



Roman Catholic Diocese of Albany

Code of Conduct for Clergy

This *Code of Conduct for Clergy (Code)* of the Roman Catholic Diocese of Albany establishes standard policies and provides guidance for Clergy. It is the mission of the Diocese to make disciples of Jesus Christ and to witness the love of Jesus Christ to all. We recognize, as disciples of Jesus Christ, that we must witness to Jesus both by what we say and what we do, and that our conduct should always seek to be in accord with the Faith which we profess. As Jesus said, “Let your light so shine before all, that they may see your good works and give glory to your Father who is in heaven” (Matt 5: 16).

This *Code* aims to further the Church’s mission by providing concrete guidelines which achieve several overarching objectives:

- Promote authentic witness to Jesus Christ by those who serve in the Church,
- Protect, nurture and guide children, vulnerable adults and all others with whom we interact,
- Provide practical guidance to Clergy to enable them to serve effectively and safely,
- Promote personal well-being and professional competence, and
- Build positive relationships founded upon trust and integrity.

GENERAL PRINCIPLES

1. Clergy must bear witness to the mission of the Church through their conduct.
2. Clergy must exhibit high ethical standards and personal integrity. They must be aware of the responsibilities and positions of trust that accompany their work and exhibit this awareness by maintaining appropriate boundaries and exercising caution against all harm. At all times, priests and bishops are to fully adhere to the promise of celibacy and must avoid the appearance of impropriety in their conduct.
3. Relationships are at the foundation of ministry and are central to Catholic life. Healthy and safe relationships are founded upon and demonstrate respect and compassion for all of those who are served.
4. Clergy are responsible for their own spiritual, physical, mental and emotional well-being. They are also responsible for maintaining professional competence and for meeting the commonly-recognized professional standards of their particular roles.

They should seek the necessary help from the Diocese, or other sources when either personal or professional areas of their life need attention.

KEY TERMS

“Diocese” means The Roman Catholic Diocese of Albany, which encompasses 14 counties and serves approximately 300,000 Catholics.

“Clergy” means any persons ordained – bishops, priests, and deacons – who administer the rites of the Catholic Church.

“Cleric” means a member of the Clergy.

“Code of Conduct” means the Code of Conduct for Clergy, the Code of Conduct for Church Personnel, and the Code of Conduct for Youth Volunteers, as applicable.

“Minor” means person who has not reached the age of 18.

“Parish” means a parish within the Diocesan territory that is Diocesan- recognized as Catholic.

“School” means a primary school or a secondary school of the Diocese, as well as parish-based early childhood centers.

“Seminary” includes the St. Isaac Jogues House of Formation and Pre-Seminary

“Unprofessional” means below or contrary to the standards expected in a particular profession.

“Vulnerable Adult” means any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact, even occasionally, limits the person’s ability to understand or to want or otherwise resist the offense.

ETHICAL STANDARDS

1. Professional and Personal Interaction

1.1 Clergy will maintain appropriate boundaries in professional relationships, and not use the power inherent in their position to exercise unreasonable or inappropriate authority over others. Priests and bishops are to conduct their affairs consistent with the promise of celibacy and avoid situations or personal relationships that threaten the celibacy promise or cause the appearance or public perception of a lack of adherence to that commitment.

1.2 Clergy will relate to others respectfully and professionally, and will work collaboratively and cooperatively with others serving the Church.

1.3 Clergy must not engage in physical, psychological, or sexual harassment of any person, and must not tolerate such harassment by others serving the Church. Harassment may be a single incident or a persistent pattern of behavior where the purpose or result is to create a hostile, offensive, or intimidating work environment.

1.4 Clergy must act with integrity at all times according to their life vocation and to exhibit respectful behavior.

1.5 Clergy must not exploit another person for any purpose.

1.6 Clergy must not acquire, possess, distribute or view any adult or child pornographic images on, or taking pornographic materials onto, the property of the Diocese, a parish, or a school.

