



CODE OF CONDUCT

**For Church Personnel
within the Archdiocese of San Antonio**

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Code of Conduct

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I. Preamble

Church Personnel in our parishes, religious communities/institutes, schools, agencies, and youth serving agencies must exemplify Christian values and appropriate conduct. The *Code of Conduct* provides a set of standards for conduct in certain situations. Within the pretense or context of a ministry relationship, certain behaviors and situations are unacceptable. To ensure the proper monitoring of activities, especially those pertaining to youth and vulnerable adults, this *Code of Conduct* intends to establish a balance between encouraging positive and appropriate interactions and hindering inappropriate and/or potentially harmful or unsafe interactions. Establishing standards of conduct with this balance in mind assists in creating and maintaining environments where there is no opportunity for sexual misconduct or other harmful acts.

II. Responsibility

Adherence to the *Code of Conduct* is mandatory. Responsibility for knowledge of the policies contained in the *Code of Conduct* and adherence to the *Code of Conduct* rests with the individual. All persons performing work, ministry, or volunteer service within this organization are expected to follow these guidelines. Clergy, staff, and volunteers who disregard this *Code of Conduct* or fail to act consistently with the *Code of Conduct* will be subject to remedial action by the Archdiocese of San Antonio. Violations of these guidelines are a serious matter and will be investigated and resolved in accordance with the organization's policy. Corrective action may take various forms—from a verbal reproach to removal from the ministry based on the specific nature and circumstances of the offense and the extent of the harm or potential harm.

III. Definitions

1. Church Personnel

The following are included in the definition of "Church Personnel"

1.1 Clergy

- 1.1.1 Bishops, priests and deacons incardinated in the Archdiocese of San Antonio.
- 1.1.2 Priests and deacons who are members of religious institutes or in other forms of consecrated life, and who are assigned to pastoral work in the Archdiocese or who are otherwise engaged, with the Archbishop's consent, in the care of souls, the public exercise of divine worship, or other works of the apostolate in the Archdiocese.
- 1.1.3 Priests and deacons of other dioceses who the Archbishop assigns to pastoral work in this Archdiocese.
- 1.1.4 Priests and deacons residing within the boundaries of the Archdiocese, with the consent of the Archbishop, including retired clerics and those engaged in part-time or supply ministry.

1.2 Candidates for Ordination

- 1.2.1 All men enrolled in the seminary program at Assumption Seminary.
- 1.2.2 All men enrolled in seminary programs of religious orders and who are temporarily serving in ministry in the Archdiocese.



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- 1.2.3 All men enrolled in the permanent diaconate formation program of the Archdiocese.

1.3 Lay Church Personnel (Laity)

- 1.3.1 Paid employees.
- 1.3.2 Volunteers age 18 or older that serves within the Archdiocese. For those volunteers whose duties include contact with minors and/or vulnerable adults, those volunteers will be required to undergo a Criminal Background Check in accordance with the policy set forth herein.
- 1.3.3 Independent contractors, including their employees and sub-contractors, with a ministerial role and access to children/youth and/or vulnerable adults.

1.4 Religious

- 1.4.1 Members of religious institutes, societies of apostolic life, or secular orders and movements, engaged in the care of souls, the public exercise of divine worship, or other works of the apostolate, with the Archbishop's consent, legitimately operating in the Archdiocese or living in the Archdiocese as retired.

2. Client

- 2.1 For the purposes of this Code, the terminology of "client" refers to the person receiving the service provided within the ministerial relationship.

3. Minor

- 3.1 Any person under the age of 18.

4. Vulnerable adult

- 4.1 While each of us can be vulnerable in any given set of circumstances, the phrase "vulnerable adults" has a particular definition for the purposes of this Code. In the Archdiocese of San Antonio, the terminology to the following:
 - 4.1.1 Persons 18 years of age and older, with physical, mental, emotional or behavioral conditions;
 - 4.1.2 Adults with an illness, or situation that renders an inability to defend, protect or get help when injured or abused;
 - 4.1.3 Individuals whose condition or disability impairs their ability to provide adequately for their own care, including adults who habitually lack the use of reason, along with individuals who have a court-appointed guardian;
 - 4.1.4 The elderly, whose various circumstances might make them susceptible to persons or situations that cause them harm, or individuals who are residents or patients within hospitals, group homes, nursing homes, day service facilities, day activity centers, adult foster-care homes or an adult who receives care services from a licensed home care or personal care service within their own homes.



