
ARCHDIOCESE OF OKLAHOMA CITY

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AMENDED AND RESTATED CODE OF CONDUCT

[Policies and Guidelines on Ethical Standards and Safe Environments]

INTRODUCTION

Relationships among people are the foundation of Christian ministry and are central to Catholic life. Archdiocesan Personnel enjoy a public trust and confidence. It is essential that Archdiocesan Personnel view their own actions and intentions objectively to assure that no competent observer would have grounds to believe that an irregularity in conduct exists. Defining healthy and safe relationships is not meant to undermine the strength and importance of personal contact or the ministerial role. Rather, it is to assist all who fulfill the many roles that create the living Church to demonstrate their love and compassion for children and adults within the most sincere and genuine relationships. It is with the intention that relationships in ministry be experienced at all times as charitable and without intention to do harm or allow harm to occur, that the **Code of Conduct/Policies and Guidelines on Ethical Standards and Safe Environment** (the "*Code of Conduct*") was adopted by the Archbishop of Oklahoma City on August 20, 2003. The amendments set forth in this Amended and Restated Code of Conduct were adopted on June 17, 2014 to clarify certain sections and to conform the Code of Conduct to the amendments to State laws and the *Charter for the Protection of Children and Young People, as amended*. *Code of Conduct* as used throughout shall mean the *Amended and Restated Code of Conduct* unless otherwise stated. [Note: Hereinafter, the term **Code of Conduct** should be understood to include the original Code of Conduct and any amendments. In the case of conflicts, the Amended and Restated Code of Conduct adopted on June 17, 2014 controls.]

APPLICABILITY

This *Code of Conduct* applies to the activities of all *Archdiocesan Personnel*, which term is defined in the Glossary appended to this *Code of Conduct*.

REPORTING

Archdiocesan Personnel are required to report violations of the provisions of the *Code of Conduct*. Clergy, staff and volunteers must hold each other accountable for maintaining the highest ethical and professional standard. Allegations of violations of this *Code of Conduct* will be taken seriously and Archdiocesan procedures will be followed to protect the rights of all involved.

Violations of the *Code of Conduct* may be reported to: the pastor of the parish; the principal of the school; a supervisor or director of the program in question; the Vicar General; the Chancellor or the Office of the Archbishop at 1-405-721-5651.

NOTE: When there is an indication or suspicion of *sexual abuse* of a minor or other vulnerable person is suspected or observed, it must be immediately reported to the Oklahoma Department of Human Services 1-800-522-3511, by the one observing the abuse or to whom the abuse is reported. If Archdiocesan Personnel are involved, the Archdiocese should also be contacted by telephoning the Archdiocesan Hotline, 1-405-720-9878, the Vicar General, 1-405-721-5651, ext 139 or the Chancellor, 1-405-721-5651, ext 150. If there are questions about the applicability of these policies, consult the Vicar General or the Chancellor.

DISCIPLINE

Participation in the ministries of the Archdiocese, whether professional or volunteer, commits the individual to comply with the *Code of Conduct*, its directives and the procedures used to enforce them. Lack of awareness or misunderstanding of a policy or guideline is not by itself a defense to a charge of violation of same.

Participation in the ministries of the Archdiocese and employment with the Archdiocese is also based on mutual consent. The Archdiocese reserves the right to terminate the service of any employee or volunteer, immediately, if serious work or behavioral situations exist. Under appropriate circumstances, the Archdiocese may use progressive discipline at its discretion.

REVIEW AND AMENDMENT

The policies and guidelines contained in this *Code of Conduct* will be periodically reviewed by the Archdiocesan Review Board. The Archbishop may amend these policies and guidelines at any time upon the recommendation of the Review Board or on his own initiative.

GLOSSARY OF TERMS

Many terms used in this *Code of Conduct* are defined in the attached *Glossary of Terms*. Archdiocesan Personnel are urged to discuss any questions they have concerning this *Code of Conduct* with their director or supervisor.

ACKNOWLEDGMENT OF RECEIPT

All Archdiocesan Personnel must sign the attached *Statement of Receipt and Agreement* indicating that they have read the *Code of Conduct* and agree to follow the policies, guidelines and standards contained herein. All Archdiocesan Personnel are required to carefully read the entire policy and clarify any questions with their director or supervisor before signing the *Statement of Receipt and Agreement*.

SECTION I -- *GENERAL CODE OF CONDUCT*

STATEMENT OF POLICY -- GENERAL: All Archdiocesan Personnel are to uphold the standards of the Catholic Church in their day-to-day work and personal lives. Archdiocesan Personnel and leaders are expected to be persons of integrity and must conduct themselves in an honest and open way, free from deception or corruption and in a manner consistent with the discipline and teachings of the Catholic Church. Archdiocesan Personnel are expected to follow rules of conduct that will protect the interests and safety of all, including the standards and policies set forth in this Code of Conduct and other Archdiocesan Policies and Guidelines.

