



ARCHDIOCESE
OF
DENVER

Pastoral Handbook
July 1, 2018

PRINCIPAL ABBREVIATIONS AND DEFINITIONS

AFC	Archdiocesan Finance Council
APC	Archdiocesan Pastoral Council
Archbishop	Archbishop of Denver
Archdiocese or Archdiocesan Corporation	Archdiocese of Denver (the public juridic person established by the Holy See) and, in secular terms, the civil corporation entitled, The Archdiocese of Denver, a Colorado Corporation sole.
Canon Law	"Canon Law," as used herein shall refer to ecclesiastical law governing the Catholic Church including the principal codification of such law, The Code of Canon Law (1983) as periodically amended or revised and canonical instructions or other documents promulgated by the Holy See, which interprets canonical legislation; the canonical norms for the Catholic Church in the United States as approved by the Holy See; the particular law, especially complementary legislation concerning canon 1262, of the United States Conference of Catholic Bishops, which body interprets such law; the particular law, legislative decrees and regulations promulgated by the Archbishop of Denver, who interprets such law; and any relevant canonical statutes.
CFO	Chief Financial Officer, referred to as the "Finance Officer" in <u>The Code of Canon Law</u>
Church	The Universal Catholic Church
COVAD	Committee of Vicars and Directors
DRE	Director of Religious Education

Ecclesiastical Organizations	Archdiocesan Corporation, Archdiocese of Denver Mortuary at Mount Olivet, Inc., The Mount Olivet Cemetery Association, St. Simeon Cemetery Association, The Archdiocese of Denver Cemeteries Perpetual Care Trust, Camp St. Malo Religious Retreat and Conference Center, Inc., Annunciation Heights, The Archdiocese of Denver Management Corporation, The St. John Paul II Center for the New Evangelization, Frassati Catholic Academy, Bishop Machebeuf High School, Holy Family High School, Seeds of Hope of Northern Colorado, Saint John Vianney Theological Seminary, Redemptoris Mater House of Formation, Family of Nazareth, Inc., Catholic Charities and Community Services for the Archdiocese of Denver (Catholic Charities), The Archdiocese of Denver Welfare Benefit Trust, The Archdiocese of Denver Irrevocable Revolving Fund Trust and The Archdiocese of Denver Risk Management and Property/Casualty Insurance Trust.
GDC	General Directory for Catechesis
GIRM	General Instruction of the Roman Missal
IT	Information Technology. IT generally includes the use of technology to collect, process, store, transfer or secure data, for work processes or information. IT also can include electronic systems and equipment used to communicate including phones. IT typically manages technology in the form of equipment (computers, servers, switches, phones, cellphones, tablets, mobile devices, copiers), software, data storage, networks and security. In addition, IT is usually responsible for the interaction between an organization's internal technology and its use of and interaction with external technology including services provided via the internet, web or cloud.
OCS	Office of Catholic Schools
Office of FAP	Office of Finance, Administration and Planning
PFRC	Project Finance and Review Committee
Revolving Fund Trust	Archdiocese of Denver Irrevocable Revolving Fund Trust
USCCB	United States Conference of Catholic Bishops

July 1, 2018

V.F. Vicar Forane or Dean

V.G. Vicar General

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Chapter 1: Diocesan and Parochial Organization

Overview

This chapter provides an overview of the various levels of canonical responsibility within the Archdiocese of Denver. The parts of this chapter are organized in the following manner:

Part 1 – describes the canonical responsibility of the Archbishop, the auxiliary bishop(s) the Archdiocesan offices and their directors.

Part 2 – describes the councils established to assist the Archbishop in the exercise of the office of governance.

Part 3 – describes the governance structure of the parishes of northern Colorado, the canonical responsibility of the pastor and the consultative organizations established to assist the pastor in the governance of the parish.

Part 4 – describes the governance structure of the other Ecclesiastical Organizations within the Archdiocese.

Part 1: Office of the Archbishop

1.1.1. Archbishop

The Archbishop governs the Archdiocese with legislative, executive and judicial power (canon 391). The Archbishop has all the ordinary, proper and immediate power required for the exercise of his pastoral office, as described in canon 381§1. As stated in the Preamble to this Handbook and, in particular, in canons 392, 1276 and 1279, the Archbishop has a canonically defined role in regard to the parishes and other public juridic persons within the Archdiocese to ascertain that they are operating in accordance with canon law. Canon law requires that an annual report be provided to the Archbishop from the parishes and other juridic persons (the Ecclesiastical Organizations) subject to him (canon 1287). Canon law requires that the Archbishop establish particular law for the financial procedures under which a parish and other juridic persons subject to him operate and he has done so in the promulgation of this Handbook (canons 1276 and 1281).

Canon Law also requires the Archbishop to preserve the resources of the Archdiocese and its juridic persons (canon 1276). Accordingly, the Archbishop's Canonical oversight is accomplished, in part, through ensuring that pastors and others observe Canonical norms and canon law, as periodically amended or revised, as well as the legislative decrees and regulations promulgated by the Archbishop.

1.1.1.1. All legislative authority is to be exercised by the Archbishop and cannot be delegated unless the law explicitly provides otherwise (canon 135§2). Therefore,

general decrees and particular law or norms of the Archdiocese must be approved and signed by the Archbishop and promulgated by his written authorization. Particular laws and general executory decrees are dated and notarized by the Chancellor or Vice-Chancellor, who shall notify the Moderator of the Curia (canon 474).

1.1.1.2. The Archbishop exercises judicial power for those entrusted to his care. Judicial power is exercised through the Judicial Vicar and judges of the Metropolitan Tribunal.

1.1.1.3. Ordinary executive power is exercised either personally by the Archbishop or by the Episcopal Vicar(s), Judicial Vicar or Vicars General in accordance with the mandate of authority granted to them.

1.1.1.4. All requests for pastoral visitations or the presence of the Archbishop outside of the Pastoral Center are to be submitted in writing. Generally, requests are to be submitted at least three months in advance of the scheduled activity. Significant alterations or difficulties that may affect the pastoral visitation should be communicated to the Office of the Archbishop in a timely manner. A general request for inclusion on the Archbishop's calendar should be made available in September from the Office of the Archbishop. If a liturgy is part of the pastoral visitation, the Office of Liturgy is to be contacted.

1.1.1.5. Requests for personal appointments from priests will be scheduled at the earliest possible opportunity.

1.1.1.6. All scheduled requests from deacons, religious or lay members of the Christian faithful in the Archdiocese are to be forwarded in writing to the Office of the Archbishop with an indication of the purpose for the request.

1.1.2. **Auxiliary Bishop**

The Auxiliary Bishop(s) is to assist the Archbishop in the governance of the Archdiocese. The Auxiliary Bishop(s) consults with the Archbishop on matters of greater importance and supports the overall pastoral care of the Archdiocese.

1.1.2.1. The Auxiliary Bishop(s) is appointed an Episcopal Vicar or Vicar General and exercises personally all executive power conferred on him by the Archbishop (canon 406§2).

1.1.2.2. The Office of the Auxiliary Bishop follows the same procedure in scheduling as stated in 1.1.1.4. – 1.1.1.6.

1.1.3. **Archdiocesan Curia**

The Archdiocesan Curia consists of those persons and organizations that assist the Archbishop in the governance of the Archdiocese, especially in directing pastoral action, in administering the Archdiocese, and in exercising judicial power (canon 469).

1.1.3.1. The Moderator of the Curia assists the Archbishop in organizing and coordinating offices, persons, and activities of the Archdiocesan Curia. The Moderator of the Curia may appoint a delegate(s) to assist him in his supervisory authority and coordination of the offices, persons, and activities of the Archdiocesan Curia.

1.1.3.2. The Moderator of the Curia is to be informed in a timely manner of significant concerns, important events, or issues which would affect the Archdiocesan Curia. He may intervene directly or indirectly in handling individual concerns, implementing changed policies, and coordinating pastoral action under the direction of the Archbishop. Ordinarily, the Moderator of the Curia is a Vicar General.

1.1.3.3. The Vicars General are bishops or priests appointed by the Archbishop for the exercise of ordinary executive power.

1.1.3.4. Episcopal Vicars are those priests entrusted with ordinary executive power in a circumscribed manner according to their decree of appointment (e.g., Vicar for Clergy).

1.1.3.5. The Judicial Vicar must be a priest with at least a license in canon law. The Judicial Vicar exercises judicial power on behalf of the Archbishop.

1.1.3.6. The Archdiocesan Finance Officer, also referred to as the Chief Financial Officer (CFO), is appointed by the Archbishop and is to be an expert in financial matters (canon 494§1). Under the authority of the Archbishop, the CFO is to oversee the stewardship of the financial resources and the patrimony of the Archdiocese in accordance with the provisions of canon and civil law, stipulations of donors, and the provisions of this Pastoral Handbook.

1.1.3.7. The Chancellor, working in close association with the Moderator of the Curia, is appointed by the Archbishop and is to ensure that the acts of the Curia are drawn up. The Chancellor is to authenticate ecclesiastical documents of the Archdiocese. Ecclesiastical documents and acts concerning the affairs of the Archdiocese are to be maintained by the Chancellor in the Archdiocesan archives. The Chancellor shall also exercise other such duties as determined by the Archbishop.

1.1.3.8. The Chancellor may be given an assistant(s), who is called a Vice-Chancellor.

- a. The Chancellor is the liaison with the Kateri Catholic Community and Office of Black Catholics.

b. The faithful may freely establish and direct associations that serve the charitable or pious purposes or which foster the Christian vocation in the world (canon 215). Groups that formally request recognition of their organizations by the Archbishop are asked to submit their requests in writing through the Vice Chancellor.

c. In a similar fashion, groups may request the inclusion of their organization in the Official Catholic Directory and, in turn, inclusion in the USCCB Group Ruling from the IRS. Specific requirements for this process are found in Chapter 7. (Ref. Chapter 7, “Finance, Administration and Planning – Archdiocese of Denver and Ecclesiastical Organizations (Excluding Parishes).

1.1.3.9. The Archbishop may appoint a Special Advisor to act as the Archbishop’s liaison to the USCCB Office of Child and Youth Protection to ensure compliance with the terms and provisions of selected programs and provide advice on special projects on an ad hoc basis.

1.1.3.10. Canonical appointments – No employment position in the Archdiocese constitutes an ecclesiastical office unless that position is mandated by the Code of Canon Law and/or the person has been properly appointed to it by the Archbishop of Denver or another competent ecclesiastical authority.

1.1.3.11. Volunteer positions – The Second Vatican Council affirms the universal call to holiness, and the essential involvement of the lay faithful in the life of the Church. The Archdiocese gratefully recognizes the apostolic, evangelical and social activity of lay Catholics freely associating or assisting in the ministry of the Church. Nevertheless, no person or group represents or acts on behalf of the Church without an official canonical recognition and endorsement.

1.1.4. **Delegated Authority**

The Archbishop, Moderator of the Curia and CFO, to the extent that they exercise executive power, can delegate in writing an individual who may act on their behalf for liturgical, sacramental and financial matters in any given circumstance consistent with The Code of Canon Law. Throughout this Pastoral Handbook, these positions are referred to as the “Archbishop or his designees.” The delegation of authority for financial and/or business matters is stated in Chapter 7 – Finance, Administration and Planning and is to be followed in accordance with canon law.

1.1.4.1. Within the limits of their individual positions, each Director of the Archdiocesan Pastoral Center has delegated authority from the Archbishop. This authority is to be exercised with attention to the responsibilities of others.

1.1.4.2. Under the supervision of the Moderator of the Curia, Directors may develop programs and services of the Archdiocesan Pastoral Center. These programs and services affect the efficient operation and coordination of the Archdiocesan Pastoral Center. Should Directors develop new programs or services that would substantially impinge on other offices of the Archdiocese, parishes or other Ecclesiastical Organizations established by the Archbishop, there is to be broad discussion prior to initiating these programs and services.

1.1.4.3. The Committee of Vicars and Directors (COVAD) consists of the Vicars General, designated Episcopal Vicars, the Judicial Vicar, the Chancellor, CFO, the Rectors of Archdiocesan seminaries, the Vice Chancellor, and specified directors of Archdiocesan offices. Meetings are to provide an opportunity for guidance in planning, mutual consultation, and collaboration under the guidance of the Moderator of the Curia.

Part 2: Consultative Organizations to the Archbishop

Archdiocesan councils are established to assist the Archbishop in the exercise of his office of governance and ministry.

1.2.1. Conflicts of Interest

The Archbishop has established various councils to carry out the apostolic work of the Archdiocese. The members of each council and related sub-committee have important responsibilities to the Archdiocesan organization. At all times they should act in the best interests of the council and in a manner consistent with their duties, which include, but are not limited to, the duty of care in the stewardship of the resources of the Archdiocese. Council members are to exercise particular care to conduct their affairs so as to avoid conflicts (or the appearance of conflicts) between their own interests (including the interests of their family members and other related parties) and the interests of the Archdiocese. The purpose of this policy is to provide the Archbishop with the most sound and impartial advice and to provide a mechanism by which council members may disclose and address potential conflicts of interest.

1.2.1.1. While this policy applies to members of Archdiocesan councils, it is strongly recommended that those entrusted with the governance of Ecclesiastical Organizations of the Archdiocese, adopt this or a similar policy to address conflicts of interest. In like manner, employees of the Archdiocese are to follow the intention of these provisions, disclosing to their supervisor any potential conflicts of interest (Ref: Chapter 7 – Finance, Administration and Planning - Archdiocese and Ecclesiastical Organizations).

1.2.1.2. The term “conflict of interest” pertains to any situation in which a council member or a related party benefits or stands to benefit at the expense or potential expense of the Archdiocese or the Ecclesiastical Organization or where the situation of a council member or related party and the Archdiocese present a potential conflict of interest. The policy regarding conflict of interest may also apply in circumstances when the closeness of relationship with the one who would benefit may influence the council member unduly.

1.2.1.3. The conflict may be any activity, financial interest or relationship with another person or organization that would (a) impair or appear to impair a council member’s independent judgment in the discharge of his/her duties, (b) conflict with the best interests of the Archdiocese or (c) result in a personal profit or advantage to these individuals at the expense of the Archdiocese. The conflict may involve direct or indirect interests, and may arise if an action is taken which may compromise the council member’s capacity to act in the best interest of the Archdiocese.

1.2.1.4. Prohibited actions include:

- a. Receiving gifts, gratuities, or excessive entertainment from any person or organization with which the Archdiocese has or is contemplating business dealings or to which the Archdiocese is providing grants or other support.

Monetary thresholds are set forth within the Conflict of Interest Disclosure Statement and Gift Policy Disclosure set forth in Exhibits I and II.

- b. Receiving loans or guaranties in the circumstance stated above.
- c. Involvement or the appearance of the involvement of the Archdiocese in any political campaign, including, but not limited to, the endorsement of any candidate for public office in any manner which implies the Archdiocese or the Archbishop endorses the candidate.
- d. Attempts to influence legislation in any manner on behalf of the Archdiocese without prior consultation with the Archbishop.

1.2.1.5. Procedures to address a conflict of interest consist of the following:

- a. Annually, employees of the Archdiocese and the Ecclesiastical Organizations who are Directors, all Archdiocesan Finance Council members and its various sub-committees thereof must complete a Conflict of Interest Disclosure Statement and Gift Policy and Disclosure Form. (See Exhibit I) All such individuals must disclose all material facts concerning an actual or potential conflict of interest as soon as such potential or actual conflict of interest is discovered. Disclosure shall be directed to the applicable Archdiocesan council via the chairperson or the secretary, and shall include an understandable description of all relevant facts. Members of sub-committees may disclose relevant information to the sub-committee chairperson or secretary, and the chairperson will then communicate the information to the relevant council.
- b. After disclosure of the (potential or actual) conflict of interest and all relevant facts, the council member with the conflict shall not participate in any discussions relevant to determining if a conflict of interest exists and, if so, how it will be addressed. Such person may, however, make a presentation at the council meeting to disclose the conflict and answer any pertinent questions.
- c. After the presentation, he/she shall excuse himself/herself from the discussion and the vote on whether the transaction or arrangement constitutes a conflict of interest.
- d. If it appears that a conflict of interest exists, the chair of the council will appoint a disinterested person and/or committee to investigate alternatives to the proposed transaction or arrangement. After exercise of such due diligence, the council will determine whether a more advantageous transaction can occur. The person found to have a conflict of interest shall not discuss the merits of or vote on the transaction.

1.2.2. **Minutes**

Minutes shall be prepared for all formal meetings of the various Archdiocesan councils, (the Presbyteral Council, the College of Consultors, the Pastoral Council, the Finance Council and COVAD). Based upon an evaluation of need by each council, sub-committees of councils may be required to maintain minutes. The minutes for sub-committee meetings would then be made available to members of the applicable committee.

1.2.2.1. Included in the minutes shall be a list of those attending, including guests, reference to the notice, location, agenda items, key concerns, questions, and a summary of the important discussions. Motions shall be stated, with the indication of the manner and outcome of any votes taken. The minutes are to be signed by the secretary of the respective council.

1.2.2.2. Copies of the minutes are to be sent to or made available to the Office of the Chancellor or his designee and the Legal Counsel for the Archdiocese. The Chancellor or his designee shall maintain a copy of the minutes in an appropriate manner. The minutes are to be reviewed by members of those participating in the councils. These members are to be given an opportunity to correct the minutes.

1.2.3. **Duty of Care and Confidentiality**

1.2.3.1. Acts emanating from advice or consent are acts of the Archbishop. All whose advice or consent is required are obliged to offer their opinions sincerely (canon 127). Members of councils are to exercise their responsibilities conscientiously and carefully with respect to each council's mission. Where relevant, this duty of care includes, but is not limited to, familiarity with the governing documents and purpose of the organization, the review of financial matters with respect to the council's responsibilities, the review of minutes, proceedings, and policies of the Archdiocese and the diligent and careful exercise of their duties. Council members shall raise appropriate questions whenever there is an issue or preceding that is unclear or appears questionable with respect to the Archdiocese.

1.2.3.2. While serving and thereafter, members of the councils and of any of their sub-committees shall keep confidential all matters of record or reference, whether or not communicated or discussed in the council meetings or among those serving. Members shall take all required steps to preserve the secular privileges and canon law confidentiality obligations that apply to their work. Trust, sensitivity and candor shall be observed. All council members shall speak and act, both during council meetings and outside of the council meetings, in a manner supportive of the Archdiocese, the parishes within the Archdiocese and the Ecclesiastical Organizations.

1.2.4. **Presbyteral Council**

The Presbyteral Council advises and assists the Archbishop in all matters of pastoral care with special emphasis on those matters that pertain to the presbyterate and to the administration of parishes. The Presbyteral Council is governed by its statutes (see Exhibit VIII) according to canons 497 through 501.

1.2.5. **The College of Consultors**

When the Archdiocesan See becomes vacant, the Presbyteral Council shall cease to exist and the College of Consultors will fulfill its function.

1.2.5.1. Until the designation of a diocesan administrator, the governance of an archdiocese devolves upon the auxiliary bishop or, if there are several, upon the one who is senior in promotion. If there is no auxiliary bishop, however, it devolves upon the College of Consultors (canon 419).

1.2.5.2. The College of Consultors must elect a diocesan administrator, namely the one who is to govern the diocese temporarily, within eight days of receiving notice of the vacancy of the episcopal see and without prejudice to the prescript of canon 502§3. (canon 421§1)

Pursuant to canon law and the Pastoral Handbook, the College of Consultors must also provide pastoral direction and guidance to achieve both the pastoral and the financial priorities of the Archdiocese to the Archbishop. Overall, the College of Consultors is a subset of the Presbyteral Council, which is the “senate of the bishop and which assists the bishop in the governance of the diocese according to the norm of law to promote as much as possible the pastoral good of the portion of the people of God entrusted to him”. The College of Consultors fulfills this mission with particular reference to more important acts of diocesan governance.

1.2.5.3. The members of the College of Consultors, no fewer than six and no more than twelve in number, are to be chosen by the Archbishop from among the priests of the Presbyteral Council for a term of five years. The Archbishop is required to secure their counsel or consent on matters stipulated by *The Code of Canon Law*.

1.2.5.4. After having received consent by interested parties and precise information about the economic situation of the Archdiocese, the Archdiocesan Finance Council (AFC) and the College of Consultors are to determine whether to give consent to the Archbishop for an act of extraordinary administration as defined by the USCCB (See Exhibit V). In compliance with canon 1277, the particular law of the USCCB provides that the following are to be considered acts of extraordinary administration and require the Archbishop to obtain consent of the Council:

- a. To alienate (in the strict sense, convey or transfer ownership) goods of the stable patrimony when the value exceeds the minimum limit (canon 1292§1).

- b. To alienate goods donated to the Church through a vow, or to alienate goods that are especially valuable due to their artistic or historical value regardless of the appraised value (canon 1292§2).
- c. To incur indebtedness (without corresponding increase in the assets of the Archdiocese) that exceeds the minimum limit (canon 1295).
- d. Leasing of ecclesiastical goods owned by the Archdiocese when the market value of the property to be leased exceeds the amount listed in Exhibit V Section I-f or the lease is to be for three years or longer (canon 1297 and USCCB Complimentary Norms for canon 1297).
- e. In addition to alienation, the entering into any transaction that worsens the financial condition of the Archdiocese (canon 1295).
- f. To encumber the stable patrimony the value of which exceeds the minimum limit (canon 1295).
- g. Other extraordinary acts as defined by a USCCB complimentary norm:
 - i. Initiating a program of financing by issuance of instruments such as bonds, annuities, mortgages or bank debt in excess of the minimum amount set in accord with canon 1292 §1.
 - ii. Resolving an individual or aggregate claim(s) by financial settlement in excess of the minimum amount set in accord with canon 1292§1.
 - iii. Engaging in the regular management or operation of a trade or business that is not substantially related to the performance of the religious, spiritual, educational or charitable purposes of the Church, for the purpose of generating income to carry on such activities.
 - iv. Entering into any financial transaction or contractual agreement, the terms of which address matters involving an actual or potential conflict of interest for the Archbishop, his Vicar(s) General, Auxiliary Bishop(s) or CFO.
- h. Consent must be given also for a transaction that may jeopardize the patrimonial condition of the Archdiocese (canon 1295).
- i. The Archbishop should obtain advice and/or hear from the Council on the following:
 - v. Appointment and/or removal of the Chief Financial Officer of the Archdiocese (canon 494)
 - vi. Decisions relative to the more important acts of administration (it is up to the USCCB to define what is meant by acts of extraordinary administration.) (canon 1277)

vii. Determination of the meaning of acts of extraordinary administration for Religious Institutes subject to his control if the statutes are not specific (canon 1281§2)

viii. Leasing of ecclesiastical goods owned by the Archdiocese when the market value of the property to be leased exceeds the amount listed in Exhibit V Section I-e (canon 1297 and USCCB Complimentary Norms for canon 1297).

ix. Investment of tangible and intangible property assigned to an endowment (canon 1305)

vii. Modification of the obligations imposed in executing last wills for pious causes if such obligations cannot be fulfilled (canon 1310§2)

In addition to the canon law requirements, and consistent with the College of Consultors' historical practice within the Archdiocese, the College of Consultors will provide such other consultations to the Archbishop deemed necessary and prudent by the Archbishop.

1.2.5.5. The College of Consultors are to determine whether to give consent to the Archbishop to alienate goods of the Archdiocese when the value of the goods whose alienation is proposed is within the range of the minimum and maximum amounts (canon 1292) determined by the USCCB.¹ When the maximum amount for the alienation has been attained, the additional obligation required is permission from the Holy See subsequent to the granting of consent by both the AFC and the College of Consultors.

¹ See Exhibit V – “Any change of the particular norms of the USCCB will be automatically incorporated into the Pastoral Handbook upon receipt of the *recognitio* by the Holy See”.

1.2.6. **Archdiocesan Finance Council (AFC)**

The AFC is mandated by canon law and advises the Archbishop in all areas pertaining to the fiscal responsibilities of the Archdiocese (canons 492-494). The AFC, in accordance with the direction of the Archbishop: (1) approves and recommends a yearly budget of projected income and expenditures of the Archdiocese; (2) on a quarterly basis, reviews the financial results and financial condition of the Archdiocese, as well as the actual income and expenditures at the end of the year, and (3) receives the reports of the CFO. In addition, pursuant to a 2002 resolution of the USCCB, every calendar year, each voting member of the AFC is required to sign a letter acknowledging that:

“they have reviewed the financial statements of the Archdiocese, reviewed and discussed the financial statements and management letter, if any, for that fiscal year and have met and discussed the management letter and its recommendations with the auditors”.

1.2.6.1. The AFC and its related sub-committees are governed by specific statutes which may be updated from time to time. In general, voting members of the AFC consist of the Auxiliary Bishop(s), Vicars General, Moderator of the Curia, the chairperson named by the Archbishop, and sub-committee chairs of the Accounting and Audit Committee, Investment Committee, Parish Finance and Review Committee (PFRC), the Real Estate Committee and four members at large (with no employment or other significant relationship to the Archdiocese) appointed by the Archbishop. The Archbishop appoints members of the AFC and the committees of the AFC for five years, with the possibility of reappointment. When possible, the appointments are staggered in order to support consistent and informed participation in the AFC and its sub-committees. Non-voting members present for AFC meetings consist of the Chancellor and the Controller. Other guests may be invited from time to time.

1.2.6.2. The Executive Committee of the AFC consists of the Archbishop, Auxiliary Bishop(s), Moderator of the Curia, the chairperson, and the CFO.

1.2.6.3. Other than the Executive Committee, each sub-committee consists of at least four members of the laity who are not employed by the Archdiocese and who have no significant relationship with the Archdiocesan Pastoral Center, the Archbishop and/or the Moderator of the Curia. The chairs of each sub-committee report to the AFC on a quarterly basis. Duties of the sub-committees of the AFC include:

- a. The Accounting and Audit Committee serves in an advisory capacity to the Moderator of the Curia and the CFO. It reviews with the CFO and the Controller the adequacy of operational and financial controls and other relevant policies and procedures of the Archdiocesan Corporation and the Ecclesiastical Organizations. In addition, this Committee reviews the annual budget of the Archdiocesan Corporation and the Ecclesiastical Organizations, including the quarterly and year-end financial statements. The Accounting and Audit

Committee also reviews the results of the external audits of these organizations and recommends the appointment of auditors to the AFC.

To assist the Archbishop in his vigilance over the administration of goods belonging to the parishes (canon 1296), the Accounting and Audit Committee reviews information concerning compliance of the parishes within the territory of the Archdiocese with the particular law of the Archdiocese as set forth in this Pastoral Handbook and specifically those procedures set forth in Chapter 10 – Parish Business Practices. In doing so, the Accounting and Audit Committee reviews information provided by the Directors of Internal Audit and Parish Finance, including providing oversight over compliance with the Internal Audit Charter of the Archdiocese. The Committee reviews summary Internal Audit results and the annual internal audit plan, providing guidance and feedback germane to the planning and execution of Internal Audits and carry forward pertinent issues to the AFC, as considered necessary by the Chairperson.

b. The Investment Committee serves as an advisor to the CFO and Moderator of the Curia of the Archdiocese and certain Ecclesiastical Organizations' who have chosen to participate in the Master Trust and the Preneed Master Trust investment portfolios (Ref. Chapter 9 – Investment Policies), and the Priest Pension Plan. The Investment Committee's primary function to monitor the Investment Policy and Guidelines of the Archdiocese, including the oversight of investment managers, asset allocation goals and other investment polices and procedures of the Archdiocese. The Committee also reviews and evaluates performance of the quarterly investment returns, the short and long-term investment needs of the Archdiocese and adherence to the Socially Responsible Investment Policy intended to promote human dignity and social justice and to comply with the investment policies and principles as promulgated from time to time by the USCCB.

c. The Project Finance and Review Committee (PFRC) serves in an advisory capacity in areas pertaining to new parish construction, major remodeling or renovation, Catholic educational facilities, liturgical design, and capital fundraising planning. The PFRC (Ref: Chapter 8 – Building, Property and Construction Projects) is an advisory committee that reviews the financial feasibility of these projects.

For qualifying projects, the pastor, members of his parish building committee and parish finance council, the parish architect and other necessary professionals present to the PFRC and respond to inquiries about the project's financial feasibility, estimated project cost, and parish master planning. Upon deliberation of parish submittals, the PFRC will make a recommendation to the Archbishop or his designee followed by a letter to the pastor. The chairperson of the PFRC will also update the AFC on the status of the various construction

projects within the territory of the Archdiocese, including projects under construction and projects in planning.

d. The Real Estate Committee serves in an advisory capacity in areas pertaining to real estate management within northern Colorado, including the acquisition, alienation, and development of real estate. The Real Estate Committee also reviews significant leases and other real estate transactions.

e. Quarterly, the CFO will present to the AFC a summary of the recent Irrevocable Revolving Fund Trust Management Committee meetings. The Management Committee facilitates the process upon which parishes can help one another financially and primarily functions as the Loan Advisory Committee for the Management Corp. (the management and accounting service provider to the Revolving Fund Trust (Ref: Chapter 8 – Building, Property and Construction Projects Irrevocable Revolving Fund Trust Management Committee)).

f. Other Advisory Committees – When warranted, the CFO will update the AFC on significant recommendations by other advisory committees, including the Welfare Benefits Trust Advisory Committee, the Lay Pension Plan Advisory Committee and the Priest Retirement Committee.

1.2.6.4. The AFC meets on a quarterly basis. Additional meetings may be called at the discretion of the Archbishop. The AFC does not generate any legislative actions. The AFC offers advice and consent in areas of fiscal responsibility and in other areas of fiscal concerns that the Archbishop presents to it.

1.2.6.5. With the Presbyteral Council, the AFC is to be consulted by the Archbishop prior to levying assessments or taxes on the public juridic persons subject to his authority (canon 1263) {Ref. – Presbyteral Council – 1.2.4.}.

1.2.6.6. The Archbishop is to consult with the AFC and the College of Consultors for acts of major importance in light of the financial situation of the Archdiocese (canon 1277) (Ref. – College of Consultors – 1.2.5.).

1.2.6.7. After having received consent by interested parties and having received precise information about the economic situation of the Archdiocese, the AFC and the College of Consultors are to determine whether to give consent to the Archbishop to alienate goods of the Archdiocese when the value of the goods whose alienation is proposed is within the range of the minimum and maximum amounts determined by the USCCB (Ref: College of Consultors- 1.2.5.).

1.2.6.8. The Archbishop needs the consent of the College of Consultors and the AFC for acts as described in 1.2.5. for each public juridic person subject to the Archbishop's authority.

1.2.6.9. In addition to the canon law requirements, and consistent with the AFC's historical practice, the AFC will provide consultation to the Archbishop on the following:

- a. Appointment of financial auditors and investment consultants
- b. Employee compensation and benefits
- c. Development (fundraising)
- d. Insurance and risk management
- e. Construction, property and real estate management
- f. Investment and Accounting policies, including internal financial and management controls
- g. Banking arrangements
- h. Such other consultations deemed necessary and prudent by the Archbishop.

If appropriate, the items noted above that require consent and/or consultation will be discussed first by the appropriate Committee of the AFC. In turn, the Committee will make a recommendation to the AFC on the particular item or matter.

1.2.7. **Archdiocesan Pastoral Council (APC)**

While not mandated by canon law, the establishment of an Archdiocesan Pastoral Council is encouraged (canons 511 and 514). The APC of the Archdiocese is governed by detailed statutes which may be updated from time to time. In general, the APC is an advisory group to the Archbishop with respect to a broad range of topics that are pastoral in nature. The purpose of the APC is to formulate resolutions or recommendations to the Archbishop or consider particular topics in order to offer advice. Under the direction of the Archbishop, the APC is to reflect upon those things pertaining to the pastoral activities and apostolic works of the Archdiocese and to offer practical counsel in such a way as to promote the pastoral and parochial mission of the Archdiocese. No action of the APC is binding upon the Archbishop.

1.2.7.1. The APC is composed of the Vicars General, Vicar for Clergy, Judicial Vicar, the Chancellor and the CFO as non-voting, ex-officio members. Voting members include one lay person selected from each deanery, a maximum of two priests and two permanent deacons of the Archdiocese, a maximum of two religious sisters and one religious brother, one young lay adult between the ages of eighteen and twenty-one and such other members appointed by the Archbishop in a manner which reflects the entire People of God in the Archdiocese. The maximum number to serve shall be thirty Catholics in good standing with primary residence within the territory of the Archdiocese.

1.2.7.2. The Archbishop is the president of the APC. He may appoint a chair who will conduct meetings, organize and coordinate the activities and processes of the APC, appoint members of committees, and perform such other duties as needed for the efficient and productive service of the APC.

1.2.7.3. The APC shall meet at least one time per year, with a maximum of four meetings per year, at a place and time determined by the Archbishop.

Part 3: Description of Parish Governance – Parochial Consultative Organizations

Overview

1.3.0 Parishes within the Archdiocese are definite communities of the Christian faithful, whose pastoral care is entrusted by the Archbishop to a priest as its proper pastor (canon 517). Although appointed by the Archbishop, a pastor does not receive his power from the Archbishop, but rather from his office as pastor. In the administration of the property of the parish, the pastor of a parish is not the representative or delegate of the Archbishop.

1.3.0.1 Under canon law, a parish is a stable community of the faithful where the faith is lived and passed on; sacraments are celebrated; the Gospel is preached; works of social justice are performed; and the faithful are educated. The parish is, pre-eminently, the means of assuring that the faithful, through the sacraments, and especially the Eucharist, are spiritually nourished and saved.

1.3.0.2 The pastor of a territorial parish is entrusted with ecclesiastical oversight for all mission churches, oratories, and the use of stations, within the territory. When such locations are under the care of a religious community, the pastor should work in cooperation with the community in exercising his oversight.

1.3.0.3 Definitions of Locations

a. Territorial Parish- A traditional parish that serves all the people within a specified boundary, according to can. 515. Generally, has been incorporated as a Colorado Corporation Sole. Has its own finance council.

b. Personal Parish- A parish that serves a designated group of people, e.g., an ethnic group, a college campus, an extraordinary form community. These parishes do not have a specific territorial boundary, other than the specific land where the parish buildings are located, as they serve anyone in the archdiocese who is part of the designated group (cf. Can. 518). Has its own finance council. Has been incorporated as a Colorado Corporation Sole.

c. Mission Church- A church that is associated with and situated within the territory of a parish designated as a place for divine worship by permission of the ordinary for the benefit of the territorial parish and the community of Christian faithful who gather in it. Although the mission church may operate under a different name than the territorial parish, generally, the mission church has not been individually and civilly incorporated as it necessarily exists under the auspices of the territorial parish. The mission church does not have its own finance council. The finance council governing the mission church is the finance council of the associated territorial parish. The mission church does not have a proper pastor assigned to it individually. The pastor of the mission

church is the pastor of the territorial parish. All sacramental books and records are kept at the territorial parish.

d. Quasi-Parish- A certain community the faithful within the archdiocese, entrusted to a priest as its proper pastor, but because of special circumstances it is not yet established as a parish. It may enjoy its proper finance and pastoral council, and in general is equivalent to a Parish (cf. Can. 516)

e. Station- A location where Mass is celebrated on a regular basis, but is not owned by a parish or the Archdiocese. Stations are typically covered by the territorial parish within whose boundary they are located.

f. Oratory (can. 1223-1229)- A chapel with stability where Mass is celebrated on a regular basis, but is not a parish or a mission. Religious houses and institutes that are not parishes also fall under this distinction.

g. Shrine (can. 1230-1234)- A sacred place or church to which members of the faithful make pilgrimage for a special reason of piety.

1.3.0.4 If it is the case that an oratory or shrine offers a stable Sunday Mass, such a Mass (or Masses) should fulfill the specific mission of the location and should not supplant the need for the lay faithful to be connected to and attend Mass at a particular parish. Any such practices should be monitored and avoided through the collaborative efforts of the territorial pastor and those who operate the oratory or shrine.

1.3.1. **Canonical Statutes**

Each parish in the Archdiocese is a public juridic person (canon 515) and the governance of the parish is set forth in its Parish Statutes. A parish, as a public juridic person, owns its own property (canon 1256). The pastor of a parish administers the parish and its property and represents it in its juridic affairs (canons 532 and 1279).

As discussed in Chapters 8 and 10 and consistent with canon law and the norms of the Archdiocese as set forth in this Pastoral Handbook, the Archbishop is responsible for exercising careful vigilance over the administration of all goods belonging to the public juridic persons subject to him, including all parishes in the Archdiocese (canon 1276). In the exercise of this responsibility, the Archbishop is required to issue instructions for the proper administration of these persons (canon 1281) and to define the acts which exceed the limit and manner of ordinary administration (canon 1281). The norms contained within this Pastoral Handbook are given to guide the pastors in the proper administration of their respective parishes and to define ordinary administration. Pastors cannot go beyond the limits of their authority as defined in Chapter 10 without the authorization of the Archbishop (canon 1281). Likewise, no action may be taken that would worsen or damage the stable patrimony of a juridic person (a parish) without permission of the Archbishop (canon 1295).

However, none of the oversight or approval powers of the Archbishop noted above may be used to diminish the separate autonomy of a public juridic person, including a parish and its pastor as set forth by universal law.

Each parish in the Archdiocese has a right to acquire temporal goods to accomplish its mandate (canon 1259). Such goods belong to the parish and do not belong to the Archdiocese (canon 1279).

1.3.2. **Civil Statutes**

Each parish in the Archdiocese is also its own separate legal entity under Colorado civil law (pursuant to Colorado Revised Statutes §7-52-101). Each parish maintains Articles of Incorporation setting forth its governance structure under civil law. The purposes of the parish civil corporation are as follows:

- a. To celebrate the Eucharistic liturgy, the sacraments, and sacramentals in compliance with universal and particular law of the Roman Catholic Church;
- b. To proclaim and expound faithfully the deposit of faith, to preach the Gospel to all peoples, and to protect and safeguard revealed truth;
- c. To provide for the pastoral care of its parishioners as well as all the Christian faithful (Roman Catholics) who either reside within any decreed territorial boundaries, who shall have a right to pastoral care by virtue of Canon Law or who shall freely associate themselves therewith;
- d. To acquire, retain, administer, and alienate temporal goods offered by the Christian faithful and all other parish ecclesiastical goods exclusively for the exercise of the pastoral care of the parish and for all other responsibilities which are incumbent upon the parish as defined by Canon Law;
- e. To maintain the bond of unity and charity with, to participate in, and to contribute to the life and ministry of the Archdiocese and of the Church in accord with the provisions of universal and particular law and all other specific mandates of the Archbishop which he from time to time may issue;
- f. To acquire, retain, and administer real and personal property, to alienate personal property, and, except in the circumstances of suppression or merger, to request the approval where necessary for the alienation of real property that will be effected by The Archdiocese of

Denver, a Colorado corporation sole, as trustee of the Archdiocese of Denver Charitable Trust; and

g. To have perpetual succession and existence as afforded to a corporation sole under Colorado law.

Notwithstanding any other provision in each parish's Articles of Incorporation, a Parish Corporation cannot be organized or operated for any purpose inconsistent with the Roman Catholic doctrine or canon law or inconsistent with the exempt purposes of Section 501(c)(3) of the Internal Revenue Code or any of its corresponding successor provisions.

Subject at all times to Canon Law and the limitations imposed by this Pastoral Handbook, the Parish Corporation within the Archdiocese shall have the following powers:

- a. To conduct ministry;
- b. To hold the beneficial interest, to possess, to use, to administer, and to insure the parish's real property that, under the civil law, is held in trust by the Archdiocese of Denver, a Colorado corporation sole, as trustee of the Archdiocese of Denver Charitable Trust, for the benefit of the parish;
- c. To hold legal title for or beneficial interest in the parish's personal property, and to use, possess, invest, or expend such property;
- d. To contract;
- e. To acquire property by purchase, devise, bequest, gift, or otherwise;
- f. To borrow money, issue notes, or negotiable paper;
- g. To lease property or license the use of it;
- h. To borrow money without security; guarantee the loans of other religious, charitable and educational corporations and associations;
- i. To hire, assign, discipline, and terminate contractors, employees, and volunteers;
- j. To sue and be sued; and
- k. To operate and conduct such canonical entities (a quasi-parish or mission) as may be determined in accordance with canon law for the purpose of Christian worship; and,
- l. To engage in other proper activities to accomplish its purposes.

1.3.3. **Consultative Organizations to the Pastor**

To assist the pastor or parochial administrator in the exercise of his office in the governance of the parish, the Parish Pastoral Council, the Parish Finance Council and, when a parish has

a school, the School Advisory Council (collectively, the Councils) have been established. The pastor is not a member of these consultative organizations, but presides over them and carefully evaluates the consultation and advice given. These consultative Councils do not exercise authority directly or do not mandate any act, as this would undermine the personal authority of the pastor. However, in those circumstances, as set forth in 1.3.5. below, members of the Parish Finance Council are required to provide consent. To serve on the Councils, the individual must demonstrate him/herself to be an active participant in the life of the parish.

a. Minutes shall be prepared for all formal meetings of the various parochial councils (the Parish Pastoral Council, the Parish Financial Council and School Advisory Committee). Based upon an evaluation of need by each council, sub-committees of councils may be required to maintain minutes. The minutes for sub-committee meetings would then be made available to members of the applicable committee.

Included in the minutes shall be a list of those attending, including guests, reference to the notice, location, agenda items, key concerns, questions, and a summary of the important discussions. Motions shall be stated, with the indication of the manner and outcome of any votes taken. The minutes are to be signed by the secretary of the respective council.

b. Confidentiality – Similar to the consultative organizations to the Archbishop, members of the Parish Councils and of any of their sub-committees shall keep confidential all matters of record or reference, whether or not communicated or discussed in the Council meetings or among those serving. Members of the Parish Councils shall take all necessary steps to preserve secular privileges and canon law confidentiality obligations that apply to their work. Trust, sensitivity and candor shall be observed. All Parish Council members shall speak and act, both during Council meetings and outside of the Council meetings, in a manner supportive of their respective parish.

1.3.4. **Parish Pastoral Council**

The Parish Pastoral Council is required in the Archdiocese and serves the pastor in a consultative capacity and exists to help and support the pastor and the members of his staff in the accomplishment of the pastoral objectives.

1.3.4.1. The Parish Pastoral Council consists of at least five parishioners. The pastor appoints and may remove the Pastoral Council members. However, the pastor may only remove members for extraordinary reasons and after consulting with either the dean of the parish deanery and/or the Vicar for Clergy. The members serve for a three-year period and may be named for one additional term; after this time, there is to be at least one year off the council before any member can be re-appointed. The Pastoral Council is presided over by the pastor.

1.3.4.2. The Parish Pastoral Council advises the pastor on developments of pastoral priorities. The Council helps the pastor to identify pastoral needs and to implement and evaluate pastoral programs. The Council assists with encouraging volunteerism and participation by the parishioners in the life and ministry of the Church.

1.3.5 **Parish Finance Council**

Every parish is to have a parish finance council to assist with the responsible stewardship of resources, and to be of assistance to the pastor (canon 537). In some circumstances, parishes administered by the same priest may have one parish finance council that acts on behalf of all the parishes administered to. In that circumstance, it is recommended that the parish finance council reflect the membership of the faithful from the participating parishes and/or missions.

The Parish Finance Council is to adhere to the laws governing the administration of ecclesiastical goods under canon law and this Pastoral Handbook. The Parish Finance Council is a consultative body that provides consent to the pastor for certain transactions (see 1.3.5.7.) and guidance and advice to the pastor for other matters. The pastor is not obliged to follow the recommendations of his Finance Council. However, the pastor should not act against such advice, especially when there is consensus amongst the members, unless there is an overriding reason. When acting contrary to the Finance Council's recommendations, the pastor should provide an explanation to members of the Finance Council regarding the reasons for his decision.

1.3.5.1. The pastor is to preside over the Parish Finance Council. In the event of a change in pastors, the Finance Council and the existing members remain on the council.

1.3.5.2. The Parish Finance Council shall consist of at least three members of the parish. The members are to serve for three years with the possibility of reappointment. A member who has served six years may be eligible to serve on the council again, but the pastor should consult with the Vicar for Clergy or the dean of the parish deanery. The members are to be qualified in financial administration and, where possible, in matters of civil and canon law as applicable to parochial circumstances. It is recommended that the Parish Finance Council designate one member as liaison with the Parish Pastoral Council and one member as a liaison with the School Advisory Council (see 1.3.6). The pastor appoints and may remove the members. However, the pastor may only remove members for extraordinary reasons and after consulting with either the dean of the parish deanery and/or the Vicar for Clergy.

1.3.5.3. The Parish Finance Council should recommend a chairperson from amongst its members annually for the pastor to appoint. The chairperson is to work with the pastor and parish business manager to set an agenda, identify key business issues that need to be addressed by the council and to communicate with the pastor and business manager on behalf of the council. The chairperson may also be asked to attend meetings with the pastor and staff from the Archdiocese and the Management Corp. from time to time.

1.3.5.4. The chairperson is to be appointed annually no later than July 1 .

1.3.5.5. The chairperson's name, contact information, including email address, is to be provided as part of the Annual Report to the Archdiocese.

1.3.5.6. The Parish Finance Council must meet at least quarterly (more often is recommended) and minutes of these meetings must be documented and retained at the parish.

1.3.5.7. The pastor is to obtain the consent of his finance council for the following matters:

- a. For acts of extraordinary administration before he seeks approval of the Archbishop. Acts of extraordinary administration are set forth in section 1.2.5.4. of this Chapter for the Archdiocese, and by analogy, apply to the parishes. Such acts include the following:
 - i. Alienation of stable patrimony of the parish over the minimum limit (see Exhibit V)
 - ii. To incur indebtedness or encumber the stable patrimony of the parish over the minimum limit. (see Exhibit V)
- b. The Parish Finance Council must review, approve and recommend the annual parish budget for approval by the pastor.
- c. At the discretion of the pastor, at least annually and at a minimum during the budget development process, the Parish Finance Council is to discuss the wages of all parish employees with the pastor.

1.3.5.8. The other duties of the Parish Finance Council are to provide assistance to the pastor or parish administrator in administration of parochial goods and in assessing parish needs for present and long-term financial support. The pastor should obtain advice and/or hear from his council on the following:

- a. Assisting the parish staff, as needed, in the preparation of the annual budget of income and expenses according to the guidelines of the Archdiocese including the coordination and development of the parish school budget (if one exists) into the total budget of the parish.
- b. Actively monitoring the actual financial results as compared to the budget throughout the fiscal year and advising the pastor when significant variances have or will be realized. Determining what, if any, financial remedies need to be put in place (e.g. expense reductions or new fundraising programs).
- c. Submitting to the Office of Parish Finance, an Annual Report which includes a list of all Finance Council Members by August 30th of each year. (Ref: Chapter 10 – Parish Business Practices within the territory of the Archdiocese)
- d. Reviewing the monthly or quarterly parish financial statements and monitoring payment of all obligations of the parish.

- e. Assisting the pastor with an ongoing review of internal control and accounting procedures.
- f. Assessing offertory giving levels, the effectiveness of stewardship and fundraising, including the review of fundraising activities to ensure compliance with fundraising requirements including civil requirements and proper internal controls including cash deposit procedures.
- g. Advising the pastor on all matters of parochial financial administration.

1.3.5.9. In addition to the required duties noted above, the pastor should consider the following as additional responsibilities of the Parish Finance Council:

- a. Assisting the pastor to insure there is active and informed participation of the parishioners in the Archbishop's Catholic Appeal.
- b. Assisting the pastor in keeping current with and conforming to Archdiocesan policies and civil regulations.
- c. Ensuring that the parish remains current with its obligations to the parish employees, parish vendors and Archdiocesan organizations, including the payment of assessments, insurance premiums, retirement premiums and payroll taxes.
- d. Reviewing and monitoring parish debt obligations to the Revolving Fund Trust and/or other financial institutions.
- e. Assisting the pastor with reporting the parish financial results and the budget to the parishioners on an annual basis.
- f. Consulting with the pastor on administrative matters.
- g. Assisting the pastor with hiring and reviewing the parish business manager / bookkeeper's annual performance. In addition, assisting the pastor in monitoring and establishing just, fair and non-discriminatory salaries and benefits for parish employees.
- h. Assisting with monitoring parish banking relations and the investment of parish funds.
- i. Assisting the pastor with reviewing the bank and investment account reconciliations.
- j. Advising the pastor on the acceptance of both unrestricted and restricted gifts, including gifts of securities, real estate and other gifts which can be complex in nature (see Chapter 11).

- k. Assisting with planning for the maintenance, repair, renovation or construction of parish buildings and capital assets.
- l. Reviewing the activities and financial reports of parish auxiliary organizations.
- ml. Providing advice on the use of undesignated bequests or other unbudgeted revenue.
- n. Assessing the parish's needs and assisting with the development of long-range financial plans.
- o. Providing advice and assistance with the Conflicts of Interest Policy (See Chapter 7 – Archdiocese of Denver and Ecclesiastical Organizations), concerning protection of whistle-blowers, fraud detection, reporting and prevention.
- p. Reviewing and assisting the pastor in responding to issues identified in the Certified Public Accountant (CPA) management letter or from the review conducted as part of the Parish Review Program. The parish finance council must meet with the CPAs and/or Internal Auditors when a review or internal audit is completed at the parish. The parish finance council members, in addition to reviewing the findings, are to discuss with the CPAs or internal auditors any concerns they may have over the management of the funds or resources of the parish. A written response to the External CPA management letter must be signed by the pastor and the chair of the finance council and be sent to the Office of Internal Audit.
- q. Assisting the pastor and the business manager in the review of significant business contracts between the parish and outside vendors.
- r. The Finance Council shall have such other duties or responsibilities as may be identified elsewhere within this Pastoral Handbook or as requested by the pastor.

1.3.5.10. In the event the Parish Finance Council members become aware of any action by the parish that may give rise to a conflict of interest, the member is to report the action or activity to the chairperson and pastor immediately. The matter must be disclosed to the Parish Finance Council and a determination of appropriate action, whether the member must resign from the council or recuse themselves from a particular issue must be documented in the minutes.

1.3.5.11. In the event any member of the Parish Finance Council receives a report from someone of suspicion or evidence of fraud, theft or misuse of parish funds or property, they must report the incident to one of the following depending on the nature of the report,

the pastor and/or the chairperson of the parish finance council. The report is to be raised in the Parish Finance Council meetings and, if deemed credible, must be reported to the Moderator of the Curia.

1.3.6. **School Advisory Council**

In those parishes with a parish school, a School Advisory Council is required.

1.3.6.1. School Advisory Councils in the Archdiocese are established by the pastor to advise the principal and pastor in matters of planning, policy formulation, finances, development, marketing, and public relations. The council is consultative in nature, and is not to meet without the principal or pastor in attendance.

1.3.6.2. School Advisory Councils in the Archdiocese are not to engage in matters regarding discipline, parent grievances, program development, approval of materials, and the hiring, evaluation, or termination of teachers and principal.

1.3.6.3. School Advisory Councils are to develop and operate by a mission statement, constitution, and by-laws that have been approved by both the pastor and the Superintendent of Catholic Schools.

1.3.6.4. Council membership and term limits and renewals are to be specified in the by-laws. The pastor and principal are ex-officio members of the council, and the principal serves as chief executive officer of the council. Employees of the school or parish may not be members of the council. Members of the School Advisory Council, other than the principal, are to be appointed by the pastor or principal.

1.3.7. **Parish Statutory Records**

The Vice Chancellor, working in collaboration with the Chancellor and the Vicar for Clergy, will maintain the official list of parishes and other juridic persons within the territory of the Archdiocese. Such list will be maintained and updated as necessary. Pursuant to the terms of the Parish Service Agreements with the Archdiocese, the Vice Chancellor's office will be responsible to assist the pastor and parish staff in providing consultation on related corporate filings with the State of Colorado, including:

1.3.7.1. Secretary of State filings, including the Annual Report and changes in principal offices;

1.3.7.2. Corporation Sole successor certificate of appointment; and,

1.3.7.3. Other required filings.

Part 4: Description of the Governance Structure of the Ecclesiastical Organizations within the Archdiocese

As set forth in the Preamble and in the Principal Abbreviations and Definitions to this Pastoral Handbook, the Ecclesiastical Organizations of the Archdiocese are as follows:

- Archdiocesan Corporation
- Archdiocese of Denver Mortuary at Mount Olivet, Inc.
- The Mount Olivet Cemetery Association
- St. Simeon Cemetery Association
- The Archdiocese of Denver Cemeteries Perpetual Trust
- Camp St. Malo Religious Retreat and Conference Center, Inc.
- Annunciation Heights
- The Archdiocese of Denver Management Corporation
- The St. John Paul II Center for the New Evangelization
- Frassati Catholic Academy
- Bishop Machebeuf High School, Inc.
- Holy Family High School, Inc.
- Seeds of Hope of Northern Colorado, Inc.
- Saint John Vianney Theological Seminary
- Redemptoris Mater House of Formation
- Family of Nazareth, Inc.
- Catholic Charities and Community Services for the Archdiocese of Denver, Inc.
- The Archdiocese of Denver Welfare Benefits Trust
- The Archdiocese of Denver Irrevocable Revolving Fund Trust
- The Archdiocese of Denver Risk Management and Property/Casualty Insurance Trust

1.4.1. The Ecclesiastical Organizations noted above have governing documents, including canonical statutes, articles of incorporation, by-laws and/or a formal trust agreement that establish the governance structure for each of the respective entities. Such documents set forth the nature, purpose, constitution, government and authority of those entities from both a civil and canonical perspective. Furthermore, the documents articulate the roles and responsibilities of the various Directors, Trustees, Officers and Committees.

1.4.2. Such Ecclesiastical Organizations are to adhere to their governing documents, Canon Law at all times, unless a specific exemption is granted by the governing Board of Members or Board of Directors / Trustees and/or the Archbishop, as applicable.

1.4.3. In addition to the canonical organizational documents and the civil description of these same organizations, (such as articles of incorporation, bylaws, and/or trust agreements) each public juridic person subject to the Archbishop's authority may declare acts of extraordinary administration more restrictive than those specified by the USCCB in accordance with the norms of canon 1277 and 1281.

Chapter 2: The Clerical State

Overview

This chapter provides an overview of the Office of Vocations within the Archdiocese of Denver. The parts of this chapter are organized in the following manner:

Part 1 – Office of Priestly Vocations

Part 2 – The faculties, rights and obligations of those ordained to the priesthood

Part 3 – Consultative organizations for priests

Part 4 – Faculties, procedures, rights and obligations of deacons

Part 5 – Consultative organizations for deacons

Part 1: Office of Priestly Vocations

The Office of Priestly Vocations is responsible for promoting and nourishing vocations to the diocesan priesthood in the Archdiocese. This is accomplished through personal contact with prospective seminarians as well as through talks, presentations, and vocation promotion material given to individuals, parishes, schools, and large groups. The Office of Priestly Vocations organizes and hosts retreats and events throughout the year to further the end of assisting individuals in their discernment of a priestly vocation. The Office of Priestly Vocations is also responsible for assisting men throughout the application and acceptance processes for becoming a seminarian for the Archdiocese. In addition to these duties, the Director of Priestly Vocations acts as the liaison between the formation faculty of the college seminarians of the Archdiocese and Saint John Vianney Theological Seminary in Denver.

2.1.1. Men interested in becoming diocesan priests in the Archdiocese should be referred to the Office of Priestly Vocations. In a preliminary interview with the Director of Priestly Vocations, the prospect will be advised of the steps required to enter seminary and how he may cooperate in the process leading to acceptance as a seminarian for the Archdiocese.

2.1.2. Resources for those interested in consecrated vocations are also available through the Office of Priestly Vocations.

Part 2: The Priesthood

"The priest ... is a man of mystery. While he is called forth from among the members of the Church and ever remains human and a sinner, he is nonetheless set apart for sacred duty and thus is permanently marked with a special character. He becomes by that which he has been marked a special participant in the continuing drama of salvation." (Archbishop J. Francis Stafford, Pastoral Letter, *In the Person of Christ, the Head of the Body: The Mystery of the Priestly Vocation*, ¶ 22.)

2.2.1. Vicar for Clergy

The Vicar for Clergy acts for and on behalf of the Archbishop in all matters related to priests and deacons. He is to be available to the needs of the priests of the Archdiocese, and to work in close association with the consultative organizations listed in Part 3. He is to assure the Archbishop that canonical obligations for the pastoral care of the priests have been fulfilled.

2.2.2. Faculties

Priests of the Archdiocese, at the time of ordination or incardination, receive the faculties of the Archdiocese. Extern and religious priests receive faculties when their application for ministry is accepted. Reception of faculties is dependent upon meeting the background checks, as more fully set forth in the Code of Conduct and other criteria for being in good standing, including reading and agreeing to the Archdiocesan Code of Conduct. Special faculties may be given to a priest because of a specific need in his ministerial appointment.

2.2.2.1. By the universal law of the Church, the following faculties are extended to those priests in good standing in the Archdiocese:

- a. To preach the Word of God everywhere with at least the presumed consent of the pastor of the parish (canon 764).
- b. To administer the sacraments and sacramentals except those prohibited by *The Code of Canon Law* or those requiring the sacred order of the Episcopate.
- c. To preach to men and women religious in their churches or oratories with the permission of the competent superior (canon 765).
- d. To make an exception for a just reason to the required age of sixteen for a sponsor at Baptism or Confirmation (canon 874§1, °2; 893§1) and provided that the selected sponsor has been confirmed (canon 874§1, °3). Ordinarily the exception should be only by one year of age.
- e. To admit a Christian who belongs to a non-Catholic ecclesial community to be a witness (not a sponsor) to Baptism and only in the company of a Catholic sponsor (canon 874§2).

- f. To administer the sacrament of Confirmation within his own territory to a baptized non-Catholic adult whom the priest has received into full communion with the Catholic Church (canon 883§2).
- g. To confirm those in danger of death (canon 883§3).
- h. To celebrate the Eucharist according to the norms of canonical and liturgical law (canon 900§2).
- i. To concelebrate the Eucharist unless the welfare of the Christian faithful requires or urges otherwise but with due regard for the freedom of each priest to celebrate the Eucharist individually, although not during the time when there is a concelebration in the same church or oratory (canon 902).
- j. To consume food or drink before the second or third celebration of the Eucharist on the same day (canon 919§2).
- k. To celebrate the Eucharist while seated, but without the people present, if one is sick or elderly (canons 930§1; 906).
- l. To celebrate the Eucharist by using the text of any approved Mass if one is blind or suffering from another infirmity with someone present to help him (canon 930§2).
- m. To celebrate and distribute the Eucharist on any day and at any hour, except those excluded by liturgical laws of the universal or particular church (canon 931).
- n. To celebrate the Eucharist in any suitable place (canon 932).
- o. To celebrate the Eucharist according to the extraordinary form of the Latin Rite privately or among a stable group of the faithful who request such celebration.
- p. To those who have the habitual faculty to hear confessions by office or by concession to exercise that faculty everywhere unless it has been restricted by the local ordinary. Presbyters belonging to this or another diocese, religious institute or institute of apostolic life who do not have faculties for hearing confessions from their own ordinary or who have this faculty restricted by their own bishop, religious superior or the law itself, are likewise restricted by the Archbishop (canon 967-969).
- q. When the penitent is in danger of death, to hear confessions anywhere and absolve from any kind of censures and sins with the obligation of recourse in case of recovery (canons 976; 1357§3).
- r. To absolve in the sacrament of Penance anyone from censures except those specifically reserved to the Holy See (canon 1355). Censures reserved

to the Holy See are:

- i. Desecration of the Consecrated Species (canon 1367).
 - ii. Use of physical force against the Roman Pontiff (canon 1370).
 - iii. Absolution of an accomplice in a sin against the 6th commandment (canon 1378).
 - iv. Having consecrated a bishop without a pontifical mandate (canon 1382).
 - v. Being consecrated a bishop without a pontifical mandate (canon 1382).
 - vi. Direct violation of the sacramental seal (canon 1388).
- s. To absolve in the internal forum anyone of the faithful from a *latae sententiae* penalty which has not been declared, established by the law but not reserved to the Holy See, namely apostasy, heresy, and schism (canon 1364§1), physical attack on a bishop (canon 1370§2), pretended celebration of the Eucharist or conferral of sacramental absolution by a lay man or woman (canon 1378§2), false accusation of a confessor of solicitation (canon 1390§1), attempted civil marriage of a non-clerical religious in perpetual vows (canon 1394§2) and procured abortion (canon 1398). This faculty may be exercised by the confessor only within the confines of this Archdiocese and on behalf of any persons regardless of their domicile or the place where the penalty was incurred (canon 1355).
- t. To carry the Oil of the Sick in a respectable manner so that in case of necessity the sacrament of the Anointing of the Sick may be administered (canon 1003§1).
- u. To impart blessings except those reserved to the Roman Pontiff and bishops (canon 1169§2).
- v. After consultation with the Archbishop, to grant ecclesiastical funeral rites to baptized members of a non-Catholic church or ecclesial community unless this would be evidently contrary to the will of the decedent and provided the decedent's own minister is unavailable (canon 1183§3).
- w. To repeat the liturgical services on Good Friday and to celebrate an additional Mass on the Vigil of Easter after the celebration of the Vigil (Congregation for the Sacraments and Divine Worship, January 13, 1971).

2.2.2.2. By the universal law of the Church, the following faculties are granted to pastors of parish communities:

- a. To exercise the pastoral care of the community entrusted to him under

the authority of the Archbishop so that for this community he may carry out the offices of teaching, sanctifying, and ruling with the cooperation of other presbyters or deacons and with the assistance of the lay members of Christ's faithful.

b. To act in the person of the parish in all juridic (canonical) matters according to law.

c. In case of necessity, to have someone else satisfy the *Missa pro Populo* on Sundays and Holy Days of Obligation (canon 534§1).

d. In case of necessity, to celebrate the *Missa pro Populo* on another day (canon 534).

e. To assist, by virtue of their office, at the marriage of both subjects and non-subjects provided one of the parties is of the Latin rite, but only in the pastor's own parish (canon 1109).

f. To delegate the faculty to assist at the marriages generally or for a particular marriage (canon 1111§1)(the delegation is to be given in writing and the fact of delegation is to be noted in the marriage record).

g. To grant permission for the marriage between Catholics or between a Catholic and baptized non-Catholic party to be celebrated in a Catholic Church or oratory other than the parish church of the Catholic parties (canon 1118§1). Only the Archbishop or his designee can permit marriages between Catholics or between a Catholic and a baptized non-Catholic to be celebrated in a suitable place other than a Catholic church (canon 1118§2).

h. To suspend the obligations of a vow for as long as its fulfillment would prejudice such a person if one has power over the matter of the vow (canon 1195).

i. To dispense from private vows made by a person belonging to the parish to which the pastor is assigned and also by a visitor within the parish, but only if no injury is done to the acquired rights of others (canon 1196).

j. To commute to a lesser good what has been promised by a private vow made by a person belonging to the parish to which the pastor is assigned and also by a visitor within the parish's territory (canon 1197).

k. To suspend the obligations of a promissory oath. This faculty may not be exercised if the suspension from the oath would tend to prejudice those who refuse to remit its obligation (canon 1203).

l. To dispense or commute a promissory oath. This faculty may not be exercised if the dispensation from the oath would tend to prejudice those who refuse to remit its obligation (canon 1203).

m. To dispense, in individual cases and for a just cause, from the observance of a day of precept (i.e. a Holy Day of Obligation or day of penance (Ash Wednesday, Good Friday)) or to commute the obligation into some other pious work. This faculty may be exercised on behalf of one's own parishioners or of one visiting within the boundaries of the parish (canon 1245).

2.2.2.3. By virtue of the power granted to him by the universal law of the Church, the Archbishop grants the following faculties:

a. To pastors, parochial vicars, and other priests with the approval of the pastor to baptize an adult (i.e. one who has completed his or her seventh year) without previously referring the matter to the Archbishop and to administer Confirmation and Eucharist immediately (canon 863).

b. To pastors, parochial vicars, and other priests with the approval of the pastor to baptize an adult who is not domiciled within the parish to which the priests are assigned, provided the adult has been admitted to the catechumenate in their parish. Notification of admission to the catechumenate and of the reception of Baptism should be made to the person's proper pastor (canons 857§2; 851§1).

c. To pastors, parochial vicars and other priests with the approval of the pastor to receive into the Church an adult already baptized in a non-Catholic Church, who does not dwell within the confines of the parish to which they are assigned, provided the person took the course of instructions in the Catholic faith within their parish.

d. To priests, if priests are lacking and for a just cause, to celebrate the Eucharist twice on weekdays and even, if pastoral necessity requires it, three times on Sunday and Holy Days of Obligation (canon 905§2).

e. To priests incardinated and having an assignment in the Archdiocese, to whom this faculty is not given by the law itself, the Archbishop grants the habitual faculty to hear confessions (canon 967§2). This faculty is not lost by loss of assignment.

f. To all parochial vicars, the general faculty to assist at marriages within the boundaries of the parish to which they are assigned (canon 1111).

g. To pastors and parochial vicars assigned to a parish, to allow ecclesiastical funeral rights for an unbaptized child if the parents had intended to have the child baptized (canon 1183§2).

h. The Archbishop has delegated pastors and provincial vicars, chaplains and rectors to dispense the faithful from the Eucharistic fast for a just cause. Such delegation ceases when the Episcopal See is vacant.