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5. Social Media

- 5.1 Social Media is defined as any form of electronic communication through which a user creates, utilizes, accesses, retrieves, and/or visits online communities or systems to share information, ideas, personal messages, and other content.
- 5.2 For the purposes of this Code of Conduct, Social Media is to encompass, but is not limited to, all of the following: email, texting, chat rooms, instant messaging, social networks, video messaging, on-line message boards, gaming systems, landline and mobile telephones, on-line voice communications, etc.

6. Ministerial Relationship

- 6.1 Any relationship between Church Personnel and a Client within the boundaries of ministerial work on behalf of the Archdiocese of San Antonio.

7. Sexual Misconduct

- 7.1 Any sexual conduct which is:
 - 7.1.1 Unlawful; or
 - 7.1.2 Sexual harassment; or
 - 7.1.3 a serious breach of the moral teachings, doctrines, or canon law of the Catholic Church.

8. Abuse of a Minor

Includes the following acts or omissions by any person:

- 8.1 Mental or emotional injury to a child that results in an observable and material impairment in the child's growth, development, or psychological functioning;
- 8.2 Causing or permitting the child to be in a situation in which the child sustains a mental or emotional injury that results in an observable and material impairment in the child's growth, development, or psychological functioning;
- 8.3 Physical injury that results in the substantial harm to the child, or the genuine threat of substantial harm from physical injury to the child, including an injury that is at variance with the history or explanation given and excluding an accident or reasonable discipline by a parent, guardian, or managing or possessory conservator that does not expose the child to a substantial risk of harm;
- 8.4 Failure to make a reasonable effort to prevent an action by another person that results in physical injury that results in substantial harm to the child;
- 8.5 Sexual contact, sexual intercourse, sexual conduct, sexual penetration with a foreign object, incest, sexual assault, or sodomy inflicted on, shown to or intentionally practiced in the presence of a child if the child is present only to arouse or gratify the sexual desires of any person;
- 8.6 Failure to make a reasonable effort to prevent sexual contact, sexual intercourse, sexual conduct, sexual penetration with a foreign object, incest, sexual assault, or sodomy inflicted on, shown to or intentionally practiced in the presence of a child if the child is present only



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to arouse or gratify the sexual desires of any person;

- 8.7 Compelling or encouraging the child to engage in sexual conduct; or
- 8.8 Causing, permitting, encouraging, engaging in, or allowing the photographing, filming, or depicting of the child if the person knew or should have known that the resulting photograph, film, or depiction of the child is obscene or pornographic.

9. Archdiocesan Review Board

- 9.1 An independent committee developed in adherence to Article 2 of the *Charter for the Protection of Children and Young People* and Norm 5 in the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*.
- 9.2 The Review Board will advise the Archbishop on his assessment of allegations of sexual abuse of minors and in his determination of a cleric's suitability for ministry.

IV. Pastoral Standards

1. Conduct for Church Personnel

- 1.1 Church Personnel must respect the rights and advance the welfare of each person.
- 1.2 Church Personnel must not step beyond their competence in ministerial situations and shall refer clients to other professionals when appropriate.
- 1.3 Church Personnel providing pastoral counseling must not record audio or video of the sessions or knowingly permit others to make audio or video recordings of the sessions. In the case that professional observation of the counselor is required, the client must sign a written consent form, and, if at all possible, the conversation should be conducted in an environment that allows for anonymous observation (i.e. within an office that includes an observation window or video conferencing capability).
- 1.4 Church Personnel must never engage in sexual intimacies with the persons to whom they minister. "Sexual intimacy" means physical sexual contact as well as inappropriate conversation, communication or body language of a sexual or perceived sexual nature. This guideline applies to both nonconsensual sexual intimacies and what might be considered consensual sexual contact.
 - 1.4.1 If, at any time, a client indicates an interest in establishing or pursuing an intimate relationship, or any relationship outside of ministry, the supervisor must be immediately notified, with the end goal of working together to decide an appropriate course of action to ensure that no relationship occurs.
 - 1.4.2 Church Personnel must avoid the appearance of inappropriate contact in their behavior, conversation, and other forms of communication.
- 1.5 Inappropriate physical contact of any kind (i.e., touching, kissing, holding) between Church Personnel and the persons to whom they provide ministry must be avoided. Church Personnel must maintain transparency in all interactions by ensuring that any contact is public, appropriate, and non-sexual (PAN). Behavior conducted by means of electronic methods of communication must also be appropriate and transparent. [See Section V.4]



