



## **DIOCESE OF ALLENTOWN**

### **CODE OF CONDUCT FOR DIOCESAN CLERGY, LAY EMPLOYEES AND LAY VOLUNTEERS**

**(24 October 2003)  
(Revised 15 May 2014)  
(Revised 16 June 2017)  
(Revised 20 November 2018)**



# Code of Conduct

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# Code of Conduct

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## **I. Preamble**

All Church personnel, including Diocesan Clergy, Lay Employees and Lay Volunteers must uphold Christian values and conduct. The Code of Conduct for the Diocese of Allentown provides a set of standards for conduct in certain situations.

For purposes of this Code of Conduct, the term “Church Personnel” includes any person who performs tasks for the Church within the Diocese of Allentown or one of the schools, parishes or any other entity subject to canon law within the five county region of the Diocese of Allentown. The term “Church Personnel” includes priests, deacons, seminarians, all lay employees, teachers, coaches, Religious, members of consecrated life, and volunteers within the Diocese of Allentown.

The Code of Conduct does not present an exhaustive list of expectations, standards or requirements. Rather, this Code accompanies the Universal Law of the Church, civil law, and diocesan policies, including but not limited to the Diocese of Allentown Policy Regarding Sexual Abuse of Minors, all of which are made a part of this Code of Conduct by reference.

## **II. Responsibility**

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

Responsibility for adherence to the Code of Conduct rests with the individual. Church Personnel who disregard this Code of Conduct will be subject to remedial action, up to and possibly including dismissal or termination. Corrective action may take various forms—from a verbal reproach to removal from ministry—depending on the specific nature and circumstances of the offense and the extent of the harm.

## III. Standards of Conduct

### 1. Conduct for Diocesan Clergy, Lay Employees and Lay Volunteers

- 1.1. When offering counseling to a person, individuals who are subject to this Code of Conduct must respect the rights and advance the welfare of each person. In particular, Church Personnel shall:
  - 1.1.1 Not step beyond their competence, training or expertise in counseling situations and shall refer clients to other professionals when appropriate.
  - 1.1.2 Carefully consider the possible consequences before entering into a counseling relationship with someone with whom they have a pre-existing relationship (i.e., employee, professional colleague, friend, or other pre-existing relationship). [See Section 7.2.2]
  - 1.1.3 Not audiotape or videotape counseling sessions. An exception to this standard may only be granted for educational purposes on a case by case basis in conformity with the guidelines established by and with the prior written consent of the Secretary for Catholic Human Services.
  - 1.1.4 Never engage in sexual intimacies with the persons they counsel. This includes consensual and nonconsensual contact, forced physical contact, and inappropriate sexual comments.
  - 1.1.5 Not engage in sexual intimacies with individuals who are close to the client—such as relatives or friends of the client—when there is a risk of exploitation or potential harm to the client. They should presume that the potential for harm or exploitation exists in such intimate relationships.
  - 1.1.6 Maintain a log of the times and places of sessions with each person being counseled.
- 1.2 In all situations, individuals who are subject to this Code of Conduct must respect the rights and advance the welfare when dealing with people. In particular, Church Personnel:
  - 1.2.1 Assume the full burden of responsibility for establishing and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships.
  - 1.2.2 Shall avoid physical contact of any kind (i.e., sexual intimacies, inappropriate and sexual touching, hugging, holding hands) between themselves and another person, as this can be misinterpreted.
  - 1.2.3 Shall meet with people in appropriate settings at appropriate times. No meetings, discussions or sessions should be conducted in private living quarters, but rather only in public office areas. Meetings, discussions, and/or sessions should not be held at places or times that would tend to cause confusion about the nature of the relationship with the person.
  - 1.2.4 When ministering to or meeting with the home-bound and vulnerable adults, Church Personnel are encouraged to serve in the company of another safe-environment trained adult whenever possible. When used in this Code of Conduct, the term “vulnerable adult” shall mean: a person eighteen years of age or older, who habitually lacks the use of reason because of an intellectual, physical or mental disability, and is unable to manage his/her own resources, carry out the activities of daily living, or protect himself/herself from abuse or neglect without assistance from others. This term shall also include individuals who are perceived to be vulnerable by others or themselves, due to an unequal influence/authority dynamic or supervisor/subordinate.

