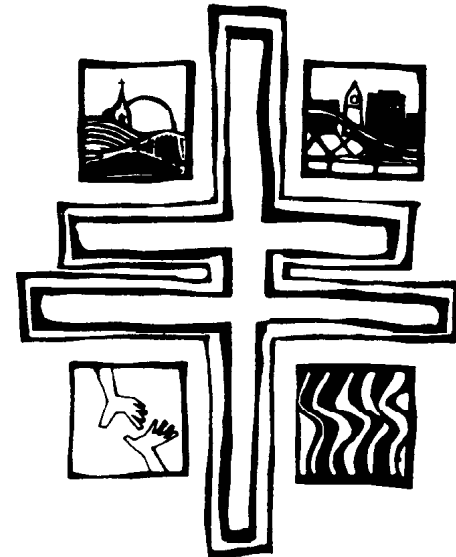


Archdiocese of Dubuque

Protection of Children Required Notifications Handbook

All Archdiocesan Personnel and Volunteers



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- The Policy for the Protection of Minors is found at <http://www.arch.pvt.k12.ia.us/Protection/Protectionhome.html>
- Virtus Training information is located in the Protection of Children conference folder of FirstClass, at the Archdiocesan website: <http://www.arch.pvt.k12.ia.us/Protection/Protectionhome.html>, or at the Virtus website: www.virtus.org.

Standards of Conduct for Personnel in Archdiocesan Entities*

I. Preamble

Those who minister or volunteer within our parishes and institutions must always seek to live by and uphold the Church's moral teaching in both their personal lives and personnel roles. Standards of Conduct do not presume to provide the answers to all the ethical questions facing personnel. Rather, they establish a set of general ethical standards for their lives and ministry. These standards will help to delineate boundaries by which ethical questions can be evaluated. These Standards do not supersede canon or civil law. These Standards will also aid in the training and education of new personnel. Lastly, they will demand accountability from personnel who may fail to live within these standards.

For purposes of these standards "personnel*" are all who are listed in Appendix A of the Archdiocesan Policy for the Protection of Minors found at the end of these Standards. The entire policy can be found at <http://www.arch.pvt.k12.ia.us/Protection/Protectionhome.html>. Responsibility for adherence to these standards rests with the personnel themselves. It is anticipated, however, that disregard of these standards by personnel will be dealt with by the appropriate employing/appointing organization's representative (e.g., the pastor/parish administrator, the religious superior, principal, DRE, the Archbishop). Remedial action may take various forms from counseling to removal from ministry.

The conduct of personnel, both public and private, has the potential to inspire and motivate people or scandalize and tear down their faith. These personnel must be aware of the responsibilities that accompany their work. They also know that God's goodness and graces support them in their ministry.

II. General Principles

Five key principles underlie the ethical stance of these standards. Ethical personnel are those who embrace the principles of ecclesial commitment, integrity, respect for others, well-being, and competence.

Ecclesial Commitment

Personnel embrace and work to promote the teachings of Jesus and his Church. They shall have an intimate knowledge of the Scriptures and Sacred Tradition so that they can apply them to the pastoral situations they encounter.

Integrity

Personnel are expected to be persons of integrity and must conduct themselves in an honest and open manner, free from deception or corruption. They shall handle the responsibilities of their office in a conscientious fashion. Personnel in a church that sets a high moral standard for its members have a responsibility to lead by example.

Respect for Others

Personnel shall respect the rights, dignity, and worth of each member of the Church community. Personnel respect each individual as a creation of God without regard to his/her economic status or degree of participation in Church life. They strive to be sensitive to cultural differences among people and appreciate the opportunities that diversity brings. Also, they should be aware that issues of aging, gender, race, religion, sexual orientation, physical and mental disabilities, and culture all affect how the message of the Gospel is received and interpreted.

persons likely to possess information relevant to the investigation, as the investigator thinks necessary for purposes of the investigation.

- 8.2d Appropriate records, including reports of misconduct, results of investigations, final determination and disposition, shall be made by the investigator for each investigation and these reports shall be filed in the alleged perpetrator's personnel file.
 - 8.2e In any case, when it appears that criminal or civil action may be taken by one or more of the parties involved, notification of the incident shall be given to insurers in accordance with the terms of applicable insurance policies. The Archdiocesan attorney should be consulted regarding such notification.
 - 8.2f To the extent possible, all information pertaining to the investigation will be kept confidential.
- 8.3 Action Where Guilt Determined, Non-Clergy.** If the alleged claim is substantiated, the following action shall be taken:
- 8.3a If the incident is of a significantly offensive nature, in the judgment of the investigator, or if repeated offenses by this same perpetrator have been documented, the procedure detailed in Section 7.3 shall be followed.
 - 8.3b In all other cases, the investigator will inform the perpetrator, in writing, of the result of the investigation. Moreover, the investigator shall inform the perpetrator that another incident will result in termination of employment, and that the report regarding the incident shall be placed in the individual's personnel file. Psychological or professional counseling may be required for the perpetrator.
- 8.4 Action Where Guilt Determined, Clergy.** If the alleged claim is substantiated, a report outlining the findings of the investigation will be sent to the Archbishop for determination. If deemed appropriate by the Archbishop, the procedures outlined in Section 7.3 may be followed. If the Archbishop determines that circumstances do not warrant the procedures outlined in Section 7.3, he may so advise the investigator, and instruct the investigator to proceed as outlined in Section 8.3b.