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- 1.6 Ministries should be conducted in appropriate settings at appropriate times.
 - 1.6.1 No ministry may be conducted in private living quarters.
 - 1.6.2 Ministry must not be held at places or times (outside of acceptable ministry practices) that could cause confusion about the nature of the relationship for the person being counseled or for others in the environment.
 - 1.6.3 Church Personnel must always promote an atmosphere and attitude of openness and transparency when meeting with clients.
- 1.7 Church Personnel should strive to maintain an accurate record of the times and places of ministry, especially those events and appointments that are scheduled in advance, in-office appointments, regularly scheduled or recurring meetings and appointments, and, when feasible, impromptu meetings or counseling sessions.
- 1.8 Church Personnel must inform supervisors and/or other staff on the premises of one-on-one meetings with minors, and invite random visual observation or status checks—even if the meeting is not on the organization’s property. For example, being able to visually observe Church Personnel at all times from outside the room provides assurance that the interactions are appropriate to the relationship without compromising the privacy of the meeting.
- 1.9 Church Personnel must limit interactions between minors they are serving and other adults affiliated with the programs or agency while the minor is in ministry. Ensure that any contact with affiliated adults is also public, appropriate, and non-sexual (PAN).
- 1.10 Under no circumstances may a minor be placed in a supervisory role over other minors. It is the responsibility of adults to properly supervise the children in their care.

2. Confidentiality

*Information disclosed to Church Personnel during the course of any ministry shall be held in the strictest confidence possible. **NOTE:** This Code of Conduct is independent of the inviolability of the sacramental seal attached to the Sacrament of Reconciliation.. It is absolutely forbidden for a confessor to betray in any way a penitent in words or in any manner and for any reason. Under no circumstances can there be any disclosure—even indirect disclosure—by priests of information received through the Sacrament of Reconciliation. The distinction between counseling and the Sacrament of Reconciliation must be maintained, therefore, priest-counselors are reminded that the proper place to hear sacramental confession is a church or oratory. Confessions are not to be heard outside a confessional without a just cause. (c. 964)*

- 2.1 If pastoral care involves professional counseling, any information obtained in the course of a professional counselling session must be confidential, except as required by law.
 - 2.1.1 If there is clear and imminent danger to the client or to others, Church Personnel must 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.
 - 2.1.3 Church Personnel must keep minimal records of the content of any counseling session.



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- 2.2 Church Personnel must discuss the nature of confidentiality and its limitations with each person in counseling. This includes telling the client from the beginning the circumstances under which confidentiality is considered “waived” (i.e., risk of imminent danger to the client or others, reporting abuse as mandated by law, etc.).
- 2.3 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.
- 2.4 **DUTY TO WARN:** If Church Personnel discovers that there is (a) a serious threat of imminent harm to a specific person, or (b) a serious threat to the welfare of a minor client and that communication of confidential information to a parent, legal guardian, person at risk, or law enforcement is essential to the health and well-being of the person at risk, Church Personnel must:
 - 2.4.1 Attempt to secure written consent from the client or adult guardian for the specific disclosure.
 - 2.4.2 If consent is not given, disclose only the information necessary to protect the health and well-being of the client and any other person at risk of harm.
- 2.5 Discussing confidential information with others. Church Personnel:
 - i. Will not discuss confidential client information with any unauthorized person (authorized persons include the clients and supervisors and/or any person authorized in writing by the client to receive the information.).
 - ii. Will not talk about confidential client information with anyone, including the client, in public places including elevators, reception areas, hallways, stairwells, and other open areas.
 - iii. Will not leave messages on cell phones or other answering machines regarding a client’s confidential information or test results.
 - iv. Will verify an individual’s identify and the ‘need to know’ before disclosing any confidential client information to any person or agency.
- 2.6 **DUTY TO REPORT:** Church Personnel must report any suspicion of child abuse. [See Section V. 2.5.1]

V. Standards of Appropriate Behavior

1. Conduct With Minors

When interacting with minors, Church Personnel must maintain open, transparent and trustworthy relationship.

- 1.1 Church Personnel must be aware of their own and others’ vulnerability when working with minors, and should use a team approach to manage youth activities.
- 1.2 Physical contact with youth may only occur in public, and be appropriate and completely nonsexual (PAN). Physical contact must never occur in private. [For information on contact via electronic communication, See Section V.4]
 - 1.2.1 Except in emergencies, physical contact between adults and minors in professional relationships should be initiated by the minor. Adults must not



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generally initiate physical contact other than an occasional congratulatory pat on the upper back, hand shake, "high five," or other similarly appropriate contact. Church Personnel should be sensitive to whether this type of physical contact is welcomed by the minor and appropriate to their individual characteristics and cultural experience.