## 2. Confidentiality

Information disclosed to individuals who are subject to this Code of Conduct during the course of counseling, advising, or spiritual direction shall be held in the strictest confidence possible.

2.1 Information obtained in the course of sessions shall be confidential, except for compelling professional reasons or as required by law or diocesan policy.

2.1.1 If there is clear and imminent danger to the client or to others, Church Personnel may disclose only the information necessary to protect the parties affected and to prevent harm.

2.1.2 Before disclosure is made, if feasible, Church Personnel should inform the person being counseled about the disclosure and the potential consequences.

2.2 Church Personnel shall discuss the nature of confidentiality and its limitations with each person in counseling. Church Personnel shall not promise an individual confidentiality.

2.3 Church Personnel shall keep minimal records of the content of sessions.

2.4 Knowledge that arises from professional contact may be used in teaching, writing, homilies, or other public presentations only when effective measures are taken to absolutely safeguard both the individual's identity and the confidentiality of the disclosures.

2.5 While counseling a minor, if Church Personnel discover that there is a serious threat to the welfare of the minor (i.e., anyone under the age of 18) and that communication of confidential information to a parent or legal guardian is essential to the child's health and well-being, the Church Personnel shall:

- Attempt to secure written consent from the minor for the specific disclosure;
- If consent is not given, disclose only the information necessary to protect the health and well-being of the minor.

Consultation with the appropriate Church supervisory personnel is required before disclosure to the parent or legal guardian.

2.6 Church Personnel shall comply with the requirements of the Pennsylvania Child Protective Services Law, diocesan policy, canon law and civil law.

2.7 These obligations are independent of the sacramental seal of the confessional. Under no circumstances whatsoever can there be any disclosure—even indirect disclosure—of information received through the confessional. A priest may never disclose anything revealed in the Sacrament of Confession, not even with the penitent's permission. Further, all others who in any way (e.g., inadvertent overhearing) have information received through the confessional are obliged to secrecy (Canon 983).

### 3. Conduct With Youth

Individuals who are subject to this Code of Conduct and are working with youth (persons under the age of 18) shall maintain an open and trustworthy relationship with youth.

- 3.1 Church Personnel must be aware of their own and others' vulnerability when working alone with youth and shall use prudent judgment and common sense when working with youth. Church Personnel shall use a team approach to managing youth activities, and should avoid situations where Church Personnel are one-on-one with a youth.
- 3.2 Physical contact with youth can be misconstrued and should occur: (a) only when completely nonsexual and otherwise appropriate; and (b) never in private.
- 3.3 Church Personnel shall refrain from: (a) the illegal possession and/or illegal use of drugs and/or alcohol at all times; (b) the use of alcohol six (6) hours prior to and during working with or transporting youth; and (c) the use of tobacco products and/or vaping products when working with or transporting youth.
- 3.4 Clergy shall not allow individual young people to stay overnight in the cleric's private accommodations or residence. Clergy shall not have an unrelated youth in a vehicle without another safe environment trained adult present.
- 3.5 Church Personnel should avoid being alone with an unrelated youth, and whenever possible, a second adult should be present. Church Personnel shall not have an unrelated youth in a vehicle without another safe environment trained adult present.
- 3.6 If one on one pastoral care or counseling of a youth is necessary, the meeting should be scheduled at a time and place to help ensure accountability, such as in a parish office when other adult personnel are on duty – or in those situations where the presence of an adult is not usual or practical, another adult should be informed that the meeting is taking place. The meeting place should be accessible and visible with the door where the meeting is taking place left ajar, unless there is a clear window built in to the door. If pastoral care or counseling is accomplished via an electronic medium or telephonically, to the extent legally and ethically permissible, the meeting should be scheduled when another safe environment trained adult is present and in the room with the Church Personnel conducting the counseling. To the extent possible, such counseling/pastoral care should not be conducted in secrecy.
- 3.7 Minors not accompanied by a non-cleric adult shall not be in priests' residences.
- 3.8 Church Personnel shall not share private, overnight rooms with minors. This includes, but is not limited to, accommodations in any Church owned facility, private residence, hotel room, or any other place where there is no other adult supervision present.
- 3.9 Church Personnel shall never provide youth with alcohol, illegal drugs, tobacco products, pornography or other inappropriate material.
- 3.10 Church Personnel shall not view pornographic materials on, or take pornographic materials onto, the property of the Diocese, a parish or a school. Church Personnel shall not acquire, possess or distribute any pornographic images.



