



# **Diocese of Austin Policies on Ethics and Integrity in Ministry**

**Revised: Dec. 6, 2005**

**Effective: January 1, 2002**

**Issued: August 19, 2001**

---

---





# Table of Contents

- A Letter from our Bishop..... 3
- Contact Information ..... 5
- I. Principles of Ethics and Integrity in Ministry: Code of Ethics..... 6
- II. General Definitions ..... 7
  - A. Church Personnel ..... 7
  - B. Types of Misconduct..... 8
- III. Prevention of Immoral Conduct: Guidelines for Ethical Behavior ..... 9
  - A. Definitions..... 9
  - B. Standards of the Diocese as to Prevention of Immoral Conduct..... 9
- IV. Prevention of Harassment: Guidelines for Professionalism ..... 10
  - A. Definitions..... 10
  - B. Standards of the Diocese as to Prevention of Harassment ..... 10
- V. Prevention of Exploitation: Guidelines for Pastoral Counseling ..... 11
  - A. Definitions..... 11
  - B. Standards of the Diocese in Prevention of Exploitation ..... 11
  - C. Standards of the Diocese as to Confidentiality ..... 12
  - D. Standards of the Diocese as to Conflicts of Interest ..... 12
- VI. Prevention of Abuse: Guidelines for Working with Minors ..... 13
  - A. Definitions..... 13
  - B. Standards of the Diocese as to Abuse and/or Neglect of Minors..... 13
  - C. Standards of the Diocese as to Offsite and/or Overnight Events ..... 14
  - D. Standards of the Diocese as to Physical Contact with Minors..... 15
  - E. Standards of the Diocese as to Screening of Church Personnel who Work with Minors 16
  - F. Standards of the Diocese as to Training for Church Personnel who Work with Minors . 17
  - G. Standards of the Diocese as to Supervision of Programs that Involve Minors..... 17
- VII. Reporting of Incidents, Allegations and/or Concerns ..... 18
  - A. Reporting of *Immoral Conduct, Harassment* or *Exploitation*..... 18
  - B. Reporting of *Suspicious or Inappropriate Behaviors* with Minors..... 18
  - C. Reporting *Abuse* of Minors ..... 19
- VIII. Discipline Procedure ..... 21
  - A. Standards of the Diocese..... 21
  - B. Steps in Discipline..... 21
- IX. The Church’s Pastoral Response to Misconduct in Ministry ..... 23
  - A. Standards of the Diocese as to a Pastoral Response ..... 23
  - B. Care of the One Who Brings Allegations of Misconduct ..... 23
  - C. Care of Church Personnel Accused of Misconduct ..... 23
  - D. Care of the Community Affected by Misconduct..... 24
  - E. Role of the Coordinator of Pastoral Care ..... 24
  - F. Role of the diocesan Ethics and Integrity in Ministry Review Board ..... 24
  - G. Role of the diocesan Communications Office ..... 25
- Appendix A. Application for Ministry..... 27
- Appendix B. Code of Ethics ..... 31
- Appendix C. Process for Responding to Suspicious or Inappropriate Behavior with Minors. .... 32
- Appendix D. Confidential Notice of Concern. .... 33
- Appendix E. Formal Warning Document. .... 34





## Diocese of Austin

The Catholic Church of Central Texas  
P.O. Box 13327  
Austin, TX 78711

May 12, 2003

Dear Sisters and Brothers in Christ:

This book entitled “Policies on Ethics and Integrity in Ministry” has been placed in your hand because you serve the local Church of the Diocese of Austin as a leader. Thank you for the generous way in which you offer your time and your 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 ministers and volunteers that we are able to serve those who are entrusted to us and to lead them in the ways of faith.

To share in the ministry of Christ is a great privilege as well as an awesome responsibility. The privilege that you and I have is the joy of sharing in the mission of Jesus Himself. The responsibility is that we must act in such a way that is in conformity with the attitude and actions of Christ. For us to accomplish this faithfully is no easy task; rather it is one that requires our own prayerful reflection and an occasional personal inventory to make certain that our service to others is truly offered in the spirit of love that constantly flows from the ministry of Jesus. As we read the Gospel, it is very clear that Jesus had a deep abiding respect for each human being and would never do anything that would harm them or mislead them in their personal or spiritual life.

In the Diocese of Austin, our “Policies on Ethics and Integrity in Ministry” guide our service to others in order that we may always remain faithful and truly exemplify Christian ethics and personal integrity in our relationships with others. Please know that we appreciate your service and trust your sincere desire to participate in the ministry of Jesus.

As you know, in recent years there have been fellow ministers who unfortunately have taken advantage of others -- the young and the older -- and have scarred their lives in a way that is certainly not according to God’s will. Nor are these actions that the Church can condone. In the Diocese of Austin, it is our sincere desire that all of those involved in the mission of Christ Jesus will exemplify ethics and integrity in ministry in such a way that such scars may never be imposed on those whom we serve. 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.