- 1.3 Church Personnel must not possess or use illegal drugs at any time and must not use alcohol when working with minors. The Archdiocese of San Antonio has a "No Tolerance" policy regarding the use or possession of illegal drugs and the use of alcohol when working with minors. Anyone found to be using, or in possession of illegal substances, will be terminated. Anyone using alcohol when working with minors will be subject to disciplinary action including possible termination or removal from ministry/service.
- 1.4 Church Personnel must not provide or allow others to provide shared, private overnight accommodation for an individual minor including, but not limited to, accommodations in any Church owned facility, private residence, hotel room, or any other place when no other adult is present. Church Personnel are not to share a private space with an individual minor in overnight accommodations without another adult present.

2. Sexual Conduct

Church Personnel must not exploit the trust placed in them by the faith community for any purpose, and particularly not for sexual gain or intimacy.

- 2.1 Clergy, Candidates for Ordination, and Religious who are committed to a celibate lifestyle are called to be an example of celibate chastity in all relationships at all times.
- 2.2 Church Personnel must never develop intimate relationships with minors, including online relationships. Church Personnel must act in a professional manner and be an example of Christian chastity at all times.
- 2.3 No Church Personnel may exploit another person for any purpose including a sexual purpose.
- 2.4 Allegations of sexual misconduct must be taken seriously and must be reported to civil authorities when the situation involves a minor.
- 2.5 The State of Texas mandates that any adult who suspects or is aware of abuse of a minor must report to Child Protective Services (1-800-252-5400) or to local law enforcement. *[See also Section VI]*
 - 2.5.1 Per Texas Family Code Sec. 261.101, "A person having cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect by any person shall immediately make a report (to Child Protective Services (1-800-252-5400) or to local law enforcement). ... If a professional has cause to believe that a child has been abused or neglected or may be abused or neglected, or that a child is a victim of an offense under Section 21.11, Penal Code, and the professional has cause to believe that the child has been abused as defined by Section 261.001, the professional shall make a report not later than the 48th hour after the hour the professional first suspects that the child has been or may be abused or neglected or is a victim of an offense under Section 21.11, Penal Code. A professional may not delegate to or rely on another person to make the report. ... "Professional" means an individual who is licensed or certified by the state or who is an employee of a facility licensed, certified, or operated by the state and who, in the



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normal course of official duties or duties for which a license or certification is required, has direct contact with children. The term includes teachers, nurses, doctors, day-care employees, employees of a clinic or health care facility that provides reproductive services, juvenile probation officers, and juvenile detention or correctional officers. ... A person or professional shall make a report ... if the person or professional has cause to believe that an adult was a victim of abuse or neglect as a child and the person or professional determines in good faith that disclosure of the information is necessary to protect the health and safety of: (1) another child; or (2) an elderly person or person with a disability. ... The requirement to report under this section applies without exception to an individual whose personal communications may otherwise be privileged, including an attorney, a member of the clergy, a medical practitioner, a social worker, a mental health professional, an employee or member of a board that licenses or certifies a professional, and an employee of a clinic or health care facility that provides reproductive services.”

3. Harassment

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

- 3.1 Church Personnel must provide a professional work environment that is free from physical, psychological, written, or verbal intimidation or harassment.
- 3.2 Harassment encompasses a broad range of physical, written, or verbal behavior, including without limitation the following:
 - 3.2.1 Physical or mental abuse.
 - 3.2.2 Racial insults or discriminatory practices.
 - 3.2.3 Derogatory ethnic slurs.
 - 3.2.4 Disparaging remarks and treatment because of disability.
 - 3.2.5 Provoking bullying and ridicule as a result of illegal disclosure of medical information.
 - 3.2.6 Unwelcome sexual advances or touching, including, but not limited to grabbing, patting, and pinching.
 - 3.2.7 Sexual comments or sexual jokes.
 - 3.2.8 Requests for sexual favors used as:
 - i. A condition of employment;
 - ii. A condition for favorable personnel decisions, such as promotion or compensation; or
 - iii. An agreement to provide or continue professional counseling or pastoral services.
 - 3.2.9 Display of offensive materials including sexually suggestive objects and/or pictures.



