

## SERIES 1000

### *PASTORAL RESPONSIBILITIES OF PRIESTS IN THE ARCHDIOCESE OF SAN FRANCISCO*

#### **1100 PASTORAL MINISTRIES AND RESPONSIBILITIES**

##### **1110 Priests:**

- 1110.1**      **Personal Spirituality:** The priest is called in a special way to share his faith with others. He does this through his ministry of service to God's people. This ministry requires of the priest a vital spiritual life supported by his regular celebration of the Eucharist, recourse to the Sacrament of Reconciliation, personal and liturgical prayer, and utilizing those means of spiritual growth (e.g. spiritual direction, support groups, annual retreat etc.) which experience has shown to be especially effective in sustaining the priest's life of faith.
- 1110.2**      **Continuing Formation:** Realizing the continuing need to be informed of the needs of the people and the needs of the Church, he should participate in on-going priestly formation, in other educational programs and in private study. The priest is accountable to the archbishop, to himself, to the people he serves, and to those with whom he works for being well informed. In collaboration with his parish and the Archdiocese the priest must take an appropriate amount of time to achieve this goal.
- 1110.3**      **Liturgical Responsibilities:** The priest must demonstrate the willingness and ability: 1) to plan and to preside reverently at liturgical celebrations (e.g.- Baptism, Eucharist, Reconciliation, Matrimony and Anointing of the Sick) in accord with liturgical norms, and 2) to preach the Word of God effectively through well planned and well delivered homilies.
- 1110.4**      **Pastoral Responsibilities:** In his service of the Church, the priest recognizes that the ministry of the Church reflects concern for all genuine human needs. He should demonstrate concern for the sick, the poor, the alienated, and the non-churched. Pastoral responsibility is demonstrated by active cooperation with those who are in lay leadership in the parish (Pastoral Council, Finance Committee, etc.) and willingness to further the development of lay leadership and ministry to help in the growing demands for

spreading the Gospel in all areas of the parish. Pastoral responsibility may also require a willingness to engage in further study (e.g., language) so as to be able to serve special needs of particular groups. It may also call for cooperation with non-church organizations involved in specific areas of community development. Realizing that Archdiocesan agencies and persons are at the service of the parishes, the priest demonstrates a willingness to seek help and advice from these resources to achieve pastoral goals and objectives:

- 1110.5      **Faith Formation:** Since the priest is considered a teacher and overseer in the presentation of the practice and content of the Catholic faith, he should demonstrate interest in all areas of faith formation, including the RCIA, Catholic schools, children, youth and adults. As a spiritual leader in the community, he demonstrates his commitment by his interest and presence. This commitment and cooperation are extended to all those who are engaged in faith formation at whatever level, whether local or archdiocesan.
- 1110.6      **Archdiocesan Support:** Because Archdiocesan goals and programs are developed to meet the needs of the Church, the priest should demonstrate leadership through his willingness to work with Archdiocesan agencies, participate in deanery meetings and activities, and assist in Archdiocesan efforts to achieve goals.
- 1110.7      **Vocations:** Mindful of the universal call to holiness, the priest will cooperate with the Vocation Director in fostering programs and providing opportunities for prayer which assist the faithful in discerning their sacred calling in life. The example of his own life and his willingness to share his own vocation story will assist others in their prayerful discernment of a Divine Call to Priesthood and Religious Life. The priest is encouraged to speak often about vocations in his homilies and in his visits to the parish school, religious education classes and youth ministry programs. The priest is called upon to invite young people to consider the possibility of a priestly or religious vocation and to be challenged to answer the Lord's call to service. The witness of priestly fraternity can be an important factor in promoting vocations.
- 1110.8      **Self Evaluation:** The priest is encouraged to evaluate his spiritual, psychological and ministerial effectiveness through regular retreats, spiritual direction, support group attendance and other self-evaluation instruments.

1110.9      **Archdiocesan Evaluation:** To aid the priest in his self evaluation, the Archdiocese shall provide a structure of evaluation for all priests serving in the Archdiocese of San Francisco.

1120    **Pastors:**

1120.1      Each parish in the Archdiocese will ordinarily be staffed by a resident pastor. The pastor is the proper shepherd of the parish who exercises his pastoral care of the people under the authority of and in communion with the Archbishop, whose ministry he is called to share. He further fulfills the duties of teaching, sanctifying and guiding with the collaboration and the cooperation of parochial vicars, deacons, religious, parish managers, lay pastoral associates and members of the Christian faithful. (Canon 519)

1120.2      **Qualifications for the Office of Pastor:** In addition to the qualifications mentioned above for all priests, pastors are expected to be people of:

1120.2.1      Sound doctrine, integrity of morals, zeal for souls, and other virtues. (Canon 521.2)

1120.2.2      Successful experience in pastoral service to the Church in various capacities within the Archdiocese;

1120.2.3      Administrative and leadership abilities shown in previous assignments, especially the ability to organize and supervise parish work, to work collaboratively with other priests, religious, the parish manager, staff and the laity of a parish, to accept responsibility for property management, financial matters and human resources.

