



DIOCESE OF ALLENtown

CODE OF CONDUCT

(Effective November 1, 2022)



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I. Preamble

For purposes of this Code of Conduct, the term "Church Personnel" includes any person who performs tasks for the Diocese of Allentown or one of its schools, parishes, or other entities subject to canon law within the five-county region of the Diocese, including, but not limited to, Priests, Deacons, Seminarians, Religious, lay employees, teachers, coaches, members of consecrated life, and volunteers.

All Church Personnel must uphold Christian values and conduct. The Code of Conduct for the Diocese of Allentown provides a set of standards for conduct in certain situations.

The Code of Conduct is not intended to create an exhaustive list of expectations, standards, or requirements. Rather, this Code accompanies the Universal Law of the Church, civil law, and diocesan policies, including, but not limited to, the Diocese of Allentown Policy Regarding Sexual Abuse of Minors and Diocese of Allentown Policy Regarding Social Media and Electronic Communications, all of which are made a part of this Code of Conduct by reference.

II. Responsibility

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

Responsibility for adherence to the Code of Conduct rests with the individual. Church Personnel who disregard this Code of Conduct will be subject to disciplinary action, up to and including dismissal or termination. Disciplinary action may take various forms from a verbal reproach/counseling to termination of employment or removal from ministry/service--depending on the specific nature and circumstances of the offense and the extent of the harm.

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III. Standards of Conduct

1. Counseling

- 1.1. When offering counseling to a person, individuals who are subject to this Code of Conduct must respect the rights and advance the welfare of each person. In particular, Church Personnel shall:
 - 1.1.1 Not step beyond their competence, training, or expertise in counseling situations and shall refer clients/parishioners to other professionals when appropriate.
 - 1.1.2 Carefully consider the possible consequences before entering into a spiritual direction/counseling relationship with someone with whom they have a pre-existing relationship (e.g., employee, professional colleague, friend, or other pre-existing relationship). [See Section 7.2.2]
 - 1.1.3 Not audiotape or videotape counseling sessions. An exception to this prohibition may only be granted for educational purposes on a case-by-case basis in conformity with the guidelines established by and with the prior written consent of the Secretary for Catholic Health and Human Services and Youth Protection, including the prior written consent of the individual being counseled or his/her parent/legal guardian.
 - 1.1.4 Never engage in physical or sexual intimacies with the persons they counsel. This includes consensual and nonconsensual contact, forced physical contact, and inappropriate sexual comments.
 - 1.1.5 Not engage in sexual intimacies with individuals who are close to the client/parishioner/parishioner-such as relatives or friends when there is a risk of exploitation or potential harm to the client/parishioner. Church Personnel should presume that the potential for harm or exploitation exists in such intimate relationships.
 - 1.1.6 Maintain a log of the times and places of sessions with each person being counseled.
- 1.2. In all situations, individuals who are subject to this Code of Conduct must treat the people they counsel with respect and dignity. In particular, Church Personnel:
 - 1.2.1 Assume the full burden of responsibility for establishing and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships.
 - 1.2.2 Shall avoid physical contact of any kind (e.g., sexual intimacies, inappropriate touching, hugging, holding hands, etc.) between themselves and the person they are counseling, as this can be misinterpreted.
 - 1.2.3 Shall meet with people in appropriate settings at appropriate times. No meetings, discussions, or counseling sessions should be conducted in private living quarters, but rather only in public office areas. Meetings, discussions, and/or counseling sessions should not be held at places or times that would tend to cause confusion about the nature of the relationship with the person being counseled.

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1.2.4 When ministering to or meeting with the home-bound or other potentially vulnerable individuals, Church Personnel are encouraged to serve in the company of another safe environment-trained adult whenever possible.

2. Confidentiality

Information disclosed to individuals who are subject to this Code of Conduct during the course of counseling, advising, or spiritual direction shall be held in the strictest confidence possible.

2.1 Information obtained in the course of such counseling sessions shall be confidential, except for compelling professional reasons or as required by law or Diocesan policy.

2.1.1 If there is clear and imminent danger to the client/parishioner or to others, Church Personnel may disclose only the information necessary to protect the parties affected and to prevent harm.