9.0 Confidentiality

All information related to an incident in which a complaint is made of sexual abuse, sexual exploitation or sexual harassment must be assembled and retained in a written form in a confidential manner. Such information should be safeguarded from unauthorized disclosure.

10.0 Acts of Retaliation

The Archdiocese of Dubuque will not tolerate retaliatory acts of any nature against persons who in good faith make reports and provide information implementing these policies.

11.0 Pastoral Responses

- 11.1** Pastoral care for victims should include concrete and direct offers of assistance. For example financial aid may be provided for counseling.
- 11.2** Appropriate and sensitive responses should be extended to the suffering parish community.
- 11.3** While recognizing the limitations of psychological screening, the Archdiocese of Dubuque remains committed to an intensive and extensive screening of all candidates for the priesthood and permanent diaconate.

This Policy is issued at the Archdiocesan Center of the Archdiocese of Dubuque, and is effective December 27, 1993.

**Most Rev. Jerome Hanus, O.S.B.
Archbishop of Dubuque**

with diagnostic and treatment professionals. He will be expected to participate in a regular program of support and will report to a supervisor assigned by the Archbishop.

8.0 Sexual Harassment

- 8.1** Obligation to Report. Any personnel of the Archdiocese who knows or has reason to know of an incident of sexual harassment (as defined in 4.3a) by any personnel of the Archdiocese shall comply with any applicable reporting or other requirements of state and local laws (unless to do so would violate priest/penitent relationship of the Sacrament of Reconciliation), and shall also report as follows:
- 8.1a A verbal report of the incident shall be made immediately to the appropriate staff person as determined by each Archdiocesan or parish entity and shall be followed as soon as reasonably possible by a written report. Reports of incidents in educational programs governed by the Archdiocesan Board of Education shall follow policy 4116.1. found in the Archdiocesan Board of Education Policy Book. If the accusation is made against a person defined as “the appropriate staff person”, the verbal and written reports shall be made, on the parish level, to the canonical pastor, and on the Archdiocesan level, to the Vicar General or his designee. In the case when an accusation is made against a cleric or an ecclesiastical office holder, the report shall be made to the Archbishop or his designee.
 - 8.1b A written report shall be sent to the Archbishop.
 - 8.1c Reasonable care will be taken to separate the complainant and the alleged perpetrator until the investigation is completed.
- 8.2** Investigation of Reported Incidents. Each reported incident shall be investigated as soon as reasonably possible by the appropriate staff person as determined by each Archdiocesan or parish entity. Unless otherwise determined, the appropriate staff person for Catholic schools is the principal; for parishes, the pastor; and for Archdiocesan entities, the supervisor of the pastoral office where the alleged perpetrator is employed. In the case when an accusation is made against a cleric or an ecclesiastical office holder, the investigation shall be conducted by the Archbishop or his designee. In the case when an accusation is made against “the appropriate staff person”, if not a priest, the investigation will be conducted on the parish level by the canonical pastor, and on the Archdiocesan level by the appropriate supervisory personnel or the Vicar General or his designee. Each incident will be investigated with care taken not to interfere with any criminal investigation and with a high level of Christian care, concern and confidentiality for the alleged victim, the person reporting the incident, and the alleged perpetrator.
- 8.2a An alleged perpetrator may be represented by counsel of his/her own choosing. In the case of a priest or ecclesiastical office holder, the counsel, if possible, should be one with canonical expertise. In any case, any expense involved is the responsibility of the alleged perpetrator.
 - 8.2b For accusations against all personnel, the alleged perpetrator should be interviewed. The alleged perpetrator should be advised of the provisions of 8.2a and should be informed that anything said may be used against the alleged perpetrator in a criminal proceeding or in a civil lawsuit. The alleged perpetrator should be presented with a specific listing of allegations. The alleged perpetrator should be given an opportunity to ask any clarifying questions and should then be asked to respond to the allegations after consultation with his/her counsel. The investigator should also review the alleged perpetrator’s personnel file and should inquire of the alleged perpetrator whether there have been any other incidents of sexual harassment which may have gone unreported.
 - 8.2c The investigation will also ordinarily include a meeting with and interview of complainant, and interviews with such persons identified as witnesses or

Well-Being

Personnel are expected to attend to their own human, spiritual, intellectual, and pastoral well-being.

