

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 local, state, and federal laws.

This policy applies to all diocesan personnel, including clergy, seminarians, consecrated religious, diocesan, parish and school employees, and all adult 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 uphold and maintain the highest standards of professional, ministerial, and moral behavior.

A. Reporting Violations

Any known or suspected **abuse or neglect of a minor** must first be immediately reported to the **Missouri Child Abuse and Neglect Hotline at 800-392-3738**.

Any known or suspected **abuse or neglect of an adult** must first be immediately reported to the **Missouri Adult Abuse and Neglect Hotline at 800-392-0210**.

In situations of immediate danger, call 911 or local law enforcement.

Known or suspected abuse may also be reported to law enforcement in addition to making a report to the MO Child Abuse and Neglect Hotline or to the MO Adult Abuse and Neglect Hotline.

- **Failure to Report Abuse or Neglect is a Class A Misdemeanor for any 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 a Class A Misdemeanor.**

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 Director of the Office of Child and Youth Protection at **417-866-0841** or at childandyouthprotection@dioscg.org or through the **TIPS** online reporting system, which is available on the diocesan website www.dioscg.org.

Violations involving the Bishop should also be reported to the **Catholic Bishop Abuse Reporting Service** at <https://reportbishopabuse.org/> or **800-276-1562**.

B. General Guidelines

All diocesan personnel are required to complete the designated safe environment training, complete and submit the background screening, and be current and compliant with the Code of Conduct ***before*** engaging in diocesan, parish, and/or school-sponsored activities involving minors and/or vulnerable adults,

Diocesan personnel are expected to maintain an environment that is free from unlawful behaviors, harassment, discrimination, violence, or retaliation in our diocesan, parish, and school-sponsored programs and activities as described in this Code of Conduct and related policies.

The guidelines contained herein are intended to assist diocesan personnel in making decisions about their interactions with minors or adults in diocesan, parish, or school-sponsored and affiliated programs and are not designed or intended to address the interactions within families.

Nothing contained in this policy, in whole or in part, is intended or to be interpreted to supersede civil laws.

C. Definitions

Abuse is any physical injury, sexual abuse or exploitation, or emotional abuse inflicted on a person other than by accidental means, by those responsible for his or her care, custody, and control. *(The use of physical discipline or physical force in any way for the behavior management, punishment, retaliation or correction of a minor by diocesan personnel is prohibited; reference section K.)*

Adult: any person 18 years of age or older (other than students in school).

Vulnerable 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, and as defined by the statutes 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, 2019, *Motu Proprio, Vos estis lux mundi*, Article 1).

Child or Minor: any person under the age of 18, 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, seminarians, consecrated religious, diocesan, parish and school employees and all adult volunteers who work or volunteer on a regular or part-time basis within any organization designated as a diocesan entity.

Mandated 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 Adult Abuse and Neglect Hotlines.

Neglect is defined as the failure to provide, by those responsible for the care, custody, and control of a child or adult, the proper or necessary support, education as required by law, nutrition or medical, surgical, or any other care necessary for the child or adult’s well-being.

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, which includes sexual abuse, enticement, exploitation, and 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 are defined by and contrary to the moral instructions, doctrines and Canon Law of the Catholic Church, or unlawful as defined by civil laws.

D. Ensuring a Safe Environment

The Diocese of Springfield – Cape Girardeau has established a policy to promote a positive, nurturing, and safe environment for all ministries to protect minors and adults, as well as diocesan personnel, from misconduct or misunderstandings. This and related policies and guidelines are to be carefully followed by all diocesan personnel.

Diocesan personnel must take precautions to avoid any activities, or the appearance of such activities that violate, contradict, or are contrary to the moral teachings, doctrines, and Canon Law of the Catholic Church, diocesan policies and guidelines, or are unlawful as defined by civil laws.

E. Education and Training

Diocesan personnel who regularly engage in activities involving minors 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 requested 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 ongoing training.