2.1.2 Before disclosure is made, if feasible, Church Personnel should inform the person being counseled about the disclosure and the potential consequences.

2.2 Church Personnel shall discuss the nature of confidentiality and its limitations with each person in counseling. Church Personnel shall not promise an individual absolute confidentiality, with the exception of the Sacrament of penance (see 2.6).

2.3 Church Personnel shall keep accurate records of the content of counseling sessions.

2.4 While counseling a minor, if Church Personnel discover that there is a serious threat to the welfare of the minor (i.e., anyone under the age of 18) and that communication of confidential information to a parent or legal guardian is essential to the minor's health and well-being, the Church Personnel shall:

- o Attempt to secure written consent from the minor for the specific disclosure.
- o If consent is not given, disclose only the information necessary to protect the health and well-being of the minor.
- o Consultation with the appropriate Church Personnel's supervisor is required before disclosure to the parent or legal guardian.

2.5 Church Personnel shall comply with the requirements of the Pennsylvania Child Protective Services Law, Diocesan policy, Canon law, and civil law with respect to confidentiality issues.

2.6 These confidentiality obligations are independent of the sacramental seal of the confessional. Under no circumstances whatsoever can there be any disclosure—even indirect disclosure—of information received through the confessional. A priest may never disclose anything revealed in the Sacrament of Penance, not even with the penitent's permission. Further, all others who in any way (e.g., inadvertent overhearing) have information received through the confessional are obliged to secrecy (Canon 983).

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3. Conduct With Minors

Individuals who are subject to this Code of Conduct and are working with minors (persons under the age of 18) shall maintain an open and trustworthy relationship with them at all times.

- 3.1 Church Personnel must be aware of their own and others' vulnerability when working alone with minors and shall use prudent judgment and common sense to avoid such situations. Church Personnel shall generally use a team approach to managing activities with minors and should avoid situations where Church Personnel are one-on-one with a minor.
- 3.2 Physical contact with a minor can be easily misconstrued and should occur: (a) only when completely nonsexual and otherwise appropriate; and (b) never in private.
- 3.3 Church Personnel are prohibited from: (a) the illegal possession and/or illegal use of drugs and/or alcohol at all times; (b) the use of alcohol when working with or transporting a minor; and the use of tobacco/vaping products when working with or transporting a minor.
- 3.4 Priests shall not allow minors to stay overnight in the cleric's private accommodations or residence, nor should they have an unrelated minor in a vehicle without another safe environment-trained adult present.
- 3.5 Other Church Personnel are generally prohibited from being alone with an unrelated minor. As such, whenever possible, a second adult should be present when interacting with unrelated minors. Church Personnel shall not have an unrelated minor in a vehicle without another safe environment-trained adult present.
- 3.6 If one-on-one pastoral care or counseling of a minor is necessary, the meeting should be scheduled at a time and place to ensure accountability, such as in a parish office when other adult personnel are on duty - or in those situations where the presence of an adult is not usual or practical, another adult should be informed that the meeting is taking place. The meeting place should be accessible and visible to others, and the door to the room should remain open at all times, to others, unless there is a clear window built into the door. If pastoral care or counseling is accomplished via an electronic medium or telephonically, to the extent legally and ethically permissible, the meeting should be scheduled when another safe environment-trained adult is present and in the room with the Church Personnel conducting the counseling. To the extent possible, such counseling/pastoral care should not be conducted alone.
- 3.7 Minors are prohibited from entering the residences of priests unless the minor is accompanied by another adult at all times.
- 3.8 Church Personnel shall not share private, overnight rooms with minors. This includes, but is not limited to, accommodations in any Church-owned facility, private residence, hotel room, or any other place where there is no other adult supervision present.
- 3.9 Church Personnel shall never provide minors with alcohol, illegal drugs, tobacco/vaping products, pornography, or other inappropriate substances or material.

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3.10 Church Personnel shall not view pornographic materials. Church Personnel shall not take pornographic materials onto any property of the Diocese, including parishes and schools. Church Personnel shall not acquire, possess, view, or distribute pornographic images of any kind.