2.2.2.4. Faculties of non-incardinated resident priests and deacons:

- a. Ordinarily, the Archbishop grants faculties to non-incardinated resident priests or deacons for the duration of their stay within the Archdiocese. Reception of faculties is dependent upon meeting the background checks, the Archdiocesan Code of Conduct and other criteria for being in good standing.
- b. Requests for faculties must be made in writing with appropriate documentation (e.g. explanatory letters from one's ordinary) to the Archbishop. Questions concerning this procedure may be referred to the Vicar for Clergy.
- c. In case of emergency, non-incardinated resident priests or deacons desiring faculties may contact the Vicar for Clergy or the Vicars General for information and guidance.

2.2.2.5. Priests from outside of the Archdiocese receive faculties from their proper bishop. If they possess the faculty of preaching or hearing confessions from their own ordinaries, they may presume the faculty to preach and to celebrate the sacrament of reconciliation within the Archdiocese, unless the Archbishop or the Vicar for Clergy has specifically denied that faculty.

- a. Priests wishing to remain an indefinite period of time and minister in the Archdiocese must obtain permission of the Archbishop. An intended stay of over one month necessitates requesting permission for Archdiocesan faculties from the Archbishop.
- b. This permission is given in writing through the granting of priestly faculties of the Archdiocese. These faculties are not to be presumed.
- c. Prior to reception of faculties, the priest must present all information requested by the Vicar for Clergy and fulfill requirements of good standing.
- d. In order to maintain accurate clergy records, all written requests for the faculties of the Archdiocese are to be directed to the Vicar for Clergy. A background investigation, accurate and complete provision of additional information by the one requesting faculties, and a letter of recommendation from one's proper ordinary with his approval, are necessary prior to the reception of faculties from the Archbishop.
- e. Priests of religious institutes or societies of apostolic life obtain the faculties of the Archdiocese before their appointment to pastoral ministry within the Archdiocese. Religious priests receiving permission to live in the Archdiocese do not automatically enjoy faculties of the Archdiocese unless these have been specifically requested and granted.
- f. Priests of religious institutes, societies of apostolic life or from other dioceses are to inform the Vicar for Clergy immediately if there is additional

information that should be communicated prior to the granting or continuation of faculties. The ordinary of a priest incardinated in another diocese and seeking/with faculties in the Archdiocese is to inform the Vicar for Clergy if, for any reason, the letter of recommendation or approval of such priest is questioned or withdrawn.

2.2.3. **Salary and Benefits**

Since clerics dedicate themselves to ecclesiastical ministry, they deserve remuneration which is consistent with their condition... (can. 281 §1). Priests under the auspices of the Archbishop will receive remuneration according to their condition (see list of conditions below). Additional compensation may be paid depending upon a priest's condition, taking into account the nature of their function and the conditions of places and times. Priests will typically fall into one of the following 5 conditions of life. If there is a question about which condition applies to a priest, the matter will be handled on a case-by-case basis.

Condition A- A priest assigned to full time ministry as: a pastor (or administrator) of a parish, a seminary professor or formator, an episcopal vicar, a director of a curial office.

Condition B- A priest assigned to full-time ministry as: a parochial vicar or on special assignment (e.g., further studies).

Condition C- A priest in unassigned ministry.

Condition D- A priest who is on a leave of absence from ministry.

Condition E- A retired priest.

The Archdiocese of Denver Clergy Benefit Schedule, which is updated annually and supplied to pastors and business managers each spring to aid in the budget process, will indicate the base salary level and additional compensation amounts, including an additional 7.65% compensation to partially compensate priests (except for retired priests) for their self-employment tax.

A priest who is on administrative leave, but not Condition D (e.g., sabbatical, medical/sick, suspension during an investigation, etc.) will receive the same level of compensation that he was earning prior to the leave until such time as his administrative leave ends and his condition is established.

Priests in all conditions are due the base salary, which presumes room and board are being provided. In the event that room and board are not being provided, additional compensation will be considered on a case by case basis so as to ensure that can. 281 is followed.

Priests in Category C will only receive the base salary.

Priests in Condition E who are incardinated, are paid through the priest pension plan, which shall not be less than the base salary. When a retired priest resides and or assists in a parish, the parish may pay additional compensation. Such compensation is determined by the pastor of the parish.

Priests who are in Conditions C, D, and E are eligible for additional compensation from the Archdiocese on a case-by-case basis so as to provide for the necessities of their life as well as for the equitable payment of those whose services they need.

When a priest receives additional compensation, i.e., honoraria for seminary or sacramental work, gifts, etc., he is encouraged to heed can. 282 §2 and apply excess funds to the good of the church and works of charity.

Priests may be reimbursed for certain necessary expenditures (Ref: Chapter 10 – Parish Business Practices within the Territory of the Archdiocese - Categories for Reimbursement of Priests).

2.2.3.1. Priests receive remuneration in relationship to their primary assignment and should not receive honorarium for this work other than the offering associated with Mass intentions. Honoraria related to sacramental work outside a priest's primary assignment serve as a supplement to remuneration. Such honoraria primarily exist to aid priests who do not enjoy the same financial benefits that may exist in full-time parish ministry.

The amount paid in the categories of the mileage reimbursement, education allowance, retreat fee, priests' convocation fee, and supply priest honoraria are announced annually in the Clergy Benefits Schedule. The amount suggested for a Mass offering is determined by bishops of the province. Mileage reimbursement and the offering associated with the Mass intention should be added to the Supply Priest Honorarium. An honorarium and mileage reimbursement may also be paid for other sacraments, e.g., Reconciliation. Such an honorarium should be representative of the time and energy offered by the supply priest.

2.2.3.2. Every priest is entitled to adequate living arrangements that include food and lodging (see Rectories 2.2.8). The parish will provide these arrangements.

All food expenses are subject to availability in the annual budget and approval of the pastor or administrator of the parish. While it is true that priests have varying preferences and dietary needs, the per priest cost of board should reflect real provisional need and avoid opulence. Provisions include grocery, restaurant, or delivered food that is consumed by a priest.

The parish does not pay for food consumed by a priest when he is on vacation.

Monies paid to priests for food provisions are not an allowance and must be tied directly to actual need and use. In general, reimbursement is preferred and advancements are not permitted. Parishes must have an expense reimbursement plan (pursuant to Section 10.21.1 of the Handbook), whereby proper documentation substantiating the expenditure must be provided to the parish. Accounting of business related meals or groceries should be kept separate from meals or groceries regarded as provisions for priests.

Business related meals should be budgeted in a separate account as they do not represent provisions for the priest.

Some priests may discern that expenses related to meals not consumed in the rectory are something they will pay out of their own pocket. While this is a commendable practice, two things must be kept in mind: this cannot be mandated of other priests, and when the priest changes assignments, prudence must be used in calculating budgetary needs for the incoming priest.

Typically, the parish does not pay for alcohol. Alcohol consumed solely by the priest is never a grocery, but rather a personal expense (Section 10.24.0.). Concerning business related meals, certain alcohol expenses are permitted, and the good judgment of the priest will be trusted. Some examples of acceptable alcohol expenses might be: wine for a staff or parish business meal, beer served at a parish council BBQ, pre-dinner drinks while entertaining a presenter or group of priests before or after a penance service, etc.

2.2.3.3. While needy parishes may negotiate an amount less than the standard rate for sacramental services as defined annually for the supply priests, it is hoped that supply priests would not expect a needy parish to pay more than the parish could afford.

2.2.3.4. Archdiocesan priests receive medical and other health benefits through the Archdiocese of Denver Welfare Benefits Trust (Ref: Chapter 12). The priest's employer (e.g., a parish or Catholic institution) pays the insurance premium and the priest pays the employee shared costs. Priests from religious orders or other communities receive such medical insurance from the respective orders/communities.

2.2.3.5. Archdiocesan priests also receive dental insurance through the Archdiocese of Denver Welfare Benefit Trust (Ref. Chapter 12) dental insurance plan. The priest's employer (e.g., a parish or Catholic institution) pays the insurance premium and the priest pays the employee shared costs consistent with the policies for shared expense as adopted by the priest's employer. Priests from religious orders or other communities receive such dental insurance from the respective orders/communities.

2.2.3.6. Each priest who is incardinated into the Archdiocese is part of the Archdiocese of Denver Priest Pension Plan, subject to certain conditions (Ref. Chapter 12). Priests from religious orders or other communities cannot participate in the Archdiocese of Denver Priest Pension Plan.

2.2.3.7. Each priest may take four weeks of vacation on an annual basis. The priest is asked to find a replacement for himself, if possible. In the case of a parochial vicar, the replacement priest must be acceptable to and approved by the pastor. The replacement priest is to be paid by the Catholic institution or parish.

2.2.3.8. A priest unable to continue in his current assignment because of personal illness may be granted a sick leave by the Archbishop. The priest may continue on full salary during the time of authorized sick leave; provisions will be made for room and board.

2.2.3.9. In those situations where Archdiocesan priests are sent outside of the territory of the Archdiocese for an extended period of time, guidance has been provided in *Postquam Apostoli* (1980) and more specifically in canon 1271. Based on the experience of the Archdiocese and its missionary seminary, Redemptoris Mater House of Formation, additional guidelines have been developed which include the following:

- a. Priests sent to minister in a different diocese:
 - i. If a priest is sent to work in another diocese in need, the bishop

a quo and the bishop *ad quem* must agree on a five-year renewable contract.

ii. If a priest is sent to a wealthy country, usually the diocese *ad quem* takes care of the salary, health benefits payments and retirement benefits.

iii. If a priest is sent to a third-world country, usually the diocese *ad quo* takes care of salary, health benefits payments and retirement benefits.

b. Priests sent for the itinerant evangelization

i. If a priest is sent for the itinerant evangelization, the obligation of the diocese *a quo* is to provide for healthcare and retirement benefits, while for the salary the priest lives his condition of being itinerant.

ii. If a priest is sent for itinerant evangelization with a decree, the Archbishop will provide the priest with a Letter of Good Standing.

Additional considerations for such situations have been established and are monitored and implemented by the Office of the Vicar for Clergy, in consultation with the Director of Human Resources of the Office of FAP. However, every instance (whether it is under either scenario above) has to be individually evaluated by the Archbishop based on its own merits according to natural and canonical equity.

2.2.4. The Spiritual Life

This section singles out cherished and proven spiritual disciplines which lead a priest to be in union with the author and source of the Priesthood--Jesus Christ, our High Priest. Only through communion with Christ through personal prayer, reading of Sacred Scripture and the sacraments is the priest able to come to know and love Christ and serve the Church. Priests of the Archdiocese are called to grow in holiness and to deepen their spiritual lives by personally assuming the practice of most, if not all, of the following spiritual disciplines.

2.2.4.1. *"Priests fulfill their chief duty in the mystery of the Eucharistic Sacrifice. In it the work of our redemption continues to be carried out. For this reason, priests are strongly urged to celebrate Mass every day..."* (PO 13). Priests as persons are sometimes overwhelmed by the challenges of the modern world and by the needs of the People of God. In their care and effort to minister, priests need to remember that a priest's "pastoral love flows mainly from the Eucharistic Sacrifice, which is therefore the center and root of the whole priestly life" (PO 14). The priest, in imitation of Christ, is called to lay down his life for his people as symbolized in the Eucharist. To this end, each priest of the Archdiocese should prepare carefully for the celebration of the Eucharist, and see the Eucharistic Sacrifice as the heartbeat of his priestly life, which nourishes and sustains his ministry to the People of God.

2.2.4.2. Believing that the entire life and work of a priest is a prayer offered to the Father in and through His Son Jesus, priests should deepen this reality by singling out certain moments of the day in formal prayer with the Lord. Only through prayer does intimacy with Christ grow and deepen and is the priest better able to serve God's people. In particular, the people of God are visibly encouraged by the priests' "daily conversation with Christ the Lord in visits of personal devotion to the Most Holy Eucharist" (PO 18). Priests are encouraged to spend some time each day in prayer before the Blessed Sacrament.

2.2.4.3. Praying the Liturgy of the Hours daily is a canonical obligation but not imposed under threat of sin. It is a call from God that priests warmly and freely welcome at the moment of ordination. By means of the Liturgy of the Hours, the Church sees the sanctification of time and persons being accomplished. For a priest, prayer is a primary duty and is essential for priestly ministry. Priests and deacons aspiring to priesthood are obliged to pray the Liturgy of the Hours daily. Seminarians and deacon candidates should be introduced to and encouraged to pray the Liturgy of the Hours, since it is the official prayer of the Church and gives a firm liturgical direction to their prayer.

Priests should promote this treasury of prayers to the laity, particularly through its common celebration in the local parish. When possible the priest should lead the people of God in this form of prayer.

2.2.4.4. Priests, as ministers of reconciliation, recognize their own need for forgiveness and the mercy of the Good Shepherd who searches out the sinner (Lk 15). Priests of the Archdiocese should avail themselves of the sacrament of Penance on a regular basis, and, if possible, have a regular confessor. Through regular celebration of the sacrament of Reconciliation, priests will be better confessors for their people. Priests are also encouraged to make a daily examination of conscience. Priests, along with their brother priests, and the

Archbishop, should gather annually during the Lenten season to participate in a Day of Recollection and to celebrate the sacrament of Reconciliation.

2.2.4.5. Recognizing the value of retreating for prayer and reflection, coupled with the benefits of coming together in priestly community, priests of the Archdiocese are required to participate in a five day annual retreat offered by the Archdiocese. Exceptions to this must be approved by the Vicar for Clergy. Each priest is to inform the Vicar for Clergy which retreat he will attend.

An amount, determined by the Archdiocese, is to be allocated from the parish or Ecclesiastical Organization's budget for a priest's yearly retreat (See 2.2.3.1.). Besides the yearly retreat, deans are encouraged to gather their priests together for regular deanery days of recollection. Such a practice of deaneries praying and reflecting together is recommended at least once a year.

As exemplified in the spiritual writings of St. John of the Cross, St. Theresa of Avila and St. Ignatius of Loyola, spiritual direction is an essential component for deepening one's commitment to Christ and the Church. Every priest is strongly encouraged to be guided in his prayer life by finding a spiritual director according to his choosing.

2.2.4.6. Priests are encouraged to read the Sacred Scriptures each day. Through daily listening to the Word of God in their heart (*lectio divina*), priests are led to a deeper knowledge of Jesus Christ. The priests of the Archdiocese are encouraged to update one another on good spiritual reading that would be helpful to one another in their own ministry and spiritual development. Suggestions and summaries of good resources are encouraged to be submitted to the Office of the Vicar for Clergy by priests themselves so that they may be considered for publication.

2.2.4.7. Priests are to support and encourage the development of priests' prayer/ministry support groups, in particular the Jesus Caritas and other priest support groups.

2.2.4.8. The Archdiocese is especially entrusted to the prayers and intercession of Mary, the Immaculate Conception. Each priest is encouraged to foster personal devotion to the Blessed Virgin through a daily recitation of the Rosary and the Angelus. Where possible, church bells should ring at noon and 6:00 p.m. to remind the faithful of Mary's intercession through our praying the Angelus.

2.2.4.9. Every priest is a vocation director through his sacramental relationship with the people he serves. Each priest is to encourage young persons to listen to the Word of God within their lives. Priests are strongly encouraged to annually sponsor a Holy Hour for vocations in their parishes and develop parish vocation committees to help instill the idea of vocations in parish members.

2.2.5. Theological Education

The continuing theological education of the diocesan priest is important not only for the priest personally, but also for the people he serves. Priests are called to the pastoral care of the People of God and therefore are called to teach the people in the ways of Christ and His Church. Accountable to the Church through the Archbishop, priests must keep abreast of the current theological advancements and the teaching of the Magisterium. With this in mind, the Archdiocese asks the following of her priests:

2.2.5.1. Each year there are Presbyterate meetings called by the Archbishop. The topics, chosen by the Archbishop, deal with current issues within the Universal Church or the Archdiocese. These meetings serve as an excellent time for the priests of the Archdiocese to gather in prayer and fraternity with their Archbishop. The meetings are required for the priests of the Archdiocese.

2.2.5.2. Workshops will cover a variety of topics. The facilitators of these workshops will be qualified persons from outside and inside the Archdiocese. Since these workshops are informal, they offer the opportunity for dialogue, small group discussion and questions. Priests are encouraged to attend other workshops, not sponsored by the Continuing Education for Priests Committee, held outside or within the Archdiocese, e.g., those sponsored by Saint John Vianney Theological Seminary, Regis University and the Augustine Institute. Time, location and topic for workshops sponsored by the Archdiocese will be published in the priests' mailing.

2.2.5.3. The annual priests' convocation is an excellent time for the priests of the Archdiocese to gather in a relaxed setting to share camaraderie and prayer. The convocation has a two fold purpose: 1) The Archbishop will be present and have a specific agenda; and 2) there will be a topic chosen for study at the convocation with time allotted for reflection by the priests. The gathering is a good opportunity for priests to share ideas with each other and enjoy each other's company. The convocation is highly recommended.

2.2.5.4. At the scriptural, liturgical and catechetical conferences, a wide variety of topics are presented by nationally and internationally-known speakers from various academic faculties and ministries to satisfy the continuing education needs of priests, deacons, pastoral ministers, and educators.

2.2.5.5. In addition to the priests' convocation and retreat funds, each parish or related Ecclesiastical Organization is to annually provide the priest with a set amount of money for their continuing education. These monies may be used for workshops, study, theological books or journals.

2.2.5.6. Priests, as professional ministers, are to participate in a minimum of 20 hours of theological study per year. This includes any activity that is related to the study of some branch of theology, i.e., sacred scripture, dogma, sacramental, moral, liturgical, spirituality, canon law. Each clock hour of a theological seminar, academic course, or workshop equals one hour of continuing education. Presbyterate meetings and retreats are not included in these hours. The purpose of this requirement is to promote the highest quality of ministry and to encourage continuing spiritual and professional growth in the individual priest.

2.2.6. **Sabbaticals**

A sabbatical is an educational or spiritual experience available periodically so that a priest may maintain his effectiveness and expertise in ministry. Sabbaticals are primarily initiated by the priest himself as a way to pursue his spiritual and theological interests.

The various sabbatical programs available offer resources in two basic areas: 1) spiritual and personal growth; and 2) growth in spiritual and theological knowledge and understanding. The choice of the best program is primarily the responsibility of the priest after consulting with the Vicar for Clergy, and with the final approval of the sabbatical by the Archbishop.

2.2.6.1. A sabbatical will be defined as an extended period of time away from a priest's normal assignment: 1) for the purpose of spiritual and personal growth at a place established for those purposes; and 2) for the purpose of study in a formal program which will allow the priest to become more effective, skilled and knowledgeable. A sabbatical is distinguished from other authorized leaves such as vacation, sick leave, and assigned or special studies.

2.2.6.2. Sabbaticals shall ordinarily be for one academic semester, a maximum of six months, depending on the semester structure of the particular program.

2.2.6.3. Priests ordained for and incardinated in the Archdiocese are eligible to apply for a sabbatical after every ten years of service to the Archdiocese.

2.2.6.4. A priest's absence from his assignment for a sabbatical shall be determined in light of the needs of his present assignment. The determination is made following consultation with staff members and depends on the availability of a priest replacement. The Vicar for Clergy is also consulted.

2.2.6.5. A priest on sabbatical retains his right to salary and benefits from the parish or ecclesiastical office to which he is assigned. In a situation where the sabbatical occurs during the transition time between two assignments, the last place of assignment will ordinarily continue to pay his salary and benefits.

2.2.6.6. The cost of the sabbatical, including travel, living expenses and program costs will be shared by the Archdiocese through funds available to the Office of Continuing Education for Priests and by the priest himself. The priest is to pay a fixed percent of the total cost and the Archdiocese will pay the remaining percent of the cost up to a fixed dollar amount. See Exhibit V Section IX.

2.2.6.7. At the conclusion of the sabbatical, the priest is asked to share his experience with the Director of Continuing Education for Priests. He should prepare a written or verbal report which includes the following: 1) an evaluation of the quality of the program; 2) an assessment of whether the program should be recommended to others; and 3) an explanation of how the sabbatical experience will be of value to his ongoing ministry.

2.2.6.8. The Archbishop and the Vicar for Clergy shall be responsible for the administration of this policy.

2.2.6.9. Procedures are as follows:

- a. A priest interested in a sabbatical shall consult with the Vicar for Clergy regarding the various options that are available to him.
- b. The applicant sends a letter of request and initial proposal to the Vicar for Clergy.
- c. Applications must be submitted at least 15 months prior to the beginning of the sabbatical leave, which would typically commence in June of a given fiscal year.
- d. After consultation with the Vicar for Clergy, the request will be provided to the Archbishop.
- e. If approved, the priest will receive a letter from the Archbishop authorizing his participation.

2.2.6.10. The method of selection of priests is based upon:

- a. Fulfillment of eligibility requirements.
- b. Personal interest and need for personal growth.
- c. Relationship to the overall needs of the Archdiocese.
- d. Availability of the applicant at a particular time and the availability of replacement personnel, if required.
- e. Quality of the program and potential for benefitting from the experience.
- f. Seniority (length and quality of previous service).
- g. Plans for future service to the Archdiocese.
- h. Date of application in relation to other applicants.

2.2.6.11. Funding for a sabbatical is available for only 3 priests a year.

2.2.6.12. It is the responsibility of the priest going on sabbatical, in consultation with the Vicar for Clergy, to make arrangements so that the essential work in his assignment is covered. In an instance where substitute help is necessary, it is the responsibility of the priest to obtain such assistance. Substitute help is paid for by the place of assignment.

2.2.6.13. It is the responsibility of the Vicar for Clergy to gather information about sabbatical programs and to make this data available to the priests of the Archdiocese upon their request.

2.2.7. **Leave of Absence**

For various reasons a priest may request a leave from active priestly ministry. The Archbishop may grant the leave of absence and determine its length. The Archbishop or the Vicar for Clergy will determine if the priest's health insurance premiums and retirement contribution will be paid by the Archdiocese for up to one calendar year. The Archbishop must approve any extension during the priest's leave of absence,

2.2.7.1. If during this leave of absence the priest attempts marriage, either civil or canonical, all medical benefits will cease. He also incurs automatic suspension by canon law.

2.2.7.2. The immediate effects of resignation or of a leave of absence are:

a. A priest who is on a leave of absence may not baptize, celebrate Mass, preach, witness marriages, or hear confessions without the special permission of the Archbishop. This restriction would not be valid for those sacramental ministries provided for by canon law if the danger of death occurs.

b. A priest who has resigned or is on a leave of absence must not in any way present himself as a representative of the Church either in or outside the Archdiocese. He must not become involved in any of the official activities of a parish or of a Catholic institution in such a way that people might mistakenly consider him to be a part of the active pastoral ministry.

c. A priest on leave of absence who is not legally impeded from doing so may receive the sacraments, and he has a right to the courtesy, charity and understanding of his brother priests and of the people in the community.

2.2.8. **Rectories**

All priests in active Diocesan ministry are expected to live in a parish rectory. The rectory is the residence of all the priests who live there: pastor, parochial vicars and priests in residence alike. The privacy of each priest must be respected and should be planned for in the construction or purchase of a rectory.

2.2.8.1 Residents- Only clergy and seminarians are allowed to reside in rectories. Family members and other non-clerics are not to live in the rectory without the written permission of the Vicar for Clergy. Without specific approval of the Archbishop or the Vicar for Clergy, clergy from outside the diocese may not take up residence in the rectory or work at a parish. A person who stays in a rectory longer than 14 days is considered to be in residence.

2.2.8.2 Guests- When appropriate privacy allows, family and friends of a priest may stay in the rectory as guests. A parent or guardian must accompany all minors. Family members of the priest resident who are minors (nephews, cousins, etc.) should typically not stay overnight in the rectory unless they are accompanied by their parent or guardian. Should an extraordinary circumstance arise, the dean should be notified. Minors who are not a family member of the priest resident are not permitted as guests in a parish rectory unless a parent or guardian accompanies them.

2.2.8.3 Food- Refer to 2.2.3.2

2.2.8.4 Furniture- The parish is to provide a rectory that is adequately furnished in a contemporary manner. All furniture, appliances, electronics, artwork, tools, etc., that are purchased by a parish, remain the property of the parish. If a priest decides to purchase personal furniture with his own money, and dispose of the furniture owned by the parish, the priest will be responsible for the replacement of any items he takes with him when he leaves the parish.

2.2.8.5 Pets- Pet ownership is a personal preference. When multiple priests reside in the same rectory, they should be sensitive to each other's preferences and/or allergies. As in all areas of communal living, fraternal charity should prevail and mutual agreements should be made. The parish never pays expenses associated with owning a pet. This includes the wear and tear of the rectory, i.e., carpet, walls, furniture, and yard.

2.2.8.6 Entering- In keeping with can. 1283, 2°, pastors (or administrators) are to prepare and sign an accurate and clear inventory of the rectory, including its condition. Other priests who reside in the rectory will prepare and sign an inventory in reference to their personal quarters. The inventory should also include record of furniture, artwork, and other personal items of significance that a priest brings with him when he begins residency.

2.2.8.7 During Residency- The pastor (or administrator), working with the other residents of the rectory, should review and revise the inventories on an annual basis and make note of changes, e.g. new furniture, wear and tear, etc.

2.2.8.8 Leaving- When a priest vacates a rectory the inventory will be referenced. The parish

will provide standard cleaning, i.e., house cleaning and carpet cleaning. The parish will pay for refurbishment, painting, furniture purchases, etc., when wear and tear has occurred in a typical manner. The priest will be responsible for refurbishment expenses when, due to his preferences and choices, wear and tear has occurred in an extraordinary manner, e.g., smoking, pet ownership, untidiness, etc. The pastor (or administrator) will oversee the leaving of resident priests. The pastor, together with members of the parish finance council, will review the inventory and examine the condition of the rectory when the pastor leaves. The dean (or if necessary the Vicar for Clergy or Vicar General) will settle any disputes that arise in this area.

2.2.9. **Health**

Proper health care indicates an awareness of the essential unity between the physical, intellectual, emotional, and spiritual well being of a person. Just as the priest is responsible to pursue programs of spiritual enrichment and continuing education, a priest should develop and practice good health habits in order that he may minister effectively.

A priest's responsible care of his physical, psychological and emotional health is both an act of stewardship for a part of God's creation, and a sign to others, inviting them to join in the care of human life and all that sustains it. The body is to be a temple of the Holy Spirit that glorifies God (I Cor 6, 19-20). Therefore, every priest is encouraged to develop a personal program of health care which should include: health education, frequent medical examinations, proper nutrition, exercise, adequate periods of rest, and the elimination of addictive habits which are known to be harmful to human health.

2.2.9.1. The Priests' Continuing Education Committee shall sponsor periodic educational programs directed towards improving the understanding and the care of the physical health of the priests. Attendance is highly recommended.

2.2.9.2. Every priest of the Archdiocese who is under the age of 40 should have a complete physical examination by the physician of his choice every two years. Every priest who is over the age of 40 should have a complete physical examination every year.

2.2.10. **Substance Abuse**

The Archdiocese, in accordance with the counsel of professional authorities, recognizes alcoholism and other substance dependencies as treatable illnesses, which in justice and charity demand our enlightened concern.

2.2.10.1. A priest may not perform his ministry under the influence of alcohol or substance abuse.

2.2.10.2. The Archdiocese will assist the priest to seek treatment for alcohol and substance abuse.

2.2.10.3. Present or future assignment(s) will not be affected upon satisfactory completion of treatment as long as the assignment would not jeopardize maintenance of beneficial results or in the case of a future parish assignment, put the parish at risk. If treatment is refused or the problem is aggravated, further therapy or some appropriate other action will be considered as a condition for continued ministry.

2.2.10.4. Should time away from one's assignment be needed to facilitate treatment, the Archdiocese will assist in coverage and financial arrangements.

2.2.10.5. Proper treatment will depend on such factors as duration of onset, degree of impairment, physical and psychological complications, and social and vocational complications. Effective treatment may take place in three ways:

- a. Care which consists of detoxification and, if needed, physical stabilization and continued counseling sessions, group sessions, e.g. AA meetings.
- b. Inpatient rehabilitation, probably for a longer period of time, wherein the patient is helped to embrace a new value system and lifestyle enabling him to live peacefully and productively without chemicals.
- c. A diagnostic work-up either on an outpatient or inpatient basis.

2.2.10.6. The Vicar for Clergy maintains current lists of persons, programs and resources to aid persons who have an addiction. These resources shall be made available to those who have identified an addiction in their lives and who seek help with addiction.

2.2.11. **Mass and Stole Fees**

It is recommended earnestly to priests that they celebrate Mass for the intention of the faithful, especially the needy, even if they have not received an offering. (canon 945§1). It is the policy of the Archdiocese that the priests celebrate Mass for the intentions of the faithful, in accord with the laws of the Church. Under no circumstance may a priest or deacon or parish demand an explicit offering in order that the celebration of the sacrament takes place. As such, the following criteria are to be noted.

2.2.11.1. On Sundays and Holy Days of Obligation, the pastor of a parish is responsible for offering a Mass for the people of his parish (*pro populo*). If he has more than one parish community or additional missions, he may say one Mass for all. If he does not offer the Mass on that day, he should do so at the earliest possible opportunity. If he is unable to personally offer the Mass, he is to see that another priest does so.

2.2.11.2. A priest may accept one offering a day for Masses offered. If he celebrates more than one Mass and there is an offering for the other Masses, the offering does not go to the priest. He is to send it to the Archbishop's office for charitable use, or, upon written permission from the Archbishop, use the offering for a particular charitable use (canon 951).

2.2.11.3. A priest should accept no more intentions than he is able to fulfill within the course of the coming year (canon 953). If he accepts an offering for an intention, he is obligated to fulfill that intention, even if the offering is lost (canon 949). Under certain conditions, such as the expressed desire of the donor, a parish may be permitted to accept intentions for longer than a one-year period of celebration (canon 954). A priest should be aware of this possible limitation on his own ability to offer Masses accordingly.

2.2.11.4. Any and all intentions that are not able to be satisfied in the course of the upcoming year are to be sent to the office of the Moderator of the Curia to be distributed among parishes in the Archdiocese and other places to insure a timely offering of the requested Masses (canon 956).

2.2.11.5. If money is offered for the application of Masses without an indication of the number of Masses to be celebrated, the number is to be computed on the basis of the offering established in the place where the dweller resides, unless the intention of the donor is presumed legitimately to have been different (canon 950). In the territory of the Archdiocese, the presumed amount to be applied to each Mass is the amount noted in Exhibit V Section II-b (canon 952).

2.2.11.6. With written permission from the Archbishop, a pastor may be allowed to schedule twice a week to have a Mass celebrated with more than one intention. The pastor must insure the following: the priest is to receive only one of the offerings for the Mass; all donors whose intentions are offered at the Mass are informed ahead of time and agree to the multiple number of intentions; the offerings from the intentions that do not go to the priest are to be sent to the Archbishop's office or, with previous approval, to a predetermined charitable cause.

2.2.11.7. Pastors are obliged to keep an accurate account of accepted intentions and records of their having been satisfied. This is to be kept in a special book, which is in turn checked yearly by the bishop's delegate (canon 958).

2.2.11.8. All stole fees are presumed to go to the parish fund, unless designated otherwise (Canons 531, 551). This does not include Mass offerings, but only fees given for marriages, funerals, Baptisms, blessings, or any other fee extended for sacraments or blessings. Individuals may also give personal gifts to the cleric responsible for the service. If the intention of the donor is unclear, the recipient may clarify if the gift is given to the priest or to the parish, otherwise, the presumption is that the stole fee is a gift that belongs to the parish.

2.2.11.9. At the occasion of Mothers' Day, Fathers' Day, and All Souls Day, the parish may collect names of the dead, and those to be prayed for, and remember them in the prayers of the faithful for a particular Sunday or a fixed period of time. Offerings may be received at that time but may not be required. The faithful must be aware, however, that the dead will be prayed for at the prayers of the faithful, and not as the particular intention at a set Mass. If offerings are to be received, the faithful must be aware of the intended recipients (the priests) of these offerings.

2.2.12. Extern Priests

A priest from another diocese or from a religious community who wishes to minister in the Archdiocese for a period over one month will be allowed to do so only by the Archbishop and in agreement with the priest's ordinary. Subsequent to the appropriate background check and meeting the requirements of the Archdiocesan Code of Conduct, the Vicar for Clergy will give permission for an extern priest to live in a parish setting, if available. When an extern priest receives the permission of the Archbishop to minister in the Archdiocese, the Archbishop will seek the consultation of the Deans' Board concerning the assignment. He may also be asked to participate in the enculturation program.

2.2.13. Incardination

A priest not incardinated into the Archdiocese may seek to be incardinated. This incardination process typically takes five years to complete. Normally a priest will receive two assignments during which he is evaluated as to his suitability in pastoral ministry in the Archdiocese. Embarking on a course of incardination in the Archdiocese does not guarantee that incardination in the Archdiocese is assured. Incardination rests ultimately with the Archbishop.

2.2.14. Illness in the Priests' Families

Priests of the Archdiocese are asked to notify the Vicar for Clergy of any serious illness or death in their families in order that this may be made known to other priests and that these intentions be kept in the prayers of the faithful.

2.2.15. Priests in Military Service

The Archdiocese for the Military Services, U.S.A. began its independent canonical existence in 1986, with the promulgation of the Apostolic Constitution, *Spirituali militum curae*. In cooperation with other dioceses throughout this country, the Archdiocese is committed to assist in providing for the spiritual care of the military and their dependents.

2.2.15.1. The Archdiocese establishes the goal of providing up to 6% of its active Archdiocesan clergy for service to the Archdiocese for Military Services. This includes up to 4% of priests in reservist status, and up to 2% of priests in active duty in the Archdiocese for Military Services.

2.2.15.2. The Archdiocese will also permit seminarians to participate in the chaplaincy program of the Military Archdiocese for one summer experience. This opportunity will allow seminarians to minister to armed forces personnel.

2.2.15.3. Each request to participate in any facet of the Archdiocese for the Military Services must be granted in writing by the Archbishop. This endorsement of the Archbishop may be withdrawn at any time if the pastoral needs of the Archdiocese warrant it.

2.2.15.4. The priests of the Archdiocese will be informed when there is an availability of an open position for a chaplaincy in the Archdiocese for Military Services by the Vicar for Clergy. Any priest incardinated within the Archdiocese may apply for a position in the Military Archdiocese. The Personnel Board will review his request and his qualifications for such a position. A priest may not apply to be considered for service in any capacity in the Archdiocese for Military Services until he has completed at least five years of pastoral ministry with the Archdiocese.

2.2.15.5. A priest will normally be permitted to serve on active duty in the Archdiocese for Military Services for a period of six years. After he has served a six-year assignment, the Personnel Board will evaluate his position. Depending upon the pastoral needs of the Archdiocese, he may be asked to return to full time parish ministry within the Archdiocese. He may also be asked to relinquish his assignment with the Military Archdiocese so that another interested priest may apply for a position.

2.2.15.6. The Archbishop reserves the right to make exceptions to this policy.

2.2.15.7. Since priests released for service in the Military Archdiocese are still incardinated in the Archdiocese, those who serve in active military service continue to participate in the priests' retirement plan of the Archdiocese. For new assignments after January 7, 2011, such priests must pay into the Archdiocese Priest Retirement Plan an amount to be determined by the Director of Human Resources and the Vicar for Clergy.

2.2.16 **Retirement**

An incardinated priest typically stays active in parish ministry until they retire, which would normally occur after having achieved his 70th year. There are some exceptions, and these will have an effect on the pension plan payments the priest would receive.

2.2.16.1. If a priest was ordained or incardinated into the Archdiocese before January 1, 1993, he has the option of requesting early retirement. This request can be made when they attain age 65. Priests ordained or incardinated after January 1, 1993 may request consideration for retirement when they attain age 70.

2.2.16.2. A priest wishing to request early retirement must submit a letter of request to the Archbishop, stating the reasons and the time frame of his request. The Archbishop will decide on a case-by-case basis the response to such requests. In accord with canon law, a pastor must submit a letter of resignation, requesting retirement, to the Archbishop, upon reaching 75 years of age. The Archbishop will consider each letter of resignation on its own merits. Depending upon the health of the priest, his openness to continued service, and other factors, the Archbishop may ask a priest of 75 years or older to stay on in his assignment or to take a new assignment, instead of full retirement at that time.

2.2.17. **Last Will and Testament**

Every priest is required to make a last will and testament. Priests are asked to make this last will and testament in duplicate, keeping a copy for their own files and sending a sealed copy to the Vicar for Clergy. It is recommended that a brother priest be appointed personal representative of the will. Specifics regarding funeral and burial arrangements should be attached to the will.

2.2.18. **Employment and Pastoral Involvement of Laicized Clerics**

A cleric dispensed from the obligations of the clerical state is bound to conditions set forth in the rescript issued by the Apostolic See. A cleric who has left active ministry without dispensation from the clerical state, may not be considered for employment at a parish or an Ecclesiastical Organization without written permission from the Archbishop.

Part 3: Consultative Organizations/Persons for Priests

2.3.1. Deans' Board

2.3.1.1. The Statutes for the Deans' Board can be found in Exhibit XII.

2.3.1.2. The Deans shall maintain a dialogue with each priest in his deanery regarding his pastoral interests and aptitudes.

2.3.1.3. A priest may contact any member of the Deans' Board regarding his own re-assignment. A pastor may request the re-assignment of his parochial vicar(s). Any priest may request particular or special assignments to the Vicar for Clergy in writing.

2.3.1.4. Ordinarily, a minimum of three weeks is allowed from the date of notification until the effective date of re-assignment.

2.3.1.5. If there is a need for assignment outside the normal time line due to death, illness or other unexpected circumstances, the Vicar for Clergy will work in conjunction with the affected Dean and the Archbishop to make recommendations. The Deans' Board may be consulted on this assignment.

2.3.1.6. When the Office of Pastor is vacant, the Archbishop may appoint a Parish Administrator. The Parish Administrator is a priest or a deacon who is authorized to maintain the responsibilities of a pastor, but is to initiate no new programs or significant administrative or financial changes without the permission of the Archbishop.

2.3.1.7. Pastors are appointed for a six-year term that may be renewed. In the fifth year of his term, the pastor may be asked to submit a self-evaluation to the Vicar for Clergy. The Vicar for Clergy will then make his recommendation to the Archbishop.

2.3.1.8. A Parochial Vicar is normally assigned for a three-year term. His responsibilities include those matters assigned by the pastor.

2.3.2. **Priests' Retirement Committee**

The purpose of this body is to oversee and advise on activities relative to the retired and disabled priests of the Archdiocese. The members meet no more than quarterly or at least twice per year to assess such areas as the pension program for Archdiocesan priests, the need for retired priests' housing and care, and the future planning for Archdiocesan needs for its priests including pension benefit levels and other related items. The Committee is composed of at least four retired priests, a member from the AFC who is familiar with the Archdiocese of Denver Priests' Pension Plan and the Priests' Retiree Medical and Life Insurance Fund, and Special Needs Fund, a member from the presbyterate at large, a Vicar General, the Vicar for Clergy, the Director of Human Resources of the Office of FAP and the CFO for the Archdiocese. The Vicar for Clergy acts as Chairman for the Committee. The members are appointed by the Archbishop.

2.3.3. **Continuing Formation for Priests Committee**

The goal of this Committee is to meet the continuing formation needs of the priests in the Archdiocese. It strives to respond to the needs of pastoral ministry and the priests' personal and spiritual needs. A committee of priests serves as advisors to the program. The needs of priests are met through workshops, conferences and sabbatical programs. This Committee is also responsible for scheduling and coordinating retreats for the priests of the Archdiocese. The Director of the Continuing Formation for Priests' Committee is appointed by the Archbishop.

2.3.4. **Deans (Vicars Forane)**

2.3.4.1. Consistent with canon 555, a Dean is “a close collaborator with the Bishop in the pastoral care of the faithful and attentive ‘elder brother’ towards the priests of the deanery, especially those who are ill or in difficult situations. It falls to him to coordinate the common pastoral activity of the parishes, to see to it that priests are living lives in conformity with their state and that parochial discipline is duly observed, particularly with regard to the liturgy” (Congregation for Bishops, Apostolorum successors, number 218).

Deans are appointed by the Archbishop for a renewable term of three years according to a process determined by the Office of the Archbishop. For a just cause, the Archbishop can freely remove a dean prior to the expiration of the term of appointment (canon 554 §3).

The Parish Visitation Report is to be completed by the pastor each year in collaboration with the Dean. A copy of the report is to be kept on file in the Office of Chancellor, and each parish is also encouraged to keep a copy of the report in the parish files.

2.3.4.2. In order to effectively promote the pastoral welfare of the People of God, a dean is to visit each parish within the deanery at least once a year. In keeping with canon 555, the Dean is to insure that ecclesiastical goods are properly administered and cared for, specifically, the Dean is to tour and inspect all facilities, including the rectory, to determine if they are being properly cared for. During his visitation, the Dean is to review and evaluate the sacramental records maintained by the parish and to ensure that a copy of these records is sent to the Archdiocesan archives. With the pastor or parish administrator, the Dean is to evaluate the financial, administrative or pastoral needs of the parish and to reflect upon other concerns, which may be brought to the attention of the Archbishop. The Dean’s evaluation of the financial needs of the parish should always be preceded by a report or meeting from the Parish Finance Council, in the presence of the Pastor.

2.3.4.3. The Dean is to convene meetings with the priests of his deanery, no less than quarterly, and preferably on a monthly basis. At these meetings the Dean is to discuss the pastoral issue facing the deanery and modes of pastoral collaboration. He is to share with the priests the Archbishop’s solicitude and any particular concerns that the Archbishop may have. Presentations from members of the curia should also be welcomed at these meetings. Priests are encouraged to share their own concerns to the Dean so that he may accurately apprise the Archbishop. Furthermore, the Deans should ensure that regular meetings contain periods of common prayer and fraternal fellowship. The Dean is to report to the Archbishop when the deanery has assembled.

2.3.4.4. Apart from regularly scheduled meetings of all of the priests of the deanery, the Dean is to maintain direct communication with each of the priests of his deanery, in order to best inform and advise the Archbishop in matters regarding health and well-being of priest personnel, potential for changes in assignment, needs in the deanery based upon growth, changing demographics, and the like, and items of concern or clarification.

The Dean should take care that the priests of the deanery have the necessary spiritual and material support, and, whenever possible, opportunities for continuing education.

In the event of a pastor's death, the Dean should assist in coordination of the funeral arrangements.

Although the Dean has a particular concern for the ministry and life of priests, deacons are encouraged to present their pastoral concerns to their Deans either directly or through their pastors.

Should the Dean become aware of any disciplinary issues pertaining to the life or ministry of clergy in the deanery, he is responsible, according to this prudent judgment, to inform the Archbishop or Vicar for Clergy directly.

2.3.4.5. All clergy and parish personnel are to be familiar with the functions of the Dean and the annual Parish Visitation Report and are to cooperate with the Dean in fulfilling his responsibilities.

Part 4: Permanent Deacons

By direction of the Archbishop, the particular law for the life and ministry of deacons is to be taken from Chapter 2 of the “National Directory for the Formation, Ministry and Life of Permanent Deacons in the United States.” The following norms clarify and/or expand on the Directory norms.

2.4.1. Director of Deacon Personnel (Director for Deacons)

The Archbishop appoints the Director for Deacons who is either a priest or deacon. The Director for Deacons reports to the Vicar for Clergy.

2.4.1.1. Associate Director – the Archbishop appoints an assistant director for the diaconate office based on the needs of the diaconate community. The associate director(s) report(s) to the Director of Deacon Personnel.

2.4.2. Faculties

Deacons with a canonical assignment in the Archdiocese possess the following faculties:

2.4.2.1. Within the confines of the canonical assignment approved for them by the Archbishop, they may conduct all functions as identified in the National Directory for the Formation, Ministry and Life of the Permanent Deacons in the United States, including, but not limited to:

- a. Administer Baptism solemnly.
- b. Distribute Holy Communion at Mass and conduct the rite of Holy Communion outside of Mass.
- c. Celebrate the rite of Viaticum, distribute Holy Communion to the sick, and share in the pastoral obligation to care for the sick.
- d. Impart Benediction of the Blessed Sacrament.
- e. Proclaim the Gospel of the Lord and read the Scriptures.
- f. Teach and preach.
- g. Administer the sacramentals of the Church in prescribed form.
- h. Preside over religious worship, prayers and the Liturgy of the Word to the degree permitted by the ritual books.
- i. Officiate at funerals and burial rites.
- j. Officiate at and witness marriages.

k. Sub-delegate to other priests and deacons, in individual instances, the faculty to assist at marriages within the boundaries of the parish to which the deacon is himself assigned (canons 111,137§3). (The sub-delegation is to be given in writing and the fact of sub-delegation is to be noted in the marriage record.

l. Perform an ecclesiastical funeral rite for an unbaptized child if the parents had intended to have the child baptized (canon 1183§2).

m. Consume food or drink before the second or third assistance at the celebration of the Eucharist on the same day (canon 919).

2.4.3. **Assignments**

As the primary shepherd who seeks to promote the well being of all of the people of the Archdiocese, the Archbishop appoints deacons to diaconal ministry.

2.4.3.1. The deacon functions within the Archdiocese according to the terms of the assignment and faculties granted by the Archbishop.

2.4.3.2. The assignment of a deacon to a specific ministry, the delineation of his duties and responsibilities and the designation of his immediate pastor or pastoral supervisor will be clearly stated in a decree of appointment signed by the Archbishop. The Director for Deacons, the pastor and the deacon collaborate in the preparation of this decree.

2.4.3.3. The decree of appointment will consist of Part A and Part B. Part A is a letter which grants provisional assignment of the deacon to a parish ministry by the Archbishop. Part B, which completes the decree of appointment, contains the delineation of the deacon's duties and responsibilities as referred to in paragraph 2.4.3.2. above. Part B is to be completed within six weeks from the effective date of Part A.

2.4.3.4. Deacon assignments will normally be for 36 months, but can be up to a 42-month period. There is no limit to the number of ministries a deacon may have in a parish. However, due consideration is to be given to a deacon's employment schedule and family activities.

2.4.3.5. A newly ordained deacon will receive a three-year temporary appointment, during which time his ministry will be supervised by his pastor in coordination with the Director of Deacons. In addition, he will also be supervised by the Director for Deacons. Part of his supervised ministry may include continuing formation and mentoring of Deacon Candidates and Applicants in the formation process.

2.4.3.6. In his ministry, the deacon is accountable to the pastor or other supervisor (and to the Archbishop, the Vicar for Clergy and the Director for Deacons).

2.4.3.7. A deacon requesting a change of assignment will send a letter to the Director for Deacons six months prior to expiration of his current assignment. The Director will then schedule a meeting for the deacon to meet with the Diaconate Personnel Board.

2.4.3.8. A pastor requesting the assignment of a deacon or the transfer of a

deacon is to send a letter to the Director for Deacons. This request will be reviewed by the Diaconate Personnel Board.

2.4.3.9. The Director for Deacons, having met with the members of the Diaconate Personnel Board, will submit to the Archbishop the recommendation(s) of the Board for diaconal assignment.

2.4.3.10. The Archbishop alone can remove a deacon from an assignment. Assignments or changes in assignments become effective only upon receipt of the decree of appointment from the Archbishop.

2.4.4. **Continuing Deacon Formation Requirements**

Deacons are required to complete continuing education each calendar year. The particular norms determining sufficiency of Continuing Deacon Formation are issued by the Archbishop in cooperation with the Director of Deacon Personnel and the Deacon Council. Hours for Continuing Deacon Formation are calculated on the basis of contact hours.

2.4.4.1. Each deacon in active ministry, regardless of age, is to complete 30 hours of continuing formation annually.

2.4.4.2. As a minimum, hours are to be reported at the end of each assignment year which corresponds to the beginning of his appointment.

2.4.4.3. Hours can be reported on a Diaconal web page. Regional Coordinators will gather the hours from the deacons at prescribed times during the year.

2.4.4.4. Each region meets four times a year and will provide three hours of continuing formation per session. Each deacon is required to attend at least three of these sessions during the course of a year.

a. Deacons are also required to attend a session which includes a presentation by the Archbishop.

2.4.4.5. Guidelines on how to obtain additional credits can be found in the January 2008 Continuing Diaconal Formation booklet from the Archdiocese.

2.4.5. **Obligations and Rights**

2.4.5.1. The deacon is assigned by the Archbishop to perform particular ministerial duties within and outside the parish.

2.4.5.2. The deacon is to annually review his duties and responsibilities (as defined in the decree of appointment) with his pastor or supervisor.

2.4.5.3. The deacon is required to make an annual retreat. The parish to which the deacon is assigned provides reimbursement for his annual retreat (see the Clergy Benefits Schedule for the designated amount).

2.4.5.4. To receive an assignment with the Archdiocese, the deacon is required to satisfy the continuing education requirements as defined in the diaconate continuing formation policies. Failure to meet these requirements will result in the diaconal assignment not being renewed. Should the deacon be delinquent in his continuing education hours, the pastor will be informed of this anomaly, usually six months prior to an assignment. The parish of assignment is to budget an annual allowance for continuing education expenses of the deacon (see the Clergy Benefits Schedule for the designated amount).

2.4.5.5. As with other clergy assigned to a parish or institution, the deacon is to be reimbursed for all authorized expenses he incurs that benefit the parish. Expenses anticipated by the deacon will be submitted for reimbursement and may require preapproval by the pastor in accord with the parish reimbursement policy. Expenses may include, but are not to be limited to: travel, meals, required materials, telephone, postage, and meeting fees. Parishes are expected to provide necessary liturgical vestments and related items required by the deacon for diaconal ministry (Ref: Chapter 10 – Parish Business Practices within the Territory of the Archdiocese – Stewardship of Assets 10.2.0.).

2.4.5.6. A deacon is obliged to pray for the Universal Church and must include in his daily prayer those parts of the Liturgy of the Hours known as Morning and Evening Prayer. Whenever possible, the deacon should lead these prayers within the community in which he has been assigned to minister.

2.4.6. **Diaconate Meetings**

A diaconate region is a small group of deacons and wives which meets on a regular basis for the purpose of sharing prayer, acquiring continuing education, building spiritual fraternity, exchanging positive dialogue on relevant issues and receiving updates and information from the Archdiocesan offices. Deacons are assigned to a specific region.

2.4.6.1. Deacons and their wives are encouraged to attend the meetings of their region. The deacon shall be required to attend at least three regional meetings a year.

2.4.7. **Employment of Deacons, Deacon Candidates and Applicants**

There are occasions where it may be appropriate to employ a deacon, or a man in formation

to become a deacon, to fill a position. In particular, deacons should take precedence for cleric positions normally filled by a priest, but where a priest is not available, such as the position of pastoral assistant.

2.4.7.1 Pastors of Parishes and Directors of the various Offices of the Archdiocese, as well as other related Ecclesiastical Organizations who desire to offer employment to a deacon, or a man in formation to be a deacon, should consult with the Director of Deacon Personnel prior to making an offer of employment.

2.4.7.2 No offer of employment should be made to a deacon who is not incardinated in the Archdiocese until the Diaconate Office has determined that he is a deacon in good standing and can be granted faculties.

2.4.7.3 Deacons employed by a parish will, as a matter of policy, normally have their diaconal appointment at the same parish. To avoid conflict with the appointment process, Deacons, candidates for the diaconate or applicants to the diaconate desiring to seek employment in a parish, should consult with the Director of Deacon Personnel before applying for a position.

2.4.8. **Diaconal Ministry Assignments**

2.4.8.1 Employment will not affect the diaconal ministry assignment requirements defined in paragraph 2.4.3.4.

2.4.8.2 In the case of a parish assignment, the deacon's roles and responsibilities for the diaconal ministry will be defined in a decree that is issued by the Archbishop. The decree will note that the roles and responsibilities could be impacted by the deacon's employment.

2.4.9. **Salary and Benefits: Other Compensation**

Unless hired to fill a position (such as parish business manager, DRE, grounds keeper, etc.) and/or unless the conditions of canon 281 §3 are present, the deacon does not expect to be compensated for his diaconal ministry assignment or for otherwise exercising his ministry (however, see Section 2.4.9.4, regarding other compensation that may be paid to a deacon at the pastor's discretion). Where the deacon is hired to fill a position and/or the conditions of 281 §3 are present, the pastor will determine the salary for the position recognizing that salary and benefits should be commensurate with the salary and benefits paid to a qualified individual for that particular position.

2.4.9.1. A deacon who is therefore qualified to serve as a parish business manager, youth minister, etc., may apply for and be hired for such a position in accordance with this policy.

2.4.9.2. Other employment benefits are to be offered to the deacon consistent with the norms of the Archdiocese's sponsored benefits programs.

2.4.9.3. As applicable, the pastor and the deacon, candidate for the diaconate, or applicant for the diaconate, should consult with the Vicar for Clergy and the Director of Deacon Personnel prior to taking any actions which would lead to separation from or termination of employment.

2.4.9.4. Finally, if a pastor deems it appropriate and just, a pastor may compensate a deacon in recognition of his services generally. The pastor may do so regardless of whether those services fall within or outside of the deacon's ministry assignment, and giving due consideration to the deacon's need. If such compensation payments are issued by the parish to which a deacon is assigned, reporting should be processed through payroll. If such compensation payments are issued by a parish to which the deacon is not assigned but to which he is nonetheless providing ministry, such compensation payments may be processed through either payroll or through accounts payable.

2.4.10. **Stole Fees**

A deacon is governed by the same policy that applies to priests in the Archdiocese. All stole fees go to the parish fund. This includes stole fees given for marriages, funerals, Baptisms, blessings and any other stole fee extended for sacraments or blessings, unless specifically stated otherwise by the giver (Ref: Mass and Stole Fees, 2.2.11.).

2.4.11. **Deacon Sabbatical**

A deacon incardinated in the Archdiocese may request a sabbatical from ministerial responsibilities for reasons of health, education, personal or family obligations. Depending on the circumstances of the request, a sabbatical with or without faculties can be granted. After reviewing the request, the Diaconate Personnel Board will make a recommendation to the Archbishop. A sabbatical is not granted to a deacon who moves to another diocese when he intends to continue his diaconal ministry.

2.4.11.1. A sabbatical may be granted to a deacon when a formal request is made in writing to the Director for Deacons. Upon the receipt of such a request, the Director will schedule a meeting between the deacon and the Diaconate Personnel Board. A sabbatical will be considered for a period of time designated by the Director for Deacons and the Diaconate Personnel Board based upon the particular need. Members of the Board will then submit a recommendation to the Archbishop who will make the final decision.

2.4.11.2. Sabbaticals are to be reviewed annually.

2.4.12. **Title, Liturgical Vesture and Clerical Attire**

2.4.12.1. The authorized title for a deacon is *Deacon* which precedes the name (e.g., Deacon Paul Smith).

2.4.12.2. For liturgical dress, the dalmatic, worn over the alb and stole, is the liturgical vestment proper to the deacon.

2.4.12.3. In other ministerial or pastoral situations, the deacon should communicate his presence as an ordained minister through clerical attire. In these situations, the deacon is to wear the proper clerical attire. Clerical attire consists of a black shirt, Roman collar and the prescribed diaconal cross worn around his neck. Situations where clerical garb is appropriate include, but are not limited to, parish and archdiocesan activities. Examples of such activities include, but are not limited to, Catechetical situations; visitations in hospitals, prisons/jails, hospices, and nursing homes.

2.4.12.4. When ministering outside the Archdiocese, deacons should consult with the local ordinary of where they minister concerning the appropriate attire for diaconal ministry.

2.4.13. **Incardination**

A deacon who is not incardinated into the Archdiocese (extern deacon) may request the process of incardination by following the incardination/excardination protocol.

2.4.13.1. An extern deacon's request for diaconal assignment and faculties will be considered after a recommendation from his ordinary and receipt of the necessary documentation. A background check, meeting the criteria for the Archdiocesan Code of Conduct, and completion of Archdiocesan documentation will support the recommendation. The Deacon Personnel Board will review the deacon's request prior to making its formal recommendation to the Archbishop.

2.4.13.2 Upon the recommendation of the Personnel Board and approval of the Archbishop, an extern deacon will receive a three-year supervised assignment that will be coordinated by the Director for Deacons. At the end of the three-year assignment, the extern deacon can request incardination. The extern deacon will remain in a supervised temporary assignment until he is granted incardination.

2.4.13.3. Deacons are bound by a special obligation to show reverence and obedience to the Supreme Pontiff and to their own ordinary (canon 273). A deacon receives his diaconal assignment and faculties from the Archbishop to whom he is accountable. If a deacon incardinated in the Archdiocese moves to another diocese, he is still accountable to the Archbishop until he is excardinated.

2.4.14. **Retirement**

The term “retirement,” when applied to a deacon, refers to the cessation of formal, assigned ministry.

2.4.14.1. A deacon may request retirement status from the Archbishop for reasons of age, health, or long-term inhibiting family responsibilities. The request for retirement does not assure retirement status.

- a. If, because of health or long-term inhibiting family responsibilities, it is discerned that the deacon is unable to perform his diaconal duties, the Archbishop may direct the deacon to serve in a retired status.
- b. The deacon should address his letter of request for retirement to the Archbishop and also submit a copy to the Director for Deacons. This request should be made three months prior to reaching his 75th birthday.
- c. The retirement letter should be accompanied by a funeral planning sheet.

2.4.14.2. If the reason for seeking retirement involves an issue other than age, the deacon should discuss the matter with the Director for Deacons, prior to issuing the letter.

2.4.14.3. All decisions regarding retirement of deacons are made by the Archbishop.

2.4.14.4. The retired deacon is encouraged to remain active in ministry as far as circumstances permit. He will continue to possess the faculties of the Archdiocese unless they are explicitly revoked. The pastor of the parish in which the retired deacon serves will grant needed special delegations for each instance of sacramental ministry (e.g., weddings).

2.4.14.5. The retired deacon will be invited to remain active in his regional programs, be invited to attend any and all educational and liturgical programs, and be asked to make his annual retreat with his brother deacons. If the retired deacon continues to serve a particular parish, the pastor will be asked to meet the expenses as outlined in section 2.4.2. Otherwise, if the cost of this retreat would present a burden to the retired deacon, he should contact the Director for Deacons for assistance prior to his retreat.

2.4.14.6. The retired deacon is excused from his continuing education requirements.

2.4.15. **Substance Abuse**

The Archdiocese, in accordance with the counsel of professional authorities, recognizes alcoholism and other substance dependencies as treatable illnesses, which in justice and charity demand our enlightened concern.

2.4.15.1. A deacon may not perform his ministry under the influence of alcohol or substance abuse.

2.4.15.2. The Archdiocese will assist the deacon in seeking treatment for alcohol and substance abuse.

2.4.15.3. Present or future assignment(s) will not be affected upon satisfactory completion of treatment as long as the assignment would not jeopardize maintenance of beneficial results or place the parish at risk. If treatment is refused or the problem is aggravated, further therapy or some other appropriate action will be considered as a condition for continued ministry.

2.4.15.4. Should time away from one's assignment be needed to facilitate treatment, the Archdiocese will assist in coverage and financial arrangements.

2.4.15.5. Proper treatment will depend on such factors as duration of onset, degree of impairment, physical and psychological complications, and social and vocational complications. Effective treatment may take place in three ways:

- a. Care which consists of detoxification and, if needed, physical stabilization and continued counseling sessions, group sessions, e.g. AA meetings.
- b. Inpatient rehabilitation, probably for a longer period of time, wherein the patient is helped to embrace a new value system and lifestyle enabling him to live peacefully and productively without chemicals.
- c. A diagnostic work-up either on an outpatient or inpatient basis.

2.4.15.6. The Vicar for Clergy maintains current lists of persons, programs and resources to aid persons who have an addiction. These resources shall be made available to those who have identified an addiction in their lives and who seek help with addiction.

Part 5: Consultative Organizations for Deacons

2.5.1. Diaconate Personnel Board

The Diaconate Personnel Board is composed of six Deacons and the Director for Deacons. Members are appointed by the Archbishop and serve a term of three years, not to exceed two terms consecutively without the approval of the Director of Deacon Personnel. The Chairman of the Personnel Board is the Director for Deacons.

2.5.1.1. The Personnel Board is responsible to the Archbishop. The Personnel Board is consultative, with its principal function being the recommendation of deacons' personnel appointments to the Archbishop.

2.5.1.2. The Archbishop is free to make appointments without consulting the Personnel Board and deacons may approach the Archbishop personally regarding assignments.

2.5.1.3. All members of the Personnel Board are bound to the strictest confidentiality regarding matters discussed during board meetings. This confidentiality prevails after a deacon leaves the Personnel Board.

2.5.1.4. Members are accountable to the Archbishop regarding confidentiality. If it is certain that a member of the Personnel Board is breaching confidentiality, the Archbishop and/or the Director for Deacons may ask him to resign his position.

2.5.1.5. It is the function of the Personnel Board to study the needs of a parish and the deacon. This may be done by meeting personally with the pastor, the deacon and/or his wife.

2.5.1.6. The Personnel Board meets monthly to address deacon assignment issues and the diaconal ministry needs of the Archdiocese

2.5.1.7. Pastors' requests for deacons are discussed at each Personnel Board meeting.

2.5.1.8. Deacon assignments are scheduled to end on either the first of June or the first of December. The Personnel Board begins meeting in January to consider those assignments that are due the first of June. During the period of January through May, the Coordinator for Continuing Education submits continuing education reports to the Personnel Board. When the Personnel Board has received a report that the deacon has completed his required hours of continuing education, the Personnel Board will make a recommendation to the Archbishop. The same process is followed for deacons whose assignments expire the first of December. Recommendations for this group are made to the Archbishop after the November meeting.

2.5.1.9. In making a recommendation for assignment, the Personnel Board first considers the needs of the Archdiocese, then the deacon's personal preference.

2.5.1.10. The Director for Deacons meets with the Vicar for Clergy to discuss Diaconate Personnel Board recommendations and priest personnel assignments to assure that recommended deacon assignments are made in the best interests of the Church.

2.5.2 **Diaconate Council**

The Diaconate Council exists to provide a source of guidance and support to deacons and their families in their mission of service to God and His Church. The chairman of the Council is the Associate Director For Deacons. Members of the Diaconate Council are deacons who are appointed as Regional Coordinators by the Archbishop. The Archbishop is the President of the Council. A wives' representative may be appointed for each region. One region coordinator's wife is elected from among the council wives to represent all council wives, as available.

2.5.2.1. Regional Deacon Coordinators (RDC) will be assigned a particular region within the Archdiocese and will represent the deacons from their particular region. An Associate Deacon Coordinator will be assigned to each region to assist and supplement the RDC in his obligations as a Council Member.

2.5.2.2. Diaconal Committees are assigned to the regions of the Archdiocese and will be created to develop activities and perform organized functions. The Diaconal Committees will collect and report information from the Committees to the Diaconate Council chairman and the Director of Deacon Personnel. Examples of Committees that might be established are migrant ministry, retirement ministry, life issues ministry, evangelization and publication ministry.

2.5.2.2.1. Committee leaders may be asked to participate with the Diaconate Council by the Director of Deacon Personnel. This position would be as a non-voting member.

2.5.2.3. Deacon wives' representatives may be asked to assist the Diaconate Council with issues and concerns unique to the wives' role in marriage to a Deacon. Wives' representatives are included in a consulting role and are not voting members of the Diaconate Council.

2.5.3. **Continuing Formation Committee**

A program for continuing education and formation is provided annually for the entire diaconal community. The preparation, implementation, and evaluation of this program are coordinated by the Director for Deacons.

2.5.3.1. A continuing formation coordinator appointed by the Director for Deacons records the continuing formation hours for each deacon and reports them to the Personnel Board annually.

Chapter 3: The Teaching Office

Overview

The Archdiocese, the parishes within its territory and the Ecclesiastical Organizations serving the faithful are composed of a diverse community of parishioners from different ethnic backgrounds. While recognizing their individual contributions to the Church, the Archdiocese has proclaimed its intent of being One Family Under God, a family where different cultural backgrounds are honored but at the same time, the Unity of the Church is fostered. The Catholic faith in the Archdiocese is to be taught recognizing the cultural elements of the different ethnic groups present in the Archdiocese. Accordingly, while recognizing that all programs cannot meet the needs of each person with various needs and limitations, efforts will be made to provide accessibility to buildings and classrooms for all participants. Likewise, Archdiocesan personnel will consider special needs of individuals and will assist parishes and other groups in providing educational assistance and resources.