Human Well-Being

Personnel have a duty to be attuned to their physical, mental, and emotional health. They should be aware of warning signs in their behavior and moods that can indicate conditions detrimental to their health (e.g., depression, misuse of alcohol or drugs). Personnel should determine healthy limits in their work environment and live within these limits as much as possible, making use of allotted time for vacation and days away from the work environment. Personnel should be supportive of one another in terms of both affirmation and holding one another accountable for their physical and emotional well-being.

Spiritual Well-Being

Personnel have a duty to stay attuned to their own spiritual health. They must maintain and nurture an ongoing prayer life and address their own spiritual needs in order to remain focused in the faith. Regular meetings with a spiritual director and support group are highly recommended. Personnel are encouraged to participate in retreats and days of reflection.

Intellectual Well-Being

Personnel have a responsibility to attend to their ongoing intellectual development. They should participate annually in seminars and workshops in areas that are relevant to their current ministry. Personnel should stay current through reading of both religious and secular sources. Participation in a regular process of evaluation of their effectiveness in ministry is encouraged. Archdiocesan instruments and procedures may be used where these exist. Personnel should make use of the time and funding provided for ongoing formation.

Pastoral Well-Being

Personnel are responsible for providing for and nurturing the life of the faith community. They should know and respect the people whom they serve. As appropriate to their office, they should celebrate the sacraments with decorum, in fidelity to the official rites of the Roman Catholic Church. Personnel should know and follow the policies and procedures of the Archdiocese.

Competence

Personnel maintain high levels of professional competence in their particular work. Training, education, and experience all contribute to make them competent and credible in their areas of expertise.

III. Standards of Conduct in Professional Relationships

1. ADMINISTRATION

Personnel shall exercise just treatment of employees and volunteers in the day-to-day administrative operations of their ministries.

- 1.1 Personnel shall relate to all people with respect, sensitivity, and reverence. Meetings are to be conducted with patience and courtesy toward the views of others, in an environment where it is safe for others to offer constructive criticism.
- 1.2 Personnel shall empower others, supporting each person to live the life to which God calls him/her. They are to work in ways that respect the different talents people bring to the Church.
- 1.3 Personnel shall exercise responsible stewardship of all Church resources. They are to ensure a clear accounting of all funds in their area of ministry.
- 1.4 Personnel shall ensure that systems are in place to protect both the Church and the individual from financial mismanagement. Independent audits of financial operations are to be conducted on a regular basis.
- 1.5 Personnel and other administrative decisions made by personnel shall follow Catholic social teachings as well as civil and canon law.
- 1.6 All personnel who receive financial recompense for their ministerial service under stipulated contract terms or archdiocesan scales may not receive dual reimbursement for work which falls ordinarily under the scope of their pastoral assignment or ministry (e.g., a pastor who teaches religious education may not receive both a pastor's salary and that of a director of religious education, etc.).

2. CONDUCT IN COUNSELING

Personnel who conduct counseling for families, individuals, or groups shall respect their rights and advance the welfare of each person.

- 2.1 Personnel shall not step beyond their competence in counseling situations. The parameters are dictated by their training or professional certification.
- 2.2 Without permission from the counselee, personnel shall not disclose information learned from counseling sessions. In beginning what is clearly a counseling relationship, personnel shall inform the counselee that confidentiality is limited when there is a clear and imminent danger to the counselee or others. In such cases, personnel shall contact the necessary authorities or other professionals.
- 2.3 Personnel ordinarily do not begin an ongoing counseling relationship with someone with whom they have a pre-existing relationship (i.e., employee, professional colleague).
- 2.4 Personnel shall not engage in sexual intimacies with those whom they counsel.
- 2.5 Physical contact with the counselee can be misconstrued and should generally be avoided.
- 2.6 It is important that counseling be conducted in an appropriate setting and at appropriate times. Counseling should not be done in private living quarters or at places or times that would be ambiguous or misleading to the counselee. Also, personnel who conduct counseling should maintain a calendar of times and places of contacts.
- 2.7 Personnel shall be cognizant at all times of the significance of boundaries in all counseling relationships. During the course of the relationship, personnel should exercise due prudence with regard to socializing with the counselee.
- 2.8 When the independent judgment of personnel is impaired (for example, by prior or concurrent personal or professional relationships where they become personally involved or where they become an advocate for one person against another), they shall advise the party/parties that they can no longer provide counseling and refer him/her/them to other counselors.

opportunity to ask any clarifying questions and should then be asked to respond to the allegations after consultation with his/her counsel. The investigator should also review the alleged perpetrator's personnel file and should inquire of the alleged perpetrator whether there have been any other incidents of sexual misconduct which may have gone unreported. The investigative process may include an evaluation conducted by a professional counselor or therapist.

