

THE CARDINAL NEWMAN SOCIETY'S  
CATHOLIC EDUCATION REPORT



FAITH AND MORALS  
LANGUAGE IN CATHOLIC  
SCHOOL TEACHER  
EMPLOYMENT DOCUMENTS  
Best Practices Brief

by Denise Donohue, Ed.D., and Dan Guernsey, Ed.D.

June 2015

Summary

These best practices in Catholic school employment agreements from Catholic dioceses in the United States represent a few selected examples from our much larger companion report, *Faith and Morals Language in Catholic School Teacher Employment Documents: A Compilation from Diocesan Statements, Handbooks and Contracts*. They are presented as strong examples of the different mechanisms that dioceses are using to articulate the expectations they have of their teachers in the areas of faith and morals.



THE CARDINAL  
NEWMAN SOCIETY

Promoting and Defending  
Faithful Catholic Education

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# Faith and Morals Language in Catholic School Teacher Employment Documents: Best Practices Brief

by Denise Donohue, Ed.D., and Dan Guernsey, Ed.D.

## Introduction

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In an effort to encourage discussion and to assist educational leaders as they ensure the Catholic identity of their schools, The Cardinal Newman Society has compiled these best practices in Catholic school employment agreements from Catholic dioceses in the United States. Statements included represent strong examples of different mechanisms dioceses are using to articulate the expectations they have of their teachers in the area of faith and morals. Best practice in invoking a faith or morals clause involves ensuring the teacher understands and participates in the school's religious mission and is aware of areas of potential moral concern.

Diocesan policies and statements regarding teachers were collected in the second quarter of 2015 primarily from documents publicly available on the Internet, and in some cases by direct contact with a diocese. This brief presents but a few selected examples from a much larger gathering of employment documents from more than 125 dioceses, which are published in our companion report, *Faith and Morals Language in Catholic School Teacher Employment Documents: A Compilation from Diocesan Statements, Handbooks and Contracts*. If a diocese is not included in either report, it does not necessarily mean that the diocese does not address faith and moral issues in its employment documents, but only reflects our inability to obtain such documents.

Excerpts have been taken from longer documents and formatted for consistency. Because referenced documents are likely to change over time, direct contact with a diocese is the only way to ensure up-to-date accuracy.

The Cardinal Newman Society's researchers are currently using the more extensive collection in forthcoming research on this topic. The hope is by making this raw, compiled data readily available to Church officials, it might prove helpful for them as they evaluate their own practices. This document is not presented as legal advice. Catholic school leaders are encouraged to speak with each other and with their attorneys about their approaches to critical employment issues. As a corollary to this piece, the Newman Society has published a comprehensive overview of the Magisterium's expectations of its Catholic teachers, *The Call to Teach: Expectations for Catholic Educators in Magisterial Teaching*.

Selected exemplar resources in this brief include:

- I. Pre-Application and Application Statements

- II. Stand-Alone Faith and Morality Documents
  - a. Bishop’s Statements Incorporated into Employment Agreements
  - b. Morality Statements
  - c. Witness Statements
  - d. Belief Statements/Oaths
- III. Contract and Handbook Clauses
  - a. Generic Morals Clause Language: Positive and Negative
  - b. Specific Language within Employment Documents
  - c. Addendums
- IV. Handbook-based policies
  - a. Formative Language
  - b. Dealing with infractions
- V. Description of Teachers as “Ministers” and Ministry Clauses
- VI. Safe Environment Documents

## **I. Pre-Application and Application Statements**

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One tool some dioceses are using to ensure from the onset of employment that prospective Catholic teachers understand the faith-based nature of their responsibilities is referred to as “pre-application statement.” This no-nonsense approach has the benefit of ensuring that future employees will not be surprised to discover that they are working for the Catholic Church, or that being a Church employee requires remaining a credible witness to the faith.

The Dioceses of Sacramento and San Diego (included in compilation) both have strong examples of “Pre-Application Statements” which prospective employees read and sign prior to completing an application. The Diocese of Sacramento’s statement is longer by two pages and includes a narrative on the mission of the Church and the expectation of employees to share in that mission and give public witness to the Catholic faith through their life choices. The Diocese of Sacramento specifies that “the notion of ‘gay marriage’, and the adoption or placement of children in anything other than a traditional family setting, secularism, the paring back of religious freedom rights, or the restriction of . . . liberty of conscience, anti-Catholicism, or anti-Catholic biases, [and] the abuse of alcohol or the use of illegal narcotics or other controlled substances” are contrary to the teaching of the Church. Both Dioceses clarify that living a life of integrity and personal witness is a requirement for employment. They give clear notice that

“employment by the Roman Catholic Church is not for everyone” and that “Those unable to authentically witness the Catholic faith by their lives may wish to reflect and seek pastoral guidance before applying for employment or ministry in the Church”.

Also included in this section is a “Non-discrimination Clause” from the Diocese of Fort Wayne-South Bend, which clearly articulates the right of the Church to prefer Catholic candidates and that faithfulness to Catholic faith and morals is a criterion of employment selection and retention.

**Sample “Pre-Application Statement” for the Diocese of Sacramento<sup>1</sup>:**

#### Employment/Ministry in the Church Pre-Application Statement

“Go out to the whole world and proclaim the Good News to all creation.”

(Mark 16:15)

#### Mission Statement of the Diocese of Sacramento

We, the People of God of the Catholic Diocese of Sacramento, guided by the Holy Spirit, are called by Christ to proclaim the Good News of the Kingdom of God through prayer, praise and sacraments and to witness the Gospel values of love, justice, forgiveness and service to all.

All Christ’s faithful, by virtue of their baptism, are called by God to contribute to the sanctification and transformation of the world. They do this by fulfilling their own particular duties in the spirit of the Gospel and Christian discipleship. Working in the Church is a path of Christian discipleship to be encouraged. Those who work for the Church continue the mission and ministry of Christ. Their service is unique and necessary for the life and growth of the Church. This has been our tradition from the beginning, as echoed in the words of St. Paul who worked with and relied on other men and women in the work of spreading the Gospel. St. Paul was known to acknowledge and thank them, at times calling them, “my co-workers in Christ Jesus” (Romans 16:3-16).

The Church needs the services of dedicated lay persons who have a clear knowledge and proper understanding of the teachings of the Church and a firm adherence to those teachings, and whose words and deeds are in conformity with the Gospel. All who seek employment or ministry in the Church are expected to continue their formation and their willingness to learn and grow and to deepen their desire to serve the Lord with excellence and generosity. Those employed by the Church in our Catholic schools, parishes and institutions, as coworkers in the vineyard of the Lord, are rightly expected to be

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<sup>1</sup> [http://www.diocese-sacramento.org/diocese/lay\\_personnel/PDFs/Pre-ApplicationStatementandQuestionnaire.pdf](http://www.diocese-sacramento.org/diocese/lay_personnel/PDFs/Pre-ApplicationStatementandQuestionnaire.pdf)

practicing Catholics whose faith is an essential part of their daily lives and who participate fully in the communal worship and life of the Church.

