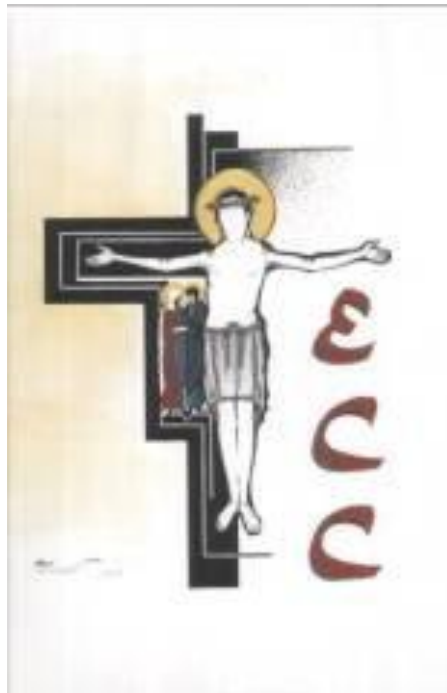


# *ECUMENICAL CATHOLIC COMMUNION*

## *Proposed CODE OF ETHICAL CONDUCT*

*For Consideration and Affirmation  
At the Communal Synod  
October, 2012*



**ECUMENICAL CATHOLIC COMMUNION (ECC)  
CODE OF ETHICAL CONDUCT  
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**ECUMENICAL CATHOLIC COMMUNION (ECC)**  
**CODE OF ETHICAL CONDUCT**  
***Acknowledgements***

The *ECC Ethical Code of Conduct* was prepared by the ECC Ethical Code of Conduct Committee. This committee was formed by the Communion's Office of Presiding Bishop, as an ad hoc subcommittee of the *Theology and Ethics Commission*, in consultation with the ECC Leadership Council. Members of the Committee were chosen by the leadership of their respective Houses, and confirmed by the Presiding Bishop. The Committee included:

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The Committee's work was greatly enhanced by the numerous contributions of approximately 75 individuals who served on the Ethical Code of Conduct Advisory Committee and/or participated in structured interviews with Committee members. The Committee wishes to acknowledge these individuals, and extend a warm and heartfelt "thank you" to each of them for their contributions.

## ECUMENICAL CATHOLIC COMMUNION (ECC)

### CODE OF ETHICAL CONDUCT

#### *Introduction*

In past generations, religious institutions and churches were commonly looked to and called upon to provide leadership in the area of morals and ethics. The churches, of all traditions, have been seen as collectively articulating, teaching and modeling the acceptable ethical parameters of human behavior – both in terms of identifying the lower end of the spectrum – those values and behaviors which, optimally, we should strive to transcend and move beyond; and in terms of identifying the upper end of the spectrum – those values and behaviors which, optimally, we should aspire to articulate and cultivate in our interactions with one another and in our communal and societal institutions. As humanity has evolved, thoughts about ethically acceptable behaviors have evolved as well. For example, while at one point in time slavery was considered ethically acceptable, with the evolution of our sensitivities we arrived at the point that slavery was no longer viewed as acceptable. In more recent times there have also been evolving thoughts regarding the ethical acceptability of certain behaviors; for example, in the area of same gender relationships, and in the question of settling international conflicts through war. Religious institutions have not always been at the forefront of leadership in these areas; and, in some situations, religious institutions have lagged the evolving human consciousness.

As we undertake the process of articulating standards for ethical behavior for those who serve within our Communion, we do so with hesitancy and humility. We are aware of some of the ethical shortcomings in recent times of some of our sister faith communities. And, we are even more aware of some of our own limitations and imperfections, individually and collectively. Yet, we are absolutely clear about the fact that those whom we serve deserve unequivocal information about what we regard as the appropriate boundaries for our behavior. And, we are absolutely clear that those whom we do not yet serve have a right, as a matter of justice, to know what they can expect of us if they choose to walk this journey with us. And, so we press on with an abiding faith in the loving compassion of our creator, an unquenchable hope for a better future, and supported by the bonds of mutual love which we share with one another.

The Ecumenical Catholic Communion, recalling the words of the second century church father, St. Ignatius of Antioch, regard ourselves as a “**Communion of Communities.**” The Communion establishes and supports the local governance of each community, and each regional church or diocese. For example, each community is required to be independently incorporated as a ‘nonprofit entity’ within the State or legal jurisdiction in which it is located. In addition, each community is directed by its local Board of Directors (aka, Parish Council, Vestry, etc.). Therefore, as a Communion we have the responsibility for identifying and articulating the minimal ethical requirements of our lay and clergy employees; and each local faith community has the responsibility to develop standards of conduct for their staff, whether paid or volunteer, lay or clergy, within the broad parameters set out by the Communion.

As a **Communion of Communities**, we seek to support one another in both identifying and articulating what we perceive as the lower boundary of acceptable ethical behavior, below which we dare not pass; and in identifying and articulating the upper limits of human ethical behavior, toward which we dare to aspire, both as individuals and as a communal body. To that end, several core values have already been articulated in our Communal Constitution. We recall and briefly summarize these here. These may be thought of as aspirational pillars for our Communion; what, in the best of circumstances, we aspire to be and do.

First, we are **Communal**: *We join together in response to the messianic call of the Spirit to form the household of faith. (\*)* We see ourselves as fundamentally communal, and aspire to realize this communal nature in the way that we are with one another – to live the common life; to seek, discover and preserve unity in the midst of our diversity. Second, we value and seek **Justice**: *We join together to preach the Gospel of liberation and justice for the poor, the outcast, the sick, the disabled, the old, the young, and the imprisoned.* We aspire to live justly in our relationships and in our communities; to seek justice for those who are victims of injustice in our communities and our world; and to transform our cultural and our civic institutions in the direction of being ever more just. Third, we value and seek **Inclusivity**: *We join together to offer a refuge in Christ for those who suffer prejudice because of race, color, culture, philosophy, gender, sexual orientation or educational deprivation.* We aspire to stand in solidarity with those who suffer: the marginalized, the disenfranchised, and the outcast. We aspire to help relieve their suffering; and to bring them into the full embrace of the human family. And, finally, we are **Catholic Christians**. By this we mean that the focal point of our Communion is the message, mission, and ministry of Jesus, the Christ, as handed down to us through scripture and tradition. Therefore, we strive to shape and pattern our lives according to the example of Christ; and to emulate the compassion for others and passion for justice which were the hallmarks of Jesus' life. The message of Jesus – the Good News of God's love and compassion – is for all people, in all situations, in all places, for all time.

It is our hope, and prayer, that this ethical code will help those who minister among us, whether as lay or clergy, paid staff or volunteers, continue to shape their lives and their ministry according to the example of Christ; that those members of our communities whom we serve will recognize, appreciate and support the standards that we set for ourselves; and, that those whom we do not yet serve will have a clearer understanding of who we are, and what they can expect of us if they choose to walk this journey with us.

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(\*) Italicized phrases are direct quotes from the Ecumenical Catholic Communion's Constitution.

# **ECUMENICAL CATHOLIC COMMUNION (ECC)**

## **CODE OF ETHICAL CONDUCT:**

### ***Paid Staff and Volunteer Lay Leaders***

#### **I. PREFACE**

This Code is intended to help paid staff and volunteer lay leaders (“volunteer(s)”) identify their personal and ministerial standards of conduct. Those who serve within our Communion, whether functioning as paid staff or volunteers, agree to abide by the guidelines and procedures set forth in this Code.

#### **II. LOCAL RESPONSIBILITIES**

In accordance with the philosophy of the Communion, which supports local governance within our local Communities, Special Ministries and Institutes, this Code serves as minimum guidance for paid staff and volunteers in any of our Communities, Special Ministries or Institutes. The ECC national office and/or local Communities and/or Special Ministries and/or Institutes (collectively referred to herein as “Community”) may supplement these standards to establish and enforce more definitive guidelines than are set forth herein based on local programs, preferences and resources; however, a Community may not diminish the standards set forth herein.

Each Community should establish policies concerning the giving and receiving of gifts and loans. As a general rule, the bias toward the giving and receiving of material gifts between staff, volunteers, and community members is toward smaller, less materially valuable gifts. Each community should inform paid staff and volunteers of the community policies concerning the giving and receiving of gifts.

Each Community shall provide training to paid staff and volunteers, which at a minimum, should include: (i) an introduction to this Code of Conduct, and any supplemental policies which have been developed within the local community; (ii) information addressing how to comply with this Code; and (iii) information about who to contact if the individual has any concerns or questions.

#### **III. GENERAL STANDARDS**

##### **A. Commitment to the Spirit of the Gospel, to the Church and to the Community**

As paid staff members or volunteer lay leaders in a community in the Catholic tradition, the source and focal point of the faith community is the message, mission and ministry of Jesus, the Christ. Therefore, staff members and volunteers are encouraged to shape and pattern their behavior according to the example of Christ; and to emulate the compassion for others and passion for justice which were hallmarks of Jesus’ life – whether interacting with coworkers, members of the local faith community, and/or

when representing the local faith community to the larger civic community in which the local faith community is located.

