



OFFICE OF THE BISHOP

DIOCESE OF SACRAMENTO

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DECREE OF PROMULGATION Code of Pastoral Conduct

I, the undersigned Bishop of the Diocese of Sacramento, do hereby decree that the attached revision of the *CODE OF PASTORAL CONDUCT* is particular law of the Diocese of Sacramento, effective upon promulgation.

I further decree that it be promulgated by publication on the diocesan website, and that copies be distributed as noted in Section III, I (Administration) of this policy, and that notice of its promulgation be made in the *Official* column of the *Catholic Herald*.

Given at the Diocesan Pastoral Center in Sacramento, California on this 20th day of December, in the year of Our Lord, two thousand seventeen.

+JAIME SOTO
Bishop of Sacramento

Kathy Conner
Chancellor



DIOCESE OF SACRAMENTO

Code of Pastoral Conduct for Church Workers

I. Preamble

All clergy (bishops, priests, and deacons), members of religious institutes, lay employees (at all parish, school, or other diocesan/parish workplaces) and volunteers (whether workplace volunteers or volunteers in Church ministry) — collectively referred to herein as “Church Workers” — in parishes, religious communities/institutes, and other Church organizations in the diocese, must uphold Christian values and conduct.

The purpose of this *Code of Pastoral Conduct for Church Workers (Code of Pastoral Conduct)* is not to attempt to anticipate every situation that Church Workers might face, but to provide a set of standards for conduct and appropriate behavior to guide them in pastoral ministry situations. To the extent that pastoral ministry situations overlap with the workplace, the *Code of Pastoral Conduct* is intended to complement and supplement the standards for workplace conduct that are set forth in the *Lay Personnel Handbook*.

II. Responsibility for Compliance

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

Accordingly, each individual has a personal responsibility to comply with the *Code of Pastoral Conduct*. Church Workers who disregard this *Code of Pastoral Conduct* will be subject to remedial action. Corrective action may take various forms —including verbal or written warning, termination of employment, or removal from ministry — depending on the specific nature and circumstances of the offense. Any criminal conduct as defined by California law, or conduct subject to mandatory reporting requirements, will also be reported to the responsible legal authority.

This *Code of Pastoral Conduct* is enacted to create a safe, appropriate and Christian environment for all those involved in Church ministry within the territory of the Diocese of Sacramento.

III. Standards of Conduct

A. Standards For Church Workers Who Do Work As Pastoral Counselors Or Spiritual Directors

Pastoral Counselors and Spiritual Directors, by the very nature of their particular responsibilities, must respect the rights and advance the welfare of each person they counsel (referred to herein as “a client”).

Particular pastoral standards apply to Church Workers who provide pastoral, spiritual, and/or therapeutic counseling services to individuals, families, or other groups (collectively referred to in this section as “Pastoral Counselors and Spiritual Directors”). Specifically:

- (1) Pastoral Counselors and Spiritual Directors shall not step beyond their competence in counseling situations and will refer a client to other professionals when the client is in need of attention beyond the training or competence of the counselor. For example, Pastoral and Spiritual Directors should not provide therapeutic marital counseling to persons in troubled marriages and should refer such persons to suitably qualified and licensed marriage and family therapists, who are preferably Catholics and acquainted with Church teaching on marriage.
- (2) Pastoral Counselors and Spiritual Directors (clergy and religious in particular) should always be aware that their position and authority as religious ministers may draw individuals to cross acceptable relationship boundaries when interacting with them. Pastoral Counselors and Spiritual Directors should be alert to circumstances where individuals begin to seek counseling or relationship needs beyond that which can be appropriately provided by a religious minister. In such instances, Pastoral Counselors and Spiritual Directors should take steps to clarify and appropriately limit the boundaries of the relationship, and, if necessary, should refer the individual to another counselor or professional.
- (3) Pastoral Counselors and Spiritual Directors will carefully consider the possible consequences before entering into a counseling relationship with someone with whom they have a pre-existing relationship (i.e., employee, professional colleague, friend, or other pre-existing relationship). *[See Section 7].*
- (d) Pastoral Counselors and Spiritual Directors will not audiotape, videotape, or otherwise electronically record their interactions, specifically including counseling sessions.
- (5) Clergy and religious who are committed to a celibate lifestyle are called to be an example of celibate chastity in all relationships at all times, particularly in pastoral counseling settings. Clergy and religious should remain mindful of their obligations in this regard and strive to avoid even the appearance of impropriety in their physical interactions with others, particularly those with whom they have a pastoral relationship.
- (6) Pastoral Counselors and Spiritual Directors must never engage in sexual intimacies or romantic relationships with a client. This includes consensual and non-consensual contact, forced physical contact, and inappropriate sexual comments