We recognize that persons who are non-Catholic Christians are also called by the Lord to stand before the world as a witness to his life and resurrection. We, therefore, welcome collaboration with such persons of good faith who share our Catholic vision on important social, moral and ethical issues. It is important for anyone interested in collaborating with us in our work and ministry to have an understanding of the Catholic Church and her teachings.

Our Catholic religious beliefs provide the basic framework for our moral, ethical and social teachings. It is important for anyone interested in collaborating with us in our work and ministry to have an understanding of these teachings.

The Catholic Church has a special commitment to the poor, the oppressed, and the immigrant. We are committed to promoting a “Culture of Life” from the moment of conception to the moment of natural death. We believe in the inherent dignity of the human person, created in the image and likeness of God, and possessing basic rights endowed by God, including the right to life, the right to religious liberty, and the right to be treated justly with dignity and respect. We believe human sexuality and human procreation are gifts from God to be shared through the risen Christ only by those joined in marriage, an institution that is itself instituted by Almighty God. We believe that all persons are called by God to live chaste lives by virtue of their own dignity and according to their state of life. We believe in the rights of workers to just working conditions, just wages and benefits, as well as the right to organize and join unions or other associations. We oppose all forms of oppression and exploitation, including racism, sexism, pornography, sexual abuse and harassment, and unlawful discrimination.

As a community of believers, we embrace as a matter of faith, the teachings, policies and beliefs of the Magisterium of the Catholic Church, as defined in the Deposit of Faith. We, therefore, reject anything which is contrary to that teaching, including:

- Abortion, euthanasia, assisted suicide, artificial contraception, voluntary sterilization, and the unnecessary use of capital punishment;
- Pornography and obscenity, adultery, cohabiting in sexual relationships of any nature outside of marriage, homosexual activity, the notion of “gay marriage,” and the adoption or placement of children in anything other than a traditional family setting;
- Secularism, the paring back of religious freedom rights, or the restriction of religious liberty and liberty of conscience, anti-Catholicism, or anti-Catholic biases;
- The abuse of alcohol or the use of illegal narcotics or other controlled substances; and
- Violence or the use of force to resolve social, political or religious problems.

*Must the Church's employees share the Church's vision and witness the Catholic faith in their life and work?*

Yes. Every member of the Church must stand before the world as a witness to the life and resurrection of the Lord Jesus. This is particularly important for those person who work and minister in the name of the Church. In our daily affairs and our work, we, as faithful disciples of the risen Christ, must be guided by a Christian conscience, since even in secular business there is no human activity that can be withdrawn from God's dominion.

The Diocese, in its role as an employer, expects all employees to be persons, who by word and deed, support and advocate the positions of the Catholic Church. We understand that employment by the Roman Catholic Church is not for everyone, because there are people of good faith who disagree with our teachings and views.

Those unable to authentically witness the Catholic faith by their lives may wish to reflect and seek pastoral guidance before applying for employment or ministry in the Church.

*Does the obligation to share the Church's vision also pertain to employees who are not Catholic?*

Yes. As Catholics, we believe that our Faith is universal — that's what the word "Catholic" means. Thus, even if a person is not Catholic he or she remains called by the Lord to stand before the world as a witness to Christ's life and resurrection. Persons whose lives do not witness the teachings of the Catholic faith by virtue of their own objections or disbelief, or are unable to witness the Catholic faith by virtue of their lifestyle choices or public conduct, do not meet the basic criteria to work or minister in the name of the Church.

After you have carefully reflected on what is contained in this Pre-Application Statement, we invite you to complete the Acknowledgement and Applicant Questionnaire, if you are interested in seeking employment with the Diocese of Sacramento.

#### Acknowledgment

By signing below, I hereby acknowledge that I have received and read the foregoing Pre-Application Statement of the Diocese of Sacramento. After reading and reflecting upon the teachings and beliefs of the Catholic Church, and the manner in which those matters impact lay employees of the Diocese, I wish to apply for employment with the Diocese, with a full understanding of the religious nature of the Diocese as an employer. I understand the Diocese's expectations that if my application for lay employment results in my being hired, I will be subject to standards of conduct that incorporate the teachings and beliefs of the Catholic Church as set forth in the Pre-Application Statement, and that these performance expectations will be a material condition of my employment.

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**Sample Application Statement** of the Diocese of Fort Wayne-South Bend<sup>2</sup>

The Diocese of Fort Wayne-South Bend, Inc. maintains a policy of nondiscrimination in its hiring and employment practices. Hiring and employment practices are based on job-related criteria including, but not limited to, one's fidelity to the Catholic faith, comporting oneself in a manner that is not detrimental to the Catholic Church or inconsistent with its teachings or principles, individual merit, ability, experience, performance, education, and training. This policy extends to all aspects of employment including recruitment, selection, compensation, reasonable accommodation, promotion, transfer, training, retention, and termination. Since the distinctive and unique mission of the Diocese is primarily religious, the Diocese will, whenever possible, hire a Catholic in good standing to perform work for the Diocese.

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**II. Stand-Alone Faith and Morality Documents**

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To address the faith and morals of teachers currently employed in their schools and to make Church teachings more explicit, several dioceses have created specific documents expressly related to this topic. Some helpfully refer to the *Catechism of the Catholic Church* as a reference point for non-acceptable behavior. Direct reference to the entire *Catechism* is a best practice, because it not only solves the potential legal question of where to find authoritative, clearly articulated, and binding theological and moral norms for use in adjudication, but also has the added benefit of addressing a much broader scope of possible flashpoints in a deeper context than can be addressed in an employment document. This helps clarify two important legal questions in a termination related to morality clauses: Was the employee aware of what was expected (did they know that their behavior violated expectations), and how is immorality defined or understood in particular instances so as to avoid an arbitrary enactment of the clause by the employer? These stand-alone documents seek to attend to such issues and take several forms including: formal teachings by the bishop incorporated into employment agreements, moral standards documents, witness statements, and professions of faith. Examples of each are below.

**a. Bishop's Teachings Incorporated into Employment Agreements**

Because of the highly contentious nature of faith and morals issues, some pastorally minded bishops have issued specific instruction on what is expected from their teachers. The Bishops of Santa Rosa and Cleveland have both followed this route.