Part 1 – Duties of the Teaching Office

Part 2 – Child and Youth Protection / Code of Conduct

Part 3 – Educational and Ministry Programs of the Teaching Office

Part 4 – Medical Directives of the Archdiocese

Part 1: Duties of Exercising the Teaching Office

3.1.1. Duties of the Teaching Office

3.1.1.1. As the Pastor of the Archdiocese, the Archbishop is responsible to foster the educational apostolate within the Archdiocese. The Archbishop is to be informed of parish-based programs of Catholic education and to have an opportunity to guide and assist the implementation of educational programs. The Archbishop's responsibility is heightened in educational programs which impact public worship and the spiritual welfare of the parish community.

3.1.1.2. Pastors participate in the teaching authority of the Archbishop, in guidance of parochial educational programs. Pastors are encouraged to direct programs that enrich the faith lives of the parish and to serve the people of God in the ministry of the word in union with the Archbishop.

3.1.1.3. Speakers shall be defined in the Archdiocese as those presenting material effecting faith and morals, in a parish, school, or related ecclesiastical entity, or under the sponsorship or support thereof. Any person under consideration to give a presentation on matters of faith, spirituality and/or morals must be approved by the Archbishop, Chancellor, or Moderator of the Curia before invitation is formally extended to them.

Before finalizing agreements, contracts, or schedules, those intending to invite a speaker to the Archdiocese must submit to the Office of the Chancellor, the speaker's intended subject, curriculum vitae, and an endorsement from their pastor or diocesan bishop. Criteria for approval will include the speaker's adherence to the doctrine of the Catholic Church in life and ministry. Non-Catholic speakers will be considered in light of their work and their probity of life.

Forms for speaker approval may be obtained from the Office of the Chancellor.

Those speakers who are approved *ipso iure* are bishops and cardinals of the Catholic Church who are in full communion with the Apostolic See; priests, deacons and seminarians of the Archdiocese in good standing, or externs and religious who enjoy the faculties of the Archdiocese; employees of the Archdiocese, parishes within the territory of the Archdiocese, and related Ecclesiastical Organizations; and those religious who are assigned by the Archbishop to an ecclesiastical office in the Archdiocese of Denver.

3.1.2. **Instruction in Theology**

Members of Christ's faithful are to be careful, in questions of opinion, against proposing their own view as the teaching of the Church (canon 227).

3.1.2.1. Those who teach theology or philosophy in Saint John Vianney Theological Seminary are to make a public profession of faith at the beginning of the first academic year in which they teach.

3.1.2.2. The USCCB has promulgated a complementary norm for canon 772§2 of *The Code of Canon Law* for the dioceses of the Church. "With due regard for the norms of canon 763, a Catholic who regularly expounds Christian doctrine on radio or television must be specially qualified by his or her knowledge of the subject, by manifest adherence to the teaching of the Magisterium and by the witness of his or her life as a Catholic. The individual must obtain the permission of his or her proper diocesan bishop or the diocesan bishop of the place where the radio or television program is originally broadcast. In the case of members of institutes of consecrated life or societies of apostolic life, permission of the competent superior is also required, insofar as the constitution of the institute or society provides for it." Individuals in the Archdiocese are to contact the Chancellor in order to request the permission in writing and to provide texts and/or other evidence of prior public presentations or publications.

3.1.2.3. Instructors of sacred sciences are to receive a mandate from the Archbishop, according to the norms of *Ex Corde Ecclesia* and canon 812.

3.1.2.4. Teachers of religion in Catholic high schools operating within the territory of the Archdiocese of Denver are required to obtain approval to teach religion from the Archbishop of Denver, in accord with canon 805. It is the duty of the teacher to request approval in writing prior to entering the classroom. The approval to teach religion is valid for the duration of the teacher's tenure, unless it has been rescinded by the proper ecclesiastical authority. The procedure for obtaining approval to teach religion can be found in the policy (#3125) of the Office of Catholic Schools of the Archdiocese of Denver.

3.1.3. **Ecumenical and Inter-Religious Affairs**

In order to assist the Archbishop in fulfilling the pledge of the Catholic Church to work for Christian unity and interfaith understanding according to the Second Vatican Council's Decrees *Unitatis Redintegratio* and *Nostra Aetate*, the Ecumenical and Inter-religious Affairs Officer oversees ecumenical and inter-religious matters.

3.1.3.1. Initiatives involving ecumenical or inter-religious dialogue are to be communicated to the Ecumenical and Inter-religious Affairs Officer with opportunities for him or her to advise, assist, or participate in these initiatives.

3.1.4. **Censor Librorum**

To assure that a cohesive and consistent evaluation of teaching occurs within the Archdiocese, the Chancellor, with the assistance of qualified theologians, evaluates manuscripts or other forms of teachings concerning faith and morals and advises the Archbishop regarding the granting of an *imprimatur*.

3.1.4.1. The following books require an *imprimatur* prior to publication: books of Sacred Scripture; liturgical books and books of private prayer; catechisms and catechetical writings; textbooks on scripture, theology, canon law, church history or of a religious or moral discipline which are used as the basis for instruction in elementary through high schools and colleges; books treating religion or morals which are displayed, sold or distributed in churches or chapels.

3.1.4.2. Other books concerning scripture, theology, canon law, church history, religious or moral discipline and any writing having widespread use in which there is anything of special concern to religion or good morals may be submitted before publication to the Office of the Chancellor to receive an *imprimatur*.

Part 2 – Child and Youth Protection; Code of Conduct

It is understood by the Archdiocese that no policy, no matter how good, can substitute for personal holiness. The Church is not a secular corporation. She is the Bride of Christ and our mother and teacher. As disciples, we need to act accordingly. We need holy priests, and we need holy laymen and laywomen to encourage, guide and support them. We all share the task of not only preventing crime or discouraging sin but also leading others to Jesus Christ through a witness of virtue and right conduct.

3.2.1. The Office of Child and Youth Protection

The Archdiocese is committed to promoting a safe environment for the children and young people in her care. To that end, the Office of Child and Youth Protection was established. The head of the Office of Child and Youth Protection has the following responsibilities:

3.2.1.1. Ensure compliance with the USCCB’s Charter for the Protection of Children and Young People in accord with the universal and particular law of the Church, as understood in accord with canon 16.

3.2.1.2. Serve as the Archbishop's liaison to the Office of Child and Youth Protection of the USCCB; and,

3.2.1.3. Oversee the Archdiocesan Safe Environment Training program.

3.2.2. **Mandatory Reporting Procedures Regarding the Abuse of Minors; Confidentiality and Disclosure of Report**

3.2.2.1. *Reporting to Civil Authorities*

a. Any person who has reasonable cause to suspect that anyone under the age of 18 has been subjected to abuse or neglect, including sexual assault or sexual molestation, shall immediately make an oral report of the abuse to the county department of social services or local law enforcement agency (as appropriate) where the abuse is known, or is suspected, to have occurred.

b. The reporting individual shall also file a written report with that same department or agency within 24 hours, or as reasonably practicable, of the oral report being made.

c. Colorado law (§§ 19-3-304 (1), (2), (2.5), 19-3-311) requires the reporting by school personnel of suspected cases of child abuse and neglect to the appropriate county department or local law enforcement agency. The information that should be included in the initial report of suspected abuse is:

- i. Name, address, age, gender, race of child
- ii. Name and address of parent or guardian
- iii. Nature and extent of child's injuries or neglect
- iv. Name and address of person(s) suspected of abuse or neglect
- v. Family composition
- vi. Source of information
- vii. Person making the report
- viii. Any action taken by the reporting source
- ix. Any other helpful information
- x. Name of the agency and official to whom the report was made.

3.2.2.2. *Reporting to Church Authorities: Parish Schools / High Schools*

- a. If the report is made by a teacher, employee or volunteer involving the abuse or suspected abuse of a student at a parish school or at a high school, she/he must immediately notify the school principal.
- b. The principal must in turn notify the parish priest (if applicable) and/or the Superintendent for the Office of Catholic Schools.
- c. The principal, parish priest and Superintendent must ensure a copy of the report is forwarded to the Office of Child and Youth Protection within two business days.

3.2.2.3. Reporting to Church Authorities: Outside of Schools

- a. If the reporting individual is an employee or volunteer, that individual must immediately notify his/her immediate supervisor.
- b. The employee's supervisor is to forward a copy of the report of alleged conduct to the Office of Child and Youth Protection within two business days.
- c. If the allegations involve the alleged conduct of a priest, deacon or seminarian, a copy of the report must also be forwarded to the Vicar for Clergy.

3.2.2.4. Confidentiality of Reports

- a. All information pertaining to the abuse or suspected abuse of a minor shall be treated as confidential, shall be clearly identified as "CONFIDENTIAL" and shall be retained pursuant to the Records and Information Management (RIM) Policy – Record Retention Schedule – see Exhibit III.
- b. The file may be disclosed/transferred only in response to a valid order of a court or other governmental body, or upon the receipt of a release that is reviewed and approved by the Moderator of the Curia.

3.2.2.5. Recommendations of Civil Authorities – The recommendations of any county department or local law enforcement agency to whom a report has been made shall be carefully considered with regard to future dealings with the minor in question and/or the minor's parent(s) or legal guardian(s).

3.2.3. **Code of Conduct**

The Archbishop promulgated and issued the Sexual Misconduct Policy in 1991. This policy has since been revised and is now titled the Archdiocese of Denver Code of Conduct. The Code of Conduct is the product of wide consultation, reflects the United States Conference of Catholic Bishops' 2002 Charter for the Protection of Children and Young People, and is updated as necessary so as to be current with canon law and Colorado law. The most current version is available for review on the Archdiocesan website and is also attached hereto as Exhibit IV.

3.2.4. **Mandatory Review of and Agreement to be Bound by Code of Conduct**

Upon commencement of their employment with, studies at, service to either the Archdiocese or an Ecclesiastical Organization, and/or a parish, all priests, deacons, seminarians, employees and those volunteers who work with children must thoroughly review and agree to the terms of the Code of Conduct, and acknowledge their promise to adhere to its terms by executing the Acknowledgment Page of the Code, and returning that executed page to their direct supervisor or rector for inclusion in the appropriate file prior to beginning their service with the Archdiocese, an Ecclesiastical Organization and/or a parish within the territory of the Archdiocese.

Part 3: Educational and Ministry Programs of the Teaching Office

The following section briefly describes the various educational and ministry programs of the Teaching Offices of the Archdiocese. It is not intended to present a full description of what each office does but rather sets forth the particular laws pertaining to those offices.

3.3.1. Catechists

Pastors are to hire or appoint qualified and competent catechetical leaders who are faithful to the teachings of the Church for the critical leadership positions of DRE, parish faith formation director, director of evangelization (or an equivalent title) within the parish as envisioned by numerous ecclesial documents and the *General Directory for Catechesis* (GDC).¹

3.3.1.1. It is highly recommended that catechetical leaders appointed to oversee and direct the evangelization and catechetical ministries of the parish work toward a graduate degree in theology, religious education, or a related field.

3.3.1.2. The pastor and those who collaborate with him are to ensure that parish catechetical leaders and catechists working with all age levels within the parish receive training for the important ecclesial ministry to which they are called. This can be accomplished by providing [1] ongoing catechist training at the parish and archdiocesan levels, and/or [2] by completing the Catechetical Certificate through the Office of Evangelization and Family Life Ministries, and/or [3] by completing the Catechetical School program, which is a part of Saint John Vianney Theological Seminary. Completion of the Catechetical Certificate and the Catechetical School Program yields a Master Catechist Certification. Completion of the Catechist Certificate is encouraged for all catechists working in parishes and schools within one year of beginning their ministry, while completion of the Master Certificate is encouraged within five years of beginning ministry.

- 3.3.1.3. The pastor is to make particular provision:
- a. That suitable catechesis is given for the celebration of sacraments.
 - b. That children are properly prepared for the first reception of the sacraments of Penance and the Most Holy Eucharist and the sacrament of Confirmation by means of a catechetical formation given over an appropriate period of time. Parents should be appropriately engaged in this process as well.
 - c. That children are more fruitfully and deeply instructed through catechetical formation after their reception of First Communion.
 - d. That catechetical formation also is given to those handicapped in body or mind insofar as their condition permits.
 - e. That the faith of young people and adults be fortified, enlightened and developed through various means and endeavors.
 - f. That family faith formation programs enable the imparting of faith to children and the growth of faith in adults through continuing education.

¹ The USCCB will provide a National Directory for Catechesis that will supplement the GDC.

3.3.2. **Office of Evangelization and Catechesis**

The Office of Evangelization and Catechesis oversees the implementation of all policies of evangelization² and catechesis in the Archdiocese. Evangelization activities and the primary proclamation and on-going Gospel conversion of faith are accented by this Office.

3.3.2.1. The principal tasks of the Office of Evangelization and Catechesis are enumerated in the GDC, ¶265-266. Accordingly, in conformity with this, evangelization must be viewed as the process by which the Church, moved by the Spirit, proclaims and spreads the Gospel throughout the entire world. Specifically, “The process of evangelization, consequently, is structured in stages or ‘essential moments’: missionary activity directed toward non-believers and those who live in religious indifference; initial catechetical activity for those who choose the Gospel and for those who need to complete or modify their initiation; pastoral activity directed toward the Christian faithful of mature faith...” (GDC, ¶ 49)

3.3.2.2. *Catechesis is the responsibility of the entire Christian community* (GDC #220). Parishes are encouraged to provide adequate funding for personnel and resources to initiate, support, and maintain the work of evangelization and catechesis within the parish.

3.3.2.3. In light of the high priority given to parish adult faith formation in the GDC and *Our Hearts Were Burning Within Us* (USCCB 1999), parishes are to assume responsibility for programs that nurture the growth of faith and spirituality in adult parishioners.

3.3.2.4. The pastor, as the chief catechist of the parish, is called to provide leadership for the ministry of evangelization and catechesis within the local parish. *Experience bears out that the quality of catechesis in a community depends very largely on the presence and activity of the priest.* (GDC ¶225).

- a. The pastor is encouraged to consult with the Office of Evangelization and Catechesis before hiring a parish DRE or the equivalent.
- b. The *GDC* reminds us that the vocation of a catechist is an ecclesial vocation, which is exercised in the name of the Church. The Church discerns this call and confers the mission to catechize.

3.3.2.5. Parishes are to provide a general catechesis on the anointing and pastoral care of the sick for the benefit of all parishioners, and a more specific catechesis for those who are actually sick and for their families.

3.3.2.6. Parishes should strive to accommodate inquirers regardless of the time of year when individuals seek membership in the Church. Individuals are not to be turned away for an unreasonable period of time solely to fit the start of a formal RCIA cycle.

² Evangelization here is used to mean the primary or first proclamation of the Gospel by which persons come to an initial conversion and faith.

3.3.2.7. The Rite of Christian Initiation indicates that each bishop is to regulate certain elements of the rite for his own local church. The following are in effect:

- a. Requests for the permission to omit a scrutiny are to be submitted in writing by the pastor to the Archbishop. The scrutinies must be celebrated on Sundays in Lent according to the ritual Masses provided in the Sacramentary with the “A” cycle readings only (see Lectionary for Mass, no. 745-747).
- b. The Archbishop or his delegate will preside at an Archdiocesan Rite (or Rites) of Election on the first Sunday of Lent, or at another more convenient time should circumstances warrant or if multiple celebrations are to be held in order to accommodate the number attending.
- c. The Book of the Elect is to be signed during the parish celebration for sending catechumens for election and candidates for recognition by the Archbishop.
- d. If it is impossible for the catechumens to attend the Cathedral rite, then the simple Rite of Election may be used, once permission is secured from the Archbishop.
- e. Pastors, for serious reasons, may seek permission from the Archbishop to celebrate the entire Rite outside of the normal liturgical times.

3.3.2.8. Pastors, catechists, and parents are to be careful that more is not required of *confirmandi* for the reception of this sacrament than that which is required by the Church. Confirmation is not to be used as a means to secure and maintain an individual’s attendance in religious education programs.

3.3.2.9. Parishes are to make suitable provision for the catechesis of the parents of those to be confirmed.

3.3.3. **Youth, Young Adult and Campus Ministry**

The Office of Youth, Young Adult and Campus Ministry provides leadership in the education and evangelization of the youth and young adults in the Archdiocese. Duties include on-site visits, Archdiocesan retreats and rallies, youth minister formation and certification programs, support for those in youth, young adult and campus ministry, oversight over campus ministry programs, networking those who minister to youth and young adults and promotion of the Church's commitment to higher education.

3.3.3.1. Based on the USCCB's Pastoral Letters, *Renewing the Vision – A Framework for Catholic Youth Ministry*, *Empowering by the Spirit: Campus Ministry Faces the Future*, and *Sons and Daughters of the Light - Young Adult Ministry*, and the Archbishop's Pastoral Letter, *Your Youth is Renewed like the Eagle's*, programs strive to build the faith community, form the Christian conscience, educate for justice and peace, facilitate personal conversion and development, and educate and mentor parish leaders.

3.3.3.2. Programs developed by those in Youth, Young Adult and Campus Ministry are to be under the guidance of the parishes and their respective pastors; particular consideration is to be given to the keeping of sacramental records and adequate preparation for the sacraments of initiation.

3.3.4. **The Catechetical School**

The Biblical and Catechetical Schools are departments of the Saint John Vianney Theological Seminary and provide classes in evangelization and catechetical formation for personnel in Catholic schools, members of parishes and Archdiocesan offices. Completion of these classes leads to formal recognition through a program of certification. Adult faith formation classes that do not lead to certification are also offered.

3.3.4.1. Parish catechetical leaders are requested to promote the continuing education and certification of volunteer catechists at an appropriate level. It is recommended that each catechetical leader take at least two courses and one retreat per year.

3.3.5. The Respect Life Office

The Respect Life Office of the Archdiocese affirms the Church's teaching that all human life is sacred from conception until natural death. Following the mission as set forth in a statement from the U.S. Catholic Bishops "*Pastoral Plan for Pro-Life Activities: A Campaign in Support of Life*", the Respect Life Office is responsible for providing educational programs on life issues along with pastoral care programs for pregnant mothers and people seeking healing and reconciliation from past abortions. Parish outreach is accomplished through monthly meetings and an email informational network sent out bi-weekly. Prayer and monthly holy hours and Masses are encouraged throughout the Archdiocese.

3.3.5.1. Priests and parishioners are encouraged to attend the annual Respect Life Mass celebrated by the Archbishop. During this Mass, Pro-Vitae Awards are given to priests, deacons and laity of the Archdiocese for their witness in the community to the sanctity of human life. Youth are awarded for their participation in the essay contest.

3.3.5.2. On-going parish-based programs to serve the pro-life mission of the Church include:

- a. Each pastor is asked to appoint or approve a Catholic man or woman as the parish representative to perform respect life ministry. The representative is asked to attend a monthly meeting for all parish respect life representatives. The pastor also requests that the representative and all who perform respect life ministry in a parish participate in the annual Respect Life Commissioning Mass. Each pastor is encouraged to work closely with the designated representative to organize respect life events for the parish. A pastor typically directs the representative to work in coordination with the Respect Life Office of the Archdiocese and to consult on questions or critical matters that arise in his/her respect life ministry for the parish.
- b. Project Rachel is the post abortion ministry of the Archdiocese for women and men seeking reconciliation and healing through the Church. Parishes are asked to display the Project Rachel brochures in order to inform parishioners in need of this important ministry. Parish offices are asked to refer inquires regarding post abortion to Project Rachel at 1-800-713-3021.
- c. The Gabriel Project of the Archdiocese is a parish-based program to assist pregnant women in need with spiritual, educational, and emotional support during and after their pregnancy. The pastor is asked to appoint and/or approve a Catholic woman in good standing as the parish coordinator.
- d. The Gabriel House is a support center for the Gabriel Project. It is a center for all the parishes throughout the Archdiocese to send pregnant mothers and mothers with newborns to receive material, spiritual and emotional

support. The Gabriel House is located at 1341 Oneida Street, adjacent to St. James Catholic Church.

The coordinators are required to commit themselves to a minimum of one year's time for the program and volunteers are asked to commit up to one year. These policies include signing the Archdiocesan Code of Conduct and adhering to confidentiality policy. The volunteers receive at the time of their training a presentation on the rationale for policies to be adhered to in the Gabriel Project.

3.3.6. **Office of Marriage & Family Life**

The Office of Marriage and Family Life assists in the pastoral obligation of marriage preparation and monitors the observance of the Archdiocesan requirements in marriage preparation. Those requirements are found in the publication “What God has Joined”, which are the Particular Norms for Christian Marriage in the Archdiocese.

3.3.6.1. The Office strives to strengthen the local Church through such events as the Annual Wedding Anniversary Mass, Rocky Mountain Catholic Men’s Conference, Natural Family Planning Appreciation Dinner, initiatives designed to aid parents as primary evangelists and catechists for children, and promoting those programs which are successful in the parishes.

3.3.6.2. The marriage preparation program is divided into four stages:

- a. Remote Preparation, which begins in the initial stages of life and continues until the period of engagement;
- b. Proximate Preparation, which begins at engagement and extends for eight to twelve months, ending ten weeks prior to the marriage;
- c. Immediate Preparation, which covers the last ten weeks prior to the marriage; and,
- d. Marriage Celebration.

3.3.6.3. The following guidelines, to be considered in each stage of marriage preparation, are implemented in the Archdiocese in order to celebrate Matrimony in a sacred and worthy manner, while attentive to special circumstances of the couple.

The pastor is responsible for ensuring the implementation of the following guidelines, although he is assisted in this effort by the parochial vicar, deacon and lay faithful.

- a. To ensure that the couple has adequate time to prepare in a serious way, preparation should begin at least eight to twelve months in advance of the couple’s anticipated wedding date. Pastors may permit couples to have a decreased period of preparation when circumstances dictate a legitimate need. This permission should be noted in the pre-nuptial file.
- b. Pastors must be certain that the couples they hold out as an example to the engaged are not living in direct conflict with the teachings of the Church, particularly in matters of conjugal morality. Pastors are encouraged to oversee the program of marriage preparation to be assured that all conferences and participating couples understand marriage.
- c. The pastor must be particularly careful to ascertain that both parties are

free to marry before proceeding with the marriage preparation. Marriage preparation may not begin, nor may a date be set for a future marriage, until after these obligations have been satisfactorily discharged.

The celebration of a Christian marriage is indicative of faith in Christ and His Church and expresses the spousal relationship. Pastors are to be especially attentive to the needs of those who have not actively practiced their faith in order to lead them to a more complete conception of the gift and fruitfulness of the marriage.

d. In the case of pregnancy, a request for marriage will ordinarily only be considered following completion of recommended counseling. In any case, the couple may be strongly advised to delay the wedding until after the birth of the child.

e. For sexually active and/or cohabiting couples, a goal of the preparation process is to express the serious contradiction between sexual activity outside of marriage and the significance of the 'one flesh' union as Christ's love for the Church and the world. Those preparing the couple for marriage are to encourage the practice of chastity and separate living.

After thorough preparation and having been given every opportunity for conversion, if a couple is unable to acknowledge God's plan for marriage and sexuality and the need for sacramental reconciliation, it may be advisable, in the judgment of the pastor, to hold the wedding outside of Mass in a ceremony that is reserved and simple.

Cohabitation and premarital sex are not in themselves canonical impediments to marriage. Therefore, a couple may not be refused the marriage solely on the basis of cohabitation or sexual activity prior to marriage.

f. Marriages must be celebrated in a church; outdoor weddings are not permitted in the Archdiocese.

g. In performing validations, pastors must be assured of the adequate preparation of the couple.

h. Although people have a natural right to marry, a priest or deacon is not to witness a marriage unless he is morally certain that nothing impedes its valid and licit celebration. The following is a list of situations that may call for delay or refusal of the marriage.

i. Non-practice of the faith by the Catholic party or parties, with no reasonable hope of resuming such practice.

- ii. Declaration of intention to deny the other party's right to a permanent union and to exclusiveness.
 - iii. Absolute refusal to have children.
 - iv. Existence of canonical impediment (unless dispensed).
 - v. Marriage in the Catholic faith only to satisfy parents or due to parental pressure or simply for the sake of appearance.
 - vi. Indifference or disdain for the Catholic instruction of their children.
 - vii. Substantial lack of appreciation and awareness of the spiritual dimensions of marriage.
 - viii. A radical lack of physical, emotional, spiritual or psychological maturity required for marriage.
 - ix. Refusal to cooperate with the preparation process or to participate in good faith.
 - x. A parent or guardian of a person under 18 has presented in writing a strong and reasonable objection.
- i. If on the basis of these policies a priest or deacon of the Archdiocese reaches the pastoral judgment that he cannot witness the marriage of a particular couple in the Church, no other priest or deacon may witness the marriage without the permission of the Archbishop, the Judicial Vicar or the Vice Chancellor.

A couple denied permission by a priest or deacon to marry in the Church on the basis of these policies may appeal the decision to the Archbishop through his delegate, the Judicial Vicar. Prior to consideration of the appeal, all possible efforts to resolve the issues involved on the parish level with the assistance of the Office of Marriage and Family Life must have been exhausted.

3.3.7. **Home School Programs**

Church teaching consistently affirms the right of parents to provide for the faith formation and religious education of their children.

3.3.7.1. The Office Evangelization and Catechesis offers assistance to pastors and parents preparing children for the reception of First Penance, First Holy Communion, and Confirmation.

3.3.7.2. Likewise, parents and pastors have responsibility for preparing children being educated at home for the reception of Confirmation (canon 890).

3.3.7.3. Children educated at home normally receive the sacraments at the same age as other children from the parish. Pastors must evaluate the readiness of children for sacraments within the parish in collaboration with the parents and child. Attendance of parish religious education classes may not be made a condition for reception of the sacraments as the children's parents have both the right and duty so long as they do so in consultation with the pastor.

3.3.7.4. Children educated at home are strongly encouraged to participate in all liturgies for those preparing for sacraments since the liturgy is the source and summit of Christian life and the privileged place for catechesis. This invitation includes other special events supporting sacramental preparation.

3.3.7.5. Parents of children educated at home are to be notified concerning special programs that the parish is sponsoring for parents of children preparing to receive these sacraments. Parents are to be encouraged to have their children participate in these programs; however, children may not be denied the reception of these sacraments because of the failure of parents to participate in these programs.

3.3.7.6. As a general rule, children educated at home are to receive Penance, First Holy Communion, and Confirmation in their parish church.

3.3.7.7. Cases of doubt should always be resolved in favor of the right of the child to receive the sacrament.

3.3.8. **Special Religious Education**

The GDC, ¶189 states, “A growth in social and ecclesial consciousness, together with personalized and adequate programs, makes it possible to provide integral catechesis for the disabled.” It is necessary that the community be made aware of such catechesis and is involved in it.

3.3.8.1. The Office of Special Religious Education provides programs and services to persons with developmental disabilities. The Office provides direct services to individuals and supervision, and support to parishes in their ministry with persons who have developmental disabilities.

3.3.8.2. Participation in the sacraments is to be in accord with the USCCB’s *Guidelines for Celebration of Sacraments with Persons with Disabilities*.

- a. Persons with developmental disabilities are prepared for and formed in the sacraments according to their individualized needs and abilities.
- b. The decision of readiness for reception of sacraments is made jointly by the pastor, parents, teacher and involving the Office of Special Religious Education when appropriate.
- c. First Eucharist may be celebrated within the context of a special education liturgy or within the parish liturgy. Occasionally a home Mass is celebrated, if necessary.
- d. On-going opportunities to share in the sacraments of Eucharist and Reconciliation are provided within the special religious education program.
- e. Persons with developmental disabilities are prepared for Confirmation by the pastor or his delegate within the special religious education program. The sacrament of Confirmation normally occurs within the parish celebration of the sacrament.
- f. Individuals with developmental disabilities are to have the potential to form and maintain a marriage covenant according to the theology and canon law of the Catholic Church before the initiation of marriage preparation. If there is any question in this regard, the Judicial Vicar is to be consulted.
- g. Religious education and pastoral care are provided for homebound persons whose level of disabilities precludes incorporation into the parish community.
- h. The sacrament of the Anointing of the Sick is also to be an element of catechesis. Anointing of the Sick is celebrated for those individuals who fit the requirements of subject of the sacrament as presented in the ritual book.

3.3.9. **Office for Hispanic Ministry**

The Office for Hispanic Ministry acts on behalf of the Archbishop to promote the participation and integration of Hispanic people into the life of the Church. This is accomplished by providing pastoral assistance to parishes / Archdiocesan departments / Ecclesiastical Organizations, combined with ongoing training for the ministry and advocacy.

3.3.9.1. The overall Mission of the Office of Hispanic Ministry of the Archdiocese is accomplished by offering services in two main areas – Pastoral Services and Family Services (Bienestar Family Services). A description of these services are as follows:

- a. *Pastoral Services*: These are services directly related to the teaching ministry of the Church through the following ministries:
 - i. Evangelization and Catechesis
 - ii. Youth Ministry
 - iii. Family Ministry
 - iv. Charismatic Renewal Movement
 - v. Migrant and Prison Ministry
 - vi. San Juan Diego Pastoral Institute: The Institute was inspired by the Gospel and the Doctrine of the Catholic Church as reflected in the documents of the Second Vatican Council, the USCCB, and the Latin American Bishop's Conference. The objective is to build and support pastoral leadership among Latino Catholics in all aspects of the Church through a comprehensive Christian education .
- b. *Bienestar Family Services*:
 - i. Adult education for immigrant Hispanics in areas such as: English Language acquisition, citizenship preparation, financial literacy, small business education program, literacy, computer literacy, GED preparation, etc.
 - ii. Advocacy and community referrals for people in need, including but not limited to, legal assistance, and partnerships with different community organizations.

3.3.10. **Centro San Juan Diego: Hispanic Institute for Family and Pastoral Care**

Centro San Juan Diego, the Hispanic Institute for Family and Pastoral Care, is a place for leadership training and education of the Hispanic community. It is a place for education of the community for the ministry among Hispanic peoples and for leadership of Hispanics in church and society. It is also a welcoming point where members of the community, especially but not exclusively Hispanics, conduct meetings and find help for immediate needs through a combination of direct and referral services and for promotion of the Hispanic cultures, traditions and spiritual life.

3.3.11. **Consecrated Life**

Through programs of education and collaboration, the Office for Consecrated Life seeks to promote vocations to institutes of consecrated life and to assist those who are consecrated virgins in nurturing their spiritual lives and service to the Church.

3.3.11.1. The Director of Consecrated Life acts as a liaison between the Archdiocese and various religious organizations, including religious institutes, secular institutes and associations of the faithful formed with the intention of being established as institutes of consecrated life. In addition, the Director meets with those who are inquiring about the life of a consecrated virgin and provides information to individuals discerning religious vocations.

3.3.12. Social Ministry

The Office of Social Ministry advances the social mission of the Church by providing educational and formation material on Catholic Social Teaching. The Director of Social Ministry promotes those programs and organizations within the Archdiocese that respond directly to this social mission. This Office also serves as the local contact to the USCCB on social issues. Further, this Office is the coordinator for the Offices of Justice, Peace and Human Development, (JPHD), the Catholic Campaign for Human Development, (CCHD), and Catholic Relief Services (CRS), the Propagation of the Faith (Missions), World Mission, Home Missions, Rural Life Ministry, National Catholic Partnership on Disabilities and the National Catholic Council on Alcoholism campaigns. The Office of Social Ministry also supports and collaborates with the efforts of Catholic Charities and the Colorado Catholic Conference.

3.3.12.1. National programs include the following:

- a. Catholic Relief Services (CRS) is the official overseas development and relief agency of the USCCB. CRS works with the poor in over one hundred countries throughout Africa, Asia, Europe, and South and Latin America. The Director coordinates all parish based emergency relief collections and is the Archdiocesan representative to CRS and promotes CRS” education programs (e.g., Operation Rice Bowl).
- b. Promotion of Catholic Missionary groups and organizations while encouraging persons to consider missionary service is an important consideration of their Catholic faith.
- c. Under the Mission Cooperation Plan, the Archdiocese requires parishes to participate in the annual acceptance of a designated mission organization. It is the responsibility of the Office to coordinate the parish- based appeals. Each parish is to schedule one Sunday a year for this special appeal. A special collection must be taken up in the pew for this appeal at all Masses during the weekend. Any and all money collected by the parish toward the missionary organization is to be transferred and held in trust by the Archdiocese to ensure all accounting formalities and donation requirements are met prior to full and direct disbursement to the missionary organization.
- d. The Office of Social Ministry helps with the coordination of the nationally mandated collections, including, but not limited to - World Mission Sunday-Society for the Propagation of the Faith (SPOF) CRS Collection – Social Development and World Peace; Catholic Campaign or Human Development (CCHD), Catholic Home Mission Appeal and the non-mandatory Church in Africa Collection.

3.3.12.2. For the national collections, parishes are asked to renew their promotional materials list annually with the Moderator of the Curia.

3.3.13. **Office of Communications**

Through the Office of Communications, the Gospel message and the teaching office of the Archbishop are promoted through a variety of media. The Office of Communications works to advance the overall mission of the Archbishop and the Church in northern Colorado through social communications.

3.3.14. **Archdiocese Media and Publications**

3.3.14.1. The *Denver Catholic* is the official newspaper within the territory of the Archdiocese reporting reliable local, national and international news of the Church. As an important teaching medium, it communicates the truth of the Gospel with faithfulness to the Roman Catholic magisterium.

3.3.14.2. *Denver Catholic en Español* is the monthly Archdiocese's Spanish language publication addressed to the large Spanish speaking community in Northern Colorado. The goals of *Denver Catholic en Español* are: to keep the Spanish community informed about Catholic activities and Catholic teachings of the Church; to transmit messages of the Archbishop and Auxiliary Bishops to the Spanish community; and to be a means by which the Spanish community can know their Catholic traditions and faith more readily. *Denver Catholic en Español* is circulated to Spanish-speaking members of the parishes, and to other subscribers.

3.3.14.3. The Archdiocesan website promotes innovative and rapid dissemination of information regarding the Archdiocese and Catholic organizations and agencies. The website provides information on current events, the Archbishop's reflections, *Denver Catholic* articles, descriptions of the ministries of the Archdiocese and information on each parish.

3.3.14.4. Vicars, directors and pastors are encouraged to anticipate upcoming newsworthy events well in advance and advise the Office for Communications. Important local news, features and commentaries are priorities in the *Denver Catholic* and *The Denver Catholic en Español*.

3.3.14.5. All material submitted to the Office is subject to sound theological review, editorial judgment, fact checking and editing.

3.3.14.6. The *Denver Catholic* and *The Denver Catholic en Español* do not accept political advertising or advertising in conflict with Church teaching or potentially offensive to its readers. The *Denver Catholic* and *Denver Catholic en Español* reserve the right to reject or cancel any advertising at any time.

3.3.14.7. The *Denver Catholic* and *The Denver Catholic en Español* offer discounts off the open rate for advertising by parishes and the Ecclesiastical Organizations within the Archdiocese.

3.3.14.8. The Office of Communications reserves all copyrights, including rights of distribution, for all materials produced.

3.3.15. **Director of Communications**

The Director is responsible for all formal public relations with all media, including daily and weekly newspapers, news departments of radio and television stations, press wire services, internet services and national media. The Director is also responsible for effective internal and external Archdiocesan communications.

3.3.15.1. The Director of Communications serves as the official spokesperson for the Archbishop, Auxiliary Bishop(s) and the Archdiocese in general.

3.3.16. **Media Relations**

Perceptions of press, radio and television personnel are built on cooperation, credibility and professional reliability. The Office endeavors to build positive Church-media relations, by responding proactively to issues and current events. The Office of Communications coordinates the distribution of information and the handling of press inquiries in a timely and accurate manner.

3.3.16.1. When a priest, deacon, or employee of the Archdiocese or an Ecclesiastical Organization is contacted by the media (television, radio, newspaper or magazine) regarding any matters, he or she is to inform the Director of Communications before conducting an interview.

3.3.16.2. Press conferences are to be arranged through the Office of Communications in all instances.

3.3.16.3. As a general policy, confidential information should remain within the smallest group of those with a need to know; the potential for either negative or positive news reaching the media should be brought to the attention of the Director of Communications.

3.3.16.4. Contact with television and radio stations and systems for the purpose of airing special liturgies (e.g., Christmas midnight Mass), participating in inter-faith programming or ecumenical programming, is initiated through the Office of Communications.

Part 4: Medical and Health Care Directives

Medical and Health Care issues raise a host of complex ethical and moral questions for Catholics. The Church's response to emerging medical technology is rooted in her deep awareness of the dignity of the human person.

The Medical and Health Care Directives and guidelines set forth in Exhibit VII are promulgated as particular law for the Archdiocese and serve as a guide to navigating these complexities. Additional information may be obtained from the Archbishop's delegate for healthcare.

Chapter 4: Office of Catholic Schools

Overview

The policies in this chapter are subject to and shall be administered and interpreted consistently with ecclesiastical principles, Catholic doctrine and canon law, especially canons 796 through 806, and canon 827.2, all of which are incorporated into this chapter by reference.

Specifically, the Archbishop has the right to pastorally shepherd the Catholic schools within the Archdiocese, even those established or directed by members of religious institutes. He has also the right to issue directives concerning the general regulation of Catholic schools. These directives apply also to schools conducted by members of a religious institute, although they retain their autonomy in the internal management of their schools. Further, those who are in charge of Catholic schools are to ensure, under the supervision of the Archbishop, that the formation given in them is, in its academic standards, at least as outstanding as that in other schools in the area (canon 806).

Accordingly, the norms contained in the Office of Catholic Schools Administrators' Manual are subject to the general administration, interpretation, and authority of the parish pastor and principal, and in regard to matters of religion, morals and general regulation, to the canonical authority of the Archbishop and his designee, the Superintendent of Catholic Schools ("the Superintendent").

The Office of Catholic Schools Administrators' Manual (the Manual) is organized in the following series:

- Series 1000 – Organization and Administration
- Series 2000 – Students
- Series 3000 – Personnel
- Series 4000 – Instruction and Evaluation
- Series 5000 – Parish School Finances
- Series 6000 – Federal and State Regulations and Aid Programs

However, this chapter of the Pastoral Handbook contains only Series 1000, 5000 and 6000 (referred to as Parts 1, 3 and 4 herein). Series 2000, 3000 and 4000 are contained solely in the Office of Catholic Schools Administrators' Manual.

Part 1: Organization and Administration

Within the territory of the Archdiocese, there are two types of Catholic schools as well as specific guidelines for their respective establishment:

- ~ Archdiocesan Catholic Schools – The schools which are classified by the Archbishop as governed by this particular law and the Office of Catholic Schools Administrator’s Manual.
- ~ Archdiocesan related Catholic schools – Those schools owned or operated by a person, entity or organization other than a parish or an Ecclesiastical Organization of the Archdiocese (as defined in the Principal Abbreviations and Definitions to this Pastoral Handbook). Such schools are still required to obtain the necessary ongoing approval of the Archbishop as specified in the Archdiocesan Related School Form.

The Archbishop has sole ecclesiastical authority to recognize and designate a school as “Catholic.” All Catholic schools within the Archdiocese are canonically responsible to the Archbishop pursuant to canon 806.

Schools seeking the title “Catholic” are required to submit a request in writing to the Superintendent, who evaluates the request and makes a recommendation to the Archbishop.

Each school owned or operated by a religious institute and each privately operated school seeking a relationship with the Archdiocese is to demonstrate a written philosophy and Mission Statement in accord with canon law and the major documents published by the Congregation for Catholic Education. The school is to adhere to all Archdiocesan policies contained in the Office of Catholic Schools Administrators’ Manual. The school is to strive to ensure that all aspects of education are rooted in and faithful to Catholic teaching as set forth in *The Catechism of the Catholic Church*. School personnel are to cooperate in the periodic review of the school for compliance with these standards. A written agreement is entered into in acknowledgment of meeting the requirements for related schools.

On behalf of the Archbishop, the Superintendent will conduct periodic reviews of schools related with the Archdiocese or schools bearing the title “Catholic.”

Unless explicitly stated to the contrary, policies contained in the Office of Catholic Schools Administrators’ Manual refer only to Archdiocesan Catholic schools and not to the Archdiocesan related Catholic schools as defined above.

4.1.1. **Accreditation and Licensing**

All Archdiocesan elementary and high schools will be accredited by the North Central Accrediting Association and certified as Catholic through the Catholic School Endorsement of the Office of Catholic Schools.

The purpose of accreditation is to acknowledge the professional educational standards of the school. The accreditation process is intended to act as a means of ongoing planning and school improvement.

All Catholic preschool and elementary school before and after school care programs will be licensed by the Colorado Department of Human Services.

4.1.2. **Request for New School Openings**

4.1.2.1. Any group wishing to open an Archdiocesan Catholic school must first comply with the following procedures:

- a. Discuss the proposal with the Superintendent and obtain approval before initiating any formal steps in the process of opening such a school.
- b. Submit to the Superintendent a written proposal, which includes a professional feasibility study estimating support, projected enrollment, financial forecasts and funding resources, and other pertinent information that may be requested.
- c. If, after reviewing the proposal and supporting data, the Superintendent determines that the proposal has sufficient merit, the Superintendent will recommend to the Archbishop that he approve the request to establish such a school. Only with the approval of the Archbishop may a school call itself "Catholic" or use the term "Catholic" in its title.
- d. If the proposal includes construction, the PFRC must also be consulted (Ref: Chapter 8 – Building, Property and Construction Projects - Project Finance Review Committee (PFRC)).

4.1.2.2. Any group wishing to open an Archdiocesan related Catholic school must first comply with the following procedures:

- a. Contact the Archbishop for permission to enter the Archdiocese.
- b. Contact the Superintendent to begin the process to become an Archdiocesan related Catholic school.

4.1.2.3. After approval of the Superintendent, the founding group must request the written approval of the Archbishop to open the school.

4.1.3. **Request for School Closing**

Any consideration of permanently closing or substantially changing the enrollment of a Catholic school, whether Archdiocesan or Archdiocesan related, must be initiated in writing by the pastor, president of the religious order, or appropriate administrator of the school to the Superintendent by October 1 of the school year prior to the proposed change. The Office of Catholic Schools, at the direction of the Superintendent, will direct a thorough study of the situation and alternatives. The Superintendent will then present recommendations to the Archbishop. The actual decision to close a school can be made only by the Archbishop with the consultation of the Presbyteral Council.

Sufficient time should be provided in announcing a closure to allow faculty to seek employment and for student enrollment opportunities at other Catholic schools where available.

4.1.4. **Establishment, Expansion or Elimination of School Programs**

Adding or eliminating grade levels or rounds, programs, instructional pilot programs or curriculum offerings requires that the pastor and the principal/director of the respective parish preschool and elementary school or, the principal with consultation from the Board of Trustees for the Archdiocesan high schools, confer with the Superintendent and submit a written request for approval. The Superintendent will render a final written decision.

4.1.5. **Use of Name Policy**

Attaching the school's name, logo, or other insignia to an event, activity, or publication implies a close connection with the school, usually sponsorship or endorsement. Involvement by individual faculty, staff, students or parents is not, by itself, sufficient basis to title an activity, program, or event as "school" sponsored. Rather the activity, program or event must be one for which the school takes institutional responsibility.

Faculty members, staff, students, parents, and parish members may use or authorize the use of the school name, logo, or insignia (alone or in conjunction with the name of a specified organization or activity) only with the written approval of the pastor and principal in parish schools and the principal and Superintendent in Archdiocesan high schools.

In appropriate cases determined by the principal/pastor or principal/Superintendent, permission for ongoing events, activities, or publications requiring approval under this policy may be given.

4.1.6. **School Handbooks**

Each school shall develop and distribute a parent/student handbook. This handbook must state the philosophy, mission, rules, and regulations of the school. All elements of the handbook must be in compliance with the policies and regulations of the Archdiocese.

In addition, each school shall develop and distribute a faculty handbook containing rules and regulations not in conflict with the policies of the Archdiocese. Both the parent/student handbook and the faculty handbook must confirm, using a form approved by the Office of Catholic Schools, that the handbook does not constitute an express or implied contract with the school and the parent or student, and with the school and faculty.

Both parent/student and faculty handbooks must be reviewed by administration and other appropriate parties, updated annually, and published prior to the opening of the school year. Copies must be submitted to the Office of Catholic Schools at the beginning of each school year.

Agreement forms contained within each parish school handbook must be signed by parent(s) and by student(s) in grades 3 – 12 must be on file in the school office no later than October 1 of each school year.

Agreement forms signed by faculty and staff must be on file in the school office no later than September 15 of each school year.

4.1.7. Roles and Responsibilities: Archbishop, Pastors, Superintendent, Office of Catholic Schools, Principal, Preschool Director, Assistant Principal, and Teacher

The roles and responsibilities of the Superintendent, the staff of the Office of Catholic Schools, pastor, principal and preschool director in the administration of the Catholic schools are interrelated and collaborative and are to reflect the intent of the local ordinary in the duties of education and sanctification.

4.1.7.1. Archbishop – The responsibility for the educational apostolate in the Archdiocese belongs to the Archbishop. All policies in this manual have been approved by the Archbishop.

4.1.7.2. Pastors – The pastor is responsible for both the administrative and spiritual leadership of the parish Catholic school.

The pastor is also responsible in the following areas:

- a. Works with the Superintendent as co-supervisors of the principal.
 - b. Works with the principal as employer and co-supervisor of the teachers and school staff.
 - c. Cooperates with the Office of Catholic Schools in the supervision of the school's academic and religious programs.
 - d. Ensures that the religious teachings directed by the Archbishop are implemented in the parish school.
 - e. Consults with the Office of Catholic Schools before making any decisions regarding legal matters and contractual disputes.
 - f. Maintains a close working relationship with the principal.
 - g. Approves the budget and long-range plans.
 - h. Provides for worship opportunities at the school.
 - i. Is visible at school and present to students.
- k. Employs the principals in parish schools. For the separately incorporated high schools of the Archdiocese, principals are employed by the respective schools with oversight by its Board of Trustees and the Board of Members.
- l. Pastors are encouraged to familiarize themselves with *The Office of Catholic Schools Administrator's Manual* in order to support the Superintendent and the principal in carrying out these mandatory policies.

- m. Every parish should strive to provide religious education through high school.
- n. All persons engaged in preparing children for the first celebration of the sacraments of Penance and Eucharist need to keep in mind that these sacraments are distinct. A suitable period of time should pass after the first celebration of the sacrament of Reconciliation so that it is seen as a distinct sacrament. The sacrament of Penance is to be celebrated prior to the reception of First Eucharist.
- o. Parish and school programs should be sensitive, respectful, and supportive of the role of the parent. Accomplishing this goal often requires additional attention on the part of the parish, school and the catechist.

4.1.7.3. *The Superintendent* - The Superintendent has been appointed by the Archbishop as his designee in all matters pertaining to Catholic schools. Therefore, s/he is responsible to the Archbishop for all activities of the apostolate of Catholic schools and directs this apostolate in its entirety. The Superintendent ensures the Catholicity of all Catholic preschools, elementary schools and high schools in the Archdiocese.

The Superintendent intervenes when called upon by the Archbishop, pastor or principal or when an emergent or significant cause has been brought to his/her attention.

The Superintendent oversees the implementation of all school policies according to the *Office of Catholic Schools Administrator's Manual*.

The Superintendent assists each school in evaluation of program effectiveness.

Associate Superintendents may be delegated specialized responsibilities that they will fulfill on behalf of and in communication with the Superintendent.

4.1.7.4. *Office of Catholic Schools* – The Office of Catholic Schools, under the direction of the Superintendent, is authorized to carry out the mandate of the Archbishop pursuant to canon law. This delegation of authority is further classified and defined by policies in the *Office of Catholic Schools Administrators' Manual*. The Superintendent may delegate certain responsibilities.

The Office of Catholic Schools also:

- a. Serves the educational needs of the people of the Archdiocese through Catholic schools by providing necessary programs at the Archdiocesan level, as well as leadership, support and consultative services to pastors, principals, and to those who collaborate with them in the ministry of Catholic school education.

- b. Recommends to the Archbishop policies in regard to the qualification, hiring, supervision, and evaluation of Archdiocesan Catholic school principals, assistant principals, and teachers.
- c. Helps to ensure the quality of Catholic education and places particular emphasis on faith formation in each Catholic school in the Archdiocese by cultivating a love for Jesus Christ, fidelity to His Church, commitment to the dignity of the human person, service to others, and evangelization.
- d. Directs planning for new schools, sets the academic standards for the schools and sets technology standards for the schools.
- e. Assists pastors and Catholic school educational leaders in managing educational and administrative trends. This includes: developing creative approaches to methodology; evaluating new and revised theological and catechetical texts; assisting with and developing, implementing, and monitoring the required curriculum; and implementing Church directives important to the educational ministry.
- f. Coordinates services, communication and cooperation among the various educational components.
- g. Supervises the spiritual and professional formation of all Archdiocesan school educators.
- h. Helps to ensure the financial stability of the school. In school financial matters requiring additional monitoring, reporting, and intervention, the Superintendent of Catholic Schools works with the Office of Parish Finance.
- i. Organizes, directs, and implements staff development programs and promotes professional and faith educational programs and services among the faculty and staff of each Catholic school in the Archdiocese, while providing valuable resources to parents whose children are served by these schools.
- j. Provides advice and consultation to schools in legal, financial, business operations, school safety, and evaluates the quality of Catholic education in accord with the guidance of the Archbishop.

4.1.7.5. *Principal* – The principal is responsible for the ordinary operation of the school as specified in the principal contract and for the following Archdiocesan policies and directives. The principal is also responsible for:

- a. Exercising leadership in all phases of the educational program.
- b. Maintaining communication with the pastor and the Office of Catholic Schools.

- c. Collaborating with appropriate parties in establishing the budget and in long-range planning for the school.
- d. Setting local school policies in consultation with the pastor.
- e. Interviewing, hiring, supervising and terminating teachers in consultation with the pastor and in accordance with Archdiocesan policy.
- f. Meeting expectation of the Office of Catholic Schools regarding implementation of the curriculum and co-curricular programs.
- g. Working with the pastor to provide spiritual leadership in the school.
- h. Establishing positive public relations within and outside the school community.
- i. Fostering a positive working relationship with the other principals in the Archdiocese.
- j. Attending Archdiocesan principals' meetings and annual retreat.

4.1.7.6. *Preschool Director* – The preschool director is responsible for the administration of the Catholic preschool. The director provides leadership in all phases of the educational process.

Under the supervision of the pastor and/or the principal, the preschool director:

- a. Provides leadership in the faith, academic, and administrative dimensions of the preschool program.
- b. Formulates, evaluates, and periodically revises the philosophy of the preschool program.
- c. Maintains a continuous plan for the supervision and evaluation of the teachers and support staff.
- d. Develops an ongoing program to ensure the religious and professional development of the faculty.
- e. Makes recommendations to the pastor regarding the hiring and dismissing of teachers and support staff.
- f. Develops, evaluates, and revises the preschool curriculum according to Archdiocesan guidelines.

- g. Maintains appropriate records as required by the Office of Catholic Schools, the Archdiocese and the State of Colorado.
- h. Ensures the maintenance and safety of the school buildings according to local procedures.
- i. Administers the preschool program budget.
- j. Promotes good public relations within and beyond the parish.

4.1.7.7. *Assistant Principal* – The assistant principal shall assist in the administration and supervision of the school under the direction of the principal and shall exercise the authority of the principal during the latter's absence from the school. A job description should be developed at each local school to outline specific job responsibilities.

4.1.7.8. *Teacher* – Catholic school teachers serve actively in the education and faith development of their students. Catholic school teachers are expected to abide by the standards of faith, morals and teachings of the Catholic Church. Catholic school teachers shall fulfill the duties outlined in the teacher job description and those stated in the contract. Under the supervision of the principal/director, the teacher:

- a. Strives to achieve the goals of Catholic education.
- b. Assumes responsibility for the leadership and management of the grades or classes assigned.
- c. Develops and implements a daily instructional program according to the needs of the students and established curriculum.
- d. Maintains accurate records of attendance, scholastic achievement, etc. as required by the school, Archdiocese, and state.
- e. Establishes positive public relations within and outside the school community.

Part 2: Child Abuse

4.2.1. Reporting Child Abuse and/or Neglect

Reference should be made to Chapter 3, Part 2 “The Teaching Office – Child and Youth Protection,” which provides both an overview and the specific Archdiocesan policies concerning Child and Youth Protection, including notification to law enforcement officials or Department of Social Services, and mandatory reporting by the Superintendent of Catholic Schools and Parish Pastors.

Part 3: Parish School Finances

The finances of a parish school within the territory of the Archdiocese of Denver, including its accounting, internal controls, financial reporting and budgeting procedures, must follow the protocols and governance standards set forth in Chapter 10 of this Handbook – Parish Business Practices within the territory of the Archdiocese. The following supplementary information is set forth for those parishes with schools in the territory of the Archdiocese and Bishop Machebeuf High School and Holy Family High School (the Archdiocesan high schools).

4.3.1. School Budget Preparation

4.3.1.1. In elementary schools and preschools, the pastor, principal/director, parish business manager, school advisory committee and others deemed appropriate shall help prepare the annual school budget according to Archdiocesan guidelines.

The budget is then submitted to the parish finance council and pastor for final approval.

A working budget, sufficiently developed to set tuition, must be approved by the parish finance council and pastor prior to registration.

4.3.1.2. In Archdiocesan high schools, the principal, any designated staff members, and appropriate financial advisory committee shall prepare the annual school budget according to Archdiocesan guidelines. It is then sent to the Board of Trustees who will approve it to be sent to the Superintendent. The budget will then be submitted to both the CFO and the Board of Members through the Superintendent for final approval.

A working budget, sufficiently developed to set tuition, must be approved by the Board of Members prior to registration.

4.3.2. **Tuition**

Tuition for Catholic schools is set at the local level and shall be directly related to the per pupil cost. The Office of Catholic Schools recommends that schools set one tuition rate for Catholics who are parishioners at a parish within the Archdiocese and another rate for non-affiliated and non-Catholic students. The rate for non-affiliated and non-Catholic students may be equal to or greater than the per pupil cost. Families who are parishioners of parishes without schools, but whose children are enrolled in an Archdiocesan elementary school for kindergarten or a higher class or, one of the Archdiocesan-operated high schools, are eligible to receive the affiliated Catholic rate if, as determined by the pastor, the family attends Mass regularly and is involved in the activities, organizations or programs of the parish. Additional guidelines the pastor may consider utilizing in this determination of eligibility for the affiliated tuition rate may include:

4.3.2.1. The family has been registered in the parish for at least six months.

4.3.2.2. The family verifiably contributes, according to their means, on a regular basis to the financial support of the parish.

Schools may reserve the right to charge additional fees as needed. These fees may be non-refundable at the discretion of the local parish/school.

4.3.3. **Financial Requirements**

Each school within the territory of the Archdiocese will have a written explanation of financial requirements of parents, including, but not limited to, tuition, fundraising obligations if any, and the procedures for financial delinquency, including continuation at school and participation in graduation/continuation ceremonies. This should be published in the parent/student handbook and as part of the tuition contract.

4.3.3.1. Tuition contracts should include the following elements:

- a. Name or title the form as a Tuition Contract.
- b. Complete name(s), addresses, phone numbers of those entering into this contract, along with a statement that they acknowledge full responsibility for the payment of tuition.
- c. Names of the children whose tuition is covered by the contract.
- d. The exact amount of tuition that is under contract.
- e. The payment plan (monthly, semester, quarterly, other) and dates payments are due.
- f. Specify what constitutes a late payment.
- g. List all consequences that may apply to late payments.
- h. Specify all consequences that may apply to non-payment.
- i. List any terms or provisions for contract cancellation or waiver, if any.
- j. Include a statement of compliance: "I/We agree to abide by and comply with the terms and conditions stated in this Tuition Contract. We have had the contract explained and been provided the opportunity for questions. We understand this is a legal, binding and enforceable contract."
- k. Parent(s)/Guardian(s) signature/date.
- l. Guarantor's signature, if other than Parent/Guardian(s)/date.
- m. Date contract goes into effect.

Students will not be permitted to register at another Catholic school within the Archdiocese nor graduate from Holy Family High School or Bishop Machebeuf High School, until all financial obligations at their current or previous Catholic school(s) within the Archdiocese have been met.

Transcripts, report cards and/or other student records may not be withheld for non-payment of tuition and/or other school fees.

4.3.4. **School Purchasing Procedures**

Within the limits defined by the approved school and parish budgets, the principal/director shall be responsible for all expenditures connected with the school.

Each Archdiocesan school shall have a procedure whereby no employee can obligate the school for any purchase without (1) a requisition signed by the principal/director or the principal's/director's designee and (2) such obligation having been part of the approved school budget.

The principal should obtain bids for purchases and projects to avoid potential conflicts of interest.

In the two Archdiocesan high schools, expenditures in excess of amounts stipulated by each entity's canonical statutes and secular governing documents must be submitted to the superintendent and approved by the Board of Members. If approved by the Board of Members, capital expenditures must be submitted to the PFRC (Ref: Chapter 8 – Building, Property and Construction Projects - Catholic School Projects). In Archdiocesan preschools and elementary schools, expenditures in excess of the amount noted in Exhibit V Section II-g require the written approval of the pastor or his designee.

In Archdiocesan high schools, expenses not part of the budget, must be reviewed by the Board of Trustees, submitted to the superintendent and approved by the Board of Members.

Refer to Archdiocesan policy for parish expenditures in excess of the amount noted in Exhibit V Section VI.

4.3.5. **Fundraising Projects**

No organization may promote a fundraising project in the school's name without prior approval of the school principal/director and pastor in parish preschools and elementary schools and by the principal and Superintendent in Archdiocesan high schools (Ref: Chapter 10 – Parish Business Practices within the Territory of the Archdiocese, - Parish Fundraising, Capital Campaigns and Gift Acceptance Guidelines and Chapter 11 – Fundraising and Charitable Gift Acceptance Guidelines). This policy should be disseminated to the appropriate officers, associations and activity groups.

4.3.6. **Fundraising Revenue**

All funds collected by the various activity groups of the school shall be deposited in an authorized school/parish account. Those funds shall be disbursed by the school in the approved procedure for purchasing and disbursements.

These fundraising revenues are monitored and administered by the principal/director and pastor in parish preschools and elementary schools and by the principal and Superintendent in Archdiocesan high schools.

Unless previously designated and approved by the principal/director and pastor/Superintendent, all funds raised on behalf of the school or its activities associations may be used at the discretion of the principal, director, pastor and superintendent.

The pastor must have his signature on any parish school account. Bank statements must be mailed to the pastor of parish schools and to the Principal for the high schools who shall review them and pass them along to the appropriate individuals for reconciliation.

This policy should be disseminated to the appropriate officers, associations and activity groups.

4.3.7. **Retaining Financial Records**

School ledgers and payroll records and other financial records and receipts are kept on file in accordance with the policy (Ref: Chapter 10 – Parish Business Practices within the Territory of the Archdiocese – Ownership of Records and Information Management Requirements and pursuant to the Schedule contained in Exhibit III). Financial records related to any potential legal proceedings should be kept until actions are determined closed.

4.3.8. **Use of School Facility by Outside Agencies**

Schools will adhere to Archdiocesan policies contained in the Archdiocese of Denver Risk Management and Insurance Manual regarding the use of parish/school facilities – Chapter 10 - Parish Business Practices within the Territory of the Archdiocese.

4.3.9. **Donations, Grants and Endowments**

Funds in the form of donations/grants shall be accepted only when the purpose or terms are acceptable to the school and the Archdiocese (Ref: Chapter 11 – Archdiocesan Fundraising and Charitable Gift Acceptance Guidelines).

Gifts or grants of real property (buildings or land) or securities shall not be accepted without the approval of the Archdiocese as set forth in Chapter 11.

The pastor and Superintendent must review grant requests for school needs of any kind in excess of the amount noted in Exhibit V Section II-k before such requests are sent to the proposed foundation and/or funding agency.

Grants and/or donations specifically designated for new positions must be approved by the pastor in preschools and elementary schools and by the Superintendent in Archdiocesan high schools.

Grants and/or donations specifically designated for new programs must be approved by the Superintendent.

Donors should be advised that all new programs must be approved by the Superintendent and will be monitored by the principal and the Office of Catholic Schools.

Endowments and/or separate foundations established for the support of a parish school, may be set up only with the permission of the Archdiocese and in accord with Archdiocesan policy (Ref. Chapter 10 - Parish Business Practices within the Territory of the Archdiocese).

4.3.10. **Fundraising/School Volunteer Hours**

At all times schools will comply with the Internal Revenue Service (IRS) guidelines that address fundraising and volunteer hours.

Schools may not impose fines for volunteer hours not completed by parents or accept payment in lieu of volunteer hours.

Schools may neither require nor allow parents to work in lieu of tuition.

Schools may not impose fines for fundraising obligations not met by parents.

Schools may require that parents purchase a reasonable amount of Scrip Certificates.

4.3.11. **School Vehicles**

4.3.11.1. School buses, Inspection and Maintenance: The pastor and principal/director of any Archdiocesan school, which operates school vehicles for transporting students, shall insure that an annual vehicle safety inspection is completed for each such vehicle before the beginning of each school year by a certified Department of Transportation inspector and that records of such inspections are maintained.

The pastor and principal/director shall also make certain that a mandatory pre-trip inspection is performed every time the bus is used and that records of these inspections are maintained.

4.3.11.2. School Bus Drivers: Pastors and principals/directors of Archdiocesan schools, which operate school bus vehicles for student transportation, are responsible for verifying the qualifications of the vehicle drivers. Prior to hiring a bus driver, the pastor and/or principal/ director should call the Director of the Office of Risk Management for specific instructions. All such drivers must possess a valid Colorado Driver's License, have an excellent driving record and exhibit the ability to maintain student order while driving. All bus drivers must attend a minimum of six hours of safety training annually. Such drivers are under the supervision of the school principal.

4.3.11.3. Contracted School Bus Services: A pastor and principal/director of a school which contracts with a student transportation company operated by an outside agency shall ensure that such a company provides high standards of safety for its drivers, and the amount defined in Exhibit V Section III-e minimum insurance coverage. A certificate of insurance should be obtained for the school records. The company must also provide verification of their own workers compensation and a statement that all bus drivers have been approved (i.e. drug test and background check) to drive for the company.

It is the responsibility of the pastor and principal/director to observe all pertinent state laws in the operation of an Archdiocesan school transportation program.

4.3.11.4. School Vans: For specific policies regarding use of 10-15 passenger vans, refer to the Archdiocese of Denver Vehicle Policy within the Risk Management Manual of the Archdiocese of Denver.

4.3.12. **School Bank Accounts**

4.3.12.1. Any and all school accounts using the parish federal employer identification number (EIN) or parish name are considered parish accounts.

4.3.12.2. The school should not maintain a separate check supply apart from the parish. Instead, all check supply should be maintained in a secure location at the parish business office.

4.3.12.3. Authorized bank account signers on all parish accounts should be limited to the pastor and if this is impractical because of the frequent absence of the pastor, a second signer should be added. The second signer should be the Parochial Vicar, Parish Deacon or Pastoral Assistant (Ref: Chapter 10 – Parish Business Practices within the Territory of the Archdiocese – Cash Management and Oversight).

4.3.12.4. School expenses should normally be paid by check prepared by the parish business office and signed by the pastor. For smaller expenses of a more immediate nature, the school may maintain a small petty cash fund of no more than the amount defined in Exhibit V Section II-i, solely at the pastor's discretion. The petty cash fund disbursements must be supported by documentation.

Part 4: Federal and State Regulations and Aid Programs

4.4.1. Administration of Federal Government Programs in Archdiocesan Schools

All federal government services and programs are provided directly to the individual child through Archdiocesan schools, and are generally administered through the local public school district in which the Catholic school is located. By law, the public school districts and other government agencies are required to inform non-public schools of programs and services available to them. The Office of Catholic Schools does not administer those services or programs.

It is the responsibility of the principal to be knowledgeable about requirements for each government program, to plan for and administer these programs within the school and to meet deadlines for evaluation and application for these services. The acceptance of and involvement in these entitlements rest with the principal. It is expected that all principals will take advantage of all federal programs available to their students.

The Office of Catholic Schools will assist principals in this responsibility. Principals are responsible to provide government program information to the superintendent when requested to do so.

4.4.2. Statement of Non-Discrimination by Archdiocesan Schools

All schools must publish their yearly statement affirming non-discriminatory policies regarding race and sex (Title IX) in the treatment of students and the employment practices of the school. These statements are to be in accord with the Office of Catholic Schools' statements of non-discrimination, which are given below and are to be reprinted in their entirety. Original copies of the statements and methods of publication are to be dated and maintained in the administrative school file. These files are to be available to government and Archdiocesan personnel.

