
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 appropriate 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, Catechesis, and Family Life, 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***:

A. Definition of “church personnel”

For the use of this policy, the following are included in the definition of “church personnel”:

1. Priests incardinated in the Diocese of Albany
2. Priests who are members of religious institutes assigned to pastoral work in the Diocese of Albany.

3. 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.
4. Permanent and transitional deacons incardinated in the Diocese of Albany.
5. Seminarians and those enrolled in the Permanent Diaconate Formation Program.
6. Women religious and religious brothers working in or for the Diocese, its parishes, schools, or agencies.
7. Individuals in other forms of consecrated life who are associated with the Diocese.
8. 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.
9. Any volunteer who has entered into a Church related service of his/her own free will and who works with minors

B. Other Definitions:

1. A **minor** is defined as anyone under the age of 18.
2. **Physical abuse** is non-accidental injury which is intentionally inflicted upon a minor.
3. **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.
4. **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.
5. **Neglect** is the failure to provide for a minor's basic needs or the failure to protect a minor from harm.

C. 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.

D. 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:

E. 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.

1. All Church 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.
2. No one may serve in the Diocese of Albany as an employee, or volunteer in any capacity with children or youth who has admitted and/or been convicted of sexual misconduct or abuse involving a minor.
3. Church personnel 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.
4. Church personnel who work with minors will be informed of the child abuse regulations and reporting requirements for the State of New York.
5. Allegations of sexual misconduct of a minor will be taken seriously and reported according to the processes outlined in Appendix A of the Diocesan Policy on Responding to Allegations of Abuse.
6. Church personnel who work with minors need to be sensitive to children and youth who may be vulnerable or at risk for unhealthy relationships.
7. 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.
8. 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.
9. Church 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.
10. Supervision of children' programs should include but not be limited to the following: identifying and restricting access to secluded areas; developing policies regarding use of secluded areas, such as requiring staff to check bathrooms before sending children in alone; prohibiting children from entering staff-only areas; monitoring all youth internet activities; and ensuring the use of appropriate blocking and filtering computer software.
11. Ensure that adults only meet with children where other adults can have open access; remind adult participants in children's programs not to meet with a child one on one behind closed doors.
12. Church personnel under the age of 18 must work under the direction of an adult supervisor.

F. Professional Boundaries

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

G. Sexual, Emotional and Physical Boundaries

1. All church personnel are prohibited from engaging in any sexual contact, including sexual intercourse, anal or oral sex and intrusive touching with a minor.
2. Church 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.
3. Expressions of affection are only appropriate in public settings when such behavior is the norm and acceptable to all parties. Keep the acronym PAN in mind with respect to physical touches: **P**ublic – **A**ppropriate – **N**on-sexual.
4. Church 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.
5. Church personnel must not show or display sexually suggestive objects, media or pornography.
6. Church personnel must not use inappropriate language or behavior in working with children or youth.
7. Personnel must not give or receive inappropriate gifts. It is advisable that a parent or guardian's permission should be obtained before giving or receiving any gift to or from a child.
8. Church personnel are prohibited from speaking to minors in a way that is harsh, threatening, intimidating, shaming, derogatory, demeaning, or humiliating, and are expected to refrain from swearing in the presence of minors.

H. Conduct

1. Church personnel who work with children and youth need to be good role models in conduct, speech, and dress.
2. Church 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.
3. Church personnel must avoid developing exclusive relationships with individuals or a group of individuals.
4. Church personnel must never buy alcohol, drugs, cigarettes, videos, or reading material that is inappropriate and give it to a minor.
5. Church 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.
6. 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.

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7. Church 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.
 8. Church personnel are prohibited from sleeping in the same beds or sleeping bags with minors.
 9. 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.
 10. Church personnel must not invite young people into their personal living space or be alone with them in their own living space.
 11. 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.
 12. 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.

Continues on next page with the Standard Code of Conduct

THE STANDARD CODE OF CONDUCT

Our Children are the most precious gifts entrusted to our care. We acknowledge that all individuals shall be treated with respect, courtesy dignity, patience and integrity.

All clergy, employees, and volunteers of the Albany Diocese must follow this Code of Conduct when they are working with minors or vulnerable adults.

I will

1. Read and follow the "Guidelines for Appropriate Conduct for All Professional and Volunteer Personnel Who Work with Minors".
2. Assume the full burden of responsibility for setting and maintaining clear and appropriate physical and emotional boundaries with minors or vulnerable adults.
3. Show prudent discretion in the expressions of affirmation used with minors and vulnerable adults. This includes refusing expensive gifts from minors and vulnerable persons and refraining from giving expensive gifts to minors and vulnerable adults. The following are examples of appropriate forms of affirmation with minors and vulnerable adults:

<ul style="list-style-type: none"> • Hugs. • 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. 	<ul style="list-style-type: none"> • 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
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4. Refrain from forms of touch such as tickling, wrestling, massaging, which could be construed as sexual with minors or vulnerable adults.
5. Assure that a meeting space with a minor or vulnerable adult has visual access. If this is not possible, make sure that another adult is present.
6. Avoid driving alone with minors or vulnerable adults. In an emergency and if at all possible request the presence of another adult.
7. Not consume alcohol products, use tobacco products or profanity nor be under the influence of illegal drugs or alcohol when engaged in working with minors or vulnerable persons.
8. Not share a bedroom with minors or vulnerable adults when there is no other adult supervision present in the room.
9. Never provide minors or vulnerable adults with alcohol or with videos, reading or graphic materials that are inappropriately sexual in nature.
10. Never initiate sexual behavior with a minor or vulnerable adult and will refuse it even when the other invites it. I will report to my supervisor, any sexual behavior initiated by a minor/vulnerable adult.

11. Immediately report suspected violations of this Code of Conduct to the Principal, Program Director, Catechetical/youth ministry leader, Pastor/Parish Life Director. If the suspected violator is the Catechetical leader/youth ministry leader, the report should be made to the Pastor/Parish Life Director. If the suspected violator is the Principal, Program Director, Pastor/Parish Life Director the report should be made to the School Superintendent, Executive Director of Catholic Charities or Vicar General. These individuals may be reached at (518) 453-6600.

This code of conduct does not abrogate or replace any other obligations that I have under any applicable law, guideline, policy or regulation.

Name: _____
Please Print

Clergy Employee Volunteer
Please Circle appropriate category

Signature: _____ Date: _____

Name and location of School/Parish/Agency