

APPENDIX I

CODE OF CONDUCT FOR CHURCH PERSONNEL AND MINISTERIAL STANDARDS AND GUIDELINES FOR DEALING WITH MINORS AND VULNERABLE ADULTS

Preamble

The Diocese of Charleston holds Church Personnel (as defined in the Diocese's Sexual Abuse Policy) accountable for maintaining the integrity of all ministerial and professional relationships. The purpose of this Code of Conduct ("Code") is to set forth the basic principles, standards and guidelines applicable to interactions by Church Personnel with Minors and Vulnerable Adults. It would be impossible to create a comprehensive list of specific acts constituting violations of this Code. In addition to strict compliance with legal requirements, Church Personnel in the Diocese are expected to be guided by the basic principles of the Catechism of the Catholic Church in the conduct of diocesan affairs and to comply with all diocesan policies, including compliance with the Diocese of Charleston Policy Concerning the Protection of Minors and Vulnerable Adults from Sexual Abuse by Church Personnel, as amended from time to time ("Sexual Abuse Policy"). Church Personnel should also adhere to the Ministerial Standards and Guidelines contained in this Code.

While the individuals who prey on Minors and/or Vulnerable Adults are a very small minority, they have nevertheless placed Church Personnel in a difficult situation regarding their interactions and relationships with Minors and/or Vulnerable Adults. Although the current situation is not your fault, you are a secondary victim of those who have abused the trust of Minors and Vulnerable Adults. Because of the criminal acts and abuses of trust by a small minority of Church Personnel, the public often views all Church Personnel with skepticism and distrust. To protect yourself as well as Minors and Vulnerable Adults, it is very important that you learn and comply with the Diocesan Policy, Code of Conduct and Ministerial Standards and Guidelines. It is also necessary that you be aware of and comply with the requirements to report Sexual Abuse of Minors or Vulnerable Adults under diocesan policy and South Carolina law.

While there is an expectation that common sense will be used, this Code is provided for the purpose of explicitly drawing attention to the special care that must be taken by Church Personnel in ministering to Minors and Vulnerable Adults. Diocesan Clergy, Religious, seminarians, employees and Volunteers must take special care to avoid contact with Minors or Vulnerable Adults, whether within or outside the conduct of their ministry, that could be misconstrued by reasonable people to involve illicit intentions or that could cause injury, regardless of whether injury is intended by such person.

Application of this Code

The Diocese expects you to conduct yourself in accordance with this Code and to support others in doing so. If you do not comply with the Diocesan Sexual Abuse Policy or this Code or if you permit a member of Church Personnel under your supervision to fail to comply, you are not meeting your responsibilities to the Minors and Vulnerable Adults in your care or that of the Church. If you know or suspect non-compliance with this Code or the Policy, you are expected to report the non-compliance to the Office of Child and Youth Protection at 843-261-0430.

Principles Applicable to Church Personnel

The following principles, standards and guidelines are provided to assist you in complying with the standards of conduct contained in this Code of Conduct and to avoid situations that could result in an allegation of Sexual Abuse, regardless of your good intentions. Principles, standards and guidelines, although not exhaustive, are intended to provide guidance and direction with respect to issues that may arise in the course of your day-to-day work.

Church Personnel of the Diocese of Charleston shall:

- Actively support the teachings of the Catholic Church and work to build up the body of Christ in thought, word and action.
- Respect the rights, dignity and worth of each person from conception to natural death and conduct public relationships with others in a manner that is consistent with Catholic teaching. This is an even higher obligation for supervisors and others with the responsibility of guiding and teaching others.
- Maintain high ethical and professional standards in their interactions with Minors and Vulnerable Adults, and always seek to act in their best interest.
- Keep all information received in the course of counseling, spiritual direction or other professional or ministerial contact in the strictest confidence, except as mandated by canon or civil law.
- Refrain from making false or uninformed accusations against another or revealing the faults and failings of another to those who have no need or right to know.
- Be responsible stewards of Church resources, human and financial, and comply with all applicable civil and canon law obligations.
- Maintain a high level of competence in their particular ministry and prudently attend to their own physical, spiritual, mental and emotional well-being.
- Avoid accepting or conferring an office, position, assignment, compensation or benefit that may present even the appearance of a conflict of interest.
- Review, understand and comply with the contents of the Policy, including this Code of Conduct, as well as the reporting requirements of the Diocese of Charleston and South Carolina law, before engaging in any form of ministerial work.
- Promptly report incidents of ethical misconduct or Sexual Abuse by other Church Personnel to the proper Church authority and/or civil authorities.