The revised contract (2015) for teachers in the Diocese of Cleveland<sup>3</sup> presents a detailed listing of moral norms expected of Catholic school teachers who, whether certified catechists or not, are expected to model, as well as teach, the Catholic faith. The Cleveland Diocese also includes a *Statement on the Purpose of Catholic Schools and the Role of Teachers and Administrators in*

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<sup>2</sup> [http://www.diocesefwsb.org/Data/Resources/4c990f3842b1f8f709d02bb2717a55d1-Application\\_for\\_Employment-1.pdf](http://www.diocesefwsb.org/Data/Resources/4c990f3842b1f8f709d02bb2717a55d1-Application_for_Employment-1.pdf)

<sup>3</sup> [http://www.cleveland.com/metro/index.ssf/2014/05/cleveland\\_diocese\\_has\\_more\\_exp.html](http://www.cleveland.com/metro/index.ssf/2014/05/cleveland_diocese_has_more_exp.html)



*Catholic Schools*<sup>4</sup> written by Bishop Richard Lennon and incorporated as an attachment to each contract. The document describes the mission of Catholic education and forcefully emphasizes the elevated-employee/ministerial nature of administrators and teachers within a Catholic school. The Bishop states it is “primarily through you [the teacher] that the school is able to cultivate the love of Christ and kindle the light of Christ in the hearts of its students” and “[a]s such, it is a great honor and privilege [for teachers] to play such a special and important role in the life of the Church”. The document emphasizes the importance of personal integrity, calling on numerous magisterial documents such as *Gravissimum Educationis* (section 8) and *Lay Catholics in Schools, Witnesses to Faith* (section 32) to address the necessity of modeling Christ, the perfect teacher.

Below are excerpts from Bishop Robert Vasa of Santa Rosa, which demonstrate that while much of the employment language must, *ipso facto*, be legalistic, the greater effort being pursued by the Church is one of pastoral sensitivity, instruction, and clarity. (See also Bishop Vasa’s April 2004 letter titled *Giving Testimony to the Truth*.)<sup>5</sup>

**Sample comprehensive teaching document** for the Diocese of Santa Rosa<sup>6</sup> (excerpts from 15-page employment agreement):

#### Code of Ethics for the Teacher in a Catholic School

##### PREAMBLE

“GO TEACH!” With these words, Christ sent His first disciples on mission. Since the beginning of Christianity, Catholic education has been one of the most important ways in which the mission of the Church is carried out. This education manifests a foundational anthropology, a basic sense of the human being, namely (that) all persons are created in the image and likeness of God, are fallen in view of original sin, and are redeemed by Jesus Christ. To understand, to teach and to model this anthropology are particular requirements of those entrusted with the Church’s educational mission. Thus, in large part the success of Catholic education depends upon the professional competence, quality, and above all, the commitment of the teacher to Christ.

The Code of Ethics for the Teacher in a Catholic School is a description of a person who is growing in various dimensions of experience. The Code specifies the attitude and the practice of the teacher in relation to the Church, the student, the parent, the community, and the profession. In relationship to the Church in particular, the teacher is not called to an unrealistic perfection but rather to continual growth in understanding and in appreciation for the Church in all Her dimensions. Here, what is meant by ‘continual growth’ also includes ongoing spiritual conversion (i.e., a more complete *turning toward*

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<sup>4</sup> Ibid

<sup>5</sup> [http://www.dioceseofbaker.org/DIOCESAN\\_DOCUMENTS/PastoralGuidelines08.20.12.pdf](http://www.dioceseofbaker.org/DIOCESAN_DOCUMENTS/PastoralGuidelines08.20.12.pdf)

<sup>6</sup> Provided by Diocesan personnel 5/5/15

*God*) in one's soul. This kind of conversion can include a humble acceptance of the standing offer of God's mercy, which acceptance always moves a person deeper into the heart of the Church. In any case, conversion is like 'professional development'. That is, just as every teacher recognizes a responsibility to grow so as to keep abreast of developments in the profession, so too the teacher in a Catholic school recognizes a responsibility to grow in efficacy regarding the Church. In sum, whether personally or professionally, the Code of Ethics for the Teacher in a Catholic School represents a guide by which to live, a goal toward which to strive and a promise of lasting success.

The Diocese of Santa Rosa recognizes and claims its Catholic Elementary and High Schools as educational institutes established to promote and foster the teachings and values of the Catholic Church. The Diocese recognizes that these Institutions have an integral and significant role in the positive presentation of the Catholic faith to the hearts of their students and to our society. The primary purpose of our Schools, without minimizing others, is evangelization. Catholic Schools, in the course of their educational efforts, provide an essentially ecclesiastical ministry. "The duty and right of educating belongs in a unique way to the Church which has been divinely entrusted with the mission to assist men and women so that they can arrive at the fullness of the Christian life" (Canon 794, § 1).

*Preamble by +Robert F. Vasa, Bishop of Santa Rosa*

#### Principle I: Commitment to the Church

Presidents, principals and teachers are employed, either directly or indirectly, by the Catholic Church for the express purpose of assisting "men and women so that they can arrive at the fullness of the Christian life". Thus, in addition to specific employee duties, they also share in the mission of the Church and therefore have the responsibility of fostering—through their positions and in the lived reality of their lives—the values, principles, doctrines and teachings of the institutional Catholic Church or, at least, of never publicly contradicting them. In fulfilling our obligation to the Church, we are called to:

1. Recognize that we are part of the overall educational ministry of the Catholic Church even when some of the persons instructed are not adherents of the Catholic faith.
2. Recognize that as human beings, we are called by God to a life of holiness. We recognize that, without diminishing our freedom, this call orients us to heed God in our thoughts, words and deeds. We further recognize that this call is all the more compelling for us since, in our lives and vocations as teacher/administrators in a Catholic school, we have been entrusted with the task of helping students "arrive at the fullness of the Christian life" (Canon 794, § 1).

3. Recognize that we must be models of “exemplary life both personally and professionally” (cf. employment contract). Thus, whether we are at school or outside of school, our public behavior is to be in conformity with Church teaching as expounded in *The Catechism of the Catholic Church*.
4. Recognize our duty, to the best of our ability, to know “Church Teaching” (cf. contract) and, if Catholic, to believe in accord with what the Catholic Church holds and professes.
5. Recognize that we have a responsibility to continue to seek a fuller understanding of the Faith that the Catholic Church professes. Accordingly, we are to take advantage of opportunities offered by the Diocese or Parish to foster Faith, to properly form conscience and to deepen understanding of the Church’s teaching.
6. Recognize that, in its entirety, *The Catechism of the Catholic Church* constitutes the source and standard according to which all the ethical matters stated or implied in this Commitment and in the contract are understood and adjudicated.

#### b. Moral Statements

Jointly, the Dioceses of Helena and Great Falls-Billings in Montana have created a stand-alone document called *Catholic Moral Standards* for all Catholic school employees and volunteers. After the employee reads, agrees, and signs this acknowledgement form, it is placed in their personnel file. By requesting a signature on a separate document as opposed to simply signing a handbook or contract, the issues related to moral and theological matters are placed front and center in the employment agreement. They are therefore less likely to be violated accidentally and preclude the employee from claiming insufficient notice about potential violations.

#### **Sample Catholic Moral Standards Document** for Montana Catholic Schools<sup>7</sup>:

##### Catholic Moral Standards for All Catholic School Employees and Volunteers

A signature is required below to acknowledge that the Catholic school employee (teacher, support staff, coach, etc.), or volunteer has read and understands the Catholic Moral Standards as an essential expectation to his/her position with the Catholic school.

