Cloud Sexual Misconduct Policy established by the Bishop of the diocese:

1. Immoral conduct: Conduct that is contrary to the discipline and teachings of the Church.
2. Harassment: Conduct or language, which creates an intimidating, hostile or offensive working environment.
3. Exploitation: Taking advantage of a counseling relationship for the benefit of the counselor.
4. Abuse of minors: 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.

Sexual misconduct is a general term, which includes sexual abuse, sexual exploitation and sexual harassment.

Sexual misconduct with 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.

In Church law, 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 (*USCCB, Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State, 1995, p. 6*). A canonical offense against the sixth commandment of the Decalogue (CIC, c. 1395 §2; CCEO §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<sup>2</sup>.

We note that these guidelines must be in accord with civil, criminal and canon law. Accordingly, at this time the following terms have the meanings stated:

**Sexual Abuse**: is subjection of a child or vulnerable adult, by any person responsible for their care, in a position of authority, or a person who has a significant relationship, to any sexual contact or act, which is a violation of the Minnesota Criminal Sexual Conduct Code.

**Sexual Exploitation**: as it applies to any formal helper/helpee relationship, is any kind of sexual interaction between counselor and client, whether initiated by either counselor or client and regardless of the consent of the client.

**Sexual Harassment**: is unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature.

- i. Quid pro quo: occurs when the employee/client is subject to unwelcome sexual advances and submission to them is made the basis of firing, hiring, advancement;
- ii. Environmental: occurs when any type of unwelcome sexual behavior creates a hostile environment.

**Vulnerable Adult**: is a person 18 years of age or older who, because of impairment of mental or physical function or emotional status, is unable or unlikely to report abuse or neglect without assistance.

**Diocese**: is a portion of the people of God which is entrusted to a bishop for him to shepherd with the cooperation of the presbyterate, so that, adhering to its pastor and gathered by him in the Holy Spirit through the Gospel and the Eucharist, it constitutes a particular church in which the one, holy, catholic and apostolic Church of Christ is truly present and operative (*cf. CIC 369*).

### **III. PREVENTION OF IMMORAL CONDUCT: GUIDELINES FOR ETHICS AND INTEGRITY IN MINISTRY**

#### **A. Introduction**

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 observer would have grounds to believe that 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.

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).

All conduct should give witness to the integrity and teachings of the Catholic Church.

#### **B. Guidelines for Ethics and Integrity in Ministry**

1. It is fundamental to the mission for Church personnel in the diocese to exhibit the highest ethical standards and personal integrity. The purpose of these guidelines is to ensure that all Church personnel be informed of the traditional strong moral and ethical standards of the Catholic Church. Therefore, Church personnel shall not engage in the following conduct:
  - a. Formally rejecting the teachings of the Catholic Church or the Christian way of life.
  - b. Exhibiting actions that are disruptive to the ministry and public worship.
  - c. Procuring or participating in abortion, homicide or euthanasia.
  - d. Possessing pornographic materials.
  - e. Engaging in adultery, flagrant promiscuity or cohabitation.
  - f. Abusing alcohol, drugs or gambling.
  - g. Stealing or any other form of theft, including misappropriation of Church funds.
  - h. Sexual harassment, exploitation or abuse.
  - i. Physical assault and fighting.
2. Church personnel shall 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. Making false allegations against another.

#### **IV. PREVENTION OF HARASSMENT: GUIDELINES FOR PROFESSIONALISM**

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

1. Harassment encompasses a broad range of physical, written or verbal 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.
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. Guidelines for Ethics and Integrity in Ministry**

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



## **V. PREVENTION OF EXPLOITATION: GUIDELINES FOR COUNSELING RELATIONSHIPS**

### **A. Definitions**

1. Exploitation in the context of this policy refers to Church personnel taking advantage of the counseling relationship for the benefit of the counselor.
2. Sexual exploitation is sexual contact between Church personnel and the recipient of his or her counseling services, regardless of who initiates the contact.
3. Conflicts of interest exist when Church personnel take advantage of counseling relationships in order to further their own personal, religious, political or business interests.