ASSURANCE STATEMENT OF COMPLIANCE WITH THE PURPOSES OF TITLE IX EDUCATION ACT

The Catholic schools of the Archdiocese, under the jurisdiction of the Archbishop, and at the direction of the Superintendent, attest that none of the Catholic schools discriminates on the basis of sex in its admission policies, its treatment of students or its employment practices.

NOTICE OF STUDENT NON-DISCRIMINATION POLICY

The Catholic schools of the Archdiocese of Denver, under the jurisdiction of Archbishop Charles J. Chaput, O.F.M. Cap. and at the direction of the Superintendent, state that all of their Catholic schools admit students of any race, color, national or ethnic origin to all the rights, privileges, programs and activities generally accorded or made available to students at the schools. Furthermore, Archdiocesan schools admit handicapped students in accord with the policy on Admissions, in the Catholic School's Administrator's Manual. These schools do not discriminate on the basis of race, age, handicap, color, national or ethnic origin in the administration of their educational policies, employment practices, scholarship and loan programs, or athletic or other school-administered programs.

Chapter 5: The Sanctifying Office in the Church

Overview

Part 1: Introduction

5.1.1. Scope of the Chapter

This chapter pertains to the celebration of the sacraments and of the liturgy in the Archdiocese and refers to the particular norms of the USCCB. When necessary, clarification is made in the application of universal legislation to Archdiocesan circumstances.

5.1.1.1. Pastors and their collaborators are to refer to the proper books or documents for the celebration of the sacraments and sacramentals or seek assistance from the Office of Liturgy.

5.1.1.2. All parishes, religious houses, and institutions where liturgy is celebrated regularly are encouraged to have a liturgy committee. The function of this committee is to assist the priest-celebrant with the preparation of the particular liturgies under the direction of the pastor, parish administrator, rector, or chaplain. Members of the liturgy committee should be trained in and familiar with liturgical principles.

5.1.2. The Office of Liturgy

The Office of Liturgy provides support and information to the clergy and those whom they serve. Authorized parish representatives may schedule workshops pertaining to liturgical ministries and or on topics of general liturgical interest.

5.1.2.1. The Office of Liturgy plans all archdiocesan liturgies involving the Archbishop of Denver and his Auxiliary Bishop(s). It also serves as a resource and advisor to the archbishop, clergy, parishes and laity in all matters related to the celebration of the sacred liturgy by promoting and fostering its proper implementation in the Archdiocese of Denver.

5.1.2.2. Those individuals planning education programs (e.g., those involved with RCIA, liturgical music, and ethnic ministries) are encouraged to consult with the Office of Liturgy in order to provide the faithful with a cohesive and current liturgical education.

5.1.2.3. In consultation with the Office of Liturgy, the Masters of Ceremonies assist with the coordination of parish and Archdiocesan liturgies at which the Archbishop or his delegate are present. In collaboration with the Office of Liturgy, Masters of Ceremonies act as the Archbishop's representative in these preparations.

5.1.3. **General Liturgical Norms**

All liturgical functions celebrated in the Archdiocese are to use the approved liturgical ritual books and approved scriptural translations. No one, not even the priest-celebrant, is at liberty to add, remove, or change any of the liturgical texts, scriptural language or prescribed rubrics.¹ The priest or parish liturgy committee may use options when the *Sacramentary* or *Roman Missal*², *Lectionary* or ritual books so provide or when the rubrics state: “in these or similar words...”

5.1.3.1. While parish registration is not a requirement for the reception of sacraments, the parish census is to be updated at the time that the sacraments are celebrated (e.g., names of the newly baptized, new registration for the newly married).

5.1.3.2. Catholic ministers may not ordinarily administer the sacraments to those who are not in full communion with the Catholic Church, with the exception stated in canon 844§3.

5.1.4. **Liturgical Ministers**

The designation of men or women to serve in such ministries as extraordinary minister of Holy Communion, lector, cantor, leader of singing, commentator, usher is left to the discretion of the pastor in the light of the needs of the parish (GIRM 95-107). Persons who exercise any liturgical ministry should be living a life consistent with the faith. Their marriages must be in accord with the teachings of the Church.

Those who exercise liturgical ministries shall dress in accord with the requirements of the parish.

5.1.5. **Liturgical Vestments**

The ordinary vestment for all liturgical services is the alb, worn with a stole by priests and deacons. (Ref: Vestments, 5.4.5.). A principal celebrant at Mass should wear the chasuble. Deacons of the Mass should wear a dalmatic. Religious order priests are not permitted to wear their religious habit in substitution for the liturgical alb (*Liturgical Instaurationes*, September 5, 1970, #8c). Concelebrating priests are encouraged to wear a Chasuble. The principle celebrant wears the prescribed color and out of necessity, the concelebrants may even wear white. (Redemptoris Sacramentum #124)

¹Sacrosanctum Concilium (“SC”) 22.

²Liturgical norms are currently governed by the *General Instruction of the Roman Missal* 2003 (GIRM), replacing a certain amount of the legislation contained in the earlier GIRM. The current *Sacramentary* will be replaced by the *Roman Missal* (RM).

5.1.6. **Sacred Movement**

Dance is not an integral part of the official worship of the Latin Church. Consequently, dance is not permitted to take place within the liturgy proper (cf. *Notitiae* XI [1975]: 202-205 and *BCL Newsletter* 39 [August, 2003] 30).

5.1.7. **Sacred Music**

The music used at divine worship is sung prayer. In addition to being technically and aesthetically proper in the judgment of competent musicians, any text should express Catholic faith. Music is to be appropriate to its place in the liturgy and to a proper diversity of roles among the ordained ministers, cantor, congregation, choir, and instrumentalists. It must also be appropriate for the occasion and the congregation, using the three theological, pastoral and musical judgments as found in the United States Catholic Conference of Bishops document, *Sing to the Lord: Music in Divine Worship*.

5.1.7.1. The musicians' ministry is to aid the congregation in the act of worship. The music is to support the congregation. The music selected must assist the congregation to worship and is not to be a performance. The voice of the cantor should never predominate over the voice of the presider, e.g., at the Our Father.

5.1.7.2. Music must always serve the sacramental nature of the liturgy. This is especially so when an issue arises concerning certain pieces of music which are popular or quasi-traditional in the secular culture but do not reflect the Christian teaching of the sacrament. Clergy and pastoral musicians have a responsibility to develop within the faithful a proper understanding of the place of music within sacramental celebrations. Gregorian chant has "pride of place because it is proper to the Roman Liturgy" (GIRM 41).

5.1.7.3. Musicians and pastors are encouraged to instruct the faithful to say or sing together in Latin the congregation's parts of the Mass, "set to the simpler melodies" (SC 54, GIRM 41).

5.1.8. **Multicultural Liturgies**

Developing a multicultural spirituality asks that we understand and respect the spirituality of our own culture and be respectful of the customs and traditions of other cultural groups in the parish. All the members of a multicultural community are called to a conversion of heart and mind so that the parish may worship together.

5.1.8.1. When several languages are to be used during a liturgical celebration, in order to make God's Word and the content of the prayers and songs accessible to those gathered and using the United States Conference of Catholic Bishops document, *Guidelines for a Multilingual Celebration of the Mass*, the following should be considered:

- a. Those planning liturgies are to determine the language understood by the majority of those assembled.
- b. Languages spoken by only a small group within a large congregation should not normally be used for the Scriptural readings.

5.1.8.2. The presidential prayers (Collect, Prayer Over the Gifts, Prayer after Communion) should be prayed in the same language. The introduction “Let us pray” may be said in another language.

5.1.8.3. The Eucharistic Prayer (which begins at the dialogue preceding the preface) should be prayed in one language.

5.1.8.4. Music should allow those present to pray as one community in diverse voices. To encourage the participation of all present, the singing of the short texts in several of the languages of those assembled, e.g. *Lord Have Mercy* with the use of Greek refrains with invocations and verses in the various languages may be helpful.

The singing of alternate verses of a familiar hymn in several languages or hymns in a bilingual or multilingual format is also possible. By encouraging all cultural groups to develop a common repertoire, the choirs from the various cultural groups will share the music ministry and model their unity as one body in Christ.

5.1.8.5. For the proclamation of the Readings, the use of the language understood by the group present in the largest numbers at the liturgical celebration is preferred. A short summary introducing each reading in the alternate language may be helpful. The 1st and 2nd readings are proclaimed only once, regardless of language.

5.1.8.6. For the responsorial psalm, the response and verse may be in one language or the verses in one language and the response in a second language.

5.1.8.7. The Gospel may be proclaimed in two languages. The order in which this is done includes: the introduction, proclamation of gospel, no ending response, immediate beginning in the second language, close with ending “The gospel of the Lord..... Praise to you, Lord Jesus Christ.”

5.1.8.8. The Prayer of the Faithful provides an opportunity to recognize the presence of the variety of cultures present in the assembly. Two options for the Prayer of the Faithful are:

- a. Each intention may be prayed in one language with the response in another language.
- b. In the alternative, intentions may be prayed in several languages with a multilingual response.

5.1.8.9. Worship or participation aids should be provided at liturgies at which several languages are used.

- a. The presidential prayers, the readings, and the general intercessions should be printed in the language not spoken.
- b. The people's responses are printed in the language to be spoken.
- c. When the Eucharistic celebration includes other sacraments, it is helpful to include rubrics and the prayers of the celebrant (e.g., the prayer of consecration for an ordination) in the language not being prayed for the sake of the members of the assembly unfamiliar with the language.

5.1.9. **Forms of the Latin Rite**

The celebration of Mass according to the 1962 *editio typica* of the *Roman Missal* of St. John XXIII (known as the Extraordinary Form of the Latin Rite) may be celebrated by any priest according to the calendar and *Lectionary* of the 1962 Roman Missal. Use of the current *Lectionary* may be used “the readings may be given in the vernacular using approved texts” (*Summorum Pontificum*, [SP], Art. 6).

- a. For a priest to celebrate the Extraordinary Form, he must demonstrate to the Ordinary a sufficient knowledge and facility of the Latin language and a sufficient ability to observe the rubrics of the 1962 Roman Missal (SP, Art. 5.4).
- b. A priest, on his own, may not simply decide to publicly celebrate the Extraordinary Form of Mass without a “stable group.” A “stable group” is a significant number of the faithful who have been attending the Extraordinary Form regularly, or who have been desirous of it over the years, and who of their own free will requested it (SP, Art. 5.1).
- c. The Extraordinary Form may be celebrated privately at any time except during the Sacred Triduum (SP, Art. 2).
- d. A pastor can permit the Sacraments of Baptism, Penance, Anointing of the Sick and Matrimony in the Extraordinary Form for the faithful who request it, even in particular circumstances such as funerals or occasional celebrations, e.g., pilgrimages.

5.1.9.1. Use of other Latin Rites, i.e. Anglican Use, Mozarabic, Ambrosian, in the Archdiocese of Denver, require permission of the competent ecclesial authority and the Archbishop.

Part 2: Baptism

5.2.1. Celebration of Baptism

The current ritual book, *Rite of Baptism of Children* (“RBC”), is to be used for the Baptism of infants. Infants are those who have not yet reached the age of reason (7 years old) and cannot profess their own faith. (canons 97§2; 852§2; RBC 1).

5.2.1.1. All other individuals are to be considered adults, and the rites and policies of the *Rite of Christian Initiation of Adults* (“RCIA”) must be followed.

5.2.1.2. In the case of infant Baptism, parishes are to provide a catechetical program of instruction for parents and godparents preceding the Baptism. This proper instruction of parents and godparents includes, but is not limited to: the meaning of Baptism and the obligations which are attached to it, the scriptural foundation for the sacrament, the sacramental life of the Church, and the rite of Baptism itself.

5.2.1.3. To provide sufficient time for their instruction and the choosing of appropriate godparents, parents are to be encouraged to prepare prior to the birth of their child.

5.2.1.4. A record should be maintained in parish files of those who attended the classes. Catholics in good standing with the Church would not be required to take this instruction again for at least two years.

5.2.1.5. It is left to pastors to determine whether to accept Baptismal preparation done at another parish.

5.2.1.6. The Rite of Baptism may be celebrated at any time (canon 856), but should be avoided during the Easter Triduum, with the exception of the Easter Vigil.

5.2.2. Baptismal Name

The baptismal name is not to be foreign to Christian sentiment (canon 855). The name of a saint is highly encouraged as the baptized is assured of his/her intercession (cf. Catechism of the Catholic Church [“CCC”] 2156).

5.2.3. Minister of Baptism

The ordinary ministers of Baptism are bishops, priests and deacons (canon 861). In case of necessity, any layperson may baptize an individual if a cleric is not available. To baptize and confirm a child in danger of death, a priest uses the rite found in the *Rite of Confirmation* (RC), 52-56.

5.2.4. **Subject of Baptism**

Parents have a grave responsibility to present their infants for Baptism as soon after the birth as possible. Consideration must be given first of all to the welfare of the child who is not to be “deprived of the benefit of the sacrament” (RBC 8; canon 867§1).

5.2.4.1. A child of parents who belong to the Latin church is ascribed to it by reception of Baptism. If one of the parents does not belong to the Latin Church and both parents agree that the child be baptized in the Latin Church, the child is ascribed to it by reception of Baptism. If the agreement is lacking, the child is ascribed to the ritual church to which the father belongs. Notification of the proper rite of the child is to be made in the baptismal register in the parish in which the child is baptized.

5.2.4.2. Baptism is not to be delayed because the parents are not married in the Church. The ordained ministers and those assisting are not to give any indication of forcing the couple to be married before the Baptism is celebrated. However, some efforts should be made to catechize the parents who are presenting a second or third child for Baptism and have not rectified their marital situation.

5.2.4.3. The proper persons to present an infant for Baptism are the parents. Another member of the family could give the founded hope of rearing the infant in the faith as long as the parents promise not to interfere with the person making this commitment.³

5.2.4.4. Registration or monetary contributions to the parish community by envelopes or other means are not to be used as determining factors as to the parents' practice of the faith. Parish registration is not to be made a condition of the parents if they ask for Baptism for their children. If parents are registered in another parish, the Baptism may take place with the permission of the original pastor.

5.2.4.5. If a pastor, or if after consulting with the pastor, a parish priest or deacon judges that deferral of Baptism in a specific instance is necessary, he is to explain his reasons to the parents and godparents. He would then enter into concentrated preparation with a view towards Baptism.

5.2.5. **Conditional Baptism and Emergency Baptism**

³Assurances must be given that this gift will be able to grow through a genuine education in faith and Christian living so that the sacrament may attain its full "truth." (Sacred Congregation for the Doctrine of the Faith, *Pastoralis Actio* 1980, No. 28.2) These assurances are to be given by the parents or relatives, although they can be supplied in various ways within the Christian community. If these assurances are not serious, that fact can be reason for postponing the sacrament. If there are no assurances, the sacrament must be denied.

Since Baptism can be conferred validly only once, one is never to be re-baptized unless there is serious reason to doubt either the fact or the validity of Baptism previously administered. Only in these cases, would Baptism be conferred conditionally. The officiating minister should explain to the one to be baptized and those present the theological rationale for conditional Baptism and the specific reasons for employing it.

5.2.5.1. After an emergency Baptism has been performed and the danger of death has passed, parents are encouraged to have their children receive the accompanying ceremonies of Baptism. Priests and deacons are encouraged to remain in contact with the parents once the emergency Baptism has been celebrated.

5.2.5.2. Baptisms performed under emergency conditions are to be recorded in the baptismal register of the parish in whose territory they occur or in the case of St. Joseph or St. Anthony Hospital in their baptismal registers.

5.2.6. **Godparents**

Pastors are responsible to ensure that the Christian faithful are aware of the requirements concerning godparents (see canons 872, 873, 874).

5.2.6.1. In view of the ecclesial and educational role of godparents and sponsors, only Catholics who are fully initiated into the Church, mature enough to accept publicly the teaching of the magisterium of the Church, living a life consistent with the faith, and who are not bound by any canonical sanction, may be permitted to act as godparents at a Catholic Baptism or as a sponsor at one's full reception into the Church. A baptized believing non-Catholic may be admitted along with a Catholic godparent to serve as a witness of the fact of Baptism (*General Introduction, Christian Initiation* ["CI"] 10).

5.2.6.2. There may be either one male sponsor (godparent) and one female sponsor or only one sponsor of either sex. There cannot be two sponsors of the same sex.

5.2.6.3. If invited and if the other church or the ecclesial community permits, a Catholic may act as a witness to the fact of Christian Baptism in a non-Catholic Christian Church or ecclesial community. A Catholic may not be a godparent or a sponsor in a Baptism within a non-Catholic Christian community (*Directory on Ecumenism*, 57).

5.2.7. **Record of Baptism and Godparents**

If the Baptism concerns a child born to an unmarried mother, the name of the mother must be inserted in the register if her maternity is established publicly or if she seeks it willingly in writing or before two witnesses. The name of the father must be inscribed if a public document or his own declaration before the pastor and two witnesses proves his paternity; in other cases, the name of the baptized is inscribed with no mention of the name of the father or the parents

(canon 877§2). The baptismal certificate is to contain only the name of the mother or the father or both parents. The baptismal certificate is not to have the names of two parents of the same sex. In cases of adoption for civil purposes a notation may be made in the baptismal register notes that the child has two parents of the same sex but only one parent may appear in the parent column and on any certificates issued.

“Therefore, even in cases of such operations the records are not to be altered. Specifically, the altered condition of a member of the faithful under civil law does not change one’s canonical condition which is male or female as determined at the moment of birth. However, should a situation rise in which some sort of notation is determined to be necessary, it is possible, in the margin of the entry for Baptism, to note the altered status of the person under civil law. In such cases, the date and relevant protocol number of the civil juridic act or document should be included along with, where possible, a copy of the documentation itself at that page of the Baptismal Registry” (October 15, 2002 letter from USCCB regarding clarification from the Congregation for the Doctrine of the Faith regarding gender reassignment).

5.2.7.1. If the Baptism concerns an adopted child, notation of the baptismal record is determined as follows:

- a. For children baptized after their adoption is finalized, the following information shall be entered in the register:
 - i. The Christian names(s) of the child as designated by the adoptive parent(s)
 - ii. The name(s) of the adoptive parent(s)
 - iii. The date and place of birth
 - iv. The names of the sponsors selected by the adoptive parent(s)
 - v. The place and date of Baptism
 - vi. The name of the minister performing the Baptism
 - vii. The fact of adoption but not the names of the natural parents.
- b. The baptismal certificate issued by the parish for adopted children will be no different from other baptismal certificates. No mention of the fact of adoption shall be made on the baptismal certificate.
- c. For children baptized before the adoption is finalized, the following notations shall be added to the baptismal register, but only after the adoption has been finalized and with due regard for Colorado civil law:

- i. Parentheses shall be placed around the names of the natural parents.
 - ii. The name(s) of the adoptive parent(s) shall then be added.
 - iii. The child's former surname shall be parenthesized and the new surname added.
 - iv. A notation shall be made that the child was legally adopted.
- d. The baptismal certificate issued by the parish for these individuals shall give only the name(s) of the adoptive parent(s), the child's new legal surname, the date and place of Baptism, and the name of the minister who conferred the sacrament. The name(s) of the sponsor(s) shall not be given and no mention of the fact of adoption shall be made on the baptismal certificate.
- e. Parish personnel having access to parish registers have an obligation not to disclose to any person any information that would identify or reveal, directly or indirectly, the fact that a person was adopted.

5.2.7.2. Unfortunate familial circumstances lead, at times, to the desire to change the godparents noted on the baptismal certificate. Since the certificate is documentation of an accomplished act, the names of the original godparents cannot be changed. Names of other individuals may be added to the notes if they have taken on the role of the original sponsors and the pastor is to see to it that their names as well as the date of the addition be placed both on the register and on the certificates. 5.2.6.2 applicable to these new individuals. The names of the original sponsors will remain both in the register and on the certificates.

5.2.8. **Adult Baptism and Rite of Full Reception into the Church**

The RCIA, the Rite for children of catechetical age, and the Rite of Reception of Baptized Christians into Full Communion with the Catholic Church are contained in the ritual book, *Rite of Christian Initiation of Adults*. The National Statutes on the Catechumenate govern the catechumenate in the United States.

5.2.8.1. The ritual process is designed primarily for the unbaptized, although it has been adapted successfully for the completion of initiation of those from other Christian churches or ecclesial communities who wish to unite themselves fully with the Roman Catholic Church. It is necessary to keep distinct those who are to be joined to Christ, and incorporated into the Church through the reception of Baptism, Confirmation, and Eucharist, and those to be incorporated into full communion with the Church through the profession of faith and the reception of Confirmation and Eucharist. The ritual makes this distinction clear by providing distinct rites for those to be baptized and for those to be fully received into the Roman Catholic Church.

5.2.8.2. Pastors and catechists should become familiar with the rites associated with the RCIA in order to properly determine the rite by which an individual enters the Catholic Church.

5.2.8.3. An unbaptized person seeking membership into the Catholic Church, either as an adult or as a child from the age of seven is to be admitted to the catechumenate and formed in accord with the approved rites of Christian initiation.

5.2.8.4. Both adults and children who have reached the age of reason are to receive all three sacraments of Baptism, Confirmation and Eucharist at the same celebration (canon 883.2).

5.2.8.5. The Rite of Christian Initiation is composed of stages that reflect a deepening appreciation of one's desire for Baptism, Confirmation, and Eucharist. These stages may be indeterminate in length. The National Statutes on the Catechumenate has set minimum time frames. The personal journey to full reception into the Church requires greater time for some.

5.2.8.6. Catechumens and candidates seeking full reception into the Church living in irregular marital situations must be reconciled in their marital unions in accord with the procedures of Church law before they may be admitted to the Rite of Election or the Call to Continuing Conversion.

5.2.8.7. The RCIA has also been adapted successfully for those who were baptized Catholic as infants and yet were never catechized or fully initiated into the Church.

- a. These individuals, including those who have joined another church or ecclesial community after their own Catholic Baptism must seek readmission to the Catholic Church through the Rite of Full Reception.

b. Uncatechized Catholics who never formally left the Catholic Church have the right to be confirmed by the Archbishop or his designee. Such individuals should be included in the parish Confirmation celebrated by the Archbishop or his designee. When a serious difficulty prevents an individual from being confirmed by the Archbishop or his designee, a pastor may request delegation.

5.2.8.8. The Rite of Christian Initiation indicates that each bishop is to regulate certain elements of the rite for his own local Church. The following are in effect as a matter of Archdiocesan law.

a. The scrutinies must be celebrated on Sundays in Lent according to the ritual Masses provided in the *Roman Missal* with the "A" cycle readings only (see Lectionary for Mass). The Archbishop or his designee will preside at an Archdiocesan Rite (or Rites) of Election on the First Sunday of Lent, or at another more convenient time should circumstances warrant or if multiple celebrations are to be held in order to accommodate the number to attend. The Book of the Elect is to be signed during the parish celebration for sending catechumens for election and candidates for recognition by the Archbishop.

b. Requests for the permission to omit a scrutiny are to be submitted in writing by the pastor to the Archbishop.

c. Deans or pastors may seek permission to preside at a Rite of Election in their individual deaneries or parishes for their own catechumens and candidates if it is impossible for the catechumens and candidates to attend the Cathedral Basilica celebration.

d. The simple Rite of Election may be used once permission is secured from the Archbishop (no.745-747).

e. Pastors for serious reasons may seek permission from the Archbishop to celebrate the entire rite outside of the normal liturgical times.

Part 3: Confirmation

5.3.1. Celebration of Confirmation

Confirmation normally should be conferred within Mass with the participation of the parish community. In considering the number of people who will attend the celebration in relationship to the number of candidates and the size of the church, it may be necessary to schedule multiple Confirmation Masses. A parish that regularly has very few candidates to be confirmed each year is encouraged to combine the celebration with that of a neighboring parish.

5.3.1.1. Preparation for the liturgy of the Rite of Confirmation is done in collaboration with the Office of Liturgy when the minister is the Bishop or his designee.

5.3.1.2. The rite is to be followed as it appears in the ritual book. There are no additions made to it, such as the giving of certificates during the Mass. The wearing or giving of stoles is not an appropriate gesture.

5.3.1.3. As in the case of Baptism, if a new name is chosen, it is not to be foreign to Christian sentiment.

5.3.2. Catechesis for Confirmation

Pastors, catechists, and parents are to be careful that more is not required of confirmands for the reception of this sacrament than that which is required by the Church. Confirmation is not to be used as a means to maintain an individual's attendance in religious education programs.

5.3.2.1. Parishes are to make suitable provision for the catechesis of the parents of those to be confirmed.

5.3.2.2. The Rite of Confirmation should be an integral part of the catechetical process. Those to be confirmed should be familiar with the gestures and prayers of the Rite.

5.3.3. Minister of Confirmation

A priest has the faculty to administer the Sacrament of Confirmation under the following three circumstances:

- a. He is administering all three sacraments of initiation to a candidate in the same ceremony.
- b. He is receiving a non-Catholic Christian into the communion of the Church.
- c. He is confirming a person who is in danger of death.

In all other circumstances a priest must write to the Archbishop and receive delegation in order to administer the sacrament.

5.3.3.1. Only after discussion with the individual and with a serious reason interfering with the person's ability to be confirmed by the Archbishop (or his delegate) may a pastor request delegation from the Archbishop to confirm a Catholic.

5.3.3.2. A priest who has received the faculty to administer the Sacrament of Confirmation can associate another priest to confer the Sacrament of Confirmation: in place of himself in the event that he is unable to travel to the location of the Mass, or alongside of himself when the number of candidates to be confirmed is greater than 140 (can. 884).

5.3.4. **Subject of Rite**

The practice of the Archdiocese is to confirm children in the third grade. Typically, children will embark on a two-year preparation process beginning in the second grade; receiving the Sacrament of Reconciliation during their first year, and the Sacraments of Confirmation and Eucharist, at the same Mass, during their second year.

Older children and adults who are already baptized (and may have already received their first communion) are to be confirmed at a celebration of Confirmation proximate to the time they have completed catechesis.

5.3.4.1. It is to be highly encouraged within marriage preparation that the future spouses have received the Sacrament of Confirmation before marriage, not during the Order of Celebrating Matrimony itself.

5.3.5. **Confirmation Sponsors**

It is desirable that the godparent at Baptism be also the sponsor at Confirmation, although another person, of either sex, may fulfill this function. The regulations set forth concerning the requirements of godparents at Baptism apply also to the sponsors at Confirmation (canons 893, 874) with due regard for conditions noted in the *Rite of Confirmation*, 6.

5.3.6. **Record of Confirmation**

The pastor must record in the Confirmation register carefully and without delay the name of the confirmed, name of the minister, parents, sponsors, place and date of the conferral of Confirmation (canon 895). Local practice is to record Confirmations in confirmation registers.

5.3.6.1. The pastor must make notation of Confirmation in the baptismal register if the confirmed was also baptized in the same church. Otherwise, the pastor must inform the pastor of the place of Baptism about the conferral of Confirmation so that a notation is made in the baptismal register (canon 895).

Part 4: The Eucharist

In the sanctuary, only those books published in a format appropriate for use in worship are to be used. Missalettes and similar participation aids are not to replace the *Roman Missal* or *Lectionary*.

The rubrics for the celebration of the Eucharist as found in the GIRM, 2003, are to be followed in the Archdiocese with the following specifications or emphases:

5.4.1. Celebration of Mass in Parishes

5.4.1.1. A prayerful atmosphere is to be encouraged before Mass in the church, sacristy and adjacent areas. The habit of inviting the assembly to greet one another as Mass begins is not encouraged. (GIRM 45).

5.4.1.2. At the beginning of Mass, the altar is always prepared with a white cloth. Other colors may be placed below the white cloth, in accordance with GIRM 117. Candles used in the opening procession may be placed on the altar when the ministers reach the sanctuary (GIRM 73).

5.4.1.3. The use of the entrance antiphon is to be recovered, especially at weekday Masses when there is no entrance song (GIRM 48).

5.4.1.4. The integrity of the Gloria is to be maintained (GIRM 53). It is preferably to be sung.

5.4.1.5. The readings are proclaimed. Readings are not to be performed or acted out within the Mass, but may take place before or after the liturgy.

5.4.1.6. The responsorial psalm is part of the revealed word of God and is not to be replaced by a song, even if adapted from the psalms (GIRM 57). Responsorial psalms should be chosen in accordance with the options listed in GIRM 57. The responsorial psalm is typically to be sung or recited from the ambo (GIRM 61).

5.4.1.7. If the gospel alleluia is not sung, it may be omitted (GIRM 63).

5.4.1.8. The Gospel is always proclaimed by either a deacon or priest except on Palm Sunday and Good Friday when others may take parts. However, the part of Christ is normally reserved to the priest.

5.4.1.9. Reading the Prayer of the Faithful is the role of the deacon. If the deacon is not present, or some other circumstance requires, this role may be performed by an appropriate member of the laity. This should be done at the ambo (GIRM 71).

5.4.1.10. The Sign of Peace is given to those nearby. The celebrant does not leave the sanctuary except for a special occasion for example, to greet family members at a funeral (GIRM 82).

5.4.1.11. The Breaking of the Bread is only done by the ordained, not extraordinary ministers (GIRM 83).

5.4.1.12. The precious blood is never consecrated in a flagon and then poured into ancillary vessels during the fraction rite. (Redemptoris Sacramentum #106)

5.4.1.13. The ambo is reserved for the Liturgy of the Word. Announcements and the leading of music should be done at another location (GIRM 105).

5.4.1.14. Elements of the celebration are not shared among individuals. For example, a reading is proclaimed by only one reader. Exceptions are the division of the parts of the reading of the Passion of Our Lord or the general intercessions in different languages (GIRM 109).

5.4.1.15. When the Sacred Species is presented to them, the faithful (including deacons of the Mass) are to make a bow of the head and respond with “amen” to the words (GIRM 160) “the Body of Christ” or “the Blood of Christ.” The name of the communicant is not used by the priest, deacon or extraordinary Minister of Holy Communion. The faithful may receive on the hand or the tongue.

5.4.1.16. According to each individual’s choice, the faithful may kneel, sit or stand after they receive Holy Communion (GIRM 43)

5.4.1.17. The assembly is to stand for the Prayer after Communion (GIRM 43). Announcements at the end of Mass occur after the Prayer after Communion.

5.4.2. **Altar and Sanctuary**

5.4.2.1. It is appropriate to have a fixed altar in every church. Altars should not be moved to accommodate a baptismal font for Baptisms or Advent wreath or other reason.

5.4.2.2. The altar is always vested except for its dedication and from the end of the Mass of Lord’s Supper on Holy Thursday to the Good Friday celebration when it is prepared for distribution of Holy Communion and then the cloth is removed again until the Easter Vigil. The uppermost cloth on the altar is always white in color (GIRM 304). Under cloths may be of seasonal liturgical colors or colors proper to a particular cultural feast. The corporal is removed from the altar with the other elements at the end of Mass .

5.4.2.3. The processional cross should be a cross with the crucified Christ (GIRM 117).

5.4.2.4. The use of a Book of Gospels is optional. The GIRM does not specify if the Book of Gospels is laid on the altar or is placed upright (GIRM 173). If the Book is placed upright, it is to be securely placed. Bookstands for vertical placement of the Book of Gospels are to be avoided.

5.4.2.5. When a deacon reads the Gospel at a Mass with a bishop as celebrant from the Book of Gospels, the deacon goes to the bishop for the Book to be kissed. The Book of Gospels is then placed on the credence table or another dignified place. It is not carried out of the sanctuary in procession and it is not placed for display once the Liturgy of the Word has been completed (GIRM 175).

5.4.2.6. Candles for liturgical use are always to be made of wax or a clean-burning oil to maintain the dignity of liturgical celebrations. The sanctuary light may use oil. “Spring-action” candles are not to be used for altar or processional candles or the Easter candle (*BCL Newsletter* Nov., 1984 and *Circular Letter Concerning the Preparation and Celebration of the Easter Feasts*, 1988).

5.4.3. **Homilies**

The homily, an integral part of the Sunday Eucharist, is only given by a priest or deacon. If a leader among the laity is requested to speak about a topic, such as an upcoming events or a financial project, this should be done following the Prayer after Holy Communion, before the blessing and dismissal. When exceptional circumstances warrant it, a reflection might be given following the Prayer after Holy Communion by a layperson.

5.4.4. **Liturgy of the Eucharist**

5.4.4.1. The recitation of Eucharistic prayers is to be done by the priest presiding at the celebration of the Eucharist and solely by the concelebrating priests as indicated in the rubrics, including the concluding doxology. The assembly remains kneeling until the completion of the “amen” after the doxology (GIRM 43).

5.4.4.2. In the Archdiocese, the faithful capable of kneeling will do so after the singing or recitation of the Lamb of God (GIRM 43).

5.4.4.3. Pastors of churches and chaplains of chapels currently without kneelers are to make accommodations to encourage kneeling as indicated in the GIRM.

5.4.4.4. Communion may be distributed under both kinds or species at any Eucharist, whether a Sunday, a holy day of obligation, or a weekday. The pastor of a church will decide its frequency. The celebrant should also use pastoral judgment in a given situation. Distribution under both kinds is to be done in a manner promoting an orderly and reverent reception without the danger of spillage.

5.4.4.5. When the Sacred Species is presented to them, the faithful (including deacons of the Mass) are to make a bow of the head and respond with “amen” to the words (GIRM 160 and 161) “the Body of Christ” or “the Blood of Christ.” The name of the communicant is not used by the priest, deacon or extraordinary Minister of Holy Communion.

5.4.4.6. The faithful may receive the Body of Christ on the tongue or in the hand according to the communicant’s preference.

5.4.4.7. While intinction is an approved option in which the faithful may receive the Eucharist under both kinds, reception by drinking from the chalice to manifest the sign value of eating and drinking is to be preferred. Pastoral judgment as to when to implement intinction is best left to the pastor.

To receive by intinction, the communion minister dips the consecrated host in the Precious Blood and places it on the communicant’s tongue. The consecrated elements are never handed back to the communicant. Self-communication is never done by a communicant.

5.4.4.8. Any Precious Blood that may remain is to be consumed. It is not to be poured into a sink, sacrarium or the ground, nor left in the tabernacle until the next Mass (except to reserve for an intended visit to the sick). After communion, only the priest, deacon or instituted acolyte cleanses the vessels at the side table. In the alternative, the vessels are covered with a purificator and left on a corporal on the side table to be purified after Mass. Any consecrated hosts are to be placed in the tabernacle immediately after communion.

5.4.4.9. Blessings of children or adults do not take place at the distribution of Holy Communion. If individuals come forward or are brought forward, the ordinary or extraordinary minister of Holy Communion invites them to a spiritual communion with these or similar words: “May Jesus Christ reign in your heart” while raising a host above the ciborium.

5.4.4.10. The places and requisites for worship should be truly worthy and beautiful signs and symbols of heavenly realities.

a. Only unleavened bread is to be used at Mass. The breads are best obtained from religious houses or institutions authorized to bake or distribute them. If parishioners prepare the breads, only wheat flour and water are to be used, with no other additives (salt, sugar, honey, etc.). Breads that are crumbly and make care of the Precious Body difficult are not to be used. An approved recipe may be requested of the Office of Liturgy.

b. No bread made from rice or any other non-wheat product, nor any other kind of wine except that made from grapes may ever be substituted for the wheaten bread and grape wine required for the validity of the Eucharist.

Persons allergic to gluten are to be catechized with sensitivity that by consuming the Precious Blood they are receiving the Body, Blood, Soul and

Divinity of Our Lord. It has been advised that they not receive the Precious Blood from the chalice which has the fraction particle dropped into it. Information about low-gluten hosts is to be shared with individuals who have gluten intolerance. This is found in the *BCL Newsletter* 39 (2003) 45-50, available from the Office of Liturgy.

Priests may use a chalice in addition to the one that contains the fraction particle and its placement is recommended to be always at a particular communion station for those with gluten intolerance.

In rare cases a person may be allergic to bread made from wheat as well as to wine made from grapes. Perpetual abstinence from the Eucharist that such a condition requires is a high form of suffering for a Catholic. In this case, the person should be brought to the understanding that he or she shares in the suffering of Christ in a most unique way. Spiritual communion should be explained and fostered in these individuals.

c. Only wines approved for sacramental use may be used for the celebration of the Eucharist. Ordinary table wine should never be used.

5.4.4.11. Sacred vessels are to be made from precious metal. Sacred vessels may also be made even from other solid materials that, according to the common estimation in each region are precious, for example, ebony or other hard woods as long as such materials are suited to sacred use and do not easily break or deteriorate (GIRM 327-331). Pastors are to be attentive to this as they are replacing sacred vessels.

5.4.4.12. Materials used for purification are to be made of cloth and are not disposable.

5.4.5. **Vestments**

Vestments should be made of a good quality fabric and may be decorated with appropriate liturgical symbols. The dignity of the Eucharistic celebration is always to be upheld; novelty decorations are not conducive to the sacred liturgy (GIRM 344).

5.4.6. **Music**

While the organ has pride of place (GIRM 393), pianos, guitars, percussion instruments and other instruments may be used in the Mass, as long as the dignity of the celebration is upheld. Instruments that communicate a secular tenor or promote entertainment rather than worship are not to be used.

5.4.7. **Concelebration**

Mass is to be concelebrated as described in the GIRM with the following specifications:

5.4.7.1. If a deacon is not present, a concelebrant typically proclaims the Gospel rather than the presider (GIRM 212).

5.4.7.2. In concelebration with a bishop, a priest or deacon goes to the bishop and receives his blessing before proclamation of the Gospel. When the principal celebrant is another priest, the priest proclaiming the Gospel neither asks nor receives the blessing (GIRM 212). If no deacon is present, a concelebrant may elevate the chalice at the concluding doxology of the Eucharistic Prayer.

5.4.7.3. The integrity of the Sacrifice requires that concelebrants receive from the same species that they themselves have consecrated in the celebration of the Eucharist. Concelebrants always receive under both species, except those who would normally use mustum in their Eucharistic celebration.

5.4.7.4. The principal celebrant or the deacon distributes the hosts to the concelebrating priests after the breaking of the bread in silence.

5.4.8. **Eligibility for Reception of the Eucharist**

Catechesis for First Eucharist of children usually includes catechesis for First Penance. A suitable period of time should pass after the first celebration of the sacrament of Penance/Reconciliation so that both Penance and Eucharist are seen as distinct sacraments. Penance is to be celebrated prior to the reception of First Eucharist.

5.4.8.1. Those who are to receive Holy Communion are to abstain from all food and drink, with the exception of water and medicine, for at least one hour before the reception of communion. Chaplains in institutions such as schools, in particular, should be attentive to instruct students on the meaning and value of the Eucharistic fast and should be careful that it is observed by all who intend to receive the Eucharist. The Archbishop has delegated pastors and provincial vicars, chaplains and rectors to dispense the faithful from the Eucharistic fast for a just cause. Such delegation ceases when the Episcopal See is vacant.

5.4.8.2. Those who unexpectedly have the possibility to receive Holy Communion in a hospital, home, or prison with no possibility to fast for one hour are to observe a fifteen-minute fast.

5.4.8.3. A person who is conscious of grave sin is not to celebrate Mass or to receive the Body of the Lord without prior sacramental confession unless a grave reason is present and there is no opportunity of confessing; in this case the person is to be mindful of the obligation to make an act of perfect contrition, including the intention of confessing as soon as possible. (canon 916)

5.4.9. **Deacons at Mass**

The functions of the deacon at Mass are given in the GIRM with the following emphases:

5.4.9.1. Deacons are to be trained to sing as far as possible their particular roles within the Eucharist in order to lead the assembly in more festive or solemn liturgies. These parts of the Mass include the penitential rite, introduction to the Gospel, general intercessions, dismissal and Exultet. At Masses where there is no cantor, this may also include the Gospel alleluia.

5.4.9.2. Deacons are to lead the penitential rite apart from the Confiteor, unless they acquiesce to a celebrant or another with a more competent voice if it is to be sung.

5.4.9.3. Deacons are to read or sing the general intercessions either from their place at the side of the celebrant or from the ambo where the Liturgy of the Word was proclaimed.

5.4.9.4. If there is more than one deacon at a Mass and incense is used, one may place incense in the thurible for the consecration and incense the host and the chalice as they are shown to the people (GIRM 179). Deacons kneel at the epiclesis and stand after the elevation of the chalice.

5.4.10. **Extraordinary Ministers of Holy Communion**

Extraordinary ministers of Holy Communion have received a mandate from the Archbishop to assist in the distribution of Holy Communion when there is a genuine pastoral need. An instituted acolyte is an extraordinary minister. Extraordinary ministers of Holy Communion are not to distribute communion when a sufficient number of ordinary ministers (bishops, priests, deacons) are present at the Eucharist, whether or not they are celebrants or assisting as deacons.

5.4.10.1. A genuine pastoral need is one which may arise when ordinary ministers are not available because they are fulfilling other duties, or when they are unable to administer Holy Communion conveniently because of poor health or advanced age or when the number of the faithful who wish to receive communion is so great that the celebration of Mass would be unduly prolonged.

5.4.10.2. Mandation is given by the Archbishop. A written request is to be made to the Archbishop by the pastor or chaplain. Extraordinary ministers of Holy Communion are to be selected by the pastor or chaplain based on evidence of personal willingness to assume the responsibility such a role entails. The request describes the needs of the parochial (or other) situation, the names of candidates, give an assurance that all those for whom mandation is being requested have been fully initiated into the Church with the sacraments of Baptism, Confirmation, and Eucharist. The request also is to verify that the candidates are of sufficient

Christian maturity, have a definite relationship to the parish or institution to be served, give evidence of a character and way of life that reflects a serious and well-formed faith and moral commitment and are at least age 16. The request also is to verify that the candidates for mandation publicly affirm the magisterium of the Church, are in good standing in the Church and, if married, in a regular marital situation.

5.4.10.3. If, for any reason, an exception to the above age requirement is desirable, a request is to be made to the Archbishop.

5.4.10.4. If, for any reason, an exception to the above age requirement is thought desirable, a request is to be made to the Archbishop. Age exceptions will not generally be made in parish situations. A Catholic high school may wish to petition for the designation of students at the junior and senior levels as extraordinary ministers of Holy Communion. An exception to the general age requirement may be given in exceptional instances. Full initiation remains a firm requirement.

5.4.10.5. Individuals are to be given sufficient formation and training for the role to be undertaken. Instruction in the theology of the Eucharist, the proper nature of this ministry as extraordinary in nature, and prayerful Eucharistic spirituality should be part of the training required for all extraordinary ministers of Holy Communion. The training includes the practical features of this ministry. Some of these details are: how to receive communion themselves under both kinds; how to distribute the host and the cup; hygienic washing of vessels; locking the tabernacle; carrying a pyx with reverence; reverent personal style; and what to do when an accident occurs with the Eucharistic species.

5.4.10.6. The Archbishop has forbidden the practice of placing a consecrated host in a pyx when presented during the distribution of Holy Communion.

5.4.10.7. Besides knowing how to distribute Holy Communion, extraordinary ministers should be examples to the parish community in their own reverent participation at Mass and reception of Holy Communion.

5.4.10.8. Mandation for extraordinary ministers of Holy Communion is granted for up to four-year periods. The ability or willingness of an individual to continue as an extraordinary minister beyond the limit of mandation should not be presumed; this willingness and ability is to be confirmed by the pastor or chaplain and the individual prior to renewal.

a. Extraordinary ministers are appointed to a particular parish or institution only and may not minister outside or beyond the parameters of their appointment. They are to be commissioned for the role according to the Rite of Commissioning Extraordinary Ministers of Holy Communion (*Book of Blessings*, Chapter 63). Pastors should keep a current list of all extraordinary ministers in their parishes.

b. In cases of emergency when there is no time to apply to the Archbishop, and for a specific occasion only, all priests who enjoy the faculties of the

Archdiocese may appoint an extraordinary minister or ministers for that occasion alone. Such extraordinary ministers are to be commissioned according to the Rite of Commissioning an Extraordinary Minister to Distribute Holy Communion on a Single Occasion (cf. *Sacramentary*, 1985, Appendix 5).

c. Extraordinary ministers of Holy Communion may also be designated for ministry to the sick and shut-ins of the parish to allow for a more frequent reception of the sacrament than would otherwise be possible. Persons who minister to the sick and shut-ins are to be duly prepared and instructed in the rite of giving communion to the sick. They also should be knowledgeable of what procedures to follow when they bring communion to the hospitalized.

d. Extraordinary ministers of Holy Communion may also assist in prison ministry. They are to be particularly attentive and sensitive to the inmates in explaining the guidelines for reception of Holy Communion and to carry out Communion Services reverently and in such a way as not to confuse the service with the Holy Sacrifice of the Mass.

5.4.10.9. Those who take the Eucharist to the sick and shut-ins are to show reverence for the sacrament, carrying it in an appropriate manner and going directly to their destination. At the same time they are to express concern and ordinary social courtesies to those on whom they call. At no time is the extraordinary minister allowed to keep possession of the Eucharist in his or her home or vehicle. After the communion call, any remaining elements of the sacred species are to be returned to the church or consumed by the individual and the pyx is to be purified.

5.4.10.10. Pastors and chaplains should develop the full complement of ministries that function in the celebration of the Eucharist. Therefore, unless absolutely necessary, extraordinary ministers of Holy Communion do not serve as lectors, ushers, or choir members at the same Mass.

5.4.10.11. An annual class for extraordinary ministers is recommended for the improvement of their ministerial awareness and skills. A day of recollection for extraordinary ministers allows opportunities for prayer and community-building, as well as for attention to any procedural or scheduling difficulties.

5.4.10.12. Periodically, a parish review should determine whether there is a sufficient or excessive presence of extraordinary ministers at liturgical celebrations.

5.4.11. **Servers**

The role of altar server may be fulfilled by girls and boys. The decision regarding who may function as altar servers in a parish belongs to the pastor, observing the Archdiocesan guidelines, as well as all other requirements.

5.4.11.1. Training is to include instruction on the Mass and its parts, and on the name and usage of the various objects used in the liturgy. Training includes performance of various functions of the server during the Mass and other liturgical celebrations. Servers are to receive guidance on attire and maintaining proper decorum, gesture, and posture when serving Mass or in other liturgical celebrations.

5.4.11.2. The specific functions of servers include:

- a. Servers carry the cross and the processional candles. They hold the book for the priest celebrant when he is not at the altar, carry the thurible and incense, present the bread and wine to the priest during the preparation of the gifts or assist him when he receives the gifts from the people, and wash the hands of the priest. Servers do not stand at the altar or function in any roles proper to a deacon.
- b. Servers respond to the prayers and dialogues of the priest along with the congregation. They also join in singing the hymns and other chants of the liturgy.
- c. Servers should be seated in a place from which they can easily assist the priest celebrant and deacon. The place next to the priest is normally reserved for the deacon.
- d. Servers do not distribute Holy Communion unless they are instituted acolytes or mandated extraordinary ministers. Servers assist with the purification of vessels only if they are an instituted acolyte.
- e. The Order for the Blessing of Altar Servers, Sacristans, Musicians and Ushers (*Book of Blessings*, nos. 1847-1870) may be used before servers begin to function in this ministry.
- f. Parishes may choose an alb for boy and girl servers. It is the preference of the Archbishop that cassocks and surplices be reserved for male servers in the Archdiocese. Attire should be neat and modest. Shorts or skirts and dresses above the knee are inappropriate. Shoes, obvious under vesture, should reflect the decorum of the sacred actions.

5.4.12. **Lectors**

The lector is to proclaim the Word of God from a Lectionary. The lector may carry in the Book of the Gospels in the entrance procession if there is no deacon. The Lectionary is never carried in procession.

5.4.13. **Masses with Children**

Masses with children are those in which the majority “has not reached pre-adolescence”(Postquam de Precibus of the Congregation for Divine Worship, 1974). This has been identified as up to the third grade (BCL Newsletter 30 [1994] 147). The Directory for Masses with Children is to be followed in these circumstances. All other Masses are to respect the level of intellectual development of the participants. The liturgical prayers to be used are those found in the Roman Missal and are not to be adapted.

As indicated in the Directory for Masses with Children, ¶17, these liturgical experiences are to be infrequent, must include a homily, and are not to replace regular catechetical instruction.

5.4.14. **The Celebration of Communion Services**

Nothing surpasses what takes place at the altar at the hands of the priest in the person of Christ who at the consecration makes Jesus Christ present in His Body and Blood. The faithful are to be instructed that Communion Services are to be celebrated only when a real need is present and not out of convenience.

Deaneries should coordinate daily Mass schedules in a manner which addresses the needs of the faithful who desire to attend daily Mass.

5.4.14.1 A Liturgy of the Word with Distribution of Holy Communion, i.e., a Communion Service, can be celebrated only when no priest is available to celebrate a regularly scheduled Mass and travel to another location for Mass would represent a hardship for the faithful.

Such services are not permitted to be celebrated on Sundays or Holy Days of Obligation without permission of the Archbishop (or via one of his Vicars general).

Where it serves a pastoral need and no priest is available, a Liturgy of the Word with Distribution of Holy Communion may be regularly scheduled and celebrated at institutions where residents are unable to travel to the nearest Mass and no priest is available, e.g., jails and nursing homes.

5.4.14.2. A deacon is the preferred minister of the *Rite of Distributing Holy Communion Outside Mass* found in *Holy Communion and Worship of the Eucharist outside of Mass*. If no deacon is available, an extraordinary minister leads the rite. The order of preference among extraordinary ministers is: instituted acolytes, seminarians and diaconal candidates, then other laity. They should be properly trained to lead the service reverently and to clearly retain the distinction that a Communion Service is not a celebration of Mass. The ritual book for a Communion Service should be used and not the *Roman Missal*.

5.4.14.3. Specific rubrics of “Sunday Celebrations in the absence of a priest” are not added to a Communion Service during the week. A deacon may give a homily. If someone other than the ordained celebrates the rite, a time of silence may follow the readings. No reflection is to be given unless stated explicitly that the bishop or pastor has provided such

material from approved sources. Communion services in any locality, such as nursing homes or jails, are not done on Holy Saturday, since Holy Communion can only be distributed as Viaticum on that day.

5.4.15. **A Sunday Celebration in the Absence of a Priest**

5.4.15.1. Only with the prior permission granted by the Archbishop or his designee and after a diligent search for a priest to celebrate Mass has been unsuccessful may a *Sunday Celebration in the Absence of a Priest* take place.

5.4.15.2. The celebration is led by a deacon. If none is available, a layperson who has been appointed by the Archbishop, on the recommendation of the pastor, is to lead it, following the prescriptions of the rite.

5.4.15.3. The appointment may be for as long as the individual's mandation as an extraordinary minister of Holy Communion and as long as the need exists for the individual's Sunday service within the parish. When mandation as an extraordinary minister is requested to be renewed, permission to continue to lead a Sunday Celebration in the absence of a priest is also to be included.

5.4.16. **Communion Visits within Prison Ministry**

Because non-Catholics may attend the services, a particular sensitivity in explaining the difference between a Communion Service and Mass and who may receive Holy Communion will be necessary. It may be necessary to repeat the explanation at every visit.

5.4.17. **Eucharistic Adoration within the Parish**

Parishes may have extended periods (three hours or more) of adoration of the exposed Blessed Sacrament with the permission of the Archbishop. Parishes that propose having extended periods of Eucharistic Adoration are to gather names of parishioners who are willing to take periods of time on a regular basis. Guidelines delineated by the ritual text, *Holy Communion and Worship of Eucharist outside Mass* (HCWEM) and the Perpetual Adoration Society⁴ are to be followed. A pastor must agree to accept responsibility that all elements will be implemented appropriately. With all elements recognized and when a plan is developed, a pastor may present the plan to the Archbishop for the required permission.

5.4.17.1. Records of permission for extended adoration will be maintained in the Office of Liturgy.

5.4.17.2. The presence of two adorers scheduled for each time period is highly encouraged, but there must always be at least one adorer. It is usually necessary for a parish

⁴Information on the Perpetual Adoration Society is supplied through the Office of Liturgy or by writing to: Perpetual Eucharistic Adoration, P.O. Box 878 La Habra, CA 90633 or see www.adoration.org

to build up the number of adorers by beginning with a limited period of adoration before proposing more extended periods of adoration in a parish setting.

5.4.17.3. The exposed consecrated Host in a monstrance is placed on an altar to underscore the link between the sacrifice and the reality that remains in the Blessed Sacrament. There are always four to six wax candles lit during exposition.

5.4.17.4. Tabernacles that open and expose a luna are highly discouraged in the Archdiocese. Pastors who are considering the purchase of a tabernacle should keep this in mind. Where these tabernacles are currently in use, the faithful should be instructed regarding 5.4.17.5.

5.4.17.5. The prescription that exposition is interrupted only twice in a day is to be strictly implemented.

5.4.17.6. The monstrance should not be visible in the church where Mass is occurring.

5.4.17.7. Perpetual adoration is understood as 24 hours per day, seven days a week with the exception of the time within the Sacred Triduum, from midnight of Holy Thursday until the Easter vigil when we experience the absence of Our Lord from our midst.

5.4.17.8. Yearly, a parish review should assure that there continues to be a sufficient number of adorers for the committed hours.

Part 5: Reconciliation or Penance

Individual and integral confession with absolution constitutes the only ordinary means by which Christ's faithful who are aware of serious sin are reconciled with God and with his Church.

5.5.1. Celebration of Rites

Pastors should make the sacrament available on a regular basis each week, on days and times befitting the needs of the faithful. A schedule that indicates only that individual confessions are available “upon request” is not acceptable. If the sacrament of Penance takes place immediately prior to either an anticipatory or Sunday Mass, it is recommended that the celebrant of the Mass be someone other than the confessor. Time for confessions in the vicinity of the weekday Masses is commendable.

5.5.1.1. The sacrament of Penance may occur simultaneously while Mass is celebrated (*Misericordia Dei* 2).

5.5.1.2. Pastors are highly encouraged to offer the sacrament of Penance during the Sacred Triduum.

5.5.1.3. General absolution of more than one penitent without previous individual confession of sins to a priest constitutes an extraordinary means of sacramental Reconciliation and is not to be employed unless, 1) the danger of death is imminent and the time is not sufficient for a priest or priests to hear the confessions of the penitents individually, or 2) when conditions are such that individual penitents through no fault of their own would be forced to be deprived of sacramental grace or Holy Communion for a long period of time. The USCCB has determined that a “long period of time” is one month. The conditions necessary for serious necessity and the prospect of being forced to go without the sacrament of Reconciliation for one month do not currently exist in the Archdiocese.

5.5.2. Place of the Celebration

The proper place to hear sacramental confession is a Church or oratory. For a serious cause and according to prudent pastoral practice, confessions may be heard elsewhere.

5.5.2.1. In each parish church, there must be sufficient number of places for sacramental confessionals which are clearly visible, truly accessible, and which provide a fixed screen between the penitent and the confessor. Provision should also be made for penitents who wish to confess face-to-face.

5.5.2.2. The room should be arranged so that a penitent who chooses to confess behind a screen may enter the room without being seen by the priest.

5.5.2.3. Rooms should also be constructed to permit speaking at normal voice levels without being overheard outside the room.

5.5.3. **Minister of Penance**

The rite of penance is the normative text for licit celebration of the sacrament.

5.5.4. **Subject of the Celebration**

Parents, as models of faith and Christian witness and in virtue of their duty as the primary educators of their children in a particular way, are to be engaged actively and intimately in preparing their children for the first reception of the Penance. Parents are invited to attend catechetical sessions provided at the parochial level which include 1) content essentially the same as that presented to the candidates; 2) special emphasis on the psychological and spiritual development of children; 3) explanation of the Archdiocesan norms for the Penance; and, 4) explanation of essential roles of all involved in the process of preparation.

5.5.4.1. Pastors are bound to provide for the suitable catechesis of children for the celebration of the sacrament of Reconciliation by means of catechetical formation over an appropriate period of time in such a way that children are instructed with an awareness of sin and the joy over the encounter with the Lord who forgives.

5.5.4.2. The specific immediate catechesis for the first reception of the sacrament of Reconciliation must demonstrate the distinctiveness of this sacrament through a separate catechesis and by a substantial period of time between the first reception of the sacrament of Reconciliation and the subsequent reception of First Eucharist.

5.5.4.3. In order for a child to receive Penance, the following initial requirements are to be met:

- a. A candidate must possess the age of reason;
- b. A candidate must provide a certificate of Baptism or evidence of profession of faith in the Catholic Church; and,
- c. Children who are home schooled are to be questioned by the pastor or his designee as to their preparation. These children may be encouraged to celebrate their First Reconciliation with the parish religious class or at another time scheduled with the pastor.

5.5.4.4. Planning for the celebration of First Reconciliation should take place well in advance, especially so as to insure an adequate number of confessors. Every effort should be made to encourage parents to take an active role at home in preparing their children for the sacrament.

5.5.4.5. Care should be taken to instruct the children thoroughly in First Reconciliation, i.e., individual, auricular, private confession and absolution. Regular opportunities and encouragement for all children to confess privately must be given.

- a. The format of the individual confession should be designed to approximate as closely as possible the conditions the child can expect to experience in subsequent confessions celebrated according to Rite I.
- b. Children, like adults, must have the option of confession anonymously behind a fixed grille. Provision should also be made for penitents who wish to confess face-to-face.

5.5.4.6. Elementary and secondary Catholic schools and parish religious education programs should provide a Penance Service (Rite II) for their students at least once a semester.

5.5.4.7. After proper catechesis, an adult coming into full communion with the Church may request the sacrament any time prior to their full reception into the Church. Such individuals are to be encouraged in frequent celebration of the sacrament after their full reception.

5.5.5. Giving Absolution

In order for a priest to give absolution the three acts of the penitent must be present: contrition, confession, and satisfaction.

5.5.5.1. The Sin of Physician Assisted Suicide

- a. In the case of someone who has requested Physician-Assisted Suicide (PAS), the problem of contrition arises. The confession of sins is not enough if there is no detestation for the sin committed and a resolution not to sin again. A person who has formally requested PAS has placed themselves in an objective state of sin. Through this request, the person has started a process that he intends to end in suicide, with the complicity of a physician or other medical professional. True but imperfect contrition only requires purpose of amendment,⁵ that is, the resolution to reject the objective state of sin and promise to rescind the official request for PAS as soon as possible. The penitent should also properly dispose of the medication, and notify any relatives, friends and relevant medical personnel of his or her change of heart. It may happen, however, that after all reasonable efforts have been made, the person seeking PAS shows neither signs of being sorry, nor the needed purpose of amendment. In this painful situation, the penitent requires the priest to **delay absolution** until a later time, while other efforts are made so that the penitent may be properly disposed.⁶

⁵ Can. 987.

⁶ Cf. Can. 980.

If the penitent has decided to apply for PAS but has not yet begun the official request process, the priest can **give absolution**, as long as the penitent is willing to reverse his decision.

b. In the case of someone who has committed the sin of scandal by encouraging a relative or friend to request PAS, the priest will confirm he or she is contrite and has a firm purpose of amendment. **Absolution can be granted** to the penitent, who may be invited to make proper satisfaction by praying for those he has offended, and, if possible, talking to them and trying to convince them to rescind their PAS request.

c. In the case of someone who has formally cooperated in the evil of PAS, the priest will welcome him mercifully and help him understand the seriousness of his sin and the greatness of God's love. True contrition requires purpose of amendment, which implies a resolution to stop participating in PAS and begin a path of healing and reconciliation with the Lord. Possible means of satisfaction for those who have participated in PAS could involve praying for those whom they have helped commit suicide, seeking to heal wounds created in the family by their promotion of PAS, performing acts of mortification, or offering acts of love (thereby seeking to foster true compassion) for those whom they have affected, etc.

Part 6: Anointing of the Sick

Parishes are to provide a general catechesis on the anointing and pastoral care of the sick for the benefit of all parishioners, and a more specific catechesis for those who are actually sick and for their families.

5.6.1. Pastoral Care of the Sick

Rites of Anointing of the Sick and Viaticum as found in *Pastoral Care of the Sick* (PCS) are part of the Church's pastoral care and ministry to the sick and dying. Through her ministers, the Church expresses concern, compassion and hope to the sick and dying and is present to them through visits, prayer and the celebration of the sacraments of Anointing, with distribution of Holy Communion, including the celebration of Viaticum.

It is the serious responsibility of the pastor to ensure that the sick and aged be given every opportunity to receive Holy Communion frequently. In bringing them the Holy Eucharist, the Church manifests that special care and concern so frequently demonstrated by Christ in the Gospels. The sick, above all, need to be nourished by the real presence of Christ in the Eucharist. Besides assuring the sick that they remain vital members of the parish community, these visits afford the priest or deacon the chance to explain the Christian significance of human suffering: that through their suffering and their faith, the sick are united to Christ in His suffering. Through prayer they can sanctify their suffering and draw strength in bearing it.

5.6.1.1. Ministry to the sick is important. Parishes are encouraged to:

- a. Include prayers for the sick of the parish in the Prayer of the Faithful during Mass.
- b. Manifest the dismissal of the extraordinary ministers of Holy Communion who at the conclusion of the Mass leave for their ministry among the sick and homebound.

5.6.1.2. Hosts should be carried in a pyx or other appropriate vessel carried on one's person and treated with the utmost reverence. The bearer of the Eucharist is to complete the visit without interruption. Care should be taken that any unused hosts are returned immediately to the tabernacle or consumed and not left in any other place.

5.6.1.3. Sick people unable to receive under the appearance of bread may receive under the appearance of wine alone. Transporting the Precious Blood requires special care in an appropriate container secure and worthy of this purpose.

5.6.1.4. Those who live with or care for the sick at home should be instructed to make proper preparations for a reverent reception of the Eucharist, if possible. A table should be prepared and covered with a suitable cloth upon which the Blessed Sacrament can

be placed. Two lighted candles and holy water should also be placed on the table together with a glass of water and a spoon.

5.6.2. **Visits by Priests**

When scheduling visits to the sick, the pastor should arrange that he or another priest visit all the sick within the parish boundaries at least once a month to afford them the opportunity to receive the sacrament of Penance and, if necessary, the sacrament of Anointing of the Sick.

Parishioners should be instructed to make their religious preference clear at the time of admission to a hospital or long-term care facility and to inform their parish of their desire for pastoral care.

5.6.3. **The Celebration of the Rite**

In preparation for anointing a sick person, the priest must always provide an opportunity for sacramental confession and absolution. In the case of grave sin, the reception of sacramental absolution is a necessary prerequisite for receiving the sacrament of Anointing of the Sick.

5.6.4. **Subjects of the Rite**

Only those whose health is seriously impaired by sickness or old age or are facing serious surgery are proper subjects for the sacrament. Parishes that hold regularly scheduled celebrations of Anointing of the Sick should announce at each celebration the requisites to be a subject for the sacrament so that the gravity of the sacrament is not diminished.

5.6.4.1. Ordinarily, those who are recovering from any form of chemical dependency do not qualify as subjects for this sacrament nor do those who suffer from acute or mental illness. The spiritual help and sacramental nourishment most appropriate to such persons are: prayer, the sacrament of Penance, and frequent reception of the Holy Eucharist.

5.6.4.2. Those who once had the use of reason, but have subsequently lost their mental faculties due to senility, unconsciousness, mental illness or some other reason should be anointed (PCS, 11).

5.6.4.3. A baptized child is anointed if “he or she has sufficient use of reason to be strengthened by the sacrament of anointing” (PCS, 50).

5.6.4.4. Certain pastoral concerns arise when the subject of the rite is a person who intends to end their life by means of Physician-Assisted Suicide (PAS):

- a. “The anointing of the sick is not to be conferred upon those who persevere obstinately in manifest grave sin.”⁷ The request for PAS is a grave

⁷ Canon 1007.

sin, which sets the person in objective contradiction with Christ's Paschal Mystery and with their baptismal call to live and die with Christ. Therefore, the Anointing of the Sick and the reception of Viaticum for a Catholic who has requested PAS should always be preceded by the reception of the Sacrament of Reconciliation (see 5.5.5.1.). When there is a delay in granting absolution, this will also entail a delay of the Anointing of the Sick and Viaticum.

b. In the case of someone who has not requested PAS but is considering this possibility, and has not yet determined to do so, the Anointing of the Sick should not be delayed and the priest should encourage the person to make a Confession. This will be an opportunity to help the person remember his baptismal call in Christ, reject the temptation of PAS and the sin of despair, offer the fatherly accompaniment of a priest, and invite him to contemplate the Passion of the Lord.

c. In the case of someone who has firmly determined to request PAS, but has not yet done so, the priest is in a different situation. The request for the Anointing will be a providential opportunity to engage this person with understanding and encourage them to receive God's mercy through Confession. As a true father and physician, the priest will listen attentively and will make every effort to help this person change his determination. If the person decides to reverse his or her decision, the priest will be able to anoint him or her after Confession. Otherwise, the person's decision to pursue PAS will require the priest to delay the Anointing.