- 7.2c The investigator will ordinarily meet with and interview the complainant and persons identified as witnesses or persons likely to possess information relevant to the investigation, as the investigator thinks necessary for purposes of the investigation.
 - 7.2d Upon completion of the investigation, if done by his designee, a report will be provided to the Archbishop, outlining the findings of the investigation.
 - 7.2e If the alleged claim is substantiated, or if it appears it can be substantiated, the alleged perpetrator, in accordance with canonical and other considerations, will be relieved of all responsibilities in the Archdiocese, parish, office or institution, and be placed on administrative leave pending the outcome of the internal and any outside investigation. Such leave will be with or without pay or benefits as the Archbishop or his designee may decide.
 - 7.2f Appropriate records of each incident reported and of the investigation and the results thereof will be kept by the Archbishop or his designee, and may be reviewed by the Archdiocesan attorney.
 - 7.2g Notification of the incident shall be given to insurers in accordance with the terms of applicable insurance policies. The Archdiocesan attorney should be consulted regarding such notification.
 - 7.2h Any media contact or inquiries regarding an incident of sexual misconduct should be directed to the Vicar General.
- 7.3 Action Where Guilt Is Determined.** Any non-cleric personnel of the Archdiocese who admits to, does not contest, or is found guilty of an incident of sexual misconduct following an investigation under this policy, shall be immediately terminated from employment and any position of responsibility with the Archdiocese. Only following diagnosis, evaluation, treatment and successful after-care may the individual employee be considered for re-employment with the Archdiocese, and then only under such conditions and limitations as deemed appropriate by the Archdiocese. Any cleric, ecclesiastical office holder, nonincardinated priests or deacons, and religious personnel in similar circumstances will be placed on administrative leave from ministry. Further penal sanctions, including, but not limited to, dismissal from the clerical state, may be considered.
- 7.3a A cleric shall receive diagnostic evaluation, if required, at the expense of the Archdiocese. The cleric shall provide the Archbishop, or his designee, with an authorization for the release of diagnostic information to carry out the purposes of this policy. This release is limited to the purposes of this policy and is not a waiver of any statutory privilege of confidentiality.
 - 7.3b A member of the Archdiocesan clergy may be required to undergo treatment if he wishes to be considered for future service in the Archdiocese. Cost of such treatment and release of information from the treatment center will be negotiated between the cleric and the Archbishop.
 - 7.3c When the member of the Archdiocesan clergy has completed treatment, he may be required to take part in an appropriate supervised after-care program approved by the Archbishop, having received the recommendations of the professional treatment center.
 - 7.3d Following diagnostic evaluation, treatment and successful after-care, the individual cleric may, unless professional advice indicates otherwise, be eligible for consideration of a contractual assignment, with such limitations (e.g., excluding ministry to minors or others at risk) as are deemed appropriate after consultation

Code Section 232.70 requires mandatory reporters to file a report with the Department of Human Services if they reasonably believe a child has suffered abuse. Iowa Code 232.70 requires those who are mandatory reporters to make an oral report to the Department of Human Services to be followed by a written report within forty-eight hours if they reasonably believe a child has suffered abuse.

