



Policies on Ethics and Integrity in Ministry Catholic Diocese of Austin

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Catholic Diocese of Austin

P.O. Box 13327
Austin, TX 78711

August 1, 2008

Dear Sisters and Brothers in Christ:

In the summer of 2001, the Catholic Diocese of Austin inaugurated a groundbreaking program called *Ethics and Integrity in Ministry*. Our program was not a response to the national scandals which began to surface over the course of the following year: it was borne out of recognition that the Church must first be a protector of all God's children. The image of Jesus saying to his apostles "Let the children come to me" (Matthew 19:14) is a powerful one that should be echoed in all that we do for the Church.

At our baptism we are each called to serve, using those gifts we have been given by God. To share in the ministry of Christ is a great privilege as well as a profound responsibility. The joy in sharing in the mission of Jesus' work here on earth is tempered by the responsibility to act in such a way that conforms to the attitudes and actions of Christ. For us to accomplish this faithfully requires prayerful reflection and understanding of our purpose in service to the people of God. In all our actions we must always exemplify Jesus' deep, abiding respect for each human being. Our diocesan *Ethics and Integrity in Ministry* program provides guidelines and information to so.

Ethics and Integrity in Ministry is an education and screening program required of all individuals in the Catholic Diocese of Austin (paid and volunteer) that serve our youth and those adults considered vulnerable due to age or some incapacity. The program requires your completion of two parts: the submission of an "Application for Ministry" which includes your permission for the diocese to complete a background check, and your attendance at an Ethics and Integrity in Ministry workshop. At the workshop you will watch a program titled Called to Protect, participate in discussions related to the program you view and review this book entitled Policies on Ethics and Integrity in Ministry. At the end you will sign a document stating you agree to abide by the policies explained herein.

As you participate in this process, you join more than 30,000 members of our Diocese who have already done so. I am sincerely grateful for the generous ways in which you offer your time and gifts to the service of God's people as we strive to foster God's Kingdom among us in Central Texas. It is through the efforts and collaboration of priests, religious, deacons, lay those who ministers and volunteers that we are able to serve those who are entrusted to us and to lead them in the ways of faith.

Wishing you God's blessings and with gratitude for your leadership, I remain

Gratefully in Christ,

A handwritten signature in black ink, appearing to read "G. Aymond".

Most Reverend Gregory M. Aymond
Bishop of Austin

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Please consult the Vicar General or the Coordinator of Pastoral Care with questions about the applicability of The Policies on Ethics and Integrity in Ministry (EIM).

La traducción al español de este documento se encuentra disponible
en la página de internet www.austindiocese.org

I. General Definitions

A. Church personnel

For the purposes of these Policies on Ethics and Integrity in Ministry (the “Policies”), issued by the Catholic Diocese of Austin, a Texas non-profit corporation (the “Catholic Diocese of Austin”) the following are included in the definition of Church personnel:

1. Priests and Deacons (Clerics)
 - a. Clerics incardinated in the Catholic Diocese of Austin (the “Diocese”).
 - b. Clerics who are members of religious institutes or in other forms of consecrated life, and who are assigned to pastoral work in the Diocese 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 Diocese, whether seeking incardination within the Diocese or not.
 - d. Clerics who are otherwise legitimately residing within the territory of the Diocese, 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 Essential Norms for Clergy.
2. Seminarians and Religious
 - a. All seminarians legitimately enrolled in the seminary program of the Diocese.
 - b. Those who are enrolled in the permanent diaconate formation program.
 - c. Members of religious institutes, societies of apostolic life and secular orders and movements engaged in the care of souls, the public exercise of divine worship, and other works of the apostolate (c. 678), operating in the Diocese and/or the parishes, schools or Catholic agencies in the Diocese.
 - d. Hermits and consecrated virgins legitimately residing within the Diocese.
3. The Lay Faithful
 - a. All paid personnel of, and those who contract (or sub-contract) their services to, the Diocese and/or the parishes, schools or other Catholic agencies in the Diocese.
 - b. All volunteers of the Diocese and/or the parishes, schools or other Catholic agencies in the Diocese.

The use of “Church personnel”, “those who serve” or “minister”, “individual“ and related terms found throughout this document refer to both paid staff and volunteers unless specifically indicated.

“**EIM**” is the acronym used in these policies to refer to Ethics and Integrity in Ministry.

B. Minor

For the purpose of these policies, a minor is defined as:

1. Any person under the age of 18.
2. Any adult who would be considered uniquely vulnerable to abuse because of physical or mental disability that substantially impairs the person's ability to provide adequately for their own care or protection.

C. Types of Misconduct

For the purpose of these policies, misconduct includes the behaviors 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.
2. Harassment: The illegitimate and offensive use of power where the purpose or the effect is to create a hostile, intimidating, or offensive work environment.
3. Exploitation: Taking advantage of a pastoral care or spiritual direction relationship for the benefit of the service provider.
4. Breach of Confidentiality: The improper disclosure of information shared during the course of pastoral care or spiritual direction.
5. Conflict of Interest: The taking advantage of a pastoral care or spiritual direction relationship in order to benefit or further the interests of the service provider.
6. Abuse of minors: The definition of abuse of minors is defined in Section VI.A. and in the Supplemental Norms for Clergy.

