

## **10 - Standards of Ethical Conduct in the Diocese of St. Augustine - for Clergy & Religious**

Note: Revised sections are preceded with an asterisk, “\*”.

**Introduction.** The term "church worker" includes clergy, religious, lay ministers and employees, and volunteers in diocesan or parish ministries or programs.

**Applicability - Clergy & Religious.** The following ethical standards apply to all priests, deacons, religious sisters and brothers incardinated, having a canonical mission, having faculties or exercising a ministry in the Diocese of St. Augustine. Parts of the following Standards of Ethical Conduct also apply to all other church workers, be they lay ministers, lay employees of the diocese or a parish, or volunteers in diocesan or parish programs or ministries.

The primary purpose of these ethical standards is to serve as a guide for more effective ministry and job performance for those to whom they are applicable. They are not intended to inhibit any church workers in carrying out their ministry or jobs, or to limit their accessibility to the faithful.

Also note that these ethical standards don't exist in a vacuum - they presuppose the existence of other laws, policies and procedures, both civil and canonical. Actions already condemned by the moral teachings of the Church, or by civil law are rarely repeated in these ethical standards except when deemed necessary to emphasize their significance or seriousness.

### **Standards of Conduct Regarding Counseling Activities.**

When clergy, religious, spiritual directors and church workers are involved in counseling activities, they are in a professional relationship with the persons they counsel - as such, they should always be aware that they have considerable personal power because of their ministerial role. Accordingly, they should be particularly aware of the need for healthy physical, emotional, sexual, intellectual and spiritual boundaries. The pastoral and spiritual well-being of those counseled should always be the focus of the relationship.

Priests, deacons, religious, church workers engaged in counseling on behalf of a parish or diocesan ministry, and spiritual directors should be mindful of their level of training and competence and should so advise those who seek their counsel. They should make appropriate referrals to other professionals when this would be in the best interest of the person seeking counseling.

### **Counseling by all except spiritual directors should be short-term in nature.**

If additional counseling appears to be needed after about three counseling sessions, the person counseled should normally be referred to an appropriately qualified professional. *"For lack of guidance a people falls, security lies in many counselors." Proverbs 11.14.*

However, this ethical standard is not meant to preclude longer periods of counseling within the context of specific programs with established goals and objectives such as, for example, marriage preparation or Project Rachel post-abortion counseling.

Priests, deacons, religious, church workers engaged in counseling on behalf of a parish or diocesan ministry, and spiritual directors should give careful consideration to the possible consequences of entering into a counseling relationship with a person with whom there is a preexisting business, professional or social relationship. Pre-existing relationships can blur the

## **10 - Standards of Ethical Conduct in the Diocese of St. Augustine - for Clergy & Religious**

appropriate boundaries necessary for a counselor-counselee relationship, and can impair the judgment of the counselor or spiritual director. Where this situation is unavoidable, counselors and spiritual director should even more diligently establish and maintain appropriate boundaries.

Counseling and spiritual direction sessions should never be audio-taped or videotaped.

Priests, deacons, religious, church workers engaged in counseling on behalf of a parish or diocesan ministry, and spiritual directors should studiously avoid any inappropriate sexual innuendo in the content of counseling or direction. This is especially so when the subject matter of the counseling or spiritual direction involves some aspect of human sexuality.

Priests, deacons, religious, church workers engaged in counseling on behalf of a parish or diocesan ministry, and spiritual directors assume complete responsibility for establishing and maintaining clear and appropriate boundaries in all counseling-related relationships. If a person being counseled, by word or actions, indicates an unwillingness or inability to abide by appropriate boundaries, it is the responsibility of the counselor or spiritual director to immediately terminate counseling and, if warranted, refer the person being counseled to another professional.

Physical contact beyond a handshake between a priest, deacon, religious, church worker engaged in counseling on behalf of a parish or diocesan ministry, or spiritual director and one being counseled can be misconstrued and should be avoided unless the counselor or spiritual director is certain that the contact is appropriate under the circumstances.

Counseling and spiritual direction sessions should always be conducted at appropriate places and times.

Whenever possible, counseling sessions should be held during regular business hours established by the parish or ministry, and in an office setting. Further, offices in which counseling takes place should be designed to include a window in the door or wall, made of glass or similar material, through which human forms are distinctly visible. Where no such counseling setting is currently available steps should be taken at the earliest possible time to modify existing counseling facilities.

Sessions should never be conducted in the private living quarters of either the priest, deacon, religious, church worker engaged in counseling on behalf of a parish or diocesan ministry, or spiritual director, or the person being counseled.

Sessions should not be conducted at places or times which could cause confusion or generate ambiguity about the nature of the relationship either in the mind of the priest, deacon, religious, church worker engaged in counseling on behalf of a parish or diocesan ministry, spiritual director, the person being counseled, or the church community.

Priests, deacons, religious, church workers engaged in counseling on behalf of a parish or diocesan ministry, or spiritual directors should be careful to observe the ethical standards of any professional associations to which they may be required to belong, to the extent that those ethical standards do not contravene divine law or the moral teachings of the Church.

## **10 - Standards of Ethical Conduct in the Diocese of St. Augustine - for Clergy & Religious**

### **Standards of Conduct in Financial Matters and Regarding Church Property.**

Clergy and religious have an obligation to responsibly manage their own financial affairs as well as church property and resources. Moreover, diocesan priests have a canonical obligation to live simply, while religious priests, sisters and brothers have an obligation to live a life of poverty in accordance with the particular law of their religious institutes.

Clergy who have not taken a vow of poverty share with the People of God the obligation to contribute to the support of the Church. They should set a good example in doing so.

Clergy and religious have an ethical obligation to manage their personal affairs responsibly. Debts and financial obligations which are beyond the means of a minister to repay in a reasonable period of time can result in scandal and inhibit the debtor in performing his or her ministry. Such circumstances should be avoided.

Church workers should be good stewards of any church property or goods over which they exercise supervision. They should treat such property with the care, concern and respect with which they would treat their own private property.

Church workers should avoid commingling their own private funds with church funds, and they should never expend church funds for private or non-church purposes. There should always be a direct and articulable church-related purpose for the expenditure of church funds.

Church workers should never appropriate church property or resources to their own private or non-church uses, or allow others to do so. Occasionally, however, it may be appropriate to allow the use of church property or resources for a civic or social event. This should only be done with the specific approval of the pastor or church official responsible for the property or resources.

Church workers should never solicit from the faithful, directly or indirectly, gifts, loans, money or anything of value for their own private use or purposes.

The preceding ethical standard is not meant to prohibit the acceptance of bonafide gifts, or to preclude any genuinely arms-length business or commercial transactions by church workers on the same terms as would be available to the general public. (A gift is not a bonafide gift if it is given in response to prompting or suggestion by the church worker.)

### **\*Sexual Exploitation/Child Pornography**

A violation of Florida Statutes: 827.071, 847.0135, 847.0137, or 847.0138, related to online sexual exploitation of a minor and child pornography is unethical and immoral and shall be treated as an act of child abuse under the “Diocese of St. Augustine Policy and Procedural Guidelines Relating To Protection Of Children And Vulnerable Adults.”

### **Standards of Conduct in Dealing with Minors and Vulnerable Adults.**

Church workers have a moral and ethical obligation to use good judgment in dealing with minors and vulnerable adults. Good judgment in this context means that church workers will avoid any actions which violate personal integrity or abuse the trust bestowed upon them as a result of their positions. It means that the physical and emotional safety and security of minors and vulnerable

## **10 - Standards of Ethical Conduct in the Diocese of St. Augustine - for Clergy & Religious**

adults will always be given paramount consideration in church programs and ministries. It means that church workers will always strive to avoid even the appearance of impropriety in such matters. "Religion that is pure and undefiled before God and the Father is this: to care for orphans and widows in their affliction and to keep oneself unstained by the world." James 1:27.

Definition of a vulnerable adult: A vulnerable adult is a person 18 years or older whose ability to engage in the normal activities of daily living, or to care for him/herself is impaired because of mental, emotional, physical or developmental causes, or from the infirmities of old age. Florida Statutes, Sec. 415.102.

Church workers should avoid physical contact with minors and vulnerable adults beyond what is required by the circumstances. When circumstances do call for physical contact that contact should never go beyond hugs, handshakes or hand-holding.

Any physical contact with minors or vulnerable adults should only occur in circumstances that are in plain view of others, for example, in the same room, from a distance, or by way of window or glass opening.

The emotional comfort of the minor or vulnerable adult, rather than the church worker's habits or modes of expression, should always be the primary consideration when engaging in any physical contact.

Church workers should be conscious of their vulnerability when working alone with minors or vulnerable adults. Accordingly, a team approach to ministries and programs involving these persons is always preferable to the extent possible.

The use of any alcohol or tobacco products by church workers while actively engaged in youth ministry or activity with minors or vulnerable adults is unethical conduct in this diocese.

It is always unethical and usually illegal for church workers to provide, or to knowingly tolerate the provision of, alcohol or tobacco products to minors or vulnerable adults.

Overnight accommodations in rectories or convents should never be provided for minors or vulnerable adults who are unaccompanied by parents or legal guardians, or who are not closely related by blood or marriage to the priest or religious occupants of the rectory or convent.

Church workers should never go on diocesan or parish sponsored outings or overnight trips with unchaperoned minors or vulnerable adults other than their own children, or those who are closely related to them. Additionally, it is inappropriate for an adult to share a bed with a minor or vulnerable adult during any church-sponsored travel or outings.

It is unethical, immoral and potentially illegal for a church worker to show sexually explicit materials of any kind or type, under any circumstances, to minors or vulnerable adults.

It is unethical, immoral and potentially illegal for church workers to discuss sexual experiences, engage in sexual innuendo, or tell sexually oriented jokes with or to minors or vulnerable adults.

It is unethical and immoral for church workers to use sexually explicit language or "curse" words in the presence or hearing of minors or vulnerable adults.

## **10 - Standards of Ethical Conduct in the Diocese of St. Augustine - for Clergy & Religious**

This ethical standard is not meant to prohibit any diocesan or parish authorized educational programs which include discussions of sexuality in the context of catechetical instruction or education in Christian morality.

### **Standards of Conduct Regarding Confidentiality.**

*"He who guards his mouth and his tongue keeps himself from trouble." Proverbs 21:23.*

Confidentiality is an important aspect of pastoral care. It is an essential element in establishing a relationship of trust which is so necessary in pastoral care. Though information discussed in the course of counseling and spiritual direction should be held in the strictest confidence possible, confidentiality is not an absolute commitment to silence at all costs.

The provisions of this ethical standard relating to confidentiality do not apply to the sacramental seal of the confessional. Under no circumstances can there ever be any disclosure, direct or indirect, of information received in the course of sacramental confession.

Information obtained in the course of pastoral or spiritual counseling sessions should be treated as confidential unless there are serious professional reasons for treating it otherwise, or unless the requirements of law mandate its disclosure.

Information which is confidential, and for which there is no serious professional reason for disclosure, or legal obligation to disclose, should not be revealed to any other persons for any reason.

If information received in counseling indicates a clear and present danger to the person being counseled or to others, there exists a serious professional reason for disclosure. Under such circumstances only sufficient information necessary to avert the danger and prevent harm should be disclosed to the appropriate persons.

If possible, the person being counseled should first be informed about the intent to disclose information and the potential consequences of such disclosure.

The limits of confidentiality should be discussed with one who seeks counseling at the beginning of any counseling session. Confidentiality of pastoral counseling is enhanced when minimal records of the contents of a counseling session are maintained.

If, in the course of counseling a minor or vulnerable adult, it appears that there is a serious threat to the welfare of that minor or vulnerable adult, and the communication of confidential information to a parent or guardian is essential to the health and welfare of the minor or vulnerable adult, the counselor should:

1. Attempt to obtain the consent (in writing if possible) of the minor or vulnerable adult for a disclosure of specific and limited information.
2. If consent is not given, disclosure should be made, but only of the limited information necessary to protect the health and welfare of the minor or vulnerable adult.
3. Consider consulting with a supervisor or colleague before disclosure of information to a parent or guardian.

## **10 - Standards of Ethical Conduct in the Diocese of St. Augustine - for Clergy & Religious**

### **Standards of Conduct in the Maintenance of a Proper Work Place and Ministry Environment.**

Church workers should ensure that a professional work environment exists in the church community - an environment that is free from physical or psychological intimidation or harassment. Harassment denigrates another's personal dignity, can violate one's privacy, and detracts from the mission of the parish or diocesan agency.

A hostile work and ministry environment can arise from a broad range of physical or verbal behaviors, including, but not limited to:

1. physical or emotional abuse,
2. racial insults or innuendo,
3. derogatory ethnic slurs or comments,
4. the telling of sexually oriented jokes,
5. unwelcome sexual advances or touching, or
6. the display of lewd or offensive materials.

Such a hostile work environment can arise from a single serious incident, or from a pattern of behavior which has the effect of creating a hostile or intimidating environment. The conduct described above is unethical and unacceptable for any church worker.

Sexual harassment is particularly offensive and unacceptable in a work or ministry environment.

Sexual harassment is defined as unwelcome sexual advances, unwelcome requests for sexual favors, or any other unwelcome physical or verbal conduct of a sexual nature. It includes making unwelcome statements (written or oral) of a sexual nature to a person, or in a person's presence.

Sexual harassment occurs when the victim of such conduct feels offended, humiliated or intimidated, and a reasonable person having access to all relevant information would also regard the conduct as sexual harassment. Sexual harassment is unethical, immoral and potentially illegal misconduct.

### **Standards of Conduct Regarding Parish and Diocesan Records and Information.**

Appropriate confidentiality should be maintained in creating, storing, accessing and disposing of parish and diocesan records.

Sacramental records should generally be regarded as confidential and should only be made available to the persons referenced therein, or to other church workers with an official need to know.

When compiling and publishing parochial or diocesan statistical information from sacramental records, great care should be taken to preserve the anonymity and privacy of individuals.

Information regarding adoption and legitimacy contained in sacramental records should always remain confidential. The procedures for registering the baptism of adopted children, or issuing baptismal certificates for them, promulgated by the National Conference of Catholic Bishops

## **10 - Standards of Ethical Conduct in the Diocese of St. Augustine - for Clergy & Religious**

(now the United States Conference of Catholic Bishops) on October 20, 2000 should be carefully observed. These can be obtained from the chancellor's office.

Only those church workers specifically authorized to access sacramental records should handle requests for access to them or for certificates.

Mailing lists of registered parishioners should never be sold or given to other agencies.

Parish, school and diocesan financial records, including records of donations and contributions, are to be treated as confidential, except as required for diocesan reporting and accountability purposes, and except as access is required by governmental agencies.

Records of individual contributions to a parish, the diocese, or to a ministry of the parish or diocese should be regarded as confidential and should be maintained in strict confidence unless disclosure is required by law, or unless disclosure of such information is requested or authorized by the donor.

### **Personal Well-being.**

"Do you not know that your body is a temple of the Holy Spirit within you... ." 1 Corinthians 6:19.

Clergy and religious have an ethical obligation to safeguard their own spiritual, physical and emotional health.

Clergy and religious should be aware of warning signs in their lives, and in the lives of their fellow pastoral ministers, that may indicate the development of potential physical, spiritual or emotional problems. They should seek appropriate help for themselves when such warning signs appear, and should privately and confidentially point out such warning signs observed in their fellow clergy and religious as well.

Clergy and religious have an ethical obligation to lead a healthy lifestyle. Immoderate consumption of food and alcohol should be avoided, as such consumption can lead to significant and otherwise preventable health problems.

Clergy and religious are in highly visible positions in the church community and have an ethical duty to set a good example for others. The use of tobacco products is injurious to personal health and possibly to that of others in the vicinity of their use. Their use does not set the good example which is expected, and a good faith effort should be made to cease the use of such products.

### **Conflicts of Interest.**

Conflicts of interest can have a significant negative impact upon the effectiveness of the ministry and the church worker. Church workers should avoid situations that might lead to a conflict of interest. Additionally, even the appearance of a conflict of interest can call into question the integrity of the church worker.

Church workers should disclose all relevant factors that potentially could create a conflict of interest.

## **10 - Standards of Ethical Conduct in the Diocese of St. Augustine - for Clergy & Religious**

Church workers should inform all parties when a real or potential conflict of interest arises. Resolution of conflict of interest situations should protect the person receiving ministerial services.

Church workers should not take advantage of anyone to whom they are providing services in order to further their personal or business interests, or the interests of close members of their families.

When pastoral counseling or spiritual direction are provided to two or more people who have a relationship with each other, the church worker should:

1. clarify with all parties the nature of each relationship;
2. consider any possible conflicts of interest;
3. take appropriate action to eliminate the conflict, and
4. obtain from all parties written consent to continue counseling or spiritual direction.

Conflicts of interest may also arise when a church worker's independent judgment is impaired by prior dealings, by becoming personally involved in a given circumstance, or by becoming an advocate for one person against another. In such situations the church worker should advise the persons concerned that he or she can no longer provide services or counseling. Referral to another church worker or spiritual director is normally appropriate in such cases.

### **Reporting Ethical or Professional Misconduct.**

Church workers have a duty to report illegal, unethical or unprofessional conduct.

Church workers should maintain the highest ethical and professional standards. When there is good reason to believe that illegal or unethical actions have occurred or are occurring, the appropriate diocesan officials and/or civil authorities should be promptly notified.

When uncertainty exists about whether a situation or course of conduct violates these Standards of Ethical Conduct, church workers should consult with the chancery office, others knowledgeable about ethical issues, or their peers. In this consultation great care should be taken to protect the identity and reputation of persons, as canon 220 guarantees every person the natural right to privacy and to a good reputation.

When it appears that a church worker has, in fact, violated these Standards of Ethical Conduct, this should be reported to a supervisor, a next higher authority, or directly to the chancery. The reporting of unethical conduct or illegal activity as indicated above should be done confidentially. In no event should such reports be divulged except to the appropriate civil or diocesan authorities.

Revised on: 25 March, 2017

/s/ Bishop Felipe, J. Estévez  
Bishopop of the Diocese of St Augustine

**10 - Standards of Ethical Conduct in the Diocese of St. Augustine - for Clergy & Religious**

*(Please sign and return this by mail or fax to the Chancellor's Office)*

**ACKNOWLEDGMENT**

I have read the foregoing Standards of Ethical Conduct. I understand that I can direct questions about these ethical standards to the Vicar for Priests, Vicar for Deacons, the Bishop's Delegate for Religious, or the Chancellor.

\_\_\_\_\_  
Sign Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name