



Roman Catholic Diocese of
Fall River
Southeastern MA • Cape Cod • The Islands

Office of
**Safe
Environment**

CODE OF CONDUCT for Lay Employees

**DIOCESE OF FALL RIVER
450 Highland Avenue
Fall River, Massachusetts 02720**

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PURPOSE

The Catholic Diocese of Fall River (the Diocese) is committed to providing a safe environment for all people to know, love, and serve the Lord. To that end, *The Code of Conduct for Lay Employees* provides a mandatory set of concrete guidelines established to further the mission of the Church by protecting both those who minister as Lay Employees and those who encounter them with a specific focus on protecting minors and vulnerable adults, establishing the highest levels of professionalism, and fostering positive ministerial relationships built on trust and integrity.

GUIDING PRINCIPLES

- A. The public and private conduct of Lay Employees can inspire and motivate but when their actions are inappropriate or sinful, they can undermine the people's faith and cause great harm to the Mystical Body of Christ, the Church.
- B. Lay Employees must aspire to the highest ethical standards and personal integrity. At all times, they must be aware of their personal and ministerial responsibilities. Likewise, they must seek to maintain appropriate boundaries and protect others from harm.
- C. Lay Employees are primarily responsible for their own spiritual, physical, mental, and emotional well-being. They are also personally responsible for maintaining professional competence and for meeting the commonly recognized professional ministerial standards of their particular roles.

KEY TERMS

Minor: *Anyone who has not reached the age of eighteen. For purposes of this policy, a high school student who is 18 but has not yet graduated from high school is still considered a minor.*

Office of Safe Environment (OSE): *The Diocesan office responsible for approving all who minister, work, or volunteer in the Diocese through the process known as "The Essential Three" (criminal background check, safe environment training, and code of conduct).*

Parish: *A church within the diocesan territory that is recognized as Catholic.*

Priest: *An ordained man who administers the rites of the Catholic Church.*

School: *A primary or secondary school within the diocesan territory that is recognized as Catholic.*

Social Media: *Any form of electronic communication through which a user creates, utilizes, accesses, retrieves, and/or visits online communities or systems to share information, ideas, personal messages, and other content.*

Vulnerable Adult: *Any individual eighteen (18) years of age or over who is in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty which, in fact,*

even occasionally or temporarily, limits his/her ability to consent to or resist an act (Vos estis lux mundi, Motu Proprio, Pope Francis, 2023, I.1.2.b.).

1. Pastoral Standards and Personal Interactions

- 1.1 Lay Employees must maintain appropriate emotional and physical boundaries in all professional/ministerial relationships and not misuse the power inherent in their position to exercise unreasonable or inappropriate authority over others. Such actions would entail an abuse of power and may constitute a canonical crime. Lay Employees must relate to others respectfully and pastorally and work collaboratively and cooperatively with others serving the Church.
- 1.2 Lay Employees will dress professionally and appropriately when performing their duties.
- 1.3 Lay Employees must not engage in physical, psychological, or sexual harassment of any person, and must not tolerate such harassment by others serving in the Church.
 - 1.3.1 Harassment may be a single incident or a persistent pattern of behavior that creates a hostile, offensive, or intimidating work and/or pastoral environment.
 - 1.3.2 Harassment encompasses a broad range of physical, written, or verbal behavior including, but not limited to, physical or mental abuse; racial insults or discriminatory practices; derogatory slurs; persecution based on religious beliefs or practices; disparaging remarks due to disability; unwelcome sexual advances or touching; display of offensive materials.
 - 1.3.3 Allegations of harassment should be taken seriously and reported immediately to the Diocesan Human Resources and/or the Office of Safe Environment.
- 1.4 While performing their duties to the best of their ability, Lay Employees must not be under the influence of illegal drugs, alcohol, or medications that impair stable functioning or sound judgment. In addition, Lay Employees must not illegally possess, use, or distribute marijuana and drugs (to include prescription medications).
- 1.5 Lay Employees are strictly prohibited from sending, receiving, accessing, viewing, displaying, printing, engaging in, and/or disseminating any material (including images) that is fraudulent, harassing, sexually explicit, pornographic, obscene, intimidating and/or defamatory, on any Diocesan property, while performing their professional duties and/or using any Diocesan technology.
- 1.6 While the reasonable debate on matters of social import is valued, Lay Employees must conduct themselves in a manner consistent with Catholic Teaching in all public communications. Public communications are communications offered in a public forum or disseminated to a general audience and include communications whose potential for broad dissemination is reasonably foreseeable (e.g., public speech,

bulletin article, op-ed submission to media, social media post, or blog). As representatives of the Church, Lay Employees must not risk the tax-exempt status of the Church by endorsing or opposing particular candidates or parties.

