

# Diocese of Winona-Rochester Office of Safe Environment



## Code of Conduct for Church Personnel Working with Minors or Vulnerable Adults

In the spirit of the Gospels, personnel who minister and work in the Diocese of Winona-Rochester must always seek to uphold Christian values and conduct. Christ calls us as his disciples to a high standard, the same standard he lived and taught. The *Charter for the Protection of Children and Young People*, promulgated by the bishops of the United States, calls for “clear and well-publicized diocesan/eparchial standards of ministerial behavior and appropriate boundaries for clergy and for any other church personnel in positions of trust who have regular contact with minors and vulnerable adults.” (Art. 6) The following Code of Conduct instructs all who minister and work in our faith communities on appropriate ethical standards.

This Code of Conduct does not supersede canon or civil law. It is established to set a standard of conduct for all church personnel who minister and work in the Diocese of Winona-Rochester. This includes all clergy who are performing ministry in this diocese, who have been granted faculties to do so. It includes all diocesan seminarians and those in formation for the permanent diaconate. It includes all paid employees of the diocese and all volunteers who have regular contact with minors or vulnerable adults or are performing ministry in the diocese with the express permission of the bishop.

Church personnel are expected to read, understand and comply with diocesan policies and procedures addressing the protection of minors and vulnerable adults including but not limited to those requiring the immediate reporting of all concerns about suspicious inappropriate behavior (whether physical, emotional, psychological or sexual) and boundary violations to their pastor, principal, or the vicar general (507-454-4643) and those mandated reporting laws\* pertaining to the abuse and/or neglect of minors. Please refer to the Diocese of Winona-Rochester Office of Safe Environment for the [\\*Resource Guide for Mandated Reporters](#). Clergy conduct applies to both on and off church grounds in both church and non-church sponsored activities.

Therefore, as someone who ministers to minors and vulnerable adults, I will maintain a professional role and be mindful of the trust and power I possess as a minister and servant to minors and vulnerable adults. I will not engage in any form of inappropriate conduct with a minor or a vulnerable adult, regardless of who initiates such conduct. Any violation of this Code of Conduct will result in consequences up to and including dismissal or withdrawal from ministry, formation or paid/volunteer position in the Church.

For purposes of this Code of Conduct, a minor is any person under the age of 18. Vulnerable adult is any adult 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.

To achieve this, I **WILL NOT**:

- Have a personal relationship with any minor or vulnerable adult with whom I also have a professional relationship through my work/ministry/service, even if the minor or vulnerable adult initiates such personal relationship,
- Touch a minor or vulnerable adult in a sexual way or other inappropriate manner such as pinching, brushing the body, pushing, patting, feeling, tickling, rubbing, or massaging,
- Be alone with a minor or vulnerable adult in a residence, rectory, sleeping facility, automobile, or any closed room,
- Share any sleeping arrangements such as bed, sleeping bag or small tent with a minor or vulnerable adult,
- Take an overnight trip alone with a minor or vulnerable adult,
- Acquire, possess or distribute any form of sexual material to a minor or vulnerable adult,
- Introduce sexually oriented topics, vocabulary, music, jokes, propositions, recordings, films, games, websites, computer software or entertainment to a minor or vulnerable adult unless it has been approved by the Office of Safe Environment and agency or department responsible for developing the educational content,
- Provide alcohol, cigarettes, marijuana or controlled substances to a minor or vulnerable adult,
- Use, possess, or distribute illegal drugs or mood-altering chemical substances, or be under the influence of prescription or over-the-counter medication due to misuse,

- Use, possess, or distribute, alcohol or marijuana when engaged in ministering to a minor or vulnerable adult,
- Strike, spank, shake, slap, or otherwise engage in any form of physical discipline,
- Humiliate, ridicule, threaten, harass (verbally or physically), or degrade another person,
- Use profanity or vulgarities in the presence of minors or vulnerable adults,
- Be nude (partially or full) in the presence of minors or vulnerable adults,
- Photograph minors or vulnerable adults without a written consent in the form of a release from a parent or legal guardian, and
- Communicate with a minor or vulnerable adult through the use of electronic means, except when delivering information regarding a program, event, or school function. Any such communications shall follow the diocesan *Electronic Communications Guidelines Applicable to All Groups*.

### **Requirements of the Code of Conduct**

To keep the promises in this Code of Conduct, **I WILL:**

- Report any suspected child abuse or abuse of a vulnerable adult, including child pornography, to your local law enforcement agency immediately,
- Notify the Diocese of Winona-Rochester Safe Environment Office of any suspected child abuse or abuse of a vulnerable adult, including child pornography, after immediately reporting it to your local law enforcement agency.
- Refrain from engaging in gratuitous physical contact with a minor or vulnerable adult. Gratuitous physical contact with minors or vulnerable adults can be misconstrued, especially in private settings. See “Conduct that Is Not Permissible” in this form for examples of prohibited gratuitous physical contact,
- Refrain from participating in any overnight stay with a minor or vulnerable adult unless there is another adult present in a supervisory role,
- Not provide overnight accommodations for minors or vulnerable adults in private residences or rectories,
- Avoid driving alone in a vehicle with a minor or vulnerable adult,