## **B. Integrity**

All paid staff and volunteers should be persons of integrity, and conduct themselves with honesty, transparency, and truthfulness in their interactions with others, and in handling the Community's material resources and finances.

## **C. Respect for Other's Rights and Dignity**

All paid staff and volunteers should: (i) respect the rights, dignity, and worth of anyone they interact with in their position, without regard to their economic status or degree of participation in Community life; (ii) be sensitive to cultural differences among people and appreciate the opportunities that diversity present; (iii) not discriminate on the basis of age, gender expression, race, religion, sexual orientation, physical or mental abilities, or language; (iv) refrain from gossip; (v) refrain from speech or behavior that may reasonably be interpreted as humiliating, ridiculing, threatening or degrading toward another person; (vi) refrain from the use of profanity or vulgar humor while performing their duties; and (vii) value and encourage nonjudgmental discussions around dissenting views, acknowledging that the *sense of the faithful* (*sensus fidelium*) is an evolving revelation within the Community and the Communion.

## **D. Confidentiality**

Confidentiality is an important value. Therefore, paid staff members and volunteers should not divulge information obtained in confidence without the clear permission of the person(s) involved, unless an individual is presenting an imminent danger to themselves and/or others (See **Appendix D**). Paid staff members and volunteers should not disclose private or personal information revealed in conversations, recorded messages, documents or any other type of communication.

- Confidentiality should be maintained in creating, storing, accessing, transferring and disposing of community or institutional records. [NOTE: Each local faith community may delegate these responsibilities to clergy, paid staff, volunteers, and/or to another party, such as a community leadership team (e.g., parish council, vestry, etc.). The same standards should be maintained regardless of who has this responsibility within a given community.]
- Community financial records, community employee payroll, and the records of individual contributions should be held as confidential, and not discussed or revealed to others, unless a review is required by an appropriate governmental agency, or a duly authorized financial auditor.

- Sacramental records should be regarded as confidential for other than Church statistical purposes.

#### **E. Discharge of Duties and/or Responsibilities**

All paid staff and volunteers should conduct themselves in a professional manner that will support the ministry entrusted to them. Therefore, they should:

- Honor relationships within the workplace by being aware of the power differential inherent in their position;
- Refrain from abusing the power and privileges of their position;
- Avoid conflicts of interest that might compromise the effectiveness of their work or give the appearance of impropriety;
- Refrain from exploiting relationships within the workplace for personal gain or gratification, including sexual harassment and misconduct as defined by EEC policy;
- Recognize the limits of their training and skills, and refer persons and tasks to others as appropriate;
- Claim only those qualifications which they actually have attained;
- Give appropriate credit for all sources used in papers, music, and presentations; and observe copyrights;
- Deal honorably with the record of their predecessor and, upon leaving a position, speak and act in ways that enrich the work of their successor;
- Accept the appropriate guidance of those to whom they are accountable, and seek the counsel of mentors and professional advisors when appropriate;
- Show respect and provide encouragement for colleagues; and
- Cooperate with persons of other faith traditions.

#### **IV. SELF CARE**

All paid staff and volunteers should strive to maintain a healthy balance among the responsibilities of their position within the community of faith, their commitments to their family and other primary relationships, and their need for spiritual, physical, emotional, and intellectual renewal. In performing their responsibilities, paid staff and volunteers should



refrain from abusive, addictive, or exploitative behavior; and seek help to overcome such behaviors if they occur. Paid staff and volunteers should set an example not only in their words but their actions. Thus, they should refrain from:

- The possession, use, or abuse of alcohol or other mood altering and/or illegal substances while fulfilling the responsibilities and obligations of their position. (This does not prohibit one from responsibly partaking in the consumption of alcoholic beverages in conjunction with a community social event, such as a potluck dinner, social gathering or fundraiser where alcohol is served.)
- Having or bringing illegal substances, pornographic material, or weapons onto Community premises.

## **V. ACKNOWLEDGEMENTS**

All paid staff and/or volunteers may be subject to a thorough background check, including criminal history, consistent with the policies and practices of their employer and/or local faith community. They should be informed if/when a background check is commenced. Consistent with the policies and practices of their employer, they should understand that any of their behaviors or actions which are inconsistent with this Code, or their failure to take any actions which are mandated by this Code, may result in employee disciplinary procedures, up to and including termination of employment (whether paid or volunteer).

All paid staff and/or volunteers should be provided a copy of this code upon the initiation of their employment (whether paid or volunteer) with the faith community. They should also have the code explained to them as part of employee orientation and training, and have the opportunity to have any parts of the code which they do not understand explained to them. This should be repeated periodically; it is recommended that this be done annually. All paid staff and/or volunteers should sign a statement, at least annually, which indicates that they have been given a copy of the code, had an opportunity to have their questions about it answered, and that they agree to abide by the parameters of the code through the time of their employment.

# **Ecumenical Catholic Communion (ECC)**

## **Code of Ethical Conduct**

### ***Those Working With Youth***

#### **I. INTRODUCTION**

This document is intended to help paid and volunteer workers who work with youth identify their personal and ministerial standards of conduct with respect to interactions with the youth. Our youth are the most important gifts God has entrusted to us. Community employees, whether paid or volunteer, agree to abide by and follow the guidelines and procedures set forth in this Code.

#### **II. LOCAL RESPONSIBILITIES**

In accordance with the philosophy of the Communion, which supports local governance within our local Communities, Special Ministries and Institutes, this Code serves as minimum guidance for paid staff and volunteers in any of our Communities, Special Ministries or Institutes. The ECC national office and/or local Communities and/or Special Ministries and/or Institutes (collectively referred to herein as “Community”) may supplement these standards to establish and enforce more definitive guidelines than are set forth herein based on local programs, preferences and resources; however, a Community may not diminish the standards set forth herein.

#### **III. GENERAL STANDARDS**

##### **A. Commitment to the Spirit of the Gospel, to the Church and to the Community**

As a paid staff members or volunteers who interact and work with youth in a Community in the Catholic tradition, the source and focal point of the employing faith Community is the message, mission and ministry of Jesus, the Christ. Therefore, staff members and volunteers are encouraged to shape and pattern their behavior according to the example of Christ; and to emulate the compassion for others and passion for justice which were hallmarks of Jesus’ life – whether interacting with coworkers, members of the local faith community, and/or when representing the local faith community to the larger civic community in which the local faith community is located. In their interactions with youth, staff members and volunteers should recognize and remember that they are role models for the young people, and their behaviors and interactions are an important part of the young person’s personal and religious formation.

##### **B. Integrity**

All paid staff and volunteers who work with youth should be persons of integrity, and conduct themselves in an open and honest manner, free from deception or corruption.

### **C. Respect for Other's Rights and Dignity**

All paid staff and volunteers who work with youth should: (i) respect the rights, dignity, and worth of anyone they interact with in their position, without regard to their economic status or degree of participation in Community life; (ii) be sensitive to cultural differences among people and appreciate the opportunities that diversity present; (iii) not discriminate on the basis of age, gender expression, race, religion, sexual orientation, physical or mental abilities, or language; (iv) be committed to providing a safe environment for youth and adults, free from any and all harassment(\*\*) and/or intimidation; (v) refrain from striking, spanking, shaking, or slapping any person; (vi) refrain from speech or behavior that may reasonably be interpreted as humiliating, ridiculing, threatening or degrading of another person; (vii) refrain from discipline that may frighten or humiliate a young person; (viii) refrain from the use profanity or vulgar humor in the presence of youth; (ix) use positive interactions, positive modeling, and positive reinforcement rather than criticism, competition, or comparison when interacting with youth.

### **D. Competence**

All paid staff and volunteers who work with youth should maintain high levels of professional competence in their particular ministry. Training, education, and experience all contribute to making one competent and credible in their area of expertise and service. Staff and volunteers should not step beyond their competence in dealing with personal issues in the lives of youth. If the issues being raised go beyond the scope of a particular staff member or volunteer's knowledge, ability to offer meaningful help, or the time provided, that staff member should speak to their supervisor or pastor.

### **E. Confidentiality**

Confidentiality is an important value, and one that should be modeled and maintained while interacting with and/or working with youth. Therefore, paid staff members and volunteers who interact with and work with youth should not ordinarily divulge information obtained in the course of private or confidential conversations, or obtained through records or other sources. There are some exceptions to this guideline when working with youth, including but not limited to: (i) a young person's threat of suicide; (ii) a young person's report of child abuse, whether physical or sexual; (iii) a young person's report of pregnancy; (iv) a young person's report of drug or alcohol use; (v) or other situations wherein human life and safety are at risk. There are laws which regulate the parameters of confidentiality, what confidential information may be shared, and

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(\*\*) Harassment encompasses a broad range of physical and verbal behavior which can include, but is not limited to: physical or mental abuse, racial insults, derogatory ethnic slurs, sexual advances or unwelcome touching, sexual comments or sexual jokes, requests for sexual favors used as a condition of employment or affecting personnel decisions, or participation, and/or display of obscene materials.

with whom, in these types of situations. The specific laws vary somewhat from one jurisdiction to another. All paid staff members and volunteers should be aware of the legal limitations and requirements which exist in the jurisdiction in which they work with youth, and handle these sensitive situations within the parameters of these limitations and requirements. And, staff members and volunteers who interact with and work with youth only agree to maintain confidentiality within, and in light of, these limitations and requirements. (See *Paragraph H, below, for more on Reporting Requirements.*)

## **F. Privacy**

In the course of normal interaction and pastoral work with youth, there are times when privacy is necessary, such as when a young person seeks your opinion on a sensitive matter. Paid staff members and volunteers who interact with and work with youth should ordinarily follow these guidelines in balancing privacy issues in various circumstances:

- Paid staff members and volunteers should make use of a physical space which provides privacy while maintaining visibility to others. Meetings should not be done in private living quarters or at places or times that could cause ambiguity in the mind of the youth.
- Paid staff members and volunteers should arrange the physical meeting space so that the adult and the young person are a comfortable distance apart.
- Paid staff members and volunteers should inform another adult when they are about to begin, and when they have ended, a private conversation with a minor. The other adult should observe the young person leave the private setting.
- Paid staff members and volunteers should establish a beginning and ending time for the meeting, and should ordinarily communicate those limits to the youth and the other adult prior to initiating the meeting. If it is necessary to go beyond the pre-set time, the staff/volunteer should inform the other adult of the change in schedule.
- Paid staff members and volunteers should refrain from meeting with youth individually apart from faith community events, and from meeting young people in non-public situations.
- If a paid staff member or volunteer has the impression that a young person has developed an unhealthy attraction to them, or vice versa, it is recommended that the staff/volunteer discuss this impression with another adult, such as the Community's director of youth programming, pastor, etc. Ordinarily, it would be best to have another staff member or volunteer take a more active role in supervising and interacting with the youth.

## G. Sexual Misconduct

***PLEASE NOTE: In all jurisdictions in the United States, sexual behavior between an adult and a child is illegal, irrespective of the circumstances in the particular situation. In all jurisdictions, minors are regarded as unable to give informed consent to such behaviors, and the adult is expected to maintain appropriate behavioral and emotional boundaries, and to prevent such behaviors from occurring. If such behavior occurs, regardless of who initiated it, and whether or not it was consensual, the adult is considered legally responsible.***

A paid staff member or volunteer should never permit sexual attraction for those whom they serve to interfere with normal and appropriate fulfillment of their responsibilities and duties. They should never, under any circumstances, have any sexual contact with any young person, and should refrain from developing an emotional dependence on them. Physical contact with a young person can often be misconstrued by both the young person and adults, and should only occur in appropriate public circumstances. Physical contact should be limited to common social interactions or greetings (e.g., handshake, “high five,” etc.) A paid staff member or volunteer should never touch a youth in a sexual or other inappropriate manner that might be misconstrued by the youth or others. A paid staff member or volunteer should refrain from making sexually explicit or sexually suggestive comments in response to questions which have been asked by a minor.

## H. Reporting Requirements

Each local faith community is responsible for being familiar with the reporting laws and procedures in their legal jurisdiction. The faith community should communicate and explain those requirements to staff members and/or volunteers during initial employment orientation, and periodically thereafter. In all jurisdictions in the United States, if an adult who is working with youth has a reasonable suspicion or knowledge of sexual abuse, physical abuse, emotional maltreatment, and/or neglect of a young person, (collectively referred to as “abuse”), there is a legal mandate to report that information to appropriate authorities. (NOTE: the particular details of the laws may vary somewhat from jurisdiction to jurisdiction; for example, terms such as ‘abuse’ and ‘neglect’ are defined in the relevant statutes, and may be defined somewhat differently across jurisdictions.) Ordinarily, if a staff member or volunteer has reasonable suspicion or knowledge of abuse or neglect, they should promptly report this to both their immediate supervisor and the Pastor. All involved (the particular staff member or volunteer, their supervisor, and the Pastor) should cooperate together in promptly making a report to local child protective service agencies or local law enforcement officials or, as required by the prevailing laws in the local jurisdiction. In all situations, the expectation is that all involved will provide a prompt and complete report to the appropriate authorities as required by the reporting laws and procedures within the local legal jurisdiction. (See **Appendix C** for additional information about Reporting Requirements).

#### **IV. IMPRESSION OF IMPROPRIETY**

For their own protection, and to help maintain a comfortable environment for the youth whom they serve, staff members and/or volunteers should strive to be aware of the impressions that they create. Certain professional habits can help protect the integrity of one's ministry and relationships:

- Staff and volunteers should refrain from spending an unusual amount of time with any individual young person, as it may give an unhealthy impression either to that young person or to others who become aware of the situation.
- Staff and volunteers should ordinarily refrain from being in situations in which their actions are not witnessed by other adults, or where they are alone with individual youth.
- Staff and volunteers should refrain from going on vacations or overnight trips alone with minors other than their own children. They should never share beds with minors, nor should they share sleeping quarters with minors unless one of the youth is their own child.
- Young people progress through stages of emotional development, and at times these can be accompanied by a certain amount of emotional upheaval; as a result, they can at times become infatuated with caring adults. These attractions are a normal part of growing up and are not usually a cause for concern; however, these attractions can become problematic in some situations, or with some youth. Staff and volunteers should always be aware of the possibility that a young person has or may become infatuated with them. If infatuation occurs, the adult should refrain from acting in a manner that could encourage the infatuation, while at the same time, giving the young person support through a time of great vulnerability.
- Staff and volunteers should refrain from accepting expensive gifts from youth or their parents.
- Staff and volunteers should ordinarily refrain from giving expensive gifts to youth. In the rare situation where a staff or volunteer is moved and able to help a young person with a significant gift (e.g., tuition for school), the staff person or volunteer should first discuss this with the pastor or community director. If it is determined that a gift might be appropriate, efforts should be made to keep the donor of the gift anonymous so as to minimize any embarrassment or sense of being indebted on the part of the young person and/or the young person's parents.

#### **V. SELF CARE**

Staff and volunteers who work with youth should be sensitive to warning signs in youth behavior and mood which may indicate conditions that can be detrimental to the mental,

physical, and spiritual well being of the young person(s). Inappropriate use of alcohol or misuse of prescription drugs are examples. Staff and volunteers should seek guidance from their supervisor or Pastor regarding how to handle the situation if they become aware of such warning signs in young person(s).

Young people today are under tremendous pressure to conform to an array of societal values which are often inconsistent with, and at times directly contrary to, the values of the Gospel. Staff and volunteers who work with youth should be aware of the significant impact that their behavior may have on our youth, as they attempt to teach and model the values of the Gospel to the youth. The behavior of staff and volunteers – the way they act, dress, and speak; the jokes that they tell; the objects that they choose to possess; the way in which they use alcohol and/or tobacco – all may have significant impact upon the youth of our faith communities.

Those who choose to interact and work with youth should be aware that their behavior and their lifestyle are, in effect, part of the visible Christian witness which they provide. They set the example not only in their words but also in their actions. Therefore, staff and volunteers should refrain from:

- Use of tobacco products in the presence of the children and/or youth;
- Possessing, using, or being under the influence of alcohol or other illegal mood altering substances at any time while fulfilling their obligations as a professional educator or volunteer;
- Serving or supplying alcohol or any controlled substance to minors;
- Posing any health risk to children and/or youth (e.g., staff members or volunteers should avoid being with youth when they have a contagious illness);
- Bringing illegal substances, pornographic material, or weapons of any sort onto school, church or community center premises; or have illegal substances, pornographic material or weapons of any sort on their person at any time when children/youth are present.

## **VI. TRAINING**

Each parish or local faith community shall provide training to all individuals who work with youth, which at a minimum, should include: (i) an introduction to this Code, including an overview of how to comply with it; (ii) an understanding of the requirements and limitations which are in place in the local jurisdiction regarding maintaining vs breaking confidentiality; (iii) an understanding of the requirements and limitations which are in place in the local jurisdiction regarding the reporting of child abuse and/or neglect; (iv) steps to follow if they become suspicious or aware of abuse or neglect.

## **VII. ACKNOWLEDGEMENTS**

All paid staff and volunteers who work with youth will be subject to a thorough background check including criminal history, consistent with the policies and practices of their employer, the local faith community, and the prevailing laws in their jurisdiction. Staff and volunteers should be informed when a background check is commenced; such background checks should be completed prior to commencing their employment or volunteer activity. Consistent with the policies and practices of their employer, staff and volunteers should understand that any of their behaviors or actions which are inconsistent with this Code, or their failure to take any actions which are mandated by this Code, may result in employee disciplinary procedures, including termination of employment (whether paid or volunteer).

All paid staff and/or volunteers who work with youth should be provided a copy of this code upon the initiation of their employment (whether paid or volunteer) with the faith community. They should also have the code explained to them as part of employee orientation and training, and have the opportunity to have any parts of the code which they do not understand explained to them. They should sign a statement, at least annually, which indicates that they have been given a copy of the code, had an opportunity to have their questions about it answered, and that they agree to abide by the parameters of the code through the time of their employment.