- 1.7 Any communications, including electronic one-to-one messaging, by Lay Employees within their ministerial duties shall be for professional reasons only and must maintain appropriate boundaries. This shall include personal social media sites. (Please see Section Five for more information on electronic communications.)
- 1.8 Lay Employees must exercise discretion and confidentiality in handling sensitive information and may not disclose confidential information to others not entitled to such information.
- 1.9 Some Employees by law in Massachusetts are mandated reporters. Lay Employees must follow all policies outlined in the *Diocesan Policy for Protecting the Faithful* related to mandatory reporting and all the requirements of Massachusetts General Laws.

2. Standards for Pastoral Care¹ and Spiritual Direction

- 2.1 Pastoral Care and Spiritual Direction are vital services that some Lay Employees offer. In such important encounters, it is imperative that Lay Employees take great care to respect the rights, confidentiality, and welfare of each individual. In the same way that licensed mental health workers follow strict guidelines to manage their interactions, the following standards promote integrity in Pastoral Care and Spiritual Direction.
- 2.2 Lay Employees must not step beyond their identity and training in counseling situations and refer any individual to other professionals when appropriate. Lay Employees who regularly engage in Pastoral Care and Spiritual Direction must participate in ongoing education to support their knowledge in these areas.
- 2.3 Providing counseling services to individuals with whom the Lay Employees have pre-existing relationships may create a conflict of interest. This does not preclude Lay Employees from providing services to fellow members of their communities. However, the nature of the relationship must be carefully considered before initiating a counseling relationship, particularly given the inherent disparity of power that occurs in ministerial relationships.
- 2.4 Lay Employees should discuss the nature of confidentiality and its limitations with each person in Pastoral Care or Spiritual Direction. This includes informing the individual from the beginning of the circumstances under which confidentiality is considered “waived” (i.e., a risk of imminent danger to the individual or others, reporting abuse as mandated by law, etc.).

¹ In this context, “Pastoral Care” refers to the non-clinical helping relationship between a lay employee and those whom he/she advises in a ministerial setting.

- 2.5 Lay Employees are fully responsible for establishing and maintaining clear and appropriate boundaries in all counseling and ministerial relationships. The responsibility for upholding proper boundaries always resides with the Lay Employee providing the counsel. Attempts by an individual to initiate an inappropriate relationship with the Lay Employee do not mitigate his/her responsibility for maintaining an appropriate, professional relationship.
- 2.6 Pastoral Care and Spiritual Direction should be conducted in appropriate settings at appropriate times. For the protection of all involved, it is best to have meetings take place when other personnel are on the premises.
- 2.7 Lay Employees must never engage in sexual intimacies with the individuals they counsel. "Sexual intimacy" means physical sexual contact as well as inappropriate conversation, communication, or body language of a sexual or perceived sexual nature. Lay Employees should also avoid the appearance of inappropriate contact via behavior, conversation, other forms of communication, travel, etc.
- 2.8 When teaching, writing, or giving public presentations, Lay Employees must take care to safeguard the confidentiality of any information gathered during Pastoral Care or Spiritual Direction.

3. Conduct with Minors and Vulnerable Adults

- 3.1 Lay Employees must be aware of their own and other's vulnerability when working alone with minors and should avoid any conduct that a reasonable person could misconstrue as improper. The **Rule of Two** is the "best practices" approach. Two safe-environment-approved adults should be present during all activities involving minors and vulnerable adults.

***NOTE:** The Rule of Two is not intended to imply that two Office of Safe Environment (OSE)-approved adults must be in every room at all times. For example, when faith formation classes are taught, there may be one catechist teaching in a room with an open door (or window in the door) while the DRE and other OSE-approved adults are in the building.*

- 3.2 Ratios of chaperones/supervisors to minors should be determined separately for each activity based on a) the age and development of the youth involved, b) the level of risk of isolation in the activity, and c) the location of the activity and ability for others to casually observe the minors and adult(s) involved.

- 3.2.1 Guidelines for minimum ratios of Chaperones/Supervisors for a day trip:
 - a. Preschool 1:4
 - b. Grades K-4 1:6
 - c. Grades 5-8 1:8
 - d. Grades 9-12 1:10
 - e. **The required minimum ratio for Chaperones/Supervisors to children for events lasting more than 12 hours is 1:7.**

- 3.3 Lay Employees shall avoid being alone with any unrelated minor, except for Pastoral Care, Spiritual Direction, or for reasonable, common-sense exceptions, such as

emergency situations and circumstances where the interaction is incidental and not extended. Keeping in mind the **Rule of Two**, one-on-one meetings with an unrelated minor or vulnerable adult are best held in a common area or in an area visible to others through a window or open door. Lay Employees are encouraged, if possible, to install windows in all office doors to meet this criterion.

