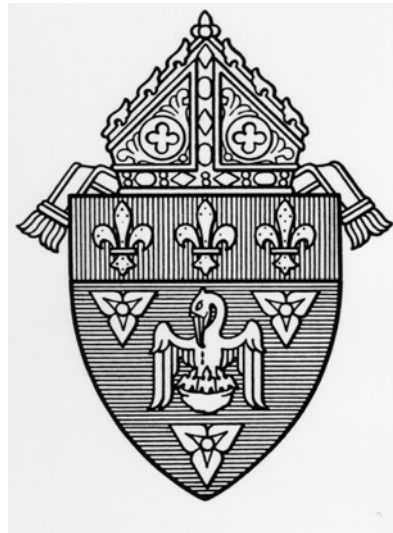


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# **PRINCIPLES OF ETHICS AND INTEGRITY IN MINISTRY: CODE OF ETHICS**

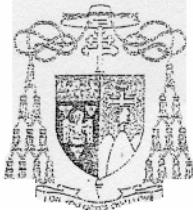
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## **ARCHDIOCESE OF NEW ORLEANS**

**ARCHBISHOP HUGHES' LETTER**

**October 24, 2003**



ARCHDIOECESIS OF NEW ORLEANS  
7887 W'ALMSLEY AVENUE  
NEWORLEANS, LOUISIANA 70125

OFFICE OF THE ARCHBISHOP

October 24, 2003

Dear Collaborators in the Ministry of the Archdiocese of New Orleans

I write to all of you, priests, deacons, lay leaders, and church personnel, to promulgate the accompanying *Principles of Ethics and Integrity in Ministry: Code of Ethics*. As persons who have been invited to serve in the Church, we have a greater responsibility not only to fulfill the work entrusted to us responsibly, but also to witness in the way we live our lives to the Gospel truths we serve.

Enclosed you will find many specific directives to guide us all in fulfilling this lofty mission. As you read it, please keep in mind the Gospel spirit and imperative, which undergird it.

I take this opportunity to express my appreciation to all of you who are so willing to serve in the archdiocese. Together we fulfill an awesome responsibility. Particularly, I, appreciate those who assume super"Visory responsibility to insure our fidelity to the ideals and values that are so important to the Church.

May God continue to inspire and enable us to become the holy men and women he calls us to be.

Sincerely in the Lord,

A handwritten signature in cursive script, appearing to read "Alfred C. Hughes".

Archbishop of New Orleans

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## **I. Principles of Ethics and Integrity in Ministry: Code of Ethics**

Relationships among people are a foundation of Christian ministry and are central to Catholic life. Defining healthy and safe relationships is not meant, in any way, to undermine the strength and importance of personal contact or the ministerial role. Rather, it is to assist all who fulfill the many roles that create the living Church to demonstrate their love and compassion for children and adults in the most sincere and genuine relationships.

It is with the intention that relationships in ministry be experienced at all times as charitable and without intention to do harm or allow harm to occur, that the following Code of Ethics has been adopted by the Archdiocese of New Orleans. All Church personnel are asked to carefully consider each standard in the Code and within the Policies on Ethics and Integrity in Ministry before agreeing to adhere to the standards and continue in service to the Diocese.

- Church personnel shall exhibit the highest Christian ethical standards and personal integrity.
- Church personnel shall conduct themselves in a manner that is consistent with the discipline, norms and teachings of the Catholic Church.
- Church personnel shall provide a professional work environment that is free from harassment.
- Church personnel shall not take improper advantage of a counseling, supervisory and/or authoritative relationship for their own benefit.
- Church personnel shall not abuse or neglect a minor or an adult.
- Church personnel shall share concerns about suspicious or inappropriate behavior with their pastor, their principal, the chancellor, Vicar General or the Archbishop of New Orleans.
- Church personnel shall adhere to the requirements of the Archdiocesan Policy of Abuse and Neglect of Minors and as set forth in the laws of the state of Louisiana regarding the reporting of any suspected abuse of a minor.

## **II. General Definitions**

### **A. Church Personnel**

For the purposes of this policy, the following are included in the definition of Church personnel:

### 1. Priests and Deacons (Clerics)

- a. Clerics incardinated in the Archdiocese of New Orleans.
- b. Clerics 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 in the care of souls, the public exercise of divine worship, and other works of the apostolate (c. 678).
- c. Clerics of other jurisdictions who are assigned to pastoral work in this Archdiocese, whether seeking incardination within the Archdiocese or not.
- d. Clerics who are otherwise legitimately residing within the territory of the Archdiocese, including retired clerics and those engaged in part-time or supply ministry.
- e. In addition to the provisions of these Policies, the above mentioned clerics are also bound by the Supplemental Norms for Clergy.

