



Appendix A1

## DIOCESE OF SPRINGFIELD-CAPE GIRARDEAU CODE OF CONDUCT FOR CLERGY, EMPLOYEES AND ADULT VOLUNTEERS WORKING WITH MINORS

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To foster and maintain an atmosphere of trust and safety in its ministry to minors, the Diocese of Springfield-Cape Girardeau has established a *Code of Conduct for Clergy, Employees and Adult Volunteers Working with Minors*. The Diocese expects all Church personnel to maintain high standards of professional, ministerial and moral behavior.

### A. Definitions

1. A minor is defined as anyone under the age of 18.
2. The norms of this Code of Conduct also apply to adults who would be considered uniquely vulnerable to abuse because of physical or mental disability and, unless it is contrary to Missouri state law and/or contrary to or derogates from Canon Law, shall also apply to persons age 18 or older, but still in high school and participating in parish or Catholic school activities.
3. Physical abuse is non-accidental injury intentionally inflicted on a minor.
4. Sexual abuse is any contact of a sexual nature that occurs between a minor and an adult. This includes any activity that is meant to arouse or gratify the sexual desires of the adult. Abuse of minors is contrary to the teachings of the Church and is never permissible. Church personnel have a responsibility to actively protect minors from all forms of abuse.
5. Church personnel are defined as any persons, lay, religious or clergy, who are employed by or who volunteer for a diocesan institution, school or parish.

### B. General Guidelines

The following guidelines are intended to assist Church personnel in making decisions about interactions with minors in Church sponsored and affiliated programs. They are not designed or intended to address the interactions within families. For clarification of any guideline or any inquiry about behaviors not addressed here, one's immediate supervisor should be contacted, or in the case of clergy, the Diocesan Office. These guidelines do not supersede state law.

1. Ministry to minors within the Church is at the service of the parents who have the first responsibility to care for and educate their children. Therefore, activities with minors are to be conducted with the explicit knowledge and consent of parents or legal guardians.
2. Church personnel are responsible for releasing minors in their care only to parents, legal guardians, or other persons designated by parents or legal guardians at the close of services or activities. In the event that Church personnel are uncertain of the propriety of releasing a minor, they are to immediately locate or contact their immediate supervisor before releasing the child.
3. While working with minors, Church personnel are prohibited from the use, or being under the influence of alcohol or any illegal drugs, or impaired by other drugs. They are also prohibited from furnishing alcohol or illegal drugs to minors or permitting minors to use such in their presence. The use of tobacco products while working with minors is prohibited, as well as furnishing tobacco products to minors. Church personnel are prohibited from possessing weapons of any type at any time while working with minors. While working with minors, church personnel are prohibited from possessing pornography as well allowing minors to view pornography.

### C. Physical Contact

The Diocese of Springfield-Cape Girardeau has implemented a physical contact policy that will promote a positive, nurturing, safe environment for children and youth ministries while protecting both children and Church personnel from misunderstandings. The following guidelines are to be carefully followed by all Church personnel working with children and in youth programs.

1. Church personnel are prohibited from using physical discipline in any way for behavior management of minors. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force as retaliation or correction for inappropriate behavior by minors.

Please direct any questions to Karen M. Pesek, Director, Office of Child and Youth Protection, Diocese of Springfield-Cape Girardeau at 417.866.0841 or [kpesek@dioscg.org](mailto:kpesek@dioscg.org)  
Return this form to your parish Safe Environment Coordinator or your supervisor.

2. Appropriate affection between Church personnel and minors is important for a child's development and a positive part of Church life and ministry. The following forms of affection are regarded as appropriate examples for most Church sponsored and affiliated programs:
  - Side hugs
  - Shoulder to shoulder hugs
  - Pats on the shoulder or back
  - Handshakes
  - "High-fives" and hand slapping
  - Verbal praise
  - Touching hands, faces, shoulders or arms of minors.
  - Arms around shoulders
  - Holding hands while walking with small children
  - Pats on the head when culturally appropriate
  
3. Some forms of physical affection have been used to initiate inappropriate contact with minors. The following are examples of affection that are not to be used in Church sponsored and affiliated programs:
  - Inappropriate or lengthy embraces
  - Kisses on the mouth
  - Holding minors over five years old on the lap should be avoided
  - Touching buttocks, chests or genital areas or the clothing surrounding these areas (except when assisting with toileting)
  - Showing affection while in isolated areas of a building such as bedrooms, closets, staff only areas or other private rooms
  - Sleeping with a minor or sharing a bed
  - Touching the knees or legs of minors (except when assisting with health or hygiene)
  - Tickling minors
  - Wrestling and/or roughhousing
  - Piggyback rides
  - Any type of massage given by a minor to an adult
  - Any type of massage given by an adult to a minor
  - Comments that relate to physique or body development
  
4. No form of affection, even if generally regarded as appropriate, is to be used when a minor expresses, either verbally or non-verbally, discomfort with the form of affection.

#### **D. Undue Attention**

Certain conduct has been used by adults to develop inappropriate relationships with minors. Activities include singling out minors or showing them unusual attention. Some examples of this behavior prohibited for Church personnel are:

- Presenting gifts to a particular child (relatives excluded)
- Allowing a minor to drive automobiles of Church personnel even though another adult may be present
- Singling out a particular child for special dinners, events, trips or outings.

#### **E. Screening**

1. Without exception, all applicants for Church positions working with minors will be required to complete the following:
  - a. An authorization and disclosure to conduct a criminal background check.
  - b. Applicants will also be required to read and sign the *Code of Conduct for Clergy, Employees and Adult Volunteers Working with Minors*.

## F. Education and Training

1. Church personnel are required to review and agree to comply with *Code of Conduct for Clergy, Employees and Adult Volunteers Working with Minors*.
2. Members of the clergy, religious, employees and all volunteers who work with minors will be required to attend the VIRTUS Program, *Protecting God's Children*®. Clergy, employees and volunteer catechetical leaders are required to read monthly Virtus training bulletins. Volunteers are required to read at least three bulletins per year provided by their supervisor.
3. Minors who work as employees or volunteers will be informed that they have a right to a safe working environment and a right to disclose behavior not in accord with these standards. They are required to read and sign *the Code of Conduct for Minors Volunteering or Working with Younger Children*.

## G. Program Supervision

1. Parents are encouraged to be a part of any and all services and programs in which their children are involved in the Diocese of Springfield-Cape Girardeau. Parents are always welcome to observe programs and activities in which their children are involved. However, parents who desire to participate in or have ongoing contact with their child's programs in the Church will be required to complete the volunteer application process.
2. Programs for minors are to be sponsored by two or more adults.
3. Church personnel under the age of 21 must work under the direction of an adult supervisor age 25 or older.
4. Church personnel responsible for supervision of parish and school activities must be aware of all programs for minors that are sponsored by a parish or school or institution. A list of these programs is to be maintained and include purpose, activities, sponsors or coordinators, meeting times and locations. Leaders are to examine these programs and decide whether there is adequate supervision. A list of employees and volunteers is to be kept and updated annually.

## H. Reporting Violations

**Abuse** of a minor must first be immediately reported to the Missouri Child Abuse Hotline at 1-800-392-3738 or to the police. All Church personnel are required to report **violations** of the *Code of Conduct for Clergy, Employees and Adult Volunteers Working with Minors* to the Chancellor at 417-866-0841 or treidy@dioscg.org or the Victim Assistance Coordinators: Judy St. John, LPC, NCC at 573-587-3139 or vac1@dioscg.org; William J. Holtmeyer, Jr., MS, NCC, LPC, CEAP, Q-SAP at 417-860-3858 or vac2@dioscg.org, Office of Child and Youth Protection or the Chancellor. **Violations** and **Concerns** may also be reported using the TIPS reporting system.

## I. Dissemination

The *Code of Conduct for Clergy, Employees and Adult Volunteers Working with Minors* will be given to all diocesan school and parish employees as well as all clergy and religious. This code of conduct will also be given to adult volunteers working with minors.

### I will:

- Treat everyone with respect, loyalty, patience, integrity, courtesy, dignity, and consideration.
- Use positive reinforcement rather than criticism, when working with children and/or youth.
- Refuse to accept expensive gifts from children and/or youth or their parents without prior written approval from the pastor or administrator.
- Refrain from giving a gift to a particular child without prior written approval from the parents or guardian and the pastor or administrator.
- Refrain from using electronic communication for personal use (cell phone, smart phone, tablet, laptop, computer) while working with minors, except in an emergency.

### I will not:

Please direct any questions to Karen M. Pesek, Director, Office of Child and Youth Protection, Diocese of Springfield-Cape Girardeau at 417.866.0841 or kpesek@dioscg.org  
Return this form to your parish Safe Environment Coordinator or your supervisor.

- Use tobacco products in the presence of minors.
- Use, possess, and be under the influence of alcohol at any time while volunteering.
- Use, possess, or be under the influence of illegal drugs at any time.
- Possess or show pornography to minors.
- Strike, spank, shake, or slap minors.
- Touch a minor in a sexual or other inappropriate manner.
- Use profanity in the presence of minors.
- Be alone with a minor at Church activities.
- Share a bed with a minor

**Background Questionnaire Concerning Sexual Misconduct**

1. Have you ever sexually abused a minor?      Yes      No
  
2. Have you ever been convicted of a crime of sexual abuse, physical abuse, sexual harassment, exploitation or endangering the welfare of a child?  
       Yes      No
  
3. Has any allegation or civil or criminal complaint ever been made against you relating to sexual misconduct, sexual abuse, sexual harassment, exploitation, physical abuse, or endangering the welfare of a child?  
       Yes      No
  
4. Have you ever terminated your employment or had your employment terminated for reasons relating to allegations of sexual misconduct, sexual abuse or physical abuse by you, or relating to civil or criminal complaints for sexual misconduct or sexual or physical abuse or endangering the welfare of a child against you?      Yes      No
  
5. Have you ever received any medical treatment, physical or psychological, for reasons involving your physical or sexual abuse of others?      Yes      No

**ACKNOWLEDGEMENT**

I certify that the facts contained in this Questionnaire are true and complete to the best of my knowledge and understand that falsified statements shall be grounds for dismissal. I authorize investigation of all statements contained herein and release all parties from all liability for any damage that may result from furnishing same to you.

**COMMITMENT TO ETHICAL CONDUCT**

I promise to follow faithfully the rules and guidelines in the *Diocese of Springfield-Cape Girardeau Code of Conduct for Clergy, Employees and Adult Volunteers working with Minors* as a condition of my employment or volunteer work. I understand that any action inconsistent with the *Code* or any failure to take action mandated by the *Code* may result in dismissal. I further understand that I may, as a condition of employment or volunteering, be required to participate in continuing education.

Please print name: \_\_\_\_\_ Position: \_\_\_\_\_

Name of parish, school or institution: \_\_\_\_\_ City: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Your supervisor is to give you a copy of this Code of Conduct to keep for future reference.**