3.11 Church Personnel are prohibited from using profanity and other foul language with minors. Church Personnel are prohibited from using slurs or other offensive language with minors.

3.12 Communications by Church Personnel with unrelated minors must be for professional purposes only. Church Personnel must maintain appropriate boundaries in all communications with an unrelated minor, including communications through the use of electronic devices, web-based media, or social media. Church Personnel are prohibited from disclosing the personal contact information of a minor to anyone without written parental consent.

3.12.1 Church Personnel shall ensure that the parents or guardians of an unrelated minor are aware of the content of electronic or print communications sent to, or received from, the minor. In exceptional situations when a parent or guardian is not, or cannot be, made aware of the content of electronic or print communications with the minor, Church Personnel shall share the communication with another safe environment--trained adult.

3.12.2 Church Personnel should use good judgment when using social media (which includes, but is not limited to Facebook, LinkedIn, Twitter, Tik Tok, YouTube, Instagram, Flickr, Pinterest, Tumblr, Snapchat, and on-line blogs) both in their personal life and in their work life. Church Personnel are personally responsible for the content that they post on social media. The online behavior of Church Personnel shall reflect the same standards of honesty, respect, dignity, and professionalism that Church Personnel use when interacting with minors. Church Personnel must conduct themselves in a manner consistent with Catholic teaching in all social media content. Remember that content relating to alcohol or tobacco use will likely be deemed inappropriate and should be avoided. Church Personnel shall not solicit or accept "friend" requests from minors on any personal social media account. All Church Personnel should review the Diocese of Allentown's Social Media and Electronic Communications Policies. Consequences when one's online material compromises his/her role in the Church/employment/ministry may include suspension or termination.

3.13 Our children are special gifts God has entrusted to us. Because of this, all Church Personnel are to strictly follow the rules and guidelines in the Code of Conduct. As a condition of providing services to minors, you agree as follows:

(a) **You Will**

- Treat everyone with respect, loyalty, patience, integrity, courtesy, dignity, and professionalism.
- Avoid situations of being alone with unrelated minors.
- Use positive reinforcement rather than criticism, bullying, competition, or comparison when working with minors.
- Report suspected abuse to the pastor, administrator, or appropriate supervisor and to civil authorities as required by the Pennsylvania Child Protective Services Law and Diocesan policies. Failure to report suspected abuse to civil authorities is, according to the law, a crime.
- Cooperate fully in any investigation of abuse of minors.

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(b) You Will Not

- Smoke or use tobacco/vaping products while working with or transporting a minor.
- Use, possess, or be under the influence of alcohol at any time while working with or transporting a minor.
- Accept expensive gifts from a minor or his/her parents without prior, written approval from the pastor or administrator.
- Give expensive gifts to a minor without prior, written approval from the minor's parents or guardian and the pastor or administrator.
- Use, possess, or be under the influence of illegal drugs at any time.
- Manufacture, acquire, use, possess, view, or distribute any type of pornography.
- Pose any health risk to a minor (e.g., interacting with a minor while sick with a fever or other contagious illness).
- Strike, spank, shake, slap or otherwise use physical force with a minor.
- Humiliate, ridicule, threaten, or degrade a minor.
- Touch a minor in a sexual or other inappropriate manner.
- Use any discipline intended to frighten or humiliate a minor.
- Use foul language, profanity, slurs or other offensive, demeaning, or abusive language in the presence of a minor.

4. Sexual Conduct

Individuals who are subject to this Code of Conduct shall not, for sexual gain or intimacy, exploit the trust placed in them by the faith community.

4.1 Clergy and Religious who are committed to a celibate lifestyle are called to be an example of celibate chastity in all relationships at all times. Other Church Personnel are called to a chaste lifestyle according to their state in life (vocation) in all relationships at all times.

4.2 Those who provide pastoral counseling and/or spiritual direction services shall avoid developing inappropriately intimate relationships with minors, other staff, parishioners, and clients. Staff and volunteers shall behave in a professional manner at all times.