1130    **Parochial Vicars:**

1130.1      Parishes which have been identified as requiring the service of more than one priest on a full-time basis will, ordinarily, be staffed with parochial vicar(s).

1130.2      The parochial vicar is assigned by the Archbishop to be a co-worker with the pastor and under his pastoral leadership. Normally, the parochial vicar is assigned to assist in fulfilling the entire pastoral ministry on behalf of the entire parish. He is to consult with the pastor on planned or existing programs so that both of them through

their combined efforts can provide for the pastoral care of the parish for which they are responsible.

1130.3 Before the Archbishop makes an assignment official, the pastor and the parochial vicar should discuss and agree on a description of their roles in a parish, by identifying areas of collaboration and responsibility.

1130.4 At the time of a visitation by the dean, the pastor and the parochial vicar should meet together with the dean to review these areas and make any necessary adjustment.

1140 The Priest In Non-Parochial Ministry:

1140.1 A priest assigned to a pastoral responsibility which has as its aim the service of the People of God without reference to a particular territory is said to be in non-parochial ministry.

1150 The Priest In Residence:

1150.1 The primary responsibility of the priest in residence in a parish is to his non-parochial ministry. However, by virtue of his residence in a parish the priest should be sensitive to parish structure and relationships, while the pastor, parishioners, and staff should always be sensitive to the non-parochial ministry of the priest in residence.

1150.2 Prior to coming to live in the rectory the resident priest and the pastor should mutually determine what responsibilities the man in residence shall have in the parish. The pastor is to consult with the parochial vicar and the agreed upon responsibilities should be occasionally reviewed.

1150.2.1 Normally the priest in residence will celebrate Eucharist and preach on Sundays.

1200 WORKING AND LIVING RELATIONSHIPS WITHIN THE RECTORY

1210 Introduction:

In all ministerial and living situations, the ultimate norm guiding the relationship between priests is service to the mission of the Church in fraternal priestly charity. The following guidelines are presented to assist priests working and living together in the fulfillment of their responsibilities to the people they serve, to the staff, and to each other. In order to respect the individual and

personal needs of priests, it is urged that whenever possible work space be separate from living space.

The directives of # 1340 – “Guidelines with Regard to Ministry with Minors”, #1350 – “Guidelines with Regard to Pastoral Counseling” and #1360 – “A Code of Ethics for Those Involved in the Ministry of the Catholic Church” must be followed.

**1220 Office Policies And Relationship With Staff Personnel:**

The following are presented as guidelines for parish office policies and relationship with staff personnel. They should be discussed carefully by the pastor and the parochial vicar.

- 1220.1 Each priest shall ordinarily have access to a suitable room for counseling and private instructions. This room should be distinct from the living quarters of the priest. This room should be such as to provide confidentiality at all times. See #1350 – “Guidelines with Regard to Pastoral Counseling”
- 1220.2 The rectory office telephone ordinarily should be answered by a member of the office staff. After hours an answering service or answering machine is recommended. Current technology (voice mail, internet, cellular phone, pager or call forwarding) provides the opportunity to be available for emergencies without a priest being in the rectory. Every effort should be made to respond to important calls.
- 1220.3 There should normally be a secretary in the parish to handle those secretarial tasks that need to be done. The parish secretary shall be available within reason to all the priests of the parish to carry out the secretarial tasks necessary for the work of the parish.
- 1220.4 For effective ministry, each priest in the rectory should have access to the parish files, record books, and equipment.
- 1220.5 When a parochial vicar is assigned to the parish, the pastor should inform him of the areas of responsibility of all members of the parish office staff. From time to time the pastor and parochial vicar should discuss these areas of responsibilities so that they can, if necessary, be modified for the common good of the parish. When there is a change of pastors, the job descriptions of all members of the office staff in written form should be given to the new pastor.
- 1220.6 The priests should adhere to all agreed upon office procedures.

- 1220.7        Priests should always show courtesy and consideration to parish staff and personnel.

**1230 Rectory and Living Quarters:**

The following are presented as guidelines for living in a rectory and should be agreed upon by the pastor and the parochial vicar:

- 1230.1        The rectory is the property of the Archdiocese. It is the common home for the priests assigned to the parish by the Archbishop. There must be mutual respect for the priestly lifestyle of each individual as well as his right to privacy.
- 1230.2        Each priest has the right to receive guests and friends into his personal living quarters, always respecting the privacy of other members of the household and adhering to the directives of # 1340 – “Guidelines with Regard to Ministry with Minors”, #1350 – “Guidelines with Regard to Pastoral Counseling” and #1360 – “A Code of Ethics for Those Involved in the Ministry of the Catholic Church”.
- 1230.3        The living quarters of the rectory shall be open only to those persons whom the resident priests wish to visit him. Parishioners and staff members shall not have the run of the private living or common quarters of the clergy.
- 1230.4        The rectory is primarily the home of the priests and secondarily the office of the parish. While there should be respect and sensitivity shown to the non-clerical members of the household (e.g., cooks, housekeepers, secretaries, etc.), the above priorities should always be maintained.
- 1230.5        A common lounge or sitting room for all the priests of the house is recommended for the purpose of fostering fuller community and common prayer. Ideally this room should be the priests' living room and normally it should not be used for parish meetings unless all priests agree. When and if this room is used for a parish meeting, the priest scheduling the meeting should be sensitive to the other priests' needs.
- 1230.6        Personal household pets should not infringe upon the privacy or well-being of other priests in the rectory. In this regard, care must be taken that the comfort of other priests and the accessibility of parishioners to the rectory are respected.

1230.7 In the exercise of his priestly function, each priest is expected to wear appropriate clerical attire.

1240 Policy of Alternate Residence of Priests:

1240.1 Recognizing that the ordinary living situation for priests in the Archdiocese of San Francisco is traditional rectory living, that is, priests serving a particular parish or non-parochial ministry live together in one home, this policy provides the following options:

1240.1.1 Pastors living alone in parishes may agree to live together in one central location.

1240.1.2 Pastors, parochial vicars and other priests serving different parishes or ministries may live together in a common house.

1240.1.3 Priests in any parish or ministry may live alone outside the rectory in exceptional circumstances. This policy is implemented according to the provisions of Canon 533 #1 and 550 #1.

1240.2 Priests desiring to choose alternate residence should follow this procedure:

1240.2.1 The proposed model must be thoroughly and sensitively discussed with members of the pastoral council (or consultative body of the parish/ministry) to ascertain the financial feasibility of the proposal.

1240.2.2 The proposed model should be submitted in writing to the Archbishop.

1240.2.3 The Archbishop will make his response in writing.

1300 POLICY ON SEXUAL MISCONDUCT BY CLERGY

Introduction

The Archdiocese of San Francisco recognizes that sexual misconduct by clergy constitutes one of the most serious breaches of trust in human relationships, and that it can have devastating consequences for the victim and his or her family, for the Church community at large, for the great majority of priests who serve the Church faithfully, and for the priest or deacon involved.

In situations involving accusations of sexual misconduct by a priest or deacon, the Archbishop is the shepherd and advocate of all parties. He must seek the good of all. This good involves providing a full and fair hearing both for those who complain of misconduct and for clergy accused of such misconduct. The good of all demands that the Archbishop appoint clergy who he believes will minister properly and will not sexually abuse those to whom he ministers. It also demands that clergy be protected against false accusations of sexual misconduct.

This policy is to be considered as an amplification of and a supplement to the Archdiocese of San Francisco Policies and Procedures regarding Child Abuse and Harassment (April 2001, revised March 31, 2003)

**1310 Policy:**

It is the policy of the Archdiocese that sexual misconduct by clergy is a most serious abuse of trust and will not be tolerated. The Archbishop has the responsibility to the people of God to appoint priests and deacons to positions of trust only if he believes that they will be able to serve properly the people entrusted to their pastoral care.

**1310.1            In dealing with issues of sexual misconduct involving clergy, the Archdiocese will:**

- Treat all allegations of sexual misconduct seriously and never deal with a problem of sexual misconduct on the part of a priest or deacon by simply providing him with another ministerial assignment;
- Cooperate fully with civil reporting procedures governing sexual misconduct, specifically as stated in Section II.A. of the Addendum to the Archdiocese of San Francisco Policies and Procedures regarding Child Abuse and Harassment;
- Comply with California State Law which provides reporting requirements for child abuse whether sexual abuse, physical non-accidental injury or neglect. Archdiocesan personnel will comply with those requirements promptly and exactly as required by law. These reports must be made to Child Protective Services or local law enforcement. In the case of elder abuse: whether sexual abuse, physical non-accidental injury or neglect, financial abuse and/or psychological abuse, reports must be made to Adult Protective Services;
- Educate clergy and people about the problem of sexual abuse and maintain screening procedures and educational policies on this subject for those in ministry and those training for the ordained ministry;



The Archdiocese acts in the belief that a true solution to a situation involving sexual abuse can proceed only from finding healing for victims of abuse, ensuring that priests and deacons in ministry will not be a danger to minors or adults, and providing appropriate assistance to victims, as well as to those who commit abuse.

The Archdiocese maintains an Office of Child and Youth Protection (OCYP) that includes a “Victim Assistance Coordinator (VAC)”. The VAC facilitates outreach to every person who has been a victim of sexual abuse as a minor by anyone acting in the name of the Church. Outreach includes arranging for counseling, spiritual assistance as well as support services. The Office of Child and Youth Protection oversees the Archdiocese’s Safe Environment Program.