II. 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 Catholic Diocese of Austin. All those that serve in the Diocese are asked to carefully consider each standard in the Code and within the Policies before agreeing to adhere to the standards and continue in service to the Diocese.

All individuals who serve in the Diocese of Austin shall:

- exhibit the highest Christian ethical standards and personal integrity.
- conduct themselves in a moral manner that is consistent with the discipline, norms and teachings of the Catholic Church.
- provide a professional work environment that is free from harassment.
- not take advantage of a counseling, supervisory or authoritative relationship for their own benefit.
- not act in an abusive or neglectful manner.
- share concerns about suspicious or inappropriate behavior with their pastor, their principal, the Vicar General, the Superintendent of Schools or Bishop Gregory Aymond.
- adhere to the requirements of the law of the State of Texas regarding the reporting of any suspected abuse of a minor.
- accept their personal responsibility in the protection of minors from all forms of abuse.
- follow the policies on Ethics and Integrity in Ministry.

All individuals required to attend an EIM workshop (as part of the *Ethics and Integrity in Ministry* process) will sign a copy of the “Code of Ethics” as verification of workshop attendance and acknowledgement of receipt of the Policies on Ethics and Integrity in Ministry; which will be used to record workshop attendance in the electronic database (eAppsDB). A hard copy will be kept on file.

III. Guidelines for Ethical Behavior

A. Definitions

1. Ethical behavior is behavior that is consistent with the morals and teachings of the Catholic Church. It is fundamental to the mission of the Diocese that all who serve in ministry exhibit the highest ethical standards and personal integrity. The purpose of these policies is to insure that all follow the ethical standards of the Catholic Church.
2. Immoral conduct is conduct 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.
3. 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. Prevention of Immoral Conduct

1. Those that serve in the Diocese enjoy a public trust and confidence. It is essential then that they view their own actions and intentions objectively to assure that no observer would have grounds to believe that irregularity in conduct exists. They have a responsibility to strive to uphold the standards of the Catholic Church in their day-to-day work and personal lives.
2. Individuals that serve in the Diocese of Austin are prohibited from engaging in the following conduct:
 - a. Immoral conduct.
 - b. Actions which 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, flagrant 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. Additionally, those that serve in the Diocese 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. Guidelines for Integrity in Ministry

A. Definitions

1. Integrity is characterized by honesty, soundness of judgment and sincerity of manner. Those that minister in the Diocese should expect a work environment that maintains a high standard of integrity and is free from harassment.
2. Harassment is an illegitimate and offensive use of power where the purpose or the effect is to create a hostile, intimidating or offensive work environment.
3. Harassment encompasses a broad range of physical, psychological, written, or verbal behavior that includes, but is not limited to, the following:
 - Physical or mental abuse;
 - Racial insults;
 - Derogatory ethnic slurs;
 - Demeaning a person based on gender;
 - Sexual comments or sexual jokes;
 - Unwelcome sexual advances or touching;
 - Requests for sexual favors as a condition of employment, or to affect other personnel decisions, such as promotion or compensation;
 - Display of offensive materials;
 - Intimidation.
4. Harassment may be severe and/or pervasive.
 - Severe conduct is sufficient to alter a workplace environment even though it may occur only once.
 - Pervasive conduct is a persistent pattern of harassment.

B. Prevention of Harassment

Those that serve in the Diocese shall not engage in harassment and shall not tolerate harassment by those with whom they work.

V. Guidelines for Pastoral Care and Spiritual Direction

A. Definitions

1. Pastoral care is a ministry of care and compassionate presence where the provider offers emotional support and family education to individuals and families, and connects these individuals and families with community mental health and counseling resources as needed.
2. Spiritual directions is a ministry of “holy listening” where the spiritual director serves as a companion to help an individual listen and look at the action of the Holy Spirit in their lives, and helps them to listen to God speaking to their own heart.. It is a ministry by which one person helps another in practice of the spiritual life. (Please refer to The Ministry of Spiritual Direction in the Diocese of Austin, April 2008)
3. Exploitation occurs when the provider of pastoral care or spiritual direction takes advantage of the relationship for his/her own benefit.
4. Sexual exploitation is sexual contact between the both parties in a pastoral care or spiritual direction relationship, regardless of who initiates the contact.
5. Sexual intimacies are consensual sexual physical contact; forced (non-consensual) sexual physical contact or sexually explicit conversations not related to pastoral care issues or spiritual direction.
6. A breach of confidentiality occurs when information disclosed during the course of pastoral care or spiritual direction is improperly revealed.
7. A conflict of interest occurs when a provider of pastoral care or spiritual direction takes advantage of the relationship in order to further his or her own interest.