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- 3.11 Communications by Church Personnel with unrelated minors must be for professional reasons only. Church Personnel must maintain appropriate boundaries in all communications with an unrelated minor, including communications through the use of electronic devices, web-based media, or social media.
- 3.11.1 Church Personnel shall make certain that the parents or guardians of an unrelated minor are aware of the content of the electronic or print communications sent to or received from that unrelated minor. In exceptional situations when a parent or guardian is not made aware of the content of a private communication, Church Personnel shall share the communication with another safe environment trained adult.
- 3.11.2 Church Personnel should use good judgment when using social media (which includes, but is not limited to Facebook, LinkedIn, Twitter, YouTube, Instagram, Flickr, Pinterest, Tumblr, Snapchat, on-line blogs) both in their personal life and in their work life. Church Personnel are personally responsible for the content that they post on social media. The online behavior of Church Personnel shall reflect the same standards of honesty, respect and consideration that Church Personnel use when interacting in person. Church Personnel must conduct themselves in a manner consistent with Catholic teaching in all social media content. Remember that content relating to alcohol or tobacco use may be deemed inappropriate. Church Personnel shall not solicit or accept “friend” requests from youth on any personal social media account.
- 3.12 Our children are the most important gifts God has entrusted to us. Because of this, all Church Personnel are to strictly follow the rules and guidelines in the Diocese of Allentown Code of Conduct. Therefore, as a condition of providing services to children and youth, and furthermore to all Church personnel, I:
- (a) **Will**
- Treat everyone with respect, loyalty, patience, integrity, courtesy, dignity, and consideration.
  - Avoid situations of being alone with children and/or youth.
  - Use positive reinforcement rather than criticism, competition, or comparison when working with children and/or youth.
  - Report suspected abuse to the pastor, administrator, or appropriate supervisor and to civil authorities as required by the Pennsylvania Child Protective Services Law. Failure to report suspected abuse to civil authorities is, according to the law, a crime.
  - Cooperate fully in any investigation of abuse of children and/or youth.
- (b) **and Will Not**
- Smoke or use tobacco products in the presence of children and/or youth.
  - Use, possess, or be under the influence of alcohol at any time in the presence of children and/or youth.
  - Accept expensive gifts from children and/or youth or their parents without prior written approval from the pastor or administrator.
  - Give expensive gifts to children and/or youth without prior written approval from the parents or guardian and the pastor or administrator.
  - Use, possess, or be under the influence of illegal drugs at any time.
  - Manufacture, acquire, use, possess or distribute child pornography.
  - Pose any health risk to children and/or youth (i.e., no fevers or other contagious situations).



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- Strike, spank, shake, slap or otherwise use unlawful physical force with children and/or youth.
- Humiliate, ridicule, threaten, or degrade children and/or youth.
- Touch a child and/or youth in a sexual or other inappropriate manner.
- Use any discipline that frightens or humiliates children and/or youth.
- Use profanity, demeaning or abusive language in the presence of children and/or youth.

#### 4. Sexual Conduct

Individuals who are subject to this Code of Conduct shall not, for sexual gain or intimacy, exploit the trust placed in them by the faith community.

- 4.1 Clergy and Religious who are committed to a celibate lifestyle are called to be an example of celibate chastity in all relationships at all times. Other Church Personnel are called to a chaste lifestyle according to their state in life (vocation) in all relationships at all times.
- 4.2 Those who provide pastoral counseling and/or spiritual direction services shall avoid developing inappropriately intimate relationships with minors, other staff, or parishioners. Staff and volunteers shall behave in a professional manner at all times.
- 4.3 Church Personnel shall not exploit another person for sexual purposes.
- 4.4 Allegations of sexual misconduct shall be taken seriously and reported pursuant to the requirements of the Diocese of Allentown Policy Regarding Alleged Sexual Abuse of Minors and pursuant to the Pennsylvania Child Protective Services Law, if the situation involves a victim who is a minor. If the situation involves an adult victim of sexual misconduct, the allegation must be reported to your supervisor, who, depending on the circumstances, may need to report the allegation to the proper civil authority.

The procedures set forth in the Diocese of Allentown Policy Regarding Alleged Sexual Abuse of Minors will be followed to protect the rights of all involved.