1.7 Clergy must not possess, use, or distribute alcohol or other drugs illegally. Clergy must not be under the influence of illegal drugs, or under the influence of alcohol or medications that impair stable functioning or sound judgment.

1.8 Clergy are prohibited from showing pornographic material to minors.

1.9 While reasonable debate on matters of social import is valued, Clergy must conduct themselves in a manner consistent with Catholic teaching as set forth in the *Catechism of the Catholic Church* in all public communications. Public communications are communications offered in a public forum or disseminated to a general audience, and also include communications whose potential for broad dissemination is reasonably foreseeable (e.g., homily, public speech, bulletin article, op-ed submission to media, social media post, or blog).

1.10 Clergy must exercise discretion and confidentiality in handling sensitive information and may not disclose confidential information to others not entitled to such information.

2. Conduct with Minors

2.1 Clergy must use prudent judgment and common sense when working with minors.

2.2 Clergy should be aware of their own vulnerability and the vulnerability of others when working with minors. Clergy should avoid any conduct that a reasonable person could misconstrue as improper. A team approach should be used when working with minors, and appropriate supervision should be in place to promote safe environments for all.

2.3 Clergy should avoid being alone with any unrelated minor, except for sacramental confession, or for reasonable, common sense exceptions, such as emergency situations and circumstances where the interaction is incidental and not extended. One-on-one meetings with an unrelated minor are best held in a public area; or, if that is not appropriate or possible, in an area visible to others through a window or open door.

2.4 Physical contact with a minor must be nonsexual and appropriate. Some examples of *permissible physical contact* include:

- a. Brief side hugs or an arm around the shoulder,
- b. Brief pat on the shoulder /upper back,
- c. Hand-shakes or “high fives”,
- d. Holding hands during prayer,
- e. Holding hands while walking with young children and those unsteady, and
- f. Brief touching of hand, shoulder or arms.

Some examples of *non-permissible physical contact* include:

- a. Tickling,
- b. Massages,
- c. Prolonged hugs from the front or rear, and
- d. Touching of breasts or genitals, and
- e. Kissing

2.5 Clergy who minister to the home-bound and to vulnerable adults are encouraged to serve in the company of another safe-environment trained adult whenever possible.

2.6 Clergy are prohibited from using alcohol or tobacco or illegal drugs when working with minors. The supplying of alcohol or tobacco to a minor, except as permissible during sacramental, liturgical or prayer services.

2.7 Priests are prohibited from having an unrelated minor in a vehicle unless supervised. Therefore, Clergy must not travel in a vehicle with an unrelated minor or vulnerable adult without a parent/guardian or another safe-environment trained adult present, except in documented emergencies.

2.8 Clergy must not share private overnight accommodations (bedroom, hotel room, tent, camper, bed, etc.) with any unrelated minor. In situations in which overnight accommodations are in open spaces (gymnasiums, campgrounds, classrooms, gathering spaces, etc.), actions should be taken to provide suitable supervision and create reasonable separation between sexes and between adults and minors.

2.9 Communications by Clergy with unrelated minors must be for professional reasons only. Clergy must maintain appropriate boundaries in all communications with an unrelated minor, including communications through the use of electronic devices or web-based media, in accordance with the Diocesan social media policy.

a. Clergy should make certain that the parents or guardians of an unrelated minor are aware of the content of private electronic or print communications sent to or received from that unrelated minor. In exceptional situations, when a parent or guardian is not made aware of the content of a private communication, Clergy must share the communication with another Safe-Environment trained adult.

b. Informing parents or guardians is not required for non-private communications, such as those sent to youth groups regarding meeting locations or times, or other administrative matters.

c. Some Clergy have been issued school, parish, or Diocesan computers or other communication devices that are monitored for proper usage. Electronic communications sent to, or received from, unrelated minors using such devices are not private for the purposes of this *Code*.