GUIDELINES AND EXPLANATIONS REGARDING GENERAL CODE OF CONDUCT

- Archdiocesan Personnel do not engage in physical, psychological, sexual, written, or verbal harassment of employees, volunteers, [or] parishioners, or others being served by Archdiocesan ministries and do not tolerate such harassment by other Archdiocesan Personnel.
- Archdiocesan Personnel will provide a professional work environment that is free from intimidation or harassment, physical, psychological or sexual.
- Archdiocesan Personnel will avoid taking unfair advantage of counseling, supervisory and/or authoritative relationship for their own benefit.
- Archdiocesan Personnel will accept the responsibility particular to their ministry or function in the Archdiocese to protect minors and adults from all forms of abuse.
- Archdiocesan Personnel will not physically, sexually or emotionally abuse or neglect a minor or an adult.
- Archdiocesan Personnel will share concerns about suspicious or inappropriate behavior with their pastor, their principal, their supervisor or director, the Vicar General or the Archbishop. Allegations of sexual misconduct will be taken seriously and should be reported immediately.
- All Archdiocesan Personnel must know and understand the content of the child abuse regulations and reporting requirements of the State of Oklahoma and are required to follow the mandates of these regulations.
- Archdiocesan Personnel will report any suspected abuse or neglect of a minor in accordance with this *Code of Conduct*.
- Archdiocesan Personnel will report any suspected abuse or neglect of an elderly person or vulnerable adult in accordance with this *Code of Conduct*.

STANDARDS OF THE ARCHDIOCESE

While it is not possible to list all the forms of behavior that are considered unacceptable, the following are examples of such. Engaging in these activities may result in the immediate termination of employment or volunteer service, without notice:

- Conduct that is contrary or detrimental to the discipline and teachings of the Catholic Church or the religious principles, character, or good name of the Catholic Church, the Archdiocese or the Archbishop. Immoral conduct includes behavior which could result in scandal to the faithful or harm to the ministry of the Catholic Church or attempts to harm the reputation of Archdiocesan Personnel or leaders, including disclosing information concerning others without legitimate cause and making false allegations against another.
- Harassment may be verbal, written or physical conduct. See Section IV of this Code of Conduct

- Exploitation or abuse of minors, the elderly or others. This includes, but is not limited to, generating, reproducing, transmitting, posting or viewing pornography involving minors, exposing a minor to pornographic images and taking unfair advantage of a pastoral counseling relationship for the benefit of the counselor.
- Violations of any policy, procedure or guideline approved and adopted by the Archbishop, including, without limitation, this Code of Conduct and the policies contained herein.
- Theft, embezzlement or misappropriation of property or funds belonging to the Archdiocese (or Parish or institution), Archdiocesan Personnel or any other person.
- Attending Archdiocesan activities or reporting to work while under the influence of alcohol or illegal drugs. Archdiocesan Personnel with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their supervisor or department head to receive assistance or referrals to appropriate resources without fear of reprisal.
- Any activities that in the sound discretion of the Archbishop may constitute an illegal or immoral activity, or constitute a safety risk to the general public, employees or volunteers of the Archdiocese or the person in question.

SECTION II -- PREVENTION OF SEXUAL ABUSE OF MINORS and CREATING SAFE ENVIRONMENTS

INTRODUCTION

Reports of sexual abuse of minors by Roman Catholic clergy continue to cause anger, sadness and frustration among our clergy, Catholics and the general population. Our first concern must always be for the victims of such abuse. It is our obligation to assist them in every appropriate way.

As our understanding of this problem grew in the late 1980s and early 1990s the Archdiocese drafted the *Archdiocesan Policy Regarding the Abuse of Minors by Church Personnel*. This Policy was published in The Sooner Catholic, our Archdiocesan newspaper, following its approval by Archbishop Charles Salatka on December 10, 1991. This policy was subsequently revised in November 5, 1992, and again in February, 2002, to provide additional protection and to comply with amendments to Oklahoma's statutory directives on reporting abuse of a minor. **This Code of Conduct and the policies contained herein are complementary to and supplement the prior adopted policies which remain in effect.**

On April 21, 1993 an additional policy, *Plan of the Pastoral Team in Response to Allegations of Sexual Abuse by Church Personnel*, was approved by the Archbishop. This additional policy strives to respond to the pastoral needs of alleged victims, their families and parishes, and other members of the laity who may be impacted by the allegations. The Pastoral Response Team is made up of priests and lay persons with varied backgrounds and expertise.

In 2002, the United States Conference of Catholic Bishops (USCCB) adopted the *Charter for the Protection of Children and Young People* (the "Charter"). The Charter promises that bishops will implement policies directed to the healing and reconciliation with people harmed by child sexual abuse involving clergy and other Church personnel. The *Charter* has been revised since its original adoption, most recently in 2011. "*The Essential Norms for Diocesan/Eparchial Policies Dealing with Allegation of Sexual Abuse of Minors by Priests, Deacons and other Church Personnel*" (the "Essential Norms"), deal with policies and procedures for creating and promoting safe Church environments for children and young people. The Essential Norms provide 1) guidelines for providing compassionate treatment for those persons who were harmed in the past and 2) for standards to avoid such behavior now and in the future. The *Essential Norms* were approved by the Congregation for Bishops on

December 8, 2002 and recognized by the Holy See as a particular law of the United States on December 8 2002. The *Essential Norms* currently in effect received the *recognitio* of the Holy See on January 1, 2006 and were promulgated May 5, 2006. The *Charter*, the *Essential Norms* and the revised *Statement of Episcopal Commitment* may be found on the USCCB Website.