B. Prevention of Exploitation

Those engaged in pastoral care or spiritual direction shall work within their limitations and competencies and shall refer people to professionals when appropriate. They shall also:

- a. Set and maintain clear and appropriate boundaries.
- b. Be judicious in use of physical contact which should always be respectful and consistent with the intent to provide a safe and comfortable environment.
- c. Conduct pastoral care and spiritual direction in appropriate settings at appropriate times; and sessions should not be held at places or times that would cause confusion about the nature of the relationship for the person being served and others.

Furthermore, they shall not:

- a. Engage in exploitation, sexual exploitation, or sexual intimacies with the persons they serve.
- b. Engage in situations or conduct that can give the appearance of exploitation, sexual exploitation, or sexual intimacies.

C. Importance of Confidentiality

1. Information disclosed during the course of pastoral care or spiritual direction shall be held in the strictest confidence possible, with due regard for the norm of civil or canon law.

2. The nature of confidentiality, including its limitations, should be discussed with each person who seeks pastoral care or spiritual direction.
3. If, during the course of work with a minor, it is discovered 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 minor's health and well-being, then only information necessary to protect the health and well-being of the minor should be disclosed.
4. 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 both while the penitent is living and, if applicable, after he or she has died.
5. With the exception of knowledge gained in the Sacrament of Penance, knowledge that arises from ministerial contact 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.

D. Conflicts of Interest

1. Those that serve in the Diocese shall not engage in 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, all concerned parties should be informed. Resolution of the issues must protect the person being served.
3. Clear, appropriate boundaries regarding business, professional, and social relationships must be established and maintained to avoid conflicts of interest.

VI. Guidelines for Work or Service with Minors

A. Definitions

1. Work or service with minors includes any ministry that serves youth or vulnerable adults in any manner or which functions where minors are typically present. This includes, but is not limited to: Religious Education, Youth Ministry, Catholic schools, Homebound/Hospital Ministry, parish organizations that may serve youth (Ladies/Men's Clubs, Knights of Columbus, Knights of Peter Claver, Serra Club/Vocations Ministry, etc), Society of St Vincent de Paul, parish/school sponsored Scout groups, liturgical ministries (Hospitality, Extraordinary Ministers of Holy Communion, Lectors, etc). Additional ministries/ organizations may be designated by a pastor or principal; such information should be communicated to the Office of Ethics and Integrity in Ministry.
2. Abuse includes physical abuse, sexual abuse and 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 any activity which is meant to arouse or gratify the sexual desires of the adult.
5. 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.
6. Neglect is the failure to provide for a minor's basic needs or the failure to protect a minor from harm.

B. Screening of Those Who Work or Serve in Ministry with Minors

1. Without exception, all applicants for paid positions in the Diocese, and all applicants for volunteer positions that involve work or service in ministries with minors, must complete the **Catholic Diocese of Austin Application for Ministry** which includes a release of information to conduct a criminal background check (go to www.austindiocese.org to complete the application on-line or print a hard copy to complete). **A criminal records check** for the State of Texas, or any other US state where the applicant has resided during the past five years, shall be conducted prior to employment or volunteer work.

The application should be submitted to the Diocese (and the background check completed) prior to EIM workshop attendance, or as soon as possible after attendance. **All three (3) requirements** of the *Ethics & Integrity in Ministry* process (the "EIM process") – application, background check and EIM training workshop – **must be completed** before anyone may begin work with minors.

2. Additionally, Pastors may determine that those in any parish leadership position (ie ministry and organization leaders and Pastoral, Finance and Stewardship Council members) should be in compliance with these diocesan EIM policies as a symbol of leadership within the parish. If this is the case, this should be documented at the parish and the EIM office notified in order to support parish policy.
3. Additional screening procedures, such as reference checks and face-to-face interviews, are recommended for new applicants.

4. Applicants should be registered members of the parish/school community for at least six months prior to beginning work or service in ministry with minors. Exceptions may be made by the pastor or principal.
5. Applicants who transfer to a parish or school in the Diocese **from another diocese** must complete the application and have a background check completed. Attendance of a workshop in another diocese may or may not meet the requirements of the Diocese. The six-month wait does apply to these transfers. Exceptions may be made by the pastor or principal.
6. A minister who transfers from one parish or school **within the Diocese** to another within the Diocese may add the new site into their record in the eApps database. The six-month wait will not apply to these transfers.
7. A minister that **changes employment status**, position or location (ie. volunteer to employee, parish to school, etc) is required to complete the Application Update section of the Application for Ministry.
8. Criminal records are automatically rechecked every three years through the eAppsDB system. Parish, school and organization EIM administrators verify the status of individuals at each site prior to rechecks.