5.6.5 **Pastoral Care of the Dying**

The sacrament of Penance can be celebrated prior to the reception of Viaticum. Viaticum is distinct from the sacrament of the Anointing of the Sick. It is the proper sacrament for a dying Christian; anointing is the proper sacrament for a Christian who is seriously ill. However, the priest should feel free to repeat the sacrament of Anointing of the Sick together with the reception of Viaticum, especially if a long period of time has elapsed since the last anointing, and even more so if the person is dying from a more recent or different illness.

5.6.5.1. In the case of persons in manifest serious sin who have fallen unconscious, their repentance should not be presumed and thus their lack of disposition to receive the Sacrament of Anointing of the Sick would persist.

Part 7: Matrimony

5.7.1. **Time**

Marriages celebrated during Mass on Saturday evening after 4:00 p.m. should use the Mass of Sunday. If the Mass of Sunday is not celebrated, the Mass does fulfill the Sunday obligation.

Marriages during the seasons of Advent, Lent, and on days having a penitential character should reflect the nature of these times and days especially with regard to the style of music and decorations (*Rite of Marriage*, 11).

5.7.2. **Place**

The sacrament of Marriage is to be celebrated in the parish church of the bride or groom. Proper canonical permission is needed for the sacrament to be celebrated elsewhere. The ecclesial dimension of the sacrament is to be explained to the faithful and those elements that encourage its awareness are to be employed.

5.7.3. **Rite of Marriage within Mass**

The celebration of the sacrament of Marriage manifests the mystery of the Church in its unity and life-giving relationship between Christ and His Body.

5.7.3.1. The Liturgy of the Word is carried out in the same manner as at Sunday Mass. The Book of the Gospels may be used. The lectors at the celebration of Marriage during Mass are ordinarily to be practicing Catholics. “On exceptional occasions and for a just cause, the bishop of the diocese may permit a member of another church or ecclesial community to take on the task of reader” (*Directory for Ecumenism*, 133).

5.7.3.2. There may be three readings that are always from the Sacred Scriptures.

5.7.3.3. When the ritual Mass is not used, one of its scriptural readings may replace the proper readings of the day. The exceptions to this option are Easter, Christmas, Epiphany, Ascension, Pentecost, the Solemnity of the Body and Blood of Christ, and holy days of obligation. The responsorial psalm is always a psalm.

5.7.3.4. Only the liturgical formulas for the consent provided in the Rite of Marriage are to be used by the couple during the celebration of the sacrament. The bride and groom may memorize or have a copy of the text when the first formula for the exchange of consent is used.

5.7.3.5. Everyone stands with the couple during the actual rite of Marriage (RM, 23). An arrangement should be used that best expresses both the couple as ministers of the sacrament and the priest [or deacon] as the Church's witness, without obscuring the view of the congregation.

5.7.3.6. With pastoral sensitivity to the presence of Catholics and non-Catholics, instruction should be given beforehand about the guidelines for reception of Holy Communion.

5.7.4. **Rite of Marriage Outside Mass**

The celebration of Marriage outside Mass may be used for a baptized Catholic and a baptized person who is not a Catholic (Ref: *Rite of Marriage*, Chapter II, Rite for Celebrating Marriage outside Mass). The celebration of Marriage outside of Mass is also used for a baptized Catholic and an unbaptized person, either a catechumen or a non-Christian (see *Rite of Marriage*, Chapter III, Rite for Celebrating Marriage between a Catholic and an Unbaptized Person).

5.7.4.1. There is no Sign of Peace in the Rite of Marriage outside Mass.

5.7.4.2. If there is distribution of Holy Communion (except where it is not distributed for the Matrimony between a Catholic and a Catechumen or Non- Christian), the guidelines should be presented with care to the assembly.

5.7.5. **Prayer at the Marian Altar or Shrine**

The practice of the bride and groom visiting the Marian altar or shrine at the conclusion of the celebration should reflect sincere devotion to Mary, the Mother of the Lord. *The Order of Celebrating Matrimony* makes no reference to this devotional practice; therefore, if it does take place within Mass, it occurs following the Prayer after Holy Communion or after the Final Blessing and Dismissal. Outside of Mass, it occurs after the Final Blessing and Dismissal.

5.7.6. **Other Practices**

The exchange of consent is the sacramental action of unity and its primary symbol. In general, anything contrary to the Church's faith in the sacrament of Marriage or of a private or personal nature should not be introduced into the *Order of Celebrating Matrimony* itself. There are cultural exceptions which are permitted in the *OCM*, such as the Blessing and Giving of the Coins and the Blessing and Placing of the Lazo or the Veil, Crowning the Bride and Groom, etc., couples should speak with the celebrant of the Marriage as to where their proper inclusion is in the liturgy.

5.7.7. **Unity Candle**

This is not a part of the *Order of Celebrating Matrimony*. The Archdiocese of Denver does not allow a Unity Candle/Sand Ceremony as part of the Liturgy as it may appear to be a duplication of the main liturgical symbols of the consent of the couple and exchange of rings. It would be better done at the wedding reception before the dinner or festivities begin.

5.7.8. **Sacred Music for the Rite of Marriage**

Music at the celebration of the sacrament of Marriage serves the words and actions of the rite to more effectively express the faith celebrated in the liturgy. All music used in the celebration of the sacrament must express the Catholic faith and be liturgically appropriate. Recorded music does not replace the song of the assembly, the choir, the organist or other instrumentalists.

In general, those who serve the parish as cantors or leaders of song, psalmists, instrumentalists, members of the schola, and the choir should carry out these liturgical ministries for the celebration of weddings. If the parish guidelines permit guest musicians, there should be an assurance that the music played or sung is liturgically appropriate and of good musical quality. The guest musician is expected to follow all the norms for liturgical music.

5.7.9 **Record of Marriage**

The pastor is to note as soon as possible after the marriage in the parish register, the names of the spouses, the person who assisted and the witnesses and the place and date of the celebration of the marriage (canon 1121.1) The pastor also must make notation of Marriage in the baptismal register if one or both of the parties was also baptized in the same church. Otherwise the pastor must inform the pastor of the place of Baptism about the celebration of Marriage so that a notation is made in the baptismal register.

Part 8: Holy Orders

5.8.1. The Rite of Ordination

The Office of Liturgy is primarily responsible for the liturgical planning of any of the celebrations of the Rite of Ordination in cooperation with the ordinand, other offices of the Archdiocese, and superiors of religious institutes who request the Archbishop to celebrate an ordination of their members. The rehearsal for the liturgy is under the direction of the Office of Liturgy.

5.8.2. Record of Ordination

After an ordination has taken place, the names of those ordained, the ordaining minister, place and date of the ordination are to be noted in a special register to be kept carefully in the curia of the place of ordination. All documents of individual ordinations are to be carefully preserved by the Office of Clergy (canon 1053).

Part 9: Funeral Rites**5.9.1. General Guidelines**

5.9.1.1. A Catholic who dies is to be given funeral rites according to the norms of canon, liturgical, and particular law (cf. OCF 10). For funeral rites, catechumens are to be considered members of the Christian faithful (OCF 18).

5.9.1.2. Children who die before Baptism may be given church funeral rites if their parents intended to have them baptized (OCF 18).

5.9.1.3. Before a priest refuses Christian burial, he should consult with the Moderator of the Curia.

5.9.1.4. Those charged with the care of souls should make every effort prior to the time of death to educate the faithful in a Christian attitude of reverence for the dead and in correct funeral procedures.

5.9.1.5. Parishes may conduct catechesis on Christian burial. In a sensitive manner, pastors may suggest that willing parishioners plan their funeral rites as a way to assist family members prepare for the parishioners' deaths. These plans could be kept on file in the parish offices and/or a copy given to a family member or friend.

5.9.1.6. Pastors are encouraged to catechize the faithful regarding the choice and limitations of cremation in the Catholic Church (Ref: Chapter 5 - Cremation, 5.9.7.).

5.9.1.7. Upon the death of a loved one, families are asked to contact their parish as soon as possible and before any arrangements are made with a mortuary for liturgical services. On initial contact with the bereaved family, a priest or other minister from the parish should arrange to visit the family or meet with them to offer condolences in person, to pray with them (if this is acceptable to them), to prepare, and plan with them for the rites of burial.

5.9.1.8. In accordance with canon law and when considering the possibility of closing parish churches and/or alienating portions of parish property, columbaria are not permitted to be constructed on church property (canon 1242).

5.9.2. Ceremonies before the Funeral Liturgy

It is strongly encouraged that the funeral rites be conducted in the presence of the body of the deceased. This practice is most in accord with the sacred principles and rituals of the Christian faith. Furthermore, the presence of the body can be helpful in facilitating the grief process by offering the reality of presence (OCF 19).

5.9.2.1. The funeral rites for a Catholic are to be celebrated in his or her own parish church. Another parish church may be chosen for the funeral after obtaining the

permission of the pastor of the church of celebration, making the necessary arrangements with him, and informing the pastor of the deceased.

5.9.2.2. Although the vigil is the established principal rite before the funeral Mass, other forms of prayer (e.g., the rosary) are allowed when pastoral circumstances suggest. Eulogies in honor of the deceased are appropriately done at this time of prayer.

5.9.2.3. If a vigil is celebrated, the proper minister is a priest or deacon. A layperson may lead a vigil when no priest or deacon is available, using the prescribed texts of the OCF (OCF14). In funeral notices, appropriate wording is used to describe the liturgical services scheduled for the deceased. The vigil service (as well as a rosary or other prayer service) should not occur immediately before the funeral Mass (OCF 55).

5.9.3. **The Funeral Liturgy**

"The funeral liturgy is the central liturgical celebration of the Christian community for the deceased" (OCF 128). Although the funeral Mass has traditionally been conducted in the morning, the possibility of an afternoon or evening funeral liturgy should not be excluded. Because such arrangements may result in additional expense, the family should be informed of this prior to making a decision.

5.9.3.1. Only in uncommon circumstances, when in the judgment of the priest, pastoral considerations strongly advise an exception to the norm, may a funeral Mass be celebrated outside of a parish church. The funeral Mass is not normally celebrated in another place, e.g., mortuary chapel or funeral home.

5.9.3.2. Catholics who wish to have a funeral Mass are reminded to make certain that their wishes are recorded with the parish or made known to a family member or friend.

5.9.3.3. With the permission of the celebrant, one member or friend of the family may deliver a brief eulogy, no more than five minutes in length, before the Final Commendation. Criteria for the eulogy include the likelihood of maintaining composure at this emotional time, the content cannot be offensive, racist, lewd or inappropriate, reminding the person giving the eulogy that they are in a sacred place. The celebrant will request to review the content beforehand (OCF 170). It may be the case that the eulogy itself, or multiple eulogies, should be incorporated into the vigil service.

5.9.3.4. If the family of the deceased requests a viewing of the body of the deceased at the time of the funeral Mass, the viewing may be done before the Mass in the vestibule area of the church but not in the area near the sanctuary. It is not appropriate to open the coffin at the funeral Mass following the final commendation and farewell.

5.9.3.5. If the family of the deceased person insists on the opening of the coffin after the funeral Mass, the Final Commendation and Farewell is not conducted in the church. Rather, the Rite of Committal With Final Commendation would take place at the cemetery.

5.9.4. **Funeral Liturgy Outside Mass**

The funeral liturgy outside Mass is ordinarily celebrated in the parish church, but may also be celebrated, in case of necessity, in the home of the deceased, a funeral home, or cemetery chapel. The readings are to be chosen from those of the Lectionary for Mass, in the section "Masses for the Dead." The celebration may also include Holy Communion (OCF 177-180).

5.9.4.1. The order for funeral liturgy outside Mass may be used:

- a. When the funeral Mass is not permitted, namely, on holy days of obligation, on Holy Thursday, during the Paschal Triduum, and on the Sundays of Advent, Lent, and the Easter Season;
- b. When in some places or in certain circumstances it is not possible to celebrate the funeral Mass before the committal, for example, if a priest is not available;
- c. When for pastoral reasons the pastor and the family judge that the funeral liturgy outside a Mass is a more suitable form of celebration (e.g., if family members object to having the Mass and family dissension threatens).

5.9.4.2. If the funeral liturgy outside Mass is celebrated with a Communion Service, it is recommended to be done in a church or Catholic chapel where there is the presence of the Blessed Sacrament.

5.9.4.3. If a priest is available, it is appropriate that he offer a funeral Mass and does not conduct a Communion Service, except in the instances noted above. A Communion Service may not be celebrated during the Paschal Triduum.

5.9.4.4. While the homily may properly include an expression of praise and gratitude to God for the gift of a Christian life, it should be inspired by the Scripture readings of the funeral liturgy. The homily should relate Christian death to the paschal mystery of Christ who shed light on the enigma of suffering and death.

5.9.4.5. Music of a popular or secular nature is not appropriate to the Christian liturgy. Music of this kind may be used in a family gathering or another situation, which includes the vigil. Musicians and others trained in selecting appropriate music for the Christian liturgy are the proper ones to consult with the family on music for the funeral liturgy. Recorded music is not appropriate for funeral liturgies in the parish church.

5.9.5. **The Rite of Committal**

Catholic cemeteries are an integral part of the Church's beliefs and rites. Normally, Catholics should be buried in the holy ground of their Catholic cemetery. Catholics may be buried in

cemeteries other than Catholic cemeteries if they have made a request to be buried with members of their families or in a plot purchased when a Catholic cemetery was not reasonably available, or for other good reasons.

5.9.5.1. When a Catholic is to be interred in a cemetery that is not Catholic, the priest, deacon, or other funeral minister should conduct the services at the graveside. He should bless the grave, and follow the usual ritual for the burial of a Catholic.

5.9.5.2. If the gravesite is not accessible to the minister until after the burial, it is encouraged that the minister return to bless the site. It is commendable that at least one family member or friend accompanies him.

5.9.5.3. To symbolize the family unit in death, relatives who are not Catholic may be buried in a Catholic cemetery with their family members. In occasions when a person who is not Catholic is to be buried in a Catholic cemetery, the minister of the Church in which he or she shared belief or communion may conduct the service.

5.9.5.4. The practice of accompanying the body to the cemetery should be continued when possible. The importance of the cemetery liturgy lies mainly in the presence of the community accompanying the body to its final resting place. The Final Commendation and Farewell is preferably celebrated at the graveside, but may be celebrated at a cemetery chapel, or in the church as circumstances may permit.

5.9.6. **Funeral Directors**

Pastors, their collaborators and funeral directors are encouraged to maintain effective communication. The family and parish priest or deacon plan on the time, place and nature of the funeral rites and communicate this to the funeral director. If a family contacts the funeral director before the parish, the funeral director is asked to contact the pastor or his delegate in whose parish the funeral liturgy is to be conducted. Arrangements for liturgy or liturgical music should be made only after consultation with the parish that holds primary responsibility for planning the funeral.

5.9.7. **Cremation**

Cremation “does not enjoy the same value as burial of the body. The Church clearly prefers and urges that the body of the deceased be present for the funeral rites, since the presence of the human body better expresses the values which the Church affirms in those rites” (OCF, Appendix 2). While the Church permits cremation, the cremated remains should always be treated with the same respect as a body in a casket.

5.9.7.1. The funeral Mass is best celebrated with the body of the deceased present before it is taken to the crematory. Extraordinary circumstances may prevent the

presence of the body for the funeral rites when cremation is the only reasonable option prior to the funeral.

5.9.7.2. The Archbishop authorizes the pastor to judge the individual circumstances in which the cremated remains are present in the church during the funeral Mass (OCF 426).

5.9.7.3. Since the funeral pall is symbolic of the baptismal garment, none is used to cover the cremated remains (OCF 434).

5.9.7.4. Care should be taken that the cremated remains of the deceased are accorded proper respect through interment in blessed cemetery ground or in a mausoleum promptly. The keeping of the cremated remains by a relative or friend does not show due reverence to the deceased. Further, any scattering of the cremated remains, dividing of cremated remains among family members, and/or making cremated remains into jewelry are not permitted, because of the reverence due to the bodies and remains of the bodies of those who have been baptized and have been temples of the Holy Spirit.

5.9.8. **Ecumenical Situations**

Occasionally a priest or deacon is asked to conduct the prayers at the vigil or funeral of a person who is not a Catholic. The priest or deacon should see his role as one of gathering the friends and relatives of the deceased person to lead them in prayer, and to bring them God's consolation in their need. He should exemplify the concern of God and His Church for all. The priest or deacon may lead the funeral service if this would not be contrary to the wishes of the deceased and if the minister of the Church or ecclesial community in which the deceased person was a regular member or communicant is unavailable (OCF 18).

If the family of a deceased Catholic wishes a non-Catholic (Christian or otherwise) to participate in the funeral rites, the individual may do so during the vigil, although he or she may not lead the vigil service. Such individuals may give a eulogy, according to the guidelines listed.

5.9.9. **Burial and Organ Donation**

Mount Olivet Cemetery and St. Simeon Cemetery are Colorado nonprofit corporations (see Chapter 12 – Roman Catholic Organizations, Entities and Benefit Plans/Funds). Inability to meet the funeral costs should never be a deterrent to burial in a Catholic cemetery. In the face of financial hardship and absence of sources of public or other funds, the pastor or administrator should contact the Directors of Mount Olivet Cemetery or St. Simeon Cemetery.

5.9.9.1. Still-born babies and fetuses are buried without charge as a special ministry to families experiencing such tragic losses.

5.9.9.2. If a fetus was baptized before death, such a child is to receive a Christian burial. The decision and procedure for the burial of other fetuses and stillborn babies is left to the parents and their pastor.

5.9.9.3. It is recommended that amputated limbs be buried in a blessed place. Hospital personnel may dispose of amputated limbs in a manner they deem most suitable and hygienic. Cremation is not excluded, but the preference of the person and family should be carefully considered.

5.9.9.4. Catholic moral principles and values fully support the donation of bodily organs to another person, the willing donation of body organs at death, or the donation of one's body to science at death.

5.9.10. **Christian Burial for those who use Physician-Assisted Suicide**

Certain pastoral concerns arise when the deceased ended their life by means of Physician-Assisted Suicide (PAS):

a. In the case of PAS, there are qualitative differences that place the person requesting it in a worse situation than others who commit suicide by conventional means. PAS is different from typical suicides because it involves the active participation of society (medical professionals, family members, state employees, etc.) and because it generates public scandal by leading others into sin.

b. It is necessary to differentiate between an isolated case of premeditated suicide and the decision to use PAS. In the first case, Christian funerals should be considered on a case-by-case basis but in the case of PAS funerals may not be held because of the risk of scandal.

c. Those who use PAS may have their remains buried according to the Rite of Committal. No other rite may be used, i.e., a vigil, funeral, or paraliturgical celebration.

d. Some days after the burial, the priest should encourage the family of the deceased to have Masses offered for the repose of their loved one's soul. In any case, any kind of celebration of the decision of requesting PAS must be avoided.

e. The denial of a funeral is not a judgment on the salvation of the deceased, rather it is a means of protecting against the scandal of a public sin that promotes the culture of death and erodes our vision of every human life as a gift.

5.9.11 **Record of Funeral**

When the burial has been completed, a record is to be made in the register of deaths according to the norms of particular law (canon 1182). The parish of baptism does not need to be notified of a death.

Part 10: Other Acts of Divine Worship

5.10.1. Healing Services

Norms given to the universal Church by the Congregation for the Doctrine of the Faith and confirmed by the Holy Father, include the following:

5.10.1.1. Liturgical and non-liturgical non-sacramental “healing services” require the explicit permission of the Archbishop (Art. 4§3). Explicit permission is required for the transmission by television or radio of healing services.

5.10.1.2. Liturgical services must be celebrated in accord with what is prescribed in the liturgical book prepared for that purpose (Art 3 and 4§2).

5.10.1.3. To avoid confusion in the minds of the faithful, there should be no resemblance of words or gestures between any prayer service of healing and the celebration of the sacrament of the Anointing of the Sick.

5.10.1.4. Prayers of healing are not to be introduced into the celebration of the Mass, the other sacraments, or the Liturgy of the Hours (Art 7§1). This does not apply to the insertion of an appropriate intention that the sick be healed in the Prayer of the Faithful (Art 7 §2).

5.10.1.5. Prayer services to obtain healing conducted in a church or sacred place should be led by a priest or deacon.

5.10.1.6. No one from outside the Archdiocese may conduct a healing service of any kind within the Archdiocese without permission of the Archbishop.

5.10.1.7. The oils that have been consecrated or blessed for use in the sacraments may not be used outside of the sacramental celebration for which it is intended.

5.10.1.8. No oil of any kind is to be used by clergy or faithful during or prior to services that are organized for healing.

5.10.2. Distribution of Ashes on Ash Wednesday

On Ash Wednesday when the blessing and distribution of ashes takes place outside Mass, the entire Liturgy of the Word is to be celebrated. The blessing of ashes is reserved to a priest or deacon. Extraordinary Ministers of Holy Communion may assist in their distribution if serious pastoral advantage warrants. (See the *Book of Blessings* for the rite.)

5.10.3. **Lay Preaching**

When, in particular cases, he judges it to be to the spiritual advantage of the faithful and after verification of the competency of the individual, the Archbishop can admit lay faithful to preach, to offer spiritual conferences, or give instructions in churches, oratories or other sacred places. The laity (including seminarians and diaconal candidates) may not preach in the time reserved for the homily during Mass. The pastor or chaplain of a place must in writing request permission from the Archbishop for an individual to preach before an invitation is extended to the layperson.

5.10.4. **Quinceañeras**

Recognizing that quinceañeras are optimal moments of catechesis in the life of young people, their families and friends, pastors are to choose the best preparation for quinceañeras in their parishes. This may be done in collaboration with surrounding parishes.

A catechetical program is encouraged for the individuals involved. The celebration may be a private celebration of one young woman or a collective celebration on a particular day each month. It may or may not be associated with a Mass. Offering the sacrament of Penance may be included as a preparation.

Part 11: Sacred Times and Places

In order that the integrity of the Sunday Mass be fostered in our parishes, the following general norms are to be taken into account.

5.11.1. Sunday Mass Schedules

There should be an adequate provision of Masses so that the faithful can fulfill their Sunday obligation. The number of Masses celebrated on Sunday and holy days should reflect the size and nature of the stable and seasonal community that attend a particular location where Mass is celebrated.

5.11.1.1. The notion of Sunday as the day of the celebration of the Resurrection of the Lord must not be diminished. Sunday Masses are not to be celebrated until the time of Evening Prayer on Saturday, which generally is understood to begin no earlier than 4:00 p.m. Each location may schedule Saturday evening anticipated liturgies for the Sunday obligation.

5.11.1.2. A review of the schedule of Sunday liturgies should be done periodically. Such reviews are recommended to include discussion on a deanery level. If a reduction of Masses is considered, there must be an adequate explanation or catechesis to the parish regarding the rationale for such schedule modifications, with an opportunity to receive input from parishioners prior to finalizing a decision. Masses scheduled for Saturday evening and Sunday evening should be planned and celebrated with the same quality and dignity as the other Sunday Masses.

5.11.1.3. Masses on Sundays and holy days of obligation require a homily and to the extent possible, singing at the most significant moments as indicated in the GIRM.

5.11.1.4. A priest has an obligation of celebrating the proper Mass when he knows the congregation is fulfilling their Sunday or holy day of obligation.

5.11.2. Daily Mass Schedule

Daily Masses should be scheduled according to the needs of the parish and surrounding geographical area and in cooperation with the other parishes of a deanery so that the celebration of parish Communion Services is kept to a minimum.

5.11.3. Liturgical Calendar

The celebration of the particular feasts and days of prayer in each liturgical year is governed by the common liturgical calendar of the Archdiocese. Priests and others responsible for the planning of liturgical celebrations are to observe the celebrations entered into the calendar.

5.11.3.1. The Archbishop may give permission for a votive Mass for special occasions when serious pastoral advantage warrants its use. The presbyterate will be made aware of the permission (GIRM, 374).

5.11.3.2. Ritual Masses are related to the celebration of certain sacraments and sacramentals. Please refer to the GIRM and the norms in the ritual books for when these Masses may be celebrated.

5.11.3.3. Days of funeral Mass celebration are governed by the liturgical calendar.

5.11.3.4. Evening Masses on Christmas Eve are of the vigil until midnight.

5.11.3.5. Baptisms and Confirmations (except at the Easter vigil), marriages and funeral Masses are prohibited during the Easter Triduum.

5.11.3.6. The Easter vigil, the central event of the liturgical year, is not to begin before nightfall, that is, before complete darkness. This is considered “astronomical twilight.” The Office of Liturgy will publicize this calculation of “complete darkness.” The Easter vigil must be completed before sunrise. No other Mass of Easter may be celebrated before the Easter vigil has been concluded (General Norms for the Liturgical Year & the Calendar, March 21, 1969, #21).

5.11.4. **Concerts in Churches**

The document, *Concerts in Churches*, of the Congregation of Divine Worship and Discipline of the Sacraments dated November 5, 1987, should be referenced and the norms that it contains are to be followed when church buildings are considered for concerts within the Archdiocese.

5.11.4.1. Both in urban areas and in the countryside, the church remains the house of God, and the sign of his dwelling among his people. It remains a sacred place, even when no liturgical celebration is taking place (cf. Concerts 5).

5.11.4.2. Any performance of sacred music that takes place during a celebration should be fully in accord with that celebration. Compositions that date from a period when the active participation of the faithful was not emphasized as the source of the authentic Christian spirit (*SC* n. 14, Pius X *Tra le sollecitudini*) are no longer to be considered suitable for inclusion within liturgical celebrations (cf. Concerts 6). The limitation on certain musical works can be overcome by arranging for their performance outside the context of liturgical celebration in a concert of sacred music.

5.11.4.3. When the proposal is made that there should be a concert in a church, the Archbishop is to grant the permission on an individual basis.

5.11.4.4. In order that the sacred character of a church be conserved in the matter of concerts, the Archbishop specifies:

- a. Requests are to be made in writing in a timely manner, indicating the date and time of the proposed concert, the proposed program with the works and the names of the composers.
- b. After having received the authorization of the Archbishop, the rectors and parish priests of the churches should arrange details with the choir and orchestra so that the requisite norms are observed.
- c. Entrance to the church must be open to all and its sacred space respected and tickets may not be sold. A suggested donation may be offered.
- d. The performers and the audience must be dressed in a manner which is fitting to the sacred character of the place.
- e. The musicians and the singers should not be placed in the sanctuary. The greatest respect is to be shown to the altar, the president's chair and the ambo.
- f. The Blessed Sacrament should be reserved in a side chapel or in another safe and suitably adorned place (canon 938§ 4).
- g. The concert should be presented or introduced not only with historical or technical details, but also in a way that fosters a deeper understanding and an interior participation on the part of the listeners.
- h. Music selections must always be of the Christian tradition. Secular music is not permitted.

5.11.5. **Liturgical Guidelines for the Renovation and Building of Churches**

As chief Liturgist of the Archdiocese, the Archbishop exercises a particular responsibility regarding elements of the liturgy. A pastor, rector or chaplain is to request approbation of the Archbishop whenever there is a proposal for a new church or a substantial renovation in an existing church or chapel even if such proposals do not need to go through the PFRC. This communication is the initial step in the planning process. A substantial renovation includes a new altar, tabernacle, or other liturgical elements of the church (Ref: Chapter 8 – Building, Property and Construction Project Guidelines).

Part 12: Sacramental Records and Register

5.12.1. Sacramental Records and Permanent Files

The Archdiocesan Archives (the Archives) exist to gather, arrange, maintain, preserve and safeguard written documents, photographs, and material culture which document the Church in northern Colorado. The written documents pertain to the spiritual and temporal affairs of the Archdiocese (canon 486).

5.12.1.1 The Archives holdings include Sacramental Registers for all closed parishes within the Diocese. In addition, the Archives maintains a master index of Sacramental records pertaining to baptism, confirmation, marriage and death for the years 1935 to present. Interested parties may obtain personally or through proxy an authentic written copy or photocopy of documents which by their nature are public and which pertain to their personal status within the Church (canon 487). Also included in the Archives may be documents which attest to the blessing or dedication of a church or cemetery, ordination records (canon 1053), historical materials relating to the Archdiocese (canon 491§2) including papers from Bishops and Archbishops, copies of property deeds and titles (canon 1284§2.9), copies of charter documents for pious foundations (canon 1306§2) or civil corporate documents. The Archives also holds transcripts for all closed diocesan high schools and some closed diocesan elementary schools.

5.12.1.2 The Archbishop is to assure that the acts and documents of the archives of cathedral, parochial, collegiate and other churches and entities in his territory are also diligently preserved and that inventories or catalogs are made in duplicate, one of which is to be preserved in the archives of the church and the other in the Archdiocesan Archives (canon 491§1 and 1283§3). The Archbishop or his designee is to inspect these documents (canon 535§4). The Archives of the churches should be secured in fireproof containers and materials from them should not be destroyed without the written permission of the Chancellor or his designee.

5.12.1.3. Each parish shall maintain the parish register and permanent files containing the official letters from the Archbishop to which all priests of the parish have access.

5.12.1.4 Each parish is to have parochial registers of baptism, marriage, death and confirmation (canons 535, 877, 895, 1121 and 1182). Confirmations and those things which pertain to the canonical status of the Christian faithful by reason of marriage, reception of sacred orders, perpetual profession made in a religious institute, and enrollment or ascription in a church *sui iuris* are noted in the baptismal register (canon 535§2). These Sacramental registers must be kept in a secured manner preferably in a locked fireproof cabinet. Access to these registers should be kept limited to pastors and key parish staff. Care should be taken that registers never be left unattended. If for some reason the pastor is forced to leave his church due to a natural disaster or impending crisis, the Sacramental registers must leave with the pastor and the Chancellor or his designee must be notified immediately as to the whereabouts of the registers.

5.12.1.5 The pastor is to ensure that these registers are accurately inscribed and carefully preserved. Since the registers are meant for permanent preservation, the bindings and paper shall be of quality that is considered permanent, durable and acid free. An authentic copy of the parochial registers is to be sent annually by January 31st to the Archdiocesan Archives. The diocesan archivist can provide each parish with the approved forms for submittal. The copy of the register is to have the original signature of the pastor on each page and should be embossed with the parish seal. The information should come directly from the parochial registers and not from electronic databases. In the cases of electronic transmittal of these records, a letter certifying the authenticity of these records by the pastor with the parish seal must be sent into the Archdiocesan Archives with the records. This copy of the register provides a prudent safeguard against destruction. The Archives supply documentary evidence for parochial registers that would otherwise be irretrievably lost to destruction. As the parish registers become complete, they should be sent into the Archives for microfilming or digitization as an added safeguard against destruction.

5.12.1.6. Occasions may arise where an error is discovered in the Sacramental register books or an individual may undergo a legal name change. In these cases, before a change may be made in the Sacramental register, the pastor must receive legal proof such as a State issued birth certificate or identification showing the correct information. When that proof has been presented, a copy of the proof must be made and kept either with the Register or in a separate file and the correction may be made in the register by crossing out the error and in red ink adding the corrected information. Any information changed in a Sacramental register must be initialed and dated. White-out or total eradication is not permitted. Proper proof must be presented to the pastor before a change is to be made to the Sacramental register. In the case of baptism of an already adopted child, the Sacramental register must note the fact of adoption but not the names of the natural parents. Baptismal certificates issued by the parish for adopted children will be no different from other baptismal certificates. No mention of the fact of adoption shall be made on the baptismal certificate. In the case of adoption of an already baptized child, the Sacramental register must be updated to reflect the fact of the adoption, after legal proof of such adoption has been presented to the pastor. In such Sacramental registers, parentheses shall be placed around the names of the natural parents; the name(s) of the adoptive parent(s) shall then be added; the child's former surname shall also be parenthesized and the new surname added; and a notation shall be made that the child was legally adopted. Baptismal certificates issued by the parish for these individuals shall give only the name(s) of the adoptive parent(s), the child's new legal surname, the date and place of baptism, and the name of the minister who conferred the sacrament. The name(s) of the sponsor(s) shall not be given, and no mention of the fact of adoption shall be made on the baptismal certificate. Parish personnel having access to parish registers have an obligation not to disclose to any person any information which would identify or reveal, directly or indirectly, the fact that a person was adopted. When these changes have been made, the Archives office needs to be notified in writing so that the Archive registers may be updated with the corrected information.

5.12.1.7. Occasions may arise in which a sacrament was simply never recorded. Sacraments can be recorded at a later date even if an initial entry does not exist. In these cases, witnesses to the event can attest to this fact. Parents and godparents can attest to the

baptism of an infant. The individuals themselves and the sponsor(s) can attest to the event for a person old enough to remember the event. Photographs of the event can provide supporting documentation to the event, but are not in and of themselves proof. The pastor of the church where the Sacrament was conferred should guide the witnesses through the creation, signature and notarization of an affidavit. Sample affidavits for baptism and confirmation are available from the Archives Office. Once the Sacrament has been duly recorded in the church's registers, a copy should be sent to the Archives Office immediately so that registers kept in that office may have the updated information.

5.12.1.8. Genealogists sometimes request sacramental records for family members. It is recommended that church personnel distinguish between requests from individuals that need sacramental records for their life in the Church and requests from individuals that seek sacramental record information for genealogical purposes. It is the duty of the pastor to provide sacramental certificates to individuals who need these records for their life in the Church. Requests for genealogical research can be directed to the Archives office where a fee for such research is charged.

5.12.1.9. Generally, sacramental records are considered private between the individual and the Church. Individuals have a right to their own records and parents have a right to the records for their minor children. However, the passage of time changes the sensitivity and therefore privacy of records. Records that are one hundred or more years old are to be considered available for public purview. Records that are less than one hundred years old are to be considered confidential and not available for public purview regardless of whether the person is deceased or alive. When issuing updated copies of sacramental records to individuals, care should be taken that the person receiving the certificate is, in fact, the person on the record. It is appropriate to ask for photo identification before releasing a baptismal or other sacramental certificate. If there is doubt as to the intention or identity of the person requesting the record it is appropriate to deny release of the certificate.

5.12.1.10. Access to the Archives will be by appointment only with the Archivist. Prospective historical researchers and genealogists will need to fill out an "Application for Use of the Archives" form before being granted an appointment. No general permission for unsupervised examination or copy of archival materials will be given. Only the Archivist may search the original records for the particular manuscript or information requested. Admission to the Archives is at the discretion of the Archivist. The Archivist reserves the right to deny access to collections under certain conditions, including but not limited to:

- a. Condition of collection
- b. Legal issues including canon law, privacy and copyright
- c. Irreplaceability of material
- d. Unprocessed state of collection
- e. Donor restrictions

f. Availability of material elsewhere

The Archivist will supervise the researcher at all times. Archival material will not be duplicated in any form without written permission from either the Chancellor or one of the Vicars general. Examination of personal Episcopal correspondence requires written permission from the Archbishop of Denver. The Archives may charge a fee for the Archivist to do extensive personal or historical research for patrons unable to physically come to the Archives as well as a fee for any permissible duplication of materials located in the Archives.

5.12.1.11. Sacramental records may be duplicated on secure computers with no public access for ease of reference only with permission of the Archivist. A complete handwritten record must be maintained in the registers and the registers themselves are never to be destroyed or discarded. The handwritten registers are considered the original authentic copy of sacramental records and it is from these that certificates (authentic copies) and reports must be generated from. Certificates should have an official appearance and issued in a consistent format. Parishes may obtain blank certificates from commercial vendors or may have them printed locally. All certificates must bear the name and address of the parish, be issued with all relevant notations and contain the parish seal. They are to be signed by the pastor or his delegate and must be either typed, printed or hand written in ink. If the certificate is issued for a person's life in the church, then no monetary charge is to be made. If the certificate is to be used for civil purposes or non-ecclesiastical purposes, then a parish at its discretion could ask a reasonable fee for such documents as long as it would not be considered a hardship on the individual requesting the document.

Chapter 6: Judicial Procedures, Governmental Relations and Political Activity Guidelines

Overview

This Chapter contains information regarding judicial procedures, governmental relations and political activity guideline.

Part 1 – contains a description of permissions and dispensations

Part 2 – contains the responsibilities of the Metropolitan Tribunal

Part 3 – describes the composition and duties of the Colorado Catholic Conference

Part 4 – sets forth the Political Activity Guidelines for the Archdiocese, parishes within its territory and the Ecclesiastical Organizations

Part 1: Permissions and Dispensations

6.1.1. Archdiocesan Marriage Procedure

A baptized Catholic man is expected to marry a baptized Catholic woman (canon 1124). Any deviation from this requires a permission or dispensation.

6.1.1.1. In the Archdiocese, the Metropolitan Tribunal is delegated by the Archbishop to handle permissions and dispensations. Therefore, all applications for permissions and dispensations are to be sent to Metropolitan Tribunal.

6.1.1.2. There is to be no date set for a wedding if one or both of the parties is not canonically free to marry (Ref.: Chapter 3 – The Teaching Office).

6.1.2. **Procedure for Seeking Permissions and Dispensations**

Applications are to be submitted once the priest/deacon who is to witness the marriage is certain of the parties' freedom to marry and that nothing stands in the way of the licit and valid celebration of the sacrament of marriage. The application for permission or dispensation is to be submitted at least three months prior to the marriage.

6.1.2.1. All permissions and dispensations are to be applied for at one time.

6.1.2.2. Only under emergency circumstances is a permission or dispensation to be sought over the telephone. In this situation, the priest/deacon seeking the grant must send the necessary documentation without delay to the Metropolitan Tribunal. Since the validity of the marriage may hinge on whether the permission or delegation was granted, the permission or delegation must be properly recorded.

6.1.2.3. With all permissions and dispensations, there is to be a just and reasonable cause (canon 90) for seeking the relaxation of ecclesiastical law. Whether a just and reasonable cause is present is the judgment of the authority granting the permission or dispensation. The permission or dispensation is not to be presumed.

6.1.2.4. The determination of the just and reasonable cause may involve examination of the pre-marital documents and the FOCCUS (i.e., *Facilitating Open Couple Communication Understanding and Study*) results. In practice, these preparatory instruments are automatically sought when permissions from place and dispensations from canonical form are requested.

6.1.3. Types of Permissions

6.1.3.1. Among the marriage situations that require permission, the most common are:

- a. Mixed religion
- b. Change of place
- c. Marriage of a person who has natural obligations arising from a prior union toward another party or toward children

6.1.3.2. In line with the tradition of the Church, marriage between a Catholic and a baptized non-Catholic is “prohibited without the express permission of the local ordinary” (canon 1124). Permission may be granted only where there is “just and reasonable cause” and where the conditions outlined in canon 1125 are fulfilled.

6.1.3.3. These conditions include the Catholic party's promise to remove dangers of defection from the faith, and to do all in his/her power to raise the children in the faith. When there is no moral certainty in these areas, or in the other areas mentioned in canon 1125, the matter may have to be referred to the appropriate Congregation in Rome.

6.1.3.4. The parish church is the pre-eminent location for the marriage of Catholics and the celebration is expected to take place there. If a Catholic couple has an attachment to another Catholic place that is not a parish church, e.g., Mother Cabrini Shrine or St. Catherine’s Chapel at Camp Saint Malo, permission to celebrate in a place not a parish church is required from the Metropolitan Tribunal or pastor. Delegation may also need to be sought for the witnessing priest/deacon if he is outside his parish territory.

6.1.3.5. For marriages between a baptized Catholic and a baptized non-Catholic, the preferred place is the parish church of the Catholic party. For serious reasons, another sacred place, e.g., a recognized church, but not a commercial wedding chapel, would be considered. A mixed marriage between the baptized is a sacrament; therefore, there is a preference for a sacred place.

6.1.3.6. Permission is to be obtained from the Metropolitan Tribunal for a Mass to be celebrated at the mixed marriage of the baptized.

6.1.3.7. For marriages between a baptized Catholic and a non-baptized person, the parish church of the baptized Catholic is the preferred place. Failing this, the marriage may take place in another suitable place. The other place must be suitable not in the matter of convenience, but reflective of the sacredness of the state of marriage. No permission from place is required in this circumstance, as long as it is within the parish territory of the witnessing priest/deacon, as this is granted by canon 1118§3. If the proposed place is outside of the parish territory, permission must be sought.

6.1.3.8. If the parties are marrying outside of their proper or personal parish (a parish with no boundaries), they are to have their own pastor's permission to do so.

6.1.3.9. The witnessing priest or deacon must have the necessary delegation to witness any marriage outside of his territorial jurisdiction; otherwise, the marriage is invalid. Marriages are to be recorded in the territorial parish of the place where the marriage occurred, except in the case of dispensation from canonical form.

6.1.3.10. Only those marriages are valid which are contracted in the presence of the local ordinary or parish priest or of the priest or deacon delegated by either of them, who in the presence of two witnesses, assists (canon 1108) in accord with the canons on marriage celebration.

6.1.3.11. If a request for permission for change of place is received for a marriage taking place outside of the Archdiocese, this permission must be granted by the ordinary of the place of marriage. Particular caution is to be exercised because practice varies among dioceses regarding consent to places other than a parish church for weddings. No permission may be presumed. The request is processed through the Metropolitan Tribunal, which contacts the respective diocese in which the wedding is to take place.

6.1.3.12. If a person is marrying and has natural obligations in justice to a third party (either previous spouse or children), another marriage may seriously endanger that third party's right to maintenance or support. The Church is concerned for those who may be hurt by any action she is called to witness, namely, another marriage for a party with obligations.

6.1.3.13. This permission is readily granted to those who are living up to their commitments. For those who are not, any subsequent marriage is usually delayed until an equitable solution is reached.

6.1.3.14. For other situations requiring the ordinary's permission, please refer to canons 1071 and 1102 and contact the Metropolitan Tribunal.

6.1.4. **Types of Dispensations**

Marriage between a baptized Catholic and a non-baptized person is invalid unless the necessary dispensation is granted. The conditions for the grant are contained in canons 1125 and 1126.

6.1.4.1. The canonical form of marriage binds baptized Catholics who have not defected from the faith by a formal act (canons 1108, 1123). If a Catholic attempts marriage without fulfilling the form to which he/she is bound, then that marriage is invalid unless a dispensation from form has been granted. The dispensation from canonical form may be granted in a circumstance of mixed religion or disparity of cult. The normal conditions for mixed religion permissions/dispensations must be present as well as grave difficulties in the way of observing the canonical form (canon 1127§2).

6.1.4.2. When a dispensation from canonical form has been granted, the Catholic priest/deacon, if present at the ceremony, must not give or accept the vows. The parish of preparation of the couple maintains the marriage documents and records the marriage in its marriage register.

6.1.5. **Marriages Taking Place Outside of the Archdiocese**

When preparing a couple for a marriage which is to take place outside of the Archdiocese, it is necessary to be attentive to the fact that certain dispensations cannot be granted without the permission of the ordinary of the place of the marriage. These grants cannot be presumed, as dioceses vary in what will be permitted or dispensed.

6.1.5.1. It is the norm for all marriages taking place outside of the Archdiocese that the completed pre-nuptial inquiry (the MA & MB forms), current sacramental certificates and the dispensations or permissions granted be forwarded to the vice-chancellor (1535 Logan Street, Denver, CO 80203). The vice-chancellor transmits to the diocese in question. The name of the person officiating and the address of the place where the marriage is to take place are to accompany these documents. This action is to be completed no later than one month before the date of the ceremony and much earlier where there are unusual circumstances.

6.1.5.2. Some permissions or dispensations must be granted by the local ordinary of the place where the marriage is to be celebrated.

Part 2: Metropolitan Tribunal

As in any society, there is a need for an organization wherein rights and obligations can be vindicated, clarified and judgment rendered in disputed areas, so the Church establishes such a forum within ecclesial society. The Archbishop exercises his charism of judicial governance and Christian reconciliation through the Tribunal and Panels established according to the norms of law.

6.2.1. Jurisdiction

The Metropolitan Tribunal of the Archdiocese is the Court of First Instance of the Archdiocese. It is also the appellate Court for the Dioceses of Cheyenne, Wyoming; Pueblo, Colorado; and Colorado Springs, Colorado. The Archdiocese of Philadelphia is the appeals court for the Archdiocese.

6.2.1.1. The Metropolitan Tribunal adjudicates all petitions placed before it according to the norms of law for which it is competent. While the bulk of the work of the Metropolitan Tribunal is involved in judging marriage cases, its scope is not limited to that area alone.

6.2.1.2. In order to file a petition for a marriage case, it is necessary to present to the Metropolitan Tribunal a preliminary questionnaire which is typically completed with the assistance of the petitioner's pastor, parochial vicar or parish deacons. The Tribunal forwards a questionnaire to the respondent and assists in the instruction of the petition.

6.2.1.3. To present a petition regarding any matter other than a marriage case, please contact the Metropolitan Tribunal for assistance.

6.2.2. Due Process

The Archdiocese has established a procedure for arbitration of ecclesiastical disputes and the norms of this procedure may be obtained through the Metropolitan Tribunal.

Part 3: Colorado Catholic Conference

Overview

The Colorado Catholic Conference is the state-level public policy office operated jointly by the Archdiocese, the Diocese of Pueblo, and the Diocese of Colorado Springs. Through the Conference, the Church, on a statewide basis, officially interacts and communicates with the state and federal governments. The Conference informs and advises the dioceses, parishes, other Church organizations, and interested persons concerning the legislative process, the activities of government, and the moral and social implications of public issues. The Conference seeks to shape public policy that protects the sanctity and dignity of all human life, serves the poor, heals the sick, nurtures the family, and promotes the common good.

6.3.1. A board of governors, composed of the bishops of the Colorado dioceses, governs and formulates policy of the Conference. The chair of the board changes each January 1, and rotates among the members of the board.

6.3.2. The executive director of the Conference executes the policies and directives of the board of governors, manages the operations of the Conference, develops legislative programs pursuant to directions from the diocesan bishops of Colorado and their liaisons, develops and maintains communication and coordination relative to legislative issues.

6.3.3. Each diocesan bishop appoints a liaison who informs and advises the diocesan bishops on issues, develops internal regulations with respect to organization and administration of the Conference and promotes unity by involving the staff of the Conference in implementing the board's decisions.

6.3.4. The diocesan bishops may constitute committees of the Conference on a standing or ad hoc basis. Each committee is to have at least one representative from each of the dioceses.

6.3.5. The Colorado Catholic Conference is subject to the Political Activity Guidelines contained herein (see Part 4, below)

6.3.6. All questions regarding (Arch)diocesan lobbying activities at the state and federal level should be referred to the Colorado Catholic Conference.

6.3.7. No parish in the territory of the Archdiocese or an Ecclesiastical Organization may distribute lobbying materials or campaign materials unless such materials are issued and/or approved by the Colorado Catholic Conference.

Part 4: Political Activity Guidelines

6.4.1. General

The Archbishop urges broad participation in the political process by all segments of the population. The Archbishop and pastors, in their roles as teachers of faith and morals, educate the faithful in matters of Church teachings, analyzing issues for their social and moral dimensions.

6.4.2.1. Participation in the public debate on important issues inevitably overlaps with positions taken by certain candidates. Issue-oriented speech is protected by the first amendment of the Constitution. The Archbishop disavows the intent to form a religious voting block or to instruct people on how they should vote by endorsing or opposing candidates. Rather, he encourages a citizen's responsibility to examine the positions of candidates on the full range of issues, as well as their personal integrity, philosophy, and performance.

6.4.3.2. In order to ensure, however, that the tax exempt nature of the Archdiocese, parishes within its territory and the Ecclesiastical Organizations are not jeopardized due to an exempt organization engaging in political activity prohibited under section 501(c)(3) of the Internal Revenue Code ("IRC"), the following guidelines have been adapted from guidelines provided by the USCCB.

This guidance focuses primarily on section 501(c)(3) of the IRC and its *absolute prohibition* against participation or intervention in a political campaign on behalf of or in opposition to any candidate by an exempt organization. Note, however, that the following provides only general guidance; it cannot and should not be substituted for the advice from legal counsel. If there is doubt as to whether a particular form of political activity may violate the provisions of the IRC governing exempt organizations, the Legal Department of the Archdiocese should be consulted prior to engaging in that activity. Further, no parish or an Ecclesiastical Organization subject to the Pastoral Handbook may distribute lobbying materials or campaign materials unless such materials are issued and/or approved by the Colorado Catholic Conference.

6.4.2. **Prohibition on Political Campaign Activity**

Section 501(c)(3) of the Internal Revenue Code prohibits organizations that are exempt from federal income tax (“exempt organizations”) such as the Archdiocese, parishes within its territory and Ecclesiastical Organizations, from participating or intervening in political campaigns on behalf of or in opposition to any candidate for public office.

This prohibition applies to organizations, not individuals. Accordingly, the political campaign intervention prohibition applies to parishes or the Ecclesiastical Organizations that enjoy exempt status, but does not apply to pastors, leaders, employees or members acting in their individual capacities and not as representatives of their organization. Thus, the pastor of a parish or the president and officers of the Ecclesiastical Organizations, acting in their individual capacities, may be involved in political activity if they do not in any way utilize the organization’s financial resources, facilities or personnel, and clearly and unambiguously indicate that the actions taken or statements made are their own and not those of the organization.

6.4.3. **Limitations on Lobbying Activity**

The IRC limits the amount of lobbying in which exempt organizations may engage. Under section 501(c)(3), exempt organizations may engage in lobbying activities only if they do not constitute a substantial part of their total activities, measured by time, effort, expenditure and other relevant factors. Neither the IRC nor federal regulations define what is “substantial” in this context. Generally, however, the unwritten rule is that the line between what is substantial and what is insubstantial lies somewhere between 5% and 15% of an organization’s total activities. The IRS does not endorse any particular percentage, but would clearly be more comfortable at the lower end of the spectrum.

6.4.4. **Lobbying versus Political Campaign Activity**

Generally, “lobbying” focuses on legislation, whereas “political campaign activity” focuses on candidates and campaigns for election. Legislation means any action: (a) by Congress, a state or local legislative body; or (b) by the public in a referendum, initiative, constitutional amendment or similar procedure. “Political campaign activity” focuses on candidates and campaigns for election.

Lobbying includes both direct lobbying and grassroots lobbying. Direct lobbying means contacting members of a legislative body, whether federal, state, or local, for the purpose of proposing, supporting, or opposing legislation or advocating the adoption or rejection of legislation. Grassroots lobbying means urging members of the public to do the same.

Section 501(c)(3) limits the amount of lobbying a parish or an Ecclesiastical Organization can engage in; it does not prohibit lobbying outright. The lobbying limitation applies both to lobbying that is germane to an organization's tax-exempt purposes and to lobbying that is not.

If there is a doubt whether a particular form of political campaign activity may violate the provisions of the Internal Revenue Code governing exempt organizations, persons are to consult the Legal Department of the Archdiocese.

6.4.5. **Examples of Political Campaign Activity**

6.4.5.1. *Appearances at Church Events* – Whether exempt organizations may invite a candidate to speak at a sponsored event depends upon all the facts and circumstances surrounding the invitation and whether the candidate is invited in his/her capacity as a candidate or in his/her individual capacity.

If an individual is invited in a candidate capacity, the rules applicable to public forums (see below) apply, and equal access must be provided to other candidates for the same office.

If, on the other hand, a candidate is invited to speak in his or her capacity as a public figure, expert, or celebrity, it is not necessary to provide equal access to other candidates for the same office. However, the following precautions should be taken to prevent violation of the political campaign intervention prohibition: (1) the candidate must speak only in the capacity as expert, public figure, or celebrity, and not as a candidate; (2) no mention should be made of the candidacy; (3) no campaign activity should occur in connection with the candidate's appearance; and (4) all publicity and other communications regarding the candidate's attendance should identify the capacity in which the candidate is appearing and should not mention the candidacy.

If the primary purpose of the invitation is to showcase an individual's candidacy, the political campaign intervention prohibition may still be violated even if no campaign activity occurs. If an invitation qualifies as a non-candidate invitation, payment of a customary honorarium to the speaker should not result in a violation of the political campaign intervention prohibition, unless the payment is intended to support the candidate's campaign.

A candidate's attendance at an exempt organization-sponsored event that is open to the public, such as a concert, lecture, or church picnic, does not by itself constitute intervention in a political campaign. However, the sponsoring organization should ensure that no political campaigning takes place at the event, including distribution of campaign literature, that the candidate is not recognized publicly as a candidate for public office, and that a nonpartisan atmosphere is maintained.

6.4.5.2. *Campaign Materials* – Voter education or other campaign materials prepared by any candidate, political party or political action committee (PAC) may not be distributed by an exempt organization.

6.4.5.3. *Collecting Signatures for Ballot Access* – Exempt organizations may not collect signatures on or encourage voters to sign petitions to enable any candidate to appear on an election ballot. Even if all candidates are treated equally, this activity directly furthers the political candidacies of the individuals involved.

6.4.5.4. *Educating Candidates* – As a general rule, private efforts by exempt organizations during election campaigns to educate candidates about particular issues or to persuade candidates to endorse or agree with the organization's position on such issues will not constitute political campaign intervention. However, public dissemination of information

regarding a candidate's agreement or disagreement with the organization's positions will violate the prohibition against political campaign intervention. Further, if the candidate is an incumbent legislator, whether federal, state or local, these efforts could constitute lobbying activity and will be subject to the limitations on lobbying.

6.4.5.5. *Educating Voters* – During election campaigns, exempt organizations may educate voters about the issues. In addition, they may educate voters about candidates' positions on the issues through such activities as sponsorship of candidate forums and distribution of voter education materials, e.g., incumbents' voting records or results of candidate polls or questionnaires. Such activities, if unbiased in content, structure, format, and context, do not violate the political campaign intervention prohibition (See "Voter Guides" below).

6.4.5.6. *Endorsements, Statements of Opposition* – Exempt organizations may not directly or indirectly make any statement, in any medium, to endorse, support, or oppose any candidate for public office, political party, or PAC.

6.4.5.7. *Financial Support* – Exempt organizations may not provide or solicit financial support, including market-rate loans or loan guarantees, for or on behalf of any candidate, political party, or PAC.

6.4.5.8. *Fundraising* – Exempt organizations should not conduct fundraising events or activities, or otherwise solicit funds, for or on behalf of any candidate, political party, or PAC. Likewise, a tax exempt organization should not permit fundraising for or on behalf of any candidate, political party, or PAC at any sponsored event.

6.4.5.9. *Loans* – Exempt organizations may not make loans to or execute loan guarantees on behalf of any candidate, political party or PAC. Such activities violate the political campaign intervention prohibition even if market-rate interest is charged and the loan is repaid.

6.4.5.10. *In-Kind Support* – Exempt organizations may not provide or solicit in-kind support, such as free or selective use of volunteers, paid staff, facilities, equipment, office supplies, mailing lists, etc. for or on behalf of any candidate, political party, or PAC.

6.4.5.11. *Internet Activities* – Many exempt organizations maintain websites and utilize e-mail for communicating with members, parishioners and the general public. The political campaign intervention prohibition and these guidelines apply with equal force to Catholic organization websites and e-mail communications. Thus, a communication or activity that would constitute a violation of the political campaign intervention prohibition does not lose that characterization because it occurs on a website or via e-mail.

6.4.5.12. *Issue Advocacy* – The political campaign intervention prohibition does not prevent exempt organizations from addressing the moral aspects of public policy issues or from pursuing its legislative advocacy program during election campaign periods. The fact that the positions of particular candidates may align with the advocacy positions of Catholic

organizations does not alone taint an issue communication. That said, an issue advocacy communication may constitute intervention in a political campaign through the use of code words, such as “conservative”, “liberal”, “pro-life”, “pro-choice”, “anti-choice”, “Republican”, or “Democrat”, coupled with a discussion of a candidacy or election, even if no candidate is specifically named.

The following factors tend to show that an advocacy communication on a public policy issue constitutes political campaign intervention, including: (a) the communication identifies a candidate for public office; (b) the timing of the communication coincides with an election campaign; (c) the communication targets voters in a particular election; (d) the communication identifies the candidate’s position on the public policy issue that is the subject of the communication; (e) the communication indicates approval or disapproval of the candidate’s position; (f) the position of the candidate on the public policy issue has been raised as distinguishing the candidate from others in the campaign, either in the communication itself or in other public communications; and (g) the communication is not part of an ongoing series of substantially similar advocacy communications by the organization on the same issue.

Factors tending to show that an advocacy communication on a public policy issue *does not* constitute campaign intervention include: (1) the absence of factors (a) through (g) above; (2) the communication identifies specific legislation, or a specific non-electoral event outside the control of the organization, that the organization hopes to influence, such as a legislative vote or other major legislative action (e.g., a hearing before a legislative committee on the subject of the communication); (3) the timing of the communication coincides with a specific non-electoral event outside the control of the organization that the organization hopes to influence; (4) the communication identifies the candidate solely as a government official who is in a position to act on the public policy issue in connection with the specific event (such as a legislator who is eligible to vote on the legislation); and (5) the communication identifies the candidate in a list of key or principal sponsors of the legislation that is the subject of the communication.

6.4.5.13. *Multiple Activities* – When assessing potential violations of the political campaign intervention prohibition, an exempt organization should not view each of its activities in isolation, since a combination of activities may result in the political campaign intervention. For example, a parish may distribute a nonbiased voter guide on the same Sunday as its pastor delivers a homily discussing the Church’s position on one of the issues covered in the voter guide. Neither activity in isolation would be problematic. Combined, they result in political campaign intervention.

6.4.5.14. *PACs* – Exempt organizations may not establish a PAC, nor provide any financial or in-kind support to a PAC. A PAC is a “political action committee” whose purpose is to influence the election of any individual to public office, whether as a separate organization or as a segregated fund of an organization. A PAC is distinguishable from a section 501(c)(4) organization, which is permitted to engage in political campaign intervention provided it is not its primary activity.

6.4.5.15. *Parking Lots* – The parking lots of most parishes within the territory of the Archdiocese and the Ecclesiastical Organizations are classified as private property and therefore do not qualify as public forums to which First Amendment free speech protections attach. Such parishes and Ecclesiastical Organizations generally have the right to regulate access to their parking lots, including access for political leafleting. Catholic organizations should consult legal counsel if questions arise about the proper classification of their parking lots as public or private. If a parking lot is classified as private property, a parish or other Ecclesiastical Organizations should not authorize the distribution of partisan campaign materials or biased voter education materials in the lot.

6.4.5.16. *Polling Places* – Exempt organizations, particularly schools, frequently permit local election authorities to utilize their auditorium and gymnasium facilities to serve as polling places on election day. This activity is a manifestation of civic duty, is nonpartisan, and does not, by itself, constitute a violation of the section 501(c)(3) political campaign intervention prohibition. Any limited campaign leafleting or signage permitted outside polling places under local election rules, which is conducted by local campaign volunteers, should not be attributed to the Archdiocese, parishes or related Ecclesiastical Organizations.

6.4.5.17. *Public Forums, Debates, Candidate Nights* – Exempt organizations may sponsor unbiased public forums, debates, candidate nights and similar activities, in which candidates explain their views to the public. The sponsoring organization may not indicate its views on the issues being discussed, comment on candidates' responses, or in any other way indicate bias for or against a particular candidate, party or position. The following factors, if present, will be important to ensuring an activity is allowed: (a) all legally qualified candidates are invited to participate; (b) the questions are prepared and presented by an independent nonpartisan panel; (c) the topics discussed cover a broad range of issues of interest to the public; (d) each candidate has an equal opportunity to present his or her views on the issues discussed; (e) the moderator does not comment on the questions or otherwise make comments that imply approval or disapproval of any of the candidates; and (f) the candidates are not asked to agree or disagree with positions, agendas, platforms or statements of the sponsoring organization.

6.4.5.18. *Pulpit Appearances* – Appearances by candidates in the pulpit or at other worship services are governed by the same rules applicable to appearances at Church events generally (see “Appearances at Church Events” above). Thus, if an individual is invited to appear in a candidate capacity, equal access must be provided to other candidates for the same office. On the other hand, if the candidate is invited to appear in a non-candidate capacity, it is not necessary to provide equal access to other candidates.

6.4.5.19. *Rating Candidates* – The rating of candidates for character, experience and professional ability, even on a non-partisan basis, violates the political campaign intervention prohibition. The rating of candidates based on their agreement with a Catholic organization's positions or the labeling of candidates as pro-life or anti-family or by using symbols or signs, likewise violates the political campaign intervention prohibition.

6.4.5.20. *Signs on Parish or Other Related Ecclesiastical Organization Property* - With the exception of polling places (see “Polling Places” above), political signs should not be placed on property owned by the Archdiocese, parishes or an Ecclesiastical Organization or rented by those same organizations for official business.

6.4.5.21. *Voter Guides – Candidate Questionnaires* – Polling candidates or asking candidates to complete questionnaires designed to elicit their positions on various issues is a neutral activity, assuming that the questions themselves do not exhibit bias. It is only when the results are disseminated during an election campaign that the political campaign activity prohibition becomes a potential issue.

The following criteria are used for determining whether publication or distribution of candidate questionnaire results violates the political campaign activity prohibition: (a) whether the questionnaire is sent to all candidates; (b) whether candidates are given a reasonable period of time to respond; (c) if given a limited choice of responses, whether candidates are also given a reasonable opportunity to offer explanations that are included in the voter guide; (d) whether all responses are published; (e) whether the questions indicate bias toward the sponsoring organization’s preferred answer; (f) whether the responses are compared to the sponsoring organization’s positions on the issues; (g) whether the responses are published as received, without editing by the sponsoring organization; and (h) whether a wide range of issues of interest to voters is covered. The range of issues criterion is contextual; it depends on the particular office being sought. Thus, candidates for local school board need not be queried on foreign policy. Rather, they can be questioned on a broad range of education issues relevant to school board office.

Published positions of all candidates in a particular race on a wide variety of issues selected solely on the basis of their importance to the electorate as a whole does not violate the political campaign intervention prohibition, where neither the questionnaire nor the voter guide evidenced bias or preference in content or structure. Conversely, publication of responses to a candidate questionnaire that evidenced bias on certain issues did violate the political campaign intervention prohibition. Questionnaires should be distributed to all candidates, and all candidates should be encouraged to respond. No other coordination, cooperation, or consultation with candidates, their committees, etc. should take place. Failure of all candidates to respond, may, in certain circumstances, require re-evaluation of the appropriateness of disseminating questionnaire responses. If only one candidate in a particular race responds, the questionnaire responses may not be useable. FEC rules governing voter guides by section 501(c)(3) organizations require participation of at least two candidates. Catholic organizations should not develop position statements for candidates that fail to respond, and should consult local legal counsel for further analysis of particular fact situations involving candidate questionnaires.

6.4.5.22. *Voter Guides – Incumbents’ Voting Records* – Compilation of incumbents’ voting records is a common method of voter education. Voting records may also be compiled as part of an organization’s lobbying efforts. Whether the publication and distribution of incumbents’ voting records violates the political campaign activity prohibition depends on an evaluation of all the relevant facts and circumstances, including: (a) whether

incumbents are identified as candidates; (b) whether incumbents' positions are compared to the positions of other candidates; (c) whether incumbents' positions are compared to the sponsoring organization's positions; (d) the timing, extent, and manner of distribution; and (e) the breadth or narrowness of the issues presented in the voting record. For example, an exempt organization that publishes and distributes, during an election campaign, the voting records of all members of Congress on a wide range of subjects, does not violate the political campaign intervention prohibition if this organization conducts this activity annually, regardless of whether there is an election, the voting records are not accompanied by any editorial opinions and the voting records do not indicate approval or disapproval of incumbents' votes.

6.4.5.23. *Voter Registration / Get-Out-the-Vote Drives* – Exempt organizations may sponsor voter registration and get-out-the-vote drives, provided that no bias for or against any candidate, political party, or voting position is evidenced. Such bias would be indicated by distribution of partisan literature or materials indicating the sponsoring organization's positions in connection with the voter registration or get-out-the-vote drive, by targeting registration or get-out-the-vote drives toward individuals who support the organization's positions or a particular candidate or party, or by coordinating the drive with candidates or their committees. Catholic organization voter registration or get-out-the-vote efforts should not be conducted: (a) in cooperation with any political campaign; (b) according to the identified organization of the candidates; (c) based upon a candidate's or party's agreement or disagreement with the sponsoring organization's positions; or (d) in a manner targeting members of a particular party.

Chapter 7: Finance, Administration and Planning – Archdiocese of Denver and the Ecclesiastical Organizations (Excluding Parishes)

Overview

The Archbishop has the right and duty to watch over and oversee the patrimony of the Church. To assist the Archbishop, canon law provides for the establishment of diocesan finance councils, the preparation of diocesan budgets, and specific responsibilities of the diocesan finance officer (canons 492-494) (Ref: Chapter 1 Diocesan and Parochial Organization). Canons 1276-1278 discuss the responsibilities of diocesan bishops with regard to the administration of goods, consultation with the finance council and college of consultors and delegation of responsibilities to the finance officer. Canon 1284 enumerates specific duties of administrators of ecclesiastical goods. The USCCB provided additional guidance entitled *Diocesan Internal Controls*. This text begins by explaining that “all administrators are to perform their duties with the diligence of a ‘good householder’ consistent with canon 1284.”

