



## Code of Pastoral Conduct

### I Preamble

The Diocese of Venice holds accountable all church personnel for maintaining the integrity of their ministerial and professional relationships. The purpose of this *Code of Pastoral Conduct* ("Code") is to set forth the basic principles and guidelines which are to govern the behavior of those who act on behalf of the church in certain pastoral situations. All church personnel are to be guided in their conduct by their particular employment/ministerial agreement, their particular professional codes as well as applicable diocesan personnel, screening, anti-harassment and sexual abuse policies, and the provisions of canon law and civil law.

### II Responsibility for Compliance/Enforcement

This Code is a condition of employment/ministry in the Diocese of Venice. Responsibility for adherence to this *Code of Pastoral Conduct* rests with the individual. In order to repair scandal, restore justice and reform offenders, appropriate action will be taken when any church personnel disregards or fails to comply with the expectations and behaviors outlined in this Code. Violation of this Code or any other applicable diocesan policy will lead to remedial action. Such action may take various forms, from verbal reproach to civil or canonical disciplinary action, including termination of employment or ministry, depending upon the specific nature and circumstances of the offense and the extent of the harm.

To ensure compliance, leaders and supervisors in the Diocese, parish or affiliated organization will:

- share and discuss the *Code of Pastoral Conduct* with all personnel within his or her realm of responsibility.
- maintain records of training and acceptance by personnel, in their personnel file.
- immediately and appropriately address questions or issues resulting from application of the standards outlined in the *Code of Pastoral Conduct*.
- ensure that the *Code of Pastoral Conduct* is provided to and reviewed with new church personnel in a timely manner.

Anyone who knows or suspects a violation of this *Code of Pastoral Conduct* is to report it to the Chancellor of the Diocese of Venice at (941) 484-9543. The Diocese of Venice strictly prohibits retaliation or threatened retaliation against anyone reporting, in good faith, actual or suspected misconduct.

### III Definitions

**A Church Personnel** - For purposes of this policy, the following are included in the definition of Church Personnel:

- 1 Priests and Deacons who enjoy the faculties of the Diocese of Venice.
- 2 Seminarians and those enrolled in the Permanent Diaconate Formation Program.
- 3 Women religious and religious brothers working for a diocesan entity.
- 4 All lay employees on church payroll and those independent contractors (self-employed) or consultants who perform services on diocesan property and have an ongoing relationship with a diocesan entity.

Volunteers working with minors are covered under a separate *Code of Conduct for Volunteers Working with Minors* which is found on page 26 of this booklet and is available from the diocesan Department of Human Resources and on the diocesan website: [www.dioceseofvenice.org](http://www.dioceseofvenice.org)

**B Administrator** - Any pastor/parish administrator, principal, chancery department supervisor, program head, who is responsible for hiring and supervising employees, volunteers and religious brothers and sisters.

**C Pastoral Counselor and/or Spiritual Director** - Any church personnel who, on behalf of the church, engages in ministry to another in which there is a trust relationship and component of counseling, personal advice or spiritual direction. This would include, but is not limited to those serving as sponsors, those involved in any type of counseling or representation in the annulment process, clerics, extraordinary ministers of the Eucharist and others who bring communion to the sick and homebound, to the divorced and separated, to the grieving, to youth, to victims of domestic violence, sexual abuse or those seeking post-abortion healing, to RCIA and sacramental sponsors (non-spousal), school guidance counselors, professional counselors and social workers serving through parishes or Catholic Charities programs.

**D Misconduct** - For purposes of this policy, misconduct includes the following:

- 1 Imprudent or inappropriate conduct - conduct which is contrary to diocesan policy or good judgment, but not necessarily in violation of canon law or civil law.
- 2 Immoral conduct - Conduct contrary to the discipline and teachings of the Roman Catholic Church.
- 3 Harassment - Conduct or language which creates an intimidating, hostile or offensive work environment.
- 4 Exploitation - Taking unfair advantage of another for one's own advantage or benefit.
- 5 Abuse- includes physical, sexual or emotional abuse of children under 18 or adults who are uniquely vulnerable to abuse because of physical or mental disabilities.

- 6 Illegal - Conduct (potentially including immoral conduct, harassment, exploitation and abuse) which is contrary to the civil laws of the jurisdiction in which the conduct takes place.