Page two

In our various roles of leadership, people trust us and assume that we have their best interests at heart. While this is a privilege, it also carries with it a tremendous responsibility. Because we are in trusted positions, the young and the elderly will share with us dimensions of their lives and invite us into the darker corners of their hearts that are indeed privileged places to be. I know that you join me in a desire to live out in a faithful way the trust that others extend to us. Therefore, I hope that you will find these policies an assistance to you and to all those who work with you in ministry.

Special thanks to Praesidium Incorporated, particularly Dr. Monica Applewhite, Father Ronny Jenkins and Mrs. Helen Osman for their most helpful consultation and many hours of work on this project, and to the diocesan Ethics and Integrity in Ministry Review Board, whose members have given so generously of their special talents to this work.

As those involved in the ministry of the Church, we wish our lives to speak to the young and to the older members of our Church the attitude of Jesus: "Anyone wanting to be the greater, must be the least, the servant of all" (Mark 9:35). We hope that others will see in us the compassion, love and gentleness of Christ the Shepherd.

In this spirit, I submit these policies to you. They became effective January 1, 2002 throughout the Diocese of Austin, and were revised on May 1, 2003.

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", preceded by a small cross symbol.

Most Reverend Gregory M. Aymond  
Bishop of Austin



## Contact Information

### **Coordinator of Pastoral Care .....Mrs. Patricia Stankus**

Phone (512) 476-4888  
Fax (512) 478-5962  
pat-stankus@austindiocese.org  
P.O. Box 13327  
Austin, TX 78711

### **Chancellor of the Diocese of Austin .....Father Michael Mulvey**

Phone (512) 476-4888  
Fax (512) 478-5962  
fr-michael-mulvey@austindiocese.org  
P.O. Box 13327  
Austin, TX 78711

### **Bishop of the Diocese of Austin.....Bishop Gregory Aymond**

Phone (512) 476-4888  
Fax (512) 478-5962  
bishop@austindiocese.org  
P.O. Box 13327  
Austin, TX 78711

See [www.austindiocese.org](http://www.austindiocese.org):

- For a Spanish translation of this document
- To submit a Church personnel application (see Section VI.E.)
- To find dates for training workshop (see Section VI.F.)



## **I. 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 Diocese of Austin (the “Diocese”). All Church personnel are asked to carefully consider each standard in the Code and within the Policies on Ethics and Integrity in Ministry before agreeing to adhere to the standards and continue in service to the Diocese.

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



## II. General Definitions

### A. Church Personnel

For the purposes of this policy, the following are included in the definition of Church personnel:

1. Priests and Deacons (Clerics)
  - a. Clerics incardinated in 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 or societies of apostolic life who are working for the Diocese, its parishes, schools or agencies, or who are otherwise engaged in the care of souls, the public exercise of divine worship, and other works of the apostolate (c. 678).
  - d. Hermits and consecrated virgins legitimately residing within the Diocese.
3. The Lay Faithful
  - a. All paid 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 Catholic Church agencies.
  - b. All volunteers. This includes any person who enters into or offers himself/herself for a Catholic Church related service of his/her own free will.



## **B. Types of Misconduct**

For the purpose of this policy, misconduct includes the four types of behavior 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 or intimidating work environment.
3. **Exploitation:** Taking advantage of a pastoral counseling relationship for the benefit of the pastoral counselor.
4. **Abuse of minors:** The definition of abuse of minors is further defined in Section VI.A. and in the Supplemental Norms for Clergy.



### **III. Prevention of Immoral Conduct: Guidelines for Ethical Behavior**

#### **A. Definitions**

1. 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.
2. 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. Standards of the Diocese as to Prevention of Immoral Conduct**

1. Church personnel enjoy a public trust and confidence. It is essential that Church personnel view their own actions and intentions objectively to assure that no observer would have grounds to believe that irregularity in conduct exists. All Church personnel have a responsibility to strive to uphold the standards of the Catholic Church in their day-to-day work and personal lives.
2. Further, it is fundamental to the mission of the Diocese that Church personnel exhibit the highest ethical standards and personal integrity. The purpose of this policy is to insure that all Church personnel follow the ethical standards of the Catholic Church. Therefore, Church personnel are prohibited from engaging in the following conduct:
  - a. Immoral conduct.
  - b. Actions that 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. Church personnel 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. Prevention of Harassment: Guidelines for Professionalism**

### **A. Definitions**

1. Harassment is an illegitimate and offensive use of power where the purpose or the effect is to create a hostile or intimidating work environment.
2. 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;
  - Unwelcome sexual advances or touching;
  - Sexual comments or sexual jokes;
  - 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.
3. Harassment may be severe and/or pervasive.
  - a. Severe conduct is sufficient to alter a workplace environment even though it may occur only once.
  - b. Pervasive conduct is a persistent pattern of harassment.