C. Training of Those Who Work or Serve in Ministry with Minors

1. ALL applicants shall participate in an Ethics and Integrity in Ministry abuse prevention training workshop within 60 days of completing the Application for Ministry.
2. The EIM workshop includes:
 - Viewing the video series named Called to Protect that educates about sexual abuse and ways to prevent it;
 - Discussions of the videos and opportunities to take notes in workbooks participants keep;
 - A review of the Catholic Diocese of Austin's Policies on Ethics and Integrity in Ministry; and
 - Signing the "Code of Ethics". This document is proof of workshop attendance and the participant's commitment to comply with the Code of Ethics and the Policies of the Diocese (see Appendix A for an example).

The EIM training workshop should be attended within sixty (60) days of application and background check completion. The entire EIM process (application, background check, training workshop) **shall be completed** before any individual may work with minors.

3. Any minor that a parish/parent chooses to place in an adult-type supervisory position (against diocesan recommendation – see VI G 2) shall complete the entire EIM process, including the *Protecting God's Children* workshop. A background check will not be run until the applicant reaches 18 years of age.
4. Volunteers who work or serve in ministry with minors, and all employees of the Diocese (ie parish, school, agency or Diocesan office), shall attend an EIM workshop every three years.

D. Supervision of Programs that Involve Minors

1. Parents have a right to observe programs and activities 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 are required to complete the EIM process.
2. 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 diocesan policies.
3. Ministers in leadership roles shall be aware of all programs for minors that are sponsored by their parish or school. A list of these programs shall be maintained in the central office and include activities, purpose, sponsors or coordinators of the programs, membership, meeting times and locations. Leaders shall examine these programs and consider whether they have adequate supervision.
4. All new programs for minors must be approved in writing by the pastor or principal.
5. At least one individual supervising any event involving minors must be 21+ years of age.
6. Programs for minors shall be supervised by at least two adults. [In the classroom setting there shall be at least one EIM compliant adult, and one other EIM compliant adult supervising on premises.] There shall be at least one chaperone for every four to six elementary school-aged (or younger) children, one chaperone for every six middle school-aged participants and one chaperone for every eight high school-aged participants.
7. The following standards shall be observed by those involved in the transportation of minors for church ministry:
 - Those 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 Vicar General.
 - Minors should be transported directly to and from their destination. No stops should be made unless approved by the director of the program.
 - Unnecessary or inappropriate physical contact with minors while in vehicles is prohibited.
8. The following standards shall be observed when engaged in offsite church ministry with minors:
 - Changing and showering facilities for adults must be separate from those for minors.
 - Sleeping arrangements for adults must be separate from those for minors.
9. Minors may be released only to parents, legal guardians, or other persons designated by parents or legal guardians at the close of services or activities. When there is a question about the propriety of releasing a minor, the immediate supervisor should be contacted before releasing the child.
10. Uncontrollable or unusual behavior of minors should be reported immediately to parents.

E. Standards for Interactions with Minors

The following are standards regarding interactions with minors in Church sponsored programs. They are not necessarily designed or intended to address interactions within families.

1. Appropriate contact between adults and minors constitutes a positive part of Church life and ministry. The following forms of contact with minors are regarded as appropriate examples for most Church programs:
 - Hugs.
 - Pats on the shoulder or back.
 - Hand-shakes.
 - “High-fives” and hand slapping.
 - Verbal praise.
 - Touching hands, faces, heads, 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.

2. Some forms of physical contact have been used by adults to initiate inappropriate interactions with minors. In order to maintain the safest possible environment for minors, the following are examples of contact with minors that are **not** to be used in Church programs:
 - Inappropriate 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 on a 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.

F. Prohibited Behaviors

1. The use of physical discipline in any way for behavior management of minors is prohibited. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force.
2. Abuse and neglect of minors are contrary to the teachings of the Church and are prohibited. Those that serve in the Diocese have a responsibility to protect minors from all forms of abuse and/or neglect and are prohibited from:
 - speaking to minors in a way that is harsh, threatening, intimidating, shaming, derogatory, demeaning, or humiliating;
 - swearing at a minor;
 - physically abusing a minor;
 - sexually abusing a minor;
 - neglecting a minor;
 - encouraging a minor to violate the law;
 - offering alcohol or illegal drugs to a minor;
 - offering pornography to a minor;
3. Furthermore, when in the presence of minors, those that serve in the Diocese are prohibited from:
 - swearing or using vulgar language;
 - using, possessing or being under the influence of alcohol or illegal drugs;
 - discussing their own sexual activities;
 - possessing or displaying sexually oriented or morally inappropriate printed or electronic materials (e.g. magazines, cards, videos, films, clothing, internet sites, etc.);
 - 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.);
 - undressing or being nude;
 - taking a shower;
 - sleeping in the same bed, sleeping bag or tent with a minor, unless the adult is an immediate family member of the minor.

G. Guidelines for Use of Emerging Communication Technologies

1. The use of electronic contact between minors and adults serving in ministry with minors is permitted for legitimate school- and church-sponsored purposes. To ensure adequate monitoring of such contacts, emails sent to minors should be copied to parents or guardians, phone calls should be made to a family home number, etc. Minors should be advised to contact adult leaders via a parish- or school-related email address or phone number and adult leaders should not "chat" with or "text" minors whom they serve for social purposes.
2. Legitimate school- and church-sponsored uses of social networking sites should include the involvement of more than one adult on the site. Social networking sites may not be used for socializing between adult leaders and minors.