4.3 Church Personnel shall not exploit another person for sexual purposes.

4.4 Allegations of sexual misconduct shall be taken seriously and reported pursuant to applicable Diocesan policy. Allegations of misconduct with minors shall be reported in accordance with the requirements of the Diocese's Policies and Procedures Regarding Alleged Sexual Abuse of Minors and pursuant to the Commonwealth of Pennsylvania's Child Protective Services Law. If the situation involves an adult victim of sexual misconduct, the allegation must be reported to your supervisor, who, depending on the circumstances, may need to report the allegation to the proper civil authority.

4.5 Church Personnel shall review and know the contents of the Pennsylvania Child Protective Services Law and reporting requirements for the Commonwealth of Pennsylvania and are required to follow those mandates at all times.

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5. Harassment

Church Personnel shall not engage in physical, psychological, written, or verbal harassment of other Church Personnel, parishioners, students, clients, minors, or any other individual with whom he or she has contact on behalf of the Diocese of Allentown. Church Personnel who are aware of any such harassment must report it immediately to his or her immediate supervisor or administrator. Harassment is strictly prohibited by the Diocese and will not be tolerated.

5.1 Church Personnel shall ensure that their actions, conduct, statements, and interactions with others contribute to a professional work environment that is free from physical, psychological, written, or verbal intimidation or harassment of any kind.

5.2 Harassment encompasses a broad range of physical, written, or verbal behavior, including, but not limited to, the following:

- Physical or mental abuse;
- Racial or other insults;
- Derogatory ethnic, racial or other slurs;
- Gossip that maligns one's character;
- Unwelcome sexual conduct, including advances or touching;
- Sexual comments or sexual jokes;
- Requests for sexual favors;
- Abuse of one's position;
- Display of offensive materials;
- Inappropriate email, text messages, or other electronic communications; and
- Threats or intimidation.

This list is not intended to be all-inclusive.

5.3 Harassment can be a single severe incident or a persistent pattern of behavior where the purpose or the effect is to create a hostile, offensive, or intimidating work, school, or another environment. The Diocese of Allentown prohibits all such conduct, whether committed by supervisory or non-supervisory personnel, as well as third parties (non-employees of the Diocese) engaged in business with the Diocese.

5.4 Allegations of harassment will be taken seriously and shall be reported immediately to the Diocese, Parish, or other organization.

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5.5 Church Personnel are also subject to the Diocesan policies prohibiting sexual and other forms of unlawful harassment as set forth in the Diocese of Allentown Employee Handbook. Church Personnel must comply with all such Diocesan policies.

6. Parish and Diocesan Records and Information

Confidentiality shall be maintained in creating, storing, accessing, transferring, and disposing of parochial and Diocesan records.

6.1 Sacramental records shall be regarded as confidential to the extent legally permissible. When compiling and publishing parochial or Diocesan statistical information from these records, great care must be taken to preserve the anonymity of individuals.

6.2 Sacramental Registers are not open to the public for viewing or research. Information regarding a particular register entry for a particular person may be given to a person who is entitled to make such a request, provided the following precautions are observed.

6.2.1 Information regarding adoption and legitimacy remains confidential, regardless of age. The procedures for registering the baptism of adoptees or the issuing of baptismal certificates for adoptees promulgated by the National Conference of Catholic Bishops (now the United States Conference of Catholic Bishops) on 20 October 2000 and disseminated by the Chancery on 25 October 2000 must be followed.

6.2.2 Only staff members who are authorized to access the records and supervise their use shall handle requests for sacramental records.

6.3 Parochial, school, cemetery, or other Diocesan financial records, including contribution records, are confidential unless review is required under Diocesan regulations or by governmental regulations or agencies. Contact must be made with the Secretary for Administration upon the receipt of any request for release of financial records.

6.4 Individual contribution records of the Parish or the Diocese shall be regarded as private and shall be maintained in strictest confidence.

6.5 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, School or Organization policy.

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7. Conflicts of Interest

Church Personnel shall avoid situations that might present a conflict of interest. Even the appearance of a conflict of interest can call integrity and professional conduct into question.

7.1 Church Personnel shall disclose all relevant factors that potentially could create a conflict of interest.

7.2 Church Personnel shall inform all parties when a real or potential conflict of interest arises. Resolution of the issues must protect the person receiving ministry services.