### 2. Seminarians and Religious

- a. All seminarians who provide ministerial service to minors in the Archdiocese and are legitimately enrolled in the seminary program of the Archdiocese.
- b. Those who are enrolled in the permanent diaconate formation program.
- c. Members of religious institutes or societies of apostolic life who are working for the Archdiocese, its parishes, schools or agencies, or who are otherwise engaged in the care of souls, the public exercise of divine worship, and other works of the apostolate (c. 678).
- d. Hermits and consecrated virgins legitimately residing within the Archdiocese.

### 3. The Lay Faithful

- a. All paid personnel whether employed in areas of ministry or other kinds of services by the Archdiocese, its parishes, schools or other agencies.
- b. All volunteers. This includes any person who enters into or offers himself/herself for a Catholic Church related service of his/her own free will.

## **B. Types of Misconduct**

For the purpose of this policy, misconduct includes the four types of behavior listed below:

1. Immoral conduct: Conduct that is contrary to the discipline and teachings of the Catholic Church and which may result in scandal to the faithful or harm to the ministry of the

Catholic Church. Scandal is an attitude or behavior which leads another to do evil. Scandal damages virtue and integrity. It is a grave offense if by deed or omission another is deliberately led into a grave offense (*Catechism of the Catholic Church*, No. 2284).

2. Harassment: The illegitimate and offensive use of power where the purpose or the effect is to create a hostile or intimidating work environment.

3. Exploitation: Taking advantage of a pastoral counseling relationship for the benefit of the pastoral counselor.

4. Abuse of minors: The definition of abuse of minors is further defined in Section VI.A..

### **III. Prevention of Immoral Conduct: Guidelines for Ethical Behavior**

#### **A. Definitions**

1. Immoral conduct is conduct contrary to the discipline and teachings of the Catholic Church and may result in scandal to the faithful or harm to the ministry of the Catholic Church.

2. Scandal is an attitude or behavior which leads another to do evil. Scandal damages virtue and integrity. It is a grave offense if by deed or omission another is deliberately led into a grave offense (*Catechism of the Catholic Church*, No. 2284).

#### **B. Standards of the Archdiocese as to Prevention of Immoral Conduct**

1. Church personnel enjoy a public trust and confidence. It is essential that Church personnel view their own actions and intentions objectively to assure that no observer would have grounds to believe that irregularity in conduct exists. All Church personnel have a responsibility to strive to uphold the standards of the Catholic Church in their day-to-day work and personal lives.

2. Further, it is fundamental to the mission of the Archdiocese that Church personnel exhibit the highest ethical standards and personal integrity. The purpose of this policy is to insure that all Church personnel follow the ethical standards of the Catholic Church. Therefore, Church personnel are prohibited from engaging in the following conduct:

- a. Immoral conduct.
- b. Actions that are disruptive to the ministry and public worship.
- c. Procurement or participation in the procurement of abortion, or committing homicide or euthanasia.
- d. Possession or distribution of pornographic material.
- e. Adultery, promiscuity or illicit co-habitation.
- f. Abuse of alcohol, drugs or gambling.
- g. Stealing or any other form of theft, including misappropriation of Church funds.
- h. Sexual harassment, exploitation or abuse.
- i. Physical assault and fighting.

3. Church personnel should not harm the reputation of others by:

- a. Disclosing without legitimate cause the faults or failings of others to persons who have no cause to know them.
- b. Making false allegations against another.



## **IV. Prevention of Harassment: Guidelines for Professionalism**

### **A. Definitions**

1. Sexual harassment includes behavior that is not welcome, that is personally offensive, that fails to respect the rights of others, that lowers moral and that, therefore, interferes with work effectiveness. Sexual harassment may take different forms. One specific form is the demand for sexual favors. Other forms of harassment include but are not limited to:

- a. Verbal: Sexual innuendos, suggestive comments, jokes of a sexual nature, sexual propositions, threats; or,
- b. Non-verbal: Sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures; or,
- c. Physical: unwanted physical contact, including touching, pinching, brushing the body, pushing.

3. Harassment may be severe and/or pervasive.

- a. Severe conduct is sufficient to alter a workplace environment even though it may occur only once.
- b. Pervasive conduct is a persistent pattern of harassment that affects the work place.

### **B. Standards of the Archdiocese as to Prevention of Harassment**

- 1. Church personnel shall not engage in harassment and shall not tolerate harassment by other Church personnel.
- 2. Church personnel shall provide a professional work environment that is free from harassment.