H. Guidelines for Minors Serving in Ministry

1. Participation in a Called to Protect for YouthTM program.
 - a. The Catholic Church and our Bishop strongly believe that the parent(s) is the first teacher of the faith to their own child(ren), including issues related to abuse and abuse prevention. In support of these efforts, the Diocese has selected and promotes a developmentally appropriate program for our youth to help them learn the basic concepts of personal safety in regards to sexual abuse. The Called to Protect for Youth (CTPY) program also provides a supplement given to parents to guide additional discussion about the topic within the family.
 - b. Called to Protect for Youth is an abuse prevention program intended to educate our youth about boundaries, how those boundaries might be violated and what to do if they are violated. CTPY **is not** a human sexuality education program.
 - c. The Diocese is required to provide abuse prevention training to the youth of the Diocese by the *Charter for the Protection of Youth and Young People* (Article 12) and is audited on this requirement annually by agents of the United States Conference of Catholic Bishops.
 - d. Each parish and Catholic school in the Diocese shall conduct a Called to Protect for Youth workshop each year for students in 6th grade, 9th grade and any other grades as directed by the Diocese in the future. Parents may view the program in advance. Those that decide to not allow their child to attend a CTPY program may sign an opt-out waiver.
2. Additional guidelines for minors in work or service to other minors.
 - a. The opportunity for youth to serve in a volunteer capacity within their parish or school is an important part of their Catholic education and a foundation for the beginning of a life of Catholic Stewardship. When parishes provide opportunities for young people to share their time and talent in supervised ministerial settings as “helpers”, it is strongly recommended that minors serving in this capacity attend the Called to Protect for Youth program.
 - b. The Diocese strongly recommends against placing minors in any supervisory-type position generally reserved for adults.
 - i. Minors under 15 yrs old may never serve in an adult-type supervisory position.
 - ii. Any minor aged 15-17 that a parish and parent chooses to place in an adult-type supervisory position, in service to other minors, shall complete the entire EIM process.
3. Minors may not be counted in supervision ratios (see VI D 6).

VII. Response to Allegations, Incidents or Concerns of Misconduct

A. Reporting to Authorities the *Abuse of Minors*

1. In accordance with Texas law, any citizen who has cause to believe a minor may have been or is being abused, as defined by Texas Family Code, is required to report his or her suspicions to the Texas Department of Family and Protective Services (TDFPS) or local civil authorities (police). To report child or elder abuse, TDFPS maintains a 24-hour abuse hotline at 1-800-252-5400; or a report may be made on their web site at www.dfps.state.tx.us. The Confidential Notice of Concern form (See Appendix B) shall be used to maintain documentation of the report.
2. Suspected or known abuse of a minor that may involve an individual working in service to the Diocese should be reported to any of the following:
 - a. Their immediate supervisor;
 - b. The pastor of the parish or principal of the school;
 - c. A designated representative of the Diocese (Contact information is on page 3 of these policies); or
 - d. One may submit an anonymous, specific and verifiable letter to the Bishop of Austin at P.O. Box 13327, Austin, TX 78711.
3. Reports of suspected or known abuse may be made confidentially, unless otherwise required to be disclosed by canon law or State of Texas law.
4. The Diocese will cooperate fully with investigations by all civil authorities.

B. Reporting to the Diocese on *Policy Violations with Minors or Immoral Conduct, Harassment, Exploitation, Breach of Confidentiality or Conflict of Interest*

1. Anyone who observes a violation of the Ethics and Integrity in Ministry policies of the Diocese (ie inappropriate interactions with minors or other actions that may constitute immoral conduct, harassment, exploitation, breach of confidentiality or conflict of interest) shall be reported to one of the following:
 - a. The immediate supervisor;
 - b. The pastor of the parish or principal of the school;
 - c. A designated representative of the Diocese (Contact information is on page 3 of these policies); or
 - d. One may submit an anonymous, specific and verifiable letter to the Bishop of Austin at P.O. Box 13327, Austin, TX 78711.
2. If there is also indication of illegal action, the individual shall notify the police or other civil authorities immediately.