As a Catholic school employee or volunteer, I understand ...

\_\_\_\_\_ that I will not engage in any conduct or lifestyle, whether in my personal or public life, that would be at variance with or contrary to the moral and religious teachings of the Roman Catholic Church

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<sup>7</sup> <http://www.montanacatholicschools.org/wp-content/uploads/2015/03/Faculty-application.pdf>

\_\_\_\_\_ that I will not engage in any conduct or lifestyle, whether in my personal or public life, that would be at variance with or contrary to the moral and religious standards as described in Catholic school polices, Diocesan policies, or my employment contract

Please Note: These standards have been and will continue to be printed in the Catholic Schools' personnel handbooks, as well as on the teacher's contract.

I understand the terms of the Catholic Moral Standards and recognize that any personal conduct or lifestyle (public or private) that violates the Catholic moral standards may result in personnel discipline up to and including dismissal from employment.

I also understand that if I have any questions regarding the Catholic Moral Standards, I will submit them to the school administration, in writing and the school administration will provide a response in a timely manner.

### c. Witness Statements

Similar to a stand-alone faith and morality statement, but perhaps offering greater emphasis on the evangelical nature of teaching in a Catholic school, some dioceses, such as the Dioceses of Peoria<sup>8</sup> and Arlington<sup>9</sup> and the Archdiocese of St. Louis<sup>10</sup> require teachers to sign a witness statement attesting to the fact that they have been “called to be witnesses to the life and teachings of Jesus Christ and the Catholic Church.” Teachers agree that they will “witness by their public behavior, actions and words, a life consistent with the teachings of the Catholic Church” and that they “believe in God, support belief in Jesus Christ, engage in prayer, respect ecclesiastical authority, possess a knowledge of the Catholic Church, [will] not take a position contrary to the Catholic Church, [will] demonstrate a life consistent with the teachings of the Catholic Church, have not rejected the Catholic Church, and [are] active members of the Catholic Church.”

**Sample witness statement** for the Archdiocese of St. Louis:

#### Witness Statement for Those Who Serve in Catholic Education

The mission of Jesus Christ and the Holy Spirit is the mission of the Catholic Church, to reveal God the Father, Son, and Holy Spirit to all people and to teach them about the fullness of His love. “Indeed the primordial mission of the Church is to proclaim God and to be His witness before the world” (GDC). Catholic education shares in a special way in the Church's mission by proclaiming and witnessing Jesus Christ and His teachings.

Catholic education, which includes education, formation, and transformation, exists in order to evangelize. Two important elements that make up the process of evangelization

<sup>8</sup> [https://cdop.org/.../Witness%20Statement\\_OCS%20%20202015.doc](https://cdop.org/.../Witness%20Statement_OCS%20%20202015.doc)

<sup>9</sup> <https://www.arlingtondiocese.org/catholicschools/documents/WitnessStatement.pdf>

<sup>10</sup> [http://archstl.org/files/field-file/Archdiocese\\_of\\_St\\_Louis\\_Employee\\_Handbook\\_Offices\\_Agencies.pdf](http://archstl.org/files/field-file/Archdiocese_of_St_Louis_Employee_Handbook_Offices_Agencies.pdf)

are proclamation and witness. It is essential, therefore, that those who serve in Catholic education proclaim Jesus Christ, His life and ministry, present the Catholic faith in its fullness and be Christ's witness to the world.

Initially those being evangelized will be attracted to and listen to those who are good witnesses. "The Good News proclaimed by the witness of life sooner or later has to be proclaimed by the word of life" (*Evangelii Nuntiandi*). Some in Catholic education—religion teachers, PSR catechists, educational and catechetical leaders—are called to be explicit proclaimers of the Word. But all who serve in Catholic education are called to be witnesses to the life and teachings of Jesus Christ and the Catholic Church. Therefore, the following Witness Statement applies to all who serve in Catholic education.

All who serve in Catholic education in the parish and school programs of the Archdiocese of Saint Louis will witness by their public behavior, actions, and words a life consistent with the teachings of the Catholic Church.

Only those persons who can support this Witness Statement are to be employed by pastors, principals, and directors/coordinators of religious education.

All who serve in Catholic education in the Archdiocese of Saint Louis should be made aware that support of this Witness Statement must be reflected in their public behavior.

All who serve in Catholic education should:

- believe in God
- support belief in Jesus Christ
- engage in prayer
- respect ecclesiastical authority
- possess a basic knowledge of the Catholic Church
- not take a public position contrary to the Catholic Church
- demonstrate a public life consistent with the teachings of the Catholic Church
- practice respect and reverence for others and prudence with regard to confidential information related to work
- if Catholic, have not publicly rejected the Catholic Church be active members of the Catholic Church, or of their own Church
- if not Catholic practice exemplary stewardship and ethical behavior with regard to Church property and funds.

The above is a thorough but not all-inclusive listing of the implications of this Witness Statement.

#### d. Belief Statements/Oaths

These are highly personal yet publicly made statements attesting to deeply held beliefs. They require the employee not only to acknowledge and work in the context of truths held by the faith but also to affirm that they hold those truths interiorly. In the Diocese of Phoenix, teachers and administrators must be active witness of the Catholic tradition, knowledgeable about the Catholic faith, and willing to promote, live, and uphold doctrinal teachings and Catholic morals. All personnel, whether Catholic or non-Catholic, must make and sign a *Profession of Faith*. For Catholics, this is the Creed, and for non-Catholics this is a statement attesting to the fact that they will “hold each and every thing that is proposed definitively by the Catholic Church regarding teaching on faith and morals” and that they “shall always teach in accord with the official teachings of the Church as it is proclaimed by the Pope and the College of Bishops.”

**Sample profession of faith** for the Diocese of Phoenix<sup>11</sup>:

#### Profession of Faith

(For newly hired Catholics in schools, catechetical or youth leadership positions)

I, N., with firm faith believe and profess each and every thing that is contained in the symbol of faith, namely:

I believe in one God, the Father almighty, maker of heaven and earth, of all things visible and invisible. I believe in one Lord Jesus Christ, the Only Begotten Son of God, born of the Father before all ages. God from God, Light from Light, true God from true God, begotten, not made, consubstantial with the Father; through him all things were made. For us men and for our salvation he came down from heaven, and by the Holy Spirit was incarnate of the Virgin Mary, and became man. For our sake he was crucified under Pontius Pilate, he suffered death and was buried, and rose again on the third day in accordance with the Scriptures. He ascended into heaven and is seated at the right hand of the Father. He will come again in glory to judge the living and the dead and his kingdom will have no end. I believe in the Holy Spirit, the Lord, the giver of life, who proceeds from the Father and the Son, who with the Father and the Son is adored and glorified, who has spoken through the prophets. I believe in one, holy, catholic and apostolic Church. I confess one Baptism for the forgiveness of sins and I look forward to the resurrection of the dead and the life of the world to come. Amen.