### **B. Guidelines for Ethics and Integrity in Ministry**

1. Church personnel are expected to avoid situations and conduct that are, or may give the appearance of, exploitation or conflicts of interest.
2. Church personnel shall not step beyond their competence in counseling situations and shall refer to other professionals when appropriate.
3. Church personnel must never engage in sexual intimacies with the persons they counsel. This includes consensual contact, forced physical contact and sexually explicit conversations not related to counseling issues.
4. 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 potential exploitation or harm exists in such intimate relationships.
5. Church personnel assume the full burden for setting and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships.
6. Physical contact shall be respectful and consistent with the intent to provide a safe and comfortable counseling environment.
7. Sessions shall be conducted in appropriate settings at appropriate times and 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.
8. No sessions should be conducted in private living quarters.
9. Church personnel shall maintain a 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 must be held in the strictest confidence possible.
2. In accordance with the norm of canon law (c.983), the sacramental seal is inviolable; 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 whether the penitent is living or deceased.
3. Church personnel shall 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 or to others, the Church personnel are to disclose the information necessary to protect the parties involved and to prevent harm.
  - b. Before disclosure is made, if feasible, the Church personnel shall inform the person being counseled about the disclosure and the potential consequences.
5. The Church personnel providing pastoral counseling services or spiritual direction shall keep minimal records of sessions.
6. Knowledge that arises from professional contact may not be used in teaching, delivering homilies or other public presentations.
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 shall 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, Church personnel shall inform all parties. 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 or social relationship.

## **VI. PREVENTION OF ABUSE: GUIDELINES FOR WORKING WITH MINORS**

Abuse of minors is contrary to the teachings of the Church and is prohibited. Church personnel have a responsibility to 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 Bishop of Diocese of St. Cloud has revised and adopted the following child abuse education and prevention guidelines.

### **A. Definitions**

1. A minor is defined as anyone under the age of 18. For the purposes of this policy, the term “minors” also includes adults who would be considered uniquely vulnerable to abuse because of physical or mental disabilities.
2. A vulnerable adult is a person 18 years of age or older who because of impairment of mental or physical function or emotional status, is unable or unlikely to report abuse or neglect without assistance (cf. *Minn. Stat. 626.5572, Subd. 21*).
3. Physical abuse is non-accidental injury, which 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 any activity that is meant to arouse or gratify the sexual desires of the adult.
5. Emotional abuse is mental or emotional injury to a minor that results 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. Guidelines for Ethics and Integrity in Ministry**

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.

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.

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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, minors should never be transported without written permission.
  - 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 18 years old.
5. Church personnel are prohibited from speaking to minors in a way that is or could be construed by any observer as harsh, threatening, intimidating, shaming, derogatory, demeaning or humiliating. In addition, staff and volunteers are expected to refrain from swearing in the presence of minors.
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 minors may address human sexuality issues related to dating and sex. These lessons will convey to youth the Church's views 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 their own sexual activities with minors.
7. Church personnel should never be nude in the presence of minors in their care. Changing and showering facilities or arrangements for adults should be separate from facilities or arrangements for minors.
8. Church personnel are prohibited from possessing any sexually oriented or morally inappropriate printed materials (magazines, cards, videos, films, clothing, etc.) on Church property or in the presence of minors.
9. Church personnel are prohibited from sleeping in the same beds, sleeping bags or small tents with minors.
10. As provided for in the Supplementary Norms for Clergy and Religious, houses used for residences of priests and religious are exclusively for the use of the religious. With the exception of occasional visits from immediate family members, minors are not permitted to be overnight guests in the residence of a priest or religious.

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

The Bishop of Diocese of St. Cloud 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.

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 behavior by minors.
2. 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:
  - Inappropriate or lengthy embraces
  - Kisses on the mouth
  - Holding minors over two years old on the lap
  - Touching bottoms, chests or genital areas
  - Showing affection in isolated areas, such as bedrooms, closets, staff-only areas or other private rooms
  - Sleeping in bed with a child
  - Touching knees or legs of minors
  - Wrestling with minors
  - Tickling minors
  - Piggyback rides
  - Any type of massage given by minor to adult
  - Any type of massage given by adult to minor
  - Any form of unwanted affection
  - Compliments that relate to physique or body development

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

1. All applicants for Church personnel positions 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 (See Appendix A). Applicants will also be required to read and sign a Guidelines for Ethics and Integrity in Ministry for Church personnel. Any salaried Church employee who deals with minors shall have a criminal background check before employment.
2. Additional screening procedures, such as reference checks and face-to-face interviews, are recommended for new applicants as well as existing employees and volunteers who have held their positions for less than two years.

3. Church personnel who transfer within the diocese are strongly encouraged to request in writing that their personnel files be transferred to their new place of employment.