C. Investigating and Documenting Reports of Misconduct

1. When allegations, incidents or concerns of misconduct are reported to a pastor, principal or agency supervisor, he or she shall:
 - a. Gather additional information about the nature of the concern and contact the Vicar General, Superintendent or EIM Coordinator for consultation; and
 - b. Temporarily remove the individual that is the subject of the investigation from Church responsibilities.
 - c. If abuse of a minor is confirmed through a diocesan investigation, the Texas Department of Family and Protective Services or the police shall be contacted.
2. When allegations, incidents or concerns of misconduct are reported to the Superintendent of Schools, Vicar General or EIM Coordinator, he or she may:
 - a. Use the information gathered to begin an investigation or defer back to the pastor, principal, or agency supervisor, depending on the nature of the incident;
 - b. Refer the incident to an agent of the Diocese or an independent investigator for further investigation;
 - c. Consult with the appropriate diocesan professionals regarding specifics of the incident (ie Human Resources, Chancellor, Bishop);
 - d. Report findings and conclusions to the pastor, principal or agency supervisor.
 - e. If abuse of a minor is suspected through a diocesan investigation, the Texas Department of Family and Protective Services and/or the police shall be contacted.
3. A Confidential Notice of Concern (see Appendix B) shall be completed for any allegation, incident or concerns of misconduct and given to the pastor, principal, agency supervisor, Vicar General or Superintendent as appropriate.
4. Parish, school and diocesan investigations shall be documented. Documentation of investigations will be stored in the personnel file (or an "Incident File" in the case of a parish or school volunteer) of the individual that is the subject of the investigation, and forwarded to the Vicar General, Superintendent or EIM Coordinator as appropriate.

D. Discipline Procedures

1. The Standard of Review for decisions regarding discipline following investigations of allegations, incidents or concerns of misconduct, is held at the absolute discretion of the decider (typically the pastor, principal, Vicar General, Superintendent or Bishop).
2. Procedures for discipline of clergy will be consistent with these policies and the appropriate norms of canon law defined in the Essential Norms for Clergy.
3. When the conduct of an individual serving in the Diocese does not meet the standards of the Policies on Ethics and Integrity in Ministry, it is the responsibility of the supervisor to address

the problem(s) in a timely and equitable manner. The procedure may include any of the following discipline options: a) Counseling, b) Formal Warning, c) Probation, d) Suspension or Revocation of Rights to Serve in Ministry and e) Termination. The supervisor may move to any option in the discipline procedures at any time.

- a. Counseling. Many conduct deficiencies are identifiable and can be addressed and resolved through informal counseling. Effective counseling must be presented to the individual in written form and should include the following:
 - Clear identification of the problem with specific examples.
 - A mutually agreed upon action plan to resolve the problem.
 - b. Formal Warning. A formal warning meeting may be initiated when 1) counseling fails to resolve the problem, or 2) the problem is of such a nature that immediate and formal resolution is required.
 - A Discipline Procedure Document is completed by the supervisor.
 - A formal warning meeting initiated by the supervisor shall follow the format provided in the Discipline Procedure Document.
 - Both parties shall sign the Discipline Procedure Document.
 - c. Probation. Probation may be initiated when a warning process has not succeeded or when the misconduct is such that a second infraction would clearly warrant termination. Effective counseling may include the following:
 - The probation process consists of the same elements as the formal warning process with an emphasis on the fact that failure to meet the conditions of the probation may result in termination if significant improvement is not demonstrated consistently in the probation period (typically 6 months).
 - At the successful conclusion of probation, the individual should be notified in writing that he or she is no longer on a probationary status.
 - d. Suspension or revocation of rights to serve in a ministry. This option may be administered at the sole discretion of the pastor, principal, Vicar General, Superintendent or Bishop at any point in the Discipline Procedure.
 - e. Termination. Termination may be administered when there is failure to improve conduct previously addressed through counseling, formal warning or probation; or at the sole discretion of the pastor, principal, Vicar General, Superintendent or Bishop at any point in the Discipline Procedure.
 - If an infraction of these policies with regard to the abuse of a minor is confirmed, the individual is subject to termination.
 - 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 will govern the preliminary investigation and any subsequent actions or processes.
4. In the case of a volunteer, options a and b may be used as the situation warrants, but the volunteer may be removed from ministry at any time at the discretion of the supervisor in consultation with the pastor, principal or agency supervisor.
 5. Individuals in the formal disciplinary process are ineligible for transfers within the diocese if their work is with minors or vulnerable adults

6. All counseling and discipline procedure communications shall be documented using the Confidential Note of Concern (see Appendix B), the Discipline Procedure Document or both.
7. Documentation of all discipline procedure communications and documents shall be stored in the personnel file (or an “Incident File” in the case of a parish or school volunteer) of the individual that is the subject of the investigation, and forwarded to the Vicar General, Superintendent or EIM Coordinator as appropriate.
8. The EIM Coordinator will be notified of the outcome and will make the appropriate notations in the eApps database to maintain clear communication in the event that the individual moves to another location within the Diocese.