STATEMENT OF POLICY: It is the policy of the Archdiocese to use all means reasonably available to prevent the occurrence of any kind of abuse, neglect or exploitation, whether sexual, physical or psychological of any minor [a person under eighteen (18) years of age], the elderly or other vulnerable persons entrusted into its care. It is also the policy of the Archdiocese to treat with utmost seriousness any allegation of such abuse or neglect by any Archdiocesan Personnel, regardless of their title or the nature of their employment, service or association with the archdiocese and to alleviate, as far as we are able, the suffering of all persons affected by such abuse or neglect, if an incident should occur. The term “abuse” specifically includes child pornography, which includes the acquisition, possession or distribution of pornographic images of a minor. Other examples of abuse include, but are not limited to, solicitation of a minor for sexual or prostitution purposes, human trafficking, pandering, domestic abuse and looking upon a child in a sexual manner whether in the presence of the child or by capturing video or photography of a child in any manner that is used for sexual gratification purposes. Please consult the *Glossary of Terms*.

Under the provisions of *Sacramentorum sanctitatis tutela*, abuse of a minor by a cleric, including the acquisition, possession or distribution of pornographic images of a minor are a grave delict (serious offense) against morals and to be punished according to the gravity of the crime.

GUIDELINES AND EXPLANATION REGARDING SEXUAL ABUSE OF MINORS

It is essential that every person engaged to do the good work of the Archdiocese adhere to and support the Archdiocesan policies on the abuse of minors as a condition of his or her acceptance of any responsibility whatsoever in the name of the Archdiocese or of any of its parishes, schools, departments or agencies. In our attempt to deal with a grievous problem, and more importantly, in our efforts to prevent it, we pledge a course of action which will include the following:

- To educate all involved in the selection of employees and volunteers and to adopt procedures designed to reduce the possibilities of allowing contact of unfit persons (whether employees or volunteers with the Archdiocese) with minors, elderly, or other vulnerable persons entrusted into the care, in any form or fashion, of the Archdiocese.
- To respond promptly to every allegation of abuse, neglect or exploitation of a minor, an elderly person or any other vulnerable person. Please consult the Glossary of Terms for more detailed definitions of abuse.
- To comply with the obligations of civil law and these policies by immediately reporting each incident or suspected incident of abuse or serious neglect of a minor, elderly or other vulnerable person to the appropriate civil authorities and to cooperate with any investigation by civil authorities or the Archdiocese.
- To reach out to the victims and to all persons affected by the incident and communicate our sincere commitment to their spiritual and emotional well-being.
- To promptly remove any Archdiocesan employee or volunteer accused of sexual misconduct with a minor pending the conclusion of all investigations into the matter.
- To comply with civil and canonical laws respecting the rights of the accused and accuser.
- Within the confines of respect for the privacy of the individuals involved, to deal as openly as possible with members of the workforce and the community about any such incident.

STATEMENT OF POLICY – MANDATORY STATE REPORTING REQUIREMENTS: If you have reason to believe, or if you have personally observed, that any minor (under the age of 18 years), an elderly person or any other vulnerable person has been subjected to abuse, neglect, or exploitation for sexual gratification, you have the duty personally to report the neglect or abuse directly to the Oklahoma Department of Human Services (DHS), by calling the DHS Statewide Abuse Hotline: 1- 800-522-3511.

GUIDELINES AND EXPLANATION REGARDING MANDATORY REPORT REQUIREMENTS

- Failure to report known or suspected abuse, neglect or exploitation of a minor in Oklahoma is a crime punishable by fine, imprisonment or both. Reports may be made confidentially or anonymously. A person who reports suspected abuse of a minor is immune from civil or criminal liabilities if the report was made in good faith and without malice.
- If you suspect that a vulnerable adult is the victim of abuse, neglect or exploitation, please contact your local OKDHS Home Service Center during regular business hours. To make a referral after regular business hours, call the Statewide Abuse Hotline at 1-800-522-3511 or the municipal police department or sheriff's office.
- If you feel a minor or other vulnerable person is in immediate danger, call 911.
- The duty to report is personal. It cannot be satisfied by reporting to a supervisor or co-worker.
- When suspicious behavior, inappropriate behavior or suspected abuse of a minor is reported to the Oklahoma Department of Human Resources (DHS), DHS will determine the priority of the investigation.
- When an incident is reported to DHS, DHS may give the reporter additional instructions, such as contacting local police. These instructions must be followed.
- If the situation meets the criteria for a DHS investigation and/or a police investigation, the Archdiocese will cooperate fully with the investigation. If requested to do so, the Archdiocese will suspend further investigation until the conclusion of the investigation of the civil authorities.

STATEMENT OF POLICY – INTERNAL REPORTING REQUIREMENTS: In addition to reporting each incident (or suspicion) of neglect or abuse of a minor, an elderly, or other vulnerable person directly to the appropriate civil authorities (Department Of Human Services for abuse involving minors), if Archdiocesan Personnel are involved, you must report the incident to the Archdiocese by calling the Archdiocesan Hotline: 1-405-720-9878. calls to the Archdiocesan Hotline will be answered by the Archdiocesan Victims Assistance Coordinator. The Vicar General should also be notified by calling 1-800-721-5651, ext. 139. The Vicar General will notify appropriate Archdiocesan Personnel.