- Have more than one child and at least one other adult present when using one's own home or private residence for youth work,
- Assume the full burden for setting and maintaining clear, appropriate physical and emotional boundaries in all ministerial relationships,
- Refrain from giving gifts to a minor or vulnerable adult without advance knowledge and approval of the parent, guardian or caregiver,
- Not meet privately with minors or vulnerable adults in rooms, offices, or similar areas where there is no window or where the door does not remain open. If one-on-one pastoral care of a minor or vulnerable adult is needed (e.g. Sacrament of Reconciliation) avoid meeting in isolated locations or closed rooms,
- Adhere to the Diocese of Winona-Rochester *Electronic Communications Guidelines Applicable to All Groups* when communicating with minors and/or vulnerable adults via e-mail or other electronic means,
- Ensure that all activities involving minors or vulnerable adults (extra-curricular, catechetical, youth ministry, athletics etc.) for which I am responsible have been approved in advance by my supervisor or administrator,
- Have an adequate number of adults present at events. A minimum of two adults in supervisory roles must always be present during activities for minors and vulnerable adults,
- Ensure no minors or vulnerable adults are left unattended after a program/activity concludes,
- Refrain from taking minors and vulnerable adults away from the parish, school, or agency for field trips, etc. without another adult present in a supervisory role,
- Obtain written parental/guardian permission before such activities, and
- Permission slips must include the type, locations, dates, and times of the activity, and emergency contact numbers of minor's or vulnerable adult's parent, guardian, or caregiver.

## Practical Suggestions

These are some practical suggestions for identifying permissible and impermissible conduct.

### Conduct that May Be Permissible

Appropriate support and respect between church personnel and minors and vulnerable adults constitutes a positive part of church life and ministry. Any touching can be misunderstood, however, and therefore must be carefully considered. Depending on the circumstances, the following forms of affection may be customarily (but not always) regarded as appropriate and applicable **when initiated by the minor or vulnerable adult.**

- Verbal praise,
- Handshakes,
- “High-fives,” hand slapping and “fist bumps.”
- Brief pats on the shoulder or back,
- Hugs (brief, side hugs preferred),
- Holding hands while walking, when done for the purpose of providing safety for minors or vulnerable adults (i.e. holding hands with group of children aged 10 years or less to ensure their safety when crossing a street, serving as a balance aid to reduce the risk of fall or injury to a vulnerable adult, etc.),
- Sitting beside,
- Holding hands during prayer, and
- Pats on the head when culturally appropriate.

### Conduct that is Not Permissible

Some forms of physical affection have been used by adults to initiate inappropriate contact with minors and vulnerable adults. In order to maintain the safest possible environment for minors and vulnerable adults, the following are examples of affection that are **NOT TO BE USED.**

- Inappropriate or lengthy embraces,
- Kisses,
- Holding minors over four years old on the lap,
- Touching buttocks, chest, knees, legs or genital areas,
- Being with minors or vulnerable adults in isolated areas such as bedrooms, closets, staff-only areas or other private and closed rooms,
- Inappropriate physical affection in all places, non-public as well as public,
- Being reclined with a minor or vulnerable adult,
- Wrestling or tickling minors or vulnerable adults,
- Piggyback rides,
- Any type of massage given by minor or vulnerable adult to adult, or by adult to minor or vulnerable adult,
- Any form of unwanted affection,
- Compliments, critiques, or commentaries relating to another's physique or body development,
- Gratuitous application of sunscreen or any other topical salves, ointments etc., and
- Touching a minor or vulnerable adult in a sexual way or other inappropriate manner. Such as pinching, brushing the body, pushing, patting, feeling, tickling, rubbing, or massaging.

# Code of Conduct Acknowledgment Form

Priests and Deacons (Diocesan, Extern, or Religious)  
Working in the Diocese of Winona-Rochester

Parish/School/Agency: \_\_\_\_\_

Date: \_\_\_\_\_

I have received a copy of the Diocese of Winona-Rochester **Code of Conduct for Church Personnel, which includes “Measures to Aid Observance of the Code of Conduct” and the “Practical Suggestions.”** I have read and understand this Code of Conduct, and I agree to abide by it and will employ them to help me observe the Code of Conduct. A violation of this Code of Conduct can result in disciplinary action, up to and including removal from office and/or ministry.

I understand that as a priest, deacon, or religious working with minors and vulnerable adults, I am subject to a thorough background check including criminal history.

\_\_\_\_\_  
Signature

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

\_\_\_\_\_  
Position

Diocesan       Deacon       Extern

Religious Community: \_\_\_\_\_

The signed Code of Conduct Acknowledgement Form shall be kept in personnel files at the Pastoral Center. Please return the acknowledgement form to:

Office of Safe Environment  
Diocese of Winona-Rochester  
PO Box 588  
Winona, MN 55987-0588