- 7.1a Any personnel of the Archdiocese governed by this policy who know or has reason to know of an incident of sexual abuse (as defined in Section 4.3a) or of sexual exploitation (as defined in section 4.3b) shall comply with applicable reporting and other requirements of the state and local laws (unless to do so would violate priest/penitent relationship of the Sacrament of Reconciliation) and shall also make a verbal report of the incident to the appropriate staff person immediately, as determined by each Archdiocesan or parish entity. The verbal report shall be followed, as soon as reasonably possible, by a written report to the appropriate person with a copy to the Archbishop or his designee. Unless otherwise determined, the appropriate staff person for Catholic schools is the principal, who shall complete the prescribed Level I Investigation; for parishes, the pastor; and for Archdiocesan entities, the supervisor of the pastoral office where the alleged perpetrator is employed. If the accusation is made against “the appropriate staff person” and that person is not a priest, the verbal and written reports shall be made, on the parish level, to the canonical pastor, and on the Archdiocesan level, to the Vicar General or his designee. If the accusation is made against a cleric or an ecclesiastical office holder, the report shall be made to the Archbishop or his designee.
- 7.1b The alleged perpetrator will be immediately removed from any possible contact with children or vulnerable adults, pending the resolution of the charges and the outcome of the investigation. Such action will not imply guilt or innocence.
- 7.1c When accusations of sexual misconduct are made against personnel of the Archdiocese, contact by the appropriate Archdiocesan staff with the alleged victim and family should, if appropriate, be promptly initiated. Contact should be made by priestly and other counselors chosen by the Archbishop for the purpose of offering whatever concern or solace may be needed, with no comment as to the truth of any accusation. Medical, psychological and spiritual assistance may be offered in the spirit of Christian justice and charity.
- 7.2 Investigation of Reported Incidents. Each reported incident will be investigated as soon as reasonably possible. Care will be taken not to interfere with any criminal investigation. The investigation will be done with a high level of Christian care, concern and confidentiality for the alleged victim, the family of the alleged victim, the person reporting the incident, and the alleged perpetrator. The Archbishop/designee shall investigate each reported incident and this shall be done as soon as reasonably possible. Those doing the investigation may consult with and seek the advice of the Archdiocesan attorney, not only when undertaking the investigation, but also during the investigation, as deemed appropriate.
- 7.2a The alleged perpetrator may be represented by counsel of his/her own choosing. In the case of a priest or ecclesiastical office holder, the counsel, if possible, should be one with canonical expertise. In any case, any expense involved is the responsibility of the alleged perpetrator. The Archdiocese will not assume the legal fees for the accused. The Archdiocesan legal counsel shall not act as counsel for the accused. No further contact shall occur by the alleged perpetrator with the alleged victim after the initial charges have been made.
- 7.2b For accusations against all personnel, the alleged perpetrator should be interviewed by the Archbishop/designee. The alleged perpetrator should be advised of the provision of 7.2a and should be informed of his/her rights, and that anything said may be used against the alleged perpetrator in a criminal proceeding or in a civil lawsuit. The alleged perpetrator should be presented with a specific listing of allegations. The alleged perpetrator should be given an

- 2.9 Personnel who leave their position while conducting counseling should help make appropriate referrals for continued care. When possible, personnel should provide those whom they are counseling thirty days written notice they are leaving their position.

3. CONDUCT WITH MINORS

Personnel working with minors shall use appropriate judgment to ensure trusting relationships marked by personal and professional integrity.

- 3.1 Personnel must be aware of their own vulnerability and that of any individual minor with whom they may be working. In every instance possible, a team approach to youth ministry activities should be considered. Personnel shall avoid establishing any exclusive relationship with a minor and exercise due caution when they become aware of a minor desiring such a relationship.
- 3.2 Physical contact with a minor should never be used to hurt or punish the minor or for self-gratification, sexual or otherwise. Physical contact with a minor can be misconstrued by minors and other adults. Physical contact with a minor should only occur under appropriate public circumstances. (Public, Appropriate, and Brief)
- 3.3 Personnel shall not use or supply alcohol and/or illegal drugs when working with minors.
- 3.4 Personnel shall not provide any sexually explicit, inappropriate, or offensive material to minors.
- 3.5 Providing overnight accommodations in rectories or other personal residences for minors with whom personnel may have other than a close familial relationship is prohibited.
- 3.6 Personnel should know and understand Archdiocesan policies and procedures concerning allegations of sexual misconduct involving minors and the developmentally disabled.

4. SEXUAL CONDUCT

Personnel are called to lead lives of chastity consistent with their state of life.

- 4.1 Personnel who have made a commitment to celibacy are called to witness this in all relationships. Likewise, those who have made a marital commitment are called to witness to this fidelity in all their relationships.
- 4.2 Personnel shall not betray the trust of those they serve by engaging in sexual misconduct or exploit persons for sexual purposes.
- 4.3 It is the personal and professional obligation of personnel to be knowledgeable about what constitutes sexual misconduct and to be familiar with the teachings of the Catholic Church and the laws of the State of Iowa regarding sexual misconduct.
- 4.4 Any allegations of sexual misconduct shall be taken seriously and reported to the Office for Protection of Children. Archdiocesan protocol and procedures will be followed to ensure the rights of all involved.
- 4.5 Personnel shall be knowledgeable of the State of Iowa child abuse regulations and know the proper reporting requirements. Personnel must comply with all mandatory reporting requirements except if the information was received under the seal of confession. In such cases, no reporting can occur.

5. HARASSMENT

Personnel shall not engage in harassment of employees, volunteers, or parishioners and shall not tolerate such harassment by other employees or volunteers.

- 5.1 Harassment encompasses a broad range of physical or verbal behavior that includes, but is not limited to:
 - Physical or mental abuse.
 - Racial insults.
 - Ethnic slurs.
 - Sexual advances or sexual touching.