# **ECUMENICAL CATHOLIC COMMUNION (ECC)**

## **CODE OF ETHICAL CONDUCT**

### ***Clergy: Deacons, Priests and Bishops***

#### **I. PREFACE**

This Code is intended to set a standard of professional conduct, and accountability, for deacons, priests and bishops (collectively, the “Clergy”) presently ministering in the Ecumenical Catholic Communion, as well as an aid in the training and formation of future clergy persons.

The ethical guidelines set forth herein have been developed with the recognition that these are the minimum requirements to which clergy persons shall adhere. A local diocese, or faith community under the guidance of the regional Bishop or Vicar, may choose to supplement certain provisions so that the Code better conforms with the law of the country or state where the faith community is located, and/or the pastoral needs of the given area. Nevertheless, adherence to these minimum guidelines will provide for consistency among all faith communities and ministries within the ECC, while ensuring appropriate ethical behavior among our clergy persons.

#### **A. Commitment to the Spirit of the Gospel, to the Church and to the Community**

As clergy persons in the Catholic tradition, the source and focal point of their ministry is the message, mission and ministry of Jesus, the Christ. Clergy of the Communion resolve to shape and pattern their personal and communal lives always according to the example of Christ; and to emulate the compassion for others and passion for justice which were hallmarks of Jesus’ life. Through a life of personal prayer, and study of the sacred scripture, clergy of the Communion shall have an intimate understanding of the Good News of Jesus, and be able to relate this Good News to day-to-day situations encountered in the local faith community and the broader civic community. Clergy of the Communion will exhibit a deep commitment to the Church, both the local community and the Church Universal. Clergy persons in ministry must show not only a commitment to the local faith community, but also to the larger civic community in which the local faith community is located. Clergy persons should address community social concerns in a manner that is informed by personal reflection on the ministry and message of Jesus, and personal study of the Church Universal’s social teachings. Clergy of the Communion should embrace, promote and share the spirit of ecumenism and inter-faith cooperation in their interactions with other community religious groups, recognizing that despite any differences of doctrine or polity, we are all the beloved daughters and sons of the same loving and compassionate God.

#### **B. Integrity**

Members of the ECC clergy must be persons of integrity, and conduct themselves in an honest and open manner, free from deception or corruption. They must handle the

responsibilities of their office in a conscientious fashion. As leaders in a faith community that sets high moral standards for its members, they have the responsibility to lead by example.

### **C. Respect for Other's Rights and Dignity**

Clergy of the Communion shall respect the rights, dignity and worth of each member of the local faith community, and each person whom they serve in their respective ministries, without regard to the individual(s) economic status or degree of participation in community life. Clergy persons shall be sensitive to cultural differences among people and appreciate the opportunities that diversity present. They should take the time to understand the unique history of their particular community or office. Clergy persons must be aware that issues of race, cultural heritage, cultural values, aging, gender expression, race, religion, sexual orientation, physical and mental disabilities, and language all affect how the message of the Gospel is received and interpreted.

### **D. Competence**

Clergy of the Communion should maintain high levels of professional competence in their particular field(s) of ministry. Training, education and experience all contribute to make one competent and credible in their areas of expertise. Clergy persons must not provide services in those areas in which they lack competence. Competence includes knowing and living within one's limitations.

Clergy of the Communion should be professional in their words, dress, and actions. They must conduct their ministry in keeping with the values, policies and practices of the Communion.

Continuing academic and spiritual formation, as well as practical skill development, are essential for clergy of the Communion, and time must be allotted for them. Clergy persons must also ensure that their own spiritual life is vibrant, and they should seek opportunities for continued spiritual growth.

## **II. ROLES AND RESPONSIBILITIES OF CLERGY**

Clergy of the Communion may be active in various roles and ministries in the local faith community, the civic community, and/or the Communion. Dependent upon these roles, the standards of conduct may differ somewhat. Clergy persons should be cognizant of their roles and their responsibilities under this Code.

### **A. Clergy of the Communion as presiders and leaders of communal prayer**

*Clergy persons may, from time to time, be called upon to lead the local community, or the broader civic community, in communal prayer. In their role of presider/leader of*

***communal prayer, clergy persons are cognizant of and respectful of the diversity of religious background and spiritual experience among those in the praying community.***

- Clergy persons work cooperatively with liturgists, liturgical musicians, and others as appropriate to plan public prayer experiences, Sacramental and Eucharistic celebrations which are spiritually relevant and meaningful to those present.
- Clergy persons strive to maintain a healthy balance between public prayer experiences which are innovative, and contemporary; and those which are embedded in and expressive of the best practices of the tradition.
- Clergy persons provide, or allow others to provide, para-liturgical prayer experiences which are relevant to and meaningful for the spiritual nurture and development of the participants.
- Clergy persons are sensitive to, and refrain from, the use of language or customs which may be distasteful or offensive to those present (unless, by providing catechesis in conjunction with said language or customs, the intent is to raise the awareness of those present.)
- Clergy persons engage in periodic professional development aimed at improving their skills as a public prayer leader.

**B. Clergy of the Communion as preachers/homilists**

***Clergy persons may, from time to time, be called upon to preach at regular communal liturgies or special para-liturgical and/or sacramental celebrations. In their role as preacher, clergy persons recognize and accept the responsibility which has been entrusted to them to communicate the Good News of God's love and compassion for each person, the Good News of God's preferential option for the disenfranchised and marginalized, and the implications of this Good News for those present.***

- Clergy persons strive to be well versed, through continued academic study, in the sacred scriptures of the Christian tradition, and other traditions as appropriate.
- Clergy persons strive, through, personal prayer and reflection, to be personally rooted in the spiritual meanings and messages of the sacred scriptures of the Christian tradition, and other traditions as appropriate.
- In their role as homilist, clergy persons strive to present the Good News of Jesus, of the sacred scriptures of the Christian tradition, and other traditions as appropriate, in ways which are relevant to the spiritual nurture and growth of members of the participating community.

- In their role as homilist, clergy persons refrain from using the preaching role to promote or promulgate personal and/or civic political opinions or agenda.
- Clergy persons engage in periodic professional development aimed at improving their skills as a homilist/preacher.

#### **C. Clergy of the Communion as teachers**

***Clergy persons may, from time to time, be called upon to serve in the roll of teacher; e.g., within the local community context, teaching biblical interpretation, church history, sacramental theology, particular prayer techniques, or other content relative to their expertise. When engaged in teaching, clergy persons will provide learning opportunities that are objective, non-judgmental of alternative spiritual/religious meanings or paths, and foster a healthy respect for the search for truth.***

- Clergy persons will, through personal study and continuing education, remain current in content area(s) being taught.
- Clergy persons will devote sufficient time and energy to adequately prepare for the teaching/learning encounter(s).
- Clergy persons will be respectful of the diversity of experiences, perspectives and opinions which a group of learners may present.
- In group discussions within the learning context, clergy persons will encourage respectful listening and compassionate interaction among participants.
- Clergy persons will remain open to feedback from learners, particularly with regard to how the learning experience can be improved.

#### **D. Clergy of the Communion as Pastoral Counselors**

***Clergy persons may, from time to time, be called upon to serve in the roll of pastoral counselor and/or spiritual advisor. Clergy persons who conduct pastoral counseling and/or spiritual advisement with individuals, families, or groups, must respectfully balance the rights and advance the welfare of each person.***

- Clergy persons must not step beyond their competence in pastoral counseling situations. They should not agree to serve in the role of pastoral counselor unless they have been trained to do so.
- If/when a clergy person is at the edge of their professional competence, they should acknowledge their limitations with their client(s) and refer the client(s) to other appropriately trained professionals.

- Clergy persons are/will be aware of and abide by any civil laws which exist in the jurisdiction in which they live and/or work pertaining to confidentiality within pastoral counseling relationship(s).
- In beginning a pastoral counseling relationship, clergy persons must inform the counselee that confidentiality is limited when there is clear and imminent danger to the client or to others.
- Clergy persons must not disclose information learned from pastoral counseling sessions, aside from circumstances in which there is imminent risk of harm to self or others.
- When conducting family pastoral counseling or similar group interactions, clergy persons must ensure that no individual is subject to harsh treatment or abuse within these interactions.
- If in the course of their work with a counselee a clergy pastoral counselor becomes aware of circumstances that reasonably suggest clear and imminent risk of harm to the client or others, the clergy person's actions will be guided by the legal requirements and the standards of pastoral counseling care which exist in the jurisdiction in which they live and work. In such situations, clergy will disclose only that information which is necessary to protect the life and safety of those involved; and only to those individuals who have a need to know such information. (*See the additional comment regarding the Sacrament of Reconciliation at III C below.*)
- In situations where the counselee is simultaneously in a professional counseling relationship with a Psychiatrist, Psychologist or other Mental Health Professional, a clergy person should make clear to the counselee what role the clergy person can provide; generally this should be limited to personal spiritual/pastoral assistance. With the permission of the counselee, clergy pastoral counselors will consult with and coordinate care with the other treating professional(s) so as to avoid redundancy and/or mixed or contradictory messages to the client.
- A clergy member who relocates to another community or office while engaged in a pastoral counseling relationship should help make appropriate arrangements for the continued care of those with whom they have been counseling.
- It should always be clear to both the clergy member and the counselee that a pastoral counseling relationship exists. This is best done when the pastoral counseling is conducted in an appropriate setting and at appropriate times. Pastoral counseling should not ordinarily be done in private living quarters of the pastoral counselor, or at places or times that would cause ambiguity in the mind of the counselee. If the pastoral counseling involves multiple or frequent meetings with the same person, the clergy person may benefit from maintaining a brief log of times and places of counseling sessions.