- 3.4 Physical contact with minors must be appropriate and nonsexual. Physical contact should be initiated by the minor aside from the occasional high-five, handshake, or similar appropriate gesture.
- 3.5 Any lay employee found to be using, or in possession of illegal substances, marijuana, or consuming alcohol when ministering to or supervising minors, will be subject to disciplinary action.
- 3.6 Lay Employees must not share private overnight accommodations (bedroom, hotel room, tent, camper, bed, etc.) with any unrelated minor. In situations in which overnight accommodations are in open spaces (gymnasiums, gathering spaces, etc.), actions should be taken to provide suitable supervision and create reasonable separation between the sexes and between adults and minors. If a priest is with a relative who is a minor, the parent or legal guardian should have knowledge of the circumstance.
- 3.7 Communications by Lay Employees with unrelated minors must be for professional reasons only. Lay Employees must maintain appropriate boundaries in all communications with an unrelated minor, including through the use of electronic devices or web-based media. (See Section Five for more specific policies related to electronic communication.)
- 3.8 Because gifts have often been used in the process of grooming potential victims, for the protection of Lay Employees and laity alike, Lay Employees should not give gifts of any nature to an unrelated minor unless given to a whole group (i.e., all of the Confirmation class or all of the altar servers).²

4. Monitoring Behavior and Reporting Misconduct

- 4.1 Lay Employees have a responsibility to monitor their behavior and that of other Lay Employees, clergy, and volunteers, and a duty to report unethical or unprofessional misconduct and violations of this *Code of Conduct*. Failure to report violations known to the lay employee or that, with the exercise of due diligence, should have been known to the lay employee, which is later discovered, may result in disciplinary action as the lay employee failed to address unsafe situations that could have prevented harm.
- 4.2 Lay Employees should continuously observe interactions between adults and minors in the Parish and/or environment. If a concern exists regarding inappropriate behavior, consult with the Office of Safe Environment.

² Reasonable exceptions to this general rule include gift-giving to God children, children of family friends, and other similar relationships.

- 4.3 Lay Employees should identify situations that present risks of violating this *Code of Conduct* and the *Diocesan Policy for Protecting the Faithful* and create proactive plans to address them in advance.
- 4.4 Lay Employees are required to report to their supervisor and the Office of Safe Environment any contact they have with law enforcement involving a violation of Diocesan Policies or Massachusetts General Law, and/or any other applicable laws.
- 4.5 Lay Employees who have reason to believe that a minor is being physically or sexually abused or neglected must follow all reporting procedures outlined in Massachusetts General Law and the *Diocesan Policy for Protecting the Faithful*.
- 4.6 Suspected creation, possession, or dissemination of child pornography must be referred to law enforcement immediately, to the lay employee's supervisor, as well as the Office of Safe Environment.
- 4.7 When it appears that anyone ministering, working, or volunteering in the Diocese is in violation of Diocesan policies, Lay Employees must contact the appropriate authority: Bishop/Vicar General and the Office of Safe Environment and/or Human Resources.

5. Electronic Communications

- 5.1 If a lay employee chooses to participate in any social media applications, he/she must ensure his/her social media presence is not in conflict with Catholic Teaching. These applications may include Facebook, TikTok, Instagram, X (Twitter), YouTube, etc. If a Lay employee is responsible for an official parish/school account, more than one individual must have oversight over the content and internal messaging (although passwords and administrative authority for such pages should be limited to the Pastor and/or administrator or their designee and kept in a confidential area for their access only).
- 5.2 Because of the pace of technology and the proliferation of many social media and digital platforms, it is impossible to enumerate policy for every possible technology situation. If encountering a form of media or communication not specifically addressed in this *Code of Conduct*, Lay Employees are asked to consider these overarching guidelines in determining the best course of action.
 - 5.2.1 The **Rule of Two** always applies. Electronic communications and interactions with minors on official parish social media apps/platforms should be monitored by two adults who are in approved status with the Office of Safe Environment.
 - 5.2.2 Parental permission must always be sought before minors are added to any group texts/apps and before any photos are shared.
- 5.3 Official Communications of Parishes or Places of Ministry:

- 5.3.1 Except in an emergency, all communication (including electronic) between Lay Employees and any program services participant should take place between the hours of 6:00 a.m. and 9:00 p.m., including posting to websites and social networking sites.
- 5.3.2 Written Comments of Posts: Lay Employees should not post discriminatory comments, harassment, threats of violence, or similar inappropriate or unlawful conduct. Lay Employees should not post any comments that would be malicious to a reasonable person. Lay Employees should not post comments that would create a hostile work environment. Lay Employees should not post personal matters or conflicts.
- 5.3.3 Videos or Photos: Lay Employees should not post photos or videos that would display any illegal, immoral, political, or sexual activity or any matter that would not be in line with the teachings of the Catholic Church. Lay Employees should not post photos or videos of minors without the written consent of a parent or legal guardian.