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- 3.3 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 or professional environment.
- 3.4 Allegations of harassment must be taken seriously. Church Personnel that witness or are reasonably certain that harassment has occurred or is occurring must follow the procedure for reporting in Section VI.2. *[See Section VI.2]*

4. Electronic Communication

- 4.1 All information and messages that are created, sent, received or stored using Archdiocese of San Antonio communication assets are the sole property of the Archdiocese of San Antonio, and no user has any ownership interest or expectation of privacy in such communications. The Archdiocese of San Antonio retains the right, in its sole discretion, to review all information or communications sent, received, stored, or posted using Archdiocese of San Antonio communication assets. The Archdiocese of San Antonio retains the right to track Internet site, chat room and newsgroup visits, as well as file downloads that occur through Archdiocesan communication assets. The Archdiocese of San Antonio has the right to conduct such review without prior notice to the employee. The user consents to allow Information Technology and Archdiocese of San Antonio access to, and review of, all materials created, stored, sent or received, by the user through any Archdiocese of San Antonio network or Internet connection. Employees may not intercept or disclose, or assist in intercepting or disclosing, electronic communications.
- 4.2 Any content posted or communicated online by Church Personnel must reflect Catholic teachings and values. In online communication, Church personnel should not to imply that they speak on behalf of the Archbishop of San Antonio or the Archdiocese of San Antonio except in the specific capacity of their ministry for which they have permission to post.
- 4.3 Further advancements in technology may require periodic updates and addendums to this section of the Code of Conduct. The universal principles provided for are to be applied prudently and judiciously in the event an update has not occurred.

5. Electronic Communication with Minors

All decisions related to electronic communication with minors must be made by Clergy, or supervisor. No individual Church Personnel may use electronic communication with minors who participate in any of this organization's activities without written permission from both the organization's leadership and the minor's parents or guardians.

- 5.1 No Church Personnel shall collect email addresses, phone numbers or any other account access information for any medium of online communication, from minors without written permission from parents or guardians.
 - 5.1.1 Parents or guardians must designate, in writing, which form(s) of one on one communication with children may be used and must provide the contact information.



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- 5.1.2 In the case of elementary and middle school age children, parents or guardians should always be contacted directly.
- 5.1.3 In the event of any direct communication between Church Personnel and minors, parents and/or guardians **must be copied** on the content of the communication.
- 5.2 Electronic communication must be brief and on topic using language appropriate for communicating with the minor and his or her parent or guardian. Additionally, all communication must conform to the Archdiocese of San Antonio's *Code of Conduct* and Safe Environment policies, practices, and training. Communication that disregards or violates the *Code of Conduct* standards in any way will not be tolerated regardless of the medium used for conveyance.
- 5.3 Except in an emergency, all communication (including electronic) between Church Personnel and any program services participant must take place between the hours of 7:00 a.m. and 9:00 p.m. including posting to websites and social networking sites.
- 5.4 Appropriate behavioral boundaries that apply in face-to-face or verbal communication also apply to any electronic communications with minors.
- 5.5 The following guidelines apply to specific forms of electronic communication:
 - 5.5.1 Cell phones, texts, Twitter, Instagram and other Messaging services:
 - i. Church Personnel will use office lines to conduct conversations with clients unless approved by a supervisor.
 - ii. Except in case of an emergency, Church Personnel will not call minors directly (on the minor's cell phone), and will instead contact parents or call family phones.
 - iii. Church Personnel will not share personal cell phone numbers with minors unless approved by parents, guardians, and administrators.
 - iv. Church Personnel will not communicate with minors by text or other electronic messaging service (Exception: A one-one-one messaging option on a group page sponsored by the Archdiocese of San Antonio).
 - 5.5.2 Email
 - i. Church Personnel must avoid using personal email accounts to contact minors. In situations where an official Archdiocese of San Antonio email account cannot be used, approval from a supervisor must be obtained prior to using a personal email address to contact a minor for Archdiocesan purposes.
 - ii. Church Personnel must copy parents or guardians on all email communications. If copying parents or guardians is not possible or not recommended, copy a supervisor or administrator. Church Personnel within a Catholic School may email a student who has a school email address without also contacting a parent/guardian or supervisor.
 - iii. Church Personnel must not add any minor to personal email lists.
 - iv. When sending emails to a group, Church Personnel must use an approved email distribution application (ex: Constant Contact) or use the blind copy option (bcc) in order to keep email addresses confidential.



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- v. If, at any time, Church Personnel receive an inappropriate personal communication from anyone participating in or affiliated with the Archdiocese of San Antonio the individual must notify a supervisor immediately.

