
Policy on Ethics and Integrity in Ministry (EIM) Diocese of Kansas City-St. Joseph

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Promulgation of New EIM Manual

To: All Priests, Deacons, Religious, Lay Employees, Volunteers and all Catholic Faithful

From: Most Reverend Robert W. Finn

Re: Ethics and Integrity in Ministry Specific Directive



Office of the Bishop

July 30, 2013

Dear Friends:

I am pleased to announce that our diocese has adopted a new, comprehensive code of ethics entitled Ethics and Integrity in Ministry (EIM). In the past, our Diocese had multiple Codes of Ethical Behavior guiding different members of our organization. Our understanding of what is required to build the safest environment for our members has evolved and must be embraced by all areas of ministry. This new document will guide all our members--clergy, employees and volunteers alike, and help us to fulfill our obligation of ministry and service to God's people. The EIM provides specific instructions for the reporting of suspected abuse or neglect of minors as required by Missouri law.

The work in outlining our guiding principles and values has been carefully and thoughtfully crafted. For over a year, many diocesan officials have worked together with various members of clergy, employee and volunteer personnel to create a document that will serve to unify and promote our efforts to be ethical and faithful servants of the Lord, serving with integrity and honor.

In this effort, we must pledge to protect all of our members, but most especially the vulnerable among us. In Matthew 19:14 Jesus said, "Let the children come to me, and do not prevent them, for the kingdom of heaven belongs to such as these." Each and every person serving in the Diocese must fully understand and carry out their personal responsibility to protect our children, youth and vulnerable adults. I direct you to fully understand and accept your legal and ethical responsibility to protect minors, pursuant to Missouri Law (which can be found at <http://www.moga.mo.gov/statutes/C200-299/2100000115.HTM>).

In order to serve in ministry in the Diocese of Kansas City-St. Joseph, you must carefully read and acknowledge your intent to adhere to the Catholic Virtues and Values outlined in the EIM. The EIM replaces all other previous codes of ethical standards effective September 1, 2013. In the coming months, leaders at every parish will be trained to implement the requirements of the EIM. These leaders will provide resources and training to ensure that every member understands how to apply its content in their ministerial work for the diocese.

Christ in Mary,

A handwritten signature in black ink, appearing to read "Robert W. Finn".

Most Rev. Robert W. Finn

Bishop of Kansas City-St. Joseph

II. Who is governed by this Policy?

All Church personnel working and volunteering in the Diocese of Kansas City-St. Joseph are governed by the principles of this policy. All the work of the Diocese is considered a special ministry to serve the Church, and as such all employment and volunteer service will be referred to as Ministry in this policy.

Personnel includes:

1. Priests and Deacons* (“Clerics”)

- a. Clerics incardinated in the Diocese of Kansas City-St. Joseph.
- 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), operating in the Diocese and/or the parishes, schools or Catholic agencies in the Diocese.
- 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. Those who are enrolled in the permanent diaconate formation program.

*In addition to the provisions of these policies, the priests and deacons are also bound by the “Essential Norms” issued alongside the Charter for the Protection of Children and Young People (Dallas Charter originated 2002).

2. Seminarians and Religious

- a. All seminarians legitimately enrolled in the seminary formation process of the Diocese.
- b. Members of religious institutes, societies of apostolic life and secular orders and movements engaged in the care of souls, the public exercise of divine worship, and other works of the apostolate (c. 678), operating in the Diocese and/or the parishes, schools or Catholic agencies in the Diocese.

3. The Lay Faithful

- a. All paid personnel of the Diocese and/or the parishes, schools or other Catholic agencies in the Diocese.
- b. All volunteers of the Diocese and/or the parishes, schools or other Catholic agencies in the Diocese.

4. Vendor/Contractors

Those who contract (or sub-contract) their services to the Diocese and/or the parishes, schools or other Catholic agencies in the Diocese must follow the Vendor/Contractor

- a. Certification and Code of Conduct.

III. Principles of Ethics and Integrity in Ministry: Code of Ethics

Principles of *Ministerial* Relationships:

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 one's ministerial role; rather to demonstrate our love and compassion for children and adults in the most sincere and genuine relationships.

This Policy has been adopted by the Diocese of Kansas City-St. Joseph to help ensure the charitable character of ministerial relationships and vigilantly guard against all harm. Therefore, ALL those who serve in ministry in the Diocese are asked to carefully consider each provision in this Policy before signing (or acknowledging online) the agreement to adhere to its standards and continue in service. The abbreviation EIM in this policy refers to Ethics and Integrity in Ministry (EIM).

Those who serve in ministry in the Diocese of Kansas City-St. Joseph shall:

- Exhibit the highest Christian ethical standards and personal integrity.
- Conduct oneself in an ethical manner that is consistent with the discipline, norms and teachings of the Catholic Church.
- Provide a professional work environment that is free from harassment.
- Not take advantage of a counseling, supervisory or authoritative relationship for one's own benefit.
- Not act in an abusive or neglectful manner.
- Report concerns about unethical behavior to your supervisor (such as Pastor, Principal, Vicar General, Superintendent of Catholic Schools or the Bishop).
- Report suspicions of sexual abuse of a minor to the Missouri Child Abuse hotline, law enforcement (the police, sheriff, FBI, or the law enforcement agency with jurisdiction in your area),
 - Also report sexual abuse of a minor and/or suspicious behavior including boundary violations involving a minor or vulnerable adult to the Ombudsman of the Diocese of Kansas City-St. Joseph if the suspected perpetrator is a member of the Church personnel.
- Adhere to the requirements of the law of the State of Missouri regarding the reporting of any suspected abuse or neglect of a minor.
- Accept one's personal responsibility in the protection of minors from all forms of abuse.
- Follow the *Policy on Ethics and Integrity in Ministry* (EIM).

IV.. Guidelines for Ethical Behavior

Ethics in Ministry—the Foundation of Catholic Virtue

1. Ethical behavior is behavior that is consistent with the morals and teachings of the Catholic Church. It is fundamental to the mission of the Diocese of Kansas City-St. Joseph that Church personnel exhibit the highest ethical standards and personal integrity. This includes following the laws of the church outlined in the Ten Commandments.
2. Church personnel enjoy a public trust and confidence. It is essential, then, that one view their own actions and intentions objectively to assure that no observer would have grounds to believe that immoral conduct exists. Our personnel have a responsibility to strive to uphold ethical behavior in their day-to-day work and personal lives. This expectation of ethical behavior exists for both “in person” and “virtual” interactions (which encompass online and electronic communications and all social media use).
3. Church Personnel must respect the rights, dignity, and worth of every person without regard to their economic status or degree of participation in parish life.
4. Church personnel should be sensitive to cultural differences among people and appreciate the opportunities that diversity brings.
5. Church Personnel are expected to have a high level of competency in their particular ministry. Church Personnel who are “accredited” professionals shall endeavor to maintain their competency and currency through training, continued education and experience. Competence also means knowing one’s limitations.

Prohibited Conduct—the Foundations of Evil

1. 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).
2. Misconduct creates scandal. All types of misconduct are prohibited. Additionally, Church Personnel are prohibited from engaging in conduct or situations that can give the appearance of misconduct.

Misconduct includes, but is not limited to, the following behaviors:

- **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.
- **Harassment:** The illegitimate and offensive use of power where the purpose or the effect is to create a hostile, intimidating, or offensive work or ministerial environment.

- **Exploitation:** Taking advantage of a person, situation, etc. unjustly or unethically for one's own gains. This could be physical, financial or emotional.
- **Breach of Confidentiality:** The improper disclosure of information shared during the course of pastoral care or spiritual direction.
- **Conflict of Interest:** The taking advantage of a pastoral care or spiritual direction relationship in order to benefit or further the personal interests of the provider.
- **Discrimination:** The showing of bias against another on the basis of age, gender, race, religion, sexual orientation, physical or mental abilities, or language.
- **Abuse:** Abuse includes physical abuse, sexual abuse and emotional abuse and is further defined in the "Essential Norms"
 - **Physical abuse:** Non-accidental injury that is intentionally inflicted upon a person.
 - **Sexual abuse of a minor or vulnerable adult:** Any contact of a sexual nature that occurs between an adult and a minor or an adult and a vulnerable adult, that is intended to produce sexual stimulation of the perpetrator. Prevention of sexual abuse is of particular importance within the Diocese. This includes, but is not limited to:
 - sexual exploitation
 - sexual assault
 - fondling
 - making a minor watch sex acts or pornography
 - using a minor in any aspect of the production of pornography and
 - possession or distribution of child pornography
 - **Sexual Abuse:** Any contact of a sexual nature that is unwanted or forced.
 - **Emotional abuse:** Mental or emotional injury that results in an observable and material impairment in the person's growth, development or psychological functioning.
- **Neglect:** The failure to provide for a minor or vulnerable adult's basic needs or the failure to protect a person from harm.

V. Guidelines for Integrity in Ministry

Integrity in the Workplace or Place of Ministry:

Integrity is characterized by honesty, soundness of judgment and sincerity of manner. Church personnel are expected to maintain a high standard of integrity and a work environment free from harassment. Church personnel shall not engage in harassment and shall not tolerate harassment by those with whom they work.

Harassment encompasses a broad range of physical, psychological, written, or verbal behavior that includes, but is not limited to, the following:

- abuse
- racial insults
- derogatory ethnic slurs
- demeaning a person based on gender
- sexual comments or sexual jokes
- unwelcome sexual advances or touching
- requests for sexual favors as a condition of employment, or to affect other personnel decisions, such as promotion or compensation
- display of offensive materials
- intimidation

Harassment may be severe and/or pervasive conduct. Severe conduct is sufficient to alter a workplace environment even though it may occur only once. Pervasive conduct is a persistent pattern of harassment. All forms of harassment are prohibited.

Pastoral Care and Spiritual Direction:

Pastoral care is a ministry of care and compassionate presence where the provider offers emotional support and family education to individuals and families, and connects these individuals and families with community mental health and counseling resources as needed.

Spiritual direction is a ministry of “holy listening” where the spiritual director serves as a companion to help individuals listen and look at the action of the Holy Spirit in their lives, and helps them to listen to God speaking to their own heart. It is a ministry by which one person helps another in the practice of the spiritual life.

Those engaged in pastoral care or spiritual direction shall work within their limitations and competencies and shall refer people to professionals when appropriate. Although it may not be outlined in a job description, many clerics, deacons, employees and even volunteers will occasionally find themselves in a situation where it is appropriate to provide pastoral care or spiritual direction to members of the diocese.

Those providing care should always consider the following values:

1. **Prevention of Exploitation:** To prevent any opportunities for exploitation and inappropriate behaviors, those providing pastoral care or spiritual direction shall also:
 - Set and maintain clear and appropriate boundaries.
 - Be judicious in use of physical contact which should always be respectful and consistent with the intent to provide a safe and comfortable environment.
 - Conduct pastoral care and spiritual direction in appropriate settings at appropriate times; and sessions should not be held at places or times that would cause confusion about the nature of the relationship for the person being served and others.
2. **Importance of Confidentiality:** Confidentiality is a hallmark of a trusted relationship; therefore it is important to maintain a strict confidence in the pastoral care and spiritual guidance provided. One should always abide by the following touchstones of confidentiality:
 - Information disclosed during the course of pastoral care or spiritual direction shall be held in the strictest confidence possible, with due regard for the norm of civil or canon law.
 - The nature of confidentiality, including its limitations, should be discussed with each person who seeks pastoral care or spiritual direction.
 - 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.
3. **Conflicts of Interest:** 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 ministerial conduct. If a conflict of interest exists or arises, all concerned parties should be informed. Resolution of the issues must protect the person being served. Clear, appropriate boundaries regarding business, professional, and social relationships must be established and maintained to avoid conflicts of interest. Example: When the personal or professional concerns of a clergy, employee or volunteer affect his or her ability to put the welfare of the organization before personal benefit, conflict of interest exists.

VI. Guidelines for Work or Service in Ministry with Minors and/or Vulnerable Adults

Definitions:

A **minor** is anyone who has not reached the age of 18.

A **vulnerable adult** is defined as any adult who has reached age 18 who would be considered uniquely vulnerable to abuse because of physical or mental disability that substantially impairs the person's ability to provide adequately for their own care or protection, including adults who habitually lack the use of reason.

A **Service Area** refers to the particular program or ministry. Examples of Service Areas dedicated to Ministry with Minors include the Catholic School Office, Youth Ministry, and Religious Education. The Policy in the EIM provides principles which guide all members of the Diocese in their ministry. However, your Service Area may also have manuals which contain additional specific guidelines and procedures.

Who should be Screened and Trained Prior to *Ministerial* Service with Minors and/or Vulnerable Adults?

Without exception, the following individuals must be screened:

- All clerics
- All religious and seminarians
- All persons employed in any parish, Catholic school or diocesan office or agency
- All volunteers serving in a supervisory capacity over minors or vulnerable adults (i.e. child care provider during parish functions, overnight chaperone, etc.)
- All volunteers serving at a school or parish program (where minors/vulnerable adults are typically present) three or more times in any given calendar year (from January 1-December 31) *

*It is the safest practice to carefully screen **all** parent volunteers prior to service with minors. Every effort should be made to determine whether a volunteer will be providing continued service or participating in only one or two events per year. If a volunteer is only serving as an occasional volunteer "fewer than 3 times a year", that volunteer should be properly supervised by an EIM compliant adult.

Groups or persons who **must** be screened include but are not limited to:

- religious education teachers
- youth ministers
- coaches
- room parents
- school readers, recess and lunchroom helpers
- parish nursery and Mother's Day Out program employees and volunteers
- children's choir/music ministry
- coordinators of altar servers
- parish/school sponsored Scout groups
- any member of a group (ladies/men's clubs, Knights of Columbus, Serra Club, etc.) volunteering for a parish or school event involving minors 3 or more times a year

Examples of groups or persons who **may** be screened at the discretion of parish leadership:

- liturgical ministers
- greeters/ushers,
- adult altar servers
- extraordinary ministers of Holy Communion
- readers
- adult choir/music ministry
- sacristans
- homebound/hospital ministry

In order to best protect all children and youth, the following organizations are also ***strongly encouraged*** to adhere to these same screening guidelines:

- Catholic parent-chartered Scout groups
- Catholic organizations that may serve youth even though their primary function is not necessarily to serve youth (i.e., ladies/men's clubs, Knights of Columbus, Knights of Peter Claver, Serra Club/vocations ministry, etc.)
- homeschool ministry beyond immediate family

Additionally, Pastors and Principals may determine that those in any parish/school leadership position (i.e., Pastoral Council and School Advisory Council members) should be in compliance with this diocesan EIM policy as a symbol of leadership within the parish or school ministry. The Diocese encourages all its members to arm themselves with knowledge about sexual abuse by attending VIRTUS® *Protecting God's Children* training.

Companies, contractors or individuals providing intermittent services (i.e., plumber) are to be supervised when on parish/school property and should be segregated from minors; thus they do not need to complete the Screening and Training Process (outlined below) to provide such service. If the company, contractor or individual will be providing services on diocesan property where they *may* come into contact with minors (unsupervised), the Vendor/Contractor Certification Form and Contractor Code of Ethical Conduct form must be completed prior to service. These forms can be found in the Appendix.

Screening and Training Process: What Process Must be Completed Prior to Ministry with Minors and/or Vulnerable Adults?

Prior to working or volunteering with minors and/or vulnerable adults, all Personnel must be screened according to this policy. There may be additional requirements found in the Diocesan Administrative Manual, the Employee Handbook, School Office Manual or your Service Area Manual. You are responsible for understanding the specific requirements set forth in the Service Area program in which you are participating.

If you are arrested, all Personnel shall report any arrest to the Ombudsman in the Office of Child and Youth Protection (OCYP) for monitoring and evaluation. Failure to report an arrest could result in immediate suspension and/or termination of ministry according to applicable canon and civil law.

Screening of Adults (18 years or older): What are the requirements?

1. Completion of an application for working or volunteering in the Diocese (see the Appendix for the Diocesan Volunteer Application)
 2. Completed Background Evaluation and a repeated background evaluation every 5 years
 3. Completion of the VIRTUS® *Protecting God's Children Training for Adults* (or equivalent Praesidium, Inc. training) by all employees of the diocese and volunteers working with minors or vulnerable adults three or more times in any given calendar year.
 4. Acknowledgement of (read and sign, or acknowledge online) the *Policy on Ethics and Integrity in Ministry* (EIM) annually
- Additional screening procedures, such as reference checks and face-to-face interviews, are required for all candidates for employment. These procedures can be found in the Employee Handbook at <http://www.diocese-kcsj.org/docs/EmployeeHandbook-final.pdf>.
 - Volunteer applicants are subject to reference checks. Supervisors are encouraged to conduct face-to-face interviews, especially when the volunteer is unknown to them.
 - Applicants who transfer to a parish or school in the Diocese from another diocese must complete the Screening Process described in this policy.
 - Church personnel transferring from one parish or school to another within the Diocese of Kansas City-St. Joseph should have their information updated with the Safe Environment Coordinator (SEC) at their primary location, to reflect their site change and any other information that has changed.
 - Questionable or unfavorable background screening results will be reviewed by the OCYP. In such cases, services provided by the individual may continue only after consultation with the Pastor, Principal or Administrator and the Director of the OCYP or the Ombudsman. Some background screening results may disqualify a person from serving with minors and/or vulnerable adults.

Screening of Minors: What are the requirements for Youth Volunteers and/or Employees?

The opportunity for youth to serve in a volunteer capacity within their parish or school is an important part of Catholic formation and education and a foundation for the beginning of a life of Catholic stewardship. However, youth under 18 years old may never serve in a position supervising minors, and *must* be supervised by two EIM compliant adults (age 18 or over) who have completed the Adult Screening and Training Process.

High School Volunteers and/or Employees (ages 15-18)

1. Completion of the Diocesan Volunteer Application. (see Appendix)
2. Acknowledge (read and sign) the Diocesan *Code of Ethical Conduct for Minors Volunteering or Working with Younger Children*. (see Appendix)
3. Completion of VIRTUS® *Protecting God's Children for adults* training. For youth age 15-18 ministering with children, completion of this training is recommended subject to parent's approval and consent.

Note: A background evaluation is not required for anyone under age 18. For further guidelines involving minors working with minors, please refer to your Service Area Manual.

Volunteers under age 15

When parishes or schools provide opportunities for youth under the age of 15 to share their time and talent in supervised ministerial settings as "helpers", the following screening guidelines apply:

1. Parents or guardians must sign the *Commitment to Ethical Conduct for Minors Volunteering or Working with Younger Children* before their minor may volunteer in any capacity. (see Appendix)
2. The Diocesan *Code of Ethical Conduct for Minors Volunteering or Working with Younger Children* must be signed by the volunteer and reviewed with the volunteer by the adult supervisor. (see Appendix)

Who is Responsible for Screening and Documentation?

1. As a member of this Diocese, it is your responsibility to ensure your screening is complete if you are working with minors or vulnerable adults.
2. At each parish and school, the Pastor is responsible for ensuring that all Personnel working with minors or vulnerable adults in their parish have been screened.
3. Each Pastor shall designate a parish Safe Environment Coordinator (SEC) to assist in this responsibility. The SEC is an extension of the OCYP, and shall be responsible for coordinating the screening and documentation at each parish.
4. The OCYP will perform periodic parish safety audits to ensure safe environments for all minors and vulnerable adults. There will be a compliance check reviewing the screening process and documentation at each parish and school.
5. If an applicant fails or refuses to complete any part of the Screening Requirements, then he/she cannot serve in ministry. The Pastor or his designee will inform the individual that he/she cannot begin or continue ministry until in compliance with all the requirements.

When do these Screening Requirements need to be Completed?

1. An employment or volunteer application and background screening consent form must be completed prior to beginning service with a minor or vulnerable adult (continuing ministry is based on successful screening results);
2. Background evaluations must be repeated every 5 years for all employees and clergy in service or ministry for the diocese;
3. Background evaluations must be repeated every 5 years for volunteers working with minors or vulnerable adults for the diocese;
4. The *Policy on Ethics and Integrity in Ministry* (EIM) must be acknowledged prior to any work or service in ministry and must be reviewed and acknowledged annually;
5. The VIRTUS® *Protecting God's Children for Adults* training must be completed within 60 days of beginning ministry or employment with the diocese.

Safety Guidelines for working with minors and/or Vulnerable Adults

1. One adult should never be alone in a private location with a single minor, except sacramental confession.
 - A private location is a location where an ordinary person would expect privacy - (i.e., bedroom).
 - A private location is also a location that is separated from public view or access (i.e., a room with a closed door and no windows, or covered windows).
 - If there is a need for a confidential discussion or training session with a minor, it should occur in a location that is in view of other persons, and the minor should have first and immediate access to the exit.
2. There shall be at least two EIM compliant adults (successfully completed Screening Process) supervising any program involving minors.
 - Church Personnel found to be non-compliant must:
 - i. Complete the first two screening requirements prior to continued ministry;
 - ii. Complete the training requirement for *Protecting God's Children* workshop within 30 days.
3. All employees and volunteers working with minors have an additional responsibility to adhere to the guidelines found in their particular Service Area Manual (i.e., School Office and Youth Ministry Manuals).
4. In order to best protect the community, registered sex offenders are not allowed to work or volunteer with minors and/or vulnerable adults in our parishes and/or schools.
5. Registered sex offenders may not be allowed on school property. Exceptions can be requested by working with the Pastor or Principal of the parish or school. See the Sexual Offender Policy for Diocesan Early Childcare Centers, Elementary and High Schools or the appropriate service area manual for further details.

Standards for Interactions with Minors and/or Vulnerable Adults

Appropriate *ministerial* contact between adults and minors and/or vulnerable adults constitutes a positive part of church life.

Examples of appropriate contact with minors for Church programs include, but are not limited to:

- a. verbal praise
- b. brief side hugs or arm around the shoulder
- c. brief pat on the shoulder or upper back
- d. hand-shakes, "high-fives", knuckle bumps or hand slaps
- e. brief touching of hand, face, head, shoulder or arm of minor
- f. holding hands while walking with small children
- g. sitting beside small children
- h. kneeling or bending down for a brief hug with small children
- i. holding hands during prayer

Some forms of contact have been used by adults to violate a child's appropriate and established boundaries. **In order to maintain the safest possible environment, examples of contact with minors that are not to be used include, but are not limited to:**

- a. long and/or inappropriate frontal embraces
- b. kisses on the mouth
- c. holding minors over four years old on the lap or in one's arms; holding younger minors should only be "as needed" (e.g., for comfort) or at the invitation of the parent
- d. touching knees, legs, buttocks, chests or genital areas
- e. being alone in isolated areas such as closets, staff-only areas or other private rooms
- f. playing with hair of a minor
- g. being on a bed with a minor (unless a bed becomes designated "seating space" during daytime hours)
- h. wrestling with minors, tickling minors or piggyback rides
- i. any type of massage, whether given by minor to adult or adult to minor
- j. any form of unwanted affection
- k. oral or written comments that relate to physique, body development, expression of overt physical affection and/or involve other boundary violations
- l. providing alcohol, drugs, tobacco or illegal materials to a minor
- m. giving of gifts or money to a minor without the parent's knowledge and consent

Furthermore, when Church Personnel are supervising minors, **prohibited behaviors include, but are not limited to:**

- a. swearing or using vulgar language
- b. using, possessing or being under the influence of alcohol or illegal drugs

- c. discussing their own sexual activities
- d. possessing or displaying sexually oriented or morally inappropriate printed or electronic materials (e.g., magazines, cards, videos, films, clothing, Internet sites, etc.)
- e. engaging in any sexually oriented conversations with minors unless the conversations are part of a legitimate lesson and discussion regarding human sexuality (On such occasions, the lessons will convey to youth the Church's teachings on these topics. If youth have further questions, they should be referred to their parents or guardians for clarification or counseling).
- f. undressing or being nude
- g. taking a shower with a minor
- h. sleeping in the same bed, sleeping bag or tent with a minor, unless the adult is an immediate family member of the minor

Guidelines for Use of Social Media and Electronic Communications

Some examples of Social Media and Electronic Communications include and are not limited to: use of the Internet, blogs, email, social media such as Facebook and Twitter, texting and instant messaging. These methods of electronic communications will be referred to as virtual contacts in this document.

The use of virtual contacts can facilitate sharing of information among minors and adults with certain restrictions. In virtual contacts as in direct encounters with young people, appropriate boundaries must be clearly defined and adhered to in order to protect both minors and adults.

The Diocese of Kansas City-St. Joseph adheres to the USCCB's Social Media Guidelines currently found at www.usccb.org/about/communications/social-media-guidelines.cfm#snminors. If you use social media to interact with minors, you need to review and follow the Diocesan Social Media Policy found at <http://www.diocese-kcsj.org/docs/Social-Media-2011.pdf>.

Guidelines for conduct between adults and minors in their virtual contacts include:

- Adults must have written permission from a minor's parent or guardian before contacting the minor through any virtual contact or before posting pictures, video, and other information that may identify that minor.
- All communications between adult leaders and minors should be transparent and for legitimate ministry related purposes.
- "Friending" requests should be initiated by the minor and not the adult.
- Minors should never be invited or accepted as a "friend" at a private social media page or account of an adult in a supervisory position of that minor.
- Employees and volunteers should set personal profile pages to a "private" setting so that youth do not have access to personal information.
- Social media, texting, tweeting, blogging, and other forms of cyber communication with minors are to be limited to sharing information related to the parish's programs(s).

All Personnel are responsible for learning their responsibilities with social media. If you have a question, please contact the Director of your Service Area or the Director of the OCYP.

Supervision of Programs that Involve Minors and/or Vulnerable Adults

Parish/school leaders shall be aware of all programs for minors and vulnerable adults. A list of these programs should be maintained by the parish or school and include activities, purpose, sponsors or coordinators of the programs, adult/volunteer membership, meeting times and locations. These programs shall be reviewed at least annually to determine whether they have adequate supervision, verify compliance of new members, etc.

1. All new programs for minors (or vulnerable adults) should be reviewed and approved by the Pastor or Principal.
2. Building designs and remodels should be reviewed to ensure maximum visibility and compatibility with OCYP safe environment building practices (i.e., windows in doors, signage on restrooms identifying those for adults, etc.).

VII. Reports of Abuse or Neglect of a Minor or Vulnerable Adult

Abuse of a minor or a vulnerable adult is a crime that cannot be tolerated. Church Personnel have an ethical responsibility to report suspicions of abuse or neglect of minors or vulnerable adults.

Under Missouri law, certain persons have a legal obligation to report suspected abuse or neglect of minors. These “Mandated Reporters” shall immediately report to the Children’s Division according to the Revised Statutes of Missouri, sections 210.109 to 210.183 and 352.400. All personnel, whether or not they are mandated reporters have an ethical obligation to report suspicions of abuse or neglect both to the Children’s Division Child Abuse Hotline and their local law enforcement agency. We all have a moral obligation to protect children.

Within the Diocese, the following positions (whether paid or volunteer) are considered Mandated Reporters:

- Clergy
- School, Early Childhood Centers, and Day Care Center Administrative Staff
- Parish and Retreat Center Administrative Staff who are in regular contact with minors in a supervisory capacity
- Principals, Teachers, Classroom Aides
- Directors and Coordinators and Teachers of Religious Education
- Directors of Youth Ministers, Youth Ministers and Sacramental Preparation Teachers
- Children’s and Intergenerational Choir Directors and Musicians
- Coaches, Catechists, Catechetical Aides
- Coordinators of Altar Servers
- Those exercising supervision over a child for any part of a 24 hour day

If you have a question as to whether you are a “Mandated Reporter” under Missouri Law, please contact your supervisor immediately.

Reasonable suspicion requires you to report; you do not need absolute proof before making a report. A report is required when available facts when viewed in the light of the surrounding circumstances would cause a reasonable person to believe a minor has been or may be subjected to abuse or neglect.

Steps when you *suspect* abuse and/or neglect

Within 24 hours:

1. You must make a call to the Missouri Child Abuse Hotline at 1.800.392.3738; and
2. Report the suspected abuse to your local law enforcement agency or 911; and
3. Report the Suspected Abuse or Suspicious Behavior to the Diocesan Ombudsman IF:
 - The suspected abuse is sexual and involves or involved a minor, and
 - The suspected abuser is or was an employee, cleric or volunteer in the Diocese of Kansas City-St. Joseph.
 - If the report is outside of the jurisdiction of the OCYP, the Ombudsman will make the referral to the proper authority.
 - The Ombudsman and the Diocese will cooperate fully with law enforcement.
 - No Church Personnel other than the Ombudsman is to conduct any investigation.

Failure of a mandated reporter to report suspected abuse or neglect to the Missouri Children's Division Abuse Hotline is a Class A misdemeanor punishable by law. A person who *intentionally* makes a false claim of abuse is punishable by law. However, a person has immunity from civil liability if they report something they believe to be true, but that after investigation is found to be false.

VIII. Reports of Misconduct (NOT Involving Sexual Abuse of Minors)

In order to have the highest level of *ethics* and *integrity*, it is important that all allegations of misconduct are addressed consistently and with care and concern.

What to report

Violations of ethics and integrity in ministry, as defined by the EIM.

How to report

- Report misconduct to your direct supervisor.
- If your direct supervisor is the subject of the report, contact the Diocesan Director of Human Resources at 816-741-2315.

Investigation of Ethics and Integrity Policy Violations

When incidents or concerns of policy violations are reported to a Pastor, Principal or Service Area Supervisor, he or she shall gather additional information about the nature of the concern, and if deemed appropriate and necessary may contact the Human Resources Director and the Vicar General, Superintendent of Catholic Schools or the Supervisor of the Service Area for consultation. Actions may include:

- If it is believed a crime has been committed, contact law enforcement.
- If the misconduct is unsubstantiated, inform the reporter.
- If the allegation is credible, inform the accused of the accusation, and, during the investigation:
 - If the accused is an employee, may place him or her on temporary leave with pay.
 - If the accused is a volunteer, may temporarily remove him or her from ministry/ organization responsibilities.

When allegations, incidents or concerns of policy violations are reported to the Superintendent of Catholic Schools, Vicar General or the Supervisor of the Service Area, he or she may:

1. Use the information gathered to begin an investigation or defer back to the Pastor, Principal, or agency supervisor, depending on the nature of the incident,
2. Refer the incident to an agent of the Diocese or an independent investigator for further investigation,
3. Consult with the appropriate diocesan professionals regarding specifics of the incident (i.e., Director of Human Resources, Chancellor, Bishop), and
4. Document and report findings and conclusions to the Pastor, Principal or agency supervisor.

Documentation

Any parish, school and/or diocesan investigation shall be documented. Documentation of Investigation(s) will be stored in the Personnel file of the individual that is the subject of the investigation. Such files shall be maintained for all Personnel at the institution(s) in which he or she is serving in ministry.

Discipline Procedures

1. The Standard of Review for decisions regarding discipline following investigations of allegations, incidents or concerns of misconduct is held at the absolute discretion of the decider (typically the Pastor, Principal, Vicar General, Superintendent of Catholic Schools or Bishop).
2. Procedures for discipline of clergy will be consistent with these policies, canon law and the “Essential Norms”.
3. Employees at parishes, schools or other Catholic agencies in the Diocese of Kansas City-St. Joseph are at-will employees. Employers should follow their employee policies handbook to address all employment discipline issues.
4. When the conduct of a volunteer at parishes, schools or other Catholic agencies in the Diocese does not meet the standards of the *Policy on Ethics and Integrity in Ministry*, it is the responsibility of the Pastor, Principal or ministry/program Supervisor to address the problem(s) in a timely and equitable manner. The procedure may include any of the following discipline options for any Church Personnel: the Supervisor may move to any option in the discipline procedure at any time.
 - a. **Conversation** - Many conduct deficiencies are identifiable and can be addressed and resolved through direct dialogue:
 - i. Clear identification of the problem with specific examples.
 - ii. A mutually agreed upon action plan to resolve the problem.
 - b. **Formal Warning** - A formal warning meeting may be initiated when 1) direct dialogue fails to resolve the problem, or 2) the problem is of such a nature that immediate and formal resolution is required. Consult the Human Resources Director for specific directives of the process.
 - c. **Probation** - Probation (typically 6 months) may be initiated when a warning process has not succeeded or when the misconduct is such that a second infraction would clearly warrant termination.
 - d. **Suspension or revocation of rights to serve in a ministry** – This option may be administered at the sole discretion of the decider at any point in the discipline procedure, subject to canon law.
 - e. **Termination** – Termination may be administered when there is failure to improve conduct previously addressed through conversation, formal warning or probation; the problem is of such a nature that immediate and formal resolution is required; or at the sole discretion at any point in the discipline procedure, subject to canon law, of the decider.
5. Employees accused of criminal behavior are not eligible for rehire or transfer during the discipline procedure. During the process of a transfer or re-hire within the Diocese, Supervisors or Pastors should check references.

IX. Our Pastoral Response to Reported Misconduct in Ministry and Allegations of Abuse or Neglect

Representatives of the Diocese shall respond in a timely manner to all allegations, incidents or concerns related to violations of the *Policy on Ethics and Integrity in Ministry (EIM)*. The Diocese has a specific protocol to be used in addressing all reports of sexual abuse of a minor or vulnerable adult. See the complete Policy at

[http://www.diocese-kcsj.org/docs/Policy for Addressing Sexual Abuse of a Minor - 11-1-12 - FINAL.pdf](http://www.diocese-kcsj.org/docs/Policy%20for%20Addressing%20Sexual%20Abuse%20of%20a%20Minor%20-%2011-1-12%20-%20FINAL.pdf)

Care of the Reporting Individual(s)

1. Diocesan officials receiving reports should provide direct care and demonstrate a sincere commitment to the spiritual and emotional well-being of the reporter. If the supervisor is unable to provide such care, the official should coordinate care for the reporting party.
2. The diocesan representative shall, in a timely manner, inform individuals who report a policy violation that the Diocese has received the allegation and is responding, and when appropriate, update the individual during the investigation process.
3. The reporting individual may request a meeting with a diocesan representative.
4. The Diocese will provide some form of response to the reporting individual at the conclusion of the investigation.
5. The Diocese may offer counseling or other support services to individuals impacted by reported policy violations.

Care of the Accused

1. The accused shall be informed of an allegation of abuse or misconduct in a timely manner.
2. The rights of the accused shall be taken into consideration throughout the investigation process. Every effort will be made to protect the interests and reputation of the accused individual.
3. During investigations of allegations, the accused may be removed from contact with involved parties to ensure the integrity of the investigation and the safety of all during the information gathering process. This action should in no way be interpreted as a presumption of guilt.
4. Any allegation of misconduct involving a priest or deacon shall be investigated in accord with the "Essential Norms". The Bishop, in reaching final decisions, shall be guided by the appropriate norms of canon law.
5. Reinstatement at the conclusion of an investigation and/or legal proceedings is at the discretion of the diocesan authorities, subject to canon law.

Care of the Affected Community

Information about an allegation which affects a parish, school or other diocesan agency shall be shared in a pastorally appropriate manner, while respecting the privacy and confidentiality of all individuals involved and any applicable civil and canon laws.

The Diocese may provide pastoral care to the members of the affected parish, school or other Diocesan agency when needed.

Role of the Diocesan Independent Review Board (IRB)

1. The Independent Review Board (IRB) assists the Bishop as a confidential, consultative body in addressing allegations involving sexual abuse of a minor or vulnerable adult.
2. The Bishop shall seek a recommendation from the IRB concerning an individual's fitness for service when there has been an allegation of sexual abuse of a minor or vulnerable adult.
3. The IRB reviews child protection policy and makes recommendations to the Bishop; in promoting the *Policy on Ethics and Integrity in Ministry* (EIM).
4. IRB members shall follow the same screening and training requirements as all others that serve in ministry with minors.

Click to email 'I have read the EIM'
to the Saint Thomas More Parish
Safety Coordinator