**E Child or minor** - A person less than eighteen (18) years of age not emancipated.

#### **IV Pastoral Standards**

##### **A Prevention of Immoral Conduct:**

###### **General Guidelines for Ethical and Moral Behavior for Church Personnel**

Church personnel enjoy a public trust and confidence. It is essential that Church personnel exhibit the highest ethical standards and personal integrity in their day to day work and in their personal lives. Therefore:

- 1 Church personnel should not formally reject the teachings of the Roman Catholic Church or the Christian way of life.
- 2 Church personnel should demonstrate respect for the rights, dignity and worth of each person, from conception until natural death. Church personnel should not procure or participate in abortion, homicide or euthanasia, nor should they possess pornographic materials.
- 3 Church personnel should conduct their relationships with others free from deception, manipulation, exploitation and intimidation. Church personnel should not engage in any form of harassment, exploitation, physical, emotional or psychological abuse.
- 4 Church personnel should not abuse alcohol, drugs or gambling.
- 5 Church personnel should examine their own actions and intentions objectively to ensure that their behavior promotes the welfare of the community and exemplifies the strong moral tradition of the church.
- 6 Church personnel should witness in all relationships the chastity appropriate to their state in life.
- 7 Church personnel should keep all information received in the course of counseling, spiritual direction or other professional or ministerial contact in the strictest confidence, except as mandated by law. Church personnel should not harm the reputation of others through disclosing the faults or failings of others who have no cause to know them or making false allegations against another.
- 8 Church personnel should be responsible stewards of Church resources, human and financial, observing diocesan policy, as well as canon law and civil law. Church personnel should not steal or engage in any other form of theft, including misappropriation of church funds.

## **B Prevention of Psychological Abuse or Exploitation:**

### **Guidelines for Pastoral Counselors and Spiritual Directors**

- 1 Pastoral Counselors and Spiritual Directors shall not step beyond their competence in counseling situations and shall refer clients to other professionals when appropriate.
- 2 Church personnel shall ensure that all counseling sessions are conducted in appropriate settings at appropriate times.
  - No session may be conducted in the private living quarters of a rectory.
  - Sessions may not be held at places or times that would tend to cause confusion about the nature of the relationship for the person being counseled.
- 3 Pastoral Counselors and Spiritual Directors may not audiotape or videotape their sessions.
- 4 Information disclosed to a Pastoral Counselor or Spiritual Director during the course of counseling, advising, or spiritual direction shall be confidential, except for compelling professional reasons or as required by law.
- 5 Church personnel who engage in pastoral counseling and spiritual direction shall not engage in inappropriate physical contact with the persons they counsel in any private setting and shall be mindful of the possibility of misconstruction of physical contact in even public settings, engaging in such contact only for the benefit of the person being counseled.
- 6 Pastoral Counselors and Spiritual Directors assume the full burden for establishing and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships.
- 7 Pastoral Counselors and Spiritual Directors shall not engage in sexual intimacies with the persons they counsel, their relatives, friends or other individuals who are close to the client.

## **C Prevention of Child Abuse and Exploitation:**

### **Guidelines for those working with minors**

- 1 Church personnel are required to have completed the appropriate application and criminal background screening prior to being allowed unsupervised access to minors.
- 2 Church personnel must be familiar with the Diocese of Venice Policy and Procedural Guidelines Relating to the Protection of Children and Vulnerable Adults and their reporting obligations under Florida law.
- 3 Church personnel are prohibited from speaking to others, particularly to or in the presence of minors, in a manner that is derogatory, demeaning or humiliating. They are to use positive reinforcement with minors rather than criticism, competition or comparison.

- 4 Church personnel are generally prohibited from engaging in any sexual oriented conversations/discussions with minors, except that age appropriate religious education curriculum and lessons for youth and young adults, may address human sexuality issues, or it may be necessary to address such issues in the Sacrament of Reconciliation. The lesson or cleric will convey Church views on the topic in response to specific questions. Additional questions should be referred to parents or guardians for clarification. In addition, church personnel are not permitted to discuss their own sexual activities with minors.
- 5 Church personnel are prohibited from possessing child pornography. Further personnel are prohibited from possessing any pornography or morally offensive materials in the presence of minors or on church property.
- 6 Church personnel are prohibited from interaction with minors in a manner that could not be conducted in the presence of parents or a responsible adult.
- 7 Church personnel are to refrain from wearing any sexually suggestive or immodest attire in the presence of others.
- 8 Church personnel are prohibited from the use or possession, or being under the influence of any alcoholic beverage, or illegal drugs while in the presence of minors. Church personnel are likewise prohibited from providing minors with any alcohol, tobacco, drugs or substance prohibited by law.
- 9 Church personnel should conduct themselves according to the *Guidelines for those supervising minors*.
- 10 Church personnel are prohibited from taking an overnight trip alone with a minor who is not an immediate family member.
- 11 Church personnel should avoid being alone with a minor in an area that does not readily provide for accountability in a ministerial relationship.
- 12 Church personnel should never be nude in the presence of minors. Changing and showering facilities should be separate for male and female and either facilities or time of use should be separate for adults and minors.
- 13 Church personnel should not give inappropriate gifts or other favors to minors.
- 14 Unrelated minors are not permitted in the residence or living quarters of a cleric at any time without a parent or guardian.