- Sexual comments or sexual jokes.
- Requests for sexual favors used as a condition of employment or affecting any personnel decision such as hiring, promotion, or compensation.
- Display of pornographic materials.

- 5.2 Harassment can occur as a result of a single incident or a pattern of conduct which results in the creation of a hostile, offensive, or intimidating work environment.
- 5.3 Personnel shall follow the established procedure (see below No. 8) for reporting harassment and shall ensure that no retaliation for bringing forward a claim of harassment occurs. (Note: Educational programs see also ABE 2515.11)

6. CONFIDENTIALITY

Information disclosed to personnel during the course of counseling or spiritual direction shall be held in strictest confidence.

- 6.1 Personnel are bound to safeguard the confidentiality of any notes, files, or computer records pertaining to professional contact with individuals.
- 6.2 If consultation with another professional becomes necessary, utmost care shall be taken to use non-identifying information and only that which is necessary to be shared; when this is not possible, the other professional must be bound to the same degree of confidentiality as personnel. If the other professional is not so bound, the disclosure shall not be made.
- 6.3 Knowledge that arises from professional contact may be used in teaching, writing, and preaching or other public presentations only when effective measures have been taken to absolutely safeguard individual identity and confidentiality.
- 6.4 Except as provided above with respect to consultation, confidential information can be disclosed only with the written, informed consent of the individual. In legal proceedings in which personnel are defendants and the allegations stem from a professional contact, the disclosure of confidential information gained in that contact is permitted only to the minimum necessary to achieve the purpose of defense.
- 6.5 When entering into counseling with a minor, personnel shall instruct the minor from the outset regarding several exceptions to the ordinary rights to confidentiality: threats of self-inflicted harm, threats of harm to the minor, threats by the minor against others. Threats of self-inflicted harm and threats of harm to others include ideation and planning. In these situations, which pose a grave risk for the minor's welfare and the welfare of others, communication of information to a parent or legal guardian and/or to the civil authorities should occur expeditiously with or without the consent of the minor. Personnel must exercise great care and judgment in determining the appropriateness of this kind of disclosure and in balancing the ultimate welfare of the minor being counseled with the duty to warn.
- 6.6 These obligations are independent of and supplementary to the confidentiality of confession. Under no circumstances whatsoever can there be any disclosure, even indirect, of information received through the Sacrament of Penance.

7. RECORDS AND INFORMATION

Appropriate confidentiality shall be maintained in creating, storing, accessing, transferring, and disposing of parish or institutional records.

- 7.1 Restricted access shall be maintained for sacramental records. Such access is restricted to the pastor or pastoral administrator and his/her designate.
- 7.2 A trained staff member may be authorized to locate the requested information or supervise the use of such records.
- 7.3 The records of individual contributions to the parish or institution shall be regarded as private and shall not be published without the permission of the contributor.

- 2) submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment, public accommodations or public services, education, housing; or
- 3) that conduct or communication has the purpose or effect of substantially interfering with an individual's employment, public accommodations or public services, education, or housing, or of creating an intimidating, hostile, or offensive employment or housing environment.

5.0 Education

Education alone cannot shape mature attitudes and behavior, nor will it change inappropriate sexual behavior. Each adult must be responsible for his or her sexual growth and maturity. To aid this growth, the Archdiocese will attempt to provide programs which include knowledge or training applicable to these areas. Some personnel of the Archdiocese of Dubuque, such as principals, licensed school employees, counselors, etc. are governed by special training requirements (e.g. mandatory reporting laws). The following personnel must attend designated educational programs concerning sexual misconduct issues such as methods of recognizing and preventing sexual misconduct involving children or others:

- 5.1 all priests and deacons working in the Archdiocese.
- 5.2 all pastoral administrators/workers working in the Archdiocese.
- 5.3 all youth ministers working in the Archdiocese.
- 5.4 all school principals and directors of religious education.
- 5.5 all teachers, catechists, volunteers and other staff.
- 5.6 other Archdiocesan personnel as deemed necessary by the Archbishop.

Other personnel of the Archdiocese are encouraged to attend such educational programs.

6.0 Background and Reference Checks

- 6.1 An informational questionnaire, a copy of which accompanies this policy, is to be completed by all the personnel listed in Section 2, unless an alternative form is specified by state law.
- 6.1a Completed questionnaires by personnel listed in Section 2.3a-2.3d and Section 3.1 are to be forwarded to the Vicar General of the Archdiocese or his designee.
- 6.1b Completed questionnaires by all other personnel listed in Section 2 shall be received by the appropriate supervisor/head of the office or institution of the Archdiocese.
- 6.2 Any further investigations will be coordinated by the head of the office, parish or institution responsible for hiring.
- 6.3 With regard to personnel listed in 2.3b and 2.3e, an agreement will be reached with their respective religious order/diocese to inform the Archdiocese of Dubuque of any allegations of physical or sexual abuse, exploitation or harassment by such individuals of which the religious order/diocese is or may become aware. On its part, the Archdiocese of Dubuque, in writing, will inform the superior of such personnel of any credible allegation of a sexual misconduct.
- 6.4 Failure to disclose information or failure to complete the appropriate questionnaire, regarding previous allegations of physical or sexual abuse, harassment or exploitation may be a grounds for immediate termination.