2.10 Clergy will not use physical force or use profane, demeaning, or abusive language in interactions with a minor; except that proportional physical response may be used as necessary in situations of self-defense, or when the minor is a danger to self or others.

2.11 Clergy should not accept expensive or excessive gifts from an unrelated minor, or give expensive, or personal gifts to an unrelated minor. Exchanges of modest, appropriate gifts between groups of minors and Clergy in the ordinary course of parish programs and school settings are permissible.

3. Conduct Related to Counseling

3.1 When engaged in counseling or spiritual direction, Clergy must take great care to respect the rights of and advance the welfare of all involved.

3.2 When counseling services are provided to two or more people who have a relationship with each other, Clergy must:

- a. Clarify the nature of the relationship(s);
- b. Identify potential conflicts of interest; and
- c. Discuss how to eliminate or manage the conflicts.

3.3 Counseling services provided by Clergy must be within the scope of their expertise, training, certification or professional licensing.

3.4 Clergy are responsible for establishing and maintaining clear, appropriate boundaries in counseling relationships.

3.5 Counseling sessions must be held in appropriate settings and at appropriate times. Sessions must not be held at places or times that might confuse the person being counseled as to the nature of the relationship with the counselor/cleric

3.6 Physical contact during counseling or spiritual direction may be misconstrued, and as such, should be avoided.

3.7 Upon ending a counseling relationship, Clergy should recommend appropriate arrangements for the continued care of person(s) they have been counseling.

4. Confidentiality in Pastoral Counseling and Counseling Relationships

4.1 Clergy must discuss the nature of confidentiality and its limitations with each person in counseling.

4.2 Information obtained by Clergy in the course of religious or spiritual advice, aid, or comfort is confidential and may be disclosed only:

- a. With the written, informed consent of the person being counseled;
- b. When there is clear and imminent danger to the person being counseled or to others (in this situation, Clergy must act in good faith to disclose only the information necessary to protect the parties affected and to prevent harm; if prudent, Clergy should inform the person being counseled about a possible disclosure before the disclosure is made,
- c. When there is a serious threat to the health, safety, or welfare of a minor and disclosure of confidential information to a parent, legal guardian, or civil authorities is essential to the minor's or vulnerable adults health, safety, or welfare (in this situation, Clergy should attempt to obtain informed consent from the minor before disclosure, and must act in good faith to disclose only the information necessary to address the health, safety or welfare threat);
- d. When consultation with another professional would be beneficial to the person being counseled (in this situation, Clergy should attempt to obtain written informed consent from the person being counseled before disclosure, must act in good faith to disclose only the information necessary to receive assistance, and must obtain assurance from the other professional that he/she agrees to be bound by our standards of confidentiality);
- e. When a Cleric is a defendant in a legal proceeding and the disclosure of confidential information is necessary to his defense (in this situation, the Cleric

may disclose only the information necessary for his defense and only as permitted by civil and canon law); or

f. When legally required to do so consistent with civil or canon law.

4.3 Clergy must safeguard the confidentiality of any notes, files, or electronic records pertaining to counseling services.

4.4 Knowledge that arises from professional pastoral counseling interactions may be used with discretion in teaching, writing, homilies, or other public presentations only when effective measures have been taken to safeguard individual identity and confidentiality.

4.5 Information received during the sacrament of confession may never be recorded or disclosed.

5. Confidentiality, Records and Information

As members of the Clergy it is understood that you may have access to confidential, personal and sensitive information regarding the Diocese, parishes and affiliated entities, its officers, agents, or employees, members of the clergy and other religious, parishioners or members of the general public or other entity. Therefore, Clergy should follow these guidelines:

5.1 All Diocesan, parish, or Catholic school records are solely the property of the respective entity and usually should not be removed from Diocesan premises.

5.2 Confidential, personal or sensitive information includes but is not limited to information maintained in confidential, personal or sensitive files by the Diocese, parishes and affiliated entities or confidential, personal or sensitive information obtained by the Diocese, parishes and affiliated entities or any of their officers, agents, or employees in the course of their employment; information recognized as confidential under Federal or New York State Law, and financial information.