GUIDELINES AND EXPLANATION REGARDING INTERNAL REPORT REQUIREMENTS

- When making a report using the Archdiocesan Hotline, certain information pertaining to the incident being reported will be requested. If the Archdiocesan Hotline is answered by a recording device, please leave a detailed message and follow all instructions given. The Archdiocesan Hotline is a secure line and all information received will be held in confidence; however, the Vicar General or Chancellor must be informed.
- All reports of suspicious or inappropriate behavior with minors will be taken seriously and investigated following Archdiocesan procedures.

ESTABLISHING SAFE ENVIRONMENT PROGRAMS

In accord with the USCCB *Charter and Essential Norms*, the Archbishop will institute safe environment programs for the protection of children entrusted to the care of the Archdiocese.

STATEMENT OF POLICY -- PREVENTION AND EDUCATION PROGRAMS FOR ADULTS: All Archdiocesan Personnel ministering, working or serving in any capacity involving regular contact with children under age eighteen (18) must complete the prevention and education programs mandated by the Archdiocese. This includes people from various ministries of parish life, (i.e., parish staff, school personnel, parents, ushers, Special Ministers of the Eucharist, adult choir members, Knights of Columbus, Altar Society, etc.). All persons employed by the Archdiocese or a parish must complete the prevention and education programs mandated by the Archdiocese.

GUIDELINES AND EXPLANATION REGARDING PREVENTION AND EDUCATION PROGRAMS FOR ADULTS

- The mandated prevention and education programs for adults are designed to prevent child abuse by raising awareness of the nature of abuse and its prevalence in all segments of society. Adults will be trained to recognize the signs and symptoms of child abuse and how to intervene when children are at risk.
- The programs will include practical procedures for preventing abuse of children on Church-owned property and at Church-sponsored events and activities.
- The prevention and education training in parishes, schools and other Archdiocesan institutions will include instruction in:
 - this Code of Conduct, including the responsibility to report observed or suspected child abuse and/or neglect to civil authorities and the responsibility to report child abuse or suspected child abuse by Archdiocesan Personnel to ecclesiastical authorities;
 - the nature of child abuse, signs and symptoms of abuse, types of disclosure and how to respond appropriately;
 - actions to take when a person has reasonable cause to suspect child abuse or neglect and how to gather information appropriately;
 - standard school and parish environment protocols established by the Archdiocese and a particular ministry.
- The Archdiocese will maintain a list of the prevention and education programs mandated by the Archbishop. All Archdiocesan Personnel must complete any mandated prevention and education programs prior to commencing their ministry.
- The Archdiocese will provide prevention and education programs annually for Archdiocesan Personnel who are new to the Archdiocese, as well as continuing education opportunities for all Archdiocesan Personnel. Under certain circumstances, training may be provided through web-based or video-conferencing. Links will be posted on the Archdiocesan website at www.archokc.org.

STATEMENT OF POLICY – PREVENTION AND EDUCATION PROGRAMS FOR CHILDREN. The Archdiocese will establish personal safety programs for children that include information about appropriate behavioral and physical boundaries between adults and children, and what to do if those boundaries are violated. These programs will be standard, permanent elements of Catholic Education in the schools and parishes of the Archdiocese for all grades.

GUIDELINES AND EXPLANATION REGARDING PREVENTION AND EDUCATION PROGRAMS FOR CHILDREN

- Parents are the primary educators of their children. Programs developed will seek to assist parents in educating and protecting their children.
- The prevention and education programs for children will emphasize developing basic resistance skills for safety from dangerous or abusive situations.
- The prevention and education programs for children will focus on enhancing the ability of children to protect themselves and on encouraging safe environments that allow them to communicate any potential endangerment.
- The prevention and education programs for children will be designed to educate children and parents about personal safety and appropriate boundaries between children and adults.
- The prevention and education programs taught to children will include instruction on how to:
 - Identify trusted adults with whom to speak
 - Communicate any concerns they may have
 - Identify situations that put children at risk
 - Practice saying “no” to unwanted situations
 - Recognize that abusive situations are never the fault of the child
 - Disclose inappropriate or unwanted actions directed to self or others
 - Disclose inappropriate electronic communications

STATEMENT OF POLICY – ARCHDIOCESAN APPLICATION PROCESS: All persons who apply for entrance into the seminary or permanent diaconate program, for incardination into the Archdiocese, for employment in a parish, school or other Archdiocesan institution, or for a volunteer position involving regular contact with children under age eighteen (18), senior citizens or the developmentally disabled must complete ALL elements of the Archdiocesan Application Process mandated by the Archdiocese from time-to-time, including, without limitation, the criminal background checks and re-checks mandated by the Archdiocese. The Archdiocese requires full disclosure from all applicants for ministry, employment or volunteer service in the Archdiocese. Applicants who refuse to grant permission for background checks, reference checks and inquiries will not be considered for any position in an Archdiocesan institution. Failure to self-disclose a violation of law on the application may result in the applicant not being employed or allowed to volunteer.

GUIDELINES AND EXPLANATION REGARDING ARCHDIOCESAN APPLICATION PROCESS

The Archdiocesan Application Process will include, but is not limited to: interviews, application, reference checks, criminal background checks, acknowledgment of the Code of Conduct and Safe Environment training. The specific application requirements in effect are posted on the Archdiocesan website: www.archokc.org. Questions regarding this process should be directed to the Safe Environment Coordinator at 1-405-721-5651, ext. 150.