Ministerial Standards and Guidelines To Be Observed When Dealing With Minors And Vulnerable Adults To Protect You And Those To Whom You Minister

Ministerial Standards and Guidelines for Clergy, Religious, Volunteers and lay employees include, but are not limited to, those set forth below. These standards and principles are not intended to apply to otherwise legal rights of parents and guardians.

1. Church Personnel, unless they are a parent and/or guardian of the Minor or Vulnerable Adult, are prohibited from using physical discipline in any way to manage the behavior of Minors and Vulnerable Adults, except insofar as restraint may be necessary to prevent them from inflicting harm on themselves or others, in which case a detailed written record of the incident shall be made as soon as possible and maintained on file.
2. Church Personnel may never show, provide or make available in any way sexually explicit or morally inappropriate materials to Minors or Vulnerable Adults. In essence, any discussions, materials and personal interactions with Minors and Vulnerable Adults are prohibited if they could not occur or be used in the presence of the Minor's or Vulnerable Adult's parent or guardian. This does not preclude the use of diocesan-approved curricula in schools or religious education programs.
3. Church Personnel should avoid being alone in a room with a Minor or Vulnerable Adult unless they are a relative or the door remains open. If, however, the Minor or Vulnerable Adult insists on more privacy, there should be either a window or glass-paneled door into the room.
4. Church Personnel are prohibited from using, possessing or being under the influence of any mind or mood-altering substances, including alcohol, while working with Minors. The foregoing prohibition against the use of alcohol does not apply to gatherings attended by adults and Minors at which a parent or guardian of the Minor is present. Church Personnel are prohibited from providing Minors with any alcoholic beverage, tobacco, drugs or any substance prohibited by law. Medications of any kind may be administered to Minors or Vulnerable Adults only with written parental or guardian permission.
5. Church Personnel should schedule one-on-one counseling sessions or meetings with Minors and Vulnerable Adults at times and locations that promote accountability. Pastors, principals or the administrator of the appropriate diocesan agency and parent(s) or guardians must be notified in writing of any scheduled meeting involving a Minor or Vulnerable Adult. Informal/unscheduled meetings should be the exception, not the rule; however, if a Minor or Vulnerable Adult approaches you and seeks immediate assistance, this should be documented and communicated as soon as reasonably practicable to the pastor, principal, administrator or supervisor of the appropriate diocesan agency and a parent or guardian.
6. Clergy or Religious shall never take an overnight trip with a Minor or Vulnerable Adult or allow Minors or Vulnerable Adults in their personal residence unless a parent or guardian is present, or if the Minor or Vulnerable Adult is a relative; however, even if a Minor or Vulnerable Adult is a relative, Clergy and Religious must have written permission of the Bishop before allowing them to stay in a rectory or other church property with the Clergy or Religious.
7. Church Personnel shall not sleep in the same bed, van, hotel room, sleeping bag or tent with a Minor or Vulnerable Adult, unless they are a sibling or other relative who has permission of the parent or guardian. Except as provided in the foregoing sentence, sharing a bedroom, other than a dormitory style room in which a number of people are present is to be avoided. Church Personnel should not take an overnight trip alone with a Minor or Vulnerable Adult who is not a relative. Church Personnel should avoid being alone with a Minor or Vulnerable Adult who is not a relative in a locker room or restroom, dressing room, changing room or showering facility. Furthermore, Church Personnel may not take photographs of

Minors or Vulnerable Adults who are unclothed or dressing, for example, in a locker room or bathing facility.

8. Church Personnel observing or becoming aware of anyone (adult or Minor) abusing a Minor or Vulnerable Adult must take reasonable immediate steps to intervene to provide a safe environment for the Minor or Vulnerable Adult and report the abuse in accordance with Diocesan policies and civil law.

9. Church Personnel shall never date or give the appearance of dating a Minor or Vulnerable Adult.

10. Church Personnel should not tutor, counsel or meet in their personal residences with Minors or Vulnerable Adults unless they are a relative, or a friend of the family with permission of the parent or guardian. Sleep-overs with the child of Church Personnel by friends of a child are not prohibited.

11. Church Personnel shall not engage in: (a) verbal harassment, such as derogatory comments, jokes or slurs; (b) visual harassment, such as derogatory or sexually explicit posters, cards, calendars, cartoons, graffiti, drawings, messages, notes or gestures; or (c) sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature.

