

Catholic Diocese of Spokane

CODE OF CONDUCT

(Use Form for Training Age 18 & Older)

The following code of conduct applies to: Clergy, Seminarians, employees and volunteers (in church/school ministry) of the Diocese, Parishes, Schools and Institutions of the Catholic Bishop of Spokane, hereinafter referred to as church personnel.

Those who act in the name of the church have special influence in the lives of the people to whom they minister. Because of the respect and even reverence with which many people seek help from the church's ministers, there is an imbalance of power and hence a vulnerability inherent in the ministerial relationship. In these circumstances there is likely an absence of meaningful consent to any sexual activity, even if the person is an adult. This imbalance of power makes any sexual activity always inappropriate. It is the responsibility of church personnel to maintain appropriate emotional and sexual boundaries.

As in other helping professions such as physicians and therapists, the special nature of the relationship between church personnel and the people they serve calls for a higher ethical standard of behavior. In such relationships the appropriateness or inappropriateness of behavior is judged not by the intent of the church person, but its impact upon the recipient. It is the policy of this diocese to expect the behavior of all church personnel to comply with professional ethics and Catholic moral standards. Not only must the actual behavior meet appropriate standards, but all church personnel are expected to act in ways which do not give the appearance of impropriety.

"When any person, in his or her official supervisory capacity with a nonprofit or for-profit organization, has reason to believe that a minor or a legally vulnerable adult, has suffered physical abuse or neglect or sexual abuse caused by a person over whom he or she regularly exercises supervisory authority, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency, provided that the person alleged to have caused the abuse or neglect is employed by, contracted by, or volunteers with the organization and coaches, trains, educates, or counsels a minor(s) or has unsupervised access to a minor(s) as part of the employment, contract, or voluntary service." In other words, volunteers who supervise other volunteers who work with minors or legally vulnerable adults are **required to report** any suspected abuse by others whom they supervise. (cited from RCW 26.44(1) (b) and RCW 74.34.020 (11))

It is highly recommended and a matter of conscience for anyone who witnesses such abuse to report the same. Aiding, abetting and/or ignoring abusive behavior is considered facilitation of this behavior. Any person who observes sexual abuse of an adult who habitually lacks reason, by any church personnel must report that information to the Vicar General or the Victim Assistance Coordinator of the Diocese. All violations of this code of conduct must be reported to the Supervisor and reported to CPS or APS and law enforcement when appropriate.

SEXUAL HARASSMENT

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and/or when other verbal or physical conduct of a sexual nature is made as a term or condition of an individual's employment, education, living environment or participation in a church or school community. Reports or suspicions of sexual harassment will be investigated and appropriate action taken. A finding of sexual harassment could lead to discharge from the work or volunteer position and encouragement for the victim to file a civil claim against the perpetrator.

TOUCHING

Touching must be age-appropriate and based on the need of the minor person and not on the need of the adult church personnel. Adults must avoid physical contact when alone with a minor or vulnerable adult.

Touches and embraces that are experienced or perceived as uncomfortable to an individual, adult or minor, are forbidden. Adults should avoid any physical touching that may reasonably be perceived as sexual in nature. Examples of behaviors that can be misconstrued as sexual in nature, and thus are to be avoided, include but are not limited to:

- Inappropriate or lengthy embraces
- Kissing
- Touching bottoms, chests, legs or genital areas
- Spanking or slapping
- Showing affection while in an isolated location
- Wrestling or tickling
- Piggy-back rides
- Massages

It is important to remember that, when dealing with a minor who inadvertently misplaces hands on a church person, the suggested way of dealing with this is to gently take the hands and remove them from the inappropriate spot, kneel down to the child's level and continue the discussion at eye level. If a minor initiates physical contact, such as a hug, an appropriate, limited response is proper.

VERBAL AND NON-VERBAL COMMUNICATION

Examples of speech or actions which are inappropriate include but are not limited to:

- Compliments that relate to physique or body development
- Humiliation, ridicule, bullying, or degradation of another person
- Topics of discussion, vocabulary, recordings, films, games, computer software, internet sites or any other form of personal interaction or entertainment that could be reasonably constructed as inappropriate
- Sexually explicit or pornographic material
- The singling out of persons, especially children or vulnerable adults, for special personal attention or personal gifts.