## **V. Prevention of Exploitation: Guidelines for Pastoral Counseling**

### **A. Definitions**

- 1. Pastoral counseling occurs when any Church personnel offer spiritual direction or advice concerning moral or spiritual matters.
- 2. Exploitation occurs when Church personnel take advantage of the pastoral counseling relationship for the benefit of the pastoral counselor.
- 3. Sexual exploitation is sexual contact between Church personnel and the recipient of their pastoral counseling services, regardless of who initiates the contact.

4. Sexual intimacies are consensual sexual physical contact; forced (non-consensual) sexual physical contact or sexually explicit conversations not related to pastoral counseling issues.
5. A conflict of interest occurs when Church personnel take advantage of pastoral counseling relationships in order to further their own interest.

## **B. Standards of the Archdiocese in Prevention of Exploitation**

1. Church personnel shall recognize their limitations in pastoral counseling situations and shall refer people to other professionals when appropriate.
2. Church personnel shall not engage in exploitation, sexual exploitation, and/or sexual intimacies with persons whom they counsel. Church personnel are also prohibited from engaging in situations or conduct that can give the appearance of exploitation, sexual exploitation, or sexual intimacies.
3. Church personnel shall set and maintain clear, appropriate boundaries in all pastoral counseling relationships.
4. Pastoral counseling should be conducted in appropriate settings at appropriate times and should not be held at places or times that would cause confusion about the nature of the relationship for the person being counseled.
5. No pastoral counseling should be conducted in private living quarters.

## C. Standards of the Archdiocese as to Confidentiality

1. In accordance with the norm of canon law (c.983), the sacramental seal is inviolable by divine mandate; therefore, it is absolutely forbidden for a confessor to betray the confidence of a penitent in any way and for any reason. This is applicable forever, even after he or she has died.
2. Information disclosed to Church personnel during the course of pastoral counseling, advising, or spiritual direction shall be held in the strictest confidence possible, with due regard for the norm of civil and/or canon law.
3. Church personnel should discuss the nature of confidentiality, including its limitations, with each person who seeks pastoral counseling whenever possible. Such limitations depend, in part, on whether the counselor is a priest, deacon, religious or lay minister and the circumstances and setting in which such counselor receives the information.

For example, in addition to information learned by priests under the sacramental seal of Penance, information learned by priests who engage in Pastoral or sacramental counseling is confidential and not subject to disclosure. Additionally, information learned by deacons in the same setting of spiritual or pastoral counseling is confidential. Such information learned by religious may be confidential. However, information that priests, deacons or religious learned in settings other than pastoral or sacramental counseling is not confidential under either canon law or civil and may result in such church personnel being mandatory reporters in regard to abuse or neglect of a child under Louisiana law. Similarly, if they receive information that a person is suicidal or homicidal in circumstances that are other than pastoral or spiritual, the priest, deacon or religious have a moral obligation (as possibly a responsibility under civil law) to report such information to persons who need to know, e.g. parents of a child, to prevent any harm from occurring.

While church personnel may and should strive to keep information confidential, depending on the nature of the information that they receive, they also may be obligated by Louisiana law to inform the civil authorities of abuse or neglect of a minor or be obligated morally (if not also civilly) to report that either the person being counseled or another person is in danger of physical harm.

When uncertainty arises in the mind of any church personnel as to whether there are limitations on the confidentiality of any information learned, the church personnel should consult with the Vicar General and/or Chancellor, who, in turn, if necessary, will consult with legal counsel.

4. Unless the information received by Church personnel is confidential under the law and teachings of the Roman Catholic Church, if there is clear and imminent danger, the Church personnel is to disclose the information necessary to protect the parties involved and to

prevent harm.

5. If disclosure must be made, if feasible, the Church personnel should inform the person being counseled about the disclosure.

6. With the exception of knowledge gained in the Sacrament of Penance, knowledge that arises from counseling may be used in teaching, delivering homilies, or other public presentations only when effective measures have been taken to absolutely safeguard both the individual's identity and the confidentiality of the disclosures. In the rare event that such disclosures are used, good pastoral judgment is of the utmost importance when making decisions about the use of information in public ministry.

7. If Church personnel discover, while counseling a minor, that there is a serious threat to the welfare of the minor 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 should disclose only the information necessary to protect the health and well-being of the minor.

## **D. Standards of the Archdiocese as to Conflicts of Interest**

1. Church personnel shall avoid pastoral counseling that might present a conflict of interest. Even the appearance of a conflict of interest can call into question integrity and professional conduct.

2. If a conflict of interest exists or arises, Church personnel should inform all parties. Resolution of the issues must protect the person being counseled.