7.0 Sexual Abuse and Exploitation

- 7.1 Obligation to Report. Iowa Code Section 232.69 defines mandatory reporters. Iowa

Northern Iowa, and St. Thomas Aquinas Student Center at Iowa State University.

- 2.3j all paid personnel in the offices, parishes and the schools of the Archdiocese.
 - 2.3k all volunteers in the offices and institutions mentioned in 2.3j, who work on a significant scale with vulnerable persons.
 - 2.3l such other personnel as designated by the Archbishop of Dubuque.
 - 2.3m all personnel of American Martyrs Retreat House.
 - 2.3n Catholic corporate entities within the Archdiocese of Dubuque that are listed in the *Official Catholic Directory* or the Archdiocesan Directory that do not have the Archbishop of Dubuque as their President are not covered by this policy.
- 2.4 “Archdiocese” means the Archdiocese of Dubuque, an Iowa corporate entity, all parishes within the Archdiocese of Dubuque, all parochial schools/religious education/youth ministry/and other programs operated by the offices and agencies of the Archdiocese of Dubuque.

3.0 Policy Distribution

- 3.1 This policy is to be distributed to all personnel listed in Section 2 above, and to the following:
- 1) all those who seek ordination as clerics of the Archdiocese before being admitted to candidacy;
 - 2) all clerics of other jurisdictions who seek assignment for work in the Archdiocese.
- All personnel shall sign an acknowledgment/verification of receipt, understanding and acceptance of the policy. A copy of the required receipt accompanies this policy.
- 3.2 Personnel listed in 2.3a-2.3d and those additional persons noted in 3.1 are to forward this receipt to the Vicar General of the Archdiocese or his designee.
- 3.3 All other personnel are to give this receipt to their immediate supervisor, or to the head of their office/institution, or to the person hiring them.

4.0 Applicable Law

- 4.1 This policy is intended to address violations of civil and criminal law. A violation of the civil and criminal law can subject the perpetrator to a prison sentence and/or a monetary fine. It can also be the basis for a civil suit for monetary damages.
- 4.2 The law changes from time to time by enactment of amendments to statutes and judicial interpretations. It is not possible to set out all of the laws in this document, but assistance will be given to all personnel having questions or seeking knowledge concerning the law.
- 4.3 The Iowa Criminal Code defines the various types of conduct that violate this law. Three of the primary areas of concern are: sexual abuse, sexual exploitation and sexual harassment.
- 4.3a Sexual abuse is the subjection of a child or dependent adult by any person responsible for their care, to any sexual offense which is defined as a violation in the Iowa Criminal Code.
 - 4.3b Sexual exploitation is any kind of sexual conduct, whether verbal or physical, between counselor and client; or in any other relationship which involves an imbalance of authority between the parties.
 - 4.3c Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature when:
 - 1) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment, public accommodations or public services, education or housing;

8. REPORTING VIOLATIONS OF THIS CODE

Personnel have a responsibility to report ethical misconduct on the part of other Church personnel, employees, and volunteers.

- 8.1 In cases where there are clear indications of illegal actions by personnel, notification should be made immediately to the proper Church and civil authorities.
- 8.2 In cases where there are clear indicators of unethical, but not illegal, actions by personnel, notification should be made to the proper Church authorities.
- 8.3 When personnel are uncertain whether a particular situation or course of conduct would violate these Standards, they should consult with peers knowledgeable about ethical issues and this Code or the Office for Protection of Minors, or the Regional Vicar in order to determine the proper response.

Acknowledgments:

The Priestly Life and Ministry Committee gratefully acknowledges the valuable assistance provided by the Code of Ethical Standards for Church Personnel from the Archdiocese of Milwaukee.

Additional acknowledgment is given to the Archdiocesan Board of Education in its development of ABE 4111.4d, Standards of Conduct which was adopted May 3, 2003

These standards combine ABE 4111.4d which was adopted May 3, 2003 and the Code of Ethical Standards initially approved August 8, 2003.