F. Background Screening

Background Disclosure and Authorization: All diocesan personnel over the age of 18 must complete, sign, and submit the Background Disclosure and Authorization. The diocese will conduct a national and local criminal background screening of all diocesan personnel. Random and periodic rescreening will be conducted on all diocesan personnel.

Thorough reference checks should also be conducted for potential diocesan personnel.

Disqualifying Offenses: Background screening reports indicating, but not limited to physical or sexual abuse, sexual misconduct, exploitation, or harassment, crimes of violence, domestic violence, substance abuse, and/or impaired driving infractions may result in exclusion, restricted access, or other precautions.

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

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

Diocesan personnel, which includes clergy, religious, diocesan, parish or school employees, and all adult volunteers who regularly engage in activities involving minors or vulnerable adults are to annually read and sign *The Code of Conduct for Clergy, Employees and Adult Volunteers of the Diocese, Parishes, and Schools*. When completed and signed, the Code of Conduct is to be submitted to the designated local Parish or School Safe Environment Coordinator who then sends a copy to the Diocesan Office of Child and Youth Protection.

Minors who are employed or volunteer are required to read, sign and submit *The Code of Conduct for Minors Volunteering or Working with Younger Children*.

H. Dissemination

The Safe Environment Policy and Procedures of the diocese may be accessed on the Diocesan Webpage, www.dioscg.org, requested from the Diocesan Office of Child and Youth Protection, and is available at each Parish and School Office or from the designated local Safe Environment Coordinator. Parishes and schools are required to display posters with the Abuse Reporting Procedures in clearly visible locations and entrances. Every parish is required to include the Reporting Procedures in their bulletin annually. The diocese will periodically include the Reporting Procedures in its newspaper, printed or electronic 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 employees, volunteers, sponsors, and coordinators for these programs and activities, including the purpose, the meeting times and locations, is to be maintained at the parish, school or other institution and updated annually.

Programs for minors are to be sponsored by two or more screened, trained, and compliant adults (*see sections E, F and G*). Leaders are to evaluate these programs and ensure that there is adequate supervision. Diocesan personnel under 21 years of age must work under the direction of a supervisor 25 or older.

Ministries and other diocesan, parish, and/or school-sponsored programs and activities offered specifically or exclusively to minors within the Church are at the will and service of the parents/legal guardian who have the primary responsibility to care for and educate their children.

Programs and activities for minors are to be conducted with the knowledge and consent of their parent(s) or legal guardian.

Parents and legal guardians are welcome to observe and are encouraged to be a part of any diocesan, parish and school-sponsored programs and activities in which their children are involved.

All adults, including parents or legal guardians and adult family members, who regularly work and/or volunteer, or engage in diocesan, parish, or school-sponsored programs or activities for minors and/or vulnerable adults are required to complete the adult application process (*the Safe Environment Training, Background Screening, and a current Code of Conduct—see sections E, F and G*).

Diocesan personnel are responsible for releasing minors in their care only to the parent/legal guardian or other persons designated by parent/legal guardian 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 locate or contact their supervisor before releasing the child.

J. Undue Attention and Inappropriate Interactions

As part of Church life and ministry, when diocesan personnel interact with minors or adults, they are expected to be respectful of others and to boundaries, to prioritize safety, act appropriately, consistently follow the policies, and create and maintain a safe environment.

Certain behaviors and interactions between diocesan personnel and minors and/or vulnerable adults are viewed as **not** appropriate nor acceptable.