3. Church personnel shall establish clear, appropriate boundaries with anyone with whom they have a business, professional, or social relationship.

## **VI. Prevention of Abuse: Guidelines for Working with Minors**

### **A. Definitions**

**We refer to the Archdiocesan Policy Concerning Abuse or Neglect of Minors.**

1. A minor is any individual under the age of 18. For the purposes of this policy, the term "minors" also includes adults who would be considered uniquely vulnerable to abuse because of physical or mental disabilities.

2. Abuse is physical abuse, sexual abuse and/or emotional abuse.

3. Physical abuse is non-accidental injury that is intentionally inflicted upon a minor.

4. Sexual abuse is any contact of a sexual nature that occurs between a minor and an adult. This includes sexual molestation or sexual exploitation of a minor and other behavior by which an adult uses a minor as an object of sexual gratification.

5. Emotional abuse is non accidental mental or emotional injury to a minor that results in an observable and material impairment in the minor's growth, development or psychological functioning.

6. Neglect is the refusal or willful failure to provide for a minor the proper or necessary

medical care, nutrition, or other care necessary for a minor's well-being as a result of a relationship developed through a position with those serving the Archdiocese.

## **B. Standards of the Archdiocese as to Abuse and/or Neglect of Minors**

The following standards are intended to assist Church personnel in making decisions about interactions with minors in Church sponsored and affiliated programs. They are not designed or intended to address interactions within families. For clarification of any policies or regarding behaviors not addressed here, contact your pastor, agency director, principal, the diocesan chancellor or the coordinator of pastoral care. (Contact information for the chancellor and coordinator of pastoral service is on page 5 of these policies.)

1. Abuse and/or neglect of minors are contrary to the teachings of the Church and are prohibited. Church personnel have a responsibility to protect minors from all forms of abuse and/or neglect. In the interest of protecting minors, Church personnel are prohibited from:

- a. Being intoxicated or using or possessing illegal drugs while in the presence of minors.
- b. Using profanity in the presence of minors.
- c. Speaking to minors in a way that is or could be reasonably construed by any observer as harsh, threatening, intimidating, shaming, derogatory, demeaning, or humiliating.
- d. Discussing their own sexual activities with minors.
- e. Engaging in any sexually oriented conversations with minors unless the conversations are part of a legitimate lesson and discussion for teenagers regarding human sexuality issues. On such occasions, the lessons will convey to youth the Church's teachings on these topics. If youth have further questions not answered or addressed by their individual teachers they should be referred to their parents or guardians for clarification or counseling.
- f. Being nude in the presence of minors.
- g. Possessing sexually oriented or morally inappropriate printed materials (magazines, cards, videos, films, clothing, etc.).
- h. Sleeping in the same beds, sleeping bags or small tents with minors unless the adult is an immediate family member of the minor.

2. Church personnel are responsible for releasing minors in their care only to parents, legal guardians, or other persons designated by parents or legal guardians at the close of services or activities. In the event that Church personnel are uncertain of the propriety of releasing a minor, they should immediately contact their immediate supervisor before releasing the child.

3. Church personnel should report uncontrollable or unusual behavior of minors immediately to parents.

4. Ordinarily a confirmation candidate should select his or her own sponsor. If the parish assigns or assists in the selection of sponsors, they are considered volunteers and must abide by these archdiocesan policies.

### **C. Standards of the Archdiocese as to Offsite and/or Overnight Events**

1. The following standards shall be observed when Church personnel are involved in the transportation of minors:

- a. Priests and religious personnel are prohibited from transporting minors without written permission of their parent or guardian.
- b. Minors should be transported directly to their destination. No stops should be made unless approved by the director of the program.
- c. Church personnel assigned to transport minors must be at least 25 years old and have a valid driver's license. Requests for specific exceptions must be submitted in writing to the chancellor (see page 3 of the policies for contact information).

2. Church personnel are prohibited from having minors stay at their residence.

3. Sleeping, changing and showering facilities or arrangements for adults, except for their own children, must be separate from facilities or arrangements for minors unless parents have provided written permission for this child(children) to stay with other adults.

### **D. Standards of the Archdiocese as to Physical Contact with Minors**

1. Church personnel are prohibited from using physical discipline in any way for behavior management of minors. No form of physical discipline is acceptable. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force as retaliation or correction for inappropriate behaviors by minors.

2. Appropriate affection between Church personnel and minors is important for a child's development. It also constitutes a positive part of Church life and ministry. The following forms of affection are regarded as appropriate examples for most Church sponsored and affiliated programs:

- Hugs that are not initiated.
- Pats on the shoulder or back.
- Hand-shakes.
- "High-fives" and hand slapping.
- Verbal praise.