Finally, the USCCB document states, “The finance council of a diocese should have a significant role in the internal control function of a diocese and in providing direction, guidance, and oversight to the bishop. In addition to its advisory capacity, the finance council has specific right and duties under canon law.”

Purpose

This Chapter provides an overview of the business practices for the Archdiocesan Corporation and the Ecclesiastical Organizations. This chapter does not provide instruction to parishes within the territory of the Archdiocese unless specifically mentioned or referenced. Reference should be made to Chapter 10 for an overview of business practices for the parishes. The parts of the chapter are organized in the following manner:

Part 1 – describes the financial and business policies of the Archdiocese and those Ecclesiastical Organizations in which accounting services are provided by the Management Corp.

Part 2 – describes General Business Practices for the Archdiocesan Corporation and the Ecclesiastical Organizations.

Employees of Archdiocesan offices and the Ecclesiastical Organizations shall observe the applicable civil and canon laws, the particular law of the Archdiocese and instructions promulgated by the Archbishop pertaining to the administration of the Archdiocesan Corporation and the Ecclesiastical Organizations.

Part I: Financial and Business Policies of the Archdiocesan Corporation

7.1.1. Temporal Goods of the Archdiocese

The Archdiocesan Corporation has the right to acquire, retain, administer, and alienate temporal goods in pursuit of its proper objectives (canon 1254§1). Temporal goods are the assets and property held in common stewardship for the benefit of the Church and furtherance of its earthly ministry.

7.1.1.1. The Archdiocesan Corporation supports the concept that proper stewardship of temporal goods requires reporting the financial activity of the Archdiocesan Corporation to the members of the Church. Administrators must maintain adequate financial records as of the end of the fiscal year (canon 1284§2). These accounts are to be submitted to the Archbishop or his designee.

7.1.2. Chief Financial Officer

The Archbishop appoints the Chief Financial Officer (CFO) of the Archdiocese after consultation with the AFC and College of Consultors. It is the obligation of the CFO to administer the goods of the Archdiocese in accordance with canon law, the applicable civil law, and this Pastoral Handbook.

7.1.2.1. Responsibilities of the CFO are described generally in canon 1284 and are likened to a “good householder.” Proper stewardship requires that the CFO be highly competent in business matters and display impeccable integrity and a commitment to excellence.

7.1.2.2. The CFO acts validly under canon law if there are actions within the limits of ordinary administration (canon 1281) or guidelines under Guidelines of Authority. 7.1.4. The acts of extraordinary administration beyond those promulgated in particular norms by the USCCB are to be established by the Archbishop after consultation with the AFC.

7.1.2.3. In view of the importance of the CFO position and other positions in the Office of FAP, the Archdiocesan Corporation is not only to check references, but to perform a national background check (including credit history) and such other screening procedures as deemed necessary and as required of the Code of Conduct in Exhibit IV prior to offering employment in order to ensure that the CFO and other employees are qualified.

7.1.3. Office for Finance, Administration, and Planning

The Office for Finance, Administration, and Planning (Office of FAP) is established to assist the CFO in responsibilities in administration and finance. The Office has the administrative authority of the Archbishop in all matters of finance, business operations and administration except those reserved to the Archbishop by canon law, particular law of the Archdiocese,

decree, or instruction promulgated by the Archbishop (see Chapter 1 – Diocesan and Parochial Organization).

7.1.3.1. The CFO oversees the Office of FAP and also serves as the President of the Management Corp. The Management Corp. is responsible for fiscal management, budgeting, financial planning, secular legal matters, human resources and benefits administration, information systems, facilities management, real estate concerns, parish finance and internal audit, risk and insurance management, construction, and other business or administrative services for the Archdiocese and its certain of the Ecclesiastical Organizations.

7.1.3.2. Under the guidance of the CFO, both the Management Corporation and Office of FAP work in close association with the AFC in reviewing and advising the Archbishop on the annual budgets for the Archdiocesan Corporation and the Ecclesiastical Organizations established by the Archbishop, the quarterly and annual financial reports and other financial information periodically submitted to the Archbishop by the same Ecclesiastical Organizations throughout the year. Such requests and information are used to advise the Archbishop on important acts of fiscal administration or on other financial or business matters.

7.1.3.3. The proper objectives of the Office of FAP and the Management Corporation are principally the provision of resources for divine worship, the provision of fitting support for the clergy and other ministers, and the carrying out of works of the apostolate and of charity, especially for the needy (canon 1254§2) and assistance to the Archbishop and his designee, in the fulfillment of their responsibilities to provide canonical oversight of public juridic persons within the territory of the Archdiocese.

7.1.4 **Guidelines of Authority**

Employees of the Archdiocese and Ecclesiastical Organizations do not have authority to approve and commit the expenditure of funds unless the authority is specifically granted to them by the appropriate authority in that specific organization. Such appropriate authority is provided in both the canonical documents and in each entity's secular governing documents. The Archdiocese and the Ecclesiastical Organizations should implement internal control procedures and other proper safeguards to prevent misuse or negligent use of funds. To these ends, the Archdiocesan Corporation and the Ecclesiastical Organizations maintain the mechanisms set forth in this section to provide each level of management with authority. While the approved budget provides control over revenues and expenditures for a specific entity or cost center within that entity, the following procedures provide additional means for the Archbishop to safeguard the assets of the Archdiocesan Corporation and the Ecclesiastical Organizations.

7.1.4.1 An employee's use of the authority granted is limited to the business that is normal to his/her duty area. If another Ecclesiastical Organization or Archdiocesan department is to be charged, then approval must also be obtained by an employee in that Ecclesiastical Organization or department with actual approval and commitment authority as described below, within the specific limitations of Exhibit V.

7.1.4.2. There are two types of authority: Approval Authority and Commitment Authority.

Approval Authority is power to, in the name and on behalf of the Archdiocesan Corporation and/or an Ecclesiastical Organization, (i) authorize the purchase of goods or services; (ii) approve bills and invoices for purchases of goods and services; (iii) approve salary actions; (iv) or authorize the execution of non-monetary agreements. Approval Authority is not authority to take the act of committing the Archdiocese or an Ecclesiastical Organization by signing a contract. It in no way empowers an employee to make a commitment to an outside organization, including any action, oral or written, that reasonably could be interpreted by an outside party as a commitment.

Commitment Authority is the power to sign a contract, issue a proposal or purchase order, or take any other act that creates a binding contractual obligation of the Archdiocese to a third party.

7.1.4.3. Approval Authority

- a. Operating and Capital Expenditures – Approval authority for specific categories is set forth in Exhibit V of this policy. Shown are the maximum approval amounts for specific positions.
- b. Requests for salary increases and hiring new employees for the Archdiocesan Corporation shall be submitted for approval to the CFO with final approval from the Archbishop or the Moderator of the Curia, as necessary.

For Ecclesiastical Organizations, approval authority is determined by the entity's respective canonical and secular governing documents or must follow the guidelines set forth in Exhibit V.

c. Approval Authority for capital campaigns, fundraising proposals or new business formation relating to a new mission or other religious needs within the Archdiocesan Corporation and Ecclesiastical Organizations is set forth in Exhibit V. Such proposals shall be submitted for approval to the CFO with final approval from the Archbishop or Moderator of the Curia.

d. Approval authority for the alienation of temporal goods and sale of Archdiocesan property is set forth in Exhibit V to this Handbook (see Exhibits) and is further described in Chapter 8.

e. Any new facility construction to be completed by the Archdiocesan Corporation or a related Ecclesiastical Organization shall be submitted to the Archbishop for initial permission and then to the PFRC sub-committee of the AFC for review pursuant to the guidelines set forth in Chapter 8.

f. The Archbishop, the Moderator of the Curia and/or CFO must approve any lease, sale, or purchase of real estate, pending certain monetary thresholds.

g. The net present value of a capitalized lease must be calculated using the Archdiocese's marginal cost of debt, as determined by the Controller. This total is considered a capital expenditure for Delegation of Approval Authority purposes and requires the approval of the Moderator of the Curia or the CFO.

h. Any non-monetary agreements (i.e., settlement of litigation, granting of right of way, leases, easements, etc.) for the Archdiocesan Corporation or an Ecclesiastical Organization require the approval of the Archbishop, Moderator of the Curia or the CFO.

7.1.4.4. Commitment Authority

- a. Commitment Authority for the Archdiocesan Corporation and an Ecclesiastical Organization is reserved solely for the Archbishop, the Auxiliary Bishop, the Moderator of the Curia, the CFO and/or the president of the respective Ecclesiastical Organization pursuant to their established policies or secular governing documents. Subject to b., below, the Archdiocese and the Ecclesiastical Organization personnel shall submit to the Office of FAP all commitment documents (prior to execution / signature by Moderator of the Curia or CFO) that are greater than the amount set forth in Exhibit V Section II-j and extend for multiple years, for review and subsequent inclusion in the Archdiocesan corporate records. The Office of FAP is responsible for implementing procedures to ensure that original commitment documents are retained and secured.
- b. Those Ecclesiastical Organizations that have procedures to ensure appropriate commitment authorization and/or do not use the accounting services of the Office of FAP, are not required to submit such documents to the Office of FAP.
- c. Commitment documents include contracts to supply or perform services, contracts to purchase goods, services, real estate, leases, memoranda of understanding, any amendment to a commitment document, and all other documents which serve to commit the Archdiocesan Corporation and the Ecclesiastical Organizations.

7.1.4.5. Limitations are as follows:

- a. The guidelines set forth by the Archbishop from time to time will be the maximums allowable for each category and shall be utilized on any matter.
- b. Any action that has the result of circumventing the intent of this policy or the Archbishop's delegation is strictly prohibited. For example, approval to purchase single items (i.e., computers, printers, fax machines, copiers) as part of a larger plan which in aggregate exceeds the amount set forth in Exhibit V Section II-k or reflects solely monthly maintenance amounts, within the delegate's authority, is not valid.
- c. In general, an employee exercising approval authority for a transaction cannot be the one who exercises commitment authority for that transaction. In particular, an employee approving the purchase request is not permitted to sign the purchase order or contract.
- d. An employee cannot approve payments to or for the benefit of himself/herself or a family member. Approval must be obtained from his/her supervisor. The Controller, the CFO and/or the Moderator of the Curia must

approve any amount over the supervisor's Approval Authority (Ref: Chapter 1 – Diocesan and Parochial Organization - Conflicts of Interest).

e. All payment requests must have the appropriate level of approval and supporting documentation prior to submission to the Accounting department of the Office of FAP.

7.1.4.6. In general, if the individual in an Authorized Approval position is not available, then the Moderator of the Curia or the CFO must be responsible for any necessary approvals. If an emergency situation truly exists and expenditure approval is urgently necessary, the Accounting department of the Office of FAP will refer the matter to the Archbishop, the Chancellor or the Controller.

7.1.4.7. Budget Overruns of the Archdiocesan Corporation and Ecclesiastical Organizations

With respect to any capital or operating expenditure that will result in a significant overrun (those greater than the amount set forth in Exhibit V Section II-k) shall be submitted for consideration and approval to the CFO or Moderator of the Curia or the applicable entity's president and/or Chief Financial Officer.

7.1.5. **Conflicts of Interest**

When counter-signing for purchases and authorizations, engaging consultants or advisors to the Archdiocesan Corporation or an Ecclesiastical Organization, all employees are encouraged to avoid the appearance of impropriety and to disclose conflicts of interest and self-dealing in contracts, requisitions and disbursements of funds. While the annual submission of a formal written disclosure of conflicts of interest is required by Directors and members of senior management, all personnel are to follow the intention of the guidelines in Chapter 1 – Diocesan and Parochial Organization with disclosure of potential conflicts to each employee's supervisor and annual disclosure through the completion of the Conflict of Interest Policy – See Exhibit I (see Exhibits).

7.1.6. **Professional Conduct**

Employees are expected to perform their duties and otherwise act in such a fashion as to represent the Archdiocesan Corporation or an Ecclesiastical Organization in a professional and courteous manner. This is a continuing obligation and should govern employee behavior in dealing with other organizations and engaging in outside activities.

7.1.6.1. High standards of ethical behavior in the workplace serve the Archdiocesan Corporation and the Ecclesiastical Organizations and those whom they serve. The ability to provide professional, open, and sincere interaction with each other depends upon each person's conduct. Each employee is responsible to enhance and maintain the ethical standards in all decision-making and discussions. As a result, each employee is to be:

- a. Accurate in communication, never misrepresenting facts nor shading the truth.
- b. Honest in promising what is feasible and dependable in following through on these commitments.
- c. Willing to share information with those who have a need to know and ensuring that the communication takes place.
- d. Able to submit concerns regarding questionable accounting or business practices by employees, committee members and/or officers of the Archdiocesan Corporation and the Ecclesiastical Organizations.

7.1.6.2. The rights of good reputation and of privacy exist for individuals employed by the Archdiocesan Corporation and the Ecclesiastical Organizations, those with whom the Archdiocesan employees interact, as well as the Archdiocese and the Ecclesiastical Organizations themselves. Employees are encouraged to consider the right of good reputation in all communications and to avoid any comments or criticisms that could damage the reputation of others.

7.1.6.3. Except as necessary to administer the conflicts of interest program, any person having access to a disclosure made pursuant to the operations and business matters of the Archdiocesan Corporation and the Ecclesiastical Organizations shall maintain the confidentiality of this disclosure. Failure to maintain professional confidentiality, especially in violations of the right of good reputation and of privacy, is considered in evaluating job performance and retention.

7.1.6.4. All employees should be mindful of the importance of the fair and respectful treatment of persons without regard to race, color, sex, age, disability, religion, marital status, national origin or any other protected characteristic. They should therefore refrain from public speech or action that violates the courteous treatment of all persons.

7.1.6.5. In the event any employee of the Archdiocesan Corporation, an Ecclesiastical Organization or any member of the AFC or its subcommittees receives a report from someone suggesting suspicion or evidence of fraud, theft or misuse of Archdiocesan funds or property, they must report the incident to one of the following – the Archbishop, the Moderator of the Curia, the Chairperson of the AFC or either the CEO or the Chairperson of the Board of the Ecclesiastical Organization.

a. This policy is intended to encourage and enable the AFC and its sub-committee members, board members of the Ecclesiastical Organizations, volunteers and/or employees of the Archdiocesan Corporation and the Ecclesiastical Organizations to raise concerns which may require internal investigation and appropriate action. With this goal in mind, no AFC or sub-committee member, volunteer or employee who, in good faith, reports a concern shall be subject to retaliation or, in the case of an employee, adverse employment consequences. Moreover, a volunteer or employee who retaliates against someone who had reported a concern in good faith is subject to discipline up to and including dismissal from their position.

b. *Handling of Reported Violations* – The Archbishop, in consultation with the appropriate advisors, shall address all reported concerns. The Archbishop, or the appropriate advisor to the Archbishop, (e.g. Chair of the AFC, Moderator of the Curia, CFO or Chancellor) will notify the sender and acknowledge receipt of the concern within five business days, if possible.

All reports will be promptly investigated and appropriate corrective action will be recommended to the Archbishop and the AFC, if warranted by the findings from the internal investigation. In addition, action taken must include a conclusion and/or follow-up with the complainant for complete closure of the concern.

If warranted, the Accounting and Audit Committee of the AFC has the authority to retain outside advisors or any other resource deemed necessary to conduct a full and complete external investigation of all allegations.

c. *Acting in Good Faith* – Anyone reporting a concern must act in good faith and have reasonable grounds for believing the information disclosed indicates an improper accounting or business practice. The act of making allegations that prove to be

unsubstantiated, and that prove to have been made maliciously, recklessly or with the foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense and may result in discipline, up to and including dismissal from their position.

7.1.7. **Email, Voicemail and Mobile Phone Communications**

Email, Voicemail and Mobile Phone communications methodologies of the Archdiocesan Corporation and the Ecclesiastical Organizations are critical components of the communication systems. The Email and Voicemail systems are provided to all Archdiocesan employees to assist in promoting and advancing the mission of the Church. Mobile phones are provided to selected directors and employees who need this form of communication in their respective roles. Although there is no usual practice of monitoring these systems, the right to retrieve the contents for legitimate reasons is reserved, e.g., to retrieve lost messages, to comply with investigations of wrongful acts, or to recover from systems failure or to periodically monitor the systems to be certain that the policies regarding these systems are being honored. Personal use of email, voicemail or mobile phones by employees is permitted, assuming that such use does not interfere or conflict with business use. Personal use should be kept to a minimum, so as to ensure that work performance is not jeopardized.

7.1.7.2. Personnel of the various entities located on the campus of the St. John Paul II Center for the New Evangelization, Metropolitan Tribunal, Colorado Catholic Conference, Mount Olivet Cemetery, Saint Simeon Cemetery, the Archdiocese of Denver Mortuary, Seminary Parish Houses, and Centro San Juan Diego are permitted to use the email system and resources. Incidental and occasional personal use of email may occur when such use does not generate a direct cost or significantly impact on the work performance of authorized personnel.

7.1.7.3. Prohibited Uses of Email or Mobile include:

- a. Using such communications for personal monetary gain or for commercial purposes that are not directly related to the Archdiocesan Corporation or Ecclesiastical Organizations.
- b. Sending copies of documents, including the work of others, in violation of copyright laws.
- c. Capturing and “opening” email or attempting to breach any security measures except as required in order for authorized employees to diagnose and correct delivery problems.
- d. Using such communications to harass or intimidate others or to interfere with the ability of others to conduct Archdiocesan or Ecclesiastical Organization business.
- e. Using such communications for any purpose restricted or prohibited by laws or regulations.
- f. Constructing such a communication so that it appears to be from someone else.
- g. Sending or receiving obscene, profane or offensive material. This includes accessing “adult” material. Strictly prohibited are uses of the communication system that would or could jeopardize the work, morale, public image or mission of the Archdiocesan Corporation or Ecclesiastical Organization. Also, messages, jokes, or forms that violate our harassment policy or create an intimidating or hostile work environment are prohibited.
- h. Creating or forwarding “chain letters” or “pyramid schemes” of any type is prohibited.
- i. Sending anything pertaining to the good reputation of individuals and all matters that could be perceived as slanderous or injurious to individuals, departments, and ecclesial and non-ecclesial institutions.

7.1.7.4. Any email coming to an employee’s attention that is not directed to that employee should be immediately returned to sender, notifying the sender that the message was inadvertently sent. Under no circumstance should the message not intended for an employee be “interrupted” or forwarded to anyone else.

7.1.7.5. Appropriate disciplinary action will be taken against individuals found to have engaged in prohibited use of the electronic mail resources, including evaluating job performance and retention.

7.1.7.6. If there is known or suspected prohibited use of the electronic communication system, employees are to follow the standard of reporting as is utilized pursuant to the harassment policy.

7.1.7.7. The Information Systems department of the Office of FAP is responsible to ensure the efficient use of systems according to this policy. Where issues arise, Information Systems will deal directly with the employee (and notify their manager where appropriate).

7.1.8. **Ownership and Management of Records**

7.1.8.1. *Ownership of Records*- All Recorded Information (see Exhibit III for definition of this and other terms) created, received, used, maintained or preserved by the employees of the Archdiocesan Corporation, the parishes of northern Colorado and by the Ecclesiastical Organizations (as applicable), for the benefit or on behalf of these institutions during the course of their employment, is the property of said entities.

7.1.8.2. *Management of Records* – No Recorded Information shall be removed, destroyed, physically transferred, stored, transferred into another media type or otherwise disposed of except in strict compliance with the Records and Information Management (RIM) policy and Records Retention Schedule – see Exhibit III. Any questions or comments regarding this policy should be directed to the Moderator of the Curia. Note that Recorded Information that is not subject to a retention schedule (such as routine phone messages, transmittal cover sheets and superseded drafts) are termed Non-Records and thus by definition are not included in the Records Retention Schedule of Exhibit III.

7.1.8.3. *Compliance with Civil and Canon Law* – The Archdiocesan Corporation and the Ecclesiastical Organizations must be in compliance with the mandates of canon and civil law regarding their respective maintenance and retention of Records. Employees of these entities are to follow all applicable civil laws insofar as they are not contrary to divine law and unless provided otherwise in canon law (canon 22); protect all documents with the greatest care; and, erect and maintain safe places for Records intended for archives and for general record storage (canon 486).

7.1.9. **Computer Hardware and Software**

The Information Systems department of the Office of FAP is responsible for the purchase, installation, maintenance, and upgrades of all computer hardware and software for the Archdiocesan Corporation and an Ecclesiastical Organization located at the St. John Paul II Center for the New Evangelization, Metropolitan Tribunal, The Colorado Catholic Conference, Mount Olivet Cemetery, Saint Simeon Cemetery, The Archdiocese of Denver Mortuary, Seminary Parish Houses, and Centro San Juan Diego. In order to ensure proper computer support and maintain an accurate inventory on all computer hardware and software and ensure compliance with various software licensing agreements, the Information Systems department of the Office of FAP requires that all employees of the Archdiocesan Corporation and the Ecclesiastical Organizations observe the following policies:

7.1.9.1. For inventory, security, and insurance reasons, all IT assets at Archdiocesan Corporation or Ecclesiastical Organization offices that are used for work purposes must belong to one of the above entities. Personal computer hardware or software should not be used for work purposes.

7.1.9.2. All software packages installed on computers at the Archdiocesan Corporation and an Ecclesiastical Organization must be the property of the Archdiocesan Corporation or the Ecclesiastical Organization. Employees are not permitted to install personal software programs on their assigned computers without the approval of the IT department.

7.1.9.3. Employees of the Archdiocesan Corporation and Ecclesiastical Organizations are not permitted to acquire computer software either by downloading from the Internet or from a retail outlet. Requests for computer software must be submitted to the IT department for review. If approved, IT personnel will obtain and install the software package on appropriate computer systems.

7.1.9.4. All hardware and software will be installed by IT personnel after it is approved and obtained, unless not approved by IT department staff.

7.1.9.5. Removal of desktop computers from the Archdiocesan Corporation and Ecclesiastical Organizations facilities must receive approval from IT staff.

7.1.10. **Information Systems Data Protection Plan**

The Archdiocesan Corporation and the Ecclesiastical Organizations have become dependent on the services and record keeping provided by Information Services department of the Office of FAP. The primary objectives of the Protection Plan are to maintain hardware resources and to safeguard vital data records for which Information Systems department has become the custodian. At the same time, Information Systems department is charged with guaranteeing the continued availability of essential computer services.

7.1.10.1. There are three primary areas for consideration in the overall Protection Plan: physical security, software security, and backup procedures. The following requirements are a minimum of what is recommended to protect the critical Information Systems assets:

- a. *Physical Security* – Review the environment in which computers operate. Computers should be located in a dust-free setting (if possible), placed in a normal office temperature environment, placed in an area free from water exposure, and utilize proper electrical surge protection. The file servers should be placed in a room that has limited access (if possible).
- b. *Software Security* – The Archdiocesan Corporation and those Ecclesiastical Organizations using the services of the IT department have a formal procedure for maintaining passwords. The procedure begins by issuing passwords to new employees. Thereafter, passwords are required to be changed at least every 180 days.
- c. *Backup Procedures* – The protection and retention of vital records is critical to the Protection Plan. At a minimum, a full backup should be initiated at least once a week (for example Friday); partial backups should be performed (Monday through Thursday); and an off-site storage (e.g., Cloud based) program should be utilized for securing the complete backups. Three or more of the last full backups should be stored off-site. Records that are stored on other devices, such as workstations, laptops, and other mobile devices, must be backed up at least once per week.

7.1.11. **Treasury Operations**

In order to ensure proper security and control over the Archdiocesan Corporation's and Ecclesiastical Organizations' cash and temporary cash investments, the Controller implements certain procedures for processing transactions.

7.1.11.1. The Accounting department of the Office of FAP prepares paychecks and direct deposit advice for the Archdiocesan Corporation and certain Ecclesiastical Organizations. Each department within the Archdiocesan Corporation and the Ecclesiastical Organizations utilizing such services are required to designate a payroll distributor who is responsible for ensuring timely delivery of the paycheck or direct deposit advice to individual employees on payday. Exceptions to standard distribution procedures must be requested in writing and approved by the Controller.

7.1.11.2. Any paycheck or direct deposit advice that cannot be delivered to the employee must be returned to the Accounting department of the Office of FAP. Paychecks will not be released to an employee earlier than the customary payday. Employees wishing to ensure availability of his/her pay during times such as vacation, business travel or facility closures are encouraged to take advantage of the direct deposit option.

7.1.11.3. All accounts payable (A/P) checks are signed and mailed to the payee by the Accounting department of the Office of FAP. A/P checks will be processed for release pursuant to the schedule periodically published and updated by the Controller.

7.1.11.4. Wire transfers must be submitted to the Controller three days in advance of the required payment date. Each wire transfer must have approval from a manager or supervisor of the requesting department. In the event the wire transfer exceeds the employee's approval authority, the requesting employee is responsible for obtaining the appropriate approval from the CFO, the Moderator of the Curia, or the Archbishop, prior to submission of the request.

7.1.11.5. All banking transactions are to be made by, or in coordination with, the Controller. Included are initial account set-up and changes, letters of credit, foreign exchanges and other related transactions. Bank signature cards and authorized signers are reviewed periodically for appropriateness by the Controller.

7.1.11.6. All Archdiocese bank borrowings, incurrence of other indebtedness, and investment related activities are to be processed by the CFO or the Controller and must have appropriate approvals from the Moderator of the Curia, the Archbishop and/or the AFC itself.

7.1.11.7. All non-bank financing (equipment leasing and related transactions) will be done by or in coordination with the Controller or the CFO.

7.1.12. **Financial Statement Guidelines**

The Archdiocesan Corporation and the Ecclesiastical Organizations strive to present fairly, in all material respects, the financial position of the Archdiocesan Corporation and the Ecclesiastical Organizations and the results of their operations and cash flows in conformity with generally accepted accounting principles. The Archdiocesan Corporation and the Ecclesiastical Organizations shall maintain the necessary accounting records to prepare financial statements in accordance with generally accepted accounting procedures. The Controller is responsible for maintaining the necessary accounting records to comply with the requirements of the various regulatory bodies (federal and state) and generally accepted accounting principles.

7.1.12.1. The Archdiocesan Corporation and certain of the Ecclesiastical Organizations shall prepare financial statements on a schedule determined by the Controller. The Controller shall establish the format and content of required submissions. Certain Ecclesiastical Organizations (primarily Catholic Charities) are not subject to the distinct audit requirements of the Archdiocese and/or not under the oversight of the Controller.

7.1.12.2. Accounting policy changes require the approval of the Controller, the CFO, and consultation with the Accounting and Audit Committee of the AFC for recommendation to the Archbishop or his designee. Discussions with external auditors regarding the interpretation, materiality, and unique applications of generally accepted accounting procedures require the concurrence of the Controller and the CFO.

7.1.12.3. The Archdiocesan Corporation and the Ecclesiastical Organizations are required to have an annual audit of their respective financial statements, unless a specific exemption is granted by the CFO after hearing from the president of the Ecclesiastical Organization.

7.1.13. **Procedures for Financial Transactions**

The Controller is responsible for the preparation, maintenance and issuance of detailed accounting policies and procedures to ensure compliance with the general accounting policies.

7.1.13.1. The Controller shall determine the timing, frequency, and level of financial disclosure required from the Archdiocesan Corporation and the Ecclesiastical Organizations.

7.1.13.2. All accounting and finance personnel within the Archdiocesan Corporation and its Ecclesiastical Organizations and within the Office of FAP are responsible for the integrity of internally and externally reported financial information.

7.1.13.3. The Archdiocesan Corporation and the Ecclesiastical Organizations are required to use a defined chart of accounts and other similar information necessary to properly segregate, monitor, control, and report financial information.

7.1.14. **Property and Equipment**

In connection with the disposal of surplus or obsolete property and equipment owned by the Archdiocese or an Ecclesiastical Organization (for which the Management Corp. provides services) this policy is implemented in order to assure sound management control of inventory and to recover any residual market value from idle assets.

The Archdiocesan Corporation and the Ecclesiastical Organizations shall capitalize those items that qualify as capital property. To qualify as capital property, an item must be used in the business activities of the Archdiocesan Corporation or the Ecclesiastical Organizations and not be held for resale.

7.1.14.1. A capital item is a purchased item costing the amount set forth in Exhibit V Section II-i or more and with an estimated useful life greater than one year. Cost is based on the unit cost and includes a pro rata share of transportation, installation, sales and other taxes, legal costs, and a reduction for discounts taken.

7.1.14.2. A capital item is a self-constructed asset costing the amount set forth in Exhibit V Section II-i or more, with an estimated useful life greater than one year. Cost is based on the purchase price of materials used in or consumed in the construction process, direct labor of Archdiocesan and the Ecclesiastical Organization employees, the cost of contract labor, authorized overhead allocations, and other reasonable direct and indirect costs.

7.1.14.3. Interest costs incurred to finance construction costs are capitalized as a part of certain assets in compliance with generally accepted accounting principles. Any interest capitalization requires approval of the Controller.

7.1.14.4. Exceptions to the capitalization rules require the approval of the Controller.

7.1.14.5. Capital property shall be depreciated over its useful life using the straight-line half-year method of depreciation. Useful life is based on the expected economic life of the asset that must be supported by experience, engineering specifications or other objective criteria.

7.1.14.6. Retirements, sales, and exchanges may result in a gain or loss on capital property. The gain or loss shall be determined and recorded when an asset is retired, sold or exchanged.

7.1.14.7. Once a capital asset is written down because of impairment, it may not be restored at a later date. Capital property assets that are impaired or whose future use is in doubt shall be written down and not reserved.

7.1.14.8. Without proper approval, Archdiocesan or an Ecclesiastical Organization's property cannot be removed from the premises of the respective organization. The Controller, the Director of Information Systems and/or the designated officer of the respective Ecclesiastical Organization must be notified when assets are to be moved or transferred prior to the removal from the grounds of the St. John Paul II Center, the Metropolitan Tribunal, the Colorado Catholic Conference, Centro San Juan Diego or an Ecclesiastical Organization. Archdiocesan or the Ecclesiastical Organizations' employees may not remove property for personal use.

7.1.14.9. The Archdiocesan Corporation and the Ecclesiastical Organizations maintain capital property records containing sufficient information to ensure that all assets can be identified, located and periodically inspected.

7.1.14.10. The Controller or designated officer of the Ecclesiastical Organization is responsible for the retirement process of old and outdated equipment. Supervisory and other personnel must notify the Controller when they have such equipment.

7.1.15. Travel, Entertainment, and Miscellaneous Expenses

The Archdiocesan Corporation and the Ecclesiastical Organizations reimburse expenses properly incurred for travel, meals, entertainment and other business expenses by employees under the IRS definition of an Accountable Plan. The Archdiocesan Corporation and the Ecclesiastical Organizations expect all employees to act with moral integrity and to exercise sound business judgment when incurring employee business expenses. Standard business judgment requires safeguarding the Archdiocesan Corporation's and the Ecclesiastical Organizations' assets and protecting the interest of the faithful of northern Colorado. The Archdiocesan Accountable Plan requires the following:

- a. Expenses must be incurred by individuals while performing services as an Archdiocesan or an Ecclesiastical Organization's employee.
- b. The expenses must be incurred during the ordinary course of business and must be demonstrated that it is directly related to or associated with the conduct of business.
- c. The expense must be substantiated with appropriate receipts and documentation supporting the business purpose of the expense.
- d. The properly approved request for reimbursement must be submitted within 60 days or sooner after the expenses were paid or incurred.
- e. Any excess reimbursement or advance (See 7.1.15.8.) must be returned within 60 days or sooner of incurring the expense or conclusion of the event requiring the advance.
- f. Advances not properly submitted within the time allowed will be included on the employee's Form W-2 as income.
- g. Independent contractors and/or vendors are not Archdiocesan Corporation's or the Ecclesiastical Organizations' employees. Monies paid to independent contractors for airfare, travel, lodging, meals or other miscellaneous expenses are not reimbursable under the Archdiocesan Accountable Plan and are considered income to the independent contractor.

7.1.15.1. Airfares are to be purchased attentive to cost savings. As a general rule, the lower cost fares are to be acquired.

7.1.15.2. Any accounting for travel and entertainment expenses must be based upon actual expenses incurred by an employee. These expenses must actually be incurred in the conduct of authorized business. The accounting for such expenses shall be within 60 days after completion of the trip or the entertainment activity, if not sooner. Expense

reimbursement reports submitted in excess of 60 days after incurring the expense, will be sent to the Controller for determination on whether the report will be processed for reimbursement.

7.1.15.3. Employees shall not include other employees' expenses when accounting for their own business expenses. The Archdiocesan Corporation requires the most senior level employee to incur the cost of expenses shared by two or more employees (e.g., group meal).

7.1.15.4. The Archdiocesan Corporation and the Ecclesiastical Organizations reimburse employees for the use of their personal vehicles when on business at the current IRS allowed reimbursement rate, plus tolls and parking provided that (1) the use is in the best interest of the Archdiocesan Corporation and the Ecclesiastical Organizations, and (2) the employee does not receive a car allowance. The IRS rates change annually and the reimbursement must be submitted using the current rate in effect when the mileage was incurred. If a personal automobile is used for the convenience of the employer and the employee will be reimbursed for the lesser of the lowest available airfare between the departure and arrival locations or the mileage reimbursement rate.

7.1.15.5. Neither the Archdiocesan Corporation nor an Ecclesiastical Organization carries insurance and assumes responsibility for any physical damage to an employee's personal vehicle. The employee should insure personal vehicles used for business for the amounts set forth in Exhibit V Section IIIa. property damage coverage. (The cost of insurance is one of the factors used in determining the cents-per-mile reimbursement rate for use of personal vehicles.)

7.1.15.6. In advance of a trip, the Archbishop, his designee, the CFO and/or the president of the Ecclesiastical Organization may approve policy exceptions where the presence of an employee's spouse is specifically required for the purpose of the trip and/or the travel will be combined personal and business purpose.

Travel and Expense Advances

7.1.15.8. Advances will be granted on an exceptional basis only, primarily when substantial out of pocket expenses (in excess of the amount set forth in Exhibit V Section II-e) will be incurred. Advances, if approved, will only be issued within 30 days of the time the employee will incur the expense. Cash expenditures are defined as expenses that cannot be charged on a credit card. The advance must be accounted for on an expense report. A travel advance should not be used for lodging, service payments such as honoraria, professional fees, conference fees, or other substantial costs that can be prearranged, prepaid or invoiced. Advances must be approved by the individual's supervisor and the CFO or Moderator of the Curia.

Entertainment

7.1.15.10. The Archdiocesan Corporation and the Ecclesiastical Organizations shall reimburse employees who incur entertainment expenses that serve an essential business purpose and are morally appropriate. Only Directors or above may incur entertainment

expenses. Normal and pre-approved entertainment (i.e. required staff or working lunches) are also reimbursable. Employee entertainment of other employees is not reimbursable unless it is pre-approved by the employee's supervisor.

7.1.15.11. It is improper and is considered serious misconduct for employees to entertain employees or to provide gifts using Archdiocesan Corporation's or Ecclesiastical Organizations' funds without prior approval by the supervisor responsible for approving the employee's expense reimbursement report. Such entertainment or gifts shall have a valid business purpose and shall be infrequent in nature. Gifts for special events (weddings or special engagements) will be limited to one gift per year or event, as contemplated by an approved budget.

Miscellaneous Expenses

7.1.15.12. Meals – Exempt employees may be reimbursed subject to their supervisor's approval, for meals when working 3 consecutive hours in excess of a standard workday on a scheduled workday or working 4 or more hours on a weekend. Employees must coordinate with their supervisor when planning on working in excess of the standard workday. When an employee is traveling out-of-state on behalf of the Archdiocesan Corporation or an Ecclesiastical Organization, actual expenditures for meals will be reimbursed.

7.1.15.13. The Archdiocesan Corporation and the Ecclesiastical Organizations shall reimburse their employees for certain miscellaneous expenses provided there is a valid business purpose. These expenses include such items as memberships in professional organizations, conferences, required continuing education courses and dues, with prior approval of the supervisor.

7.1.15.14. The Archdiocesan Accountable Plan (Ref. 7.1.15.) reimburses employees through the Accounting department of the Office of FAP based on the procedures and responsibilities outlined below:

a. Employees are responsible for completing their expense reimbursement report with all required supporting receipts and/or documentation, correctly coding their expenses and obtaining the appropriate level of approval for the reimbursement. Expense reimbursement reports, after approval by the employee's supervisor, must be submitted within 60 days or sooner of incurring the expense. Expense reimbursement reports submitted in excess of 60 days of incurring the expense will be sent to the Controller to determine if the reimbursement report will be processed.

b. IRS requirements are very precise as to the elements of an expenditure that must be recorded in the expense reimbursement report and its supporting documents. In the case of travel expenses and business entertainment expenses, the amount, time, place, individuals involved (including names, diocese/organization and titles) and business purpose must be recorded and substantiated. In addition, a description of the type of entertainment provided,

the nature of the business relationship with those entertained, and nature of the expected benefit to the organization must support any business entertainment expense.

c. Each employee is responsible for exercising sound business moral judgment, ensuring that all travel and entertainment expense policies and procedures are followed and submitting accurate, neat, and timely expense reimbursement reports.

d. A direct supervisor with the appropriate approval authority must approve an employee's completed expense reimbursement report.

e. Each approver is responsible for ensuring that expense reimbursement reports are complete, all required documentation is present, the expenses are for valid and necessary business purposes, the amounts are reasonable and that the employee complied with all travel and business expense policies and procedures.

f. Properly completed and approved expense reimbursement reports must be submitted to the Office of FAP's Accounting department for processing for those entities using the accounting services of the Office of FAP and/or Management Corp.

g. The Office of FAP Accounting department will be responsible to verify the accuracy of the final expense reimbursement report for overall propriety for those entities using the accounting services of the Management Corp.

h. Business expenses will not be reimbursed without proper completion, original receipts, supporting documentation and appropriate level of approval of the expense reimbursement report .

7.1.15.15. Telephone Calls – Telephone charges incurred while traveling will be reimbursed when such costs relate directly to the business of the Archdiocesan Corporation and the Ecclesiastical Organizations. Documentation of the business purpose and the person called is required. Telephone charges on hotel bills submitted for reimbursement must be documented on the expense report. Cellular and home telephone charges relating to Archdiocesan Corporation and the Ecclesiastical Organizations' business will be reimbursed with appropriate supporting documentation. Business calls must be identified on the original telephone bill submitted with the expense reimbursement report.

7.1.15.16. *Laundry* – Dry cleaning, etc., and valet service's expenses, unless travel is over seven consecutive days, are not reimbursable.

7.1.15.17. *Tips and Gratuities* – Tips are reimbursable for normal services associated with business travel such as food services, porters, etc. Tips included on meal

receipts will be reimbursed. Tips must be reasonable, and any unusual amounts will be deducted from the expense report. The general guidelines to be used for tipping are as follows: no more than the percentage set forth in Exhibit V Section II-q for meals.

7.1.15.18. *Subscription and membership in professional and other organizations* – These expenses must relate to business affairs of the Archdiocesan Corporation or the Ecclesiastical Organizations and must be approved in advance by the employee's supervisor.

7.1.15.19. *Credit Cards* – The Archdiocesan Corporation or the Ecclesiastical Organization will not reimburse employees for credit card fees or late charges. Credit card statements are not considered sufficient for supporting documentation. The original invoice must be submitted to substantiate the expense for reimbursement.

7.1.15.20. *Employee Recruitment* – Travel for prospective employees of the Archdiocesan Corporation and the Ecclesiastical Organizations must be authorized by the Director of Human Resources of the Office of FAP, the Moderator of the Curia, the CFO and/or the president of the Ecclesiastical Organization in order to be reimbursed. Reimbursements for authorized travel expenses such as airfare, hotel, and meals incurred during the recruitment process are not taxable to the prospective employee.

Once an offer of employment has been accepted, relocation expenses incurred by the prospective employee and his/her family may be paid if agreed to during the recruitment process and documented in a signed agreement by the employer and the prospective employee. These relocation expenses are subject to the current IRS regulations and may be taxable to the employee. Relocation expenses must be authorized by the Human Resources department of the Office of FAP, the Moderator of the Curia, the CFO and/or the president of the Ecclesiastical Organization.

7.1.15.21. *International Travel* – Reimbursable international expenses include expenditures incurred for travel, personal meals, business meals, and entertainment, lodging, passport fees, airport taxes, exchange rate fees, and other items necessary for the conduct of Archdiocesan Corporation and the Ecclesiastical Organizations' business. Expense reimbursement reports must be submitted in US dollars with an explanation and translation of the foreign receipts and their conversions. Travelers must use the currency rates that were in effect when travel took place.

7.1.15.22. *Stipends, Honoria, and Contractors* – These expenses must relate to Archdiocesan and the Ecclesiastical Organizations' business, be approved in advance, processed on a check request or by invoice from the vendor, and submitted to the Accounting department of the Office of FAP for processing. As set forth in Section 7.2.2. – Government Reporting Requirements, W-9 forms must be obtained from vendors and submitted to the Accounting department of the Office of FAP before payments are requested. The name on the W-9 should always match the name on the check request. These expenses should not be submitted on expense reimbursement reports (Ref: Utilization of Consulting Services,

7.1.17.). Stipends for employees should be submitted to Payroll department of the Office of FAP for processing.

7.1.15.23. *Office, Other Supplies, and Miscellaneous Items* – Employees are to check with the Accounting department of the Office of FAP to determine if the Archdiocesan Corporation and the Ecclesiastical Organizations have an established account with a Vendor prior to making the purchase. If the item can be purchased by the Archdiocese, rather than the individual, sales tax will not be charged. Often the Archdiocesan Corporation will have a discount program with a vendor, reducing the expense. If an item must be purchased by the individual, the employee is to obtain a tax-exemption certificate from the Office of FAP's Accounts Payable department. The establishment of credit with any vendor must be initiated through the Controller.

7.1.15.24. *Non-Reimbursable Expenses* – Personal expenses are generally not reimbursed. See 7.1.15 for a description of reimbursable expenditures. Expenses not reimbursable by the Archdiocesan Corporation and the Ecclesiastical Organizations include but are not limited to the following items:

- a. Travel expenses incurred for personal reasons are not reimbursed. For example, this includes, travel insurance, upgrades, traffic tickets, accidents or damages, thefts or loss of personal property while traveling.
- b. Costs for personal entertainment, health club fees, medical costs, personal cell phones.

7.1.16. **Legal Representation**

The purpose of this policy is to provide guidelines to facilitate the process of obtaining legal counsel and other consulting services. This policy provides guidance when there is a threat of impending legal action, protocols in instances of allegation / suspicions of wrongdoing or illegal behavior by employees, covers those instances when certain services are required for day-to-day business, and delineates proper utilization of consulting services once obtained.

7.1.16.1. In advance of filing or contesting any legal action with a civil court or governmental entity, the Moderator of the Curia, the CFO, the Chancellor or the president of an Ecclesiastical Organization will consult with and seek the written authorization of the Archbishop (canon 1288).

7.1.16.2. Any concerns that might reasonably lead to legal action are to be immediately reported to the Moderator of the Curia or to the CFO. Reporting is to occur at either the time of an incident or at the initial indication that legal action might ensue, whichever comes first. Reporting need not and should not wait for the actual receipt or service of a summons, subpoenas, etc. Reporting of any incident or concern must occur before securing legal counsel.

7.1.16.3. With regard to specific projects or matters within the Archdiocese that require legal input, only the Moderator of the Curia, the Vicar for Clergy, the Chancellor, the CFO and the president of the Ecclesiastical Organizations (subject to that entity's governing documents) have authority to engage legal counsel. Coordinating the retention and management of outside counsel provides a greater degree of assurance that legal services will be provided at the lowest possible cost, that unnecessary, incomplete, or repetitive legal work is not contracted for, that legal practices, positions and policies will be consistent within the Archdiocese and that the mission of the Catholic Church will not be compromised. For these reasons, it is essential that those seeking assistance of legal counsel determine the specific issue(s) to be addressed, the relevant facts needing to be conveyed, and the applicability of the advice to the Archdiocesan Corporation or the Ecclesiastical Organization.

7.1.16.4. Employees should be alert to identify communications from officials of governmental agencies (IRS notices and garnishments, for example) that may indicate a possible governmental or administrative action. Rather than responding independently to this form of communication, employees are to refer the communication to the Moderator of the Curia, the CFO, the Controller or the president of the Ecclesiastical Organization. Communications during the course of legal proceedings should be handled in a similar fashion.

7.1.16.5. With the exception of garnishments and other third-party actions to collect funds approved by a court against an employee or vendor, any legal action or threatened legal action will be investigated and evaluated by the Moderator of the Curia and the CFO or the Ecclesiastical Organization's president. Service on the Archdiocese of any

legal documents (including warrants, summonses, subpoenas, etc.) is to be directed to and handled by the Moderator of the Curia or his designee.

7.1.16.6. From time to time, it may be necessary to investigate allegations or suspicions that an employee has engaged in wrongdoing in violation of criminal or civil laws. In any instance where an investigation is required, the Moderator of the Curia, the Chancellor, and the CFO are to be consulted directly at the outset. These three individuals are to be given the opportunity to seek legal counsel, if deemed necessary, and to coordinate the scope of the investigation. The policy regarding retention of outside counsel applies equally in matters of suspected or alleged wrongdoing.

7.1.17. Utilization of Consulting Services

The purpose of this policy is to ensure that similar services or expertise are not available elsewhere within the Archdiocese prior to utilizing the services of individuals or companies as professional consultants, contractors and other service providers. Requests for consulting services shall be approved by either the Moderator of the Curia or the CFO.

7.1.17.1. The requesting department shall make every effort to obtain pricing based on either an hourly or daily rate, or a fixed price rather than on a retainer basis, and fully define the scope of the services to be provided to the Archdiocesan Corporation and/or the Ecclesiastical Organization.

7.1.17.2. The term “Consultant” shall mean an individual or firm/company entering into the agreement to perform services for the Archdiocesan Corporation and/or an Ecclesiastical Organization in areas to include, but not limited to finance, fund-raising, public relations, personnel, strategic planning, engineering or information systems. This definition does not include temporary manpower required to perform specific limited non-advisory tasks under an approved program, such as summer temporary helpers.

7.1.17.3. Consultants are not employees of the Archdiocesan Corporation and the Ecclesiastical Organizations. Monies paid to Consultants for airfare, travel, lodging, meals or other miscellaneous expenses are not reimbursable under the Archdiocesan Accountable Plan and are considered income to the Consultant.

7.1.17.4. The Office of FAP must approve all requests for consultant services involving former Archdiocesan Corporation and/or Ecclesiastical Organizations employees. If the cumulative costs for a specific consultant including the overall amount of all amendments, extensions, or additional contracts exceeds the amounts set forth in Exhibit V Section II-j per annum, regardless of whether the consultant is or is not a former employee, such request must have the approval of the CFO.

7.1.17.5. Depending upon the form of consultation provided, consultants to be retained by the Archdiocesan Corporation and/or Ecclesiastical Organizations must carry the following types of insurance coverage and must designate the Archdiocese as an additional insured on each of the following policies at no additional cost to the Archdiocesan Corporation and the Ecclesiastical Organizations. The consultants shall provide a certificate of insurance reflecting that the Archdiocesan Corporation and the Ecclesiastical Organizations are an additional insured prior to performing any services for or on behalf of the Archdiocese:

- a. Workers' Compensation and Employers' Liability
Limits: the amounts set forth in Exhibit V Section III-b
- b. Vehicle Liability: A contractor who uses a vehicle or truck should be required to provide evidence of Vehicle Liability coverage for all owned, non-owned and hired vehicles.

Required: the amount set forth in Exhibit V Section III-c.

c. General Liability: All contractors should provide evidence of Commercial General Liability Coverage naming the Archdiocese and the parish as additional insureds. Coverage should include Products and Completed Operations. Required minimum limits: the amounts set forth in Exhibit V Section III-d.

d. These coverage requirements and limitations must be obtained and verified with the Director of Risk Management of the Office of FAP by the requesting department prior to submittal to the CFO.

Part 2: General Business Practices for the Archdiocese and Ecclesiastical Organizations

7.2.1. Official Catholic Directory

The Archdiocesan Corporation and those Ecclesiastical Organizations officially recognized by the Archdiocesan Corporation are listed in the Official Catholic Directory (OCD). Every year the Internal Revenue Service (IRS) confirms the existing USCCB Group Ruling granting exemption from federal income tax pursuant to section 501(c)(3) of the Internal Revenue Code (“Code”) for all Catholic organizations listed in the OCD.

7.2.1.1. All tax-exempt organizations listed in the OCD under the Archdiocesan Corporation are strictly prohibited from participating or intervening in political campaigns on behalf of or in opposition to any candidate for political office.

7.2.1.2. An organization must complete an application for inclusion in the OCD, submit the completed application to the CFO or his designee (the Legal Director) and comply with all annual reporting requirements.

7.2.1.3. At any time in which a legal structure of any organization listed in the OCD is established or revised, the CFO or Legal Director is to be notified. Notification is also to be made for any substantial change in operations, control, mission, purpose, or ownership.

7.2.1.4. There are specific requirements enforced by the IRS in order to be listed in the OCD. On a periodic basis, all organizations listed under the auspices of the Archdiocese will be required to re-submit an application for listing or to supplement its application for a determination of the appropriateness of the continued listing in the OCD.

7.2.2. Government Reporting Requirements

The Accounting department of the Office of FAP is responsible for ensuring that all applicable federal and state reporting forms and supporting documentation are obtained, when necessary, prior to making disbursements. In accordance with Internal Revenue Service regulations, the Archdiocesan Corporation and the Ecclesiastical Organizations requires a valid Taxpayer Identification Number (TIN) to be on file in the Accounting department of the Office of FAP for all payment transactions prior to processing a check – regardless of amount and including “one-time” payments. TINs are provided via Form W-9: Request for Taxpayer Identification Number and Certification.

7.2.2.1. A TIN consists of nine numbers. It is either a Social Security Number (SSN) issued by the Social Security Administration or an Employee Identification Number (EIN) issued by the Internal Revenue Service. The name and TIN combination provided must agree with IRS files.

The nine-digit tax number provided via Form W-9 must exactly match the name and number the IRS has on file. Specifically:

- a. Social Security Number will match to an Individual’s name.
SSN format: xxx-xx-xxxx.

On the W-9 form complete the individuals name and add DBA with business name on the second line if applicable. Many payees provide the individuals SSN but neglect to include the DBA business name.

- b. Employer Identification Number will match to a business name.
EIN format: xx-xxxxxxx.

7.2.2.2. If a payee refuses or neglects to provide a TIN, the Archdiocese and the Ecclesiastical Organizations (payer) must begin backup withholding immediately, complete the required annual solicitation (request) for the TIN, and backup withhold until the TIN is received.

7.2.2.3 Responsibility for obtaining TIN information is that of the approving manager. It is important to note that completing the W-9 is required regardless of the amount of the initial payment. The Accounting department of the Office of FAP will inform the manager that payment cannot be processed until a W-9 is received. In situations where manual checks are prepared via petty cash checking accounts, managers must confirm that a completed W-9 is on file before payment is processed. It is suggested that the original W-9 be sent to Accounting department of the Office of FAP with a copy remaining on site for future reference.

7.2.2.4 Form W-9 is available in the Accounting department of the Office of FAP or on-line at the IRS web site – www.irs.gov.

Sales Taxes

7.2.2.5. *Sales Taxes* – The Archdiocesan Corporation and the Ecclesiastical Organizations comply with all applicable federal, state and local tax laws. Colorado law requires that sales tax must be collected by all businesses selling tangible, personal property located in Colorado. If the Archdiocesan Corporation and the Ecclesiastical Organizations sell a product to the end user, sales tax must be collected. The amount of sales tax collected depends upon the taxing districts where the business is located. All tax rates are subject to change.

7.2.2.6. *Purchases* – The Archdiocesan Corporation and the Ecclesiastical Organizations are exempt from sales tax. The exemption only applies to items purchased for use in the regular operations of the organization. It is the responsibility of the employee to obtain the tax-exempt form from the Accounting department of the Office of FAP, or from the respective Ecclesiastical Organization’s accounting department, prior to incurring an expense.

7.2.2.7. *Sales Tax Exemption* - Individuals are encouraged to purchase items in a manner that allows the items to qualify for a sales tax exemption. In order to qualify, the individual purchaser must provide or show the vendor a copy of the organization’s sales tax exemption certificate. Another option is to use vendors who have the sales tax exemption certificate on file.

7.2.2.8. Sales to parishes are not subject to sales tax.

7.2.2.9. The following transactions are not exempt from sales tax:

- a. Sales made by Archdiocesan Corporation or the Ecclesiastical Organizations to employees, parishioners or outside purchases are subject to sales tax.
- b. Purchase of a taxable item, such as a room or meal, paid for with personal funds of an employee is not tax-exempt even though the funds are reimbursed by the Archdiocesan Corporation and the Ecclesiastical Organizations.
- c. Construction contractors who perform a construction contract for the Archdiocesan Corporation and the Ecclesiastical Organizations are considered to be the ultimate user of the purchased material and are subject to sales tax when purchasing building materials used to perform the contract.
- d. Purchases of food and beverages by the Archdiocesan Corporation and the Ecclesiastical Organizations are subject to tax if the final recipient reimburses the Archdiocesan Corporation and the Ecclesiastical Organizations in any way, such as the purchase of a ticket, payment of a registration fee or membership fee, or making an involuntary contribution to attend such an event.

- e. Sales of tangible personal property acquired as a gift or donation sold to the public are subject to sales tax. Designating proceeds of a sale for charitable purposes does not exclude the sale from sales tax.
- f. Purchases made by Archdiocesan Corporation and the Ecclesiastical Organizations that are used in a function or activity that do not qualify as the regular charitable or religious function for which it was organized are subject to sale tax.

7.2.2.10 Organizations must keep all records of business transactions to enable both the organization and the Colorado Department of Revenue and other city and county departments to determine the correct amount of sales and use taxes for which the organization is liable. These records must be available for review by the Department of Revenue and MUST include:

- a. Complete, accurate beginning and ending inventories.
- b. Purchase receipts
- c. Sales receipts
- d. Cancelled checks
- e. Invoices
- f. Dated delivery acceptance receipts showing location
- g. Bills of lading
- h. All other account books and documents pertaining to the business

7.2.2.11 Colorado law requires that sales tax be separately listed from the selling price on all invoices, billings and business records. It is illegal to advertise that a sale is tax-free or for the seller to “absorb” the sales tax. Violation of these guidelines subjects the Archdiocesan Corporation and the Ecclesiastical Organizations to penalties.

7.2.2.12 Contact the Accounting department of the Office of FAP for current sales tax rates prior to sale.

7.2.3. **Real Estate and Capital Projects**

Any contemplated transaction involving real property owned by the Archdiocese or property held by the Archdiocesan Corporation for the benefit of a parish within the territory of the Archdiocese or for an Ecclesiastical Organization, including purchases, sales, leases, license or use arrangements, easement agreements, or encumbrances of any kind with respect to any building or land must be coordinated by the Office of FAP. The policies contained in Chapters 8 and 11 must be adhered to by management of both the Archdiocesan Corporation and the Ecclesiastical Organizations. Formal, written authorization of such transactions must be executed by the Archbishop or his designee prior to any formal commitment.

7.2.4. **Risk Management**

A consideration of risk management includes study of the nature and extent of the risk to which the Archdiocesan Corporation and the Ecclesiastical Organizations are exposed. All practical methods of eliminating the risk and/or preventing or minimizing losses must be explored in order to reduce the overall exposure to possible material losses. Events or situations or changes in business operations, including new programs or business opportunities, may present additional or new risk exposures to the ongoing operation of the Archdiocesan Corporation and the Ecclesiastical Organizations and must be brought to the attention of the Director of Risk Management of the Office of FAP for further risk assessment, or to obtain proper insurance coverage and/or other means to protect assets.

7.2.4.1. The Archdiocesan Corporation and the participating Ecclesiastical Organizations must be insured through the insurance program established by the Archdiocese of Denver Property/Casualty Insurance Trust (“the Insurance Trust”). This insurance program includes: property insurance, builders risk insurance, general liability, automobile insurance, crime coverage, umbrella liability, directors and officers liability, morality liability, etc. Archdiocesan personnel are encouraged to contact the Director of Risk Management of the Office of FAP for any specific coverage questions or for the cost of insurance, to review leases, for certificates or proof of insurance, to report property or bodily injury claims, etc. Each parish or organization should be familiar with the nature and extent of the insurance provided by the insurance program.

7.2.4.2. The Director of Risk Management of the Office of FAP provides education and consultation in the areas of public safety, loss control inspections and recommendations, environmental protection, compliance with governmental regulatory agencies and risk management.

7.2.4.3. The Archdiocesan Corporation and the participating Ecclesiastical Organizations of the Insurance Trust must follow the policies and guidelines as outlined and issued by the Office of Risk Management of the Archdiocese of Denver Management Corporation. The Archdiocesan Corporation and the Ecclesiastical Organizations are to maintain a copy of and utilize the Archdiocese of Denver Risk Management and Insurance

Manual. Significant risk management issues are addressed within that Manual, including the following:

a. If the Archdiocesan Corporation or an Ecclesiastical Organization makes available a portion of its property to individuals or groups, the principles and practices of the individuals or groups must be compatible with the teachings of the Catholic Church. In addition, if the individuals or groups require the use of the property for an event, a facility usage license agreement shall be provided and kept on file by the respective Ecclesiastical Organization office, with a certificate of insurance naming the Archdiocesan Corporation and the Ecclesiastical Organization as additional insured parties. The license agreement shall be maintained during any period in which the facility is used and shall be required regardless of whether rent is charged.

b. The Archdiocesan Corporation or its related ecclesiastical organization renting or leasing property must have a signed written lease agreement outlining the terms of use and payment (see 10.16.0.).

c. Consistent with the Archdiocesan Corporation's commitment to promote and help assure a safe environment for children and young people in her care (Ref: Chapter 3 – The Teaching Office – Child and Youth Protection), those who use and occupy Archdiocesan-owned buildings and other premises for Archdiocesan activities, the Archdiocese and its related Ecclesiastical Organizations within its territory are to:

- i. Pre-screen those organizations or individuals that lease or request a use agreement for such properties.
- ii. Require background checks on such tenants as a condition for tenancy when the proposed tenant and the related ecclesiastical organization share use and/or access to all or any portion of the related ecclesiastical organization's property, excluding parking areas.

7.2.5. **Employment and Personnel Matters**

Employees of the Archdiocesan Corporation and the Ecclesiastical Organizations are an important resource that perform a valuable role in furthering the mission of the Church and assisting the parishes in northern Colorado. Employees of the Archdiocesan Corporation or the Ecclesiastical Organizations do not possess an ecclesiastical office unless they are appointed to their position with a canonically executed decree by the Archbishop or another canonically competent authority.

In order to continue being a good Steward of all Archdiocesan and the Ecclesiastical Organizations' resources, it is important that the Archdiocese and the Ecclesiastical Organizations adopt, and consistently apply, good employment practices. The following are all critical elements in the establishment and maintenance of a good employment program: performing proper due diligence as part of the hiring process; conducting annual performance

evaluations; reviewing and approving in writing the starting wages and all adjustments thereto; complying with all legal employment requirements and regulations set forth by federal and state authorities maintaining proper employee personnel and other associated employment files. The policies contained within this Pastoral Handbook and in the Exhibits (Exhibit VI – Personnel and Other Employment Related File Contents) as well as the guidelines issued from time to time by the Director of Human Resources of the Office of FAP are intended to assist the Archdiocesan Corporation and the Ecclesiastical Organization with their individual employment programs.

When there is employee turnover at the Archdiocesan Corporation or any Ecclesiastical Organization, it is an opportunity to take a fresh look and determine the current staffing needs. For example, it is not always necessary to replace a position, or replace it with the same title, responsibilities or same combination of skills. It is important to determine if the job duties can be absorbed by other individuals, or if the position should be replaced with a different set of skills or responsibilities altogether.

Some action steps in this area include the following: identify the need, prepare, review and update a job description, review applications and resumes, check re-hire status with the Office of Human Resources of the Office of FAP, set up and conduct the interviews, check applicant references, determine the overall best qualified applicant, and make the job offer contingent upon the receipt of an acceptable background check.

When Archdiocesan Corporation's or Ecclesiastical Organizations' personnel offer a position to a prospective employee, it is important to communicate the following specifics to the new employee: the title of the position, start date, hourly or monthly pay, work schedule, employment status (full-time with benefit package, or seasonal, part-time or temporary without benefit package), the responsibilities and expectations of the position and the immediate supervisor of the position.

7.2.5.1. *Re-Hire Policy* – Employees who have resigned, or been a part of a reduction in force from employment within the Archdiocese, the parishes within the Archdiocesan Corporation or Ecclesiastical Organizations (“the Archdiocesan system”), are eligible for re-hire by the Archdiocesan Corporation or Ecclesiastical Organization. However, in recognition that all Archdiocesan entities are called to assist one another in building the Kingdom of God, employees who have been terminated either for cause or at-will within the Archdiocesan system are not eligible for re-hire without advance approval by the Director of the Office of Human Resources of FAP (the Director). It is very important to contact the Director to determine the re-hire status of prospective candidates who have been previously employed by the Archdiocesan Corporation, a parish within northern Colorado or an Ecclesiastical Organization.

7.2.5.2. *Performance Evaluation Program* – The evaluation program is an important tool to provide valuable feedback to employees on an annual, or bi-annual, basis. The evaluation program, when used consistently, is an opportunity to encourage, enlighten, and strengthen the work product of all the various departments and ministries of the Archdiocesan Corporation and its Ecclesiastical Organizations.

7.2.5.3. *Progressive Discipline Process* – The purpose of progressive discipline in the workplace is to improve performance and/or behavior which are not meeting the employer’s expectations and to promote change to achieve an acceptable level of performance. The discipline process it is not meant to punish employees and is a business practice encouraged by the Archdiocese.

Please note that this is a voluntary process for the respective Archdiocesan employer.

It is recommended that supervisors contact the Office of Human Resources of the Office of FAP for consultation prior to performing any form of written discipline or termination of employment.

7.2.5.4. Employment contracts for Holy Family High School and Bishop Machebeuf High School are utilized exclusively for schoolteachers and school principals only in accord with the norms established by the Office for Catholic Schools (See 10.25.8).

7.2.5.5. The Archdiocesan Corporation and the Ecclesiastical Organizations are strongly encouraged to follow the policies and guidelines as outlined and issued by the Office of Human Resources of the Office of FAP as they pertain to employment practices and benefits administration. The Ecclesiastical Organizations are to implement the Employee Handbook, modified for their particular employment practices, as such guidance is considered to be a “best business practice” in the secular world.

7.2.5.6. The Archdiocesan Corporation and the Ecclesiastical Organizations must use the approved Job Application form for all applicants for employment, unless a specific Ecclesiastical Organization has developed its own. Refer to Exhibit VI, Personnel and Other Employment Related File Contents.

7.2.5.7. All wages, pay rates, and adjustments thereto for the Archdiocesan Corporation or related Ecclesiastical Organization must be approved by the requesting supervisor of the position, the applicable Director of Human Resources, the CFO, the Moderator of the Curia (subject to monetary thresholds – see Exhibit V) and/or the president of the respective Ecclesiastical Organization.

7.2.5.8. The Archdiocesan Corporation and the Ecclesiastical Organizations are to comply with the requirements of the Office of Child & Youth Protection Code of Conduct and include the safe environment training documentation for each employee in a separate file (Ref. Chapter 3 – The Teaching Office).

7.2.5.9. *Personnel Files* are to be maintained on all full-time, part-time, current and temporary employees. Refer to Exhibit VI, Personnel and Other Employment Related File Contents for a listing of personnel file contents and other employment related files that must be maintained. In addition, please refer to Exhibit III, Record Retention Schedule for the Archdiocese Archdiocesan Corporation and the Ecclesiastical Organizations for guidance regarding retention files for former employees.

7.2.5.10. The Archdiocesan Corporation and the Ecclesiastical Organizations are encouraged to provide sick and vacation time or PTO (Paid Time Off) benefits to their employees. If such benefits are provided to employees, the Archdiocesan Corporation and the Ecclesiastical Organization must develop written procedures that detail the benefit(s), who is eligible, the procedures for using the benefit(s), and who are the participating eligible employees. Appropriate records must be maintained to identify and account for benefit hours accumulated and used and the supervisor of each employee will bear the responsibility for the accuracy of such records.