5.5.3 Social Networking Sites and Apps

- i. Church Personnel must not use their personal social networking account, handle, or profile to contact minors. The individual parish or agency can create their own social media page or account strictly for agency related communications. These accounts must be approved in advanced by the appropriate supervisor, registered with the parish or agency, and labeled to reflect their official nature. More than one individual must have oversight over the content and internal messaging, although passwords and administrative authority for such pages should be limited to the pastor, supervisor, or their designee.
- ii. No personal contact information may be provided in profiles or the accounts used on behalf of the representative of the Archdiocese of San Antonio.
- iii. Only official email addresses, office phone numbers, and job titles may be used.
- iv. All accounts must be set to maximize privacy. Parishes and agencies may publicize their presence on social media. However, no effort should be made to exclusively seek out minors as participants on the sites.
- v. Church Personnel must ignore “friend requests” from minors that are addressed to the adult’s personal social media account/application.
- vi. No pictures may be posted without written permission from all individuals appearing in the photo (for minors, this would be the parent or guardian), and persons may not be tagged or identified in a photo.
- vii. Church Personnel shall comment only on services or ministry-related threads from the ministry-related account.
- viii. Church Personnel may not use instant messaging programs on social networking sites or messaging applications for professional, ministry related purposes to communicate with minors, unless the material has prior approval by a supervisor and is recorded and kept on file.
- ix. Supervisors and/or their designees must monitor sponsored sites. Inappropriate posts should be promptly removed/deleted.
- x. Monitoring responsibility also applies to any unofficial site created by third parties about the program or services that come to the attention of Supervisors and/or their designees. If inappropriate content is present, monitors must report the pages/groups/users to the hosting site and ask that the site be removed. This includes but is not limited to unauthorized use of logos, bullying, harassment, or defamatory language.

6. Criminal Background Check

- 6.1 Clergy, Candidates for Ordination, and Employees are required to undergo a criminal background check in accordance with the Norms Governing Criminal Background Checks and is required to be renewed every three (3) years. Additionally, Lay Church Personnel with contact with minors or vulnerable populations are also required to undergo a criminal background check in accordance with the Norms Governing Criminal Background Checks and is required to be renewed every three (3) years.

7. Safe Environment Training



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- 7.1 Clergy, Candidates for Ordination, and Employees shall participate in Adult Safe Environment Training and learn the behavioral warning signs of potentially risky adults. Additionally, Lay Church Personnel with contact with minors shall participate in Adult Safe Environment Training and learn the behavioral warning signs of potentially risky adults. Employees should receive the training within thirty (30) days of commencing employment and volunteers should receive training prior to participating in a ministry. Training must be renewed every three (3) years.
- 7.2 Minors enrolled in religious education classes or in catholic schools must also receive Safe Environment on a yearly basis. The Office of Victim Assistance and Safe Environment (OVASE) will determine the requirements for Safe Environment training mandated in religious education classes. The Department of Catholic Schools will determine the requirements for Safe Environment training mandated in Catholic schools in the Archdiocese of San Antonio.

8. Sexual Harassment Training

- 8.1 Clergy, Candidates for Ordination, Employees, and Lay Church Personnel must complete Sexual Harassment Training through Virtus. Employees should receive the training within thirty (30) days of commencing employment and volunteers should receive training prior to participating in a ministry. Training must be renewed every three (3) years.

9. Vulnerable Adult Training

- 9.1 Clergy, Candidates for Ordination, Employees, and Lay Church Personnel who have contact with vulnerable adults must complete Vulnerable Adults Training through Virtus. Employees should receive the training within thirty (30) days of commencing employment and volunteers should receive training prior to participating in a ministry. Training must be renewed every three (3) years.

10. Monitoring Behavior

Church Personnel must monitor their own behavior and the behavior of all others in the agency to prevent, recognize, and respond to risky, inappropriate, and harmful behaviors and to reinforce, acknowledge, and appreciate appropriate behavior.

- 10.1 Church Personnel must continuously observe interactions between adults and youth and youth and other youth in the agency and/or environment and react appropriately.
- 10.2 Church Personnel must be clear about the established behavioral standards for the Archdiocese of San Antonio set out in the applicable Code of Conduct and be able to identify any actions in violation of those standards. It shall be the responsibility of all Church Personnel to maintain a “healthy suspicion” of all adults in the environment and to watch for the potentially risky behaviors outlined in this Code of Conduct.
- 10.3 Church Personnel must report concerns about possible inappropriate behavior or activities according to the procedure in Section VI. [See Section VI].



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11. Conflicts of Interest

Church Personnel must 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.