With firm faith I also believe everything contained in God’s word, written or handed down in tradition and proposed by the Church, whether by way of solemn judgment or

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<sup>11</sup> [http://www.diocesephoenix.org/uploads/docs/Appendix\\_J.1\\_Profession\\_of\\_Faith\\_Catholic.pdf](http://www.diocesephoenix.org/uploads/docs/Appendix_J.1_Profession_of_Faith_Catholic.pdf);

through the ordinary and universal magisterium, as divinely revealed and calling for faith.

I also firmly accept and hold each and every thing that is proposed definitively by the Church regarding teaching on faith and morals.

Moreover, I shall always teach in the accord with the Official Magisterium of the Church as it is proclaimed by the Pope and the College of Bishops.

#### Profession of Faith

(For newly hired Non-Catholics in schools)

I accept and hold each and every thing that is proposed definitively by the Catholic Church regarding teaching on faith and morals.

I shall always teach in accord with the official teachings of the Church as it is proclaimed by the Pope and the College of Bishops.

### **III. Contract and Handbook Clauses**

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Some dioceses simply include faith and morals clauses as part of their basic employment handbooks and/or contracts. As part of the paperwork associated with the HR process, teachers sign off on a package of employment expectations with the morality and faith statements embedded therein. Another alternative some dioceses are moving toward includes more explicit language in their contracts and handbooks, either with existing documents or as more robust addendums.

#### a. Generic Morals Clause Language: Positive and Negative

A significant number of dioceses use basic morals clauses sometimes called “conscience clauses”. Some of the dioceses include examples of what employees should do and be, such as “uphold the teachings of the Catholic Church” and “personally exemplify the characteristics of Catholic living”. Others make general statements regarding prohibited behaviors and actions, such as publicly speaking out against the teachings of the Church. Some dioceses have combined both acceptable and non-acceptable behavior in their morals clauses, and many of them use the disclaimer that the list is not exhaustive of all types of actions that might prompt disciplinary action.

A common statement used by many dioceses is, “the teacher agrees to teach, advocate, encourage, counsel, and witness in keeping with the beliefs and practices of the Catholic faith and teachings.” Some express this in the negative, stating that a teacher “shall *not* teach, advocate, encourage or counsel beliefs or practices *contrary* to the Catholic faith.” Another popular phrase utilizes the word “lifestyle” in either a positive or negative connotation, such as “living a lifestyle in conformity (or not in conformity) to Church teaching”. The use of the word “lifestyle” takes into consideration behaviors that are exhibited during the workday as well as

outside the confines of the school environment. It also includes vacation time and the overall general comportment of the teacher. Many dioceses use the term “personal conduct” as well, but this could be interpreted as personal conduct only during normal school hours.

**Samples of positive and negative moral clauses** from various dioceses:

**Negative statements.**

“Any personal conduct or lifestyle which would be at variance with, or contrary to the applicable policies of the Roman Catholic Church...” (Diocese of Baton Rouge)<sup>12</sup>

“...refraining from taking any public position or conducting himself or herself in any manner contrary to the teachings of the Catholic Church.” (Archdiocese of Denver)<sup>13</sup>

“TERMINATION. The undertaking by teacher of activities, within or outside of the employer/employee relationship, which are detrimental to the fundamental purpose and mission of the employer or constitute a failure to support and exemplify Catholic Faith and Morals as taught by the Magisterium of the Catholic Church... The teacher engages in any conduct in or out of the workplace which, in the judgment of the employer, constitutes serious or public immorality, sacrilege, lewd conduct, endangerment of health or safety, abusive conduct, public scandal or rejection of, or the holding up to doubt or question of the official teaching, doctrine, or laws of the Catholic Church.” (Diocese of Kalamazoo)<sup>14</sup>

“...contradiction or rejection, by word or action, of doctrines, laws or norms of the Catholic Church.” (Diocese of Lincoln)<sup>15</sup>

“The contract may also be terminated if the teacher’s life style is incompatible with Catholic moral values or if professional conduct is at variance with the policies of the Diocese of Yakima... public rejection of the official teachings, doctrine, or laws of the Roman Catholic Church” (Diocese of Yakima)<sup>16</sup>

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[http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CB8QFjAA&url=http%3A%2F%2Focs.arch-no.org%2Fckeditor\\_assets%2Fattachments%2F250%2Fteacher\\_contract\\_archdiocese\\_2014-15.doc&ei=zJKFVZ7MAsX2yQSCroKQBg&usg=AFQjCNELBx-BZ07aW7FuDnKNdAMPECZQYQ&sig2=xF7owP2gkPFKtf93fcXMkw&bvm=bv.96339352,d.aWw](http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CB8QFjAA&url=http%3A%2F%2Focs.arch-no.org%2Fckeditor_assets%2Fattachments%2F250%2Fteacher_contract_archdiocese_2014-15.doc&ei=zJKFVZ7MAsX2yQSCroKQBg&usg=AFQjCNELBx-BZ07aW7FuDnKNdAMPECZQYQ&sig2=xF7owP2gkPFKtf93fcXMkw&bvm=bv.96339352,d.aWw)

<sup>13</sup> Received from Diocese 4/17/15

<sup>14</sup> <http://www.dioceseofkalamazoo.org/documents/Schools/Policy%20Manual%202013.pdf>

<sup>15</sup> Received from Diocese 4/21/15

<sup>16</sup> <http://www.yakimadiocese.org/attachments/category/43/DOYCatholicSchoolsPoliciesFINAL.pdf>



**Positive Statements.**

“This responsibility requires that the teacher’s personal life to be conducted in accordance with the teachings and principles of the Catholic Church and in such a manner as to set a proper example for students...” (Archdiocese of Atlanta)<sup>17</sup>

“...teacher agrees to teach, advocate, encourage, counsel, and witness in keeping with the beliefs and practices of the Catholic faith and teachings.” (Diocese of Fargo)<sup>18</sup>

“...uphold and to act in accord with the religious, moral, and ethical principles of the Roman Catholic Church... Administrators and teachers therefore are expected to conduct themselves both in teaching and example in a manner consistent with the academic, social, moral and religious teaching of the Catholic Church” (Archdiocese of Hartford)<sup>19</sup>

“Personnel shall be either Catholics in good standing, who are committed to the Catholic faith and to Christian living, and who are registered members of a Catholic parish, or others who have a positive attitude toward the Catholic faith and a commitment to Christian living as well as having a lifestyle that is consistent with Church teaching and are registered members of their particular non-Catholic parishes. They shall work with others within and beyond the school setting in a spirit befitting a Christian faith community.” (Archdiocese of Omaha)<sup>20</sup>

“...respect Catholic values and to aid in Christian formation by exemplifying a lifestyle of Christian principles both in school and out of school. The employee shall exhibit a lifestyle that is compatible with Catholic moral values and professional conduct consistent with Catholic teaching...” (Archdiocese of Portland, Oregon)<sup>21</sup>

**b. Specific Language Within Employment Documents**

Instead of adding complete new documents to their teacher contracts and handbooks, some dioceses have elected to bolster their generic morality clauses by explicitly listing a series of faith and moral areas that may come to public attention with negative consequences.