#### **Guidelines for those supervising minors**

- 15 Church personnel are responsible for releasing minors in their care only to parents, legal guardians or other persons designated by parents or legal guardians. In the event of uncertainty about the propriety of releasing a minor, Church personnel should contact their supervisor before releasing a child from an activity.

- 16 Church personnel must obtain written parental permission, in accord with diocesan policy, for any field trip, overnight on or off of diocesan property, overseas trip or other excursion with a group of minors.
- 17 Church personnel should promptly report uncontrollable or unusual behavior of minors to their parent(s)/guardian(s).
- 18 Church personnel are to provide adequate supervision of minors, consistent with diocesan policy for all church related activities

#### **Guidelines for physical contact with minors**

- 19 Church personnel are prohibited from using physical discipline with minors. Physical restraint of minors is permitted only to prevent them from inflicting harm on themselves or others.
- 20 Physical contact with youth can be misconstrued and should only occur under appropriate public circumstances. Appropriate forms of affection include kneeling, or bending down for hugs with small children, “high fives” and hand slapping, and pats on the shoulder or back. Inappropriate contact includes kisses on the mouth, wrestling with minors and any form of affection identified as unwanted.

#### **D Prevention of Financial Abuse or Exploitation:**

##### **Guidelines for the Solicitation of Funds**

- 1 Church personnel should be meticulously honest in their handling of church finances and of church financial records. Parish finances must be managed in cooperation with the parish finance committee, as required by canon law, and all personnel are bound to carefully follow all policies and procedures outlined in the “Parish Financial Policies” Handbook.
- 2 Church personnel are prohibited from entering into any contract or legal instrument, e.g., trust, with an individual to whom they minister from which such personnel may directly or indirectly derive a financial benefit, for either themselves, their relatives or a business in which they have an interest.
- 3 Church personnel are restricted from entering into any contract, agreement or arrangement with a church related entity as identified in the Diocese of Venice Conflict of Interest Policy. See policy on diocesan Web site at: [www.dioceseofvenice.org](http://www.dioceseofvenice.org)
- 4 Church personnel should not accept or share responsibility for the management of the finances or assets of one to whom they minister. This includes, but is not limited to, acting as a power of attorney, a joint signatory on a bank or brokerage account, co-signatory on a safe deposit box, joint owner of property, legal guardian of the assets of a person, etc. When there are no able family members or friends, church personnel may act as the guardian of the person with the written permission of the Bishop, provided no fee or other compensation is sought or agreed upon.

- 5 Church personnel should not act as the personal representative, executor, trustee or other fiduciary on behalf of one they serve in the name of the church, particularly when such personnel or a church related entity is a significant beneficiary, unless there is a familial relationship.
- 6 Church personnel should avoid even the appearance of any impropriety or exploitation in the procurement of a substantial gift or bequest from an individual to whom they serve in the name of the church. Church personnel shall not accompany a parishioner or other person to whom they serve in the name of the church to an attorney to change a will or transfer property to the bank, financial planner or any church entity, etc.
- 7 Church personnel soliciting funds from parishioners should be sensitive to the appearance of undue influence or exploitation and adhere to the following:
  - a Church personnel should not invite themselves to a potential donor's home, but identify by telephone in advance that donations are being sought for a given purpose and request an opportunity to meet. Church personnel should provide photo identification to the parishioner, unless already well known to the potential donor.
  - b When possible, two church representatives should visit with the potential donor in the home with no more than one half hour committed to financial solicitation, (announcements, gifting/tax/estate seminars, etc.).
  - c A signed pledge rather than a check should be requested at the time of the solicitation, with the donor to mail the check directly to the diocesan entity. Said check should be payable to either the Diocese of Venice for the benefit of (specify) or to the recognized diocesan entity, e.g., parish, school.
  - d All solicitation efforts must be authorized in advance by the pastor/principal, both as to purpose (new parish hall, scholarship fund, etc.) and activities (i.e., phone calls, mailings, home visits, bulletin announcements, gifting/tax/estate seminars, etc.).

**Prevention of harassment, intimidation or exploitation:**

**Guidelines for Administrators and Employees**

- 1 Church personnel shall follow the diocesan Harassment Policy which is available from the Human Resource Department and on the diocesan website at: [www.dioceseofvenice.org](http://www.dioceseofvenice.org)