TRANSPORTATION AND OUTINGS

When taking minors on field trips, conferences or tours, the following rules apply:

- One staff member or adult volunteer may never transport only one minor unless the child is his/her own child.
- One person may transport a group of minors. However, upon arrival two staff members or adult volunteers must accompany all minor children during all activities, events, and/or outings off parish, school or agency grounds. This policy assumes that the staff, minor children and volunteers participating in transportation or outings have fulfilled the Sexual Abuse Education Requirements as stated in Part VI of this policy.
- An adult shall always be accompanied by another adult, when sleeping in a room, hotel room or tent with minors.
- Adults and minors shall each sleep in their own bed.
- When using one's own home for youth work there must be more than 1 child and at least 2 adults present.

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- Priests must not provide overnight accommodation for individual minors including but not limited to, accommodations in any church-owned facility, private residence, hotel room or any place where there is no other adult supervision present. Immediate family is an exception to this mandate.
- Persons under 21 may never be taken on personal trips or vacations without other adults or appropriate chaperons.

RELATIONSHIPS

It is the responsibility of church personnel to be cognizant of appropriate behaviors in relationships and to maintain integrity in all actions.

Dual relationships are those in which the professional or ministerial purpose is intermingled with personal friendship. Please refer to the introductory paragraphs of this Code of Conduct for reminders about the impact of the “power” a church person has on individuals with whom he/she relates. Key points to be adhered to and/or aware of, in relationships are:

- Sexual relationships with parishioners, counseling clients, students or collaborators in ministry, are forbidden.
- Church personnel assume the full burden for setting and maintaining clear, appropriate physical and emotional boundaries in all ministerial relationships.
- In situations where an inappropriate personal or physical attraction develops between a church person and an adult, client or young person, the church person is responsible to maintain clear, professional boundaries.
- It is unprofessional to suggest that the relationship between care givers and those who seek their help is a two way relationship in which the care giver also receives help from the interaction. It is the responsibility of church personnel to retain a ministerial/ professional relationship, not the client.
- The appearance or reality of concealing or asking individuals to conceal the fact and nature of a personal relationship is a violation of such boundaries.
- Church employees and volunteers while not involved in ministerial activity, must be accompanied by at least one other adult when hosting activities for minors with whom they have become acquainted through their ministry.
- Employees and volunteers acting in their parental role should be aware of the critical importance of applying these guidelines in situations involving minors other than their own.

DRUGS AND ALCOHOL

At youth events and during school hours, the following are unacceptable:

- Use, possession or distribution of illegal drugs (reason for Immediate termination of employment) or use of marijuana
- Smoking
- Alcoholic beverages
- Smokeless tobacco
- E-Cigarettes

ENVIRONMENT

Church personnel cannot always avoid situations where they are alone with a minor, but if a one-on-one meeting with a minor is necessary, the following are recommended:

- Avoid meeting in isolated environments
- Schedule meetings at times when others are around
- Use locations that create accountability
- Limit the time of the session
- Make appropriate referral(s)
- Have another person present when at all feasible
- Meet in as public a place as possible
- Leave door ajar
- Choose a room with a window in the door when available
- Avoid all physical contact with the minor or vulnerable adult

PORNOGRAPHY

The acquisition, possession or distribution by church personnel, of pornographic images of minors under the age of 18, by whatever means or using any form of technology shall have the gravity of child sexual abuse. It will be reported to authorities and result in dismissal.

Church personnel are prohibited from using work place computers or other means of communications inappropriately as is presented in the diocesan policy on the use of technology.

No person may serve with minors or young adults if he or she has ever been convicted of any of the below listed criminal offenses, has ever received deferred adjudication for any such criminal offenses, or there is presently pending any criminal charges for such offenses until a determination of guilt or innocence is made. Criminal offenses include:

- A felony classified as an offense against a person or family. Offenses against a person include but are not limited to: murder, assault, sexual assault, and abandoning or endangering a child. Offenses against a family include but are not limited to: bigamy or incest.
- A felony classified as an offense against public order or indecency. Offenses against public order or indecency include but are not limited to: prostitution or the possession or promotion of child pornography.
- A felony violation within the last five years of any law intended to control the possession or distribution of any substance included as a controlled substance in the Washington State Uniform Controlled Substances Act.

I have fully read this Code of Conduct and sign voluntarily with knowledge of its terms and conditions:
