



THE DIOCESE OF SPRINGFIELD–CAPE GIRARDEAU



The Code of Conduct for Clergy, Employees and Adult Volunteers of the Diocese, Parishes, and Schools

The Safe Environment Policy: *The Diocese of Springfield – Cape Girardeau and its Affiliates promote a zero-tolerance policy regarding sexual misconduct and are committed to creating and maintaining a safe environment for all of God's people, one that is free from any form of sexual misconduct, which is antithetical to the teachings of the Catholic Church.*

For the purposes of this policy, sexual misconduct means any behavior of a sexual nature that occurs between diocesan personnel and a minor or an adult, which includes: sexual abuse, enticement, exploitation, and any other such behavior, or the appearance of any such behavior, whether in-person, verbal, written, or through the use of technology or other media, that is defined by and contrary to the moral teachings, doctrines and Canon Law of the Catholic Church; and/or unlawful as described by the laws of the State of Missouri or the United States.

This policy applies to all diocesan personnel, including clergy, seminarians, and religious, diocesan, parish and school employees, and all volunteers. Any violation of this policy will be grounds for discipline up to and including termination.

The Diocese of Springfield – Cape Girardeau has established this *Code of Conduct for Clergy, Employees and Adult Volunteers of the Diocese, Parishes, and Schools* to foster and maintain an atmosphere of trust and safety in its ministry to all minors and adults. Diocesan personnel have a responsibility to provide a safe environment and actively protect minors and adults from all forms of abuse and are expected to maintain the highest standards of professional, ministerial and moral behavior.

A. Reporting Violations

Any suspected or known abuse of a minor must first be immediately reported to the **Missouri Child Abuse and Neglect Hotline at 800-392-3738**, and suspected or known abuse of adults to the **Missouri Adult Abuse and Neglect Hotline 800-392-0210**. Suspected or known abuse may also be reported to law enforcement agencies.

Additionally, all diocesan personnel are required to report violations of *The Code of Conduct for Clergy, Employees and Adult Volunteers of the Diocese, Parishes, and Schools* to the Diocese Director of the Office of Child and Youth Protection at 417-866-0841 or childandyouthprotection@dioscg.org. Concerns may also be discussed with your supervisor, the Diocesan Director of the Office of Child and Youth Protection, or a Victim Assistance Coordinator. Violations and concerns may also be reported using the TIPS online reporting system, accessible through the Diocesan webpage, www.dioscg.org.

Failure to Report is a Class A Misdemeanor for a person who is required under the law to report. No supervisor may interfere with or impede the reporting of suspected abuse. Filing a False Report is also a Class A Misdemeanor.

B. General Guidelines

All diocesan personnel who regularly engage in activities involving minors or vulnerable adults, are required to comply with the background screening, designated safe environment training, and be current and compliant with the Code of Conduct. Diocesan personnel must maintain an environment free of unlawful behaviors, harassment, discrimination, violence, or retaliation in our diocesan, parish and school-sponsored activities by employees, volunteers, or peers, as described in this policy.

The following guidelines are intended to assist diocesan personnel in making decisions about interactions with minors or adults in Diocese, Parish or School-sponsored and affiliated programs. These guidelines are not designed or intended to address the interactions within families. Nothing contained herein is to be interpreted to supersede state or federal laws.

C. Definitions

Abuse is any physical injury, sexual abuse or emotional abuse inflicted on any person (on another child, for anyone under the age of 18 years of age), other than by accidental means, by those responsible for his or her care, custody, and control, except that discipline including spanking, administered in a reasonable manner, shall not be construed to be abuse (*please see prohibition in Section K. Physical Contact, on page 4*).

Adult: any person 18 years of age or older (other than students in school); **Vulnerable and/or eligible adults** are persons who are considered uniquely vulnerable, who are unable to protect their own interests or adequately perform or obtain services necessary to meet their essential human needs due to physical or mental disabilities, as defined by the laws of the State of Missouri. **"Vulnerable person"** means any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact, even occasionally, limits their ability to understand or to want or otherwise resist the offense (as defined, Article 1, *Motu Proprio*, 2019).

Child or Minor: any person under the age of eighteen, or who is considered by law to be the equivalent of a minor. For the purposes of this document, the term "minors" also includes high school students age 18 or older.

Diocesan personnel means all clergy, priests and deacons, seminarians, religious, diocesan, parish and school employees and volunteers who work or volunteer within any diocesan, parish or school organization.

Mandatory Reporter: any person, as designated by the laws of the State of Missouri, who has reasonable cause to suspect that an individual has been or may be subjected to abuse or neglect or observes them being subjected to conditions or circumstances which would reasonably result in abuse or neglect, who is required by law to immediately report or cause a report to be made to the Child or the Adult Abuse and Neglect Hotlines.

Sexual misconduct, for the purposes of this document, means any behavior of a sexual nature that occurs between diocesan personnel and a minor or an adult (or child-on-child), which includes sexual abuse, enticement, exploitation, and other such behavior, or the appearance of any other such behavior, whether in-person, verbal, written or through the use of technology or other media, that are defined by and contrary to the moral instructions, doctrines and Canon Law of the Catholic Church, and/or unlawful as described by the laws of the State of Missouri or the United States.

D. Ensuring a Safe Environment

The Diocese of Springfield – Cape Girardeau has implemented a policy that will promote a positive, nurturing, and safe environment for all ministries while protecting minors and adults and diocesan personnel from misunderstandings. Diocesan personnel must take precautions to avoid any activities or the appearance of such activities that violate or contradict the diocesan policies and guidelines. These guidelines are to be carefully followed by all diocesan personnel engaged in diocesan, parish and school-sponsored ministries and programs.

E. Education and Training

Diocesan personnel who regularly engage in activities involving minors and/or vulnerable adults are required to attend and complete the designated safe environment training. Clergy, employees, catechetical leaders, and other volunteers may be required to read monthly training bulletins, and/or complete other relevant training when assigned and/or provided by their supervisor or by the diocese. Diocesan personnel are required to annually review *The Code of Conduct for Clergy, Employees and Adult Volunteers* as part of their on-going training.

F. Background Screening

Background Disclosure and Authorization: The diocese will conduct a local and national criminal screening of all diocesan personnel. All diocesan personnel must complete, sign and submit the Background Disclosure and Authorization. Random rescreening will be conducted periodically on all diocesan personnel. Thorough reference checks should also be conducted for potential diocesan personnel.

The Disclosure and Authorization and the Code of Conduct forms are to be submitted to the designated local Safe Environment Coordinator. Copies of each of these documents may be retained in a secure manner at the parish, school, or diocesan institution, and must also be forwarded to the Diocese Office of Child and Youth Protection.

G. The Code of Conduct for Clergy, Employees and Volunteers

All Diocesan Personnel, Clergy and Religious, parish and/or school employees, and adult volunteers who regularly engage in activities involving minors or vulnerable adults are to annually review and sign *The Code of Conduct for Clergy, Employees and Adult Volunteers of the Diocese, Parishes, and Schools* and submit that to the designated local Parish or School Safe Environment Coordinator or the Diocesan Office of Child and Youth Protection. Minors who work as employees or volunteers are required to read, sign and submit *The Code of Conduct for Minors Volunteering or Working with Younger Children*.

H. Dissemination

The Safe Environment Policies and Procedures of the Diocese will be made available on the Diocesan Webpage, at each Parish and School Office, and with the designated local Safe Environment Coordinator. Posters with the Reporting Procedures should be clearly visible at entrances of parishes and schools. Each Parish is required to publish the Reporting Procedures in their bulletins annually. The diocese will periodically include the Reporting Procedures in its newspaper and/or other electronic or printed publications.

I. Program Supervision

Diocesan personnel responsible for supervision of diocesan, parish and school activities must be aware of all programs for minors that are sponsored by a parish, 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 evaluate these programs and determine if there is adequate supervision. Programs for minors are to be sponsored by two or more adults. Diocesan personnel under the age of 21 must work under the direction of a supervisor age 25 or older. A list of employees and volunteers is to be kept and updated annually.

Ministries and other parish and school-sponsored activities offered specifically for and exclusively to minors within the Church are at the will and service of the parents/legal guardians who have the primary responsibility to care for and educate their children. Activities with minors are to be conducted with the explicit knowledge and consent of parents or legal guardians.

Parents/legal guardians 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 welcome to observe programs and activities in which their children are involved. However, all adults, including parents or other family members, who desire to regularly participate in or have ongoing contact in Diocese, Parish or School-sponsored activities involving minors will be required to complete the volunteer application and screening process.

Diocesan 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 diocesan personnel are uncertain of the propriety of releasing a minor, they are to immediately locate or contact their supervisor before releasing the child.

J. Undue Attention

Certain conduct has been used by adults to develop inappropriate relationships with minors. No form of attention or affection, or remarks and comments that relate to physical appearance or attractiveness, even if generally regarded as appropriate or acceptable, should be used when discomfort is expressed, verbally or non-verbally. Examples of other behaviors prohibited for diocesan personnel include, but are not limited to:

- Behaviors or comments about physical appearance, attractiveness, or attire that may cause discomfort.
- Giving excessive attention to or treating an individual in a different manner than others.
- Singling out a particular person for special privileges, activities, events, overnight trips, or outings.
- Having unofficial or repeated private or other personally intimate conversations in person, by telephone, through text messaging, emailing, contact through social media, or any other means.
- Being isolated with a minor in rooms or areas of a building such as closets, bathrooms, staff-only areas, private rooms, in a vehicle, or any other locations where no other adults are present/nearby, or sharing a bed with unrelated minors.
- Giving extravagant gifts to or receiving gifts from minors without parental knowledge and consent and/or without the knowledge and consent of the Pastor/Principal or other Administrator.

K. Physical Contact

Some forms of physical affection have been used to initiate inappropriate contact. Examples of affection that are ***not to be used*** in church/school sponsored programs include, but are not limited to:

- Inappropriate affection; lengthy embraces; kisses on the face, lips or mouth.
- Holding minors over five years old on the lap.
- Touching (patting, grabbing, pinching, or rubbing) of knees, legs, buttocks, breasts, chests, genital areas, or the clothing surrounding these areas (except when assisting with necessary hygiene and toileting).
- Tickling, wrestling and/or rough-housing, piggyback rides.
- Any type of massage given by a minor to an adult, or massage given by an adult to a minor.

Diocesan 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.

Acceptable, appropriate, public, and non-sexual affection between diocesan 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:

- Verbal praise, handshakes, "high-fives", "fist bumps" and hand-slapping.
- Touching shoulders or arms of minors.
- Pats on the shoulder or back; gentle pats on the head when culturally and age-appropriate.
- Side hugs, arms around shoulders, shoulder to shoulder hugs.
- Holding hands while walking with small children.

L. Agreements

I will:

- Immediately report any suspected or known child abuse or sexual misconduct to the **MO Child Abuse and Neglect Hotline 800-392-3738** or the **Adult Abuse and Neglect Hotline 800-392-0210**.
- Inform the Director of the Office of Child and Youth Protection of any concerns or violations of *The Code of Conduct* or *Safe Environment Policy and Procedures*.
- Adhere to *The Code of Conduct* and *The Safe Environment Policy and Procedures* of the diocese.
- Comply with *The Policy and Guidelines for the Use of Technology, Email and Social Media*.
- Comply with *The Safe Student Policy Addressing Harassment, Discrimination, Violence, and Retaliation*.
- Remain in compliance with the required training and education of diocesan personnel.
- Treat everyone with respect, patience, integrity, courtesy, dignity, and consideration.
- Use positive reinforcement and praise, rather than criticism, when working with children and/or youth.

I will not:

- Have any in-person or electronic contact with a minor or adult person involved in any diocese, parish or school-sponsored activities, that is not in keeping with this Code of Conduct and related policies.
- Be isolated or alone with a minor or vulnerable adult for any extended period of time, in areas of a building such as bedrooms, closets, bathrooms, staff-only areas, private rooms, in a vehicle, or any other locations where no other adults are present/nearby, which includes sleeping alone in a room with or sharing a bed with an unrelated minor or vulnerable adult.
- Use tobacco, e-cigarettes, vaping or similar products in the presence of minors.
- Use, possess, and/or be under the influence of alcohol or impaired by other drugs at any time while supervising or directly working with minors.
- Provide tobacco, e-cigarettes, vaping or other similar products, alcohol or any other drugs to minors.
- Verbally threaten or physically strike, spank, shake, or slap any other person.
- Possess weapons of any sort while working with minors, except when in compliance with diocesan policy.
- Use obscene, indecent, or sexually-explicit language in the presence of minors.
- Possess, expose, share, or send obscene, indecent or explicit sexual materials in the presence of minors.
- Give/accept gifts to/from children without the consent from parent, pastor or administrator.
- Use electronic devices (phones, computers, etc.) for personal use for an extended period of time while supervising or directly working with minors, except in an emergency.

BACKGROUND QUESTIONNAIRE CONCERNING SEXUAL MISCONDUCT

<p>1) Have you ever sexually abused a minor or an adult? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>2) Have you ever been convicted of a crime of sexual misconduct, sexual abuse, physical abuse, sexual harassment, exploitation, or endangering the welfare of a child or an adult? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>3) Has any allegation or civil or criminal complaint ever been made against you relating to sexual misconduct, sexual abuse, physical abuse, sexual harassment, exploitation, or endangering the welfare of a child or an adult? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>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 against you for sexual misconduct, sexual or physical abuse, or endangering the welfare of a child or an adult? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>5) Have you ever received any treatment, medical or psychological, for reasons involving sexual misconduct, your sexual or physical abuse of others? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

ACKNOWLEDGEMENT and AGREEMENT

I understand that any suspected or known abuse of a minor must first be immediately reported to the **Missouri Child Abuse and Neglect Hotline at 800-392-3738**. Any suspected or known abuse of vulnerable or eligible adults must be reported to the **Missouri Adult Abuse and Neglect Hotline 800-392-0210**. Known or suspected abuse may also be reported to law enforcement agencies.

Additionally, all diocesan personnel are required to also report violations of *The Code of Conduct for Clergy, Employees and Adult Volunteers of the Diocese, Parishes, and Schools* to the Diocese Director of the Office of Child and Youth Protection at 417-866-0841 or childandyouthprotection@dioscg.org. Concerns may also be discussed with the supervisor or the Director of the Office of Child and Youth Protection. Violations and concerns may also be reported using the TIPS online reporting system, available on the diocesan webpage www.dioscg.org.

Failure to Report is a Class A Misdemeanor for a person who is required under the law to report. No supervisor may interfere with or impede the reporting of suspected abuse. Filing a False Report is also a Class A Misdemeanor.

By signing this document, I certify that the facts contained in the Background 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. I also authorize periodic update on my background screening.

I understand that, as a condition of employment or volunteering, I may be required to participate in ongoing training and education. I further understand that any action inconsistent with or in violation of the Code or any failure to take action mandated by the Code may result in disciplinary actions, up to and including dismissal or termination.

I acknowledge that I have read, understand and agree to faithfully follow the rules and guidelines in the *Diocese of Springfield – Cape Girardeau Code of Conduct for Clergy, Employees and Adult Volunteers of the Diocese, Parishes, and Schools* as a condition of my employment or volunteer work.

Name of parish, school or institution: _____

Position: _____

Preferred email: _____

Print Name: _____

Phone No.: _____

Signature: _____

Date: _____

The Code of Conduct is required annually. This Code of Conduct will expire December 31, 2021. Your supervisor is to give you a copy of this Code of Conduct to keep for future reference.