- 4.5 Church Personnel shall review and know the contents of the Pennsylvania Child Protective Services Law and reporting requirements for the Commonwealth of Pennsylvania and should follow those mandates.





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### 5. Harassment

Church Personnel shall not engage in physical, psychological, written, or verbal harassment of other Church Personnel and shall not tolerate such harassment by other Church Personnel.

5.1 Church Personnel shall provide a professional work environment that is free from physical, psychological, written, or verbal intimidation or harassment. Such actions harm another's dignity, privacy, and violate the mission of the Diocese of Allentown.

5.2 Harassment encompasses a broad range of physical, written, or verbal behavior, including, but not limited to, the following:

- Physical or mental abuse; or -
- Racial insults; or -
- Derogatory ethnic slurs; or -
- Unwelcome sexual advances or touching; or -
- Sexual comments or sexual jokes; or -
- Requests for sexual favors used as:
  - a condition of employment; or -
  - to affect other personnel decisions, such as promotion or compensation; or -
- Display of offensive materials.

5.3 Harassment can be a single severe incident or a persistent pattern of behavior where the purpose or the effect is to create a hostile, offensive, or intimidating work environment. The Diocese of Allentown prohibits all such conduct, whether committed by supervisory or non-supervisory personnel, as well as a third party (non-employee of the Diocese) engaged in business with the Diocese.

5.4 Allegations of harassment will be taken seriously and shall be reported immediately to the Diocese, Parish, or other organization.

5.5 Church Personnel are also subject to the diocesan policies prohibiting sexual harassment.



### 6. Parish and Diocesan Records and Information

Confidentiality shall be maintained in creating, storing, accessing, transferring, and disposing of parochial and diocesan records.

- 6.1 Sacramental records shall be regarded as confidential as legally permissible. When compiling and publishing parochial or diocesan statistical information from these records, great care must be taken to preserve the anonymity of individuals.
- 6.2 Sacramental Registers are not open to the public for viewing or research. Information regarding a particular register entry for a particular person may be given to a person who is entitled to make such a request, provided the following precautions are observed.
  - 6.2.1 Information regarding adoption and legitimacy remains confidential, regardless of age. The procedures for registering the baptism of adoptives or the issuing of baptismal certificates for adoptives promulgated by the National Conference of Catholic Bishops (now the United States Conference of Catholic Bishops) on 20 October 2000 and disseminated by the Chancery on 25 October 2000 must be followed.
  - 6.2.2 Only staff members who are authorized to access the records and supervise their use shall handle requests for sacramental records.
- 6.3 Parochial, school, cemetery or other diocesan financial records, including contribution records, are confidential unless review is required under diocesan regulations or by governmental regulations or agencies. Contact must be made with the Secretary for Temporal Services upon the receipt of any request for release of financial records.
- 6.4 Individual contribution records of the Parish or the Diocese shall be regarded as private and shall be maintained in strictest confidence.
- 6.5 No records will be accessed, shared, removed, destroyed, stored or transferred into another media format, or otherwise disposed of, except in compliance with diocesan, parish or school policy.



### 7. Conflicts of Interest

Church Personnel shall avoid situations that might present a conflict of interest. Even the appearance of a conflict of interest can call integrity and professional conduct into question.

7.1 Church Personnel shall disclose all relevant factors that potentially could create a conflict of interest.

7.2 Church Personnel shall inform all parties when a real or potential conflict of interest arises. Resolution of the issues must protect the person receiving ministry services.

7.2.1 Church Personnel shall not take advantage of anyone to whom they are providing services in order to further their personal, religious, political, or business interests.

7.2.2 Church Personnel shall not provide counseling services to anyone with whom they have a business, professional, or social relationship. When this is unavoidable, the client must be protected. Church Personnel must establish and maintain clear, appropriate boundaries.

7.2.3 When pastoral counseling or spiritual direction services are provided to two or more people who have a relationship with each other, Church Personnel must:

- Clarify with all parties the nature of each relationship; and -
- Anticipate any conflict of interest; and -
- Take appropriate actions to eliminate the conflict; and -
- Obtain from all parties written consent to continue services.

7.3 Conflicts of interest may also arise when a Church Personnel's independent judgment is impaired by:

- Prior dealings; or -
- Becoming personally involved; or -
- Becoming an advocate for one (person) against another.

