

Code of Pastoral Conduct
for
Clergy, Religious, Lay Employees and Volunteers
of
The Diocese of Fairbanks

PREAMBLE

- I. Clergy, religious, lay employees and volunteers of the Diocese of Fairbanks (for the purpose of this policy herein Pastoral Ministers) must adhere to Christian values and conduct. Pastoral Ministers are those who provide either pastoral, spiritual and/or counseling services to individuals, families or other groups on behalf of the Diocese of Fairbanks. The *Code of Conduct* provides a set of standards for such conduct within the Diocese and is intended to be a supporting document to other policies already in place.

- II. The public and private conduct of Pastoral Ministers either can inspire and motivate faith in persons or it can scandalize and undermine it. As such, Pastoral Ministers must, at all times, be aware of the responsibilities that accompany their ministry and work. They also must know that God's goodness and grace is always available to support them in their respective roles. At all times, those who act on behalf of the Diocese of Fairbanks are expected to conduct themselves in a manner that reflects the Gospel of Jesus Christ and the moral teaching of the Church.

Responsibility for adherence to the *Code of Pastoral Conduct* rests with each individual. In certain circumstances, however, an intervention may be required to remedy improper conduct. Corrective action may take various forms – from a verbal reproach to removal from a ministry – depending on the specific nature and circumstances of the offense and the extent of the harm done. With regard to sexual misconduct, especially when this involves children and young people, the *Faithful Healing* for the Diocese of Fairbanks will be followed strictly. Likewise, the Diocese of Fairbanks will adhere to the *Charter for the Protection of Children and Young People (Revised Edition)*, the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* and *A Statement of Episcopal Commitment*. Misconduct of a non-sexual manner will be addressed by the appropriate supervisor. Corrective action may be subject to review by the Bishop.

III.

PASTORAL STANDARDS

A. Conduct for Pastoral Ministers

- Pastoral Ministers shall not step beyond their competence in counseling situations and shall refer persons to other professionals when appropriate.
- Pastoral Ministers should carefully consider the possibility of unforeseen consequences before entering into a counseling relationship with someone with whom they have a pre-existing relationship (e.g., employee, friend, colleague, etc.). In some situations, the nature of the relationship may interfere with the ability to provide objective guidance. (As an example, a woman who is recently divorced and seeking guidance but who has become infatuated with her pastor should receive counseling from someone other than the pastor.) A “counseling relationship” refers to the relationship formed between a person seeking pastoral guidance or direction and a Pastoral Minister who provides this service.
- To preserve confidentiality, Pastoral Ministers should never audiotape or videotape sessions.
- Pastoral Ministers assume the full burden for setting and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships.
- Physical contact of any kind (i.e., touching, hugging, holding) between Pastoral Ministers and persons with whom they are in a counseling relationship can easily be misconstrued. Care must be taken that any physical contact never be sexual in nature nor easily be taken as such.
- Counseling sessions with individuals should be conducted in an appropriate setting and at an appropriate hour. Appropriate hours are those generally accepted in society as “normal office hours.” Normal office hours for parishes frequently include evenings. Appropriate settings generally would be an office, a church, the confessional, a public place, etc. Counseling sessions should be conducted in private living quarters only in emergency situations. Private meetings should not be held at places or times that would tend to cause scandal or bring about confusion about the nature of the relationship for the person being counseled. In counseling situations involving minors, meetings must always be held in an appropriate office or room and with the knowledge of another competent person. Parents normally should be notified.
- In counseling situations involving minors, a written notation shall be maintained of the time and place of the session, such as in a calendar or an appointment book. This is to be maintained and kept by the Pastoral Minister. No reference is to be made of the content of the session.

- It is important to plan for the unexpected since no policy can foresee every possible situation or circumstance. Common sense and prudence will normally assure a correct decision.

B. Confidentiality

Information disclosed to a Pastoral Minister during the course of counseling, advising or spiritual direction shall be held in the strictest confidence possible.

- Information obtained in the course of a counseling session of any kind shall be confidential, except for compelling professional reasons or as required by law. In situations where there is clear and imminent danger to the person seeking help or to others, the Pastoral Minister may disclose only information necessary to protect the party or parties involved to prevent harm and to comply with Alaska law. Examples would be disclosure of plans to commit suicide, revelation of physical or sexual abuse to minor, plans to commit serious bodily harm to another, etc. Before disclosure, if feasible, the person being counseled should be informed about the disclosure and the potential consequences.
- An understanding of the level of confidentiality should be discussed prior to beginning any pastoral counseling or spiritual direction.
- Before entering into a counseling relationship of any sort, the nature and level of confidentiality expected as well as its limitations should be discussed.
- Those who provide pastoral counseling or spiritual direction normally should not keep records of the sessions in order to protect confidentiality. A log of the time and place of the session may be helpful. A written notation of the meeting shall be maintained for counseling situations with minors.
- Knowledge that arises from professional contact may be used in teaching, writing, homilies or other presentations but only when effective measures have been taken absolutely to safeguard both the individual's identity and the confidentiality of the disclosure. This is particularly so with regard to knowledge gathered in the sacrament of penance.
- As a policy of the Diocese of Fairbanks, all Pastoral Ministers of the Diocese of Fairbanks are to assume that they are mandatory reporters. When a Pastoral Minister discovers that there is a serious threat to the welfare of a 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 Minister should:
 - * 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 a superior or supervisor (e.g. bishop, pastor, pastoral associate, DRE, etc.) is advisable prior to disclosure to parent(s), civil authorities, etc.