- Touching hands, faces, shoulders and arms of minors.
- Arms around shoulders.
- Holding hands while walking with small children.
- Sitting beside small children.
- Kneeling or bending down for hugs with small children.
- Holding hands during prayer.
- Pats on the head when culturally appropriate. (For example, this gesture should typically be avoided in some Asian communities).

3. Some forms of physical affection have been used by adults to initiate inappropriate contact with minors. In order to maintain the safest possible environment for minors, the following are examples of affection that are **not** to be used in Church sponsored and affiliated programs:

- Inappropriate or lengthy embraces.
- Kisses on the mouth.
- Holding minors over four years old on the lap.
- Touching buttocks, chests or genital areas.
- Showing affection in isolated areas such as bedrooms, closets, staff-only areas
- or other private rooms.
- Being in bed with a minor.
- Touching knees or legs of minors.
- Wrestling with minors.
- Tickling minors.
- Piggyback rides.
- Any type of massage given by minor to adult.
- Any type of massage given by adult to minor.
- Any form of unwanted affection.
- Compliments that relate to physique or body development.

## **E. Standards of the Archdiocese as to Screening of Church Personnel who Work with Minors**

1. Without exception, all applicants for Church personnel positions that will involve working with minors must complete the following:
  - a. **A standard application** that includes a release of information to conduct criminal background checks. Applicants shall also be required to read, agree to and sign a Code of Ethics for Church personnel (See Appendix A).
  - b. **A criminal records check** for the State of Louisiana and/or any other state where the applicant has resided during the past five years shall be conducted prior to employment, ministry, or volunteer work.

2. For employees and volunteers who have worked in the parish or school for two years or more, the application and criminal records check will complete their screening process.
3. Additional screening procedures, such as reference checks and face-to-face interviews, are recommended for new applicants and existing employees and volunteers who have held their positions for less than two years.
4. Before being placed in a volunteer position that involves work with or ministry to minors, volunteers should be registered members of the parish for at least six months. After consultation with the vicar general, exceptions may be made by the pastor or principal.
5. Church personnel who transfer from one parish or school within the Archdiocese to another parish or school within the Archdiocese may request that their Church personnel application be transferred to the new parish or school. The six-month wait will not apply to these transfers.
6. Church personnel and volunteers shall undergo criminal records checks every three years so long as they remain in the position, ministry, or service.



## **F. Standards of the Archdiocese as to Training for Church Personnel who Work with Minors**

1. Church personnel shall review the Policies on Ethics and Integrity in Ministry and agree to comply with the diocesan Code of Ethics (See Appendix B).
2. Church personnel who work with minors must participate in a Safe Environment workshop that addresses their role in protecting minors in the Archdiocese.

## **G. Standards of the Archdiocese as to Supervision of Programs that Involve Minors**

1. Parents have a right to observe programs and activities, excluding regular classroom curriculum, in which their children are involved. However, parents who desire to participate in or have continuous, ongoing contact with their child's programs in the Church shall fulfill the requirements of the volunteer application process as stated in this Section.
2. Programs for minors shall be sponsored or administered by at least two adults.
3. Church personnel under the age of 21 shall work under the direction of an adult supervisor.
4. Church personnel in leadership roles shall be aware of all programs for minors that are sponsored by their parish or school. Leaders shall examine these programs and consider whether they have adequate supervision.
5. All new programs for minors must be approved by the pastor and/or principal.

## **Code of Ethics**

Church personnel shall exhibit the highest Christian ethical standards and personal integrity.

Church personnel shall conduct themselves in a manner that is consistent with the discipline, norms and teachings of the Catholic Church.

Church personnel shall provide a professional work environment that is free from harassment.

Church personnel shall not take advantage of a counseling, supervisory and/or authoritative relationship for their own benefit.

Church personnel shall not abuse or neglect a minor or an adult.

Church personnel shall share concerns about suspicious or inappropriate behavior with their pastor, their principal, the chancellor or the Archbishop of New Orleans.

Church personnel shall adhere to the requirements of the law of the State of Louisiana regarding the reporting of any suspected abuse of a minor not including sacramental seal.

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## **Acknowledgment**

I hereby acknowledge that on

I received a copy of the Principles of Ethics and Integrity in Ministry: Code of Ethics of the Archdiocese of New Orleans, and I have read this document, understand its meaning, and agree to conduct myself in accordance with this policy.

Signature

Print Name

Date

Signature of Supervisor

Printed Name of Supervisor

Name of Parish/School/Institution