### **B. Standards of the Diocese as to Prevention of Harassment**

1. Church personnel shall not engage in harassment and shall not tolerate harassment by other Church personnel.
2. Church personnel shall provide a professional work environment that is free from harassment.



## **V. Prevention of Exploitation: Guidelines for Pastoral Counseling**

### **A. Definitions**

1. Pastoral counseling occurs when Church personnel offer spiritual direction or advice concerning moral or spiritual matters. The Church personnel may or may not be a certified spiritual director or trained, licensed or degreed in professional counseling.
2. Exploitation occurs when Church personnel take advantage of the pastoral counseling relationship for the benefit of the pastoral counselor.
3. Sexual exploitation is sexual contact between Church personnel and the recipient of their pastoral counseling services, regardless of who initiates the contact.
4. Sexual intimacies are consensual sexual physical contact; forced (non-consensual) sexual physical contact or sexually explicit conversations not related to pastoral counseling issues.
5. A conflict of interest occurs when Church personnel take advantage of pastoral counseling relationships in order to further their own interest.

### **B. Standards of the Diocese in Prevention of Exploitation**

1. Church personnel shall recognize their limitations in pastoral counseling situations and shall refer people to other professionals when appropriate.
2. Church personnel shall not engage in exploitation, sexual exploitation, and/or sexual intimacies with persons whom they counsel. Church personnel are also prohibited from engaging in situations or conduct that can give the appearance of exploitation, sexual exploitation, or sexual intimacies.
3. Church personnel shall not engage in exploitation, sexual exploitation, and/or sexual intimacies with relatives or friends of someone with whom they have a counseling relationship.
4. Church personnel shall set and maintain clear, appropriate boundaries in all pastoral counseling relationships.
5. If physical contact is warranted for professional, clinical reasons, it should always be respectful and consistent with the intent to provide a safe and comfortable pastoral counseling environment.
6. Pastoral counseling should be conducted in appropriate settings at appropriate times and should not be held at places or times that would cause confusion about the nature of the relationship for the person being counseled.
7. No pastoral counseling should be conducted in private living quarters.



### **C. Standards of the Diocese as to Confidentiality**

1. 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.
2. Information disclosed to Church personnel during the course of counseling, advising, or spiritual direction shall be held in the strictest confidence possible, with due regard for the norm of civil and/or canon law.
3. Church personnel should discuss the nature of confidentiality, including its limitations, with each person who seeks pastoral counseling.
4. If there is clear and imminent danger, the Church personnel is to disclose the information necessary to protect the parties involved and to prevent harm.
5. If disclosure must be made, if feasible, the Church personnel should inform the person being counseled about the disclosure.
6. With the exception of knowledge gained in the Sacrament of Penance, knowledge that arises from professional 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.
7. If Church personnel discover, while counseling a minor, 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 child's health and well-being, the Church personnel should disclose only the information necessary to protect the health and well-being of the minor.

### **D. Standards of the Diocese as to Conflicts of Interest**

1. Church personnel 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, Church personnel should inform all parties. Resolution of the issues must protect the person being counseled.
3. Church personnel shall establish clear, appropriate boundaries with anyone with whom they have a business, professional, or social relationship.



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

### **A. Definitions**

1. A minor is anyone under the age of 18. For the purposes of this policy, the term “minors” also includes adults who would be considered uniquely vulnerable to abuse because of physical or mental disabilities.
2. Abuse is physical abuse, sexual abuse and/or 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. Standards of the Diocese as to Abuse and/or Neglect of Minors**

The following standards are intended to assist Church personnel in making decisions about interactions with minors in Church sponsored and affiliated programs. They are not designed or intended to address interactions within families. For clarification of any policies or regarding behaviors not addressed here, contact your pastor, agency director, principal, the diocesan chancellor or the coordinator of pastoral care. (Contact information for the chancellor and coordinator of pastoral care is on page 5 of these policies.)

1. Abuse and/or neglect of minors are contrary to the teachings of the Church and are prohibited. Church personnel have a responsibility to protect minors from all forms of abuse and/or neglect. Church personnel are prohibited from:
  - a. Abusing or neglecting a minor.
  - b. Encouraging a minor to violate the law.
  - c. Offering alcohol or illegal drugs to a minor.
  - d. Using, possessing, or being under the influence of alcohol or illegal drugs while in the presence of minors.
  - e. Swearing in the presence of minors.