7.4 In these circumstances, the Church Personnel shall advise the parties that he or she can no longer provide services and refer them to another Pastoral Counselor or Spiritual Director.



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### 8. Reporting Misconduct

Church Personnel have a duty to report their own ethical or professional misconduct and the misconduct of others.

8.1 Church Personnel shall hold each other accountable for maintaining the highest ethical and professional standards. When there is an indication of illegal actions by others, Church Personnel shall notify the proper civil authorities immediately. Also, Church Personnel shall notify the Diocese, Parish, or other organization.

8.2 When an uncertainty exists about whether a situation or course of conduct violates this Code of Conduct or religious, moral, or ethical principles, or constitutes professional or other misconduct, consult with:

- Peers; and/or -
- Others knowledgeable about ethical issues; and/or –
- Legal counsel; and/or –
- The Chancery Office.

8.3 When it appears that Church Personnel has violated this Code of Conduct or other religious, moral, or ethical principles, you shall:

- Report the issue to a supervisor or next higher authority; and/or -
- Refer the matter directly to the Chancery Office.

8.4 The obligation of Church Personnel to report client misconduct is subject to the duty of confidentiality, to the extent legally permissible. However, any agreement or duty to maintain confidentiality must yield to the requirements of the Pennsylvania Child Protective Services Law, civil law, canon law and to the need to report misconduct that threatens the safety, health, or well-being of any of the persons involved except as provided for in Section 2.6.

## **9. Administration**

Employers and supervisors shall treat Church Personnel justly in the day-to-day administrative operations of their ministries.

- 9.1 Personnel and other administrative decisions made by Church Personnel shall meet civil and canon law obligations and also reflect Catholic social teachings and this Code of Conduct.
- 9.2 No Church Personnel shall use his or her position to exercise unreasonable or inappropriate power and authority.
- 9.3 Each volunteer providing services to children and youth must read and sign the Volunteer Code of Conduct before providing services.

## **10. Clergy, Employee and Volunteer Well-being**

Church Personnel have the duty to be responsible for their own spiritual, physical, mental, and emotional health.

- 10.1 Church Personnel should be aware of warning signs that indicate potential problems with their own spiritual, physical, mental, and/or emotional health.
- 10.2 Church Personnel should seek help immediately whenever they notice behavioral or emotional warning signs in their own professional and/or personal lives.
- 10.3 Church Personnel must assess and see to their individual spiritual needs. Support from a Spiritual Director is highly recommended.
- 10.4 Inappropriate or illegal use of alcohol and drugs is prohibited.

## **11. Legal Compliance**

Applicable to Diocesan Clergy, Lay Employees and Lay Volunteers.

- 11.1 Consistent with the requirements of good citizenship, understanding of and compliance with all applicable laws and civil law regulations is expected and required. If you have questions regarding what laws or regulations are applicable, please consult Diocesan legal counsel.



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## IV. Acknowledgment Form

I hereby acknowledge that I have received a copy of the Code of Conduct for Diocesan Clergy, Lay Employees and Lay Volunteers dated 24 October 2003, revised 15 May 2014, 16 June 2017 and \_\_\_ November 2018. I have reviewed the Code of Conduct and understand its contents. I understand that I should speak with my supervisor or the appropriate Diocesan representative with regard to any questions that I may have regarding the Code of Conduct.

I understand that in working with children and/or youth, I am also subject to a background check including criminal history. I understand that any action inconsistent with the Diocese of Allentown Code of Conduct or failure to take action mandated by the Code of Conduct may result in my removal from involvement with children and/or youth, and/or removal from ministry. My signature confirms I have read this Code of Conduct and agree to follow the standards set forth in the Code of Conduct.

I further understand that the Diocese of Allentown has issued the Code of Conduct for informational and guidance purposes only and that the Diocese does not intend for the Code to create a contract of employment or any type of binding obligation on the Diocese. The Diocese of Allentown may periodically review the Code of Conduct and it reserves the right to amend or interpret the Code as it deems appropriate in its sole discretion. A copy of this acknowledgment form shall be placed in my personnel file.

\_\_\_\_\_

(Date)

\_\_\_\_\_

(Signature of Employee/Volunteer)

\_\_\_\_\_

Diocesan Location

\_\_\_\_\_

(Please Print Name)