REPORTING PROCESS

Type of Report	Report to Whom	Who Gathers Information for the Diocese
Immoral Conduct, Harassment, Exploitation, Breach of Confidentiality, Conflict of Interest	Program supervisor, pastor, principal, Vicar General, Superintendent or a designated representative of the Diocese	Pastor, principal, agency supervisor, Vicar General, Superintendent, an agent of the Diocese or an independent investigator
Suspicious or Inappropriate Behavior with a Minor	Police, TX Department of Family & Protective Services, the program supervisor, pastor, principal, Vicar General, Superintendent or a designated representative of the Diocese	Pastor, principal, agency supervisor, Vicar General, Superintendent, an agent of the Diocese or an independent investigator
Abuse of a Minor	Police or TX Department of Family & Protective Services and the program supervisor, pastor, principal, Vicar General, Superintendent, Bishop of Austin or a designated representative of the Diocese	Pastor, principal, agency supervisor, Vicar General, Superintendent, an agent of the Diocese or an independent investigator
Any Report of Misconduct by a priest, deacon, religious or principal	Police, TX Department of Family & Protective Services, pastor, principal, Vicar General, Superintendent, Bishop of Austin or a designated representative of the Diocese	Vicar General, Superintendent, Bishop of Austin, an agent of the Diocese or an independent investigator
Other EIM Policy Violations	Program supervisor, pastor, principal, or the EIM office	Pastor, principal, agency supervisor, EIM office, an agent of the Diocese or an independent investigator

***Program supervisors include parish DREs, Youth Ministers, ministry leaders. Agency supervisors are those that head Catholic agencies in the Diocese.

***Individuals making a report should not gather information or investigate on their own; they should, however, complete a Confidential Notice of Concern to submit to the appropriate person listed above.

***Verifiable reports may be made confidentially to both civil authorities and diocesan representatives.

***A report may always be made to the Vicar General, Superintendent of Schools, Office of Ethics and Integrity in Ministry or to the Bishop directly (contact information is on pg 3 of these policies).

VIII. The Pastoral Response to Reported Misconduct in Ministry

A. The Pastoral Response

The Diocese shall respond to all allegations, incidents or concerns related to violations of the Policies on Ethics and Integrity in Ministry.

B. Care of the Reporting Individual(s)

1. The Diocese shall inform individuals impacted by reported misconduct that it is responding to the allegation.
2. The Diocese may offer counseling services to individuals impacted by reported misconduct. This assistance for an individual will vary with the facts and/or circumstances of each allegation.

C. Care of the Accused

1. The accused shall be informed of an allegation and of any disciplinary action taken.
2. The rights of the accused shall be taken into consideration throughout the investigation process. Every effort will be made to protect the interests of an individual who may be falsely accused.
3. During investigations of allegations, the accused may be removed from contact with involved parties to ensure the integrity of the investigation and the safety of all during the information-gathering process. This action should in no way be interpreted as a presumption of guilt. The accused may resume his or her position, at the sole discretion of the Bishop, upon completion of the investigation.
4. In the event that allegations are founded and the accused is not permitted to resume ministry within the Diocese, the Diocese may offer pastoral care. Any allegation of misconduct involving a priest or deacon shall be investigated in accord with the Essential Norms for Clergy. The bishop, in reaching final decisions, shall be guided by the appropriate norms of canon law.

D. Care of the Affected Community

1. Information about an allegation which affects a parish, school or other diocesan agency shall be shared in a pastorally appropriate manner, while respecting the privacy and confidentiality of all individuals involved and any applicable civil and canon laws.
2. The Diocese may provide pastoral care to the members of the affected parish, school or other diocesan agency.

E. Role of the Coordinator of Pastoral Care

1. The Coordinator of Pastoral Care shall be responsible to the Bishop.
2. The Coordinator of Pastoral Care may collaborate with the Review Board and the Bishop in providing responses to any allegations of violations of the Policies on Ethics and Integrity in Ministry.

3. The Coordinator of Pastoral Care shall aid in the pastoral care for all individuals involved, and arrange for counseling with qualified individuals if deemed appropriate.

F. Role of the diocesan Ethics and Integrity in Ministry Review Board

1. The Review Board shall assist the Bishop as a confidential, consultative body in addressing allegations of violations of the Policies on Ethics and Integrity in Ministry policies and in promoting the Policies on Ethics and Integrity in Ministry.
2. The Bishop may seek a recommendation from the Review Board concerning an individual's fitness for service.
3. The Review Board may offer advice on all aspects of cases. The board may offer advice retrospectively and prospectively on these matters.
4. The involvement of the Review Board as a consultative body to the Bishop shall be communicated to all individuals involved in reported misconduct.
5. The Review Board shall review the Policies on Ethics and Integrity in Ministry and accompanying procedures at least every three years. Recommendations for changes shall be presented to the Bishop for approval.
6. The Bishop shall appoint members to the Review Board at his discretion.
7. The Review Board shall include representation from the following groups: the clergy, professions of the social sciences, the legal profession and laity, preferably parents. At least five members shall be Catholics in full communion with the Church. Membership is voluntary and there is no compensation.
8. The identity of Review Board members shall not be publicized. All discussions regarding allegations and instances of abuse are strictly confidential.
9. Review Board members shall follow the same screening and training requirements as all others that work or serve in ministry with minors. Additionally, each member shall sign a confidentiality statement.