- Criminal background checks of active Archdiocesan Personnel will be rerun at least every three (3) years.
- Volunteers should be registered members of the parish for at least six months. Exceptions may be made, after dialogue with the supervisor of the program and the Pastor, for parents of minors in the specific program in which their child or children are participating.
- Parents who desire to participate in or have continuous, ongoing contact with their child's programs in the Archdiocese must satisfy the requirements of the volunteer application process and participate in appropriate training.
- Parents are encouraged to be an appropriate part of the services and programs in which their children are involved within the Archdiocese. Parents have an open invitation to observe programs and activities in which their children are involved. However, the appropriate parish or Archdiocesan administrator or program director shall have the right to limit or exclude any parent from such participation if such participation creates an inappropriate or dangerous situation.
- Individual Archdiocesan Personnel will not be permitted to develop new programs for minors without proper dialogue and consent of the Pastor, principal or ministry administrator for the parish or agency. The plan must include adequate supervision and be structured to comply with the policies and guidelines stated herein.

STATEMENT OF POLICY – DISQUALIFYING OFFENSES: In general, no person may serve with children or youth if he or she has ever been convicted of any disqualifying offense, is or has been on probation or received deferred adjudication for any disqualifying offense. no person may serve with children or youth who has presently pending criminal charges for any disqualifying offense, until a determination of guilt or innocence is made.

GUIDELINES AND EXPLANATION REGARDING DISQUALIFYING OFFENSES

- Each circumstance involving a criminal charge or conviction, including a plea of nolo contendere (no contest) will be reviewed by the Vicar General or the Chancellor.
- Disqualifying offenses include, but are not limited to:
 - A felony classified as an offense against the person or family or involving an offense against the person or family.
 - A felony classified as an offense against public order or indecency.
 - A felony violation of any law intended to control the possession or distribution of any substance included as a "controlled substance" as defined in the statutes of the State of Oklahoma.
 - A misdemeanor or felony such as sexual assault, lewd or indecent acts involving a child, injury to a child, abandoning or endangering a child, sexual performance by a child, possession or promoting child pornography, enticing a child, bigamy or incest.

STATEMENT OF POLICY – SEMINARY SCREENING AND FORMATION PROGRAMS: Psychological testing is a required part of the screening process for all applicants to the seminary and the permanent diaconate program.

GUIDELINES AND EXPLANATION REGARDING SEMINARY SCREENING AND FORMATION PROGRAMS

- The Bishops have pledged to evaluate the background of seminary applicants as well as all Archdiocesan Personnel who have responsibility for the care and supervision of children and young people (USCCB, Essential Norms, Preamble).

- The Archdiocese has required psychological testing of each applicant to the seminary since the early 1970s.
- Seminary formation programs are expected to include:
- Training in leading a chaste and moral life, including clerical continence and celibacy;
- Courses on psychological development, including both moral and deviant sexual behavior;
- Formation on the implications of making moral choices in accord with Church teaching and priestly commitment.

STATEMENT OF POLICY – CONFIDENTIALITY OF APPLICATION INFORMATION: The information gained by the Archdiocese in connection with background checks and screening will be used solely for determining whether the individual is qualified for the position sought.

GUIDELINES AND EXPLANATION REGARDING CONFIDENTIALITY OF INFORMATION

- The recommended follow-up to all background checks and screening will be communicated confidentially to the appropriate supervisor of the parish, school or other Archdiocesan institution.
- This supervisor will keep the results of the screening in strict confidence and will not disclose the specific contents of the screening to any person other than the applicant and those individuals directly involved in evaluation of the individual.

SECTION III --THE PASTORAL RESPONSE OF THE ARCHDIOCESE TO MISCONDUCT IN MINISTRY OR INVOLVING ARCHDIOCESAN PERSONNEL

CARE OF THE ONE WHO BRINGS ALLEGATIONS OF MISCONDUCT

The Archdiocese will follow the civil reporting requirements of the State of Oklahoma and cooperate fully with civil authorities. The Archdiocese will also follow the directives of the *Charter*.

The Archdiocese will respond immediately to deal with any accusation of misconduct brought against Archdiocesan Personnel. The Archbishop, in cooperation with law enforcement authorities, may appoint a Pastoral Response Team to assist in his investigation and response.

The Archdiocese will offer counseling or support services to the person alleging misconduct. The counseling or other support offered, or provided, may vary with circumstances. The Assistance Coordinator will be involved in contacts with the person alleging misconduct.

It is assumed that any allegation is based on fact, and is an honest representation of the situation. It is important for all members of the Archdiocese to be sensitive to the needs and feelings of those who allege misconduct.

CARE OF ARCHDIOCESAN PERSONNEL ACCUSED OF MISCONDUCT

The Archdiocese has a deep concern for any Archdiocesan Personnel who are accused of misconduct. Anyone accused of sexual or other abuse of a minor will be notified of the accusation and placed on administrative leave or otherwise relieved of their duties pending the investigation by the appropriate civil authorities and/or the Archdiocese, and will be advised to obtain independent legal counsel. These actions should in no way be interpreted as a presumption of guilt.

The rights of the accused will be taken into consideration throughout the investigation process and every effort will be made to protect the interests of an individual who may be falsely accused. The right to privacy and to a

good reputation of all parties associated with any incident under investigation, most especially the victim and the accused, must be protected (c. 1717 and c. 220). The Archbishop and his advisors will be guided by the appropriate norms of canon law and the *Charter* and will seek the advice of the Review Board upon receiving an allegation against a cleric or religious.