7.2.6. **Electronic Giving and Registration**

The Archdiocesan Corporation encourages its various offices and the Ecclesiastical Organizations to consider the benefits of an effective, secure and professional Electronic Giving program. When a significant number of donors can be converted to an electronic giving program, the related entity usually will see an increase in overall giving. However, these programs must always be processed through the secure online giving page maintained by the Archdiocesan Corporation, provided the Ecclesiastical Organization utilizes the accounting and information technology services of the Offices of FAP.

Specifically, because of security, liability, potential civil penalties and other issues related to electronic payment programs / collections, the Archdiocesan Corporation requires all of the Ecclesiastical Organizations to consult with the Office of the Controller prior to considering any electronic giving programs. The Archdiocesan Corporation is concerned about the following:

- Security issues – any fraud on a donor’s bank or credit card account could greatly undermine the trust that the entire community places in the offices of the Archdiocesan Corporation and/or the Ecclesiastical Organizations.
- Successful electronic giving and registration depends on offering donors or registrants many options, including:
 - Credit card payments options which maintain compliance with data security standards established by the Payment Card Industry (PCI).
 - Easy and confidential ways to initiate and change giving amounts.
 - Opportunities to include special collections or other donations in the giving mix.

Consultation with the Controller’s Office covers any program whereby the Archdiocesan Corporation, any of its offices or the Ecclesiastical Organizations initiate the process of transferring funds from a donor’s bank account and/or uses a donor’s credit card to charge for a donation or registration fee to the donor’s account.

Chapter 8: Building, Property, and Construction Project Guidelines

Overview

As stated in the Preamble to this Handbook and, in particular, in canons 392, 1276 and 1279, the Archbishop has a canonically defined role in regard to the parishes and other public juridic persons within the Archdiocese to ascertain that they are operating in accordance with canon law. Canon law requires that the Archbishop establish particular law for the financial procedures under which a parish operates and has done so in the promulgation of this Handbook (canons 1276 and 1281). In connection with this chapter of the Handbook, the Archbishop and his designees have provided guidance in the complex areas of Construction and Real Estate Projects / Transactions in order to help preserve both the resources of the Archdiocese and its faithful (canon 495).

Accordingly, the purpose of this chapter is to provide Archdiocesan employees and advisors, pastors, the building committees and finance councils with an understanding of the policies for capital construction projects, major remodeling and real estate transactions conducted in the Archdiocese by parishes and the Ecclesiastical Organizations within its territory. The following topics are covered: construction guidelines for capital expenditures and construction projects, construction involving liturgical design, real estate transactions, Catholic schools projects, and a description of roles and responsibilities.

8.1. **Parishes and Ecclesiastical Organizations Planning Capital Expenditures**

8.1.1. *Capital or Construction Limit:* A pastor of a parish has authority to spend up to the limit (see Exhibit V) for capital items, architectural services, construction contracts, or other expenditures (including furniture, liturgical items, artwork, office equipment and automobiles). The President or other qualified officer of an Ecclesiastical Organization authorization authority is established pursuant to that entity's Articles of Incorporation, By-Laws or Canonical Statutes. Circumvention of this policy is not permissible by measures such as breaking the project into smaller components. All items that exceed the limit must have prior approval from the Moderator of the Curia, and/or CFO of the Archdiocese or, the Board of Directors of the applicable Ecclesiastical Organization. (Ref: Chapter 10 - Parish Guidelines of Authority – Authorization Limits – 10.3.0.)

8.1.2. *Permission from the Archbishop* – Significant construction projects impact the Archdiocese as a whole. Accordingly, when contemplating a new facility, sizable remodeling, or land purchase needs, the pastor and/or officer of the related Ecclesiastical Organization must write a letter to the Archbishop describing the project and seeking the Archbishop's or the Moderator of the Curia's approval. If the pastor anticipates liturgical worship space issues, the pastor's letter shall request initial approval from the Archbishop.

8.1.3. *Planning Elements* – The parish or an Ecclesiastical Organization should begin planning early to clarify how the entity sees its mission and future needs and how that mission best serves the needs of the faithful, as well as assessing realistically its resources. The entity should reflect on the proposed project, how it will contribute to the entity's ministries and how it will impact the daily work and yearly budget of the entity (Ref: Chapter 10 - Guidelines of Authority: 10.3.0.)

8.1.4. *Planning for Capital Campaign* – A parish must receive permission from the Moderator of the Curia for the project before conducting a capital campaign fund drive after review and approval by the Office for FAP/Management Corporation (Ref: Chapter 11 - Administrative Authority). An Ecclesiastical Organization should receive approval from its Board of Directors before seeking approval from the Archbishop to conduct a capital campaign.

8.1.5. Overall Guidelines

8.1.5.1. *Broad Participation* – The parish building committee or its equivalent for an Ecclesiastical Organization should seek means to involve the parish community and/or advisory groups of the entity in the building project. Parishioners involved in the planning have a strong sense of ownership in the project and are better prepared to financially support the new building.

8.1.5.2. *Building Committee* – The building committee is an advisory group to the pastor and/or the president of an Ecclesiastical Organization. Committee members should be involved and loyal in the life and work of the Church. It is suggested that at least one member be a representative from the parish finance council or its equivalent in an

Ecclesiastical Organization. Assignments and responsibilities of the building committee are to be defined early in the planning process.

8.1.5.3. *Planning Information Gathering* – The data gathering process must be ministries driven. Understanding the needs of the parish or Ecclesiastical Organization and the persons served is a critical goal in gathering planning information.

8.1.5.4.. *Parish Profile* – The profile of the parish is a combination of information about the environment and demographics within and surrounding the parish. This includes parish membership, parish ministry, and activities with an assessment of the facilities needed to compliment the ministries of the parish.

8.1.5.5. *Concept Design* – The architect reviews and analyzes the parishes/other entities' needs assessment and funding capacity to determine the project scope and budget. The architect consults with the pastor and the parish building committee, and provides a preliminary feasibility evaluation of the project with particular reference to the budget constraints.

8.1.6. *Other Guidelines for Parishes and Ecclesiastical Organizations*

8.1.6.1. *Master Planning Building or Facility Usage* – Planning will consider the mix and juxtaposition of buildings, support facilities and land required for parish activities, ministries and growth. Planning should consider the long-term facility uses for the proposed building and the entire parish plant. The design should be flexible with the possibility of expansion or multi-use capability over the life cycle of the structure.

8.1.6.2. *Preliminary Architectural Planning and Programming* – The pastor or President of the Ecclesiastical Organization may hire an architect on a fee basis for planning and programming with the respective entity's building committee (subject to limitations of 8.1.). The architect selected generally is the same professional who completes the entire project, but will need to be formally selected after the parish is granted approval to prepare construction documents. {Ref. Selection of Architect – 8.5.1.}

8.1.6.3. *Prioritize Project Elements* – The parish or the Ecclesiastical Organization must prioritize the construction phases according to the results of the planning, needs assessment and advice from its architect, so that completion of the most important part(s) of the project will occur first should finances prove insufficient to fund the entire proposal.

8.2. **Real Property, including Leasing Transactions**

Consistent with both canon law and appropriate civil/secular laws, parish property is beneficially owned by the respective parish or the Ecclesiastical Organization. Within the Archdiocese, all real property is held in Trust by the Archdiocesan Corporation for the benefit of the parishes in the territory of the Archdiocese and for certain Ecclesiastical Organizations; however, the beneficial owner of parish property is the applicable parish or Ecclesiastical Organization as set forth in the official records of the 25 different counties comprising the territory of the Archdiocese in the state of Colorado.

The purpose of this section is to highlight the norms for the purchase, sale, disposal, lease and other uses of real property of the Archdiocese, parishes and their schools, and the Ecclesiastical Organizations.

8.2.1. *Real Property Transactions* – The Archbishop, or his designee, must approve the purchase and sale of property, property lease and/or other use agreements, easement arrangements, annexation, subdivision and zoning submittals, official site development plans and related agreements, matters involving mineral interests and water rights, and acceptance of donated property for parishes. Transactions by Ecclesiastical Organizations should be governed by their canonical statutes or secular governing documents (Ref: Chapter 11 - Receiving Gifts of Real Estate)

8.2.2. *Initiation of Approval Process on Real Estate Transactions* – The approval process is initiated at the parish or by the president of the Ecclesiastical Organizational level through consultation between the pastor, the appropriate officer of the Ecclesiastical Organization and their respective finance councils and/or pertinent board of directors. It is then the pastor's/officer's responsibility to communicate the proposal, as supported by his advisory councils and, of course, with the general consensus of his parishioners/ board of directors. In the case of property purchase or sale proposals, the pastor or other responsible individual should provide a written request to the Archbishop that summarizes the basic terms of the proposed transaction, the rationale and planning that support the proposal, the support of the parish finance council or the entity's respective board of directors/advisory group(s) and as much detail on financial aspects of the transaction as may be available at the time. The parish should bring all other types of real estate matters and questions to the attention of the Director of Real Estate.

8.2.3. *Real Property Purchase Subject to the Archbishop's Final Approval* – All real property purchase contracts involving parishes within the territory of the Archdiocese are to designate the Archdiocese of Denver, a Colorado corporation sole, as trustee for the benefit of the parish along with the applicable parish (the public juridic person and beneficial owner), as the proper parties to the contract. All such contracts are specifically entered into subject to the Archbishop's final written approval, which may be provided by his designee for such purpose at the time the transaction is finalized. In addition, the parish should work with the Director of Real Estate to review and process the appropriate documentation for not only purchase and sale contracts, but on documents such as Letters of Intent, leasing proposals, development agreements and other types of matters affecting real property rights.

8.2.4. *50% of Real Property Purchase Amount in Cash* – The parish may borrow funds from the Irrevocable Revolving Fund Trust (“Revolving Fund”) or, in unusual circumstances, through an outside financing source, when approved by the Revolving Fund Management Committee (Ref: 8.6) and/or the Archbishop or his designee. However, at least 50% of the total cost of the proposed real property purchase must be on hand in cash and deposited in either the parish’s bank or Revolving Fund account at the time of signing the purchase contract unless a specific exemption has been granted by the Archbishop or his designee. In addition, the parish should have sufficient operating cash reserves, defined generally as a sum equal to six months of budgeted operating costs, before the proposed real estate acquisition can be finalized.

8.2.5. *Real Property Due Diligence* – All real property purchases and donations are subject to review of title, current survey or improvement location certificate, environmental inspection, zoning inquiry, professional appraisal or other fair value market verification, and other inspections as may be necessary depending upon the nature of the property and its intended use. The Office for FAP will assist the parish in coordinating these due diligence tasks, and has a number of qualified consultants that the Real Estate Department can recommend for this work.

8.2.6. *Significance of Fair Market Value in the Proposed Alienation of Real Property* – The approval process requirements for proposed real property transactions are a function, in part, of the fair market value of the property at issue, and must follow and be in accordance with canon law and related directives as provided by the USCCB, as well as the Particular Norms of the Archdiocese of Denver. The dollar amount levels are adjusted from time to time by the USCCB and are included in Exhibit V – Limits for Alienation Transactions, Acts of Extraordinary Administration and Acts of Major Importance.

8.2.6.1. *Archdiocesan and/or an Ecclesiastical Organization’s property transactions valued below the “Archdiocesan minimum amount” (See Exhibit V)* – In the case of a proposed property alienation or other transactions involving fair value amounts under the minimum threshold, the Director of Real Estate and/or the Executive Committee of the Project Finance and Review Committee reviews the proposal at issue and provides a recommendation for consideration to the CFO and for the approval by the Archbishop or his designee.

8.2.6.2. *Archdiocesan and/or an Ecclesiastical Organization’s property transactions above the “Archdiocesan minimum amount”, but below the maximum amount (See Exhibit V)* – Review and favorable recommendation of such transactions by the Real Estate Committee of the AFC are prerequisite for Archbishop's approval when the dollar amount or value involved exceeds the minimum amount in the case of purchases or sales, or in other transactions that may be unique or complex. The Real Estate Committee consists of individuals with professional competence and expertise in the areas of real estate, law, transactions and finance, and also includes the CFO and Director of Real Estate. The Chairperson of the Real Estate Committee reports to the AFC on a quarterly basis.

Further review by the Archdiocesan Finance Council and the College of Consultors of the

Archdiocese may proceed based on the Real Estate Committee's recommendation, with these additional bodies' approvals being taken under advisement by the Archbishop in reaching his final decision on a proposed transaction. In order to comply with the requirements of canons 1293 and 1294, the Archdiocese has implemented the following policy:

The valuation of the property to be sold or purchased is a critical factor to be considered in real estate transactions. Therefore, when the Archdiocese, an Ecclesiastical Organization or a parish within the territory of the Archdiocese, proposes the sale or alienation of an asset above the minimum amount (See Exhibit V) as defined by the USCCB, but below the maximum limits similarly defined (See Exhibit V), the following are required:

- a. One certified appraisal prepared by a licensed appraiser who is a member of a firm approved by the Archdiocese. Such appraiser, at minimum, will have MAI certification among their professional qualifications; and,
- b. An independent, signed opinion of value prepared by a second qualified expert. The pertinent qualifications of such expert are dependent on the nature of the property to be alienated, i.e., residential, commercial, development, etc., but need not include professional status as a licensed appraiser in all instances.

8.2.6.3. *Parish or other juridic person property transactions valued below the "Parish Minimum Amount" (See Exhibit V)* – In the case of a proposed property alienation or other transactions involving fair value amounts under the Parish Minimum Amount threshold, the Director of Parish Finance and/or the Director of Real Estate, after receiving the recommendation of the pastor and his parish finance council, reviews the proposal at issue and provides a recommendation for consideration to the CFO for the approval by the Archbishop or his designee.

8.2.6.4. *Parish or other juridic person property transactions above Parish Minimum described in Exhibit V, but below the maximum* – Review and favorable recommendation of such transactions by the Executive Committee of the PFRC and/or the Real Estate Committee are prerequisite for Archbishop's approval when the dollar amount or value involved exceeds the Parish Minimum Amount in the case of purchases or sales, or in other transactions that may be unique or complex.

Consistent with section 8.2.6.2., if such parish property transactions are greater than the "Archdiocesan Maximum Amount", further review and favorable recommendation by the Real Estate Committee of the AFC, the AFC itself and the College of Consultors is required with these additional bodies' recommendations being taken under advisement by the Archbishop in reaching his final decision on a proposed transaction.

8.2.6.5. *Alienation of Archdiocesan property (including parishes or Ecclesiastical Organizations involving the "Archdiocesan maximum amount" and above* – When a proposed sale or alienation of an asset is valued above the maximum amount, two formal appraisals prepared by firms approved by the Real Estate Department, certified by an appraiser with MAI credentials, and such other additional qualifications as may be deemed

relevant to the transaction at issue are required. In addition, the approval of the Holy See is required (canon 1292§2). Accordingly, additional time will need to be allowed for approval of the transaction should the Archdiocese, a parish or an Ecclesiastical Organization contemplate alienating property at this level of value.

8.2.7. *Property Transactions of Other Kinds* – Approvals related to transactions that do not involve either the purchase or sale of real property are generally initiated through contact with the Director of Real Estate. Additional types of real property matters such as leasing agreements (see 8.2.10.), shared parking arrangements, easements, water rights, mineral interests and zoning and development issues among others, fall within this category. Given the wide range of different matters that may be involved, final approval of any given matter may be subject to varying criteria that are typically context specific. As a first step in this process, therefore, the Ecclesiastical Organization or parish must provide certain information to the Real Estate Department. Upon receipt of this data from the parish or the Ecclesiastical Organization, the Real Estate Department staff will provide guidance and assistance to the parish, both as to the specifics of the contemplated transaction and as to the pertinent review and approval process. In some cases, this may include recommending the retention of one or more qualified consultants for additional assistance, potentially including outside legal counsel. The cost incident to these third party consultants is a parish expense, which the parish or the Ecclesiastical Organization must pay directly to these vendors.

8.2.8. *Tax-Exempt Property Issues* – Church-owned real property does not automatically have tax-exempt status, nor does it retain such status (once granted upon formal application to the Colorado Division of Property Taxation). Absent the continued use of the property for purposes in furtherance of the Church’s mission and timely compliance with tax-exempt property reporting requirements on an annual basis, such tax-exempt status may be in jeopardy. Applications for tax-exempt property status, communications with the Division of Property Taxation for the State of Colorado, and the filing of annual Tax Exempt and Property Reports required by the state must be coordinated through the Real Estate Department of the Office of FAP, which will assist with the necessary processes.

8.2.9. *Donations of Real Property* – Chapter 11- Archdiocesan Fundraising and Charitable Gift Acceptance Guidelines specifically discusses the protocols and procedures applicable to the acceptance of charitable gifts to the Archdiocese, the Ecclesiastical Organizations and parishes within its territory, including donations of real property interests. Donations of this type must be coordinated through the Director of Real Estate and adhere to the guidelines outlined under “Receiving Gifts of Real Estate” in Chapter 11.

8.2.10. *Leasing Transactions* – On November 13, 2002, the USCCB approved complementary legislation for the implementation of canon 1297 of the Code of Canon Law for the dioceses of the United States. This action was ratified by the Holy See on May 2, 2007 and is now particular law of the Archdiocese. In accord with the provisions of canon 1297, the following norms shall govern the leasing of Church property within the Archdiocese:

8.2.10.1. Prior to the leasing of ecclesiastical goods owned by the Archdiocese, the Archbishop must hear the Archdiocesan Finance Council and the College of Consultors,

when the market value of the goods to be leased exceeds the limit (see Exhibit V).

8.2.10.2. Prior to the leasing of ecclesiastical goods owned by the Archdiocese, the Archbishop must obtain the consent of the Archdiocesan Finance Council and the College of Consultors when the market value of the property to be leased exceeds the limit or the lease is longer than the prescribed number of years (see Exhibit V).

8.2.10.3. The valid leasing of ecclesiastical goods owned by a parish or other public juridic person subject to the governance of the Archbishop requires consent of the Archbishop when the market value of the property to be leased exceeds the limit or the lease is longer than the prescribed number of years (see Exhibit V).

8.2.10.4. The valid leasing of ecclesiastical goods owned by a pontifical institute of consecrated life or society of apostolic life requires, in addition to the consent of the competent major superior and council, the *nihil obstate* of the Archbishop when the market value of the property to be leased exceeds the limit or the lease is longer than the prescribed number of years (see Exhibit V).

8.2.10.5. The valid leasing of ecclesiastical goods by any public juridic person requires the consent of the Holy See when the market value of the goods exceeds the limit (see Exhibit V).

8.2.11. Telecommunications Contracts (Cell Site and Other Related Leases)

8.2.11.1. Telecommunications equipment is allowed to be located on either parish properties or the properties owned by an Ecclesiastical Organization of the Archdiocese, subject to satisfaction of certain substantive and procedural requirements and coordination of the leasing contract process with the Real Estate Department in the Office of FAP.

8.2.11.2. In addition to those requirements applicable to approval of any leases or other use of the property of a parish in northern Colorado, specific requirements for the leasing of telecommunications equipment include the following:

a. **Risk/Benefit Analysis** – The parish (including its pastor, Finance Council and School Advisory Committee, if any) or Ecclesiastical Organization (by its board or other governing body) must prudently evaluate the potential risks involved by fully documenting its evaluation using the Cell Site Leases Due Diligence Checklist, a copy of which can be obtained from the Office of Risk Management.

b. **School Safety Assessment** – In the case of a parish with a school, the parish must consult with the Office of Catholic Schools and the Director of Risk Management, and provide each of them with the parish's evaluation and conclusions as to its Risk/Benefit analysis.

c. Legal Consultation and Coordination – The parish or Ecclesiastical Organization must coordinate completion of the lease or other form of telecommunications agreement with the outside law firm recommended by the Director of Real Estate of the Office of FAP for such purpose. The resulting legal expenses must be paid for by the parish or the Ecclesiastical Organization as a necessary transaction cost.

8.3. **Project Financing Review Committee (PFRC)**

The purpose of this section is to highlight the norms and operating procedures for the PFRC. The PFRC is comprised of individuals with professional competence and expertise in areas of parish administration, construction, and finance. The PFRC members serve in an advisory capacity in areas pertaining to parish construction, major remodeling or renovation, Catholic educational facilities, and capital fund-raising for projects exceeding the limit (see Exhibit V) in estimated costs. Except for schools, oratories, or churches, projects that are estimated to be less than the limit in total expenditures will be reviewed solely by the Directors of Planning and Construction, Real Estate, and Parish Finance, the CFO and the Moderator of the Curia for approval in order to simplify and expedite the process. Building projects involving oratories and churches follow the guidelines in Chapter 8 – Building, Property and Construction Projects of Special Projects – Liturgical Design Procedures, and those involving schools follow the guidelines of Catholic School Projects.

The pastor, his parish building committee, parish finance council and parish architect will make a project presentation to the PFRC and respond to inquiries about the project's financial feasibility, estimated project cost, and parish master planning. Ecclesiastical Organizations that are responsible to the Archdiocese shall present their projects to the PFRC, after approval by their respective Board of Directors.

The Chairperson of the PFRC reports to the AFC on a quarterly basis.

8.3.1. *Purpose of PFRC* – The PFRC is an advisory committee that reviews the financial feasibility of parish construction and renovation projects with a total expenditure estimated to be over the limit (see Exhibit V). Upon deliberation of parish submittals, the PFRC will make a recommendation in writing to the Archbishop or his designee followed by a letter to the pastor. If the recommendation is favorable, the parish can proceed to the next step in design or to the Management Committee of the Irrevocable Revolving Fund Trust. The Management Committee will recommend whether a loan can be approved either from the Irrevocable Revolving Fund Trust or outside sources. (Ref: Chapter 8 – Building, Property and Construction Guidelines - 8.10)

8.3.2. *Membership of PFRC* – The PFRC shall consist of the CFO/President of the Management Corp., the Director of Planning and Construction, the Director of Parish Finance, the Director of Real Estate, the Superintendent of Catholic Schools, a committee chair who is a member of the AFC, the Director of Liturgy, one pastor, two parish business administrators and other volunteers selected from time to time. Terms of the committee members other than the Archdiocesan employees will be staggered, and no one member can serve for greater than five consecutive years unless re-appointed by the Archbishop.

8.3.3. *Meetings of PFRC* – The PFRC meetings are typically scheduled on the fourth Wednesday of each month January through October and the third Wednesday in November and December. Special meetings of the PFRC may be called at the discretion of the Committee Chairperson or the CFO.

8.3.4. *Objectives of PFRC* – The PFRC evaluates the parish needs assessment, master plan, and financial information and serves as advisors to the pastor, the Archbishop and/or his designee.

8.3.5. *Limitations in Responsibilities* – The PFRC does not concern itself with other aspects of the pastoral life of the Archdiocese, nor does it generate any legislative actions. It is purely advisory in areas of project fiscal review.

8.3.6. *Other Duties of PFRC* – Other duties of the PFRC generally relate to:

8.3.6.1. Reviewing parish budget and financial statements, as well as other source materials needed to generate an informed recommendation.

8.3.6.2. Reviewing the adequacy of current revenues to cover current operational expenses and projected debt service, financial breakdown of the construction project, contingencies, risk management plans, and project timetables.

8.3.6.3. Reviewing project program, construction concept drawings and analyzing master plan goals, project phasing, economic soundness, and project long-term viability.

8.3.6.4. Recommending additional investigations or in-depth analyses related to the accuracy of the financial statements, the internal controls, or compliance with this Pastoral Handbook.

8.3.6.5. Consideration of the parish needs assessment, master plan and projected future needs.

8.3.7. *Presentation to the PFRC* – The parish wishing to raise capital funds, build new facilities, remodel existing facilities, or engage in various real property transactions, must request a presentation to the PFRC. The parish should complete the financial information forms and follow PFRC procedure.

8.3.8. *Parish Submittals in Advance of Presentation to PFRC* – The financial information forms and relevant materials must be submitted to the Director of Planning and Construction two weeks in advance of the scheduled PFRC meeting. If a parish cannot send materials in advance it may be required to reschedule.

8.4. **Financial Feasibility and Analysis**

Financial planning begins with a careful analysis of the financial resources of the parish and/or an Ecclesiastical Organization. A parish or an Ecclesiastical Organization should not be allowed to pursue the project planning process without giving timely attention to the project's financial potential.

8.4.1. *Basis for Evaluating Feasibility* – Financial potential is determined by examining the cash available, parish budget allocations, estimated income from capital fundraising, and estimated borrowing capacity.

8.4.1.1. *Cash Available* – Cash available includes the funds accumulated in cash, savings accounts, and reserve funds set aside for the new construction. However, it excludes a reasonable reserve, generally six months of cash funds used for business operations.

8.4.1.2. *Parish Budget Allocations* – Amounts from the parish budget set aside for the building project are to include the future monthly new construction debt service payment and the increased costs to maintain a larger plant.

8.4.1.3. *Anticipated Income from a Capital-Funding Program* – The current experience in the Archdiocese is that a well-led capital fund-raising program will yield approximately 2.5 times the annual offertory of the parish.

8.4.1.4. *Estimating Borrowing Potential* – Parishes and Ecclesiastical Organizations have access to loan funds from outside financing or the Revolving Fund. In order to acquire a loan from the Revolving Fund or seek outside financing, the parish must have a PFRC recommendation and approval from the Management Committee.

8.4.2. *Completion of Financial Information Forms* – The use of the financial information forms standardizes the process and insures that adequate information is supplied. Forms must be obtained from the Office of Parish Finance. Additional relevant financial or other information should be designated as “supplemental.”

8.4.3. *Project Budget and Funding Sources* – It is important that all potential project costs and funding sources be identified during the planning and design phases of parish projects. When projects are presented before the PFRC, in addition to the major component costs such as building construction and architectural design fees, all potential costs for furniture, fixtures and equipment, including potential gifts of liturgical and religious art items, must be budgeted as “costs” to the project. Likewise, the PFRC will make inquiries as to the existence of any potential gifts of furniture, fixtures and equipment, including liturgical and religious art items as “funding sources” for the project. The “reconciliation” of costs and their related funding sources should also include proposed “in-kind-services” by parish volunteers. Funding sources must be identified and must match or exceed project costs if parish projects are to be approved and successfully executed in a way that does not financially burden the parish.

8.4.4. *50% of Total Project Cost Held in Cash before Construction* – At least 50% of the total construction cost must be on hand in cash deposited in either the parish's Revolving Fund account or bank account prior to proceeding with actual construction unless a specific exemption is granted by the Archbishop or his designee. In addition, the parish should also have sufficient operating cash reserves, defined generally as a sum equal to six months of budgeted operating costs, before construction commences.

8.5. Selection of an Architect

8.5.1. *Prior Approval to Hire an Architect* – When the parish is ready to hire an architect for construction drawings on a project required to go before the PFRC, the pastor and his advisors must meet with the PFRC prior to interviewing, selecting, and contracting with an architect. The Director of Planning and Construction maintains a list of architects who have performed well on recently completed projects in the Archdiocese. The Director of Planning and Construction will assist the pastor with identification of architects qualified to perform architectural services. (Ref: Chapter 8 – Other Guidelines – 8.1.6.2.)

8.5.2. *Architects* – The architect commissioned to design the project should be versed in Catholic beliefs, liturgy, rituals, ceremonies, rubrics and symbols. Liturgical guideline assistance is available from the Office of Liturgy and especially the guidance contained in the publication, Built of Living Stones, as developed and approved by the USCCB in November 2000. These guidelines, developed by the USCCB's Committee on the Liturgy, identify the designs required to be liturgically correct, aesthetically pleasing, imaginative, functional and within the constraints of a project budget.

8.5.3. *Licensed Architects* – The Archdiocese will approve only those individuals who are licensed to practice architecture in the State of Colorado. The final selection should be made upon the basis of the architect's professional standing in the community, ability to design, competence regarding construction issues, practical efficiency, business capacity, integrity, sound professional judgment, relative experience and the ability to listen and cooperate with all those involved in the project.

8.5.4. *Architect Selection* – The parish may interview a reasonable number of architectural firms and/or consider the architect who has worked on its schematic drawings and early programming. The Archdiocese requires that all architects selected for parish interview must be provided with an honest and fair opportunity for selection. The selection process includes parish review, on-site investigation and interview. The parish will request information from various architectural firms and create an outline of qualifications and experience.

8.5.5. *Architect Interview Process* – The architect interview process is conducted when multiple competing architectural firms are asked to make separate presentations before the pastor and his building committee. The interview is a two-way dialogue and allows the potential architect and the parish to become acquainted.

8.5.6. *Final Selection* – Final selection of an architect should promptly follow the interview process .

8.5.7. *Owner/Architect Agreement* – The Director of Planning and Construction, in conjunction with the pastor and the architect, will generate an owner/architect agreement for the architect, pastor of the parish and the Archbishop or his designee, as Trustee for the benefit of the parish, to sign.

8.7. Selection of a Contractor

8.7.1. *Director of Planning and Construction* – The pastor must contact the Director of Planning and Construction before selecting a general contractor to provide construction services. The Director of Planning and Construction maintains for reference a list of general contractors that have performed well on recently completed projects in the Archdiocese, and will assist the pastor with the identification of contractors qualified to perform construction services.

8.7.2. *Selection of a Contractor* – As a general rule, construction services providers (general contractors) are selected on the basis of competitive bidding by the pastor of the parish, after consultation with the Director of Planning and Construction. However, the selection of a contractor that has provided pre-construction services during design leading to contract for construction services on a “negotiated fee” guaranteed maximum price basis is potentially an acceptable alternative. After a general contractor has been identified based on competitive price methodologies, the architect will assist the Director of Planning and Construction in the preparation of the construction contract documents.

8.7.3. *Construction Contract* – The Director of Planning and Construction, the Director of Parish Finance and Parish Controller, the CFO, the Moderator of the Curia and/or the Archbishop will review and approve the contractor and related construction documents for parish construction and renovation contracts. The pastor of the parish and the Archbishop or his designee, as Trustee for the benefit of the parish, will sign the contract.

8.7.4. *Construction Administration* – The construction is authorized to commence following the full execution of the contract by the contractor, pastor and the Archbishop or his designee. Construction administration is a service provided by the architect. If the pastor chooses to hire a separate project manager for construction administration services, the project manager must comply with similar requirements as those used to select an architect, including, but no limited to, professional licensure and insurance.

8.7.5. *Use of Volunteers and Staff* – As a general rule, the use of parishioner volunteers and staff to perform construction services is discouraged. Personal safety as well as worker qualification issues are a significant concern. Additionally, volunteer worker availability cannot be readily integrated into contractor scheduling. While the use of parishioner volunteers and staff is not absolutely forbidden, requests for the use of volunteers and staff must be submitted to and approved by the Directors of Planning and Construction and Risk Management before volunteers and staff can be utilized on any parish construction project, preferably when the project is presented to the PFRC for approval. Consideration will be given to allowing volunteers and staff to assist in limited tasks. In short, construction projects are much different than ongoing maintenance projects due to the degree of complexity, licenses and certifications in areas of required expertise, and contractual obligations. More specific, guidance is provided in the AOD Risk Management and Insurance Manual.

8.7.6. *Budget Monitoring and Administration* – The components of project budgets generally consist of the following: 1) Construction Costs; 2) Project Contingency; 3) Architect's Fees; 4) Furniture, Fixtures & Equipment (FF&E), and 5) Miscellaneous Costs. As a general rule, budget monitoring and compliance of Construction Costs, Project Contingency and Architect's Fees are relatively easy to accomplish because it is performed by the architect and are based on well-defined contract terms. Budget monitoring and compliance of FF&E and Miscellaneous Costs have proven to be a challenge on Archdiocesan projects. This is an important issue because failure to control these costs can cause the total budget to be exceeded, resulting in project cost overages which cannot be funded by the parish. Accordingly pastors sponsoring construction projects must designate a competent staff person or parish volunteer whose duty will be to monitor budgeted project expenditures, particularly the FF&E and Miscellaneous Costs. The person is to coordinate these efforts with architect and Director of Planning and Construction, including the submission of monthly project expenditures and budget performance reports to the Office of Planning and Construction.

8.7.7. *Budget Overages* – With respect to any contract price revision, all change order claims shall be processed in accordance with the terms of the agreements between the parish and the architect or contractor and shall be submitted for consideration and approval to the Director of Planning and Construction, Director of Parish Finance and Parish Controller, the CFO, and the Archbishop's designee. Additionally, with respect to project capital budget expenditures authorized by the Archbishop's designee via the PFRC project approval process, if it is determined that budget overages will occur, all transactions resulting in such overages shall be provided to the Director of Planning and Construction and the Director of Parish Finance and Parish Controller for submission to the CFO and/or Moderator of the Curia for further action, including potential re-consideration via the PFRC process. All contract changes shall bear the signatures of all of the parties to the original contract.

8.8. **Special Projects – Liturgical Design Procedure**

8.8.1. *Design and Approval of New Church Buildings and Renovations* – The following protocol is provided for pastors who wish to build or renovate churches and chapels, in whole or in part, in the Archdiocese.

8.8.2. *Purpose* – The protocol provides a framework for the Archbishop and a pastor to better collaborate in building or renovating churches and chapels. The protocol also enables the Office of Liturgy to provide and explain to pastors and their communities, the guidelines of the Archdiocese for such projects and to aid them from the first stages of their project planning. It further allows the Office of Liturgy to review submitted material in order to identify areas of concern or make recommendations. Finally, the protocol provides an opportunity to resolve issues as early as possible in an open and deliberate forum.

8.8.3. *Protocol Process – Pastors* must consult the Archbishop and notify the Office of Liturgy whenever there is a change of plans or new information that has bearing on resolutions already agreed upon.

8.8.3.1. When the pastor has decided to begin a building or renovation project, he must communicate his intentions to the Archbishop.

8.8.3.2. The pastor informs the Office of Liturgy that he wants to build or renovate church/oratory space and the liturgy staff should ordinarily meet with the pastor at this time.

8.8.3.3. The Office of Liturgy presents Built of Living Stones to the pastor (Ref: Chapter 8 – Building, Property and Construction Project Guidelines).

8.8.3.4. The pastor develops schematic design and submits it to the Director of Planning and Construction.

8.8.3.5. The Director of Planning and Construction submits design drawings to the Office of Liturgy for review.

8.8.3.6. The Office of Liturgy submits its review to the Archbishop for his comments.

8.8.3.7. The Archbishop informs the Office of Liturgy concerning the status of any liturgical issues.

8.8.3.8. The Office of Liturgy participates in the PFRC meetings with the pastor and informs the Archbishop as to the outcome.

8.8.3.9. The Office of Liturgy and the pastor remain in contact with the Director of Planning and Construction until the project is completed.

8.8.4. *Built of Living Stones Provisional Guidelines* – Built of Living Stones is the guiding document for the building and renovation of churches. Designs should be measured against the patrimony of sacred architecture and this requires study and prayer. The design should be beautiful, noble and balanced. Minimal and merely functional designs should be avoided; designs that are ostentatious and overly elaborate are also to be avoided.

8.8.4.1. *The Altar* – The altar should be placed in the central axis of the sanctuary in the most prominent place of all. It should be beautiful, immovable and constructed of noble materials.

8.8.4.2. *The Ambo* – The ambo should be suitably placed for the proclamation of the Word in a location that serves as a natural focal point for the Eucharistic assembly. It should be immovable. To show the close relationship between the Liturgy of the Word and the Liturgy of the Eucharist, the ambo can be constructed out of the same materials and crafted in a fashion similar to the altar.

8.8.4.3. *The Celebrant's Chair* – The celebrant's chair should be conspicuously placed in the sanctuary so that it is visible to the whole nave. It should not appear to be a throne.

8.8.4.4. *The Tabernacle* – The tabernacle should be placed in the sanctuary or at least adjacent to it in a prominent, secure, immovable and conspicuous manner. It should be visible from the nave and closely associated with the altar and the ambo. The craftsmanship of the tabernacle should be consistent with the craftsmanship of the altar so that the faithful can draw the connection between the Blessed Sacrament offered on the altar and the Blessed Sacrament reserved in the tabernacle. To facilitate adoration in parishes where there are large numbers of marriages and funerals, a chapel of reservation can be incorporated.

8.8.4.5. *Crucifix* – There should be a crucifix in the sanctuary and visible from the nave. According to our own local custom, a crucifix displaying the corpus of Christ crucified is preferred. The processional cross can fulfill this requirement provided that it is displayed in the sanctuary, especially during the liturgy.

8.8.4.6. *Baptismal Font* – The baptismal font should be suitable for both adults and children. Consideration given to its size, placement and design should include the care of the holy water.

8.8.4.7. *Confessionals* – The confessionals should be provided in an open and prayerful part of the Church, preferably the nave. At least one should have both a screen and an arrangement to facilitate face-to-face confessions.

8.8.4.8. *Sacristy* – Sacristies should be provided which are prayerful places to prepare for liturgy. Provisions should be made for the reverent care, purification and storage of sacred vessels, as well as vestments and other articles for the liturgy. Thus, a sacristy should

have suitable closets, counter tops, drawers, cabinets, a sink and a sacarium.

8.8.4.9. *Musicians* – Musicians, both choir and instrumentalists, are a part of the Eucharistic assembly with a special liturgical function. They should be placed in a location that assists their ministry. This location should not distract from the liturgical actions at the altar nor appear as a performance.

8.8.4.10. *Image and symbol* – Beautiful images of Christ, Our Lady, the saints, as well as symbols and other liturgical art should adorn the church in such a way that they prepare the faithful for Mass, aid their participation in the liturgy, and foster a spirit of adoration and mission after liturgy.

8.8.4.11. *Kneelers* – In order that the Eucharistic assembly may kneel at the appropriate times, there shall be kneelers provided with the seating in the nave and for the musicians.

8.8.4.12. *Exterior of the Church* – The exterior of the church should be identifiable as a church. Incorporating a large, recognizable cross on the exterior is suggested. The interior design of the church should be compatible with the exterior design.

8.8.5. If there are occasions in which a significant change in the design is proposed either prior to or during construction, the Directors of the Liturgy Office and Planning and Construction are to be notified by the pastor and given an opportunity to evaluate the effect of the change on the overall project and the liturgical design.

8.8.6. The dedication or blessing of an edifice or altar that will be used to worship God whether permanently or temporarily is integral to the building process. The nature of this liturgy is decided upon in conjunction with the Office of Liturgy before the date of its celebration is scheduled (GIRM 290 and BLS 118ff).

8.9. **Catholic School Projects**

In all Archdiocesan pre-schools, elementary and middle schools, capital expenditures in excess of the limit (see Exhibit V) must be submitted to the Superintendent of Catholic Schools for approval and awareness prior to the Director of Planning and Construction commencing procedures. For non-parochial Archdiocesan schools, capital expenditures in excess of the limit must be recommended by the respective school's Board of Trustees and then approved by the Board of Members. If approved by the Board of Members, the proposed project must be submitted to the PFRC for review and approval(s) pursuant to the guidelines contained in this Chapter. In Archdiocesan preschools and elementary schools, expenditures are approved as prescribed by the pastor or his designee.

8.9.1. Any group wishing to open a Catholic school must first comply with the following procedures:

8.9.1.1. Discuss the proposal with the Superintendent of Catholic Schools and obtain approval before initiating any formal steps in the process of opening such a school.

8.9.1.2. Submit to the Superintendent of Catholic Schools a written proposal, which includes a professional feasibility study estimating support, projected enrollment, financial resources, and other pertinent information that may be requested.

8.9.2. If, after reviewing the proposal and supporting data, the Superintendent of Catholic Schools determines that the proposal has sufficient merit, the Superintendent of Catholic Schools will recommend to the Archbishop that he approve the request to establish such a school. Only with the approval of the Archbishop may a school call itself "Catholic" or use the term "Catholic" in its title or communication with the public.

8.9.3. The Superintendent of Catholic Schools, with the Director of Planning and Construction, is to review school projects at critical phases of design, expansion, development or other significant change of use in order to evaluate the impact upon the school. Typical critical phases of design are at the completion of schematic design, design development, and construction documents.

8.9.4. If there are occasions in which a significant change in the design is proposed either prior to or during construction, the Superintendent of Catholic Schools is to be notified by the pastor, school principal and Director of Planning and Construction and given an opportunity to evaluate the effect of the change on the overall project and the serviceability of the school.

8.10. Irrevocable Revolving Fund Trust Guidelines

The Archdiocese recognizes that it is a communion of parishes who are called to work and assist one another in the building up the Kingdom of God. An important element in this communion is the Archdiocese of Denver Irrevocable Revolving Fund Trust (the Revolving Fund). The Revolving Fund exists to provide a secure means for the parishes of northern Colorado to support one another by investing surplus funds in the Revolving Fund and thus making it possible to loan out such funds for parish renovation and building projects.

The Revolving Fund serves as the primary source of project financing to parishes and Ecclesiastical Organizations within the territory of the Archdiocese at affordable rates, and will pay a competitive interest rate on surplus funds deposited in the Revolving Fund.

If a parish requires a loan either from the Revolving Fund or from other financing sources, the Management Corp. will make the final decision after obtaining the recommendation of the Management Committee of the Irrevocable Revolving Fund Trust (the Management Committee).

8.10.1. *Purpose* – The purpose of the Management Committee is to facilitate the process upon which parishes can help one another financially. The Revolving Fund is a repository for surplus parish funds available for parish projects. The Revolving Fund is most effective when parishes and the Ecclesiastical Organizations fully participate by depositing all surplus funds for intended long-term goals.

8.10.2. *Membership* – The Revolving Fund is administered and managed by the Management Corp. with the assistance of the Management Committee. The membership of the Management Committee includes:

8.10.2.1. The CFO of the Archdiocese and the President of the Management Corp. and four pastors of parishes within the territory of the Archdiocese

8.10.2.2. Other participants of the Management Committee, who are employees of the Management Corp. include:

- a. Controller
- b. Director of Parish Finance

8.10.3. *Authority* – The Management Committee is to:

8.10.3.1. Advise on the Administration and management of the overall direction of parish lending.

8.10.3.2. Advise the Board of the Management Corp. on the activity and overall status of the Revolving Fund.

8.10.3.3. Recommend approval or denial of parish borrowing requests either from the Revolving Fund and/or outside banks.

8.10.3.4. Advise on the setting and management of interest rate policies.

8.10.3.5. Advise on deposit and withdrawal policies.

8.10.3.6. Solicit funds and educate parishes and Catholic institutions about the merits of the Revolving Fund.

8.10.3.7. The Committee reviews the Revolving Fund's quarterly activity and sets procedures or policies to ensure that the Revolving Fund achieves, at minimum, a break-even result.

8.10.4. *Interest Rates* – Funds deposited into the Revolving Fund will earn interest at a rate determined by the Management Corp. in relation to the current bank prime lending rate as published in the Wall Street Journal. Funds borrowed from the Revolving Fund will be loaned at a rate determined by the Management Corp. in relation to the bank prime lending rate as published in the Wall Street Journal, adjusted and compounded monthly on the first day of each month.

8.10.5. *Deposits and Withdrawals* – The Revolving Fund is not intended to be an operating checking account. A separate account will be established for funds that the parish or depositing entity specifies are intended to be deposited on a short-term basis. Withdrawals from the Revolving Fund are transacted by completing a withdrawal slip, signed by the pastor, and delivered or mailed to the Management Corp. Upon authorized written request, funds may be wire transferred pursuant to depositor's instructions. Checks and funds by wire transfer will be issued to the account holder only. Upon request, checks to third-party vendors or contractors may only be written in connection with construction payments for projects or for real estate transactions.

8.10.6. Applications to borrow from the Revolving Fund will be coordinated by the Director of Parish Finance with information obtained through the PFRC review process. Loan applications will be presented to the Management Committee at its regularly scheduled meetings. The Management Committee will review the loan application and make final recommendations. These recommendations and applicable approval documents will be delivered to the Management Corp. for final deliberation. A complete and full disclosure of all parish/institution financial information, as described below, must accompany the application in order for it to receive consideration:

8.10.6.1. Written request signed by the pastor.

8.10.6.2. A summary of the financial plan including total project cost and resources (cash and pledges) available.

8.10.6.3. Reason for request, e.g., purchase of land or other real property, new church construction, renovation, temporary deficit in operational funds, etc.

8.10.6.4. Exact amount of loan requested.

8.10.6.5. Anticipated duration of loan based on desired monthly payments.

8.10.6.6. Date(s) when money is needed.

8.10.6.7. Financial history including Statements of Financial Position and Activities (e.g. balance sheet and income statement).

8.10.6.8. A five to ten-year financial projection for the parish and project cash flow analysis, as determined by the Director of Parish Finance of the Office of FAP, which reflects the financial impact on the parish finances and operating budget of the proposed property/ construction/ renovation project, and the repayment of the proposed loan.

Chapter 9: Investment Policies

Overview

The Archdiocese recognizes and accepts its moral and ethical responsibility to steward its financial resources in a manner consistent with its vision, mission, values and core strategies. The Archdiocese understands this stewardship responsibility within the context of the social teachings of the Catholic Church and its commitment to advocate for systemic changes to improve the well being of individuals and communities. In order to fulfill this responsibility, it is the policy of the Archdiocese to utilize its financial resources to emphasize human dignity and social justice and to comply in principle with the investment policies and principles as promulgated from time to time by the USCCB¹.

This chapter of the Pastoral Handbook also pertains to the principles of stewardship and the duty of the-fiduciary to manage the investment assets of the Archdiocese, as would a prudent investor knowledgeable in similar matters. Its purpose is to express the investment objectives of the Archdiocese and to establish appropriate investment policies and guidelines. The management of Archdiocesan investment assets is the responsibility of the CFO with the advice and oversight of the Investment Committee as set forth in the statutes of the AFC. Subject to the approval of the AFC, the Investment Committee sets the necessary investment policies, guidelines and objectives and will implement and monitor these policies.

While the following Investment Policies and Guidelines pertain primarily to the Archdiocesan Corporation and certain Ecclesiastical Organizations, parishes and other Ecclesiastical Organizations along with their respective finance councils, should utilize the following principles as a reference source to provide assistance and guidance in the performance of their fiduciary duties relating to investments.

¹ The most recent update by the USCCB was November 13, 2003.

9.1. **Introduction**

The policies, guidelines and objectives that follow are dynamic in nature and may be modified from time to time by the Investment Committee with the approval of the AFC. They should represent the current consensus of the Investment Committee's philosophy on the investment of Archdiocesan funds.

9.1.1. The investment philosophy is intended to allow for sufficient flexibility in the management process to capture investment opportunities as they may occur, while providing reasonable parameters to ensure prudence, attention to relevant social concerns, and care in the execution of the investment program.

9.1.2. The following policies and objectives, along with the appendix entitled *Investment Guidelines - Asset Allocation and Investment Performance*, shall serve the Investment Managers as the principal source for developing investment strategies. Investment managers will act as fiduciaries, under separately managed accounts with regard to the management of the assets.

9.2. **Purpose**

The purpose of this Investment Policy is as follows:

9.2.1. To set forth a clear understanding of the investment objectives, policies and guidelines which the Investment Committee judges to be appropriate and prudent in consideration of the needs of the Archdiocese.

9.2.2 To set forth an investment structure detailing permitted asset classes and expected allocation among asset classes.

9.2.3. To establish the criteria that investment managers retained by the Investment Committee are expected to meet and against which they may be measured.

9.2.4. To encourage effective communication between the Investment Managers, the Investment Consultant, the CFO, the Investment Committee and the AFC.

9.2.5. To serve as a document to guide the Investment Committee of the AFC and, as necessary, parish and other Ecclesiastical Organizations' finance councils' ongoing oversight of their related investment assets.

9.2.5.1. The Archdiocesan Investment Program (Program) includes the Archdiocese of Denver Master Trust (Master Trust), Preneed Master Trust (Preneed Master Trust), the Archdiocese of Denver Priest Pension Plan (Priest Pension Plan), and the Archdiocese of Denver Irrevocable Revolving Fund Trust (IRFT). In addition, the CFO and the Investment Committee will also manage and monitor cash and other investments held by certain Trusts and/or other related entities that collectively represent the Short-Term Money Management component of the overall investment portfolio of the Archdiocese.

a. The purpose of the Master Trust is and continues to be to allow the various participating Grantors (the Archdiocesan Corporation and certain Ecclesiastical Organizations) an investment vehicle to pool their respective assets into the Master Trust in order to have the opportunity to utilize more qualified money managers and investment professionals to assist in funding their respective endowments, trusts, and other funds purposes.

b. The purpose of the Preneed Master Trust is and continues to be to allow the various participating Grantors (the Archdiocesan Corporation and certain Ecclesiastical Organizations) an investment vehicle to pool their respective assets into the Preneed Master Trust in order to have the opportunity to utilize more qualified money managers and investment professionals. The Preneed Master Trust serves as the investment vehicle for pooling funds related solely to the Preneed Contracts at St. Simeon Cemetery, Mount Olivet Cemetery and the Mortuary at Mount Olivet. The Preneed Trusts of these respective entities are, in all respects, subject to and governed by the following laws and regulations: (i) Colorado Revised Statutes §10-15-101 et seq. as such statutes shall be amended, revised or supplanted from time to time; (ii) all regulations and rules promulgated

by the Colorado Division of Insurance, including any successor administrative agency which regulate preneed funeral trusts, as such regulations shall be amended, revised or supplanted from time to time, and (iii) any other laws, statutes, regulations or case laws effective within the State of Colorado regulating preneed funeral trusts.

c. The purpose of the Archdiocese's Priest Pension Plan is to maintain sufficient pools of assets to provide retirement and incidental benefits to participating priests within the territory of the Archdiocese who complete a period of faithful service and otherwise become eligible.

d. The purpose of the Archdiocese of Denver IRFT is to allow parishes and other related entities within the territory of the archdiocese to obtain competitive terms for depositing, withdrawing, and borrowing money.

9.3. **Responsibilities**

9.3.1. The roles of the AFC, the Investment Committee, the CFO, the Investment Consultant, the Investment Managers and the Trustee/Custodian with regard to the assets are delineated as follows.

9.3.2. The responsibilities of the AFC are:

- a. Oversight of all investment-related activities of the CFO and Investment Committee.
- b. Establishment of investment policy that is to guide the investment of the Archdiocese's investment assets;
- c. Retention or dismissal of outside professionals such as investment managers, consultants, custodian banks;
- d. Periodic review of asset allocation and investment performance of the investment managers.

9.3.3. The responsibilities of the Investment Committee are to advise the CFO and the Moderator of the Curia regarding:

- a. Establishing overall financial objectives and setting investment policy;
- b. Setting parameters for asset allocation;
- c. Establishing a process and criteria for the selection and termination of Investment Managers and custodians;
- d. Selecting a qualified Investment Consultant and making a recommendation to the AFC;
- e. Selecting qualified Investment Managers and making a recommendation to the AFC;
- f. Selecting a qualified custodian and making a recommendation to the AFC;
- g. Monitoring investment results quarterly to assure that objectives are being met and that policy and guidelines are being followed;
- h. Communication on a structured and ongoing basis with those persons responsible for investment results;
- i. Periodically monitor the investment holdings for compliance with socially responsible investment guidelines so that the holdings would never cause embarrassment or conflict with the moral interests of the Archdiocese. As such, the Committee makes recommendations regarding revisions to the socially responsible investment guidelines being used by the investment managers;
- j. Selecting a qualified proxy voting firm.

9.3.4. The responsibilities of the CFO are:

- a. Oversight of day-to-day activities of the investment program;

- b. Implementation of changes recommended by the Investment Committee and approved by the AFC.

9.3.5. The Investment Consultant will be responsible to proactively advise and make recommendations to the Investment Committee regarding:

- a. Investment Policy
- b. Asset Allocation
- c. Manager Selection
- d. Performance Evaluation
- e. Other Investment Matters

9.3.6. Specifically, the Investment Consultant will:

- a. Perform manager searches that include the complete universe of managers for each particular investment style and complete adequate due diligence that ensures only qualified managers are brought to the Investment Committee for consideration.
- b. Recommend specific managers to execute overall investment strategy for the Investment Program.
- c. Review the performance, changes and outlook of the equity markets, fixed income markets, international securities markets, money markets, alternatives markets (hedge fund products) and other markets on an ongoing and continual basis with the Investment Committee.
- d. Measure the management and construction of the portfolio and asset allocation by the use of standard deviation (as a measure of risk), correlation, probability theory, etc.
- e. Communicate changes in the various markets in which the fund is or may be invested and the importance of these changes upon the portfolio.
- f. Maintain complete objectivity and be free of all conflicts of interest in all matters concerning the portfolio and their management and related fees.
- g. Perform their responsibilities for a fee that is reasonable and fair on an absolute basis and in comparison to their peers.
- h. Provide pertinent, accurate and timely information concerning the performance of the portfolio, selected strategies and individual managers on both an absolute basis and relative to peers and indexes. This will be in both written form and in verbal presentation to the Investment Committee at its quarterly meetings.
- i. Provide timely delivery of the required monthly and quarterly reports.
- j. Provide in-depth analysis and review to the Investment Committee of managers that are on “caution” status according to Investment Policy and inform the

Investment Committee immediately of events and situations that could be cause for concern relative to managers' ability to perform.

k. Continually educate the Investment Committee by bringing new ideas and education materials on various allocation methods and strategies as needed.

l. Conduct an annual fee analysis of the Investment Managers and present such analysis to the CFO and the Committee

m. Contribute to the successful management of the Investment Program including meeting with the AFC as necessary.

9.3.7. The Investment Managers will be responsible for the following:

a. Determining investment strategy within the specific strategy and/or guidelines provided under the Manager's mandate;

b. Implementing security selection and timing within policy guideline limitations.

9.3.8. The Trustee and/or the Custodian will be responsible for:

a. Safekeeping of securities entrusted to it, the collection of dividends and income on those assets and other functions of a custodian such as trade settlement and security reorganization processing;

b. Reception and disbursement of cash transactions as directed by the CFO and/or Controller of the Archdiocesan Corporation and the notification of cash transactions to the appropriate Investment Managers;

c. Issuance and maintenance of accurate monthly statements of holdings and transactions;

d. Forwarding of proxies for all Investment Managers to the Archdiocese designated proxy voting firm.

e. Such other duties as set forth in the Preneed Master Trust, Master Trust and Priest Pension Trust agreements.

9.4 **Objectives, Policies and Guidelines**

The primary objective of the Program is to earn the highest return commensurate with the Archdiocese's and its participating related Ecclesiastical Organizations' tolerance for risk. Equally important, the Program should ensure that investment assets are managed in accordance with the objectives, policies and guidelines set forth by the Investment Committee.

9.4.1. *Investment Program Objectives* – The primary investment objectives of the Program are to invest assets in a manner that fulfills the following:

9.4.1.1. The primary objective of the Master Trust is preservation of capital; that is, to increase the purchasing power of the Archdiocese and the participating Ecclesiastical Organizations within the Master Trust while reducing, to the greatest extent possible, the possibility of loss. The investment strategy and long-term asset allocation for the Master Trust should take into consideration the specific spending requirements and the present and future needs of the Archdiocese and its respective participating Ecclesiastical Organizations. Therefore, the desired minimum rate of return is equal to the Consumer Price Index (CPI) plus three percent (3%) on an annualized basis.

9.4.1.2. The primary objective of the Preneed Master Trust is preservation of capital; that is, to increase the purchasing power of the Archdiocese and the participating entities within the Preneed Master Trust while reducing, to the greatest extent possible, the possibility of loss. The investment strategy and long-term asset allocation for the Preneed Master Trust should take into consideration the specific spending requirements and the present and future needs of the Archdiocese and the respective participating Ecclesiastical Organizations. Therefore, the desired minimum rate of return is equal to the Consumer Price Index (CPI) plus three percent (3%) on an annualized basis.

9.4.1.3. The primary objective of the Priest Pension Plan is to ensure that sufficient assets are available to fund the present and future benefit obligations of the Priest Pension Plan (the Plan) by investing the assets of the Plan in a well-diversified manner designed to optimize long-term returns while controlling risk. The investment strategy and long-term asset allocation for the Priest Pension Plan should take into consideration the Plan's liabilities to ensure the timely payment of all present and future benefit obligations. Therefore, the desired minimum rate of return is to achieve an absolute rate of return based on the long-term rate determined by the actuarial consultant to the plan.

9.4.1.4. The primary objective of the Short-Term Money Management investments including the IRFT is to earn an appropriate rate of return, but reduce exposure and risk of losses to a minimal level. For the IRFT, this equates to 275 basis points below the then current prime rate.

9.4.1.5. A secondary objective of the Archdiocese's Program is to have a sufficient degree of flexibility in order to meet the unanticipated demands and changing market environment.

9.4.2. Short-Term Money Management Portfolio:

9.4.2.1. The assets of the short-term portion of the overall portfolio will be invested in a diversified manner within each asset category to reduce volatility of returns and/or credit risk. This approach is consistent with the Investment Committee's desire for minimum variance of returns.

9.4.2.2. *Cash and Temporary Cash Investments* – The investment objective is to achieve a reasonable rate of interest on safe investment alternatives which include Mutual Funds (those which maximize current income with preservation of capital and maintenance of liquidity), US Treasury Issues, US Agency Issues, Insured Certificates of Deposit, Insured Money Markets and A2P2 or better rated Commercial Paper.

9.4.2.3. *Short-Term Investments* – The investment objective is to achieve a reasonable rate of interest on income investments that mature in *less than four years*. The scheduling of maturity dates should coincide with cash needs of the Archdiocesan Corporation and the liquidity needs of the respective participating Trusts, including the IRFT, the Archdiocese Welfare Benefits Trust and the Archdiocese Risk Management Property/Casualty Insurance Trust as determined by the staff of the Management Corp. Investment alternatives will include those noted under cash and temporary cash investments and under the guidelines for the Fixed Income component of the Master Trust, the Preneed Master Trust, and the Priest Pension Plan discussed later in this Chapter.

9.4.3. Long-Term Component of the Portfolio:

9.4.3.1. Subject to the specific investment objectives, policies, guidelines and limitations set forth in this document, the Investment Managers are granted full investment discretion regarding the purchase and sale of individual securities within the Master Trust, ~~and~~ the Preneed Master Trust, the Priest Pension Plan, and the IRFT. Realization of gains or losses should be decided solely on the basis of investment merits.

9.4.3.2. Although security selection is the responsibility of the Investment Manager, the following guidelines should be followed. These guidelines are not meant to be restrictive; ordinarily, any exceptions or modifications desired by the Investment Manager may be discussed with the CFO, who shall determine whether the issue should be brought before the Investment Committee.

9.4.3.3. *Asset Allocation* – The Investment Committee will establish asset allocation guidelines for the Archdiocese's Master Trust, the Preneed Master Trust, the Priest Pension Plan, and the IRFT assets, incorporating the distinct requirements of short-term and long-term requirements/components of the respective Trusts. Such guidelines, which are periodically updated, must also be approved by the AFC. Accordingly, the specific target allocations of the Master Trust, the Preneed Master Trust, the Priest Pension Plan, and the IRFT portfolios, as between various investment asset allocations, and appropriate rebalancing ranges are documented in the minutes of the meetings of both the AFC and its Investment Committee and in an appendix entitled *Investment Guidelines – Asset Allocation and Investment Performance*. In addition, the

Investment Committee shall review annually its asset allocation strategy, when considering the short-term and long-term liquidity needs of the Archdiocesan Corporation. Such a review will include forecasts compiled by the Controller and/or CFO of the Archdiocesan Corporation and/or the President of the Management Corp., reflecting the short-term and long-term cash liquidity needs of the Archdiocesan Corporation and the participating Ecclesiastical Organizations.

9.4.3.4. *Rebalancing Policy* – The purpose of re-balancing is to maintain the risk profile implied by the stated long-term asset allocation targets. The CFO and Controller should review the actual and target allocations quarterly and carefully consider rebalancing the portfolio whenever an asset class is outside its rebalancing ranges for two consecutive quarters.

9.4.3.5. *Diversification* – Diversification of assets will ensure that adverse or unexpected results from one asset class or one security will not have a detrimental impact on the entire portfolio. Diversification is interpreted to include diversification by asset type, characteristic and the number of securities.

9.4.3.6 *Investment Performance* – The Investment Committee will establish investment performance guidelines for the Master Trust, the Preneed Master Trust, the Priest Pension Plan, and the IRFT assets. Such guidelines, which will be periodically updated, must also be approved by the AFC and should also include review procedures for both the objectives of the portfolios and the investment managers.

9.4.4. Equity Components

9.4.4.1. *Definition* – Equity securities are defined to include common stocks. Permissible investments are all publicly traded American Depository Receipts representing foreign corporations, preferred stocks, and common stocks of any voting class traded on an exchange.

Mutual funds and commingled funds as an equity component of the portfolio may be used where it can be demonstrated that such a vehicle is a more cost efficient and/or better investment vehicle than the use of a separate account structure. If mutual funds are utilized, the investment restrictions may not necessarily apply under all circumstances.

9.4.4.2. *Selection* – If a separate account structure is utilized, equity securities are to be selected in accordance with criteria to be determined by the investment manager and applied on a consistent basis. Purchases and sales of such investments are the direct responsibility of the designated investment manager under the discretion granted herein.

9.4.4.3. *Temporary Investments* – Funds available for investment in equity securities may be temporarily invested in money market funds, short-term U.S. Treasury obligations, short-term obligations of government-sponsored enterprises, federal agencies, commercial paper and commercial bank certificates of deposit.

9.4.4.4. *Prohibited Transactions* – The Investment Committee foresees the possibility of using mutual funds/collective trust funds/limited partnerships in the form of diversified fund of fund hedge funds and understands that they would not have any control over

the management of such funds with regard to certain guidelines and restrictions, including the prohibited transactions noted below. Whenever possible, the Committee intends to utilize funds that comply with the investment guidelines stated in this Investment Policy. Subject to that understanding, the prohibited investments and transactions for separately managed accounts of the Archdiocesan Corporation and the participating Ecclesiastical Organizations are:

- a. Investment in common stock of non-public corporations
- b. Short sales of any type, except through the use of comingled funds (see appendix (Investment Guidelines – Asset Allocation and Investment Performance))
- c. Investment in insurance investment contracts, such as guaranteed investment contracts
- d. Investment in lettered or restricted stock
- e. Transactions in options of any kind or in futures contracts of any kind, short sales of any type, except through the use of comingled funds (see appendix (Investment Guidelines – Asset Allocation and Investment Performance))
- f. Investment in “penny stocks”
- g. Margin buying, short selling or any strategy or instruction involving the use of leverage.²

9.4.5. Fixed Income Components

9.4.5.1. *Definition* – Fixed income securities are defined to include debt obligations that carry a predetermined rate of interest and date of maturity. Mutual funds and comingled funds as a fixed income component may be used where it can be demonstrated that such a vehicle is a more cost efficient and/or a better investment vehicle than the use of a separate account structure. If mutual funds are utilized, the investment restrictions may not necessarily apply under all circumstances. Fixed income investments of choice would be:

- a. U.S. Treasury obligations (bills, notes, bonds)
- b. Federal agencies of the U.S. government
- c. Certificate of deposit backed by Federal Deposit Insurance Corporation (FDIC)
- d. Corporate bonds rated “BAA” or better by Standard & Poor’s

² The use of leverage within the Archdiocesan investment portfolios is prohibited except as specifically permitted in the alternative investment and comingled fund allocation. No securities which involve leverage, such as futures, may be utilized without a fully collateralized cash position. No strategies based on leverage such as margin buying or short selling may be employed within the investment portfolio. When referring to “comingled funds” in this investment policy, we are referring to investments such as mutual funds and unit trusts.

The use of derivatives is allowed for instruments, which have well understood risk/return patterns, well-documented market liquidity, and a well-recognized pricing mechanism. Such securities as exchange traded futures and options, and Treasury strips are permitted only if and to the extent that they are fully collateralized to avoid any leverage from such positions. Futures trading will generally be for the purpose of hedging the investment portfolio’s investments.

- e. Archdiocese and Diocese fixed income debt obligations, rated or un-rated, as long as the issue remains a direct obligation of the Catholic Church.

9.4.5.2. *Prohibited Transactions* – Subject to those provisions of 9.4.4.4., if a separate account structure is utilized, prohibited investments and transactions include the following:

- a. Investment in tax-exempt bonds
- b. Investment in bonds, notes, or other indebtedness for which there is no public market (private placements)
- c. Investment in corporate obligations not rated at least one notch above the lowest investment grade rating of Standard & Poor's, Moody's or Fitch (e.g. "BBB-" and "Baa3" prohibited; "BBB" and "Baa2" not prohibited)
- d. Investment in un-rated corporate bonds
- e. Investment in commercial paper not rated A2P2 or better
- f. Investment in master notes, unless the public debt of the issuer is rated at least AA or the equivalent
- g. Investment in direct placement of mortgages on real property.

9.4.6. Alternative Investments

9.4.6.1. Fund of Funds Hedge Funds will be held in the forms of professionally managed pooled limited partnership investments offered by professional investment managers with proven records of superior performance over time and extensive knowledge in this area.