**Sample specific language within employment contract** from the Archdiocese of Cincinnati<sup>22</sup>:

Teacher-Minister also agrees to exemplify Catholic principles in a manner consistent with Teacher-Minister’s relationship with the Catholic Church and to refrain from any conduct or lifestyle which would reflect discredit on or cause scandal to the school or be

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<sup>17</sup> <http://www.archatl.com/education/OCS/pm/>

<sup>18</sup> Received from Diocese 4/20/15

<sup>19</sup> <http://www.adh->

[ocs.org/2013OCS/06.familyresources/policies%20and%20procedures/policiesprocdeures/Chapter%203%20Personnel.pdf](http://www.adh-ocs.org/2013OCS/06.familyresources/policies%20and%20procedures/policiesprocdeures/Chapter%203%20Personnel.pdf)

<sup>20</sup> <http://www.ketv.com/blob/view/-/32259928/data/49607921/-/13b951g/-/Teacher-Contract.pdf>

<sup>21</sup> Received from Diocese 4/28/15

<sup>22</sup> <http://www.catholiccincinnati.org/ministries-offices/human-resources-office/contract-for-certificated-employees/>

in contradiction to Catholic social doctrine or morals. While not meaning to infer that Teacher-Minister is involved in such conduct or lifestyle, by way of example, such conduct or lifestyle that is in contradiction to Catholic social doctrine or morals includes, but is not limited to: cohabitation outside marriage; sexual activity out of wedlock; same-sex sexual activity; use of abortion; use of a surrogate mother; use of in vitro fertilization or artificial insemination; advocacy (defined as presenting or promoting as acceptable-for conduct, lifestyle, positions, policies, programs, causes or movements in contradiction to Catholic social doctrine or morals; and/or flagrant deceit or dishonesty. Teacher-Minister further agrees to teach and act consistently in accordance with the mission statement of the School and to strive to aid in the formation of students by personal witness so far as conscience allows to the stated philosophy and teachings of the Roman Catholic (these can be found in the *Catechism of the Catholic Church*, which is incorporated herein by reference)

### c. Addendums

The Diocese of Lafayette<sup>23</sup> has a full-page *addendum* containing 10 statements (with *Catechism* references) that it considers to be violations of moral living and “at variance and inconsistent with the moral and religious doctrines and teachings of the Roman Catholic Church”. They are:

1. Contracting a marriage in violation of the rules of the Catholic Church. CCC Nos. 1603; 1614; 1650-51; 2384.
2. Living with another as husband and wife, without benefit of a valid marriage. CCC Nos. 2350; 2353; 2390; 2391.
3. Conviction of a felony or a crime which involves moral turpitude. CCC Nos. 2268; 2284-5; 2297ff; 2353-56; 2387-89.
4. Obtaining or assisting another to obtain an abortion. CCC Nos. 2271; 2272.
5. Actively engaging in homosexual activity. CCC Nos. 2357-59.
6. Immoral or dishonest conduct impairing one’s effectiveness as a principal. CCC Nos. 1952; 2039; 2284-85; 2408.
7. Becoming pregnant out of wedlock while teaching/working in a Catholic school; fathering a child out of wedlock while teaching/working in a Catholic School. CCC Nos. 1935; 1947; 2284-85.
8. Membership in any organization which is anti-Catholic, and whose philosophy is racist and/or any was contrary to the Church’s teaching on social justice.

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<sup>23</sup> Received from Diocese 5/5/15

9. Engaging in any activity, immoral or illegal, which sets a bad example for students (e.g. illicit use of drugs, alcohol abuse, pornography, indecent behavior or abuse of any kind). CCC Nos. 2284-85; 2354; 2335.
10. Maintaining by word or action a position contrary to the teaching standards, doctrines, laws and norms of the Catholic Church. CCC Nos. 2030; 2032; 2044; 2072-3.

## IV. Handbook-based Policies

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### a. Formative Language

A review of diocesan employment documents indicates that many have drafted entire sections of their employee/school handbooks to address expectations for teachers in the areas of faith and morals. These more extensive efforts allow for a clear articulation of the school's mission, goals, and objectives and the teacher's role in achieving them. They thus play an important formative role for the faculty. Especially strong are handbooks by the Diocese of Kansas City, Kan.,<sup>24</sup> and the Diocese of Syracuse<sup>25</sup>. The Diocese of Davenport has also created an exemplary document, sections of which are below.

#### **Sample language** from the Diocese of Davenport<sup>26</sup>

*Catholic Identity.* A Catholic school consists of a group of people—students, parents, faculty—lay and /or religious, priests, and board members—who explicitly and directly assert together belief in our basic relationship with God—created, redeemed, inspired – as stated in the Scriptures and developed by Catholic tradition. These people seek together to grow and share in understanding, appreciating, and living Christianity in a technological, complex, urban and world society. Together, they create the Catholic environment of the school.

*Professional Believing Educators.* Catholic schools are unique because a community of believers permeate the curriculum with love of Jesus Christ as they help students grow to full potential as children of God. These believers who are teachers educate students not for money, power **or** prestige, but for Catholic responsibility, inner freedom and goal-oriented lives for the Kingdom here and now and for eternity. (Pages 2, 17)

#### Dismissal on Grounds of Immorality

(a) Rationale: In our society and cultural tradition the profession of teaching has carried with it a special trust by parents, children, the public, and the Church. An educator is in a position of significant influence and sacred trust. Like other professions (e.g. medicine,

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<sup>24</sup> <http://www.archkck.org/document.doc?id=1272>

<sup>25</sup> <http://syracusediocese.org/assets/Uploads/revised-teacher-handbook.10.27.14.pdf>

<sup>26</sup> Diocese of Davenport, (2003). *Catholic educators' handbook*.

<http://www.davenportdiocese.net/Schools/Manuals/CompleteCatholicEducatorsHandbook.pdf>

law, psychiatry, religion, etc.) there is a privileged relationship of influence between educator and students that demands qualities of character and morality, as well as teaching competencies. This position of influence places a special moral responsibility not only on the educator but also on those responsible for his/her employment.

For believers, the Bible gives guidance:

He said to his disciples: “Scandals will inevitably arise, but woe to him through whom they come. He would be better off thrown into the sea with a millstone around his neck than giving scandal to one of these little ones.”