- Physical contact between a clergy pastoral counselor and a counselee can easily be misconstrued. These interactions may be confounded by transference and counter transference phenomena. Great care should be taken in any physical contact between the clergy pastoral counselor and the counselee.
- A clergy pastoral counselor must never engage in sexual intimacies with those whom they counsel.
- Clergy persons who engage in pastoral counseling and/or spiritual advisement will engage in periodic professional development aimed at improving their skills as a pastoral counselor.

**E. Clergy of the Communion in ministerial roles requiring interaction with youth**

***Clergy persons may, from time to time, be called upon to provide pastoral ministry to minors. Clergy persons working with youth should use appropriate judgment to ensure an open and trustworthy relationship.***

- Clergy of the Communion must be aware of their own and others' vulnerability when working with youth, and should maintain a team approach to youth activities.
- Physical contact with a young person can often be misconstrued by both the young person and other adults, and should only occur in appropriate public circumstances. Physical contact should be limited to common social interactions or greetings (e.g., a handshake, "high five," etc.) Clergy persons should never touch a youth in a sexual or other inappropriate manner that might be misconstrued by the youth or others.
- Clergy persons should refrain from making sexually explicit or sexually suggestive comments in response to specific questions which have been asked by a minor.
- Clergy persons should refrain from the use of alcohol and/or tobacco when in the presence of youth.
- Clergy persons should not ordinarily provide overnight accommodations for youth in the clergy's place of residence, or parish rectory.
- Clergy persons should not go on vacations or overnight outings alone with minors other than their own children; or in group youth outings where there are multiple children and multiple adults. They should not share showers, beds or sleeping arrangements with minors other than their own children.
- Clergy who engage in pastoral ministry with youth will engage in periodic professional development aimed at improving their understanding of the experiences and vulnerabilities of youth at various stages of development.

## **F. Clergy of the Communion as administrators**

***Clergy persons may, from time to time, be called upon to serve in administrative roles within a local faith community, specialized ministry, or within the broader Communion. In all administrative roles and functions, clergy persons will exercise due financial diligence and honesty as well as just treatment of employees and volunteers in accord with the requirements of both civil and the ECC Constitution, codes and bylaws.***

- Clergy persons of the Communion do not use their positions to exercise unreasonable power and/or authority over employees, volunteers, and/or faith community members.
- Clergy persons must be meticulously honest and transparent in their handling of community finances, and in maintaining community financial records. They are responsible, in cooperation with their community leadership team (e.g., parish council, vestry, etc.) to see that all who work with Church finances and financial records are above reproach, appropriately trained and competent for the tasks that they will be assigned.
- Clergy persons must manage the local faith community's finances in cooperation with the community's leadership team (e.g., parish council, vestry, etc.). Ordinarily a lay member of the council will also be involved in managing the finances, and there will be redundant loops of communication and record keeping so as to reduce the opportunity and risk for financial fraud.
- Clergy persons must avoid the appearance of any impropriety in their dealings with employees and volunteers.
- The actions of clergy persons must reflect concern for the interests and well-being of individuals affected by those actions. Clergy persons must not exploit any relationship to the benefit of themselves.
- Clergy persons will, in cooperation with their community leadership team, strive to provide fair and just compensation for employees of their community, within the community's resources and ability to do so. (It is understood that newly forming communities may not be able to comply with this until their community is stable and financially sound.)

## **G. Clergy of the Communion as witness to the broader civic community**

***Clergy persons may, from time to time, be called upon to serve the broader civic or church communities in various capacities. In all public roles, clergy persons will be mindful that their presence is a witness, whether explicit or implicit, to the message and ministry of Jesus, and to the Ecumenical Catholic Communion.***

- Clergy persons should be sensitive to the reality that, in light of their ordination and the public nature of their ministry, they are at all times, and in all situations, representatives of and expressions of the message and ministry of Jesus. They take seriously their responsibility as a public witness of the Gospel, and are mindful of the impact which their behaviors have in promoting or detracting from the message of the Gospel, and encouraging or undermining the personal faith of others.
- Clergy persons should be sensitive to the reality that their ministry is an extension of and expression of the ministry of the Ecumenical Catholic Communion. At all times, and in all situations, they will likely be viewed as an official representative of the Communion. Therefore, they take seriously their responsibility to accurately and compassionately represent the Communion to members of their local faith community and their broader civic community.
- As representatives of the message and ministry of Jesus, clergy persons should address community social concerns in a manner that is informed by personal reflection on the message of Jesus, and personal study of the Church Universal's social teachings.
- Clergy of the Communion should embrace and share a spirit of ecumenism, and strive to be facilitators of mutual understanding and acceptance in their interactions with other community religious groups, recognizing that despite any differences of doctrine or polity, we are all the beloved daughters and sons of the same loving and compassionate God.
- Clergy persons are not prohibited from serving in public office, or undertaking other civic leadership roles. Clergy persons will refrain from accepting or undertaking civic leadership roles which may be incompatible with or compromise their witness to the message and ministry of Jesus.

#### **H. Clergy of the Communion – responsibility to her/himself**

***Clergy persons have the duty to be attuned to their own spiritual, physical, mental and emotional health.***

- Clergy persons should be sensitive to warning signs in their behavior, moods and relationships which may indicate conditions that can be detrimental to their mental, physical and spiritual health. Inappropriate use of alcohol, misuse of prescription drugs, and chronic unresolved conflicts in primary relationships are examples. Clergy persons should immediately seek help when they identify such warning signs in their professional or personal lives.
- Clergy persons are expected to work in accordance with their arrangement with their local faith community leadership team (e.g., parish council, vestry, etc.). Clergy persons should make use of allotted time for vacation and days away from the work



environment. They should determine healthy limits and boundaries in the work environment and live within those limits as much as possible.

- Clergy persons should be supportive of one another, both in terms of affirmation and in terms of holding one another accountable for physical, emotional and spiritual well-being.
- Clergy persons must maintain and nurture an ongoing personal prayer life (i.e., over and above communal prayer responsibilities). Ordinarily, clergy persons should take advantage of an annual retreat and periodic days of reflection, as well as develop daily spiritual practice(s) which support and enhance their spiritual lives.
- Clergy persons should regularly participate in seminars and workshops relevant to their current ministries. They should stay current through reading of both religious and secular sources.
- Clergy persons should seek opportunities to actively participate in peer support groups.
- The conduct of clergy persons, both public and private, has the potential to inspire and motivate people and enhance their faith; or to scandalize and demoralize people, and weaken their faith. Clergy persons must be aware of the responsibilities that accompany their public role and their work. They also know that God's goodness and grace support them in their ministry.

### **III. GENERAL OBLIGATIONS OF CLERGY OF THE COMMUNION IN ANY ROLE**

#### **A. Sexual Misconduct (\*\*\*)**

***Clergy persons of the Communion do not exploit the trust of the faith community, or of any individuals, for sexual gain or intimacy.***

- Clergy persons must not exploit another person for sexual purposes.
- Clergy persons are to witness in all of their relationships the chastity and prudent charity towards others as is appropriate to their state in life.
- Clergy persons should use discretion in developing intimate relationships, and avoid sexual relationships with employees, supervisees, counselees and minors. Given their role, and the respect and authority which accrue to it, clergy persons bear the primary responsibility for maintaining appropriate boundaries in these relationships. (See also: *III.F below, Sexual Behaviors Outside the Realm of Clergy Sexual Misconduct: Guidelines for Dating Relationships for Clergy of the Communion.*)
- Each local faith community is responsible for being familiar with the civil reporting laws and procedures of your country or state and communicating those requirements to

clergy persons, employees and volunteers during training. Ordinarily those who have the responsibility to ensure that relevant individuals are duly trained include the Pastor; the Community Administrator (if appropriate); and the primary leadership group for the faith community (e.g., the parish council, vestry, etc.).

- Any allegations of sexual misconduct of a clergy member must be taken seriously and reported promptly to the Bishop or Vicar of the Diocese and the Presiding Bishop. This is a necessary first step to help prevent collusion in hiding information from those who have a legitimate need to know.
- Clergy of the Communion, including the Bishop or Vicar of the Diocese, and the Presiding Bishop, shall cooperate together in making a prompt report to local law enforcement officials and/or local child protective service agencies, as required by the statutes of the jurisdiction in which the alleged abuse occurred. Under no circumstances will information pertaining to a known or suspected crime be withheld from the appropriate civil authorities.

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(\*\*\*) Sexual Misconduct may take the form of:

**a. Sexual Assault.** Intentionally or knowingly causing physical contact with another when the ordained clergy member knows or should reasonably believe that the other will regard the contact as offensive or provocative.

**b. Sexual harassment** consists of the unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, submission to which is made a term or condition of a person's exercise and enjoyment of any right, privilege, power, or immunity, either explicitly or implicitly.

i. Sexual harassment includes situations involving a hostile work environment in which sexually offensive conversation, jokes, or other sexual activities are allowed to continue, whether or not directly targeted at potential victims of the sexual harassment.

ii. Sexual harassment includes **Grooming**: To prepare a person for a specific role or advancement or position in exchange for sexual favors; and/or prepare a potential victim by incrementally moving toward the desired sexual behavior.

**c. Sexual exploitation** is the illegal or improper act or process of an ordained clergy member in a position of authority or trust who has a personal relationship with a child, elderly or disabled person, or other individual with a dependent relationship with an ordained clergy member, taking advantage of such position for his or her personal sexual gratification, whether or not there is alleged consent.

## B. Harassment (\*\*\*\*)

***Clergy of the Communion will not engage in physical, psychological, written or verbal harassment of employees, volunteers, or parishioners; and should not tolerate such harassment by other clergy persons, employees or volunteers.***

- Harassment can occur as a result of a single incident or a pattern of behavior where the effect is to create a hostile, offensive, or intimidating relationship and/or environment.
- Clergy persons are committed to providing a professional work environment which is free of harassment, for themselves and their employees. Clergy persons will provide and maintain fair and equal employment practices with each and every person regardless of race, ethnic background, gender expression, age, disability, sexual orientation or handicap. Clergy persons and other Church leaders should provide a work environment that is free of prejudice, intimidation and/or harassment based on any of these factors.
- Clergy persons are committed to providing a communal environment which is free of such harassment, for themselves, their employees, and their community members. Clergy persons are committed to fostering and maintaining patterns of interaction within the local faith community which are fair and equal to every person regardless of race, ethnic background, gender expression, age, disability, sexual orientation or handicap. Clergy persons and other Church leaders should provide a community environment that is free of prejudice or harassment based upon any of these factors.

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(\*\*\*\*) Harassment encompasses range of physical or verbal behavior which can include, but is not limited to:

- physical or mental abuse;
- racial insults
- derogatory ethnic slurs;
- sexual advances or unwelcome touching;
- sexual comments or sexual jokes;
- request for sexual favors used as a condition of employment or affecting any personnel decision such as  
hiring, promotion, or compensation; or
- display of obscene materials.

## C. Confidentiality

***Information disclosed to a Communion clergy member during the course of pastoral counseling, spiritual advising or spiritual direction, or in the course of other ministerial work, shall be held in strictest confidence.***

- Community members and other persons who come to a clergy member for help should feel free to engage in full disclosure of personal information, and should trust that this information will be held in confidence to the greatest degree possible.
- Clergy persons are bound to safeguard confidentiality of any notes, files, or computer records pertaining to professional contact with individuals; this includes financial records.
- Knowledge that arises from any professional contact may only be used in teaching, writing and/or homilies, or other public presentations, after effective measures have been taken to absolutely safeguard the individual's identity and confidentiality, or after informed consent has been provided by the adult individual in question.
- Confidential information can be disclosed only with the written informed consent of the individual(s) involved.
- In all jurisdictions in the United States there are statutory limitations placed on Confidentiality. These generally related to two situations: a) knowledge or suspicion of recent or imminent abuse or neglect of a minor; and b) knowledge or suspicion of imminent danger to self or others (e.g., suicide, homicide, etc.). The particular limitations, and requirements, are detailed within the statutes; and, while the same broad parameters exist in most, if not all, jurisdictions, the particular details vary somewhat from jurisdiction to jurisdiction. Rather than deal with these issues in detail here, the reader is referred to **Appendices C & D** for a detailed discussion of situations wherein there may be limits on Confidentiality. Clergy persons of the Communion will be aware of any and all laws pertaining to issues of limits of Confidentiality in the jurisdictions where they live and/or work, and will comply with the requirements contained therein.
- If it should be discovered that there is a serious threat to the safety or welfare of a minor or another who is not legally competent, such that communication of confidential information to a parent or legal guardian is deemed essential, clergy persons should first attempt to elicit the consent of the minor or legally incompetent person for such disclosure. If such consent is not given, clergy persons must exercise great care and judgment in deciding the extent of any disclosure to a parent or legal guardian, limiting any disclosure to the minimum required to address the issue at hand.

- The obligations stated here are independent of and supplementary to the confidentiality of the ***Sacrament of Reconciliation***. Under no circumstances whatsoever can there be any disclosure, even indirect, of any information received through the seal of this Sacrament.

#### **D. Records and information**

***Appropriate confidentiality shall be maintained in creating, storing, accessing, transferring and disposing of community or institutional records.*** [NOTE: Local custom and/or community by laws may delegate these responsibilities to the pastor, an alternative clergy person, and/or to another party, such as a community leadership team (e.g., parish administrator, parish council, vestry, etc.). The same standards will be maintained regardless of who has this responsibility within a given community.]

- Community financial information is to be made available to the Community leadership team (e.g., parish council, vestry, etc.) and in summary form to the Community on a regular basis.
- Community financial records, community employee payroll, and the records of individual contributions are to be otherwise held as confidential unless review is required by an appropriate governmental agency or office, or a duly authorized financial auditor.
- Specific sacramental records shall be regarded as confidential for other than Church statistical purposes. As a general rule, sacramental records will be released only to the individual(s) to whom the records belong. When, for valid Church reporting or faith community statistical purposes, information from these records is made public, great care must be taken to preserve the anonymity of the individuals involved.
- The information contained in sacramental records may be made available to the public only 50 years after the death of the individual(s).

#### **E. Conflicts of interest**

***Clergy of the communion should avoid putting themselves in a position that might present a conflict of interest, since the existence, and/or the appearance of a conflict of interest can call into question one's integrity and professional conduct.***

- The potential for a conflict of interest exists in many circumstances. Examples include situations where a clergy member has private business or other dealings with the Church or any of its members; accepts substantial (non-token) gifts for services or favors; employs or engages in transactions with his or her friends or relatives; acts with partiality toward employees or church members; or violates a confidence of another for personal gain.

- Disclosure of all relevant factors to relevant parties can in some circumstances lessen the potential for a conflict of interest.
- Conflicts of interest may also arise in a counseling context, where a clergy pastoral counselor's objectivity and/or independent judgment may be compromised by prior dealings, where he or she becomes personally involved, or where he or she becomes an advocate for one (person) against another. In these circumstances, clergy persons should advise the parties that he or she can no longer provide counseling and refer them to other counselors.

## **F. Sexual behavior outside the realm of clergy sexual misconduct**

### ***Guidelines for Dating Relationships for Clergy of the Communion***

Within the Ecumenical Catholic Communion individuals are encouraged to respond to a genuine call to serve and participate in all levels of ministry. No individual is excluded from the ministries of deacon, priest or bishop solely on the basis of gender expression, sexual orientation or marital status.

Clergy of the Communion who are single, either because they have never married, or because they have become single through divorce or death, may desire a committed monogamous relationship. This is generally not possible in today's society without courtship or dating. For clergy persons, like many lay people, the local faith community environment is a good place to meet others with similar interests and values. Yet dating relationships which begin and develop within the local faith community environment may also present unique challenges for clergy persons. The following guidelines are offered to help safeguard the local faith community, the dating partner and the clergy member. (Dating relationships with individuals not involved in the clergy person's local faith community are not addressed in these guidelines unless and until such time that the dating partner joins the clergy person's faith community.)

- The dating relationship should be disclosed to the pastor; or if the pastor is the clergy person involved, to the regional Bishop, Vicar, and/or Presiding Bishop;
- The couple should disclose the relationship to the community at an appropriate time jointly determined by the couple and the regional Bishop/Vicar; or in the absence of a regional Bishop/Vicar, the Presiding Bishop;
- The couple should be cognizant of the varied impacts which their relationship may have on their relationships with members of the local faith community, and the relationships between members of the local faith community. The couple will strive to avoid relationship dynamics which could be divisive for the community.

- The couple may benefit from periodic discussions with an objective third party to help them maintain awareness of, and process the impacts of the ministry upon their relationship, and vice versa. This may be recommended by the regional Bishop, Vicar, or Presiding Bishop, and/or sought by the couple.