- 11.1 Church Personnel must inform all parties in writing when a real or potential conflict of interest arises. Resolution of the issues must protect the person receiving ministry services.
 - 11.1.1 No Church Personnel must take advantage of anyone to whom they are providing services in order to further their personal, religious, political, or business interests.
 - 11.1.2 Church Personnel must 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.
 - 11.1.3 When pastoral counseling or spiritual direction services are provided to two or more people who have a relationship with each other, Church Personnel must:
 - i. Clarify with all parties the nature of each relationship;
 - ii. Anticipate any conflict of interest;
 - iii. Take appropriate actions to eliminate the conflict;
 - iv. Obtain from all parties written consent to continue services; and
 - v. Provide documentation of these conversations to the program or agency supervisor.
- 11.2 Conflicts of interest may also arise when Church Personnel's independent judgment is impaired by (a) prior dealings, (b) becoming personally involved, or (c) becoming an advocate for one (person) against another. In these circumstances, Church Personnel must advise the parties that he or she can no longer provide services and refer them to other Church Personnel or to the agency's supervisor for reassignment.

12. Administration

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

- 12.1 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*. Church Personnel should seek information and advice from supervisors or other experts within the Archdiocese of San Antonio
- 12.2 Church Personnel must not use his or her position to exercise unreasonable or inappropriate power and authority.

13. Church Personnel Well-being

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



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- 13.1 Church Personnel must be aware of warning signs that indicate potential problems with their own spiritual, physical, mental, and/or emotional health.
- 13.2 Church Personnel must seek help immediately whenever they notice behavioral or emotional warning signs in their own professional and/or personal lives.
- 13.3 Church Personnel must address their own spiritual needs. Support from a Spiritual Director is highly recommended.
- 13.4 Inappropriate or illegal use of alcohol and drugs is prohibited.

VI. Reporting

1. Reporting an allegation of Abuse of Minors or Vulnerable Adults

- 1.1 All allegations of Abuse of Minors or Vulnerable Adults will be taken seriously.
- 1.2 If the alleged victim is currently a minor or a vulnerable adult;
 - 1.2.1 In accordance with Texas Law, any citizen who has cause to believe a minor or vulnerable adult is being, or may have been abused, is required to report the information to the Texas Department of Family and Protective Services (TDFPS) or local law enforcement. TDFPS maintains a 24hr hotline at 1-800-252-5400; or a report can be made online at www.txabusehotline.org.
 - 1.2.2 Contact the Archdiocesan Misconduct Hotline (AMH) 844-709-1169 or make a report via the internet by following the links at www.archsa.org.
 - 1.2.3 The AMH will create an intake and will notify the Office of Victim Assistance & Safe Environment (OVASE).
 - 1.2.4 OVASE will contact the reporting individual(s) and will offer to provide pastoral care.
 - 1.2.5 For allegations involving clergy:
 - i. OVASE will notify the Archbishop or his designee, the Office for Clergy, and will verify that local law enforcement is notified.
 - ii. The Archbishop or his designee will notify the Archdiocesan Review Board.
 - 1.2.6 For allegations involving church personnel, OVASE will notify Human Resources and the immediate supervisor of the person being accused.
 - 1.2.7 The investigation of allegations of abuse is the responsibility of local law enforcement. Church Personnel should not conduct any investigation of abuse unless directed to do so by local law enforcement.
 - 1.2.8 The accused should be placed on administrative leave pending the investigation. Administrative leave may be paid or unpaid at the discretion of the supervisor of the accused. In the event the administrative leave is paid, four weeks paid leave is the maximum available. Payment shall not exceed an amount equal to four (4) weeks pay.



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1.2.9 For disciplinary outcomes see Section VII.

1.3 If the alleged victim at the time of the report is an adult (not vulnerable)

1.3.1 Contact the Archdiocesan Misconduct Hotline (AMH) 844-709-1169 or make a report via the internet by following the links at www.archsa.org.

1.3.2 The AMH will create an intake and will notify the Office of Victim Assistance & Safe Environment (OVASE).

1.3.3 OVASE will contact the reporting individual(s) and will offer to provide pastoral care.

1.3.4 For cases not involving clergy, OVASE will encourage the alleged victim to contact law enforcement.

i. OVASE will notify the supervisor of the Church Personnel and the Human Resources office.

1.3.5 For cases involving clergy, OVASE will inform the reporting individual(s) of his/her rights to legal counsel, to contact local law enforcement, and to meet with the Archbishop or his designee.

i. OVASE will notify the Archbishop or his designee.

ii. The Archbishop or his designee will notify the Bexar County District Attorney of the allegation.

iii. The Archbishop or his designee will call upon the Archdiocesan Review Board for assistance in determining the need for an investigation. If needed, the Archdiocesan Review Board will call upon an independent investigator to conduct an investigation.

iv. The Archdiocesan Review Board and the Archbishop will determine the cleric's suitability for ministry during the investigation process.

v. The allegation will be investigated in accordance with the Essential Norms for Clergy of the Charter for the Protection of Children and Young People, and the Archbishop, in reaching His final decisions, shall be guided by the appropriate norms of canon law.