Be on your guard. If your brother does wrong, correct him; if he repents, forgive him. If he sins against you seven times a day and seven times a day turns back to you saying, “I am sorry,” forgive him. - Luke 17:1-4

Recent Catholic documents state:

The achievement of the specific aim of the Catholic school depends not so much on the subject matter or methodology as on the people who work there. The extent to which the Christian message is transmitted through education depends to a very great extent on the teacher. The integration of culture and faith is mediated by the other integration of faith and life in the person of the teacher. The nobility of the task to which teachers are called demands that, in imitation of Christ, the only Teacher, they reveal the Christian message not only in word but also by every gesture of their behavior. This is what makes the difference between a school whose education is permeated by the Christian spirit and one in which religion is only regarded an academic subject like any other. *The Catholic School, #43*

The new awareness that all members of the faculty, at least by their example, are an integral part of the process of religious education has brought with it a more conscientious approach to the selecting of teachers and the professional development of staff. Teachers’ life-style and character are as important as their professional credentials<sup>27</sup>

...(c) Actions Considered Moral Grounds for Dismissal

Actions that are considered moral grounds and may be judged as cause for dismissal include, but are not limited to the following:

- Violations of criminal law considered as aggravated misdemeanors and felonies.
- Teaching or publicly advocating principles contrary to the dogmatic and moral teaching of the Church and the judgment of the bishop (i.e. newspaper, TV, radio, public

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<sup>27</sup> See *Teach Them* (complete source info)

demonstrations). If there is a conflict as to the teaching of the Church, the judgment of the bishop shall be the final arbiter.

- Violations of the teachings of social justice as taught and commonly viewed by the Catholic Church, with the judgment of the bishop as final arbiter. Such violations include unjust aggression against persons, abortion, unlawful discrimination, breach of contract, theft, perjury, defamation of character and similar violations.
- The continued abuse of alcohol or other chemical substances when proper treatment has been refused or has been unsuccessful and the functioning of the person is impaired; advocating the use of alcohol or other chemical substances in an abusive manner.
- Public violations or publicly advocating violations of the standards of sexual morality taught by the Catholic Church, with the judgment of the bishop as final arbiter. Such violations include cohabitation, sexual relations outside a legal marriage, advocating or practicing homosexuality, child molestation and similar violations.

Habitual abuse by Catholic Christians of the precepts of the Church.

(d) Precepts of the Church, such as:

- To keep holy the Lord's Day.
- To observe the sacramental life of the Church.
- To observe the marriage laws of the Church; to give religious training, by example and word, to one's children; to use parish schools and catechetical programs.
- To strengthen and support the Church—one's own parish community and parish priests, the worldwide Church and the Pope.
- To do penance, including abstaining from meat and fasting from food on the appointed days.
- To join in the missionary spirit and apostolate of the Church, such as being an active member of a parish and participating in parish/inter-parish programs. (Pages 37- 40)

#### b. Dealing with Infractions

The enforcement of faith and morals clauses is not a pleasant business. Such situations are likely to be painful, emotionally and socially charged, and potentially litigious. Charity, clarity, humility, and justice will all need to come into play in aiming for a peaceful resolution with the employee. The Diocese of Davenport describes in their *Catholic Educators' Handbook* a rationale and process for possible faith or morals-based termination based upon principles of Christian charity.

**Sample disciplinary language** from the Diocese of Davenport<sup>28</sup>

(b) Norms of the Diocese of Davenport: Employees in Catholic educational programs hold a unique public position of importance and dignity within the Catholic community. Indeed, appropriate public ceremonies are encouraged which proclaim and celebrate their special role. The commitment to forgiveness and reconciliation is essential to the Church.

While we profess that all members of the Catholic community are sinners in need of redemption, it is also true that immoral behavior by educators carries with it additional gravity because of their special position in the community. Some immoral actions or habits because of their nature or circumstances may disqualify a person, at least for a time, from holding an office, role or function within the Catholic community. This is true for Catholic educators.

The board and administration do not pass judgment on subjective morality. In assuming their rightful responsibilities, the board and administration do properly consider behavior which in their judgment is publicly and manifestly inconsistent with the moral standards of the community and the school/educational program. Teaching or living a life-style in contradiction to the teachings of the Church can disqualify one as an employee of our educational system, at least for a time, particularly when this is done deliberately, publicly, without contrition, and/or without an openness to repair any scandal resulting from his/her actions. People of good will approach reconciliation with mutual respect, personal integrity and freedom of conscience. In some cases the parties concerned come to reconciliation with common understanding and mutual acceptance. In such a case reinstatement may follow. In other cases the parties concerned come to reconciliation without common agreement but with mutual respect. The parties “agree to disagree” and to go their separate ways with love and good will. In such a case reinstatement does not follow. For example, an educator may come to disagree in conscience with the teaching of the church as interpreted by responsible authority. The school/educational program cannot be expected to retain or reinstate an educator who would not have been hired initially had the conflict in conscience existed and been known at that time. On the other hand, the educator cannot be expected to teach or live contrary to deeply-held conscience convictions (Cf. Vatican II: Declaration on Religious Liberty.)

When there are actions contrary to this moral policy, the board and administration reserve the option to release or retain/reinstate the employee having considered the following:

- The public action of the employee was, in fact, immoral as outlined in (3) below.
- The openness of the employee to be responsible for both his/her actions and their effects. (See pages 33-35)

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<sup>28</sup> Ibid

- The openness of the employee to make a commitment to the ideals of the community. (See page 33-35)
- The nature and extent of the public scandal according to “Norms” on page 35.
- The willingness of the employee to repair any scandal, public or private, insofar as possible. (See (3) below)
- The pastoral circumstances which affect the welfare of the community and the welfare of the individual as judged by the board and administration. (See point (3) (e) below)

## V. Description of Teachers as “Ministers” and Ministry Clauses

The description of Catholic teachers as “ministers” and not as simply “teachers” or “employees” may serve two related ends for dioceses. First, it provides pastoral guidance to the teachers themselves and clarifies and prioritizes that all teachers are called to participate in the Catholic school’s fundamental mission of evangelization. Secondly, the use of the term may also provide some access to legal protection under “ministerial exemption” case law. The ministerial exemption is a First Amendment protection which allows religious organizations to supervise and determine the worthiness and suitability of their ministers with a significant degree of freedom and limited governmental and legal entanglement. Catholic school leaders should work closely with legal counsel on issues of employment law related to the use of this possible exemption.

Initial research conducted by The Cardinal Newman Society suggests that approximately nine dioceses currently refer to their teachers as ministers in their employment language. Dioceses, such as Monterey<sup>29</sup>, refer to a teacher as “an apostolic worker of the Roman Catholic Church.” The Diocese of Tucson<sup>30</sup> calls Catholic educators “agents” of the Catholic Church and states that as such they must uphold the teachings of the Catholic Church. The Diocese of Oakland uses both “minister and steward of the Catholic faith”. An example of ministerial language is provided below from the Diocese of Cleveland.

