

## Roman Catholic Diocese of Albany

### Guidelines for Professional Conduct For All Professional and Volunteer Personnel Who Work with Minors In the Roman Catholic Diocese of Albany

These guidelines for the professional conduct of all professional and volunteer personnel who work with and serve children and youth are written and published in compliance with Article 6 of the Charter for the Protection of Children and Young People approved by the Roman Catholic Bishops of the United States in November 2002. They establish norms of conduct and professional boundaries for everyone, clergy, religious and laity, who work with and have regular contact with minors. They are applicable to both the professional and the volunteer. They apply to those in diocesan offices and agencies, parishes, schools, and institutions.

Article 6 states *“While the priestly commitment to the virtue of chastity and the gift of celibacy is well known, there will be clear and well-publicized diocesan/eparchial standards of ministerial behavior and appropriate boundaries for clergy and any other church personnel in positions of trust who have regular contact with children and young people.”*

These are issued in response to the sexual abuse of minors scandal that has taken place in our Church. In many ways this document is not new to those who administer diocesan and parish programs and processes. They have been part of the training programs and on-going supervision of diocesan offices, schools, parishes, and institutions for many years. What is new about this document is that it has been written collaboratively and promulgated jointly by the diocesan offices which train and supervise personnel who have regular contact with children and youth and facilitate programs and processes in which adults have regular contact with minors.

This document is offered to insure that our children and young people are safe and secure in our care and that their families have confidence that this diocese will do everything possible to provide the environment where each child and young person can grow in age, grace, and wisdom. In addition, the rules of conduct and professional boundaries provide a structure for our own personnel to insure their own integrity and well being.

We are grateful to Catholic Charities, the Catholic School Office, The Office of Evangelization and Catechesis, Family Life Office, Counseling for the Laity, Human Resources, and Chancery for their commitment to this project. We are also grateful to the Dioceses of Austin, Rochester, Syracuse, Orange, and Ogdensburg for sharing resources and VIRTUS for their assistance and on-going commitment to the prevention of sexual abuse of children and young people.

The following directives flow from Article 6 of the Charter for the Protection of Children and Young People:

## **Definition of "clergy and other church personnel"**

*For the use of this policy, the following are included in the definition of "church personnel":*

- ◆ Priests incardinated in the Diocese of Albany
- ◆ Priests who are members of religious institutes assigned to pastoral work in the Diocese of Albany.
- ◆ Priests of other jurisdictions who are assigned to pastoral work in this Diocese, priests seeking incardination in this Diocese; other priests including those who are retired, or who request canonical faculties to do part-time or supply ministry.
- ◆ Permanent and transitional deacons incardinated in the Diocese of Albany.
- ◆ Seminarians and those enrolled in the Permanent Diaconate Formation Program.
- ◆ Women religious and religious brothers working in or for the Diocese, its parishes, schools, or agencies.
- ◆ Individuals in other forms of consecrated life who are associated with the Diocese.
- ◆ All personnel whether employed in areas of ministry or other kinds of services by the Diocese, its parishes, schools or other agencies; also those who contract their services to Church agencies.
- ◆ Any volunteer who has entered into a Church related service of his/her own free will and who works with minors

### **Other Definitions:**

- ◆ A **minor** is defined as anyone under the age of 18.
- ◆ **Physical abuse** is non-accidental injury which is intentionally inflicted upon a minor.
- ◆ **Sexual abuse** is any contact of a sexual nature that occurs between a minor and an adult. This includes any activity which is meant to arouse or gratify the sexual desires of the adult.
- ◆ **Emotional abuse** is mental or emotional injury to a minor that results in an observable and material impairment in the minor's growth, development or psychological functioning.
- ◆ **Neglect** is the failure to provide for a minor's basic needs or the failure to protect a minor from harm.

### **Types of Misconduct**

*For the purposes of this policy, misconduct with a minor - a child or youth under the age of 18 - includes the four types of behavior listed below:*

1. Conduct that is contrary to the discipline and teaching of the Church.
2. Conduct or language which creates an intimidating, hostile or offensive working environment.
3. Conduct which exploits or takes unfair advantage of another.
4. Physical, sexual or emotional abuse of children and young persons.

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

*Abuse of minors is contrary to the teachings of the Church and is prohibited by the Roman Catholic Diocese of Albany. Church personnel have a responsibility to actively protect minors from all forms of abuse. In response to the call by the United States Conference of Catholic*

*Bishops to break the "cycle of abuse", the Diocese of Albany has adopted the following child abuse education and prevention policies:*

### **Standards for the Diocese of Albany**

*Those who act in the name of the Church have tremendous power in the lives of the people to whom they serve. The great power differential which is present causes them to be held to a higher level of behavior. In such relationships, the reality is that the inappropriateness of behavior is judged not to be the intent of the person, but its impact upon the recipient.*

- ◆ All professional and volunteer personnel who work with minors are required to complete the Roman Catholic Diocese of Albany Application Form which includes accurate information, references, and acknowledgement of any prior convictions of a crime, other than a minor traffic offense. These forms are kept by the office, agency, school, or parish and updated as needed.
- ◆ No one may serve in the Diocese of Albany as a professional or volunteer in any capacity with children or youth who has admitted and/or been convicted of sexual misconduct or abuse involving a minor.
- ◆ Professionals and volunteers who work with minors will receive appropriate training and supervision. This training will involve participation in the VIRTUS program administered through Diocese of Albany and any other training appropriate for working with a minor determined by a particular office or agency of the Diocese.
- ◆ Professionals and volunteers who work with minors will be informed of the child abuse regulations and reporting requirements for the State of New York.
- ◆ Allegations of sexual misconduct of a minor will be taken seriously and reported according to the processes outlined in Appendix A of this document.
- ◆ Professionals and volunteers who work with minors need to be sensitive to children and youth who may be vulnerable or at risk for unhealthy relationships.
- ◆ All programs involving children and youth must have adequate supervision. An adequate ratio of adults to children/youth to maintain order and safety is necessary. A greater number of supervisors/chaperones are recommended when a program involves a fieldtrip or overnight event.
- ◆ Parents and guardians are encouraged to be part of any and all services and programs in which their children are involved, including observation of programs and activities.
- ◆ Personnel in supervisory roles must be aware of all programs for minors that are sponsored by the parish, school, or agency. A list of these programs needs to be maintained in the administrative office and include the purpose, activities, sponsors, participants, meeting times and locations. Those in a supervisory role need to insure that they are appropriate, safe, and have adequate supervision.

- ◆ Personnel under the age of 18 must work under the direction of an adult supervisor.

### **Professional Boundaries**

*It is the responsibility of all Church personnel to maintain appropriate professional boundaries with those they serve.*

#### **Sexual, Emotional and Physical Boundaries**

- ◆ All personnel are prohibited from engaging in any sexual contact, including sexual intercourse, anal or oral sex and intrusive touching with a minor.
- ◆ Personnel must not give touches and embraces to a minor that are not acceptable or are uncomfortable to the individual. This includes physical games such as wrestling or tickling.
- ◆ Expressions of affection are only appropriate in public settings when such behavior is the norm and acceptable to all parties.
- ◆ Personnel are prohibited from engaging in any inappropriate sexually oriented conversations with minors. Christian human sexuality is part of the curriculum for children and youth within the Diocese of Albany to provide an understanding of God's gift of human sexuality and to convey the church's teaching on this subject. Parents must be notified when this part of the Catholic school or parish catechetical curriculum is introduced, be invited to review all teaching materials, and have the right to withdraw their child from this part of the curriculum as part of their parental rights. Teachers and catechists are not permitted to discuss their own sexual activities with minors.
- ◆ Personnel must not show or display sexually suggestive objects, media or pornography.
- ◆ Personnel must not use inappropriate language or behavior in working with children or youth.
- ◆ Personnel must not give or receive inappropriate gifts.
- ◆ Personnel are prohibited from speaking to minors in a way that is harsh, threatening, intimidating, shaming, derogatory, demeaning, or humiliating. All staff and volunteers are expected to refrain from swearing in the presence of minors.

#### **Conduct**

- ◆ Professional and volunteer personnel who work with children and youth need to be good role models in conduct, speech, and dress.
- ◆ Personnel who minister to children and youth must meet them in areas that are visible and accessible. One on one meetings must be held in a public area and in a room where the door is open. Someone from the staff should be notified about this meeting.

- ◆ Personnel must avoid developing exclusive relationships with individuals or a group of individuals.
- ◆ Adults who work with minors must never buy alcohol, drugs, cigarettes, videos, or reading material that is inappropriate and give it to a minor.
- ◆ Personnel must refrain from (a) the illegal possession and/or illegal use of drugs at all times and (b) the use of alcohol when working with minors.
- ◆ It is appropriate to work in pairs when working with youth and to have both male and female adults present if there is a co-ed event.
- ◆ Personnel should not provide shared or private overnight accommodations for individual children or youth including, but not limited to, accommodations in any Church-owned facility, private residence, hotel room, or any other place where there is not other adult supervision present. In rare, emergency situations, when accommodation is necessary for the health and well-being of the minor, personnel should take extraordinary care to protect all parties from the appearance of impropriety and from all risk of harm.
- ◆ Personnel are prohibited from sleeping in the same beds or sleeping bags with minors.
- ◆ Adults must never be alone with a young person if they are showering or changing clothes. They should never be nude in the presence of minors in their care. Changing and showering facilities or arrangements for adults must be separate from facilities or arrangements for minors.
- ◆ Personnel must not invite young people into their personal living space or be alone with them in their own living space.
- ◆ Houses used for the residence of clergy and religious are for the use of these ministers. Their personal living space should not be used for overnight accommodations for children or youth.
- ◆ Church personnel should avoid driving alone with a minor, except in an emergency situation when this may be necessary for the health, safety and well-being of the minor. In such cases, minors should be transported directly to their destination. No unauthorized stops should be made.