- f. Speaking to minors in a way that is or could be construed by any observer as harsh, threatening, intimidating, shaming, derogatory, demeaning, or humiliating.
  - g. Discussing their own sexual activities with minors.
  - h. 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.
  - i. Being nude in the presence of minors.
  - j. Taking showers with or in the immediate presence of minors.
  - k. Possessing sexually oriented or morally inappropriate printed materials (magazines, cards, videos, films, clothing, etc.).
  - l. Sleeping in the same beds, sleeping bags or small tents with minors unless the adult is an immediate family member of the minor.
2. Church personnel are responsible for releasing minors in their care only to parents, legal guardians, or other persons designated by parents or legal guardians at the close of services or activities. In the event that Church personnel are uncertain of the propriety of releasing a minor, they should immediately contact their immediate supervisor before releasing the child.
  3. Church personnel should report uncontrollable or unusual behavior of minors immediately to parents.
  4. 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.

### **C. Standards of the Diocese as to Offsite and/or Overnight Events**

The following standards shall be observed when Church personnel are involved in the transportation of minors:

1. Church personnel are prohibited from transporting minors without written permission of their parent or guardian.
2. Church personnel are prohibited from unnecessary and/or inappropriate physical contact with minors while in vehicles.
3. Minors should be transported directly to their destination. No stops should be made unless approved by the director of the program.



4. Church personnel 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 chancellor (see page 5 of the policies for contact information).
5. Church personnel are prohibited from having minors stay at their residence.
6. Changing and showering facilities or arrangements for adults must be separate from facilities or arrangements for minors.

#### **D. Standards of the Diocese as to Physical Contact with Minors**

1. Church personnel are prohibited from using physical discipline in any way for behavior management of minors. No form of physical discipline is acceptable. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force as retaliation or correction for inappropriate behaviors by minors.
2. Appropriate affection between Church personnel and minors is important for a child's development. It also constitutes a positive part of Church life and ministry. The following forms of affection are regarded as appropriate examples for most Church sponsored and affiliated programs:
  - 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.
  - 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. (For example, this gesture should typically be avoided in some Asian communities).
3. Some forms of physical affection have been used by adults to initiate inappropriate contact with minors. In order to maintain the safest possible environment for minors, the following are examples of affection that are **not** to be used in Church sponsored and affiliated programs:
  - Inappropriate or lengthy 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 in 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.

## **E. Standards of the Diocese as to Screening of Church Personnel who Work with Minors**

1. Without exception, all applicants for Church personnel positions that will involve working with minors must complete the following:
  - a. **A standard application** that includes a release of information to conduct criminal background checks (See Appendix A). Applicants shall also be required to read, agree to and sign a Code of Ethics for Church personnel (See Appendix B). This application must be completed and submitted to the Diocese before the Church personnel begins working with minors.
  - b. **A criminal records check** for the State of Texas and/or any other state where the applicant has resided during the past five years shall be conducted prior to employment, ministry, or volunteer work.
2. For employees and volunteers who have worked in the parish or school for two years or more, the application and criminal records check will complete their screening process.
3. Additional screening procedures, such as reference checks and face-to-face interviews, are recommended for new applicants and existing employees and volunteers who have held their positions for less than two years.
4. Before being placed in a volunteer position that involves work with or ministry to minors, volunteers should be registered members of the parish for at least six months. After consultation with the chancellor, exceptions may be made by the pastor or principal.
5. Church personnel who transfer from one parish or school within the Diocese to another parish or school within the Diocese may request that their Church personnel application be transferred to the new parish or school. The six-month wait will not apply to these transfers.
6. Church personnel and volunteers shall undergo criminal records checks every three years so long as they remain in the position, ministry, or service.



## **F. Standards of the Diocese as to Training for Church Personnel who Work with Minors**

1. Church personnel shall review the Policies on Ethics and Integrity in Ministry and agree to comply with the diocesan Code of Ethics (See Appendix B).
2. Church personnel who work with minors must participate in training that addresses their role in protecting minors in the Diocese. This must be completed within 90 days of completing their application for ministry.
3. Until Church personnel have completed their training, they can not be alone with a minor while serving in ministry for any length of time for any reason.

## **G. Standards of the Diocese as to 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 shall fulfill the requirements of the volunteer application process as stated in this Section.
2. Programs for minors shall be sponsored or administered by at least two adults.
3. Church personnel under the age of 21 shall work under the direction of an adult supervisor.
4. Chaperones for any event involving minors must be at least 21 years of age. There should be at least one chaperone for every six middle school aged participants and one chaperone for every eight high school participants. Any offsite events must be chaperoned by at least two adults, regardless of the number of participants.
5. Church personnel 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, meeting times and locations. Leaders shall examine these programs and consider whether they have adequate supervision.
6. All new programs for minors must be approved in writing by the pastor and/or principal.