### **Sample of Teacher/Minister Contracts and Language** from the Diocese of Cleveland<sup>31</sup>:

Role as Minister and Role Model of the Faith: The Teacher-Minister, in signing this Agreement represents that he/she has read and understand the Statement on the Purpose of Catholic Schools and the Role of Teachers and Administrators in Catholic Schools by the Bishop of the Diocese of Cleveland, which is attached to this Agreement as Exhibit A and incorporated into this Agreement by this reference. The Teacher-Minister

<sup>29</sup> documents.dioceseofmonterey.org/Documents/21238/Teacher%20Agreement%202008b.pdf

<sup>30</sup> Received from Diocese 5/8/15

<sup>31</sup>

[http://media.cleveland.com/plain\\_dealer\\_metro/other/Cleveland%20Diocese%20contract%20with%20HS%20teachers.pdf](http://media.cleveland.com/plain_dealer_metro/other/Cleveland%20Diocese%20contract%20with%20HS%20teachers.pdf)

understands and acknowledges that the Roman Catholic Church views the primary purpose of a Catholic school as a means of building up the Kingdom of God through the holistic and authentically Catholic formation of each student and that such development can only truly be fostered in a wholly Catholic environment. The Teacher-Minister further understands and acknowledges that it is the teaching of the Roman Catholic Church that teachers in a Catholic school are truly and in a very real sense engaged in a special ministry, or apostolate, of the Roman Catholic Church and that such teachers should bear witness to Christ in their lives as much as in their classroom instruction. For this reason, Canon 803 of the Code of Canon Law requires that teachers of a Catholic school must be “outstanding in true doctrine and uprightness of life.” As such, the Teacher-Minister agrees to act, speak, and live at all times in a manner consistent with the teachings of the Roman Catholic Church and understands that actions and speech that are contrary to Catholic teaching will not be tolerated by the Parish and shall be grounds for disciplinary action up to and including termination. The following, although in no way an exclusive list, represent by way of example certain speech or actions that are considered to be contrary to the teaching of the Roman Catholic Church:

- a. Public support of positions contrary to Roman Catholic Church teaching (including, but not limited to, publically supporting abortion, euthanasia, assisted suicide, embryonic stem cell research, in vitro fertilization, artificial insemination, surrogate parenthood, direct sterilization, or so-called homosexual or same-sex marriage or unions).
- b. Procuring or assisting another in procuring an abortion.
- c. Making use of or participating in artificial insemination, in-vitro fertilization, or surrogate parenthood.
- d. Preparing for or engaging in a same-sex marriage or union.
- e. Engaging in or publically supporting sexual relations outside of marriage (which shall be understood for purposes of this Agreement as being the marriage between one man and one woman.)
- f. Living with another as husband or wife without the benefit of a marriage recognized as valid by the Roman Catholic Church or cohabitating outside of marriage.
- g. Engaging in or supporting transvestitism, transgenderism, or sex reassignment.
- h. Membership in any organization that is anti-Catholic or whose philosophy is in any way contrary to the ethical or moral teachings of the Roman Catholic Church.
- i. Indecent or lewd behavior (including, but not limited to, the unlawful use of drugs, substance abuse, or use of pornography).
- j. Serious dishonesty.



- k. Entering into a marriage with a person when one of the parties to the marriage is validly married to another person in the eyes of the Roman Catholic Church (e.g., entering into a marriage if one of the parties has entered into marriage previously and has not received an annulment from the Roman Catholic Church).
- l. Use of social media or electronic means of communication (e.g., email and texting) in an improper, immoral, or scandalous manner (including, but not limited to, use of social media or electronic means to communicate, post, share, or send material that is lewd, indecent, sexually suggestive, or pornographic).

## VI. Safe Environment Documents

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Many dioceses include faith and morals language in their Safe Environment Documents referring to “Codes of Conduct” that focus generically on the need for employees to adhere to Catholic faith and morals in all conduct with others. Other Safe Environment documents are more expansive, identified by terms such as “Principles of Ethics and Integrity,” and more fully integrate language from traditional faith and morals statements into an “all inclusive” set of statements embedded within the Safe Environment process. In this case, employees should be made aware that they are signing more than just an affirmation to protect children from child abuse; that they are signing a comprehensive statement about witnessing to the Catholic faith in their professional and private lives.

**Sample of a Safe Environment Document with additional morals clause criteria** from the Diocese of San Angelo<sup>32</sup>:

### VII. Prevention of Immoral Conduct: Guidelines for Ethical and Moral Behavior

Because Church personnel enjoy a public trust and confidence, it is essential that Church personnel view their own actions and intentions objectively to assure that no observer would have grounds to believe that irregularity in conduct exists. All Church personnel are to uphold the standards of the Catholic Church in their day-to-day work and personal lives.

#### A. Definitions

1. Immoral conduct is defined as behavior that is contrary to the discipline and teachings of the Church and may result in scandal to the faithful or harm to the ministry of the Church. Specific standards of the diocese are defined below.
2. Scandal is an attitude or behavior, which leads another to do evil. Scandal damages virtue and integrity. It is a grave offense if by deed or omission another is deliberately led into a grave offense (*Catechism of the Catholic Church*, n. 2284).

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<sup>32</sup> [http://www.sanangelodiocese.org/documents/Ethics\\_Manual\\_English.pdf](http://www.sanangelodiocese.org/documents/Ethics_Manual_English.pdf)

## B. Standards of the Diocese

1. It is fundamental to the mission of the Diocese of San Angelo for Church personnel to exhibit the highest ethical standards and personal integrity. The purpose of this policy is to insure that all Church personnel follow the traditional strong moral and ethical standards of the Catholic Church. Church personnel should not engage in the following:

- a. Formally rejecting Catholic Church teachings or the Christian way of life.
- b. Exhibiting actions that are disruptive to the ministry and public worship.
- c. Procuring or participating in abortion, homicide or euthanasia.
- d. Possessing or viewing pornographic materials.
- e. Engaging in adultery or flagrant promiscuity
- f. Abusing alcohol or abusing gambling.
- g. Possession or use of illegal drugs or drug paraphernalia.
- h. Stealing or any other form of theft, including misappropriation of Church funds.
- i. Sexual harassment, exploitation or abuse.
- j. Physical assault and fighting.
- k. Disclosing the serious faults or failings of others to persons who have no cause to know them or making false allegations against another

## Conclusion

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Examples presented in this document are intended to inform discussion and should not be taken as particular legal advice. Church officials should work with local attorneys for determination of appropriate employment language and any approaches applicable to their local situation.

As these exemplars have shown, there are different options for Catholic leadership to approach the presentation and enforcement of faith and morals clauses for Catholic school teachers. In seeking to implement faith and morals clauses, it is prudent for the school to ensure that 1) it has properly highlighted the fundamental religious nature of all of its efforts, 2) it has made all teachers aware of their responsibility to advance the religious mission of Catholic education, and 3) it seeks to ensure that the teachers understand the scope of faith and morals transgressions that might result in termination of employment.

The larger companion document presents texts and exemplars from over a hundred and twenty-five dioceses. Additional published research on this topic will be presented in the fall. Those dioceses not yet represented in the sample are encouraged to share whatever they think might be helpful to other Catholic dioceses in an effort to further discussion.

Please feel free to send comments, inquires, contacts, corrections and additions to:

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