- (7) Pastoral Counselors and Spiritual Directors also will not engage in sexual intimacies or romantic relationships with individuals who are close to the client (such as relatives or friends of the client) because they must presume that the risk of exploitation or harm to the client can be created by such intimate relationships.
- (8) Pastoral Counselors and Spiritual Directors assume the full burden of responsibility for establishing and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships.
- (9) Inappropriate physical contact of any kind between Pastoral Counselors or Spiritual Directors and a client (i.e., any touching or hugging beyond the limited type of contact that might be offered in a greeting or as a gesture of Christian comfort to a distraught individual) can be misconstrued and will be avoided.
- (10) Counseling sessions will be conducted in appropriate settings at appropriate times. As a general rule, sessions should take place in a professional setting in a parish office or, if no parish office facilities are available, in professional reception or meeting areas in a rectory or church building.
 - (a) No sessions will be conducted in the private living quarters of a Pastoral Counselor/Spiritual Director or a client.
 - (b) Sessions will not be held at places or times that would tend to confuse the client about the nature of the counseling relationship. Counseling sessions generally should be held during regular business hours and in settings consistent with the standards set forth below.
 - (c) In extreme cases involving crisis and/or emergency, a session may need to take place in a location or at a time most convenient for the client.
 - (d) Enclosed rooms or offices in which sessions are held should have a window in the door, or, at a minimum, the door should be left open or ajar. If to do so would risk a breach of confidentiality of the counseling communications, then another suitable location should be secured.

B. Confidentiality related to Pastoral Counseling or Spiritual Direction

Information disclosed to a Church Worker acting as a Pastoral Counselor or Spiritual Director during the course of counseling, advising, or spiritual direction will be held in strict confidence.

- (1) Consultation with the appropriate Church supervisory personnel is required before disclosure of any confidential information obtained during counseling sessions other than those cases where reasonable suspicion of the abuse of minors, elders over 65 years of age, or dependent adults exists. In those cases, mandated reporters are required, by law, to report such suspicions directly to civil authorities.

- (2) **The obligations contained in these Pastoral Counseling Standards are independent of the seal of the Sacrament of Reconciliation. Under no circumstances whatsoever can there be any disclosure — even indirect disclosure — of information received through the Sacrament of Reconciliation.**
- (3) Information obtained in the course of sessions will be confidential, except for compelling professional reasons (as set forth below) or as required by law.
 - (a) If there is clear and imminent danger to a client or to others, the Pastoral Counselor or Spiritual Director may disclose only the information necessary to protect the parties affected and to prevent harm to others.
 - (b) Before disclosure is made, if feasible, the Pastoral Counselor or Spiritual Director will inform the person being counseled about the disclosure and the potential consequences.
- (4) Pastoral Counselors and Spiritual Directors will discuss the nature of confidentiality and its limitations with each person in counseling.
- (5) Pastoral Counselors and Spiritual Directors will keep minimal records of the content of sessions, in order to protect against any inadvertent disclosure of client confidences. However, records of any referrals made to competent professionals shall be maintained.
- (6) 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 the individual's identity.

C. Standards for all Church Workers regarding Interaction with Youth

Church Workers will observe and honor appropriate boundaries with youth (minors under the age of 18).

- (1) Church Workers must be aware of their own and others' vulnerability to appearance or perception of impropriety when working alone with youth. At all times, Church Workers should, therefore, use a team approach to managing youth activities. At least two adults (preferably a team of several adults) will organize and supervise youth activities.
- (2) Except in an emergency or urgent circumstances involving the youth's safety, Church Workers shall never be alone with a youth during any parish or church-related activity or setting. For example, adults should avoid situations that put them in a position of being alone with a minor in a rectory, parish building, school, or other closed room (except as required for the Sacrament of Reconciliation).