12. Unless Church Personnel have a parent's or guardian's knowledge and consent and, in the case of church or school sponsored activities, they have been cleared by the Diocese, they are not to drive Minors, unless there is an emergency or they are a relative of the Minor or Vulnerable Adult.

13. Church Personnel shall report uncontrollable or unusual behavior of a Minor or Vulnerable Adult to a parent or guardian as soon as possible.

14. Parents and guardians shall be encouraged to participate in services and programs in which their Minors or Vulnerable Adults are involved.

15. Parental or guardian permission shall be obtained, including a signed medical treatment authorization form, for overnight church or school-related trips.

16. Written parental or guardian approval must be obtained before permitting any Minor and Vulnerable Adult to participate in athletic or other activities that involve potential risk.

The following “Do’s” and “Don’t’s” are designed to assist Church Personnel in Complying with this Code of Conduct and the Ministerial Standards and Guidelines

DO’S

Do love the Minors and Vulnerable Adults to whom you minister with a carefully disciplined love.

Do make sure that any physical contact with a Minor or Vulnerable Adult is done in a manner that is beyond reproach and in a very public place.

Do treat every Minor and Vulnerable Adult with the dignity he or she deserves by virtue of his or her creation by God in His image and likeness.

Do offer comfort and solace to those who are upset or grieving, but try not to do it by physically holding or hugging a Minor or Vulnerable Adult, if possible, unless you are a relative.

Do realize that a Vulnerable Adult who is unable to speak can say “no” to physical affection through his/her body language.

Do dress appropriately at all times, particularly when in the presence of a Minor or Vulnerable Adult.

Do always plan to provide adequate supervision before, during and after parish, school and other diocesan functions.

From time to time, you may find yourself unavoidably left with a Minor or Vulnerable Adult because of a parent or guardian’s failure to arrive on time to pick up that Minor or Vulnerable Adult at the conclusion of a diocesan-sponsored program. While this is always a difficult and frustrating situation, it must be understood by all concerned that the safety and welfare of that Minor or Vulnerable Adult under those circumstances should continue to be the paramount concern of you and those associated with your program. In view of the foregoing, the following guidelines are provided as to how such situations should be handled:

- Under no circumstances should any Minor or Vulnerable Adult under your care or control be left unattended. That Minor or Vulnerable Adult remains your responsibility until such time as a relative or other responsible adult takes physical custody of that Minor or Vulnerable Adult.
- All reasonable efforts should be undertaken to contact the parent, guardian or other responsible relative of the Minor or Vulnerable Adult to arrange for his/her pickup by the parent, guardian or a person designated by a parent, guardian or responsible relative or other person authorized by a parent or guardian.
- In the event that the adult appearing to pick up the Minor or Vulnerable Adult is neither the parent nor the designated emergency contact person according to current records, or other person authorized by a parent or guardian, you must confirm the identity of the adult and his/her relationship to the Minor or Vulnerable Adult and use sound judgment in determining whether the adult is an appropriate person to take custody of the Minor or Vulnerable Adult.
- If none of the above efforts is successful, you should attempt to call another adult to join you.
- In the event that all of these efforts are unsuccessful, you should call the local police authority and report the situation to them and request the police to come take custody of the Minor or Vulnerable Adult or otherwise assist you in returning the child to a parent, guardian, emergency contact or relative. The timing and decision to call local police authorities should be based on your good judgment and assessment of the situation.

- You should not undertake to transport the Minor or Vulnerable Adult in your automobile to another location unless you have the permission of the parent or guardian, or there is an emergency.

- In the event that a parent or guardian's failure pick up in a timely manner a Minor or Vulnerable Adult is a repeated or consistent problem, this matter should be handled in the same way as any other issue involving breach of program policies and procedures. This may result in the parent/guardian being directed to withdraw the Minor or Vulnerable Adult from the program.

DON'T'S

Don't use crude or profane language when speaking with a Minor or Vulnerable Adult.

If you are hosting a social event in your home that includes Minors or Vulnerable Adults, another responsible adult should be in attendance when feasible.

Don't permit a Minor or Vulnerable Adult to have possession of a key or unsupervised access to any parish, school or other diocesan facility.

Don't use open bathroom facilities in the presence of a Minor or Vulnerable Adult unless you are a relative or another adult is present.