If an investigation by DHS results in a finding of “unable to determine” or the situation does not meet DHS or police criteria for further investigation, the Archdiocesan investigation may continue as directed by the Archbishop.

STATEMENT OF POLICY – RESPONDING TO THE MEDIA: Any news media inquiries regarding allegations of child abuse by Archdiocesan Personnel should be immediately directed to the vicar general or chancellor. In keeping with these *Policies and Guidelines* and the *USCCB Charter and Essential Norms*, the Archdiocese is committed to dealing with alleged incidents of child abuse or other abuse and/or sexual misconduct in an open and responsible manner while maintaining the rights of privacy and confidentiality as required under civil and canon law.

SECTION IV -- ARCHDIOCESAN POLICY ON HARASSMENT AND EXPLOITIVE BEHAVIOR IN THE WORKPLACE

STATEMENT OF POLICY – HARASSMENT AND EXPLOITIVE BEHAVIOR IN THE WORKPLACE. The Archdiocese is committed to providing a work environment that is Christ-centered where women and men can work together comfortably and productively free from discrimination, harassment and exploitation. Such behavior is also illegal under both state and federal law and will not be tolerated. This policy applies to volunteer activities and all phases of employment, including without limitation: recruiting, testing, hiring, upgrading, promotion or demotion, transfer, layoff, termination, rates of pay, benefits and selection for training, travel or social events.

GUIDELINES AND EXPLANATION REGARDING HARASSMENT AND EXPLOITIVE BEHAVIOR IN THE WORKPLACE

General. Harassment encompasses a broad range of physical or verbal behavior, written, or spoken that includes, but is not limited to, physical or mental abuse, racial insults, derogatory ethnic slurs, unwelcome sexual advances or touching, sexual comments or sexual jokes, requests for sexual favors used as a condition of employment, or to affect other personnel decisions, such as promotion or compensation and displays of pictures or materials that would violate the standards of the Archdiocese. Harassment may be severe and/or pervasive, i.e., severe conduct is sufficient to alter a workplace environment even though it may occur only once, while pervasive conduct is sufficient to alter a workplace environment being offensive through numerous, continued commissions, which taken individually, might not be considered offensive. It should be remembered that a third-party may be offended by the interaction, conduct or communications between others.

Monitoring and Prevention Plan. Employees or volunteers who experience or witness harassment in the workplace should report it immediately to their pastor or another responsible Church leader. All allegations of sexual harassment will be investigated. To the extent possible, the confidentiality and of the reporter or any witness and the alleged harasser will be protected against unnecessary disclosure.

Discipline. Any employee found to have violated this policy shall be subject to appropriate disciplinary action, including warnings, reprimand, suspension or discharge, according to the findings of the complaint investigation. Volunteers who violate this policy may not be allowed to volunteer in the future.

Retaliation. The Archdiocese will permit no employment-based retaliation against a person who brings a complaint of harassment or who speaks as a witness in the investigation of a complaint of harassment. Anyone reporting any type of harassment or related inappropriate behavior will have the Archdiocese's support and the matter will be handled expeditiously and discreetly.

SECTION V -- ARCHDIOCESAN GUIDELINES FOR PASTORAL COUNSELING RELATIONSHIPS

Definitions

For the purposes of this Section V, the following definitions shall apply:

- Pastoral counseling occurs when Archdiocesan Personnel offer spiritual direction or advice concerning moral or spiritual matters as a part of their assigned responsibilities or duties. The Archdiocesan Personnel may or may not be a certified spiritual director or trained, licensed or degreed in professional counseling. Exploitation in the context of this policy refers to Archdiocesan Personnel taking advantage of the counseling relationship for the benefit of the counselor.
- Sexual exploitation is sexual contact between Archdiocesan Personnel and the recipient of his or her counseling services, regardless of who initiates the contact.
- Sexual intimacies are consensual, physical contact, non-consensual physical contact, or sexually explicit conversations including inappropriate electronic communication not related to counseling issues.
- A conflict of interest occurs when Archdiocesan Personnel are in a position by which they could take advantage of pastoral counseling relationships in order to further their own personal, religious, political, or business interests.

Standards of the Archdiocese

- Archdiocesan Personnel shall recognize their limitations in pastoral counseling situations and shall refer people to other professionals when appropriate.
- Archdiocesan Personnel shall not engage in exploitation, including sexual exploitation and sexual intimacies with persons whom they counsel.
- Archdiocesan Personnel are also prohibited from engaging in situations of conduct that can give the appearance of exploitation.
- Archdiocesan Personnel shall not engage in exploitation, sexual exploitation and sexual intimacies with relatives or friends of someone with whom they have a counseling relationship.
- Archdiocesan Personnel shall set and maintain clear, appropriate boundaries in all counseling and counseling relationships.
- If physical contact is warranted for professional, clinical reasons it should always be respectful and consistent with the intent to provide a safe and comfortable counseling environment.
- Pastoral counseling shall be conducted in appropriate settings at appropriate times and should not occur at places or times that would tend to cause confusion about the nature of the relationship for the person being counseled.
- No sessions shall be conducted in private living quarters.

