



Congregation of the Passion

St. Paul of the Cross Province

Code of Conduct for Ministry

The Province recognizes that sexual misconduct by Members or agents of the Province has devastating consequences for victims and their families, for the lay and religious communities and for the perpetrators. We have become increasingly aware of the effects of this tragic behavior and have developed a steadfast commitment to helping those affected.

This protocol is intended to assist Members of the Passionist community and agents of the Province (i.e., employees, volunteers) in making decisions about interactions with minors, vulnerable adults or adults who seek and/or are provided Passionist pastoral ministry. The protocol delineates (1) how the Province defines sexual misconduct, (2) appropriate and inappropriate conduct involving interactions with minors or vulnerable adults, (3) guidance concerning conduct with adults who seek and/or are provided Passionist pastoral ministry, (4) procedures of the Province for responding to complaints of sexual misconduct, (5) training and supervision programs addressing sexual misconduct and (6) to whom those subjected to sexual misconduct can turn for help.

A Passionist may be a professed religious or a novice (or an aspirant) of St. Paul of the Cross Province. A Passionist is subject to this code of conduct in all interactions with minors or vulnerable adults and in all ministerial activities. An agent of the Province is subject to the Code of Conduct while on Passionist property or off-site when representing the Passionists.

A. Code of Conduct with Minors or Vulnerable Adults

A minor is anyone under the age of 18. For the purposes of this policy, the term "vulnerable adult" refers to adults with physical or mental disabilities that might leave them vulnerable to abuse. Abuse and neglect of minors are contrary to the teachings of the Church and are prohibited. Passionists and other agents of the Province have a responsibility to protect minors from all forms of abuse and neglect.

1. Prohibited Behaviors

- a. Using, possessing, or being under the influence of illegal drugs while in the presence of minors or vulnerable adults.
- b. Using, possessing, or being under the influence of alcohol or illegal drugs while supervising minors or vulnerable adults.
- c. Providing or allowing minors to consume alcohol or illegal drugs.
- d. Swearing in the presence of minors or vulnerable adults.
- e. Speaking to minors or vulnerable adults in a way that is or could be construed by any observer as harsh, threatening, intimidating, shaming, derogatory, demeaning, or humiliating.
- f. Discussing sexual activities with minors or vulnerable adults unless it is a specific job requirement and the Passionist/Employee/Volunteer is trained to discuss these matters.
- g. Engaging in any sexually oriented conversations with minors or vulnerable adults unless the conversations are part of a legitimate lesson and discussion regarding human sexuality issues. On such occasions, the lessons will convey the Church's teachings on these topics. If youth or vulnerable adults have further questions not answered or addressed by their individual teachers, they should be referred to their parents or

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- h. Being nude in the presence of minors or vulnerable adults.
- i. Possessing sexually oriented or morally inappropriate printed materials (magazines, cards, videos, films, clothing, etc.).
- j. Accessing or possessing child pornography. This is a criminal activity that will be prosecuted according to both civil and canonical law.
- k. Sleeping in the same beds, sleeping bags or small tents with minors or vulnerable adults.
- l. Engaging in sexual contact with minors or vulnerable adults. For the purposes of this protocol, sexual contact is defined as vaginal intercourse, anal intercourse, oral intercourse or the touching of an erogenous zone of another (including but not limited to the thighs, genitals, buttocks, pubic region or chest) for the purpose of sexually arousing or gratifying either person.

2. Off-Site Events

- a. Passionists are prohibited from transporting minors without written permission of their parent or guardian.
- b. Passionists are prohibited from having minors stay at their residence. Requests for exceptions should be submitted to the Provincial in writing two weeks prior to the visit.
- c. Passionists are prohibited from unnecessary and/or inappropriate physical contact with minors while in vehicles. Minors should be transported directly to their destination. No unplanned stops should be made.
- d. Changing and showering facilities or arrangements for Passionists must be separate from facilities or arrangements for minors.

3. Physical Contact

a. Physical contact:

- i. with minors may never take place in private or isolated areas.
- ii. in the context of any kind of counseling may never take place.
- iii. with minors may never be routine behavior for an adult.

b. The kinds of prohibited physical contact include, but are not limited to:

- i. any contact with the areas of the body that are ordinarily covered by a bathing suit (that is, buttocks, chest or genital area);
- ii. kissing on the mouth or prolonged hugs (these are never permitted under any circumstances);
- iii. routine greeting/departure hugs or social kisses to the cheeks;
- iv. holding hands (other than in public prayer or briefly holding the hand of a young child in public for their safety, for example while crossing the street);
- v. placing and leaving one's arm around a minor's shoulder, back or waist for a prolonged period;
- vi. patting a child on the backside (even during a sporting event);
- vii. repeatedly touching on the arm, back or legs;
- viii. touching on any part of the body in a way that may be construed as a caress;
- ix. tickling or wrestling;
- x. placing and leaving hands on the shoulders of a child sitting at a desk;
- xi. having a child sit on one's lap;
- xii. placing and leaving hands on the legs of a minor who is seated alongside;
- xiii. sitting with one's legs crossed with the legs of another;
- xiv. being in bed with a minor;
- xv. touching knees or legs of minors;
- xvi. wrestling with minors;
- xvii. tickling minors;
- xviii. piggyback rides;

- xvii. wrestling with minors;
- xviii. piggyback rides;
- xix. any type of massage given by minor to adult;
- xx. any type of massage given by adult to minor;
- xxi. any form of unwanted affection;
- xxii. compliments that relate to physique or body development;
- xxiii. using physical discipline in any way for behavior management of minors. No form of physical discipline is acceptable. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force as retaliation or correction for inappropriate behaviors by minors.

c. Appropriate affection between Passionists or agents of the Province (i.e., employees or volunteers) and minors constitutes a positive part of Church life and ministry. Decisions to express these forms of affection are always based on the choice of the individual to whom ministry is provided. Some kinds of incidental and brief physical contact may be acceptable under special circumstances, such as:

- i. briefly shaking hands as a social greeting;
- ii. very brief public social contact in connection with a special event or circumstance (e.g. such as a public greeting hug, an arm placed around the shoulder for a moment, or a short pat on the back, to congratulate a student at graduation);
- iii. lightly and briefly tapping on the arm or shoulder to get their attention;
- iv. a "high five" or "fist bump", for instance during a sporting event;
- v. an arm briefly placed around the shoulder of an upset or injured minor in public.

Please note: these kinds of behavior should be rare, and under no circumstances can they be regular or routine behavior; adults must use extreme caution, to ensure that these behaviors cannot be misconstrued by an observer or by the minor, and that they do not otherwise violate appropriate boundaries.

B. Code of Conduct in Ministerial Relationships

1. **A ministerial relationship** is one in which a person receives pastoral care from a religious, including:

- a. Clergy;
- b. Professed members of religious communities;
- c. Professed or lay spiritual directors and pastoral counselors.

2. **Sexual misconduct** is a general term that encompasses sexual harassment, sexual exploitation, and sexual abuse.

a. **Sexual exploitation** consists of sexual contact between a religious and person receiving pastoral care from him.

b. **Sexual abuse** is sexual contact between a religious and minor or vulnerable adult.

c. **Sexual harassment** is defined as unwanted sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature between co workers in the church setting.

3. Sexual exploitation or sexual abuse can include **physical contact or actions** such as:

- a. Sexual touch or other physical contact that makes the person being touched feel uncomfortable;
- b. Giving a sexually charged gift (such as lingerie);
- c. A prolonged hug when a brief hug is customary behavior;
- d. Kissing on the lips when a kiss on the cheek would be appropriate;
- e. Showing sexually suggestive objects or pornography;
- f. Sexual intercourse, anal, or oral sex.

4. Sexual exploitation or sexual abuse can also include **verbal behavior** such as:

- a. Innuendo or sexual talk;

4. Sexual exploitation or sexual abuse can also include **verbal behavior** such as:

- a. Innuendo or sexual talk;
 - b. Suggestive comments;
 - c. Descriptions of sexual experiences, fantasies, or conflicts;
 - d. Sexual propositions.
5. Sexual harassment may include, but is not limited to:
- a. Unsolicited sexual advances and propositions;
 - b. The use of sexually degrading words to describe an individual or his/her body;
 - c. The telling of inappropriate or sexually-charged jokes;
 - d. Retaliation against a co-worker who refuses sexual advances;
 - e. Offers of preferential treatment such as promotions, positive performance evaluations, or favorably assigned duties or shifts in exchange for sexual favors.

C. Policy for Reporting and Responding to Sexual Misconduct in Ministerial Relationships

Sexual misconduct-whether harassment, exploitation, or abuse-by Members, employees, and volunteers is contrary to Catholic morals, doctrine, and canon law. **It is never acceptable in a pastoral relationship** with a parishioner, employee, spiritual directee, counseling client, or anyone who has sought the church's ministry.

It is not uncommon for those who seek the church's ministry to feel attracted to a religious or to be flattered by his attention. A layperson's attraction to a Member or enjoyment in being the object of his sexual interest does not excuse any form of sexual misconduct on his part, however. It is entirely the responsibility of the religious to maintain appropriate physical, emotional and behavioral (sexual) boundaries and conduct with those with whom he works and/or serves.

The Province responds to all allegations of sexual misconduct with great care. To ensure that we handle each instance promptly, thoroughly, and compassionately, the Province has established the Office of Healing. A primary component of the role of the Province Director of Health and Social Services is to listen to, understand, and offer help, including appropriate psychological counseling for those affected by Member misconduct.

The Province, through the Director of Health and Social Services and independent investigators, will respond swiftly to evaluate and investigate any accusation of sexual misconduct by a Member. A formal, individualized program of supervision and monitoring will be developed for any Members who have engaged in the sexual abuse of a minor or vulnerable adult. This program will endure in the life of the Member for the rest of his life in the Province. The same program may also be developed for Members who have engaged in sexual misconduct that does not involve minors or vulnerable adults.

The Province, consistent with the directives of the Catholic Bishop's Charter for the Protection of Children and Young People, has also established the Province Review Board for Sexual Misconduct. This interdisciplinary board of lay professionals advises the Province on all matters related to sexual misconduct.

In addition to establishing procedures for responding to sexual misconduct, the Province has undertaken a series of measures to prevent future incidents of abuse. These include extensive mandatory psychological evaluation of seminarians and novices before they enter formation and the provision of continuing education programs for Members about issues of sexuality and personal conduct.

[See also, Province Protocols, "RESPONDING to Incidents and Allegations of Sexual Misconduct" and "REPORTING of Incidents and Allegations of Sexual Misconduct")

D. Training for Passionists and Agents of the Province

1. Passionists and agents of the Province shall review the Policy Statement on Sexual Misconduct and this Code of Conduct for Ministry and agree in a written statement to comply.
2. Passionists and agents of the Province who provide pastoral care or ecclesial ministry must

1. Passionists and agents of the Province shall review the Policy Statement on Sexual Misconduct and this Code of Conduct for Ministry and agree in a written statement to comply.
2. Passionists and agents of the Province who provide pastoral care or ecclesial ministry must participate in training that addresses their role in protecting those seeking such care or ministry.

E. Supervision Programs that Involve Minors

1. Programs for minors in which Passionists or agents of the Province are involved, must be supervised by at least two adults.
2. Passionists in leadership roles (pastor, retreat director, local superior) shall be aware of all programs for minors that are sponsored by their parish, school, or agency. A list of these programs shall be maintained at the respective ministry site and include the program's purpose, activities, sponsors or coordinators, meeting times and locations. Local leaders who sponsor programs with minors shall examine these programs.

F. Where to Turn For Help

If you or someone you know is aware or suspects that a Member of the Passionist Community has violated the boundaries outlined in this document, we urge you to report such behavior immediately to the Provincial and/or the Director of Health and Social Services. The concern will be handled with the strictest sensitivity and confidentiality. The contact information is as follows:

Provincial Office
111 South Ridge Street
Rye Brook, NY 10573
914/633-3130