- (3) Church Workers will observe careful boundaries concerning any type of physical contact with youth. Beyond a simple handshake or a friendly, brief hug, any physical contact should only take place in public circumstances, and prudent discretion and respect should be applied by Church Workers in order to avoid any appearance of impropriety.
- (4) Clergy and religious shall never permit a youth to stay overnight in their private accommodations or residence, nor shall clergy or religious ever be permitted to share a room overnight with a youth. An exception can be made in the case of immediate family members of the clergy or religious, provided that a parent or adult guardian of the youth also stays overnight and that separate accommodations are provided for the youth and his or her parent or adult guardian.
- (5) Church Workers will not provide shared, private, overnight accommodations for individual youth, including, but not limited to, accommodations in any Church-owned facility, private residence, hotel room, or any other place where there is no other adult supervision present.
 - (a) Church Workers will use a team approach to managing emergency situations. A team of adults will consult with each other about the best approach to take in emergency situations.
- (6) Church Workers are prohibited from taking youth home or to another location unless another adult is present in the vehicle or the parent/guardian of the youth has given express prior permission. Church Workers likewise shall not permit other adults to take a youth home or to another location unless at least two adults will be present in the vehicle or the parent/guardian of the youth has given express prior permission.
- (7) Church Workers shall not give gifts to a specific youth under their care or supervision unless a gift is given to all other youth under their care, and even in such situations, any such gifts shall be modest, inexpensive tokens of friendship or appreciation. This provision shall not be construed from precluding clergy and religious from giving gifts to youth who are members of their immediate families, such as nieces and nephews.
- (8) Church Workers will familiarize themselves with, and understand the contents of, the child abuse regulations and reporting requirements for the State of California, and will comply with those mandates. Church workers shall also complete, in a timely manner, any safe environment and/or youth protection training required of them .
- (9) Church Workers shall take all necessary action to ensure that that no one working with youth is either in possession of illegal drugs or under the influence of alcohol or illegal drugs. Church Workers shall take all necessary action to ensure that youth under their care or supervision do not have access to illegal drugs or alcohol.

Church Workers may never serve or supply alcohol to youth or adults under the age of 21. Persons under 21 may, of course, partake of both species of the Eucharist, including the Precious Blood, according to the norms of liturgical rubrics and canon law.

D. Sexual Conduct

Church Workers must not, for sexual gain or intimacy, or any other reason, exploit the trust placed in them by the faith community.

Church Workers must at all times comply with the Administrative Policies and Procedures Regarding Sexual Misconduct (the Sexual Misconduct Policy), and the restrictions on inappropriate sexual contact with adults or minors, and the possession or dissemination of pornography, as set forth in that document. Church Workers also have an obligation to comply with the requirements to report sexual misconduct, as required by law and in the Sexual Misconduct Policy. Details on these requirements are set forth in more detail in the Sexual Misconduct Policy.

E. Harassment, Discrimination, and Bullying

Church Workers must not engage in any form of harassment against staff, volunteers, or parishioners, and must not tolerate such harassment by other Church Workers.

- (1) Church Workers share a responsibility to help provide a professional work environment that is free from any form of harassment, discrimination, or bullying.
- (2) Harassment consists of unwelcome, inappropriate conduct, whether verbal, physical, or visual, that is based on such factors as race, color, gender, religion, national origin, age, or physical or mental disability. Examples of harassment may include, but are not necessarily limited to, jokes, kidding, or teasing directed at a person based on his or her protected characteristics. Sexual harassment, may include, but is not limited to, explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented kidding or teasing, practical jokes, jokes about obscene printed or visual material, and physical contact such as patting, pinching, or brushing against another person's body.
- (3) Bullying is repeated threatening, humiliating, offensive, or intimidating behavior conducted by one or more individuals (perpetrator(s)) against one or more different individuals (target(s)). The conduct can be direct or indirect, may involve verbal, physical, or other acts, and may involve work interference or sabotage.
- (4) If any parish employee or other Church Worker feels that he or she has experienced or witnessed harassment or bullying, he or she is to notify his or her immediate supervisor, the Pastor, or, in the alternative, the Office of the Bishop where the report will be given to the Bishop's Delegate for such matters.

- (5) **The Diocese forbids retaliation against anyone for reporting harassment or bullying, assisting in making such a complaint, or for cooperating in an investigation of alleged harassment or bullying.**
- (6) It is the policy of the diocese, parishes, and schools to investigate all complaints of harassment, discrimination, or bullying thoroughly and promptly. If an investigation confirms that a violation of the foregoing provisions of this *Code of Pastoral Conduct* has occurred, corrective action will be taken, including discipline, up to and including immediate termination of employment or removal from ministry.

F. Social Media Usage

Church Workers who participate in online social media will do so responsibly, avoiding conduct that could compromise their role with the Church.