7.2.1 Church Personnel shall not take advantage of anyone to whom they are providing services in order to further their personal, religious, political, or business interests.

7.2.2 Church Personnel should generally not provide counseling services to anyone with whom they have a business, professional, or social relationship. When this is unavoidable, the client/parishioner/parishioner must be protected. Church Personnel must establish and maintain clear and appropriate boundaries.

7.2.3 When pastoral counseling or spiritual direction services are provided to two or more people who have a relationship with each other, Church Personnel must:

- Clarify with all parties the nature of each relationship.
- Anticipate any conflict of interest.
- Take appropriate action to eliminate the conflict.
- Obtain from all parties written consent to continue counseling or counseling or services.

7.3 Conflicts of interest may also arise when a Church Personnel's independent judgment is impaired by:

- Prior dealings.
- Becoming personally involved.
- Becoming an advocate for one (person) against another.

In these circumstances, the Church Personnel shall advise the parties that he or she can no longer provide services and refer them to another Pastoral Counselor or Spiritual Director.

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8. Reporting Misconduct

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

8.1 Church Personnel shall hold each other accountable for maintaining the highest ethical and professional standards. When there is evidence of illegal action by others, Church Personnel shall immediately notify the proper civil authorities, as well as the Diocese, Parish, School or other Diocesan organization.

8.2 When uncertainty exists about whether a situation or course of conduct violates this Code of Conduct, religious, moral, or ethical principles, or constitutes professional or other misconduct, Church Personnel should consult with:

- His/her Diocesan supervisor or administrator;
- Diocesan Executive Director of Human Resources;
- Secretary for Catholic Health and Human Services & Youth Protection

8.3 Church Personnel believe that this Code of Conduct or other religious, moral, or ethical principles have been violated, the violation should be reported immediately to:

- His/her supervisor or the next higher Diocesan authority; and/or
- Human Resources Director; and/or
- Secretary for Catholic Health and Human Services & Youth Protection.

8.4 The obligation of Church Personnel to report client/parishioner misconduct is subject to the duty of confidentiality set forth in Section 2 of this Code of Conduct, to the extent legally permissible. Notwithstanding the foregoing, any duty to maintain confidentiality must yield to the requirements of the Pennsylvania Child Protective Services Law, civil law, Canon law, and to the need to report misconduct that threatens the safety, health, or well-being of any of the persons involved (except as provided for in Section 2.7).

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9. Administration

Diocesan supervisors, managers, and administrators shall treat other Church Personnel justly in the day-to-day administrative operations of their ministries.

- 9.1 Employment and other administrative decisions made by Church Personnel shall be consistent with this Code of Conduct, as well as Catholic social teachings, and comply with applicable civil and Canon law requirements and other legal requirements.
- 9.2 No Church Personnel shall use his or her position to exercise unreasonable or inappropriate power and authority.
- 9.3 All Church Personnel providing services to minors; including volunteers, must read and sign the Acknowledgment Form to this Code of Conduct before providing such services.

10. Clergy, Religious, Employee and Volunteer Well-being

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

- 10.1 Church Personnel should be aware of warning signs that indicate potential problems with their own spiritual, physical, mental, and/or emotional health.
- 10.1 Church Personnel should seek help immediately whenever they notice behavioral or emotional warning signs in their own professional and/or personal lives.
- 10.2 Church Personnel who recognize behavioral or emotional warning signs in others should alert their supervisor/administrator.
- 10.3 Church Personnel must assess and address their individual spiritual needs. Support from a Spiritual Director is highly recommended.
- 10.4 Inappropriate or illegal use of alcohol and drugs by Church Personnel is prohibited.

11. Legal Compliance

- 11.1 Consistent with the requirements of good citizenship, understanding of and compliance with all applicable laws and civil law regulations is expected and required of all Church Personnel in the performance of their duties, services, and other responsibilities on behalf of the Diocese. If you have questions regarding what laws or regulations are applicable to you, please consult the Diocesan Executive Director of Human Resources, and/or the Secretary for Catholic Health and Human Services & Youth Protection.