5.3 Records include all recorded information, documents, letters, maps, books, photographs, video, film, sound recordings, tapes, records generated in an electronic format, emails and any other documentary material regardless of media format.

5.4 No records will be accessed, shared, removed, destroyed, stored, or transferred into another media format, or otherwise disposed of, except in compliance with Diocesan, parish, or Catholic school policies.

5.5 Confidential records will be kept separate from public records for privacy purposes. Confidential records include sacramental records, clergy files, personnel files, and records of individual financial contributions to, as well as financial records of, the Diocese, parish, or Catholic school.

5.6 When compiling and publishing statistical information from records, great care must be taken to preserve the anonymity of individuals.

5.7 Discussion of confidential, personal or sensitive matters even within the confines of the Diocese, parish, school or entity, with individuals who do not have a business reason to know such matters, may also be grounds for discipline.

5.8 Clergy who have been issued a Diocesan, parish, or Catholic school email account are expected to use their issued account solely in the course of their clerical duties, whenever possible.

5.9 Violations of these guidelines may be considered grounds for discipline, including termination.

6. Stewardship

6.1 Clergy must exercise responsible stewardship of all financial and material resources.

6.2 Clergy will not misappropriate Church funds or materials for personal uses or purposes.

6.3 Clergy must provide a clear and accurate accounting of all funds and material resources for which they are responsible and must ensure that adequate systems and safeguards are in place and followed.

6.4 Clergy are called to be stewards of the mysteries in accord with directives from the Office of Prayer and Worship and current Liturgical Documents.

7. Conflicts of Interest

7.1 Clergy must avoid actions that may reasonably be perceived as exploiting their position with the Church to further their personal, religious, political, or business interests. Clergy should avoid situations that present conflicts of interest. Even the appearance of a conflict of interest can call integrity and professional conduct into question and should be avoided.

7.2 A conflict of interest may exist when Clergy have an ownership interest in, an investment interest in, or a compensation arrangement with, an entity or individual who engages in regular or substantial business with the Diocesan, relevant parish, or relevant Catholic school.

7.3 Conflicts of interest situations that are to be avoided include:

- a. Acting with unfair bias or partiality toward anyone with whom a Cleric has an existing professional or personal relationship;

- b. Violating the confidence of another person for personal gain; and
- c. Accepting any gift of excessive material value.

7.4 Clergy must exercise discretion when considering assumption of fiduciary obligations or financial responsibility for a person associated with a parish or Catholic school, with the exception of family members, and should consult with a canonical administrator before assuming such obligation or responsibility. Priests are obliged to comply with the provisions of canons 285-286 of the 1983 Code of Canon Law.

7.5 Clergy must disclose conflicts of interest to all affected parties. In resolving the issues, primary attention must always be given to the protection of the person receiving ministry or services.

8. Reporting Misconduct

8.1 Clergy must adhere to high ethical standards and report illegal, unethical or unprofessional behavior to their supervisor or other appropriate church authority.

8.2 Clergy are required to report to the Vicar for Clergy if they are arrested or charged with a crime. The Vicar for Clergy shall gather available, relevant documentation and assess whether the particular matter should be forwarded to the Bishop.

8.3 Clergy who have reason to believe that a minor is being abused or neglected or has been abused or neglected, must immediately report the basis for their belief to:

- a. Proper civil authorities. in accordance with state statutes,
- b. The Director of Human Resources and Safe Environment (or other appropriate Diocesan official); and
- c. Parents or guardians, unless to do so would expose the minor to additional risk, or unless instructed otherwise by civil authorities.

8.4 Suspected child pornography must be referred to proper civil authorities immediately.

8.5 Failure to comply with these standards will result in corrective measures.

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

Name: _____ Date: _____

Signature: _____

Name and location of school/parish/agency: _____

Please check one: Seminarian Deacon Priest Bishop