#### **IV. REPORTING MISCONDUCT**

***Clergy persons have a duty to report ethical or professional misconduct on the part of other clergy persons and church leaders.***

- In cases where there are clear indications of illegal actions by a clergy member, the Ordinary or Presiding Bishop must be notified immediately.
- In cases where there are clear indications of illegal actions by a clergy member, or other employee of the local faith community, all civil requirements pertaining to the reporting of such illegal actions to civil authorities must be followed.
- When clergy persons are uncertain whether a particular situation or course of conduct would violate this Code or other ethical principles, they should consult with peers, others knowledgeable about ethical issues, and/or the Office of Presiding Bishop in order to assess the situation and determine the proper response.
- When a clergy person believes that one of their colleagues may have violated this Code or other ethical principles, they should attempt to resolve the issue, if possible, by bringing it to the attention of the individual. If an apparent ethical violation is inappropriate for direct confrontation, or is not resolved satisfactorily through such confrontation, the clergy person shall notify the Ordinary or the Presiding Bishop.
- The obligation of clergy persons to report misconduct must be balanced with the obligation of protecting confidentiality. Ordinarily this balance may be maintained by reporting only information pertinent to the alleged misconduct, and by reporting only to those parties who have a need to know.

#### **V. TRAINING**

Prior to the admission of any person into the clergy, through a process of either incardination or ordination, the ECC shall satisfy itself that each clergy person or proposed clergy member shall have had training about this Code, and their responsibilities herein. In addition, each local faith community shall provide training to all clergy persons about this Code, and their responsibilities herein. Finally, each local faith community shall provide training to all clergy working with youth, which at a minimum, should include: (i) recognizing common signs and symptoms of abuse; (ii) identifying how clergy persons should initially respond when approached with a potential abuse situation; (iii) explaining the clergy member's reporting requirements under country or state law relative to suspected or known abuse to law enforcement or social agency authorities; (iv) completion and retention of reports or forms in

conjunction with such reports; and (v) providing clergy persons with the names and phone numbers of individuals to contact in sexual abuse situations.

## **VI. REQUIREMENTS**

In addition to any and all requirements set forth in *the Ecumenical Catholic Communion Constitution and Canons for the Admission of Clergy*, all clergy persons must have cleared a thorough background check including criminal history, before incardination, ordination or installation.

Clergy persons should understand that any action inconsistent with this Code, or failure to take any action mandated by the Code, may result in remedial action which may include, but not be limited to: (i) advice; (ii) required training; (iii) required counseling; (iv); suspension from active ministry; or (v) removal from active ministry.

It is understood that it is the role of the Episcopal Council to administer and amend this Ethical Code of Conduct (see ***ECC Constitution, Subcanon 5***).



## **Appendix A: Practical recommendations for local communities**

1. Each local faith community should develop policies and procedures regarding the completion of background checks, including criminal history, of employees. It is recommended that ordinarily communities complete a thorough background check of new employees prior to the commencement of their employment, and periodically (e.g., every three years) thereafter.
2. Each local faith community should have copies of the ECC Ethical Code of Conduct on file. When a faith community hires a new employee (whether paid or volunteer), the new employee should be given a copy of the ECC Ethical Code of Conduct. They should be asked to read it over in its entirety. Then, someone who is familiar with the Code (e.g., Pastor or Community Administrator) should review the Code with them, highlight and explain those aspects which are most pertinent to their responsibilities, and solicit and answer any questions which the new employee may have. The employee should be required to sign a statement indicating that they have received, reviewed, had the opportunity to ask questions about, understand and agree to abide by the ECC Ethical Code of Conduct.
3. New employees should be provided with contact information for anyone that they may need to contact in an emergency. This may include, but not be limited to, the Pastor, their immediate supervisor, and if they are mandated reporters for child abuse and/or neglect, or risk of imminent harm, the appropriate information for those contacts.
4. It is recommended that the ECC Ethical Code of Conduct be reviewed with all existing employees (paid or volunteer) at least annually, and more often as circumstances may suggest. Each employee should be required to sign a statement, at least annually, indicating that they have received, reviewed, had the opportunity to ask questions about, understand and agree to abide by the ECC Ethical Code of Conduct.
5. It is recommended that each Community establish policies concerning the giving and receiving of gifts and loans. As a general rule, the bias toward the giving and receiving of material gifts between staff, volunteers, and community members is toward smaller, less materially valuable gifts.
6. Each community should inform paid staff and volunteers of the community policies concerning the giving and receiving of gifts, at least annually.
7. Each local faith community should develop policies and procedures regarding confidentiality between an employee (paid or volunteer) and youth with whom they might interact or work. The policy should include issues of limits of confidentiality, and be in compliance with the statutory requirements of such matters within the local jurisdiction.
8. Each local faith community should develop policies and procedures regarding the confidential management and use of community financial records, community employee payroll, and the records of individual contributions. These policies and procedures should

delineate who should ordinarily have access to this information, how confidentiality will be maintained, and include processes for overseeing confidentiality (e.g., redundant processes, co-signing records by two people, etc).

9. Each local faith community should develop policies and procedures regarding confidentiality in the creating, storing, accessing and transferring and disposing of community institutional records, in such a manner that the confidentiality of involved parties is ensured. In some communities, these responsibilities may be delegated to clergy persons, paid staff or volunteer, and/or to another party, such as a community leadership team (e.g., parish administrator, parish council, vestry, etc.).

10. Each local faith community should develop policies and procedures regarding the confidential development, storage, and accessing of sacramental records, in such a manner that the confidentiality of involved parties is ensured.

11. Each local faith community should develop policies and procedures regarding an employee's (paid or volunteer) possession, use or abuse of alcohol or other mood altering substances, and/or possession of pornographic material while engaged in their normal community responsibilities.

12. Each local faith community should develop policies and procedures regarding the safe supervision of youth, and include issues of potential sexual misconduct, maintaining appropriate boundaries with youth, etc.

13. Each local faith community should develop policies and procedures regarding the safety of youth and the reporting of suspected child abuse and/or neglect, and should include procedures for making such reports, cooperating with child protective services and/or local law enforcement officials, etc. (See **Appendix C** for more information).

14. Each local faith community should develop a method of periodically reviewing the performance of the Pastor and other clergy persons. This may be done in a variety of formats. However, it is recommended that at least annually there be a formal evaluation process, addressing those pastoral roles and responsibilities which are relevant to the community's agreement with the Pastor/clergy member, and with feedback provided to the Pastor and clergy person(s), and including an assessment of strengths, weaknesses, and areas for potential growth and/or skill development.

15. Each local faith community should develop a method of communicating with the pastoral staff the community's expectations regarding issues such as clergy persons conduct, practical skill development and/or professional development. This may be done in a variety of formats. It is recommended that at least annually there be a process of review and discussion with the clergy person(s). In most circumstances, the process should include a self assessment and proposed plans for continued professional development on the part of the clergy person(s) and/or pastoral staff; with review and discussion then ensuing between the clergy person(s) and/or pastoral staff and some small group or

committee formed for this purpose. If the community has a formal leadership team (e.g., parish council or vestry), this committee should be formed by and include members of the leadership team, and provide an account of their work to the leadership team.

**Appendix B: Sample forms for use by local communities**

(Please Note: these forms are provided as models which may be modified as needed for the best use by local communities.)

***ABC Ecumenical Catholic Community***  
**Anywhere**

**ECC Ethical Code of Conduct**  
**Annual Employee/Volunteer Orientation**

By signing below, I affirm :

- a. I have been provided a copy of the ECC Ethical Code of Conduct;
- b. I have been given the time and opportunity to read the ECC Ethical Code of Conduct;
- c. I have had the opportunity to discuss the ECC Ethical Code of Conduct with my supervisor and/or a representative of our Community, and have had my questions about the Code answered.
- d. I understand and agree to abide by the standards of conduct as they are outlined in the ECC Ethical Code of Conduct.

\_\_\_\_\_  
Signature of Employee or Volunteer

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Pastor/Pastoral Administrator or Delegate

\_\_\_\_\_  
Date

Original: Parish Office Copy  
Copy: Employee or Volunteer

***ABC Ecumenical Catholic Community***  
Anywhere

**Employee/Volunteer Confidentiality Agreement**

By signing below, I affirm :

- a. I have been provided a copy of the ECC Ethical Code of Conduct;
- b. I have been given the time and opportunity to read the ECC Ethical Code of Conduct, and understand the information contained therein regarding Confidentiality;
- c. I agree to keep private and confidential any and all information that I may learn through my work with *ABC Ecumenical Catholic Community*, and will not disclose private or personal information revealed in conversations, recorded messages, documents, or any other type of communication. Further, I will cooperate with any policies regarding the confidential creation, storing, accessing , transferring or disposition of any records or documents, including community financial records, community employee payroll, and/or the records of individual financial contributions to the community.