- * In situations in which there is suspicion of sexual abuse, diocesan policies will be followed strictly.
- **These obligations are independent of the confidentiality of the sacrament of penance. Under no circumstances whatsoever may there be any disclosure, even indirect, of information received through the sacrament. The seal of the sacrament is inviolable.**

C. Conduct with Minors

Pastoral Ministers should maintain an open and trustworthy relationship between children and youth and themselves, never fearing to demonstrate true love to children and young people. Children and young people need to know that they are accepted, loved and esteemed. At the same time, the heightened awareness of sexual abuse and exploitation of children and youth in today's society demands additional safeguards to protect children and minors. A general climate of distrust and suspicion and the devastating consequences of a false accusation require the clear enunciation of expected practices when working with children and youth.

- Pastoral Ministers must always be aware of their own and others' vulnerability when working alone with minors. A minor is not to be allowed in the private residence of a Pastoral Minister unless there is at least another adult present or there is a family relationship. At a minimum, the rule of twos should be used, i.e. at least two adults and at least two minors.
- Physical contact by Pastoral Ministers and a minor can be misconstrued and should occur only under appropriate public circumstances.
- Pastoral Ministers should be sensitive to the example they set with regard to alcohol. Generally, Pastoral Ministers should refrain from consumption of alcohol when working with minors. On lengthy group trips, e.g. World Youth Day, Pastoral Ministers should refrain from consuming alcohol in the presence of youth. Those with direct supervisory roles are to refrain from consumption of alcohol when functioning in this capacity. Use of illegal drugs is absolutely prohibited.
- Pastoral Ministers shall not share one on one accommodations with minors except for their own family members.
- Situations in which children may need to be transported by an adult other than a member of their family require a permission slip signed by a parent or guardian.

- In group settings, e.g., an over night retreat, adults and minors are not to share shower or dressing room facilities. Adjustments must be met to assure privacy.
- An individual Pastoral Minister shall not provide overnight accommodations to minors in any Church-owned facility, private residence, hotel room, or any other place where there is no other adult supervision present except for their own family members. At least two adults must be present for overnight activities.
- In the rare emergency situation in which an accommodation is required (e.g., a youth running away from an abusive parent), efforts must be made to elicit accommodations from a family in the parish or public authorities.

D. Chaste Conduct

- Those formally committed to celibacy are called to be an example of this promise in all relationships at all times.
- Married or unmarried Pastoral Ministers are likewise expected to model Christian lifestyle in their relationships with other employees or parishioners. Intimate relationships with others should always reflect the Gospel of Jesus Christ and reflect the moral teachings of the Church. Intimate sexual relationships between Pastoral Ministers and minors are inappropriate and criminal.
- Romantic involvement between a Pastoral Minister and a minor is inappropriate and not allowed.
- Romantic involvement between a Pastoral Minister and a person seeking pastoral counseling or spiritual direction is inappropriate and not allowed.
- Pastoral Ministers are responsible for knowing the contents of all diocesan policies pertaining to sexual misconduct and reporting requirements for the State of Alaska and must follow these requirements.

E. Harassment

- Pastoral Ministers shall provide a professional work environment that is free from physical, psychological, written or verbal intimidation.
- Harassment encompasses a broad range of physical, written or verbal behavior that includes, but is not limited to:
 - * Physical or mental abuse;
 - * Racial insults;
 - * Derogatory ethnic slurs;
 - * Unwelcome sexual advances or touching;
 - * Sexual comments or sexual jokes;
 - * Display of offensive materials.

- Harassment can be a single severe incident or a persistent pattern of behavior where the purpose or the intent is to create a hostile, offensive or intimidating work environment.
- Allegations of harassment should be reported immediately to the appropriate supervisor. In all cases, diocesan policies will be followed.

F. Conflicts of Interest

- Pastoral Ministers should 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. (Examples are dating an individual who is being counseled by the Pastoral Minister, preferential treatment of a child due to relationship with parents, regular late night visits of a married or single person with a celibate person, etc.)

G. Reporting Ethical or Professional Misconduct

- Allegations of ethical or professional misconduct should be reported to a supervisor as well as directly to the Bishop. In all cases, reporting requirements of the State of Alaska must be followed. If a crime is alleged to have been committed, the supervisor in consultation with the bishop will determine who most appropriately should report the matter to civil authorities.

H. Administration

- Personnel and other administrative decisions made by Pastoral Workers shall meet both civil and canon law obligations and also reflect Catholic social teachings and this Code of Pastoral Conduct.
- No Pastoral Worker shall use his or her position to exercise unreasonable or inappropriate power and/or authority.