## **VII. Reporting of Incidents, Allegations and/or Concerns**

### **A. Reporting of *Immoral Conduct, Harassment or Exploitation***

1. Church personnel shall report violations of the Policies on Ethics and Integrity in Ministry.
2. If there is an indication of illegal actions by Church personnel, Church personnel shall notify the police or other civil authorities immediately. After contacting civil authorities, Church personnel shall notify the Diocese. Contact information is on page 5 of these policies.
3. Actions of Church personnel that may constitute immoral conduct, harassment or exploitation, shall be reported to one of the following:
  - a. The pastor of the parish;
  - b. The principal of the school;
  - c. The chancellor (Contact information is on page 5 of these policies);
  - d. Bishop Gregory Aymond (Contact information is on page 5 of these policies); or
  - e. Submit an anonymous, specific and verifiable letter to Bishop Gregory Aymond at P.O. Box 13327, Austin, TX 78711.
4. If there are questions about the applicability of these policies, consult the chancellor or the coordinator of Pastoral Care. Contact information is on page 5 of these policies.
5. If infractions of diocesan policy are confirmed, Church personnel will be subject to disciplinary action up to and including termination. Disciplinary action will follow procedures outlined in Section VIII of these policies.

### **B. Reporting of *Suspicious or Inappropriate Behaviors with Minors***

1. If Church personnel observe any suspicious or inappropriate behaviors with minors on the part of other Church personnel, they shall immediately report their observations.
2. Inappropriate behaviors or policy violations that relate to interactions with minors shall be reported to one of the following:
  - a. The pastor of the parish;
  - b. The principal of the school;
  - c. The chancellor (Contact information is on page 5 of these policies);
  - d. Bishop Gregory Aymond (Contact information is on page 5 of these policies); or
  - e. Submit an anonymous, specific and verifiable letter to Bishop Gregory Aymond at P.O. Box 13327, Austin, TX 78711.



3. If there are questions about the applicability of these policies, consult the chancellor or the coordinator of Pastoral Care. Contact information is on page 5 of these policies.
4. When suspicious or inappropriate behaviors are reported to a pastor or a principal, he or she shall gather additional information about the nature of the concern and contact the chancellor for consultation. Regardless of the outcome of initial information gathering, a Notice of Concern (See Appendix D) shall be completed and sent to the chancellor.
5. If at any point in gathering information about suspicious or inappropriate behavior, a concern arises that there is a possibility of abuse, police and/or civil authorities shall be contacted and a report filed. See Section VII.C. below for additional procedures in the event that there is a suspicion of abuse of minors.
6. If at any point policy violations with minors are confirmed, Church personnel shall be subject to disciplinary action up to and including termination. Disciplinary action will follow procedures outlined in Section VIII of these policies.

### **C. Reporting *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 and/or local civil authorities (police). Family Protective Services maintains a 24-hour child abuse hotline at 1-800-252-5400, or a report may be made on their Web site at [www.dfps.state.tx.us](http://www.dfps.state.tx.us). The Notice of Concern form (See Appendix D) shall be used to maintain documentation of the report.
2. In addition to reporting to the Texas Department of Family and Protective Services and/or civil authorities, Church personnel shall report directly to the Diocese any suspected or known abuse of minors that may have been perpetrated by Church personnel. Reports of suspected or known abuse may be made confidentially (unless otherwise required to be disclosed by canon law) to any of the following:
  - a. The pastor of the parish;
  - b. The principal of the school;
  - c. The chancellor (Contact information is on page 5 of these policies);
  - d. Bishop Gregory Aymond (Contact information is on page 5 of these policies); or
  - e. Submit an anonymous, specific and verifiable letter to Bishop Gregory Aymond at P.O. Box 13327, Austin, TX 78711.
3. The Diocese will cooperate fully with investigations by all civil authorities.
4. During investigations by civil authorities or the Diocese, the Church personnel who is the subject of the investigation will be temporarily removed from Church responsibilities and duties that involve contact with minors.



5. Diocesan investigations will be documented. Documentation of diocesan investigations will be stored in the personnel file of the Church personnel who is the subject of the investigation and in the Chancery.
6. If an infraction of these policies with regard to the abuse of a minor is confirmed, Church personnel will be subject to termination in accordance with Section VIII.B.4. 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.
7. If abuse of a minor is confirmed through a diocesan investigation, the Texas Department of Family and Protective Services and/or the police shall be re-contacted and a follow-up report will be submitted, if requested.



## VIII. Discipline Procedure

### A. Standards of the Diocese

1. When Church personnel conduct does not meet the standards of the Policies on Ethics and Integrity in Ministry, it is the responsibility of supervisors to address the problem(s) in a timely and equitable manner. The procedure may include four steps: 1) Counseling, 2) Formal Warning, 3) Probation and 4) Termination.
2. All documents associated with the Discipline Procedure are to be retained in the personnel file of the Church personnel. Documents must also be forwarded to the chancellor. (Contact information is on page 5.)
3. 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.