## **VII. SAFE ENVIRONMENT PROGRAMS EDUCATION**

### **A. Training for Church Personnel who Work with Minors**

1. Church personnel are required to review the Guidelines for Ethics and Integrity in Ministry and agree to comply with the Sexual Misconduct Policy for the Diocese of St. Cloud.
2. Members of the clergy, religious, employees and all volunteers who work with minors will be required to participate in training that addresses their role in protecting minors in the Diocese of St. Cloud.
3. Parishes will establish safe environment programs. They will cooperate with parents, court authorities, educators and community organizations to provide education and training for children, youth, parents, ministers, educators and others about ways to make and maintain a safe environment for children. Parishes will make clear to all church employees and to all members of the Church community the guidelines of conduct for Church personnel in positions of trust.
4. Procedures for reporting sexual abuse must be kept in parish and school files to be readily available for use by those who wish to register a complaint. These procedures will include name of appropriate law enforcement personnel and telephone numbers, names and telephone numbers of victim advocates, and any other pertinent information that would be necessary for the reporting of alleged abuse.
5. Education is a vital and important part of the implementation of the Ethics and Integrity Policy. Attendance at an in-service day focusing on the implementation of this policy is required. An annual in-service will be required for all Church personnel. All priests and deacons; all pastoral administrators; all youth ministers; all school principals and directors of religious education; all volunteers working with children; and other Church personnel as deemed necessary by the vicar general of the diocese will be required to attend the in-service. They will be provided a framework to use to train those who are considered Church personnel. All employees will need to sign a form stating that they have received the training. The in-service will focus on the Guidelines for Ethics and Integrity in Ministry and the Sexual Misconduct Policy. The day should be open also to discuss other policies that are pertinent. It is recommended that the diocesan attorney be present. This in-service day could be hosted in various regions of the diocese. A holistic approach to teaching sexuality is encouraged. All parents, teachers, catechists, principals, directors of religious education and youth ministers are encouraged to share this responsibility.
6. As now required, the following will be published in each parish bulletin in March of each calendar year and a copy sent to the chancellor of the St. Cloud Diocese: Anyone who wishes to bring forward a complaint of sexual misconduct on the part of church personnel is encouraged to contact a victim advocate who will assist the person to take whatever steps the victim feels are appropriate to resolve the issue. (Confidentiality is assured to anyone who speaks with them.)

Victim advocates for the Diocese of St. Cloud are:

- Roxann Storms, LSW, MS (320) 248-1563  
Victim Assistance Coordinator
- Jane Blee (320) 251-3430
- Nancy Fandel (320) 685-7507
- Tom Klecker (320) 253-2866
- Jim Otremba (320) 253-3540
- Rev. Patrick Riley (320) 650-1653
- Dolores Saurer (218) 736-3592
- Mary Schindler (320) 650-1688
- Reverend Stanley Wieser (320) 563-4421
- Jennifer Wirz (320) 229-6033

#### **B. 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 St. Cloud. Parents have an open invitation to observe programs and activities in which their children are involved. 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.
2. Church personnel under the age of 21 must work under the direction of an adult supervisor.
3. 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.



## VIII. THE CHURCH'S PASTORAL RESPONSE TO MISCONDUCT IN MINISTRY

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

1. All allegations of misconduct will be taken seriously and it will be immediately and thoroughly investigated. Investigations will be conducted and follow protocols defined in the Sexual Misconduct Policy for the Diocese of St. Cloud.
2. Accusations of misconduct brought against Church personnel will be responded to immediately and effectively. The willingness 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 members of the Church to be sensitive to the needs and feelings of those who allege misconduct.
3. The Church will offer counseling services to the victim of misconduct to enable healing. This assistance for a victim may vary with circumstances, and support will be determined in proportion to the defined course of therapy. Reasonable assistance will be provided as the need arises.

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

1. There is a deep concern for any Church personnel who is accused of misconduct.
2. Great care will be taken in ensuring that a proper investigation is conducted following any allegation of misconduct. All investigations will follow protocols and procedures defined in the Sexual Misconduct Policy for the Diocese of St. Cloud. 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.
3. During investigations of allegations, the accused will 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. This action should in no way be interpreted as a presumption of guilt. In the event that allegations are not founded, it is understood that the accused Church personnel will resume his or her position as quickly as possible.
4. Clerics will be provided pastoral care as prescribed by the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*.
5. In the event that allegations are founded and the accused is not permitted to resume work within the diocese, pastoral care will be offered to the extent reasonably possible.

6. Any allegation of misconduct involving church personnel will be taken seriously. The process of investigation as stated in the *Charter for the Protection of Children and Young People* will be followed. The bishop, in reaching final decisions, will always be guided by the appropriate norms of canon law.

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

1. The bishop also has a special concern for the parishes and other Church organizations in the diocese served by personnel who are accused of misconduct.
2. Every effort will be made to provide pastoral care to the individuals in a parish or other Church organization that experiences an incident or allegation of misconduct.

**ACKNOWLEDGMENT OF RECEIPT**

**Guidelines for Ethics & Integrity in Ministry**

**for the**

**Diocese of St. Cloud**

I hereby acknowledge that I have received a copy of the Guidelines for Ethics & Integrity in Ministry for the Diocese of St. Cloud and that I have read it, understand its meaning, and agree to conduct myself in accordance with it.

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

Signed: \_\_\_\_\_

Print Name: \_\_\_\_\_

Position: \_\_\_\_\_