Examples of behaviors and interactions that are prohibited include, but are not limited to:

- Giving excessive attention or treating a minor or vulnerable adult in a different manner than others.
- Engaging in activities with a minor or vulnerable adult where no other adults are present or nearby.
- Singling out a minor person for special privileges, events, outings, or overnight trips.
- Being isolated or alone with a minor or vulnerable adult for any period of time in areas of a building or any other locations where no other adults are present or nearby, such as a private residence, staff-only and private rooms, hotel, dorm or bedrooms, closets, bathrooms, or vehicle.
- Sleeping alone in a room with or sharing a bed with an unrelated minor or vulnerable adult.
- Comments or remarks or other forms of attention, or expressed affection about physical appearance, attractiveness, and/or attire when discomfort is expressed, verbally or non-verbally.
- Having repeated, unofficial, or private contact or personally intimate conversations with a minor or vulnerable adult, whether in person, by telephone, through text-messaging, email, social media, apps, or any other means.
- Acquiring, possessing, soliciting or requesting, producing, exhibiting, publishing, posting or distributing photographs, audio-video recordings or electronic media of a minor or vulnerable adult without the knowledge and consent of their parent(s) or legal guardian.
- Giving extravagant gifts to or receiving gifts from a minor/vulnerable adult without the knowledge and consent of their parent(s) or legal guardian, and the Pastor, Principal, or Program Supervisor.

K. Physical Contact

Unacceptable, inappropriate or any unwanted physical contact with a minor or vulnerable adult is prohibited.

Examples of physical contact **not to be used** include, but not limited to:

- Any sexual contact or misconduct, as defined.
- Physical affection such as kisses on the face, ears, lips, or other body part; lengthy hugs or embraces.
- Tickling, rough-housing, wrestling, piggyback or horseback rides.
- Holding a minor over five years old on the lap.
- Touching, patting, rubbing, grabbing, pinching, or massaging of the body, knees, legs, buttocks, chest, breasts, genital areas, or the clothing surrounding these areas (except when assisting with necessary hygiene and toileting).
- Physical aggression, violent, intimidating or threatening postures and gestures, holding, blocking, spanking, shaking, shoving, hitting, slapping, pinching, or biting.
- Physical discipline or other physical force in any way or manner used for behavior management, punishment, retaliation or correction of minors.

Examples of acceptable forms of interactions include:

- Conversations when others are present, visible or nearby.
- Verbal praise, handshakes, hand-slapping, "high-fives," and "fist bumps."
- 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 known or suspected child abuse or neglect to the **Missouri Child Abuse and Neglect Hotline at 800-392-3738.**
- Immediately report any known or suspected adult abuse or neglect to the **Missouri Adult Abuse and Neglect Hotline at 800-392-0210.**
- Call **911** or law enforcement when there are safety concerns and/or situations of immediate danger.
- Inform the Diocesan 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/comply with *The Code of Conduct*, and *Safe Environment Policy and Procedures*
- Comply with all other diocesan policies, such as *The Policy and Guidelines for the Use of Technology, Email, and Social Media* and *The Policy Addressing Harassment, Discrimination, Violence, and Retaliation*.

- Cooperate with any investigation(s) conducted by civil authorities and/or by the diocese regarding suspected abuse, misconduct or other violations.
- Use positive reinforcement, attention, and praise with children, youth, and vulnerable adults.
- Treat everyone with respect, patience, integrity, courtesy, dignity, and consideration.

I will not:

- Have any contact, whether in-person, verbal, written, or through the use of technology or other media, with a minor or adult person involved in diocesan, parish or school-sponsored activities, that is defined by and contrary to the moral teachings, doctrines and Canon Law of the Catholic Church; unlawful as described by local, state, and federal law; and/or not in keeping with this Code of Conduct and other diocesan policies.
- Be isolated or alone with a minor or vulnerable adult for any extended period of time in areas of a building or any other locations where no other adults are present and nearby, such as a private residence, staff-only and private rooms, hotel, dorm or bedrooms, closets, bathrooms, or vehicle.
- Sleep alone in a room with or share a bed with an unrelated minor or vulnerable adult.
- Use tobacco, e-cigarettes, vaping, or other similar products or devices 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 or vulnerable adults.
- Provide tobacco, e-cigarettes, vaping, or other similar products or devices, alcohol, or any other drugs to minors or vulnerable adults.
- Possess weapons of any sort while working with minors or vulnerable adults, except and only when in compliance with diocesan policy.
- Use obscene, indecent, and/or sexually explicit language or materials in the presence of minors.
- Acquire, possess, solicit or request, produce, exhibit, post, share, or distribute illegal, obscene, indecent images, child pornography, or any other child sexual abuse materials.
- Acquire, possess, solicit or request, produce, exhibit, post, share, or distribute photographs or other audio-video recording(s) of a minor or vulnerable adult without the knowledge and consent of their parent(s) or legal guardian(s).
- Give extravagant gifts to or receive gifts from a minor or vulnerable adult without the knowledge and consent of their parent(s) or legal guardian, and the Pastor, Principal, or Program Supervisor.
- Use electronic devices (including phones, tablets, computers, etc.) for personal use for an extended period of time while supervising or working with minors, except in an emergency.



BACKGROUND QUESTIONNAIRE CONCERNING MISCONDUCT AND ABUSE

- 1) Have you ever sexually or physically abused a minor or an adult?
 (please check or mark with an X) Yes No
- 2) Have you ever been convicted of physical or sexual abuse, sexual misconduct, exploitation, harassment, crimes of violence, domestic violence, or endangering the welfare of a minor or an adult? Yes No
- 3) Has any allegation or civil or criminal complaint ever been made against you relating to physical or sexual abuse, sexual misconduct, exploitation, harassment, crimes of violence, domestic violence, or endangering the welfare of a minor or an adult? Yes No
- 4) Have you ever terminated your employment or had your employment terminated for reasons relating to allegations or civil or criminal complaints against you for physical or sexual abuse, sexual misconduct, exploitation, harassment, crimes of violence, domestic violence, or endangering the welfare of a minor or an adult? Yes No
- 5) Have you ever received any treatment, medical or psychological, for reasons involving physical or sexual abuse, sexual misconduct, exploitation, harassment, crimes of violence, or domestic violence, or endangering the welfare of a minor or an adult? Yes No

ACKNOWLEDGEMENT AND UNDERSTANDING

I understand that any known or suspected abuse or neglect of a minor must first be immediately reported to the **MO Child Abuse and Neglect Hotline** at **800-392-3738**.

I understand that any known or suspected abuse or neglect of an adult must first be immediately reported to the **MO Adult Abuse and Neglect Hotline** at **800-392-0210**.

In situations of **immediate danger**, call **911** or local law enforcement.

Known or suspected abuse or neglect may also be reported to law enforcement in addition to making a report to the MO CAN or the MO AAN Hotlines.

- Failure to Report Abuse or Neglect 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 a Class A Misdemeanor.

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 Diocesan Director, Office of Child and Youth Protection at **(417) 866-0841** or childandyouthprotection@dioscg.org or through the **TIPS** online reporting system, which is available on the diocesan website www.dioscg.org.

Violations involving the Bishop should also be reported to the **Catholic Bishop Abuse Reporting Service** at <https://reportbishopabuse.org/> or **800-276-1562**.

I understand that my participation in and completion of any required and/or ongoing training and education may be a condition of employment or volunteering.

I certify that the responses contained in the Background Questionnaire are accurate and true; I 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; and, I also authorize periodic recheck and update on my background screening.

I further understand that any action inconsistent with or in violation of the Safe Environment Policy and this Code of Conduct or any failure to take action mandated by law and/or this Code of Conduct may result in disciplinary actions up to and including dismissal or termination.

By signing this document, I verify that I have read, understand and agree to faithfully follow the policies 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 diocesan activity: _____ **Role:** _____

Phone number: _____ **Preferred Email:** _____

Print Name: _____ **Signature:** _____ **Today's Date:** _____

The Code of Conduct is required annually and is to be submitted to the local designated Safe Environment Coordinator. A copy should be retained for future reference.

This Code of Conduct expires December 31, 2024.