### B. Steps in Discipline

1. Counseling. Many conduct deficiencies are identifiable and can be addressed and resolved through informal counseling between the supervisor and the Church personnel. Effective counseling may include the following:
  - a. Clear identification of the problem with specific examples;
  - b. A mutually agreed upon action plan to resolve the problem.
  - c. Documentation of the counseling and communication shall be stored in the personnel file of the individual who receives counseling.
  - d. All documentation shall also be forwarded immediately to the chancellor. (Contact information is on page 5.)
2. Formal Warning. Formal Warnings should be initiated when 1) counseling fails to resolve the problem, or 2) the problem is of such a serious nature that immediate and formal resolution is required.
  - a. Formal Warnings shall follow the format provided in the Formal Warning document (See Appendix E).
  - b. Formal Warnings shall be presented at a meeting with the supervisor.
  - c. Church personnel shall be required to sign the Formal Warning document.
  - d. Formal Warning documents and all accompanying materials shall be stored in the personnel file of the individual who receives the warning.
  - e. All documentation must also be forwarded immediately to the chancellor. (Contact information is on page 5.)



3. Probation. Probation should be initiated when a warning process has not succeeded or when the misconduct is such that a second infraction would clearly warrant termination.
  - a. 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 will result in termination if significant improvement is not demonstrated consistently in the probation period (typically 30 days).
  - b. At the successful conclusion of probation, Church personnel should be notified in writing that he or she is no longer in a probationary status.
  - c. All documentation pertaining to probation shall be stored in the personnel file of the individual who receives the probation.
  - d. All documentation shall also be forwarded immediately to the chancellor.  
(Contact information is on page 5.)
  
4. Termination. Termination should be administered under one of two conditions:
  - a. Failure to improve conduct previously addressed through counseling, formal warning or probation; or
  - b. Serious and/or major offenses, to be determined at the discretion of the pastor, principal and/or bishop.
  - c. All documentation pertaining to termination shall be stored in the personnel file of the individual who receives the termination.
  - d. All documentation shall also be forwarded immediately to the chancellor.  
(Contact information is on page 5.)



## **IX. The Church's Pastoral Response to Misconduct in Ministry**

### **A. Standards of the Diocese as to a Pastoral Response**

1. The Diocese shall respond to any allegation of a violation of the Policies on Ethics and Integrity in Ministry.
2. The coordinator of Pastoral Care, with consultation of the Ethics and Integrity in Ministry Review Board ("Review Board"), shall coordinate investigations. Information gathered will be presented to the bishop for his review and action.

### **B. Care of the One Who Brings Allegations of Misconduct**

1. The Diocese may offer counseling services to the alleged victim of abuse. This assistance for an individual will vary with facts and/or circumstances of each allegation.
2. The Diocese shall inform the victim or other individual who made an allegation that it is responding to the allegation.

### **C. Care of Church Personnel Accused of Misconduct**

1. 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.
2. During investigations of allegations, the accused may be removed from contact with alleged victims to ensure the integrity of the investigation and the safety of alleged victims during the information-gathering process. This action should in no way be interpreted as a presumption of guilt. If the information-gathering process produces no reason to remove the person from ministry, the accused Church personnel will resume his or her position as quickly as possible.
3. 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 to the extent that is appropriate to the accused.
4. 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.
5. The accused shall be informed of an allegation and of any disciplinary action taken.



## **D. Care of the Community Affected by Misconduct**

1. Information about an allegation against a member of the affected faith community (parish, school or other diocesan agency) shall be provided in a pastorally appropriate manner, while respecting the privacy and confidentiality of the victim and the accused, and/or any applicable civil and canon laws.
2. The Diocese may provide pastoral care to the members of the affected faith community.

## **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 shall aid in the immediate pastoral care of persons and arrange for counseling with qualified individuals if deemed appropriate.
3. The coordinator of Pastoral Care shall coordinate the internal investigation process to respond to an allegation and 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.
4. The coordinator of Pastoral Care may arrange for pastoral care and/or counseling to those who raise allegations, the accused and the members of an affected faith community.

## **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 a Church personnel's fitness for ministry.
3. The Review Board shall offer advice on all aspects of cases. The board may offer advice retrospectively and prospectively on these matters.
4. The Review Board shall review the Policies on Ethics and Integrity in Ministry and accompanying procedures at least every two years. Recommendations for changes shall be presented to the bishop for approval.
5. The involvement of the Review Board as a consultative body to the bishop shall be communicated to the victim and the accused.
6. The bishop shall appoint members to the Review Board for one year, renewable terms.
7. The Review Board shall include representation from the following groups: the clergy, professions of the social sciences (psychologists, counselors and/or social workers), 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. The diocesan director of Communications shall serve as the spokesperson for the board, if a public statement is deemed necessary. All discussions regarding allegations and instances of abuse are strictly confidential.
9. Review Board members shall sign a confidentiality statement and undergo a criminal records check.