5.4 Communications with Minors:

- 5.4.1 Except in case of an emergency, Lay Employees must not contact minors directly (on the minor's cell phone) and must instead contact parents or legal guardians or call family phones. If using a messaging app that allows group messages to be sent, parental permission must be obtained before adding a minor's cell phone to the app.
- 5.4.2 Lay Employees must not share personal cell phone numbers with minors.
- 5.4.3 Lay Employees must not communicate one-to-one with minors by text or other electronic messaging services, including Facebook, Instagram, TikTok, etc. Should a lay employee receive an unsolicited electronic message from a minor, he should not respond and contact the minor's parent or legal guardian.
- 5.4.4 Lay Employees must not contact youth from personal email accounts and may only use official Diocesan accounts. All email communications to minors must also be copied to a parent or legal guardian. (*NOTE: the exception to this is school employees who may be emailing a student through the school email account in the normal course of his/her duties at the school.*) In the case of an emergency, and/or when a parent or legal guardians' information is not immediately available, communication to a minor must also copy an OSE-approved diocesan employee.
- 5.4.5 Any and all areas of appropriate actions around minors outlined in the various policies and code(s) of conduct within the Diocese of Fall River shall be incorporated into this policy.

- 5.5 If, at any time Lay Employees receive inappropriate personal communication from anyone participating in or affiliated with the Diocese, the Lay Employee should

maintain an electronic copy, print a hard copy and notify the Director of the Office of Safe Environment.

- 5.6 The Diocese reserves the right to review websites, social media, blogs, or other electronic communications created on Parish or Diocesan computers at any time.

6. Records and Information

- 6.1 All Chancery, Parish, or Catholic school records are solely the property of the respective entity. Records include all recorded information, documents, letters, maps, books, photographs, film, sound recordings, tapes, records generated in an electronic format, emails, and any other documentary material, regardless of media format.
- 6.2 No records will be accessed, shared, removed, destroyed, stored, or transferred into another media format or otherwise disposed of except in compliance with Diocesan, Parish, or Catholic school policies.
- 6.3 Confidential records will be kept separate from public records for privacy purposes. Confidential records include sacramental records, Lay Employees' files, personnel files, and records of individual financial contributions to, as well as financial records of, the Diocese, Parish, or Catholic school.
- 6.4 When compiling and publishing statistical information from records, great care must be taken to preserve the anonymity of individuals.
- 6.5 Lay Employees who have been issued a diocesan email account are expected to use that account in all ministerial and professional communication.

7. Stewardship

- 7.1 Lay Employees must exercise responsible stewardship of all financial and material resources.
- 7.2 Lay Employees must provide a clear and accurate accounting of all funds and material resources for which they are responsible and must ensure that adequate systems and safeguards are in place and followed. Lay Employees will not misappropriate Church funds or materials for personal uses or purposes or for the use or purpose of any other person or entity.

8. Conflicts of Interest

- 8.1 Conflicts of interest situations that are to be avoided include:
- 8.1.1 Acting with unfair bias or partiality toward anyone with whom a Lay Employee has an existing professional or personal relationship;
 - 8.1.2 Violating the confidence of another person for personal gain; and
 - 8.1.3 Accepting any gift of excessive material value.

- 8.2 Lay Employees must disclose conflicts of interest to all affected parties. In resolving the issues, primary attention must always be given to the protection of the person receiving ministry or services.
- 8.3 For advice on determining whether a conflict of interest is real or apparent, the Lay employee can contact the Office of General Counsel.



**Diocese of Fall River
Code of Conduct for Lay Employees
Acknowledgment of Receipt & Agreement to Comply**

By signing below, I acknowledge that I have received or accessed online and have carefully read, understand, and agree to abide by **The Diocese of Fall River Code of Conduct for Lay Employees.**

I understand that the Diocese will rely on this signed **Acknowledgment of Receipt and Agreement to Comply** to ensure my acceptance of and agreement to comply with all Diocesan safe environment policies, standards, and guidelines.

I also understand that, depending on the circumstances, a violation of this Code could be considered an act of misconduct and may be addressed accordingly.

PRINT Full Legal Name

Signature

Date

Please Print the Names(s) and Location(s) of Employment/Ministry:
