

ADULT & YOUTH LEADERS' CODE OF CONDUCT

Please Note: Although **Volunteers (Ethical Reporters)** are not legally mandated to report abuse to the authorities, it is the responsibility of Ethical Reporters to comply with the expectation of The Diocese of San Jose, which requires all volunteers to report any and all suspicion, or awareness of abuse to Civil Authorities (Child Protective Services (CPS), Adult Protective Services (APS), and/or the Police Department in the city where the alleged incident occurred); and a Diocesan Mandated Reporter; and the Office for the Protection of Children and Vulnerable Adults immediately (within 24 hours) and assist with the reporting process.

Behavioral Guidelines Regarding Ministry With Minors

This Policy has been developed to help create a safe, appropriate environment for minors in their relationship with adults involved in Church ministry. Any and all involvement with minors (under the age of 18) is to be approached from the premise that minors are restricted individuals. They are NOT independent. Hence all activities may only occur with the explicit knowledge and consent of their parents and guardians. They are subject to specific civil laws in the State of California, which may prohibit certain activities.

- Each parish and school should have clear and consistent behavioral guidelines of behavior standards for both adults and young people during all activities. These guidelines should be written and publicized in the promotional materials of all activities and programs. Guidelines should be orally reviewed with the participants at the beginning of every program or activity. New participants should also be briefed as they enter into the program.
- Alcohol should never be served at any youth event where young people under the age of 21 are present. This includes all on-site and off-site youth ministry activities.
- All participants are expected to build community within the entire group. There should be no exclusive coupling during an activity (no kissing, touching, or other intimate or inappropriate sexual activity).
Anyone found in violation of these guidelines is subject to immediate dismissal from the activity and may be prohibited from attending future activities.

Adult Leadership

All adult leaders should be persons of maturity and understanding of adolescents. Adult leaders are expected to demonstrate a consistent behavior which respects his/her own dignity as well as the dignity of the youth. In dealing with minors, it is essential that the adult:

- Never touches any youth inappropriately;
- Refrains from any sexual, sexist, racist, inappropriate comments obscene language, alcohol, and gestures;
- Avoid situations which place them in a position to be alone with a minor. The only exception is

the Sacrament of Reconciliation.

Adult/Youth Ratio

It is important to consider the adult to youth ratio for youth events.

- Adult to High School youth ratio must be a minimum of 1 adult to every 10 High School aged teenager (1:10). Adult to Junior High youth ratio must be a minimum of 1 adult to every 7 Junior High aged teen (1:7).

This general guideline should be understood as a minimum standard. Some events will require a higher ratio of adults per youth.

- There should always be at least two adults (over the age of 21, one of whom should be of the same gender as the young people) available for on-site and off-site activities. The second adult insures that there is at least one adult present in case of emergency.
- The lead adult, adult-in-charge, or supervisor of the activity should be at least 25 years of age. Supervisors between the ages of 21 and 25 are in charge only with the pastor's explicit permission. Young adults 19 years and older may act as additional leaders if they have demonstrated the appropriate maturity and objectivity. They are not considered as part of the one to ten/seven ratio.

Pastoral Care

You may find yourself in the role of counselor for youth. Your role is limited to compassionate listening and spiritual counsel.

- Because of mandated reporting laws for the State of California, you are required to report any suspicion of abuse, including reports of domestic violence, to a mandated reporter. Teachers, teacher aides, principals, Directors of Religious Education, members of the health professions, police, firefighters and Clergy members in the State of California are mandated reporters. Child Protective Services (CPS) 408-299-2071) and/or the police department need to be contacted immediately (within 24 hours) if you have a suspicion of abuse. Please document all incidents.
- If you are meeting with a young person in a "one-on-one" situation, please do so in a place where you are not too isolated and where you are visible to others. Leave the door of the room ajar, unless there is a clear window. Make sure you inform another adult that you will be meeting with the minor (under 18) and that an adult sees and knows when the young person arrives and leaves.

Please Note: The adult is responsible for recognizing any personal or physical attraction to or from a minor (transference, counter-transference). In such a situation, the minor should be immediately referred to another qualified adult. The adult is responsible to maintain clear and healthy boundaries.

Chaperones

- Chaperones should be at least 25 years old. Chaperones from age 21-24 can be used if there are an adequate amount of older chaperones (25 years or older). Adults ages 18-20 should not be put in a supervisory role with young people. However, these individuals should work with older chaperones (25 years or older) to be trained as leaders. A minimum of 2 chaperones should attend any parish or school sponsored event. Moreover, both male and female chaperones should supervise co-ed events and field trips.
- Generally, for on-site events, one chaperone should be provided for every 10 high school participants (1:10) and every 8 middle school participants. (1:8)
- Generally, for off-site events, such as overnight retreats and day trips, one chaperone should be provided for every 7 high school participants (1:7) and every 5 middle school participants.(1:5)

Please Note: No chaperone should be alone with a young person at any time (other than a parent with his or her own child). All interactions between chaperons and a youth should be in an area that can be observed by other chaperones.

- If the pre-determined number of qualified chaperons do not show up, the event should be cancelled.
- No alcoholic beverages may be consumed by any chaperone during an off-site event.
- Adult chaperone participants should fill out and submit a “Waiver and Release” form for any off-site event.

Conduct With Youth

Clergy, religious, staff and volunteers working with youth shall maintain an open and trustworthy relationship between youth and adult supervisors. Clergy, religious, staff and volunteers must be aware of their own and others’ vulnerability when working alone with youth. Use a team approach to manage youth activities.

- Physical contact with youth can be misconstrued and should occur (a) only when completely nonsexual and otherwise appropriate, and (b) never in private.
- Clergy, religious, staff and volunteers should refrain from (a) the illegal possession and/or illegal use of drugs and/or alcohol at all times, and (b) the use of alcohol when working with youth.
- Staff and volunteers should not provide shared, private, overnight accommodation for individual young people including, but not limited to, accommodations in any Church-owned facility, private residence, hotel room, or any other place where there is no other adult supervision present.
- In rare, emergency situations, when accommodation is necessary for the health and well-being of the youth, the clergy, staff, or volunteer should take extraordinary care to protect all parties from the appearance of impropriety and from all risk of harm, and inform supervisors and parents/legal guardians immediately of the plan. Use a team approach to managing emergency

situations.

Sexual Conduct

Clergy, staff and volunteers must not, for sexual gain or intimacy, exploit the trust placed in them by the faith community. Clergy and religious who are committed to a celibate lifestyle are called to be an example of celibate chastity in all relationships at all times. Clergy, religious, staff and volunteers who provide pastoral counseling or spiritual direction services must avoid developing inappropriately intimate relationships with minors, other staff, or parishioners. Staff and volunteers must behave in a professional manner at all times.

- No clergy, religious, staff, or volunteer may exploit another person for sexual purposes.

Please report any suspicion or reports of sexual activity between minors (and adults) of the following age:

According to: <http://www.cacsc.org/council/reportminors.html>

Ages	12	13	14	15	16	17	18	19 or older
11 or younger	Report	Report	Report	Report	Report	Report	Report	Report
12	Report	Report	Report	Report	Report	Report	Report	Report
13	Report	Report	Report	Report	Report	Report	Report	Report
14	Report	Report	x	x	x	x	Report	Report
15	Report	Report	x	x	x	x	Report	Report
16	Report	Report	x	x	x	x	Report	Report
17	Report	Report	x	x	x	x	Report	Report
18	Report	Report	Report	Report	Report	Report	x	x
19 or older	Report	Report	Report	Report	Report	Report	x	x

Harassment

Clergy, religious, staff and volunteers must not engage in physical, psychological, written or verbal harassment of staff, volunteers, or parishioners and must not tolerate such harassment by other clergy, religious, staff or volunteers. Clergy, religious, staff and volunteers shall provide a professional work environment that is free from physical, psychological, written or verbal intimidation or harassment.

Harassment encompasses a broad range of physical, written or verbal behavior, including, but not limited to, the following:

- Physical or mental abuse;
- Racial insults;
- Derogatory ethnic slurs;
- Unwelcome sexual advances or touching;
- Sexual comments or sexual jokes;

- Display of offensive materials;
- Requests for sexual favors used as: A condition of employment, or to affect other personnel decisions, such as promotion or compensation.

Harassment can be a single severe incident or a persistent pattern of behavior where the purpose or the effect is to create a hostile, offensive, or intimidating work environment. Allegations of harassment are taken seriously and reported immediately to the pastor of the parish, the diocesan Personnel Office or the Office for the Protection of Children and Vulnerable Adults. Policy procedures will be followed to protect the rights of all involved.

Code of Ethics for Youth Ministry Leaders

The National Federation for Catholic Youth Ministry has developed the following code of ethics for youth ministry leaders. The National Federation for Catholic Youth Ministry recommends that youth ministry leaders adopt this code by signing, dating, and placing it in their personnel file. This code of ethics is intended for youth ministry leaders regardless of employment status within the church. While this code may be used in conjunction with existing diocesan policies, protocols or codes, it is not intended to supersede them. (Partial List).

Professional Ethical Obligations:

1. Accountability & Confidentiality

- a. Youth ministry leaders, upon suspecting or learning of abuse of a minor, must notify the civil authorities, as well as church leadership responsible for this topic, in accordance with civil and ecclesial law.
- b. Youth ministry leaders adhere to civil and ecclesial law concerning the reporting of neglect, abuse or when physical harm could come to the person or to a third party.

2. Conduct

- a. Youth ministry leaders know that they have considerable personal power because of their ministerial position. Therefore, they will sustain respectful ministerial relationships, avoiding manipulation and other abuses of power.
- b. Youth ministry leaders maintain appropriate professional boundaries (e.g., physical, sexual, spiritual, relational, and emotional). Romantic, dating, or sexual relationships between a youth ministry leader and any youth is inappropriate and unethical.

3. Referrals and Intervention

- a. Youth ministry leaders know the signs of neglect and physical, sexual, and psychological abuse. Youth ministry leaders know their limitations with respect to paraprofessional counseling and make appropriate referrals.
- b. Youth ministry leaders ensure that all persons have access to the resources, services, and opportunities they require with particular regard for persons with special needs or disabilities.

4. Parish/Diocesan Policies

- a. Youth ministry leaders know of and comply with all applicable parish, organizational and/or diocesan policies with special attention to sexual misconduct, safe Environment, risk management, safety, transportation, parental permission, and medical emergency policies.

PASTORAL GUIDELINES FOR USE OF TECHNOLOGY:

Boundaries

Those who minister and work in pastoral settings should be ever vigilant regarding healthy boundaries with anyone, but especially minors and vulnerable adults. Minors and vulnerable adults are not the peers of an adult serving within a ministry capacity. It is inappropriate for pastoral ministers to include them within their own social circle, on-line or otherwise.

- Ministers should not be accessible to the minors and vulnerable adults they serve on a constant on-call or regular social basis.

Discretion & Ownership

Those who minister and work in pastoral settings must take great care to be consistent in representing the worth of their character on-line. Clear communication and respect for boundaries is needed at any level of contact with minors and vulnerable adults. E-mails, text messages, blog postings or comments, YouTube videos are all public forums from which a permanent record can be obtained.

As a representative of the Church, those who minister to minors and vulnerable adults should be diligent in avoiding situations, which might be the source of scandal for themselves or others. Any technological tools that we use as part of our ministry in the Diocese of San Jose, like websites, blogs, social network sites, and the like is the property of the Diocese of San Jose.

Photograph and Video Consent

From time to time, we take pictures and video of youth ministry events and gatherings. We would like to be able to use these photographs and videos for flyers, parish and diocesan publications, and the ministry website. To do this, we need both the students' and the parents' consent.

- We will not use the last names of any minor whose photos or videos are posted. If there are concerns about pictures or videos posted on the website, please contact the youth ministry coordinator or webmaster, and they will promptly be removed.

Email, Instant Messaging, and Video Chatting

Always avoid any communication that might be construed as having inappropriate sexual or romantic

overtone. Do not reply to any such e-mail from a minor or vulnerable adult; make a copy of such inappropriate communication and notify your supervisor. Remember that there is no such thing as a private e-mail. All e-mails and IM's can be logged, archived, and forwarded to other parties. Your communication can quickly become a public matter.

- At no time is one-on-one video chatting appropriate with minors or vulnerable adults.

Good judgment should always be used with text based communication tools. Parental/guardian consent needs to be obtained when communicating by email or instant messaging with minors and vulnerable adults.

- Maintain a separate e-mail account for your professional communication and only use this account when communicating with youth or vulnerable adults.
- Email, Instant Messaging, and Video Chatting communication should only be used with the matters that deal with one's professional relationship. Communicate only about matters that address the business at hand of your ministry.
- Care should be taken to maintain professionalism and appropriate boundaries in all communication.

Phone Calls and Text Messaging

The same standards that apply to email and instant messaging must be maintained when communication occurs in phone calls or via text messages. Appropriate and healthy boundaries when using texting or speaking with a youth or vulnerable adult is always required of pastoral ministers in the church. Frequent and ongoing communication with a selected individual suggests an inappropriate relationship.

- Personal blogs should not be advertised to minors or vulnerable adults.

Reporting Cyber Crimes Against Children

Internet Crimes Against Children (ICAC)

The ICAC Task Force Program was created to help State and local law enforcement agencies enhance their investigative response to offenders who use the Internet, online communication systems, or other computer technology to sexually exploit children.

- Reports may be made 24-hours per day, 7 days per week online at www.cybertipline.com or by calling 1-800-843-5678.
- San Jose Police Department. Jurisdiction: San Jose, CA area Contact: Sgt. Randy Schriefer (408)277-4102 Randall.Schriefer@sanjoseca.gov