Confidentiality

Information disclosed to Archdiocesan Personnel during the course of counseling, advising, or spiritual direction shall be held in the strictest confidence possible, except for compelling professional reasons, or as required by law. If there is clear and imminent danger to the client or to others, the Archdiocesan Personnel is to disclose only the information necessary to protect the parties involved and to prevent harm. Before disclosure is made, if feasible, the Archdiocesan Personnel should inform the person being counseled about the disclosure and the potential consequences.

Archdiocesan Personnel should discuss the nature of confidentiality and its limitations with each person in counseling at the beginning of counseling or as soon as possible.

With the exception of knowledge gained in the Sacrament of Penance, knowledge that arises from professional contact may be used in teaching, delivering homilies, or other public statements. However, good pastoral judgment is of the utmost importance when making decisions about the use of information in public ministry. The identity of the individual shall not be divulged. In accordance with the norm of canon law (c.983), the sacramental seal is inviolable.

Conflicts of Interest

Archdiocesan Personnel should avoid situations that might present a conflict of interest. Even the appearance of a conflict of interest can call integrity and professional conduct into question. If a conflict of interest exists or arises, Archdiocesan Personnel should inform all involved parties. Resolution of the issues must protect the person receiving ministry services. Archdiocesan Personnel must establish clear, appropriate boundaries with anyone with whom they have a business, professional, or social relationship.

This Amended and Restated Code of Conduct accepted and approved this 17 day of June, 2014.

+ Paul S. Coakley

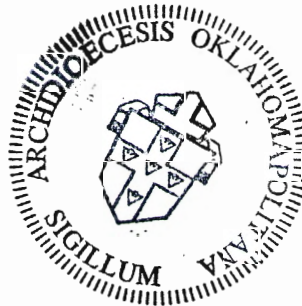
Most Reverend Paul S. Coakley, Archbishop of Oklahoma City

Rev. William L. Novak, V.G.

Reverend William L. Novak, Vicar General

Loucia Denison Eason

Loucia Denison Eason, Chancellor



GLOSSARY OF TERMS

The definitions of several words and terms used in the Amended and Restated Code of Conduct are set forth below. These are in addition to other terms defined within the Amended and Restated Code of Conduct or the *Charter*. Many of these definitions are based on the definitions of the Oklahoma Children's Code (10A Okla. Stat., Sections 1-1-101 and following), which also contains additional useful definitions. **This Glossary may be amended or expanded from time to time to clarify the Amended and Restated Code of Conduct and the intent of same.**

"Abuse" means harm or threatened harm or failure to protect from harm or threatened harm to the health, safety, or welfare of a child by a person responsible for the child's health, safety, or welfare, including but not limited to nonaccidental physical or mental injury, sexual abuse, or sexual exploitation. Provided, however, that nothing contained in this act shall prohibit any parent from using ordinary force as a means of discipline including, but not limited to, spanking, switching, or paddling.

- a. "Harm or threatened harm to the health or safety of a child" means any real or threatened physical, mental or emotional injury or damage to the body or mind that is not accidental including but not limited to sexual abuse, sexual exploitation, neglect, or dependency.
- b. "Sexual abuse" includes but is not limited to rape, incest, and lewd or indecent acts or proposals made to a child, as defined by law, by a person responsible for the health, safety, or welfare of the child.
- c. "Sexual exploitation" includes but is not limited to allowing, permitting, or encouraging a child to engage in prostitution, as defined by law, by a person responsible for the health, safety, or welfare of the child. (10A Okla. Stat., Sec. 1-1-105.2)

In keeping with the *Charter*, for purposes of this Code of Conduct, "abuse" shall include pornography involving a minor, including without limitation, the acquisition, possession or distributions of pornographic images of a minor.

"Archdiocese" means the Archdiocese of Oklahoma City, Oklahoma.

"Archdiocesan ministries" include, but are not limited to: sacramental ministry, social events, [retreats](#), [camps](#), teaching, coaching, development, program design and evaluation and administration.

"Archdiocesan Personnel" for the purposes of this *Code of Conduct* only, shall be understood to include the following:

1. **Priests and Deacons (Clerics):** (i) Clerics incardinated in the Archdiocese of Oklahoma City; (ii) Clerics who are members of religious institutes or in other forms of consecrated life and who are assigned to pastoral work or who are otherwise engaged in the care of souls, the public exercise of divine worship and other works of the apostolate (c.678); (iii) Clerics of other jurisdictions who are assigned to pastoral work in this Archdiocese whether seeking incardination in this Archdiocese or not; and (iv) Clerics who are otherwise legitimately residing within the territory of the Archdiocese of Oklahoma City, including those who are retired or who request canonical faculties to do part-time or supply ministry. This definition includes all priests and deacons and religious working or living in the Archdiocese of Oklahoma City, under the direction of the Archbishop.
2. **Seminarians and Religious:** (i) All seminarians legitimately enrolled in the seminary program of the Archdiocese of Oklahoma City and (ii) those enrolled in the Permanent Diaconate Formation Program. Members of religious institutes or societies of apostolic life who are working for, or in, the Archdiocese,

its parishes, schools agencies, or who are otherwise engaged in the care of souls, the public exercise of divine worship, and other works of the apostolate (c 678).

3. The Lay Faithful: (i) All paid personnel whether employed in areas of ministry or other kinds of services by the Archdiocese, its parishes, schools or other agencies and (ii) unless specifically limited to employment situations, all volunteers serving the Archdiocese.

"Archdiocesan Victim's Assistance Coordinator" (VAC) means the Archdiocesan representative who handles calls to the Archdiocesan Hotline and coordinates pastoral care and other assistance in cases of allegations of minors by Archdiocesan Personnel. The Victim's Assistance Coordinator also assists the Archbishop in training and implementing the Archdiocesan Safe Environment Program and act as a consultant to the Archdiocesan Review Board.

"Charter" means the *Charter for the Protection of Children and Young People* adopted by the USCCB and any amendments thereto. **"Child" or "Minor"** means any unmarried person under eighteen (18) years of age. 10A Okla. Stat., Sec. 1-1-105.7. & 42.

"Neglect" means:

a. the failure or omission to provide any of the following:

- (1) adequate nurturance and affection, food, clothing, shelter, sanitation, hygiene, or appropriate education,
- (2) medical, dental, or behavioral health care,
- (3) supervision or appropriate caretakers, or
- (4) special care made necessary by the physical or mental condition of the child,

b. the failure or omission to protect a child from exposure to any of the following:

- (1) the use, possession, sale, or manufacture of illegal drugs,
- (2) illegal activities, or
- (3) inappropriate sexual acts
- (4) materials that are not age appropriate

c. abandonment.

Nothing in this paragraph shall be construed to mean a child is abused or neglected for the sole reason the parent, legal guardian or person having custody or control of a child, in good faith, selects and depends upon spiritual means alone through prayer, in accordance with the tenets and practice of a recognized church or religious denomination, for the treatment or cure of disease or remedial care of such child. Nothing contained in this paragraph shall prevent a court from immediately assuming custody of a child, pursuant to the Oklahoma Children's Code, and ordering whatever action may be necessary, including medical treatment, to protect the child's health or welfare. 10A Okla. Stat., Sec. 1-1-105. 46.

"USCCB" means the United States Conference of Catholic Bishops.

"Vicar General" means the senior administrative position in the diocese and oversees administrative matters. The Vicar General has executive power over the full area of the diocese concerning administrative matters, except those matters which the Bishop has reserved for himself. The Vicar General acts in the name of the Bishop and makes an oath to follow the mind and intention of the Bishop in all things (See, Canons 478, 479 and 480).

IMPORTANT TELEPHONE NUMBERS:

Oklahoma DHS Abuse & Neglect Hotline: 1-800-522-3511. In the case of a minor, reporting to the DHS Hotline is mandatory.

911. In the case of an emergency or immediate threat of abuse or harm to a minor, call 911 or the local police.

Adult Protective Services -- 1-405-521-3660. In the case of the abuse or suspected abuse of a vulnerable adult, you may call the DHS Hotline or this number. you may also contact the Long Term Care Investigators at 1- 405-521-3440.

Archdiocesan Offices:

Archdiocesan Hotline/Archdiocesan Victim's Assistance Coordinator – 1-405-720-9878. Please call the Archdiocesan Hotline if you are the victim or survivor of abuse by Archdiocesan Personnel, or if you know of any abuse of a minor by Archdiocesan Personnel.

Chancellor – 1-405-721-5651, ext 149

Safe Environment Coordinator (SEC) – 405-721-5651, ext 150. Contact this office with general questions about the Safe Environment Program.

Vicar General -- 405-721-5651, ext. 139

STATEMENT OF RECEIPT AND AGREEMENT

Note: This form must be executed by all Archdiocesan Personnel hired or accepted as a volunteer after June 17, 2014, the date of approval and adoption of the Amended and Restated Code of Coduct.

I acknowledge that I have received, read and understand the attached Amended and Restated Code of Conduct adopted by the Archdiocese of Oklahoma City on the 17 day of June 2014. I understand the policies and guidelines contained in the Amended and Restated Code of Conduct and agree to abide by each. I agree to conduct myself in complete accordance with the Amended and Restated Code of Conduct, which includes the following precepts:

- Archdiocesan Personnel shall conduct themselves in a manner that is consistent with the discipline and teachings of the Catholic Church.
- Archdiocesan Personnel are expected to be persons of integrity and must conduct themselves in an honest and open manner free from deception or corruption.
- Archdiocesan Personnel shall avoid taking unfair advantage of counseling, supervisory and/or authoritative relationship for their own benefit.
- Archdiocesan Personnel shall accept the responsibilities, including appropriate training, particular to their ministry or position in the Archdiocese to protect minors and adults from all forms of abuse.
- Archdiocesan Personnel will not physically, sexually or emotionally abuse or neglect a minor or an adult.
- Archdiocesan Personnel will immediately report any suspected abuse or neglect of a minor to the Oklahoma Department of Human Services through the Child Abuse hotline: 1-800-522-3511.
- Archdiocesan Personnel will report any incident of neglect or abuse of a minor or any other person by Archdiocesan Personnel to the Archdiocese by calling the Archdiocesan Hotline: 1-405-720-9878. The Vicar General should also be notified by calling 1-800-721-5651, ext. 139.
- Archdiocesan Personnel should share concerns about suspicious or inappropriate behavior with their pastor, their principal and/or the director of their ministry.

Please complete and return to your Program Director.

Please print.

Name: _____ Position: _____

Parish, School, Other: _____ City: _____

Signature: _____ Date: _____