## **G. Role of the diocesan Communications Office**

1. The Communications Office shall work with Church personnel and the public to provide information 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 Communications Office shall provide information and support to parishes, schools and diocesan offices on safe environment programs, on a diocesan Web-based system for criminal record checks, and on ongoing implementation of the Policies on Ethics and Integrity in Ministry.
3. Communications with an affected faith community (parish, school or other agency), the media and the broader diocesan community shall be timely and clear. These communications shall attempt to respect the confidentiality and privacy of all involved, in a manner that promotes collaboration in the community and in accord with any applicable civil and canon laws.
4. The director of the Communications Office shall work with the bishop, the coordinator of Pastoral Care, the Review Board and other appropriate diocesan and/or parish personnel in providing information to the staff of the affected faith community and the faith community when an allegation is made.
5. 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 Diocese of Austin  
in consultation with Praesidium, Inc and the Review Board.*





### Residential History

\_\_\_\_\_ Check here if you have lived in your current residence for longer than 5 years. Do not complete the rest of this section.

Dates (mm/yyyy)	Street Address	City/State/Zip	Country
Beg. Date _____ End Date _____			
Beg. Date _____ End Date _____			
Beg. Date _____ End Date _____			

### Employment History. Start with current employer and indicate employment history for the last 5 years. If current employer, end date will be current.

\_\_\_\_\_ Check here if you have no employment history.

Dates of Employment (mm/yyyy)	Company name And address (City, State, Zip)	Immediate Supervisor name & Phone Number	Position Held/Job Description	Reason for Leaving position
Beg. Date _____ End Date _____				
Beg. Date _____ End Date _____				
Beg. Date _____ End Date _____				

### Educational History. Should include high school and forward. If currently enrolled in program, end date will be current.

\_\_\_\_\_ Check here if you have no educational history.

Dates (mm/yyyy) (Start with most recent)	School name and address (City, State, Zip)	Type of School	Name of Program or Degree	Program Completed?
Beg. Date _____ End Date _____				
Beg. Date _____ End Date _____				
Beg. Date _____ End Date _____				

**Volunteer History.** Volunteer history should include 5 of your most recent activities. If you are still participating in a volunteer program, end date will be current.

\_\_\_\_\_ Check here if you have no volunteer history.

Dates (mm/yyyy) (Start with most recent)	Organization City, State, Zip	Contact	Contact Phone Number	Position/Duties
Beg. Date _____ End Date _____				
Beg. Date _____ End Date _____				
Beg. Date _____ End Date _____				
Beg. Date _____ End Date _____				
Beg. Date _____ End Date _____				

**References**

Reference Name First/Last	Address (City, State, Zip)	Daytime Phone	How long have you known this person?	Has this person agreed to be a reference?
Professional/Civic				
Professional/Civic				
Personal				
Personal				
Family Member				

**Confidential Background Check Information**

*Please note: If this form is completed on-line, no parish official will have access to information in this section. Information in this section is only used to obtain criminal records.*

\_\_\_\_\_ Yes \_\_\_\_\_ No Have you ever been accused of or arrested for physically, sexually, or emotionally abusing a child or an adult?

If yes, please explain, using the back side of this application or by attaching another page.

Social Security Number: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Note: If you cannot supply your Social Security Number you must have a letter of reference on file at your parish.

Driver's License: State \_\_\_\_\_ Number \_\_\_\_\_

Date of Birth: Month \_\_\_\_\_ Day \_\_\_\_\_ Year \_\_\_\_\_

Gender: Male \_\_\_\_\_ Female \_\_\_\_\_

Have you changed your last name in the past 5 years? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, what was your previous last name? \_\_\_\_\_

Have you lived outside your current state in the last 5 years? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, what state did you live in? \_\_\_\_\_

**Declarations**

The **Catholic Diocese of Austin** appreciates your willingness to share your faith, gifts and skills. Providing safe and secure programs for our members is of utmost importance to us. The information gathered in this application is designed to help us provide the highest quality Catholic programs for the people of our community. Please read and initial each of the statements below.

\_\_\_\_\_ I declare that all statements contained in this application are true and that any misrepresentation or omission is cause for rejection of my application or dismissal from my ministry involvement.

\_\_\_\_\_ I hereby authorize the **Catholic Diocese of Austin** to conduct a personal and professional background check for the purposes of my application at the **Catholic Diocese of Austin**. The **Catholic Diocese of Austin** may contact any references, past and current employers, church, youth organizations, agencies where volunteer service has been completed, and any individual or organization which might be relevant to my desired position. I hereby release all of the above stated persons from any and all liability for damages that might occur during the **Catholic Diocese of Austin's** contact with the individuals for purposes of employment or volunteer services.

\_\_\_\_\_ I also hereby give complete permission for the **Catholic Diocese of Austin** to conduct a criminal background check, arrest records check, abuse registry check, and driving record check for the purposes of my employment or volunteer services.