- (1) Church Workers who participate in social media must always be aware that public conduct in any such forum may be open and public. Any communication or conduct that is obscene, harassing, bullying, offensive, derogatory, or defamatory, can discredit, embarrass, or be a source of scandal for the diocese, parishes, schools, and affiliated organizations. Similarly, Church Workers should never disclose confidential material acquired in the course of their work.
- (2) Church Workers must be ethical and responsible participants in social media. Any conduct in violation of this policy will result in corrective action, including discipline, up to and including immediate termination of employment or removal from ministry.
- (3) Staff employed within the Diocese of Sacramento are subject to more detailed provisions contained in the Lay Personnel Handbook, and they should consult that document for additional details.

G. Conflicts of Interest

Church Workers will avoid situations that might create a conflict of interest.

- (1) A conflict of interest occurs when Church Workers use or attempt to use their positions for personal gain or in a manner detrimental or disruptive to the interests or mission of the Church. It is a conflict of interest, for example, for Church Workers to engage in independent business activity in a manner that exploits (or appears to exploit) their status as religious/pastoral ministers at the expense of individuals served by ministry.
- (2) Church Workers will avoid conflicts of interest. Church Workers who engage in independent business will disclose those facts to individuals to whom they minister,

prior to engaging in any business dealings with those individuals, and Church Workers will not take advantage of anyone they serve.

- (3) Conflicts of interest may also arise when a Pastoral Counselor's or Spiritual Director's independent judgment is impaired by prior dealings with a client, personal involvement, or taking sides to advocate for one (person) against another. If such circumstances arise, the Pastoral Counselor or Spiritual Director will advise the parties that he or she can no longer provide services and refer them to another Pastoral Counselor or Spiritual Director.

H. Reporting Ethical or Professional Misconduct, or Criminal Activity

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

- (1) Church Workers must hold each other accountable for maintaining the highest ethical and professional standards. When there is a clear indication of criminal activity by other Church Workers, each individual has an obligation to notify his or her immediate supervisor, the Pastor, or, in the alternative, the Office of the Bishop, and to notify the proper civil authorities immediately.
- (2) When an uncertainty exists about whether a situation or course of conduct violates this *Code of Pastoral Conduct* or other religious, moral, or ethical principles, Church Workers should consult with his or her immediate supervisor, the Pastor, or, in the alternative, the Office of the Bishop.
- (3) When it appears that a member of clergy, a staff member, or a volunteer has violated this *Code of Pastoral Conduct* or other religious, moral, or ethical principles, Church Workers will report the issue to his or her immediate supervisor, the Pastor, or, in the alternative, the Office of the Bishop.
- (4) A knowing and intentional failure to make a report required by this policy shall itself constitute a violation of the policy and be grounds for discipline, up to and including immediate termination of employment or removal from ministry.

I. Administration

Church Workers will acknowledge receipt of this Code of Conduct, and complete background checks and additional safe environment training.

- (1) Personnel and other administrative decisions made by Church Workers will meet civil and canon law obligations, will comply with this *Code of Pastoral Conduct*, and will comply with any relevant provisions in the Lay Personnel Handbook.
- (2) Staff employed within the Diocese of Sacramento will receive a copy of this *Code of Pastoral Conduct* and sign an acknowledgment of receipt.

- (3) Volunteers working in a ministry with minors within the diocese will receive copies of this *Code of Pastoral Conduct*, the *Sexual Misconduct Policy*, and the *Guidelines for Adults working with Children*, and sign an acknowledgement of receipt of those documents.
- (4) Staff and volunteers working with minors are required to submit to a background check prior to engaging in their ministry, employment, or volunteer work. In addition, every person working with minors must complete a designated Child Abuse Recognition and Reporting training authorized by the diocesan Safe Environment Office. This training must be renewed every 3 years, for as long as the individual continues working with minors.
- (5) Volunteers working in ministries that do not serve minors will receive printed copies of the *Code of Pastoral Conduct* and the *Sexual Misconduct Policy*, and sign an acknowledgement of receipt of those documents.
- (6) This policy shall be available to the general public by way of the diocesan website.

J. Church Workers: Personal Well-being

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

- (1) Church Workers will be aware of warning signs that indicate potential problems with their own spiritual, physical, mental, and/or emotional health.
- (2) Church Workers will seek help immediately whenever they notice behavioral or emotional warning signs in their own professional and/or personal lives.
- (3) Church Workers must address their own spiritual needs. Support from a Spiritual Director is highly recommended.
- (4) Inappropriate or illegal use of alcohol and drugs in a manner that in any way impacts the ministry of Church Workers is prohibited.