Don't dress or undress yourself in the presence of a Minor or Vulnerable Adult or allow a Minor or Vulnerable Adult to dress or undress in your presence unless you are a relative.

Don't provide toileting assistance for a Minor or Vulnerable Adult unless you are a relative, or in the case of a nursery or other group situation, another adult is present. If a Minor or Vulnerable Adult regularly needs assistance in the bathroom, family members, a guardian, medical personnel, or official caregivers should provide this assistance. If a Vulnerable Adult needs emergency bathroom assistance, two responsible adults of the same gender as the Vulnerable Adult should assist. You should plan for this assistance before the need arises.

Don't fail to make plans for dressing, toileting, transferring and bathing assistance needs well in advance of any weekend/overnight retreat or conference. If a family member, guardian, medical personnel or official caregivers are not available, only previously trained staff and previously trained responsible adult Volunteers should provide this function. If none of those persons is available, the Minor or Vulnerable Adult should not attend.

Don't provide any Minor or Vulnerable Adult with alcohol, tobacco, legal or illegal prescription or non-prescription drugs, unless you are a medical professional administering a prescription or other medication with the written consent of a parent or guardian and in accordance with the applicable school or other organizational policy.

Don't accompany a Minor or Vulnerable Adult to any place that is principally engaged in the sale of alcohol (a bar, liquor store or night club), unless accompanied by a parent or guardian. The preceding sentence shall not, however, prohibit your accompanying such Minor or Vulnerable Adult to a place in which the availability of alcohol is only incidental to other recreational or social activities at said location (ballgame, concert or restaurant), provided that permission has been obtained from the Minor's or Vulnerable Adult's parent or guardian in advance of attendance at any such event and another adult is present.

Don't allow a Minor or Vulnerable Adult to self-medicate in your presence, unless you are their parent or guardian, or it is in a school or other environment in which the parent or guardian has given written permission for the self-medication, consistent with any applicable school or other organizational policy.

Don't permit a Minor or Vulnerable Adult to leave the diocesan church, school or other facility during a scheduled class, event or function without adult supervision, except in a situation in which the parent or guardian or other responsible relative is present and permits the person to leave.

Don't view, acquire or possess child pornography in any form or permit a Minor or Vulnerable Adult to possess or view pornography in your presence.

Don't take photos of a Minor or Vulnerable Adult without the consent of their parent or guardian, unless you are a relative.

Don't accompany or agree to meet a Minor or Vulnerable Adult at an amusement park or other recreational activity or social event without the permission of a parent or guardian, unless the individual is a relative or it is a parish or school-sponsored field trip. Religious and Clergy must never accompany a Minor or Vulnerable Adult to any activity alone, unless the person is a relative and the consent of a parent or guardian has been obtained.

Don't agree to meet a Minor or Vulnerable Adult outside of parish/school hours or parish/school event hours unless you are a relative of the Minor or Vulnerable Adult or in group situations.

Don't use or allow music to be played that contains sexually expressive or vulgar language in the presence of a Minor or Vulnerable Adult.

Don't allow a Minor or Vulnerable Adult under your care or supervision to remain in the presence of only one other person who is not the Minor or Vulnerable Adult's relative or medical personnel or authorized caregiver. Arrangements should be made in advance to address such situations.

Don't give personal gifts to Minors or Vulnerable Adults unless you are a relative or it is a small gift given to members of a group of Minors or Vulnerable Adults, such as a school class or parish group.

Don't discuss details of your personal life, or the lives of clergy, educators, employees, staff or volunteers, with a Minor or Vulnerable Adult, except age-appropriate information shared for educational or inspirational purposes in a group setting.

Don't have any physical contact while dancing with a Minor or Vulnerable Adult unless you are a relative or in the context of group activities with Vulnerable Adults.

Don't accept a baby-sitting or house-sitting assignment for any Minor or Vulnerable Adult served by your ministry unless you are a relative with permission of a parent or guardian.

Don't visit Minors or Vulnerable Adults at their homes without the permission of the parent or guardian, unless you are a relative.

Don't email, text, call or otherwise communicate individually with Minors or Vulnerable Adults or provide them with your personal phone number or email address, unless the Minor or Vulnerable Adult is a relative or the parent or guardian has given you written permission to communicate with the Minor or Vulnerable Adult in this fashion. Clergy and Religious should not communicate individually with Minors or Vulnerable Adults even with the permission of a parent or guardian.

Don't date any Minor or Vulnerable Adult served by your ministry.