\_\_\_\_\_ I understand and agree that information may be obtained from sources that I provided above and that this information will be held confidentially by the **Catholic Diocese of Austin** and not revealed to me. I have also read and understood the above stated information within this release and am signing below of my own free will.

\_\_\_\_\_ I understand that a criminal background check will be conducted prior to and during my service. I authorize investigations of all statements contained in the application.

\_\_\_\_\_ I agree to observe all of the **Catholic Diocese of Austin** guidelines and policies for the program in which I am applying.

\_\_\_\_\_ I understand that the **Catholic Diocese of Austin** has a ZERO TOLERANCE FOR ABUSE and takes all allegations of abuse seriously. I further understand that the **Catholic Diocese of Austin** cooperates fully with the authorities to investigate all cases of alleged abuse. Abuse of minors or vulnerable adults is grounds for immediate dismissal and possible criminal charges.

\_\_\_\_\_ I understand that I can withdraw from the application process at any time.

\_\_\_\_\_ I understand and agree that false statements and/or omissions regarding past conduct and/or present situations may be grounds for denial of the application to provide employment and/or volunteer services and that refusal to inform the **Catholic Diocese of Austin** of the contents of a sealed criminal record will result in the automatic denial of the application.

\_\_\_\_\_ My signature indicates that I have read and understand the above. **Do not sign until you have read and initialed the above statements.**

**Applicant Signature** \_\_\_\_\_ **Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_

I have reviewed this application and have noted any missing information.

**Screening Committee Member Signature:** \_\_\_\_\_ **Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_

**Selected Sites**

Please indicate the city and the name of the parishes/schools with which you would like this application to be registered.

City Where Parish is Located	Name of Parish/School



## Diocese of Austin Code of Ethics

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

---

### Acknowledgement

I have attended an educational seminar that explains the Policies on Ethics and Integrity in Ministry 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 and the above Code of Ethics.

**Please print**

Date \_\_\_\_\_

Name \_\_\_\_\_

Position \_\_\_\_\_

Signature \_\_\_\_\_

Name *and* city of your parish or school \_\_\_\_\_

Daytime phone \_\_\_\_\_

Have you completed an Application for Ministry so that a criminal record check may be done? \_\_\_\_\_

If not, please provide your e-mail and date of birth: Date of Birth \_\_\_\_\_

E-mail address (please print clearly) \_\_\_\_\_

## Process for Responding to Allegations of Misconduct

<b>Investigation</b>	<b>Information Gathering</b>
<p>Initiated in response to</p> <ul style="list-style-type: none"><li>• suspicions and/or allegations of abuse and/or neglect of a minor.</li><li>• allegations of misconduct against a priest, deacon, religious or principal.</li></ul> <p>Are conducted</p> <ul style="list-style-type: none"><li>• with the authorization of and in cooperation with civil authorities, as warranted by civil law.</li><li>• by Chancery personnel or a third party investigator.</li></ul> <p>Activities may include</p> <ul style="list-style-type: none"><li>• Formal, structured interviews.</li><li>• Recording of responses.</li></ul>	<p>Initiated in response to</p> <ul style="list-style-type: none"><li>• suspicions and/or allegations of ethics violations, harassment or exploitation with adults.</li><li>• inappropriate interactions or policy violations with a minor that do not involve suspicions and/or allegations of abuse and/or neglect of a minor.</li></ul> <p>Are conducted</p> <ul style="list-style-type: none"><li>• in consultation with the diocese as needed by the bishop, pastor or principal.</li><li>• by competent and appropriate individuals authorized by the pastor or principal.</li></ul> <p>Activities may include</p> <ul style="list-style-type: none"><li>• Interviews<ul style="list-style-type: none"><li>With individual who has concern.</li><li>With the individual who is the subject of concern.</li><li>With others who may have information about the situation.</li></ul></li><li>• Observations of programs</li><li>• Recording of responses</li></ul>



**Appendix E.**  
**Formal Warning Document**

Church personnel name: \_\_\_\_\_ Position: \_\_\_\_\_

---

***Purpose:***

\_\_\_\_\_ Formal Warning

\_\_\_\_\_ Probation

Statement of the problem: (violation of policies, standards, poor performance)

---

---

---

Prior discussions or cautions of the problem: (whether oral or written, dates)

---

---

---

Statement of diocesan policy on the subject:

---

---

---

Summary of corrective action to be taken by Church personnel:

---

---

---

Consequences of failure to complete and maintain corrective action:

---

---

---

Corrective action to be completed by: \_\_\_\_\_ (often 15 to 30 days from date of this document)

Signature of Supervisor: \_\_\_\_\_ Date \_\_\_\_\_

Signature of Church personnel: \_\_\_\_\_ Date \_\_\_\_\_