The Archdiocese maintains an Independent Review Board. The Review Board is an advisory board composed of appointed individuals not in the employ of the Archdiocese, except for a pastor as required by the *Essential Norms for Archdiocesan /Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*. Possessing a variety of perspectives on, and experience in, dealing with sexual abuse, the Archdiocesan Review Board advises the Archbishop in his assessment of allegations of sexual abuse of minors and in his determinations of suitability for ministry. An independent investigator, accountable to the Board, shall conduct the fact gathering.

In investigating allegations of sexual misconduct by clergy, the Archdiocese will ensure that persons who complain of sexual abuse and the priest or deacon accused of sexual abuse receive a full and fair hearing, and that those who have been victimized will receive appropriate assistance in coping with their trauma and suffering.

**1320 Procedures for the investigation and response to allegations of sexual misconduct by clergy:**

**1320.1 Archdiocesan Response to Victims**

The Archdiocese reaches out to victims of sexual misconduct and sexual abuse and most especially to children and to their families, to assist them in a pastoral way. This pastoral response will involve working with the survivor/victim so that they might receive help that is acceptable to them and adequate to their needs.

Initial action involves receipt of a complaint of sexual misconduct and/or abuse by the Victim Assistance Coordinator (VAC) as set forth in the Archdiocesan Policy.

The Pastoral Outreach Coordinator aids in the immediate and continuing pastoral care of the survivor/victim. The Archdiocese offers the survivor/victim and, as appropriate, his or her family, therapeutic intervention, spiritual direction and assistance according to standard procedures during the investigatory process.

The right to privacy and to a good reputation of all parties associated with the incident under investigation, most especially the victim and the accused cleric, must be protected. (*Norm 6; CIC c. 1717, §2*).

#### 1320.2

##### Archdiocesan Action Involving Clergy against Whom an Allegation(s) Has Been Made - General Procedures

A preliminary investigation in harmony with canon law will be initiated and conducted promptly and objectively. If a clergyman wishes to suspend his participation in the preliminary investigation and any subsequent canonical tribunal process until after the conclusion of any pending investigation/trial by the civil authorities, he may do so subject to an immediate written acknowledgement that in the interim, he will remain on administrative leave and will not be permitted to publicly exercise ministry.

The Independent Review Board assesses the allegations of sexual abuse/misconduct in order to advise the Archbishop on whether or not the allegation(s) appears to be credible.

Anonymous complaints are dismissed in the absence of accompanying firm, and/or readily verifiable, facts.

A priest or deacon will be apprised by the Archbishop or the Vicar for Clergy that an allegation of sexual abuse has been made against him. The Investigator will then schedule a meeting with the priest or deacon to review the entire matter and allow the priest or deacon the opportunity to respond to the allegation.

During the preliminary canonical investigation, the priest or deacon will be given the full report of the alleged abuse, as well as the name(s) of those making the complaint(s). The priest or deacon will be invited to ask questions, offer his response to the

allegation(s), and present his version of the events in question. The results of the Preliminary Investigation will dictate further appropriate actions.

Every person who makes an allegation will be informed of the action taken by the Archdiocese after the priest or deacon responds.

1320.3

*The Essential Norms for Archdiocesan /Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests and Deacons:*

In every case involving canonical penalties, the processes provided for in canon law must be observed, and the various provisions of canon law must be considered (cf. *Canonical Delicts Involving Sexual Misconduct and Dismissal from the Clerical State*, 1995; Letter from the Congregation for the Doctrine of the Faith, May 18, 2001). Unless the Congregation for the Doctrine of the Faith, having been notified, calls the case to itself because of special circumstances, it will direct the Archdiocesan bishop/eparch how to proceed (Article 13, "Procedural Norms" for *Motu proprio Sacramentorum sanctitatis tutela*, AAS, 93, 2001, p. 787). If the case would otherwise be barred by prescription, because sexual abuse of a minor is a grave offense, the bishop/eparch shall apply to the Congregation for the Doctrine of the Faith for a dispensation from the prescription, while indicating appropriate pastoral reasons. For the sake of due process, the accused is to be encouraged to retain the assistance of civil and canonical counsel. When necessary, the diocese/eparchy will supply canonical counsel to a priest. The provisions of CIC, canon 1722, or CCEO, canon 1473, shall be implemented during the pendency of the penal process.<sup>2</sup>

1320.4

In cases of denial of the allegation(s) by the priest or deacon: In instances where the priest or deacon denies the allegation(s) and upon canonical investigation, the allegation remains credible, he will ordinarily be asked to agree to undergo a professional psychiatric evaluation, and to release the results of the evaluation to the Archbishop and the Vicar for Clergy.

This evaluation is designed to serve as a professional psychological assessment through interview and testing to identify problematic areas that may be present in the priest's or deacon's life and to make recommendations on how to proceed.

The Diocese will determine what professional person or institution will be entrusted with the task of conducting the evaluation. Should the priest or deacon disagree with the results of the

evaluation, he has the right to consult another agreed-upon professional for a second opinion.

After the evaluation has taken place, a full report of the allegation(s) and the priest's or deacon's response will be given to the Archbishop. If the truth of the allegation(s) has been established, or the case is so serious as to warrant residential treatment or resignation from office or the canonical removal of a priest or deacon from his assignment, the Archbishop will meet personally with him following receipt of the evaluation report. The priest or deacon may bring a friend or advisor to this meeting. The goal of this meeting between the Archbishop and the priest or deacon is to arrive at a mutual agreement on the appropriate response and treatment.

If the priest or deacon refuses to undertake such an evaluation and the evidence is such that the Archbishop must act as envisioned by canon 1718, the Bishop initiates the canonical process deemed most appropriate to protect the Christian community.

1320.5

In cases of admission of the allegations by the priest or deacon: If the priest or deacon admits to the allegation(s) in the case of sexual misconduct involving an adult, he will be asked to resign from his office and/or to agree to limitations on or withdrawal of his faculties. In the case of sexual misconduct involving a minor (for a fuller treatment of this, see page 7, below), the priest's/deacon's faculties will be withdrawn and the cleric will not be allowed to function in the future. Appropriate help will be offered to him, usually in the form of therapy and spiritual direction.

A record of the complaint, the admission and other determinations made will be maintained in accord with the requirements of canon 489.

1320.6

Information provided to the Parish Community and the Archdiocesan Presbyterate:

The Archdiocese adheres to a communications policy that reflects a commitment to transparency and openness. Within the confines of respect for privacy and the reputation of the individuals involved, the Archdiocese will deal as openly as possible with members of the community. This is especially so with regard to assisting and supporting parish communities directly affected by ministerial misconduct involving minors.

**1320.7** The following possibilities exist for the short and long-term future of a priest or deacon who has admitted or been found to be guilty of sexual misconduct:

**1320.7.1** In cases involving sexual abuse of a minor, there is no possibility that the priest or deacon will be returned to ministry, as directed by the *Essential Norms*, 8. In these cases, canon law permits for the priest or deacon to request a dispensation from the obligation of holy orders, and also permits a request by the Archbishop for dismissal from the clerical state even without the consent of the priest or deacon. If the penalty of dismissal from the clerical state has not been applied, if the priest or deacon has not requested a dispensation from the obligation of Holy Orders, the offender must lead a life of prayer and penance. He will not be permitted to celebrate or con-celebrate Mass publicly or to administer the sacraments. He is to be instructed not to wear clerical garb, or to present himself publicly as a priest.

**1320.7.2** In other cases not involving minors, the decision to permit a priest or deacon to return to active ministry must take into account the nature and seriousness of the misconduct, the progress in treatment, positive signs of continuing recovery, the need to prevent a relapse into abusive behaviors, and the danger of scandal.

**1320.8** In deciding whether to permit a return to active ministry, the Archbishop may seek advice from the Archdiocesan Review Board and from experts in the field. There are a number of possibilities:

**1320.8.1** Return to ministry with restrictions and follow-up program:

The priest's or deacon's immediate supervisor will be fully informed of his background and present situation. Appropriate supervision will be provided to all priests and deacons who are guilty of sexual misconduct.

**1320.8.2** Three to five years outside active ministry with a possibility for return:

From the very beginning, the hope of both the priest or deacon and the Archdiocese is that some form of ministry can be restored and efforts will be made during the leave to prepare for that possible return. Any return will likewise involve appropriate restrictions and an aftercare program. The purpose of this program is to allow the priest or deacon to demonstrate continuing and progressive signs of recovery.

**1320.8.3** Three to five years outside active ministry with the understanding that there is little chance of return: In this situation, a new assessment is completed, should the priest or deacon in question petition for reinstatement to active ministry.

**1320.9** If there is no possibility of return to ministry such as in all cases involving minors, the Archdiocese will assist the priest or deacon to petition for laicization. Should the priest or deacon be unwilling to submit such a petition, the Archdiocese will initiate appropriate canonical procedures to preclude him from any active ministry, up to and including laicization.

**1330** Prevention for the future:

**Precautions Clergy Need to Take:**

Clergy can and should develop a good, appropriate, and healthy rapport with minors. However, they must also avoid the kind of contact with minors that could raise questions or lead to negative comment on the part of reasonable people. Therefore, the Archbishop has established the following regulations:

**Standard of conduct for those working with children and young people.**

**Introduction**

The following Policy is applicable to all persons employed by or volunteering in any of the parishes and institutions of the Archdiocese of San Francisco. So that it is clear who must be aware of the contents of this document, the addressees include, but are not limited to, priests, religious (men and women), deacons, pastoral coordinators, school/program administrators, teachers, catechists, youth ministers, support staff, custodial staff, coaches, school program volunteers, seminarians, and lay theology students.

The Policy has been developed to help create a safe, appropriate and Christian environment for minors and their relationship with adults involved in Church ministry. These child-specific standards are designed to serve as a supplement to the sexual boundary guidelines/code of ethics applicable to all those involved

in the ministry of the Catholic Church (whether with minors or adults) that are set forth in the Archdiocese of San Francisco's *Policies and Procedures Regarding Child Abuse and Harassment*.

1340 Guidelines with Regard to ministry with minors:

- 1340.1 Any and all involvement with minors (i.e. individuals under the age of 18) is to be approached from the premise that minors should always be viewed -- whether in a social or ministerial situation -- as restricted individuals; that is, they are not independent. Wherever they are and whatever they do is to be 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. They are not adults and are not permitted unfettered decision.
- 1340.2 Whenever possible (see Nos. 3,4, 5 and 6 below) adults must avoid situations which will place them in a position to be alone with a minor in the rectory, school, or in a closed room. The only exception is the Sacrament of Reconciliation.
- 1340.3 In meeting and/or pastoral counseling situations involving a minor, excluding Sacrament of Reconciliation, the presence or proximity of another adult is encouraged. However, in those situations where the presence of another adult is not usual or practical (e.g., ~~piano~~, disciplinary meeting with an administrator, etc.), another adult should be informed that the meeting is taking place. The meeting place should be accessible and visible, with the door where the meeting is taking place left ajar, unless there is a clear window built into the door.
- 1340.4 The Sacrament of Reconciliation is to be celebrated in a place so designed for that purposes: reconciliation chapel or confessional.
- 1340.5 An unaccompanied minor is allowed only in the professional section of the rectory or parish center, never in the living quarters. Minors age 16 and over are permitted to work in the rectory when there would normally be at least two adults present, i.e., two persons over 21 years of age.
- 1340.6 At least two adults are to be present when a group of minors engages in organized events or sports activities, save for unforeseen circumstances such as the sudden illness of the ~~assistant~~ coach (though in such cases attempts should be made to secure the presence of a parent of one of the team members).

- 1340.7 Adults are to avoid being the only adult in a bathroom, shower room, locker room, or other dressing areas whenever minors are using such facilities.
- 1340.8 Youth trips of any kind must have a minimum of two adult chaperones, at least one of whom should be of the same sex as the young people. Larger groups must have at least one adult chaperone for every eight minors.
- 1340.9 While on trips or program activities, the adults, as well as the minors, may not use alcohol or controlled substances. However, with the approval of the pastor or principal, modest alcohol consumption by adult workers and parents of children is acceptable at events such as end-of-season team parties, etc.
- 1340.10 While on youth trips, clergy or lay leaders are never to stay alone overnight in the same motel/hotel room with a minor or minors, with the exception of a lay leader staying in the same room with his/her own child.
- 1340.11 The sacristy door is always to be open whenever minors are present within the sacristy.
- 1340.12 Comments of a sexual nature are not to be made to any minor except in response to specific classroom questions from a minor.
- 1340.13 Topics or vocabulary, such as profanity, cursing, or vulgar humor, which could not comfortably be used in the presence of parish/school administrators, parents/guardians, or another adult, shall not be used in the presence of a minor/minors.
- 1340.14 Adults are absolutely prohibited from serving or supplying alcohol, tobacco products, controlled substances, or pornographic or other inappropriate reading materials to minors.
- 1340.15 Audiovisual, Internet, music, and printed resources used in programs must be screened prior to use to ensure their appropriateness for the participants. It is never appropriate to use an "R"-rated movie, or movies rated with an even stronger designation, save for use of Archdiocesan-approved, age-appropriate films or film excerpts. Music lyrics should also be reviewed to ensure appropriateness.
- 1340.16 Careful boundaries concerning physical contact with minors must be observed at all times and such contact should only occur under public circumstances. Prudent discretion and respect must be shown before touching another person in any way. An adult



should not assume that a child is comfortable with an adult-initiated hug or embrace, and, in any event, special care should be taken to avoid incidental contact, unintended or otherwise, with or in the vicinity of a child's genital areas. If the child initiates physical contact, such as a hug, an appropriate limited response is proper.

1340.17 Adults must refrain from giving regular and/or expensive gifts to children and young people without prior approval from the parents or guardian and the pastor or administrator.

1340.18 It is never appropriate to impose "secrecy" on children and young people vis-à-vis their parents, police, etc. (e.g. under threat of physical harm, "punishment by God", etc.).

1340.19 Clear violations of these standards, as well as any sexual misconduct, must be reported immediately to the appropriate parish, Archdiocesan and/or civil authorities in accordance with civil law and Archdiocesan policy.

1350 Guidelines with regard to Pastoral Counseling:

1350.1 Pastoral counseling must take place only in the professional portion of a rectory or parish facility, never in the living quarters.

1350.2 Offices or classrooms used for pastoral counseling must have a window in the door, or the door is to be left ajar during the counseling session.

1350.3 Another adult must be in close proximity during any counseling session.

1350.4 Unless the subject matter precludes their presence and/or knowledge, parents or guardians of minors should be made aware of the counseling session.

1350.5 A referral for professional assistance is encouraged if counseling is expected to extend beyond two or three sessions with a minor. Evaluation of the situation should be made with the parents or guardians.

1350.6 The counselor is responsible to recognize any personal/physical attraction to or from a client. In such a situation, the client should be immediately referred to another qualified adult or licensed professional.

1360 A Code of Ethics for Those Involved in the Ministry of the Catholic Church:

(As set forth in National Federation for Catholic Youth Ministry Website 2001, citing Richard M. Gula, S.S., *Ethics in Pastoral Ministry*, Paulist Press, 1995, pp. 149-151)

- We have a responsibility to witness in all relationships the chastity appropriate to our state in life, whether celibate, married, or single.
- We must avoid any covert or overt sexual behaviors with those for whom we have a professional responsibility. This includes covert or overt seductive speech or gestures as well as physical contact that sexually abuses, exploits, or harasses another person.
- We are to provide a safe place for young people where they can be assured that sexual boundaries will not be violated.
- We should be aware of our own and another's vulnerability in regard to sexuality, especially when working alone with another.
- We bear the greater burden of responsibility for maintaining sexual boundaries in a pastoral relationship, for we hold greater power.
- We must not initiate sexual behavior, and must refuse it even when another invites or consents to it.
- We must give preference to the perspective and judgment of those who are vulnerable and dependent on us in order to determine whether touching would be an appropriate expression of pastoral care.
- We must show prudent discretion before touching another person, since we cannot control how physical touch will be received. That is, we are to take into account how age, gender, race, ethnic background, emotional condition, prior experience, and present life situation all affect how our touching may be received and interpreted.
- We should become familiar with the dynamics of transference and counter transference, which can make us vulnerable to violating sexual boundaries.
- We strive for greater self-awareness in order to recognize the sexual dynamics at work for us in pastoral relationships and to heed the warning signs in our lives, which indicate when we are approaching boundary violations.
- We should satisfy our needs for affection, intimacy, attraction, and affirmation outside the pastoral relationship.

- We should seek supervision or other professional help to remain focused on our professional responsibilities and to hold firm to the sexual boundaries of the pastoral relationship.
- We must report clear violations of sexual conduct to the appropriate ecclesial and civil authorities (as referenced in *Archdiocese of San Francisco Policies and Procedures Regarding Child Abuse and Sex Harassment*), and then do what we can to see that justice is done for the victim, the offender, and the community from which the victim and minister come.
- We must intervene when there is evidence of the abuse of children, the elderly, or the disabled. When it is necessary to avert a serious threat of harm to another, justice requires that we make a reasonable attempt to elicit voluntary disclosure, but if disclosure is not made and permission to disclose is not granted, then we should inform only those who need to know and tell them only what they need to know in order to avert harm.

#### 1370 Sexual Harassment:

Priests and deacons shall provide and/or contribute to a professional work environment that is free from sexual harassment.

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

- Unwelcome sexual advances or touching.
- Sexual comments or sexual jokes or sexual innuendo.
- § Requests for sexual favors used as: A condition of employment, or to affect other personnel decisions, such as promotion or compensations.
- § Display of offensive materials

Harassment can be a single severe incident or a persistent pattern of behavior.

Allegations of sexual harassment will be taken seriously and must be reported immediately to the Office of Human Resources.

Archdiocesan procedures will be followed to protect the rights of all involved.

1370.1 Given the seriousness of the consequences of sexual misconduct, both to victims and to perpetrators, especially when minors are involved, clergy have a responsibility to be their brother's keepers in these matters. While they must avoid undue suspicion or

unhealthy interference in others' lives, they need to be aware of danger signs in a brother cleric's activities.

Such danger signs are clear violations of the guidelines presented above. In addition, clergy also need to be aware of the danger to those who, without doing anything wrong, seek the company of children and look to them for the emotional support only normal adult relationships appropriately provide. Furthermore, it is important to recognize that the abuse of alcohol or other substances can lead to a breakdown of inhibitions that would normally keep someone from acting inappropriately.

When a priest or deacon fears that another priest or deacon may be involved in such behaviors, he should normally speak first to the priest or deacon in question and should also bring his concerns to the Vicar for Clergy.

If a priest or deacon himself discovers or determines that he currently is struggling or has struggled in the past with tendencies toward sexual harassment or abuse, he is strongly encouraged to seek help by bringing this to the attention of the Archbishop or Vicar for Clergy.

#### 1380 Screening Procedures:

The Archdiocese of San Francisco will comply fully with the *Charter for the Protection of Children and Young People* in the screening of seminarians and clergy as noted in the particular articles from the *Charter*:

##### *Article 13*

"Dioceses/eparchies will evaluate the background of all Archdiocesan /eparchial and parish personnel who have regular contact with minors. Specifically, they will utilize the resources of law enforcement and other community agencies. In addition, they will employ adequate screening and evaluative techniques in deciding the fitness of candidates for ordination." (cf. National Conference of Catholic Bishops, *Program of Priestly Formation*, 1993, no. 513).<sup>8</sup>

It is the policy of the Archdiocese that all clergy on Archdiocesan assignment will submit to fingerprinting as part of the regular background check, as provided by California State Law. The Office of the Vicar for Clergy and Personnel Office will assist in this process.

Priests who intend to work in the Archdiocese of San Francisco must also undergo psychological testing, as prescribed by the Archdiocese.

## *Article 14*

**“No priest or deacon who has committed an act of sexual abuse of a minor may be transferred for ministerial assignment to another diocese/eparchy or religious province. Before a priest or deacon can be transferred for residence to another diocese/eparchy or religious province, his bishop/eparch or religious ordinary shall forward, in a confidential manner, to the local bishop/eparch and religious ordinary (if applicable) of the proposed place of residence any and all information concerning any act of sexual abuse of a minor and any other information that he has been or may be a danger to children or young people.” (cf. National Conference of Catholic Bishops and Conference of Major Superiors of Men, *Proposed Guidelines on the Transfer or Assignment of Clergy and Religious*, 1993).<sup>9</sup>**

### **1380.1        Procedures Governing the Assignment of Non-Incardinated Priests in the Archdiocese of San Francisco**

**Clergy from Elsewhere Who Seek an Archdiocesan Assignment:**  
When a priest or deacon applies for an assignment in the Archdiocese, he is asked to fill out an application. As part of that application, he is asked to state that he has not been involved in situations involving sexual abuse. His completed application is then sent to his bishop or proper superior, who is asked to affirm in writing that the answers given in the application are true.

In addition, the bishop or superior is asked to recommend him for ministry in this Archdiocese. The steps of this screening procedure are explained in advance so that he can submit his application with full understanding.

### **Religious Order Priests Recommended for Ministry in this Archdiocese by Their Religious Provincial**

Before a priest or deacon can be transferred for residence to this Archdiocese, his bishop or religious ordinary shall forward, in a confidential manner, to the Archbishop of San Francisco, all information concerning any act of sexual abuse of a minor and any other information indicating that he has been or may be a danger to children or young people. This shall apply even if the priest or deacon will only reside in the local community of an institute of consecrated life or society of apostolic life.

The Archbishop of San Francisco, in receiving a priest or deacon from outside his jurisdiction, will obtain from that priest or deacon’s Ordinary the necessary information regarding any past

act of sexual abuse of a minor by the priest or deacon in question.

**Priests Seeking Hospitality or Permission to Assist on a Temporary Basis**

The Archbishop of San Francisco has signed a decree establishing particular law for this Archdiocese requiring that all priests or deacons wishing to exercise public ministry here, for *any* period of time, must receive faculties of this Archdiocese from the local Ordinary through the Office of the Vicar for Clergy of the Archdiocese.

In the unlikely event that a priest or deacon from outside the Archdiocese arrives at a parish and wishes to minister publicly, he or his delegate must remain present for the liturgical event. As soon as possible thereafter, he must make contact with the Vicar for Clergy or the Chancellor to make him aware of the event. He will be asked to supply the name of the priest or deacon and his diocese (or religious order) for follow-up by the Vicar for Clergy or Chancellor. (Archbishop's letter dated February 28, 2007 to all clergy.)

**1380.2 Screening Candidates for Holy Orders:**

The Seminary will continue to offer courses dealing with human sexuality, with celibacy and with the responsibility of ministers in dealing with both children and adults. The Seminary and the Archdiocese will continue to seek ways of screening out persons with tendencies towards violence, child abuse or other forms of sexual misconduct. The Diaconate program will implement similar programs.

When a priest or deacon is ordained, the Seminary or Diaconate Formation Office will send copies of all relevant materials from his file to the Office of the Vicar for Clergy.

**1390 Precautions to be taken when an accused priest or deacon takes up residence outside the Archdiocese of San Francisco:**

In the event of the transfer of residence (temporary or permanent) of a priest or deacon against whom any credible allegation of sexual misconduct has been made, the following procedure will be followed:

The Archbishop or Vicar for Clergy will contact the Bishop, Vicar General or Vicar for Clergy of the diocese in which the accused priest or deacon will reside to inform the appropriate Archdiocesan official of the fact that the priest will be

in residence and the address of this residence, of the nature of the allegation against him, and of his canonical status.

This notification will be conveyed to the diocese of residence both in writing and verbally.

At the same time, the accused will be informed that should he fail to observe the restrictions that have been placed on his ministry, the sustenance provided him by the Archdiocese of San Francisco will be withdrawn insofar as this is possible. (In cases in which the accused is vested in the retirement plan of the Archdiocese, it will not be possible to withhold his pension payment, but any Supplemental Plan benefit will be withheld).