Most Rev. Jerome Hanus, OSB
Archbishop of Dubuque

Appendix A*

Scope of Application

- I. “Archdiocese” refers to the corporate entity, an Iowa not-for-profit corporation.
- II. “Archdiocesan Entities” refers to those corporate entities within the Archdiocese that are listed in The Official Catholic Directory or the Archdiocesan Directory and have the Archbishop of Dubuque as their President.
- III. “Personnel” includes the following categories:
 - A. All incardinated clerics, including all incardinated permanent deacons and all incardinated transitional deacons, of the Archdiocese.
 - B. All priests and deacons who have the faculties of the Archdiocese of Dubuque.
 - C. All those non-ordained persons to whom participation in the exercise of the pastoral care of the parish is entrusted according to Canon 517, Section 2, of the Code of Canon Law.
 - D. All clerics or seminarians of other dioceses or religious communities who are working for the Archdiocese or Archdiocesan entities.
 - E. All religious working for the Archdiocese or Archdiocesan entities.
 - F. All personnel of St. Stephen Catholic Student Center at the University of Northern Iowa and St. Thomas Aquinas Student Center at Iowa State University.
 - G. All personnel in the offices, parishes, Catholic schools, and religious education programs of the Archdiocese or Archdiocesan entities.
 - H. All volunteers in the offices, institutions, and programs listed in #G who have continuing contact with minors (e.g., an average of one hour per week).
 - I. Such other personnel as designated by the Archbishop of Dubuque.
 - J. All personnel of American Martyrs Retreat House.
 - K. All seminarians of the Archdiocese.

Note: Catholic corporate entities within the Archdiocese of Dubuque that are listed in The Official Catholic Directory or the Archdiocesan Directory that do not have the Archbishop of Dubuque as their President are not covered by this policy (e.g., Catholic colleges, hospitals, religious communities). However, if an employee of a Catholic corporate entity not covered by this policy volunteers in one of the corporate entities which is covered by the policy, that person must comply with the expectations of III.H.

Sexual Misconduct Policy

Archdiocese of Dubuque

Effective December 27, 1993

Sexual misconduct by personnel of the Archdiocese of Dubuque is contrary to Christian principles and Catholic moral teaching. All personnel of the Archdiocese must comply with applicable state and local laws regarding incidents of actual or suspected sexual misconduct, and with the following policies. Some personnel of the Archdiocese of Dubuque, such as principals, licensed school employees, counselors, etc. are also governed by mandatory reporting laws, a violation of which subjects them to civil and penal liability. These requirements are in addition to those mentioned in the policy herein.

This policy does not address sexual misconduct in general, but only in the special circumstances described herein. It is intended to establish procedures in an effort to prevent sexual misconduct by personnel of the Archdiocese of Dubuque and the resulting harm to others, and to provide guidance to the personnel of the Archdiocese of Dubuque on how to respond to allegations of sexual misconduct if any do occur.

1.0 Policy

It is the policy of the Archdiocese of Dubuque that sexual misconduct by personnel of the Archdiocese of Dubuque while performing the work of the Archdiocese of Dubuque is contrary to Christian principles and is clearly outside the scope of the duties, responsibilities, and employment of all personnel of the Archdiocese of Dubuque. Sexual misconduct is not to be tolerated and is grounds for immediate termination of employment. All personnel of the Archdiocese of Dubuque must comply with (1) this policy and (2) all applicable federal and state laws pertaining to actual or suspected sexual misconduct.

2.0 Definitions

For purposes of this policy only:

- 2.1** “Sexual Misconduct” means any sexual conduct of Archdiocesan personnel which is:
 - unlawful as described by the laws of the State of Iowa and in Section 4 of these policies, or contrary to the moral instructions, doctrines and canon law of the Catholic Church and causes injury to another.
- 2.2** “Vulnerable persons” means all children and all dependent adults as defined in Iowa Code (Sec. 235, B.2).
- 2.3** “Personnel” includes the following categories:
 - 2.3a all incardinated clerics (including all incardinated permanent deacons and all incardinated transitional deacons of the Archdiocese).
 - 2.3b all religious priests and deacons who have the faculties of the Archdiocese of Dubuque and are working in an Archdiocesan assignment.
 - 2.3c all those non-ordained persons to whom a participation in the exercise of the pastoral care of a parish is entrusted according to Canon 517, Section 2, of the *Code of Canon Law*.
 - 2.3d all clerics of other dioceses or religious communities who are working for the Archdiocese.
 - 2.3e all women religious working for the Archdiocese.
 - 2.3f all personnel of Catholic schools of the Archdiocese (administration, faculty and support staff).
 - 2.3g all religious education directors or coordinators and teachers in the parishes and schools of the Archdiocese.
 - 2.3h all youth ministers in the parishes, schools and institutions of the Archdiocese.
 - 2.3i all personnel of St. Stephen Catholic Student Center, at the University of