G. Role of the diocesan Office of Ethics and Integrity in Ministry (EIM)

1. The Office of Ethics and Integrity in Ministry shall provide information to those who work or serve in ministry to minors, and the public, that will increase the awareness and understanding of the need for ethics and integrity in ministry, especially in regard to the prevention, identification and treatment of child abuse and neglect.
2. The Office of Ethics and Integrity in Ministry shall provide information and support to parishes, schools and diocesan offices with education programs, a diocesan Web-based system for criminal record checks, and ongoing implementation of the Policies on Ethics and Integrity in Ministry.

H. Role of the diocesan Communications Office

1. The Director of the Communications Office shall be responsible for coordinating all contacts with the media. The staff of an affected faith community shall be made aware of the requirement to direct all media inquiries to the director of the Communications Office, and be provided with essential contact information for the director (mobile phone number, home phone number, etc.). The staff shall also contact the Communications director if they receive any media inquiries, to facilitate communication between the Diocese and the media. Media personnel shall always be given professional courtesy and receive a response from the diocesan Communications Office.

*These policies were developed by the Catholic Diocese of Austin
in consultation with the Ethics and Integrity in Ministry Review Board.*

God of mercy and love, you call us to a life of holiness and provide us with the means to live by your wisdom and love. You entrust to us the work of your creation, especially the care and protection of children and others who are vulnerable. You sent your Spirit to guide us in our responsibilities for building up your family of believers. By that same spirit, help us as we learn and work together to help protect all of our sisters and brothers from preventable harm and keep all your children safe. Grace us with faith, courage, hope, understanding and charity as we embrace the way you set before us to live the truth of the Gospel in love. We pray for all victims of abuse, that they know your love and healing, and for all perpetrators of abuse that they may have a true conversion of heart and turn to you. Amen



Diocese of Austin Code of Ethics

All individuals who serve in the Diocese of Austin shall:

- exhibit the highest Christian ethical standards and personal integrity.
- conduct themselves in a moral manner that is consistent with the discipline, norms and teachings of the Catholic Church.
- provide a professional work environment that is free from harassment.
- not take advantage of a counseling, supervisory or authoritative relationship for their own benefit.
- not act in an abusive or neglectful manner.
- share concerns about suspicious or inappropriate behavior with their pastor, their principal, the Vicar General, the Superintendent of Schools or the Bishop.
- adhere to the requirements of the law of the State of Texas regarding the reporting of any suspected abuse of a minor.
- accept their personal responsibility in the protection of minors from all forms of abuse.
- follow the policies on Ethics and Integrity in Ministry.

I acknowledge that I have attended an educational workshop that explains the Policies on Ethics and Integrity in Ministry (EIM) adopted by the Diocese of Austin on January 1, 2002. I understand the policies and voluntarily agree to abide by these policies and conduct myself in complete accordance with them.

Signature _____ Date _____

Please print

Full name _____ Date of Birth _____ Daytime phone _____

E-mail address _____

SAMPLE ONLY

For each location that needs verification of your workshop attendance, please list the **name and city**, and your position there (ie St Mary Parish/Taylor, RE teacher; St Mary School/Taylor, volunteer).

1. _____
2. _____

NOT FOR OFFICIAL USE

Have you completed the Application for Ministry? Yes No

If not, please do so immediately. A completed application in the eAppsDB system is required for compliance with diocesan policies and is used to record your workshop attendance.



Catholic Diocese of Austin EIM Confidential Notice of Concern

Date of occurrence: _____ Time of occurrence: _____

Type of Concern:

- | | |
|-------------------------------------|--------------------------------------|
| _____ Immoral Conduct | _____ Breach of Confidentiality |
| _____ Harassment | _____ Conflict of Interest |
| _____ Exploitation | _____ Possible Risk of Abuse |
| _____ Policy Violation with a Minor | _____ Policy Violation with an Adult |
| _____ Other Concern | |

_____ **Known or suspected abuse of a minor or vulnerable adult.** *Has this been reported to the Texas Department of Family & Protective Services at 1-800-252-5400 and/or the police? Y N*
If yes, please give report # _____ and date/time of report _____.

Nature of Concern:

Describe the situation: What happened, where it happened, when it happened, who was involved, who was present, who was notified? If reported to TDFPS, what were their recommendations?

What action was taken? How was the situation handled, who was involved, who was questioned, were police called?

What is the follow-up plan? Does anyone else need to be notified? Will the situation need monitoring? Would you like someone to call you to discuss this situation?

Has this situation occurred previously? If yes, provide details. _____

Submitted by: _____ (Print and sign) Date: _____

Location/address and telephone #: _____

Reviewed by: _____ (Print and sign) Title: _____ Date: _____

This report can be reviewed by and submitted to:

- The pastor of the local Catholic parish; or the principal of the local Catholic school; or
- The Vicar General, P.O. Box 13327, Austin TX 78711; or
- The Bishop of Austin, P.O. Box 13327, Austin TX 78711.

This report may be submitted anonymously if it includes verifiable, specific