\_\_\_\_\_  
Signature of Employee or Volunteer

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Pastor/Pastoral Administrator or Delegate

\_\_\_\_\_  
Date

Original: Parish Office Copy  
Copy: Employee or Volunteer

***ABC Ecumenical Catholic Community***  
**Anywhere**

**Working with Minors**  
**Employee/Volunteer Statement of Understanding**

By signing below, I affirm :

- a. I have been provided a copy of the ECC Ethical Code of Conduct;
- b. I have been given the time and opportunity to read the ECC Ethical Code of Conduct, and understand the information contained therein regarding working with youth;
- c. In particular, I acknowledge:
  - 1. Sexual behavior between an adult and a minor is illegal and always inappropriate.
  - 2. If I become aware that a minor has been involved in sexual behavior with an adult or another minor, I will confer with my supervisor or pastor, and/or the appropriate legal authorities about the correct course of action.
  - 3. If I become aware that a minor has been, or may be, abused or neglected, I will confer with my supervisor or pastor, or a social service worker about the correct course of action.
  - 4. It is ordinarily inappropriate to spend time with a minor individually outside of formal community related activities or programs.
  - 5. It is always inappropriate to provide tobacco, alcohol or mood altering chemicals to minors; or to have or be under the influence of alcohol or mood altering chemicals, or to be in possession of firearms or pornography, when in the presence of and/or interacting with minors.
  - 6. I am committed to providing a safe environment for our young people, free from all forms of harassment, intimidation and/or abuse.
  - 7. I agree to abide by these guidelines while interacting with the youth of the Community.

\_\_\_\_\_  
Signature of Employee or Volunteer

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Pastor/Pastoral Administrator or Delegate

\_\_\_\_\_  
Date

Original: Parish Office Copy  
Copy: Employee or Volunteer

### **Appendix C: Summary of child abuse/neglect reporting requirements**

**Each local faith community is responsible for being familiar with the laws and procedures which exist in their legal jurisdiction which address the issues of reporting the abuse and/or neglect of children. The faith community should communicate and explain those requirements to staff members and/or volunteer lay leaders during initial employment orientation, and periodically thereafter.**

In all jurisdictions in the United States, there are laws which regulate the reporting of child abuse and neglect. These statutes contain legal definitions of key terms, such as 'physical abuse,' 'emotional abuse,' 'neglect,' etc. The statutes also define who is legally mandated to report suspected child abuse and/or neglect; what the requirements are for doing so, and the penalties for not doing so. The particular details of the statutes vary somewhat from jurisdiction to jurisdiction; for example, terms such as 'abuse' and 'neglect' may be defined somewhat differently in different jurisdictions.

What follows are key points which are contained in most child abuse/neglect statutes (and therefore, likely to be contained in the statute in your jurisdiction). **They are provided to assist those who are paid staff and volunteers (lay or clergy) with some beginning context for understanding the issues involved in these situations.**

1. The abuse and/or neglect of children are criminal behaviors, punishable by fines and/or periods of incarceration; and if the perpetrator is a parent or parental figure, perhaps leading to the removal of the children from the home and the termination of parental rights.
2. The behaviors of abuse and/or neglect have to meet the definition contained within the statute in order for a crime to be charged. Usually this relates to a question of sufficient severity (e.g., a behavior which may commonly be regarded as neglectful may not be severe enough to reach the criterion to be charged as an offense).
3. Physical punishment (e.g., spanking) is not ordinarily deemed as illegal abuse; however, it may be deemed illegal, depending upon the severity of the punishment, and particularly whether physical harm was done to the child.
4. In most jurisdictions, all adults who work in a formal way with children are mandated reporters. This includes nurses, doctors, counselors, teachers, and pastoral staff. (This likely also includes volunteers, such as those who teach religious education, although this may vary by jurisdiction.)
5. Failure to report known or suspected abuse and/or neglect is regarded in most jurisdictions as criminal behavior, punishable by fines and/or jail sentences.

7. Mandated reporters are not required to be certain that abuse or neglect has occurred; they are only required to have reasonable suspicion.
8. Mandated reporters cannot be sued or prosecuted for reporting suspected abuse and/or neglect.
9. While the proper procedures may vary somewhat from jurisdiction to jurisdiction, ordinarily when there is a suspicion of abuse and/or neglect the first line of reporting is to a social service worker (not the police) who is trained to investigate allegations of abuse. In most communities, the phone number to call to report suspected abuse and/or neglect is contained in the White Pages of the local phone directory, and likely also available through an internet search process. If the abuse is found to be substantiated (more likely than not) the social service agency will initiate certain steps. These steps are generally directed toward several goals: a) removing the child from a situation of imminent risk of harm; b) protecting the child from future harm; c) helping the child and perpetrator recover from the incident; d) bringing consequences to bear upon the perpetrator to reduce the risk of further incidents of abuse; these may be in conjunction with the legal system, if the abuse is severe enough to be charged as a crime. There may be a component of mandated treatment for the perpetrator. Thus, ordinarily, reporting abuse and/or neglect opens the doors for some treatment options for the child, perpetrator and/or family which may not otherwise be available to them.
10. If the mandated reporter is aware of a recent incident of abuse that seems moderately severe or worse, they might first call the police. If one is uncertain what to do, they might first call the social service agency, who will help determine if the police should be contacted.
11. In all situations, the expectation is that all involved will provide a prompt and complete report to the appropriate authorities as required by the reporting laws and procedures within the local legal jurisdiction.
12. **IF, AS A MANDATED REPORTER, YOU ARE AWARE OF A RECENT INCIDENT OF ABUSE, PLEASE REPORT IT AS SOON AS POSSIBLE. FAILURE TO DO SO COULD LEAVE THE CHILD(REN) IN A POTENTIALLY DANGEROUS SITUATION; AND COULD LEAVE THE MANDATED REPORTER (YOU) WITH LEGAL PROBLEMS OF YOUR OWN.**



## **Appendix D: Summary of ethical responsibilities in the context of imminent danger**

Each local faith community is responsible for being familiar with the statutes and procedures in their legal jurisdiction pertaining to the responsibilities involved in reporting imminent danger. The faith community should communicate and explain those requirements to staff members and/or volunteer lay leaders during initial employment orientation, and periodically thereafter.

In all jurisdictions in the United States, there are laws which regulate the reporting of imminent danger of harm to self or others. In practical terms, this ordinarily means the imminent risk of suicide, homicide or severe violence. These statutes generally contain legal definitions of key terms, such as 'imminent risk,' 'harm,' etc. The statutes also define who is legally mandated to report these circumstances, and/or take some action to reduce the risk or prevent the harm from occurring. Commonly, medical and mental health professionals are mandated reporters of imminent risk of harm in all jurisdictions in the United States; other professionals may or may not be, depending upon the specific laws in the particular jurisdiction. Clergy persons may be excluded from these legal mandates, unless they are involved in Pastoral Counseling. Typically, if one is a mandated reporter, failure to act in these situations is considered professional negligence, and may result in criminal and/or civil charges, as well as being sued; and consequences may include fines, a jail sentence, and/or losing one's professional license.

What follows are key points which are contained in most statutes addressing the issue of imminent risk of harm (and therefore, likely to be contained in the statute in your jurisdiction). They are provided to assist those who are paid staff and volunteers (lay or clergy) with some beginning context for understanding the issues involved in these situations.

1. In most statutes, imminent risk of harm addresses circumstances of risk of suicide, homicide, or other severe violence.
2. In most statutes, "imminent" means something like "really soon." It may or may not be defined in time parameters; when it is so defined, it is often a period of 48 hours or less. It addresses something that has a high risk of happening very soon.
3. One may learn of such risk through the comments made by the person directly (e.g., they report that they are planning to end their life, or planning to kill someone); or reported by a close family member or friend (e.g., 'Susie told me this afternoon that she wants to end her life').
4. The main reason for intervening (i.e., reporting the situation) is to prevent the imminent event from occurring. These are usually emotionally volatile situations, and it is very difficult to predict whether someone will follow through on what they have said. When in doubt, it is better to report the situation than not.
5. Ordinarily, the point of contact is the police. This does not, on the surface, seem appropriate to many people, because it is unlikely to be a criminal situation. However, again, these are

usually emotionally volatile situations, and the person may not calmly agree to whatever needs to be done, etc. (For example, consider what it would be like to transport a highly suicidal person to a hospital. They may be uncooperative, and engage in behaviors which are potentially harmful to themselves and others, e.g., attempting to jump out of a moving vehicle, attempting to steer the vehicle off the road, etc. For their safety, and the safety of others, they would likely need to be transported safely by the police.)

6. If a crime has been committed (e.g., an incident of domestic abuse with a threat of killing the partner) the police may take the person to jail, or a hospital or psychiatric facility. If no crime has been committed, the officer will assess the situation, and if the officer determines that there is imminent risk of harm, the person will likely be taken to a hospital or psychiatric facility. The hospital or psychiatric facility will be able to safely contain the person for the short run, perhaps sedate the person if they are very agitated, and assess for the presence of mental illness, such as depression, etc.

**7. IF YOU ARE AWARE OF A SITUATION OF IMMINENT RISK OF HARM, PLEASE REPORT IT TO LOCAL AUTHORITIES AS SOON AS POSSIBLE. FAILURE TO DO SO COULD RESULT IN THE SERIOUS INJURY OR DEATH OF ONE OR MORE PEOPLE.**