1.3.6 For disciplinary outcomes see Section VII.

2. Reporting an allegations of Sexual or Non-Sexual Misconduct

2.1 If you are aware of any Church Personnel involved in Misconduct within the Archdiocese of San Antonio, contact the Archdiocesan Misconduct Hotline (AMH) 844-709-1169 or make a report via the internet by following the links at www.archsa.org

2.2 The AMH will create an intake and will notify the appropriate Archdiocesan Office.

2.3 If deemed necessary, an independent investigator will be asked to conduct a



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thorough investigation.

- 2.4 The investigation will consist of interviews with all parties and any possible witnesses.
- 2.5 At the time of the investigation, the Archdiocese may:
 - 2.5.1 Temporarily remove clergy from public ministry;
 - 2.5.1 Place an employee on administrative leave with or without pay (payment shall not exceed the time period of four (4) week's pay); and
 - 2.5.2 Temporarily remove a volunteer from ministry.
- 2.6 The investigation will be documented and stored in the personnel file of the individual that is the subject of the investigation.
- 2.7 A determination for suitability for continued employment/ministry will be made based on the investigation.
- 2.8 For disciplinary outcomes see Section VII.
- 2.9 The individual(s) who brought forth the complaint may seek counseling through the Office of Victim Assistance & Safe Environment.

3. Retaliation

- 3.1 The Archdiocese of San Antonio prohibits any act of retaliation against anyone who reports discrimination or harassment or who cooperates in an investigation of a complaint. The Archdiocese will preserve confidentiality to the extent the needs of the investigation permit. Any person found to have engaged in retaliatory conduct against any person reporting a violation of this Code of Conduct or civil law or any Church Personnel who does not fully cooperate with an investigation of a complaint will be subject to discipline, up to and including termination of employment or removal from ministry/service.

VII. Discipline Procedures

The standard of review for decisions regarding discipline following investigations of allegations, incidents or concerns of sexual misconduct or sexual harassment, is held at the absolute discretion of the decider.

- 1.1 In cases where abuse of a minor is alleged against a cleric, the provisions of universal and particular ecclesiastical law and the Essential Norms for Clergy of the Charter for the Protection of Children and Young People will govern the preliminary investigation and the subsequent actions or processes.
- 1.2 Procedures for discipline of clergy will be consistent with these policies and the appropriate norms of canon law.
- 1.3 Church Personnel in any formal disciplinary process are ineligible for transfers within the Archdiocese if their work is with minors or vulnerable adults.
- 1.4 When the conduct of Church Personnel does not meet the standards of the Code of



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Conduct, it is the responsibility of the pastor, principal, supervisor, Human Resources, or Catholic Schools Office to address the problem(s) in a timely and equitable manner. The discipline procedure may include any of the following options:

- 1.4.1 Counseling;
 - 1.4.2 Formal warning;
 - 1.4.3 Probation;
 - 1.4.4 Suspension; or
 - 1.4.5 Termination.
- 1.5 Counseling for sexual misconduct or sexual harassment will be conducted by the Office of Victim Assistance & Safe Environment. Documentation of the counseling will be maintained and kept in the personnel file of the individual who received the counseling.



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Code of Conduct Acknowledgement Receipt

For Church Personnel

Acknowledgement of Receipt

The purpose of this Code of Conduct is to make clear to clergy, employees and volunteers that certain behaviors are required and certain behaviors are unacceptable, and to ensure proper monitoring of all youth. The following is the official receipt denoting that the individual whose signature appears below has read and understands the policies contained in the attached Code of Conduct document.

Please complete, sign, detach this entire page from full packet, and submit:

I have read and understand the policies contained in the attached Code of Conduct, and I intend to follow these policies and to monitor and protect children and young people in my service to the Archdiocese of San Antonio. I understand that any action inconsistent with this Code of Conduct or failure to take action mandated by this Code of Conduct may result in my removal as a volunteer or employee.

Full legal name (please print)	
_____	_____
Signature	Date

Position / Ministry	
_____	_____
Email or phone number	Parish / School / Organization

Please complete this page, sign it, detach it from the full packet and return it to the Archdiocese of San Antonio. This sheet will be kept on file at the Archdiocese of San Antonio indefinitely.

Office Use Only	
Date submitted / processed: _____	Received by (name): _____
Notes: _____	