9.5. Socially Responsible Investment Policy

The Archdiocese recognizes and accepts its moral and ethical responsibility to steward its financial resources in a manner consistent with its vision, mission, values and core strategies. In order to fulfill this responsibility, it is the policy of the Archdiocese to utilize its financial resources to emphasize human dignity and social justice and to comply in principle with the investment policies and principles as promulgated from time to time by the USCCB, e.g. The USCCB Socially Responsible Investment Guidelines.

9.5.1. *Shareholder Activist/ Proxy Voting* – The Archdiocesan Corporation’s CFO through the utilization of a proxy-voting firm selected from time to time, controls all proxy voting in order to communicate its views on social and management issues. The CFO controls the voting of all proxies for equity securities held in the Priests’ Pension Plan and general accounts utilizing a consultant to vote proxies based on the guidelines contained in this Policy. The Proxy Voting Guidelines, which are included in this Policy, have been developed to provide consistent criteria for voting on relevant social and management issues and to be consistent with those of the USCCB. Issues not covered by the Proxy Voting Guidelines will be voted based upon the discretion of the Investment Committee.

9.5.2. *Shareholder Resolutions* – The Archdiocesan Corporation may partner with other mission-based investors and other Catholic entities in the filing of shareholder resolutions that support advocacy priorities, goals, and strategies. The Archdiocesan Corporation may work with these mission-based investors to establish dialogue with corporations in order to redirect activities or policies that are inconsistent with the Archdiocesan mission and values. The decision to participate will be determined based on availability of resources and relevance of issues.

9.5.3. Social Criteria

The Archdiocesan Corporation believes that the social, moral, and ethical beliefs and teachings of the Catholic Church provide the fundamental framework within which all actions carried out should reside in the conduct of its ministerial mission. In keeping with this belief, it is the policy of the Archdiocesan Corporation to invest only in those companies that make a meaningful contribution to the good of society, and which operate in a manner consistent with the social, moral, and ethical beliefs and teachings of the Church.

Therefore, investments will be encouraged in those corporations whose products, services or actions are congruent with the values of the Archdiocese and the social teachings of the Church. Investments in domestic and international equity and fixed income securities will be avoided in certain corporations whose products, services or actions are deemed to be contrary to the Archdiocesan mission.

9.6. **Ownership Considerations**

The general Archdiocesan policy in evaluating a corporation for exclusion includes a review of ownership issues whereby a publicly traded corporation may be responsible for a wholly owned subsidiary. In such a case, both the parent and the subsidiary corporation would be excluded from the portfolio. The Archdiocesan Corporation will not knowingly invest in corporations that are majority owned (50% or more) by firms excluded by the social criteria.

9.7. **Compliance**

The Socially Responsible Investment Policy will be communicated to all investment managers as noted in Exhibit A to these guidelines. A restricted list of corporations will not be maintained as part of this Policy. The Archdiocese believes that compliance with the Social Criteria will be effectively implemented through the use of ISS and/or similar firms, communication provided to its investment managers and periodic portfolio reviews; thus the use of a restricted list is not required. Investment managers will be directed to avoid purchases of any securities defined in the Social Criteria. Any securities deemed questionable or not in compliance with the Social Criteria should be brought to the attention of the CFO and/or Moderator of the Curia by either the investment managers or ISS. If necessary, an appropriate time frame for liquidation will be determined.

9.8. **Shareholder Resolutions**

The following shareholder resolutions will generally be supported by the Archdiocese's Proxy Voting Guidelines:

9.8.1. The Archdiocesan Corporation will actively support resolutions directed towards protecting and promoting human rights. For example, the Archdiocese will discourage and work to avoid investments in corporations that are engaged in extractive industries or are operating in countries with significant human rights concerns.

9.8.2. The Archdiocesan Corporation will support resolutions regarding equal employment opportunity, affirmative action, and elimination of racial/ethnic/religious discrimination.

9.8.3. The Archdiocesan Corporation will support resolutions that address the conversion of military technology to civilian uses, limit weapons production and limit foreign sales of weapons.

9.8.4. The Archdiocesan Corporation will support initiatives, including in some cases, shareholder resolutions to support the production of family-oriented content development by media companies.

9.8.5. The Archdiocesan Corporation will use selected shareholder resolutions and other means to encourage companies to provide sufficient wages, working conditions and other social benefits that enable their employees and families to meet basic human needs.

9.8.6. The Archdiocesan Corporation will support resolutions requesting the development of criteria for the evaluation, support, and use of intermediaries capable of promoting appropriate development in emerging economies. In addition, the Archdiocesan Corporation will support requests for disclosure of information on IMF-World Bank-enforced programs that help developing countries repay loans.

9.8.7. The Archdiocesan Corporation will support resolutions that address smoke-free restaurants, divestiture of tobacco holdings, tobacco smoke in the environment, and limitation on tobacco sales to minors and restrictions on tobacco advertising.

9.8.8. The Archdiocesan Corporation will actively encourage and support shareholder resolutions directed toward making life-sustaining drugs more available and affordable to low-income communities and nations at reduced, affordable prices consistent with our Catholic Values.

9.8.9. The Archdiocesan Corporation will support resolutions that ask certain mainstream retail companies to stop selling handguns and related ammunition and to return all handgun inventories and related ammunition to the manufacturers.

9.8.10. The Archdiocesan Corporation will encourage shareholder resolutions that promote policies and businesses that "undertake reasonable and effective initiatives for energy conservation and the development of alternate renewable and clean energy resources...(and

offering) incentives to corporations to reduce greenhouse gas emissions and assistance to workers affected by those policies.” (Global Climate Change, 2001)

9.8.11. The Archdiocesan Corporation will encourage companies to report on social, environmental, as well as financial performance (For example, those companies which have signed on or adopted formal corporate social responsibility guidelines; e.g., The UN Global Compact, the Global Sullivan Principles, and the Caux Round Table Principles for Business). The Archdiocesan Corporation will actively promote and support shareholder resolutions directed towards adoption of corporate social responsibility guidelines within companies.

9.9. Shareholder Governance

The following shareholder resolutions address governance issues of concern to the Archdiocese:

9.9.1. *Independent Board* – The Archdiocesan Corporation recognizes it is in the best interest of all shareholders that a majority of board members be independent from the corporation.

9.9.2. *Cumulative Voting* – The Archdiocesan Corporation will oppose resolutions requesting cumulative voting. Cumulative voting allows shareholders to cast all of their votes for 1 nominee to the board. This is viewed as violating the principles of fairness and equity by granting minority shareholders a disproportionate voice in the corporation.

9.9.3. *Staggered Terms* – The Archdiocesan Corporation will support resolutions endorsing staggered terms for the board of directors in order to maintain board continuity.

9.9.4. *Annual Meetings* – The Archdiocesan Corporation will support resolutions requesting annual meetings to be held in various/rotating sites to allow shareholders the opportunity to participate in these meetings.

9.9.5. *Political Contributions* – The Archdiocesan Corporation will support resolutions requesting Boards of Directors to establish corporate political contribution guidelines and reporting provisions.

9.9.6. *Mergers and Acquisitions* – The Archdiocesan Corporation will evaluate bids by one corporation for another on a case-by-case basis. The Archdiocese will generally support these resolutions unless there are mitigating circumstances, such as labor or social issues.

9.9.7. *Management and Director Compensation* – The Archdiocesan Corporation will support reasonable compensation packages for managers and directors. In cases where the compensation is not deemed to be reasonable, the resolution will be opposed.

9.9.8. *Management Compensation – Non-financial Performance* – The Archdiocesan Corporation will support resolutions requesting companies to review their executive's compensation and report to shareholders on its link to not only financial performance but to the company's performance on environmental, diversity, and social issues.

9.9.9. *Independent Auditors* – The Archdiocesan Corporation will support shareholder proposals asking companies to adopt a policy to ensure that the firm that is appointed to be the company's independent accountants will only provide audit services to the company and not provide any other services that may conflict with the principle responsibility of providing audit services.

9.9.10. *Research* – The Archdiocesan Corporation will support resolutions requesting finance companies to develop stronger firewalls between the investment banking and investment research divisions to prevent conflicts of interest, including the total separation of these lines of business from one another.

9.10. **Meetings and Communication of the Investment Committee**

The Investment Committee of the AFC is comprised of qualified individuals with professional competence in the area of investment management. These individuals will serve in an advisory/general oversight/review capacity to monitor the investment performance of Archdiocesan assets and provide strategic input and professional expertise for assurance of capable and competent stewardship to the Archbishop. The Chairperson of the Investment Committee reports to the AFC on a quarterly basis.

The Investment Committee shall consist of at least five members and no more than ten of the laity who are not employed or have no significant relationship with the Archdiocese or the Ecclesiastical Organizations. Terms of the Committee members will be staggered, but no member can serve for greater than five years unless reappointed by the Archbishop. The chairperson presides at the meetings which are scheduled by the Archdiocesan staff in accordance with the AFC meetings. Generally, the Committee will meet a minimum on a quarterly basis. The CFO and Controller comprise the Archdiocesan staff with a Recording Secretary present to record minutes. Specific duties of the Investment Committee are governed by the Charter of the Investment Committee.

9.11. **Approval of Policy and Guidelines**

As previously stated, in view of the rapid changes within the capital markets and investment management techniques, this investment policy and guidelines will be reviewed by the Investment Committee periodically and such review will be acknowledged by the Committee chairman as noted in Appendix A.

In addition, it is required that the investment managers utilized by the Archdiocesan Corporation review and accept the objectives and guidelines of the Archdiocese investment policy and guidelines and provisions contained therein and acknowledge the same. Such acknowledgement will be evidenced as noted in Appendix A.

9.12. Appendix A

**Archdiocese of Denver
Investment Policy and Guidelines**

Approval

Committee

It is understood that this investment policy is to be reviewed periodically by the Investment Committee of the Archdiocese of Denver to determine if any revisions are warranted by changing circumstances including, but not limited to, changes in financial status, risk tolerance, or changes involving the investment mangers.

Chairperson, Investment Committee

Date _____

Investment Consultant

Date _____

Investment Manager

The investment policy as set forth in this document will be reviewed annually by the Committee, which can approve and implement changes. If at any time the investment manager believes that these objectives cannot be met or that the investment guidelines constrict performance, the Investment Committee should be so notified in writing. By initial and continuing acceptance of these objectives and guideline, the investment manager concurs with the provisions of this document effective as _____.

Investment Manager

Date

Chapter 10: Parish Business Practices within the Territory of the Archdiocese

Overview

Consistent with Canon Law and the norms of the Archdiocese set forth in Chapter 1, (Ref: Section 1.1) the Archbishop is responsible for exercising careful vigilance over the administration of all goods belonging to the public juridic persons subject to him, including all parishes within the territory of the Archdiocese (canon 1276). In the exercise of this responsibility, the Archbishop is required to issue instructions for the proper administration of these persons (canon 1281) and to define the acts which exceed the limit and manner of ordinary administration (canon 1281). The norms contained within this chapter are given to guide the parishes in their proper administration and to define ordinary administration. Pastors and administrators cannot act beyond the limits of their authority as defined in this chapter without the authorization of the Archbishop (canon 1281). Beyond the precepts defined within this chapter, no action may be taken that would worsen or damage the stable patrimony of a juridic person (a parish) without permission of the Archbishop (canon 1295).

As more fully discussed in Chapter 1 – Diocesan and Parochial Organization – Part 3a.), parishes are established on a stable basis whose pastoral care is entrusted by the Archbishop to a priest as its proper pastor. The Archbishop does not administer these parishes but entrusts each juridic person to a pastor, administrator or a team of priests (canons 517 and 519). The Archbishop places the parish in possession of the pastor (canon 527). A parish is entrusted to a pastor under the authority of the Archbishop and he exercises pastoral care and the duties of teaching, sanctifying and governing (canon 519). Each parish is to have a parish finance council (canon 537).

The pastor of a parish is its sole juridic representative and sole canonical administrator. He is the principle leadership figure of the parish and is entrusted with its governance, and with its spiritual care. He directs worship, evangelization, and catechesis, and orders the temporal affairs of the parish. The pastor engages in ministry in accord with the norms of the universal law of the Church, and the particular law of the Archdiocese and the USCCB. As documented in the parish Services Agreement (see 10.27.0.), between the Archdiocese and the parishes within northern Colorado, the Archbishop is entrusted with providing particular norms for the administration of parish temporal goods. This responsibility is exercised in accord with the principles of communion and subsidiarity, and with the collegial responsibilities of the Archbishop and the pastor.

Each parish has a right to acquire temporal goods to accomplish its mandate (canon 1259). Such goods belong to the parish and do not belong to the Archdiocese of Denver (canon 1279). As more fully discussed in Chapter 8– Building, Property and Construction Project Guidelines - Project Financing Review Committee, and in harmony with civil (secular) law, parish real property is held in trust by the Archbishop for benefit of the parishes within the territory of the Archdiocese; the beneficial owner of the parish real property is the applicable parish as

set forth in the official records of the 25 different counties comprising the territory of the Archdiocese.

Purpose

This Chapter provides an overview of the business practices for the parishes within the territory of the Archdiocese, including parish schools. Consistent with the pastors control under canon law, pastors, principals, and business managers (or their equivalent) of parishes shall observe the applicable civil and canon laws, the particular law of the Archdiocese and instructions promulgated by the Archbishop or his designee pertaining to the administration of parishes within its territory of the Archdiocese.

10.1.0. **Significance of Guidelines**

These guidelines are to be followed by parishes and their parochial schools; auxiliary organizations related to parishes (such as altar and rosary societies, parent-school organizations and school foundations) are also to follow these guidelines. Reference is made to Chapter 4 – Office of Catholic Schools (Part 3) for an overview of business practices and guidelines applicable to parish schools. Such parish school guidelines are supplementary to the information contained in this chapter.

10.1.1. It is the obligation of the pastor to assure implementation of these guidelines; this will necessarily involve the pastor's periodic reexamination of the protocol for parish financial and business operations and of financial report preparation. It is always important to remember that the pastor sets the tone and interest in proper business procedures and controls. If the pastor models an interest in proper business procedures, intended to protect the parish, the staff will emulate the same interest. Consistent with Archdiocesan policies concerning Conflicts of Interest and Professional Conduct (Ref: - Chapter 7 – Finance, Administration and Planning - Archdiocese of Denver and the Ecclesiastical Organizations the pastors within the Archdiocese must implement Conflict of Interest Policies for their respective parishes as set forth in Section 10.26.0. of this chapter and encourage their employees to act in a manner that represents the parish in a professional and courteous manner. The parish finance council is to assist the pastor with the implementation of these policies and recommendations. Exhibit II of this Handbook includes the Conflict of Interest Policy and Gift Acceptance Guidelines applicable for the parishes within the territory of the Archdiocese.

10.2.0. **Stewardship of Assets**

Pastors are to supervise the financial and business operations of the parishes. If there is no pastor, the administrator of the parish is to oversee the parochial financial and business administration. Pastors, principals and business managers should not undertake transactions or represent directly or indirectly any express or implied authority beyond the scope of authority defined by this Pastoral Handbook and pursuant to the parish Guidelines of Authority as noted in 10.3.0.

10.2.1. Parishes may not take up collections for, distribute funds to, accept gifts for or act as a conduit for funds to any charity or entity outside the United States without first contacting the Office of Parish Finance so as to ensure proper compliance with federal tax laws.

10.2.2. Parish Accounting – while parishes are not required to be fully compliant with generally accepted accounting principles as set forth by the Financial Accounting Standards Board and various other accounting regulatory bodies, parishes are required to implement the accounting procedures as set forth in this chapter and summarized below.

- a. Consistent with guidance originally approved by the Presbyteral Council, each parish is to maintain the parish financial information utilizing the integrated accounting software program, including the standardized chart of accounts, as set forth by the Office of Parish Finance and as updated from time to time.
- b. Parishes should use the cash basis of accounting. The following exceptions to the cash basis of accounting are required: capitalization of fixed assets (see 10.16.3.), recording of account payable, debt obligations, deferred school revenue, unrealized gains or losses on investments, inventory (including gift shop and script), gains or losses incurred on the sale of assets, and debt forgiveness.

10.2.3. Pastors are to ensure parish compliance with canon law and applicable civil law including, but not limited to, rules and regulations concerning sales tax collection and remittance, employment, fundraising and copyright laws.

10.2.4. The relationship between the pastor and the parish business manager (or its equivalent position) is very important in order to safeguard the assets and properly steward the financial resources of the parish. Accordingly, the Office of Parish Finance shall provide assistance to pastors in the identification, selection and training of qualified business managers and bookkeepers. A pastor must always seek the advice of the Parish Finance Council and consult with the Director of Parish Finance of the Office of FAP before hiring a parish business manager or a bookkeeper. Proper stewardship requires that those hired to assist a pastor with management of a parish's finances be competent in business matters and display impeccable integrity and a commitment to excellence. Pastors are to hire individuals who are trained, experienced, and skilled in business and accounting. Prospective parish employees in the parish finance area are to submit resumes that detail business expertise and demonstrate

that such candidate has sufficient skill and experience to perform the required tasks. In addition, pastors are to check references, perform national background checks (including credit history) and perform such other screening as deemed necessary and as required of the Code of Conduct in Exhibit IV (see 3.2.2 and 10.18.9) in order to ensure the prospective employees are qualified.

10.2.5. Parishes that cannot afford to pay a salary sufficient to attract a person qualified to manage the finances of the parish should consider partnering with other parishes to share in the cost of a qualified person.

10.2.6. Parishes are required to provide Mass attendance statistics during the month of October on forms furnished by the CFO or his designee.

10.2.7. Parishes and schools are prohibited from loaning any parish monies to any individual or organization without the written permission of the Archbishop or his designee. In addition, parishes may not mortgage, pledge or commit parish assets, resources or funds without prior written approval of the Archbishop or his designee.

10.2.8. Should parish personnel or the pastor notice financial discrepancies or unusual transactions which are not readily understood, the Office of Internal Audit or the Office of Parish Finance is to be informed immediately.

10.2.9. When signing contracts for services, parishes need to consider the Guidelines on Authority (10.3.0.) and ascertain and address any conflicts of interest (see 10.26.0). Parishes should always consider reviewing any contract with a secular attorney to properly ascertain the rights and responsibilities of the parish and the vendor. The pastor should consult with the parish finance council before signing any contracts considered to be significant to the operations of the parish. Parishes should perform sufficient due diligence, including checking references, before signing a business contract.

10.3.0. **Parish Guidelines of Authority – Authorization Limits**

The following authorization limits are defined to identify the point at which a certain defined parish activity moves from ordinary administration to extraordinary administration requiring approval of the Archbishop or his designee (canon 1281). As set forth in Chapter 1 (Section 1.2.5.) the maximum and minimum sums for alienation of ecclesiastical goods are addressed, including what constitutes an act of extraordinary administration for the parishes within the Archdiocese. Specifically, an extraordinary act is set at the minimum amount, as set forth in Exhibit V, Limit for Alienation Transactions, Acts of Extraordinary Administration and Acts of Major Importance. A pastor is free to act in areas of ordinary administration that are not restricted or do not require other approval or review as defined within this chapter or throughout the Pastoral Handbook.

10.3.1. For capital expenditures (defined as the purchase of an asset with a useful life greater than one year), a pastor may approve any singular expenditure or commitment up to the limit (see Exhibit V). A project may not be disaggregated to create elements below the limit. All elements of a project are conjoined for the purpose of determining the cost impact and approval limitation. Capital projects with a cost in excess of the limit require approval of the Archbishop or his designee.

With respect to any parish capital expenditure recommended by the PFRC, a sub-committee of the AFC, and subsequently authorized by the Archbishop or his designee, if it is subsequently determined that an overrun greater than the limit is expected to occur, the transaction shall be returned to the Director of Construction for submission to the CFO or Moderator of the Curia for further action (Ref: Chapter 8 – Building, Property and Construction Project Guidelines - Project Financing Review Committee).

10.3.2. A pastor and his business manager must consult with the parish finance council when operating expenditures, not included in the approved parish budget (defined as the purchase of goods or services that will be expensed in the parish's statement of activities) are greater than 2.0% of the parish's annual budgeted offertory revenue.

10.3.3. For personnel, pastors may approve annual salaries up to the limit (see Exhibit V) for new hires. New hires exceeding the limit in an annual salary require consultation with the Office of Parish Finance or the Moderator of the Curia.

10.3.4. For fundraising, pastors may approve fundraising initiatives of up to the limit (see Exhibit V) in estimated revenues except for capital campaigns (defined as those that relate to the establishment of a pledge campaign for funding the acquisition of an asset or of a construction or renovation project). A capital campaign is first evaluated by the limit limitation noted above in section 10.3.1. Therefore, any capital campaign for projects estimated to cost in excess of the limit require approval of the Archbishop or his designee. Non-capital fundraising in excess of the limit requires approval of the Moderator of the Curia.

10.3.5. Any real estate transaction (purchase, sale, lease or encumbrance) requires approval of the Archbishop or his designee.

10.3.6. Alienation of temporal goods¹ in excess of the minimum parish amount as set forth in Exhibit V, Limit for Alienation Transactions, Acts of Extraordinary Administration and Acts of Major Importance or the percentage noted in Exhibit V Section I-c of that parish's annual ordinary income, as defined in Exhibit V, requires approval of the Archbishop or his designee (canon 1291). Disposal of historical property or assets that would affect the stable patrimony of the parish may also require approval (Ref: Chapter 8 – Building, Property and Construction Project Guidelines). Other acts of extraordinary administration for pastors with the Archdiocese are as follows:

a. Transfer of ownership of or the granting of an interest in (i.e., leasing parish property) parish assets (other than through payment of ordinary operating expenses) to any other organization including catholic or non-catholic organizations, with or without shared interest, vision or ministry is defined as alienation of property and requires approval of the Archbishop or his designee. No action may be taken that would adversely affect the stable patrimony of the parish. In addition to real property owned by the parish, stable patrimony is defined as savings and investments the parish may hold for the long term benefit of the parish and excess savings the parish may hold without a defined purpose.

b. In recognition that the Archdiocese is a communion of parishes that are called to work and assist one another in the building of the Kingdom of God, it is important to recognize that utilizing certain service providers may help the common good. Accordingly, establishing contracts or agreements or utilizing service providers beyond those set forth in Parish Service Agreements to provide those services in the areas of Finance, Accounting and Risk Management; Human Resources and Employee Benefits; Real Estate, Capital and Construction Management Services; and Legal Insurance Claim Matters, shall constitute an act of extraordinary administration. This shall also include, but not be limited to, purchasing lay employee and clergy retirement benefit plans, purchasing property, casualty and workman's compensation insurance coverage and purchasing healthcare benefits and related insurance coverage.

¹ A canon law concept referring to (1) corporal goods (tangible assets) and incorporeal goods (intangible assets); (2) moveable or immovable goods and (3) fixed or stable capital (donations that are fixed for specific purposes) and free capital (cash without any restrictions).

10.4.0. **Cash Management and Oversight**

It is recommended that the parish pastor be the sole signer on the parish bank accounts. If this is impractical due to the volume of checks to be signed or because of frequent absences of the pastor, a second signer can be added. The second signer should be the parochial vicar or parish deacon. The pastor may identify and request that another qualified person may be approved to sign checks under restricted circumstances. Such approval should be requested in advance and obtained in writing from the Director of Parish Finance of the Office of FAP. If approved, this other qualified individual cannot be the one who prepares checks and records financial activity in the parish accounting system.

10.4.1. The signers on the bank accounts cannot be the staff or volunteers who also prepare the checks, perform the bank reconciliations or have control over the parish accounting program or financial reporting system. Specifically the parish business manager, bookkeeper and principal may not be a signer on any parish accounts unless specifically allowed within these guidelines (see 10.5.2.i.).

10.4.2. Parishes are encouraged to accumulate savings for cash flow management, emergencies, future projects, ongoing maintenance and repair of parish facilities and to assure long-term financial stability. (See 10.7.5. and 10.10.) It is strongly recommended that parishes accumulate savings of not less than six months of their respective annual operating expenditures, including related school expenses.

10.4.3. The following internal control procedures are to be implemented in order to provide a high degree of protection:

- a. Limiting the use of Electronic Funds Transfers (EFT) for payroll, payroll withholding and taxes, transfers to or from the Revolving Fund Trust and payments for capital expenditures from the Revolving Fund Trust should be the norm. However, parishes may utilize EFT for unique circumstances provided appropriate internal controls are maintained and followed. Specifically, the EFT process must separate the ability of one individual to input, review and initiate an EFT.
- b. When utilizing electronic banking or EFTs, parishes must develop and maintain a system to produce information documenting the banking activity in a manner that requires the pastor to approve the transactions in writing in advance. The procedures must be developed to preserve the signature authority of the pastor in accord with 10.4.0. Invoices for EFT payments should be attached to the bank statements each month for review by the Pastor or his designee. The parish finance council is to review the electronic banking activity and systems of documentation and internal controls on an annual basis. At a minimum, parishes should verify all EFT transactions within 24 hours of initiating the transaction in order to verify the transactions occurred as intended. If any discrepancy in an EFT transaction occurs, parishes must notify their bank immediately.

- c. The use of a check for transferring funds between parish accounts should be the norm. Checks used to transfer funds must be made payable to the account and never to cash or to the bank.
- d. A blank check or a check made to cash is never to be signed. If the pastor is unavailable for a period of time an appropriate secondary signer should be selected and designated by the pastor as discussed in 10.4.0. If a parish needs cash for a specific operating need, a check should be made payable to the parish or to the individual custodian that will be responsible and accountable over the cash.
- e. The pastor is to be a signer on all parish-related bank accounts using the parish name or Federal Taxpayer Identification number (TIN).
- f. Parishes are to instruct banks that they wish to receive copies of all cancelled checks and deposit slips or original cancelled checks with each bank statement for all parish bank accounts. The pastor is to receive all bank statements unopened, examine the check copies or canceled checks and deposit slip copies, review bank transfers or cash withdrawals, investigate any unusual items, payees or endorsements and initial the bank statement to evidence his review. It is recommended that the pastor review the bank statement again after reconciliation to ensure questionable items have been clarified, and initial the documentation to indicate his final review. The pastor may utilize a member of the parish finance council to assist with these duties.
- g. The parish is to review and update signature cards on a regular basis and whenever the pastor or administrative staff changes.
- h. The parish is to send a letter, signed by the pastor, to each bank with which the parish has accounts, instructing the bank not to open or close any bank accounts using the parish name or TIN without written authorization from the pastor of the Parish.
- i. For a parish school, a petty cash account of no more than the amount noted in Exhibit V Section II-i may be established with the principal as a signer, solely at the pastor's discretion, in order to assist in managing the day-to-day school activities. Such account, if established, must be monitored and reconciled monthly.

10.4.4. The pastor and parish finance council are to maintain a parish bank account list. The list is to include the financial institution, account number(s), purpose of the account(s), and the authorized signers for each account operated by the parish or parish related auxiliary organizations or small parish groups.

10.4.5. Blank checks are to be limited to a one-year supply and stored in a locked place with access restricted. Checks are to be used in their consecutive number order. Parishes are encouraged to maintain a log of checks. It is recommended that the pastor and parish finance council occasionally review the unused portion of checks to verify an unbroken check number sequence.

10.4.6. Parish funds are to be deposited into an institution that is insured by the FDIC (or for credit unions, the N.C.U.A.), covering up to the amount defined in Exhibit V Section II-m (Standard Maximum Deposit Insurance Amount, SMDIA) per banking institution. The parish should closely monitor the total balance of all accounts located at a single institution (not just the branch location).

10.4.7. All bank accounts established using the parish Federal Tax Identification Number (TIN) are parish bank accounts and their activity is to be recorded in the parish accounting system. All parish bank accounts include (but are not limited to) all accounts associated with the parish, its school, childcare center, school enrichment program before and after school program, auxiliary organizations or other programs and activities.

10.4.8. Miscellaneous bank accounts should be combined into a central account and included in the accounting program. If needed, these accounts may be tracked on a separate ledger, workpaper and/or spreadsheet. Each parish is to limit the number of bank accounts to necessary accounts: for example, checking, bingo and raffle, savings/revolving fund, investments and building/revolving fund. Proper management of designated or restricted funds from donors will necessitate using a restricted funds account. While encouraging parishes to limit the number of bank accounts, there also are times when opening a separate account is appropriate, especially when restricted donations are obtained. When contemplating whether to open an additional account, parishes should remember the following: all bank accounts must be reconciled monthly, the pastor is to receive the bank statements unopened, the pastor must be a signer on all accounts and the pastor is encouraged to sign all checks.

10.4.9. All parish activities utilizing the TIN (including auxiliary and related parish organizations such as the women's guild, men's club or athletic programs) are to submit their financial information to the pastor for review and inclusion in the parish accounting system. The pastor must be a signer and receive the bank statement for all accounts using the parish TIN including parish auxiliary organizations. All accounts of auxiliary organizations are subject to the authority of the pastor.

10.4.10. Parishes must obtain and use their own TIN, sales tax licenses, state and city sales tax exemption certificates and payroll withholding accounts and may never use the Archdiocese's identification numbers, licenses or certificates.

10.4.11. Fundraising at the parish may never occur without the pastor's prior permission.

10.5.0. **Cash Expenditures**

10.5.1. All payments of parish funds must be supported by appropriate documentation such as original receipts, invoices, contracts, etc. This documentation must be maintained in an orderly filing system. The documentation or receipt is to be marked in a manner that identifies payment. Parish funds may only be used for a proper parish or charitable expense.

a. Pastors are not allowed to advance or loan parish funds. If any parish employee suspects inappropriate use of parish funds or assets, the pastor of the parish or, in his absence, the directors of Parish Finance or Internal Audit of the Office of FAP, and/or the Moderator of the Curia are to be notified immediately (see Chapter 7 and 10.26.2. regarding acting in good faith in reporting violations and concerns).

10.5.2. All reasonable and necessary parish bills shall be paid on a timely basis and entered into the parish accounting system, including those for:

- a. Payment of employees, including payroll withholdings
- b. Expenditures for employee benefit programs administered by the Archdiocese
- c. Legitimate third-party invoices
- d. All Archdiocesan invoices
- e. All loan obligations in accordance with their respective terms and conditions

10.5.3. Whenever possible, all parish expenses are to be paid by parish check.

10.5.4. Parishes are prohibited from maintaining bank check or debit cards.

10.5.5. Before establishing a parish business credit card (or even once one is being used) the following should be taken into account:

- a. Most parish expenses can be incurred utilizing an ordering system with specified vendors, through establishing an invoiced account with regular vendors or through reimbursing employees.
- b. Invoiced accounts paid by the parish will ensure that the parish is not paying unnecessary taxes.
- c. Purchases are less transparent and potentially reflect less discernment when an employee can charge them directly the parish's credit card.
- d. The parish should not incur debt, i.e., a standing balance on a credit card. Cardholders should only charge what the parish has the ability to pay. Cards should be paid off in full each month.

If the parish determines the need for a credit card the cash advance feature must be disabled and the parish must write up guidelines governing the use of the credit card that clearly define custody of the card, who can use the card, careful inspection of purchases and invoices, verification of receipt of the goods or services purchased, an appropriate credit limit for each card, and matching of the invoices/receipts to the billing statement. Parish credit cards must list the name of the employee and the corporate name of the parish. Credit cards may not be issued to volunteers. Personal expenses should never be paid using the parish credit card; all expenses must be directly related to parish business/ministry and original receipts must be retained.

10.5.6. Payments to vendors for services rendered should not be made until the parish is in receipt of a W-9 form from the vendor, has substantiated the vendor's IRS status and determined that the vendor is a known corporation, not-for-profit, or governmental entity. The W-9 information will be necessary if the parish is required to issue a 1099-Misc. form.

10.6.0. **Offertory and Other Cash Collections**

Parishes are to take all necessary precautions to protect the cash of the parish by implementing safeguards to prevent unauthorized use. Supervision of cash collections is to include secure handling of cash receipts and cash disbursements of parish funds in a manner that minimizes the potential for waste, fraud, or abuse, and establishes accountability for financial activities. Collections in a parish are either for General Offertory purposes (the unrestricted use of the parish is to fund its various ministry operations) or, for Special or Other Collections which have unique and/or restricted purposes. Consistent with canon 1262 and the Fundraising and Charitable Gift Acceptance Guidelines contained in Chapter 11, donors are to always be informed regarding the intended use of their donations. While the parish informs its parishioners how it utilizes the General Offertory funds (ref. 10.7.2.) at least once a year, it is incumbent upon the pastor to make sure the faithful know of how it will utilize the funds from the other collections and/or capital fundraising efforts (e.g. collections for All Souls Day, Father's and Mother's Day).

General Offertory:

10.6.1. Each parish is to safeguard the offertory collection and to ensure that the offertory is in the possession of more than one unrelated person at the time of collection, counting and depositing the receipts. Offertory counting teams must include three or more unrelated members and should be rotated on a regular basis. The best practice is to have separate count teams that rotate. If only one count team exists, ensure that it has sufficient members to rotate functions and to have sufficient people in the event some are missing.

10.6.2. Secure storage of offertory collections and an established procedure for making deposits in a rapid and safe manner are to be implemented.

10.6.3. Parishes must deposit offertories intact. No monies are to be withdrawn from the offertory prior to deposit for any purpose, including (but not limited to) funding petty cash, cashing checks, or paying reimbursements.

10.6.4. Parishes are strongly encouraged to use tamper-evident, pre-numbered bags to secure the offertory after mass. After the offertory is placed in the tamper evident bag, it is sealed, and placed into a safe until it is counted. The supply of tamper evident bags should be controlled and their use should be tracked by individuals who cannot access the safe that secures the offertory after mass.

Other Revenue Sources:

10.6.5. Cash and check receipts from sources other than offertory collections (tuition, fundraising events, etc.) should also be in the possession of more than one unrelated individual at the time of collection, counting, and deposit.

10.6.6. Every parish is encouraged to have a safe. Safes should be located in a discrete location and attached to a structure so that they are not easily moved. Although there are

various types of safes available, a drop safe with a combination lock is preferred for parishes within the territory of the Archdiocese. A drop safe permits anyone at the parish to “drop” funds into the safe without opening the safe. In addition, unauthorized individuals are prevented from opening the safe without the key or combination.

10.6.7. Cash and checks from all sources should be retained in a safe at all times other than during collection, counting, or depositing at the bank. These funds should be deposited into a bank account as timely as possible, no less than weekly.

10.6.8. Access to the safe is to be restricted to only those individuals who have valid business purposes for access, and access must be approved by the pastor. Keys or combinations to safes should periodically be changed as staff changes for proper controls.

10.6.9. For any funds collected other than offertory, the parish should issue receipts. One copy of the receipt should be given to the payor, one copy to the parish accountant for recording in the financial system, and one copy is attached to the check(s) or cash.

10.6.10. Parishes should always reconcile receipts from tuition, fees or other fundraising efforts to the amounts recorded in the financial system.

10.6.11. Upon receipt of bank statements, parishes should ensure that the deposit count sheet total amounts and related deposit receipts agree to the deposits reported on the bank statement. Any significant discrepancies should be investigated and reported to the pastor.

Special Collections

10.6.12. “Special” collections required of each parish fulfill the responsibilities of the Archdiocese for the support of local, national, and international works of charity and education. Special collections are not Parish revenues.

The special collections established for the Archdiocese shall be defined annually by the Archbishop (canon 1266) and communicated in “Exhibit XIII: Special Collections Schedule and Information,” which shall be issued on July 1st for the following calendar year.

All Parishes and oratories which are, in fact, habitually open to the Christian faithful, shall participate in all special collections as follows:

- a. On Good Friday only one collection shall be taken up in the pew and the entirety of the collection shall be given to the Holy Land Collection.
- b. The following special collections must be solicited in the pew:
 - i. Ash Wednesday (Eastern Europe)
 - ii. Annual Seminary Appeal
 - iii. Co-op Mission Appeal
 - iv. Retired and Infirm Priests of the Archdiocese Collection

- c. The Archbishop's Catholic Appeal will be solicited in the pew by means of commitment envelopes.
- d. All remaining Special Collections may be solicited in the pew or a donation may be made of an amount determined by the pastor in collaboration with his finance council. This donation shall represent an amount equivalent to what would have been collected in the pew. When donations are given in place of soliciting a collection in the pew, the donation amount should be determined during the budgeting process.
- e. In parishes where e-giving programs are in place, all special collection options should be available for the faithful to make a donation.

Many other appeals are received by the Archbishop. Occasionally certain appeals and emergencies that appear especially worthy are brought to the attention of the pastor and his people for consideration of their support. Such collections are optional, and the pastor and his advisors are to determine whether their parish will participate.

The "special" collections must be accounted for in a separate liability account when it is collected – Funds Held in Trust in the parish's financial reporting system. In addition, parishes must remit such funds to the Archdiocese or the appropriate party within 60 days. The collection and counting of second collections is to be in accord with 10.6.1.

10.6.13. Certain religious ministries of the parish and/or religious movements within the Archdiocese may hold special masses and/or gatherings whereby offertory or other donations are collected. Such collections are appropriate so long as the following procedures are followed:

- a. The parish ministry or religious movement, through its designated parish representative, must always obtain the permission of the pastor to solicit offertory collections and/or conduct fundraising at a parish. It is prudent for the pastor and the parish representative of the ministry/movement to document this. The pastor of the parish is free to make an arrangement with the ministry/movement regarding sharing a percentage of the offertory with the ministry/movement so long as this is clear to the donors (canon 1262).
- b. Pending the pastor's decision as to the use of the money, the donors must be absolutely aware, by way of an announcement at each Mass or gathering, how the money being collected will be used by the ministry/movement or by the parish. If the pastor determines the money is for the ministry/movement, those in attendance should be given the opportunity to also contribute to the parish. Most importantly, offertories given by the faithful for a specified purpose may be used only for that purpose (canon 1267).

c. The pastor must take responsibility for the money from such offertory collections, including verifying the count and recording the collections within the parish financial statements. Such collections will not be exempt from parish assessments. Should the pastor redistribute such funds to the ministry/movement via a grant/check disbursement, such expenditure transaction should be clearly reflected in the parish financial statements.

10.7.0. **Parish Financial Reporting**

10.7.1. *Annual Report to the Archdiocese* – The Archbishop is required to receive an annual report from the parishes within his territory (canon 1287). Within the Archdiocese, parishes are required to send to the Office of Parish Finance the Annual Report. The Annual Report is due August 30th. The requirements for the Annual Report are updated from time to time, are distributed to the parishes on an annual basis and are also included on the Archdiocese's website.

10.7.2. *Parish Financial Reporting to its Parishioners* – Parishes are to report to their parishioners, at least annually, the operating budget and financial statements, including a summary balance sheet and income statement, reflecting the total parish financial activity.

10.7.3. *Interim Parish Financial Statements* – In order to fulfill its responsibility to assist the Archbishop in his supervision of parishes, the Office of Parish Finance may require interim financial reports and information from parishes. Parishes may be required to submit detailed transaction information and supporting documentation on an as-needed basis.

10.7.4. *Parish Budgets* – Consistent with canon 1287, each parish must provide the Archbishop the annual budget of the parish. A parish budget is to be developed and reviewed by the parish finance council and submitted annually no later than June 1st to the Office of Parish Finance for parishes without schools. Parishes with schools are required to submit their combined parish budget (both the parish and its school's operations) no later than May 1st to the Office of Parish Finance and Office of Catholic Schools. As part of the budgeting process, each parish is to make provision for savings to insure the long-term financial health of the parish. Savings should include amounts established for future building repair and maintenance, emergency funds, and general use.

10.7.5. Parishes may not submit a deficit budget unless the deficit results from a short-term cash deficiency due to a construction project or, in the case of a parish with a school, when the parish is requesting grant assistance to assist with the school budget shortfall.

- a. Parishes are to utilize the budget guidelines as issued and amended by the Office of Parish Finance.
- b. The parish finance council is to assist with the development of the parish budget and must give its approval to the parish pastor before the budget can be completed or adopted.

10.8.0. **Parish External Certified Public Accountant (CPA) Review Program**

This section pertaining to external CPA reviews has been deleted and is intentionally blank.

10.9.0 **Parish Internal Financial Control Reviews**

10.9.1 The Parish Review Program, (see 10.8.0.), which commenced in 2002 and required parishes with total annual revenues greater than the amount defined in Exhibit V II-o to engage a CPA firm to perform a financial statement review and complete certain agreed upon procedures was discontinued effective January 15, 2013. Accordingly, parishes may no longer engage a CPA firm to perform a review of internal financial controls or a financial statement review, except as permitted below:

- a. In the rare event that a parish is required by a covenant in a loan agreement, a vendor agreement or a specific regulatory requirement to utilize an independent CPA firm to perform a financial statement review and/or audit, that parish may engage a CPA firm to perform such review, so long as the authorization of the Archbishop or his designee on such matters is obtained.² The parish must send the request to engage a CPA firm to perform these services by March 15th, immediately preceding the fiscal year to be reviewed. If approval to engage the CPA firm is granted, then the parish is obligated to send to the Director of Internal Audit: 1) the engagement letter by April 15th, preceding the fiscal year to be reviewed; and 2) the reviewed financial statements and related CPA reports by October 15th, following the conclusion of the financial statement review. If the parish engaged the CPA firm to perform only a financial statement review, then the Office of Internal Audit will still visit the parish to perform a review of its internal financial controls.

10.9.2. Effective for all parish reviews for the fiscal year ending June 30, 2017 and thereafter, the Office of Internal Audit (Internal Audit) will visit all parishes within the territory of northern Colorado individually and perform a review of internal financial controls in conjunction with the Office of Parish Finance (OPF) performing a review of the parish financial statements. (Full-Scope Parish Reviews) as follows:³

- a. Internal Audit will visit parishes on a regular basis to perform Full-Scope Parish Reviews. Internal Audit will visit those parishes with total revenues greater than or equal to the amount defined in Exhibit V II-n (the Amount) on an annual basis, and parishes with total revenues less than the Amount no less than once every 5 years. The requirement of annual visits to parishes with revenues greater than or equal to the Amount may be modified by Internal Audit based on the results of the parish's most recent Full-Scope Parish Review. For those parishes with less than the Amount in revenues, Internal Audit may also annually distribute an internal control checklist to each parish for completion. Exceptions for parishes with less than the Amount in revenues are described in 10.9.2.b.

² A parish may not sign any agreement that would require the parish to use an independent CPA firm to perform an audit or review of its financial statements to negate the Parish Internal Financial Control Review without prior written approval of the Archbishop or his designee.

³ Such review will not be completed in accordance with the American Institute of Certified Public Accounts (AICPA) standards, but in a similar fashion.

b. Internal Audit will also visit parishes to perform a review upon a change in Pastors, Parish Administrators or if the parish pastor requests a Full-Scope Parish Review. These parish reviews may be in addition to or included in the Full-Scope Parish Review described in 10.9.2.a.

c. The scope of the work included in the visit by Internal Audit shall include all entities assigned to the Parish's pastor/administrator including mission churches, oratories belonging to the parish, communities and auxiliary organizations under the supervision of the pastor/administrator.

10.9.3. With stringent regard for safekeeping and confidentiality, the Office of Internal Audit is authorized to have access to all parish financial records and activities (in both paper and electronic format), property and parish personnel in order to accomplish the state purpose. This authority extends to parish auxiliary organizations, as well as to third parties performing services delegated to them by the parish. Access to third parties will be handled in accordance with contractual terms.

10.9.4. The internal financial control review process does not in any way relieve the parish staff from the responsibilities assigned to them. Responsibility for complying with policies and procedures, maintaining good business practices and reliable financial statements rests with the pastors and parish staff.

10.10.0.

Investments

Parishes with cash savings and/or investments must develop an investment strategy and policy. Parishes must hold stock investments in a socially responsible manner. Accordingly, parishes should carefully review and consider the investment policies adopted by the Archdiocese, as set forth in Investment Policies, Chapter 9.

Investing parish funds can strengthen a parish's overall financial position. A well developed investment strategy helps ensure that church funds earn income to provide for the ministry of the church. An investment's risk and the expected return must always be considered. Before investing parish savings on a long-term basis, a parish is to evaluate its overall liquidity, including its short-term needs and any restrictions on its savings. Thereafter, it should determine the appropriate length of investment time in order to determine an appropriate investment. For example, savings held for emergencies or intended to be used within the next three years should be invested in a manner that does not subject the principal to investment risk (consider CD's and money market accounts). Monies held for longer periods of time (3+ years) could be considered for investment in either the stock or bond markets. The parish is to consider the potential risks of the investment and whether a particular investment strategy may entangle the parish in potential liability. Specific items that are required to be included in a parish investment policy are the following:

10.10.1. Parish finance councils should review the parish investment portfolio on a quarterly basis.

10.10.2. Parishes may not invest funds in a manner that results in an ownership interest in privately held stocks not traded on the public exchanges.

10.10.3. Parishes may not hold securities in the form of certificates. All stocks are to be held for the parish, "in street name"⁴ by a reputable investment company or brokerage firm insured by the Securities Investor Protection Corporation (SIPC).

10.10.4. Interest based investments (treasury bills, certificates of deposits, interest based mutual funds) may be held for income purposes and may not be held for interest rate speculation purposes.

10.10.5 Parishes are discouraged from investing directly in foreign business interests as these tend to be impacted significantly by fluctuations in the exchange rate and may incur a detrimental and uncontrolled impact on the investment portfolio.

⁴ "Street name" means that the broker holds title to the investment in trust for the investor. When parishes hold investments in certificate form, the ownership is identified on the certificate and is held as a record by the company issuing the stock or bond. This complicates the parish's ability to sell the investment, as the investment requires ownership authentication by the issuing company. When the investment is held in "street name", it can be bought or sold readily through a broker. Paper certificates can take six weeks to clear the title and transfer title before the investment can be sold.

10.10.6. Parishes with investments in bonds are not to convert bonds into stocks, equity or an ownership position without prior approval by the Office of Parish Finance.

10.10.7. Parishes may utilize managed funds or investment brokers. Such arrangements should clearly identify the role of the broker and the authority to invest according to documented investment guidelines approved by the pastor and parish finance council. Parishes should not grant unlimited investment authority to an investment broker. Parishes are to utilize reputable investment brokers with a proven track record. If a parish is considering using an investment broker, it should consult with the Office of Parish Finance prior to committing funds. The parish finance council should periodically review the guidance and authority given to the investment manager.

10.10.8. Parishes may hold bonds traded on public exchanges with a bond rating of AA or better from reputable companies. Additionally, and with the proper due-diligence, parishes may consider investing in Archdiocese and Diocese fixed income debt obligations, rated or un-rated, if the issue remains a direct obligation of the Catholic Church. Due to the inherent risks of investing in securities that are not reviewed or approved by the Securities and Exchange Commission (SEC), parishes should use caution when considering investments in un-rated securities, and should consult with the Office of Parish Finance (OPF) prior to making this type of investment decision.

10.10.9. Parishes are to ensure that investments are protected from liquidation without the pastor's approval. Only the pastor has the authority to invest, liquidate or transfer funds and investments. The pastor should consult with the parish finance council on all investment activities and typically act in concurrence with the parish finance council.

10.10.10. Parishes are encouraged to deposit excess reserve funds in a parish account in the Revolving Fund Trust (Ref: Chapter 8 – Building, Property and Construction Project Guidelines - Irrevocable Revolving Trust Fund Management Committee). While it is proper stewardship to invest parish funds, the Revolving Fund is the primary lending source for parish construction projects. By placing reserve funds in the Revolving Fund, the parishes receive a competitive interest rate and its funds support and assist other parishes who, without this fund, would incur significant borrowing costs and a higher rate of interest expense.

10.11.0. **Ownership of Records: Records and Information Management Requirements**

Parishes are to maintain an accurate filing system and store critical records in a fireproof and waterproof cabinet or safe. Parish offices are to be locked whenever unoccupied.

10.11.1. By state, federal and canon law, certain records must be retained for certain periods of time. The Records and Information Management Policy (RIM) contained in Chapter 7 and in Exhibit III, provide the definition of what constitutes a “Record”, and delineates the appropriate retention period for the safe and complete storage of all parish Records. (Ref. Chapter 7 – Finance, Administration and Planning - Archdiocese of Denver and the Ecclesiastical Organizations – Ownership and Management of Records and Ref. Exhibits – Exhibit III for a discussion of retention periods to be followed for various documents and utilized by the parishes, as applicable.)

10.12.0. Parish Fundraising, Capital Campaigns, and Gift Acceptance Guidelines

Parishes may not accept a gift or bequest consisting of real estate, a building or a business interest (Ref: Chapter 11 - Fundraising and Charitable Gift Acceptance Guidelines) without first obtaining approval from the Archbishop or his designee. Detailed guidance for Fundraising and Charitable Gift Acceptance for both the Archdiocese and parishes within its territory is provided in Chapter 11, consistent with requirements of canon 1262. However, a summary of key parish guidelines is as follows:

10.12.1. Parishes must obtain the approval of the Archbishop or his designee before accepting gifts consisting of partnership interests and/or assignment of rights under a contract of real estate (see 10.16), including developed property, undeveloped property, and/or time-shares in property. The Moderator of the Curia or the CFO of the Archdiocese is to be consulted with and given an opportunity to advise and recommend to the Archbishop as to whether to accept the gift. If acceptance is recommended, title to the property is to be taken in the name of the Archdiocese, a Colorado corporation sole, as trustee for the benefit of the parish or parish entity that is the donor's intended beneficiary of the property donation. Processing of the applicable due diligence and paperwork must be coordinated through the Director of Real Estate of the Office of FAP prior to any actual conveyance of any real property.

10.12.2. Without prior approval by the Archbishop, a parish may accept unrestricted gifts of cash, stock and bonds to the parish so long as such gifts do not convey an ownership position that could give rise to potential liability.

10.12.3. Parishes should consult with the CFO of the Archdiocese and the Director of Parish Finance before accepting or agreeing to planned gifts or complicated bequests or will arrangements. Planned giving can require and result in legal issues that need to be evaluated prior to acceptance. Planned gifts must be reviewed according to the policy on Fundraising and Charitable Gift Acceptance Guidelines, Chapter 11, before these gifts are accepted. Such gifts may include charitable lead trusts, charitable remainder trusts, donor advised funds, split-interest agreements, perpetual trusts, charitable gift annuities, and pooled income funds.

10.12.4. Parishes should be cautious in accepting restricted gifts as such restrictions may simply impose conditions that are too onerous to manage. Parishes should review any restriction or condition placed on a gift to determine whether there is a reasonable expectation that the restriction can be met within a reasonable time period. Pass through, agency or exchange transactions or arrangements may not be accounted as charitable gifts to the parish. If a parish is considering such an arrangement, it should consult with the Office of Parish Finance.

10.12.5. Reporting Contributions and Donations – On an annual basis, a parish is to supply a written acknowledgment of each single contribution of the amount set forth in Exhibit V Section II-f. (the Amount) or more or, non-cash items worth the Amount or more to donors. This requirement may also be satisfied if, on an annual basis, the parish shows the date and amount of each contribution of the Amount or more. If an individual contributes the amount set forth in Exhibit V Section II-d or more to a parish and receives a benefit (such as participation in a fundraising event like a dinner or golf tournament), the parish is to provide a written acknowledgment of the gift and to note the value of the benefit received by the individual if any.

a. A record of each parishioner's contributions is to be maintained by a parish staff member who has no responsibility for counting collections or handling mail receipts.

b. Parishes must send parishioners annual acknowledgment of their contributions and such acknowledgement is to contain the following confirmation request:

"This statement is for your records. Please examine it carefully. If it does not agree with your records, please contact the pastor."

The acknowledgment is to include the donor's name, amount of cash donated and/or a description of any property other than cash contributed. The value of any property donated is not to be stated (as it is to be determined by the donor) unless there is an appraisal or documented value. The acknowledgment includes a statement of the goods or services, if any, provided by the parish to the donor in exchange for a contribution. The acknowledgement is to include a good faith estimate of the value of any goods or services provided to the donor by the parish.

10.13.0. **Restricted Gifts**

Parishes will receive funds from donors for a variety of purposes. The nature of the gift and any conditions thereon will determine if the funds are unrestricted, temporarily or permanently restricted. Also the parish is to consider the intention of donor(s) and may not contradict or defeat this intention without permission from the Archbishop. Pastors are to seek the permission of the Archbishop or his designee before soliciting restricted gifts. See Chapter 11 Fundraising and Charitable Gift Acceptance Guidelines for further information concerning particular laws on fundraising in the Archdiocese.

Monies raised by the parish during normal operations, through a general solicitation, cannot be restricted. Only a donor can restrict a donation. Such restriction can occur if the donor specifically restricts the use of their gift to an identified purpose in writing. A parish that accepts a restricted gift is required to honor the intentions of the donor. If a parish cannot reasonably expect to fulfill the donor restriction, if any, it should decline the gift. Parishes may not use monies given for a restricted purpose for any other purposes without the permission of the donor.

Proper accounting requires the identification and separate accounting for general, temporarily restricted and permanently restricted funds. Funds collected for a restricted purpose are to be recorded into the financial records of the parish as restricted gifts and identified and maintained as such until the restriction has been met, satisfied or has passed.

Canon Law also addresses the concept of restricted gifts. Canon 1267 §3 “The offerings given by the faithful for a definite purpose can be applied only for that same purpose.” Canon 1284 §3 “observe the prescriptions of both Canon and civil law or those imposed by the founder, donor or legitimate authority...” §4 “accurately collect the revenues and income of goods when they are legally due, safeguard them once collected and apply them according to the intention of the founder or according to legitimate norms;”

At a minimum, all restricted funds must be accounted for separately on the parish general ledger. If the solicitation for the restricted funds is intended to recur as part of a regular solicitation or an ongoing program or is an amount greater than the amount set forth in Exhibit V Section II-1, then the funds should be maintained in a separate bank account. For example, a one time restricted donation of a small amount does not require its own bank account. However, a program where restricted funds are received monthly would require its own bank account. All funds raised as part of a capital project / campaign must be maintained in a separate bank account.

It is required that restricted gifts not be commingled with general parish operating funds. In those rare exceptions when this has occurred and where the funds have been deposited in the general parish checking account, they should only be held there as long as it takes to transfer the funds to the separate restricted funds account.

Parishes need to keep a record of restricted gifts including the date of the gift, the donor, the amount, the restricted purpose, when or how the restriction may be satisfied, whether the restriction has been satisfied and when the funds will be released from restriction.

The following pertains to restricted funds solicited during an approved capital campaign in conjunction with the conditions set forth in Chapter 8 – Building, Property and Construction Project Guidelines. Reference should also be made to Parish Assessments – 10.2.7.

10.13.1. Prior to solicitation, the pastor and his parish finance council should review the restricted purpose and give their recommendation for soliciting the funds. The parish must clearly inform the parishioners and potential donors of the project's purpose and that any funds received for this project will be restricted to the defined project. The parish should review the purpose for the fundraising, the timing of the campaign, the estimated timing of the fundraising and the estimated timing for completion of the restricted purpose.

10.13.2. In materials and solicitations, pledge cards, pledge envelopes, follow-up reports, communications and individual contribution statements the parish should always include a note that the donations, pledges and pledge payments are restricted for the identified purpose of the campaign.

10.13.3. At the completion of the project, the parish should provide a written summary of the campaign to the parishioners and donors. The summary should include the project accomplishments and the cost of the project. In addition, the pastor should disclose the source of funds used to complete the project including, parish savings, restricted gifts and pledge payments, fundraising activities, debt financing and repayment terms.

10.13.4. Throughout the project, the parish finance council should meet to review the project and the minutes should reflect that the finance council has reviewed the status of the campaign and the use of the restricted gifts. At the completion of the project, the finance council minutes should reflect that the finance council has reviewed the status of the project and determined that the restricted purpose has been completed and that the restricted purpose for which funds were solicited has been met.

10.14.0. Electronic Giving

10.14.1. With the approval of the Presbyteral and Archdiocesan Finance Councils in 2011, the Management Corporation created guidelines concerning Electronic Giving Programs and issued such guidance on October 7, 2011. As recommended at that time, the Archdiocese encourages parishes to consider the benefits of an effective, secure and professional Electronic Giving/Receipts program. Due to numerous security and liability issues and the potential for civil penalties when using electronic giving, all parishes are required to abide by the policies as contained herein.

- a. The Management Corp. has developed an electronic giving manual designed to assist parishes in the implementation of a successful electronic giving program. Contact the Office of Parish Finance or visit the Archdiocese's website for a copy of this manual.

10.14.2. Parishes that have not initiated electronic giving are prohibited from utilizing electronic giving programs developed and executed by the parish staff or volunteers (commonly referred to as an "in-house" system). This prohibition covers any program whereby the parish initiates the process of transferring funds from a parishioner's bank account or uses a parishioner's credit/debit card to charge a donation to the parishioner's account. Items excluded from this prohibition are as follows:

- a. Parishes who select a third-party vendor from the approved vendor list. The list of approved third-party vendors will be updated from time to time and may be obtained from the Office of FAP.
- b. Payments made to the parish when the individual and card are present and the parish utilizes a point-of-sale device (e.g. through a parish gift shop). Parishes processing payments using the individual's credit/debit card are required to comply with PCI regulations. (see 10.14.3.a)

10.14.3. Parishes that already initiate electronic giving transactions through an in-house process are strongly encouraged to migrate from the current in-house process to the use of an approved third-party vendor. Those parishes that do not migrate to an approved third-party vendor and continue to use an in-house process for initiating electronic donations must adhere to the following:

- a. If a parish accepts credit or debit cards it must become PCI-DSS (Payment Card Industry Data Security Standards) compliant including:
 - i. Annual completion of the PCI-DSS Self Assessment Questionnaire.
 - ii. Quarterly completion of an external vulnerability scan by an Approved Scanning Vendor.

- iii. Completion of Verification and Attestation of PCI-DSS compliance as required by the parish's bank or credit card processor.
 - iv. Such other steps that may be required by the PCI-DSS, the particular merchant agreement or credit card processor utilized by the parish.
 - v. Documents verifying the completion of paragraphs 10.14.3.(a) i.-iv. must be retained at the parish for three years.
- b. If the parish initiates EFT (Electronic Funds Transfer) donations through the ACH (Automated Clearing House) network then it must maintain compliance with NACHA (National Automated Clearing House Association) rule and regulations.
- c. Parishes must develop, document and implement procedures to safeguard donor financial information including storing donor information in a secure location, a record retention and destruction procedure in accord with regulations and limiting access to sensitive information.
- d. Parishes may only collect the minimum necessary information to process payments/donations. Additional information such as birth date or social security numbers should never be collected for the purpose of making an electronic donation or payment.
- e. Parishes must receive written authorization from donor for any payments initiated by the parish against any parishioner accounts, credit or debit cards, phone numbers or other parishioner assets.
- f. Parishes must immediately cease initiating payments/donations from parishioners once a stop notice is received in writing or email from the parishioner.

10.14.4 Utilizing an approved electronic giving vendor will mitigate many risks encountered in electronic giving. However, parishes should always be cognizant of their responsibility to protect the parish bank, investment accounts and other financial information from unauthorized access. Parishes must design and implement sufficient procedures to safeguard parish accounts, computers, files and donor records, including the following:

- a. The pastor should consult with the parish finance council before approving any agreements with vendors for utilizing electronic giving services.
- b. The designation of a specific parish bank account for receipt of funds from the third-party vendor and/or any changes in the designated bank account provided to the third-party vendor must be approved by the pastor. Only the pastor has the authority to change the designated bank account.

- c. The parish staff must reconcile the donation statements and reports provided by the third-party vendor to the bank statement on a monthly basis.
- d. The parish staff should routinely check the donation and activity reports provided by the approved vendor to monitor both donation activity and the processing and delivery of donations to the parish account.
- e. Parishes must include electronic donations in their donor records. It is the parish's responsibility to ensure that donation reporting requirements are met.

10.15.0. Conducting and/or Sponsoring Bingo, Raffle or Other Gaming Activities

Parishes that conduct any gaming activity must comply with federal and state laws including those pertaining to income tax, employment, excise tax, fundraising and bingo and raffle regulations.

State of Colorado rules for bingo, raffle and other gaming activities include, but are not limited to, obtaining and posting a state license, certification of a games manager, accounting for sales, expenses and prizes, quarterly reporting to the state, and maintaining a separate bank account. Federal rules include, but are not limited to, reporting certain prizes (e.g., reportable winnings) on a Form W-2G and transmittal Form 1096, as well as following the withholding and backup withholding requirements, including reporting such withholding on Form 945.

To avoid subjecting the parish to unrelated business income tax, substantially all of the work in conducting the gaming activity must be performed by volunteers, that is, without compensation including free or reduced tuition.

Parishes must collect withholding taxes from winners of both cash and non-cash prizes greater than the amount set forth in Exhibit V Section II-j based on the fair market value of the prize. There are special reporting and/or withholding requirements for non-resident alien prize winners or, for those prize winners who fail to supply a correct taxpayer identification number.

Proceeds must be retained in a separate account. Monies can only be used to further the exempt purposes of the parish. Clear accounting of bingo, raffle and gaming activity must be maintained.

10.16.0. **Real Property, Fixed Assets and Other Parish Assets**

As discussed in Chapters 1 and 8, in connection with particular law and norms concerning parish property, each parish is its own public juridic person and is the beneficial owner of its own property (canon 1256). The pastor of a parish administers the parish and its property and represents it in its juridic affairs (canons 532 and 1279).

Accordingly, each parish pastor, by virtue of his authority as pastor, administers the parish and its property. The pastor is responsible for the use, possession and management of such property. As administrator of parish property, the pastor is not the representative or delegate of the Archbishop. As noted at 10.3.5, 10.12.1, and Chapter 8 – Building Property and Construction Project Guidelines (8.2.6.3), any purchase sale, lease or other matter affecting real property requires the approval of the Archbishop. Therefore, transactions affecting parish real property and related documentation must be coordinated with and processed through the Department of Real Estate in the Office of FAP for the Archdiocese.

The pastor, parish finance council, and parish staff are to make all attempts to safeguard the parish property.

10.16.1. Some of the methods a parish may use to protect its physical assets include locking the church doors, when appropriate; maintaining smoke detectors and fire sprinkler systems; preparing outside plumbing for winter weather; inspecting building exteriors and interiors, furniture, and fixtures for routine maintenance; maintaining and reviewing a fixed asset inventory list and installing security systems including alarms and video cameras.

10.16.2 It is recommended that routine maintenance be scheduled and performed to prolong the life of assets and to prevent expensive repairs. When maintenance projects are scheduled, the parish tends to plan more effectively to provide the funds for these repairs through current and future budgets. Areas in the physical plant needing routine inspection and maintenance include the roof, exterior of the buildings, parking lot, play equipment, carpet and floors, furnace, paint and heating and air conditioning units. The inspections may indicate areas where recent repairs may not be holding up and may involve some warranty work.

10.16.3. It is recommended that a parish depreciate its fixed assets using the straight-line depreciation method. By doing so, parishes must recognize and plan for the replacement of such assets and/or adequately fund ongoing maintenance for such facilities. Likewise, it is critical that parishes keep an inventory list of fixed assets, including land, land improvements, buildings and related improvements, equipment, furniture, fixtures, and vehicles. The list would include: asset description including model and make; serial number; purchase date; warranty period; vendor name and address; cost; physical location; and disposal date and amount when applicable. Finally, parishes are encouraged to annually budget an adequate amount for facility maintenance. Likewise, establishing a building maintenance reserves account to accumulate funds for the long term care of the facilities is strongly encouraged.

10.16.4. At the direction of the pastor, an annual physical inventory of all fixed assets may be conducted to assure that property of the parish has not been misplaced or stolen. It also provides an opportunity to determine when repairs and/or maintenance may become necessary to prolong the life of the asset, or when assets with no useful purpose can be taken off the list and disposed. Each parish is encouraged to either take digital pictures of each room and identify values or, at a minimum, take a digital video of its fixed assets and personal property and store the video in a fireproof safe or safety deposit box so that proof of loss can be demonstrated in the event of fire or other catastrophe.

10.16.5. In addition, parishes are to maintain an inventory of moveable or immovable goods that is periodically revised.

10.17.0. **Borrowing – Incurring Debt or Encumbering Property**

10.17.1. Parishes may not borrow money, incur debt, pledge or encumber its property without the approval of the Archbishop or his designee.

10.17.2. Parishes considering debt financing from the Revolving Fund Trust should refer to Chapter 8 – Building Property and Construction Project Guidelines. Parish debt financing from sources other than the Revolving Fund Trust must also have the approval of the Archbishop or his designee.

10.17.3. Only the Archbishop or his designee may sign debt instruments obligating the Archdiocese. Pastors may only sign debt instruments (e.g. promissory notes, lines-of-credit, mortgage notes) with the Revolving Fund Trust or another financial institution after receiving written approval from the Archbishop or his designee.

10.18.0. **Employment and Personnel Matters**

Parish employees are an important resource that perform a valuable role in furthering the mission of the Church and the local parish. Other than a pastor, parochial vicar and deacon, no parish employee possesses an ecclesiastical office unless they are appointed to their position with a canonically executed decree by the Archbishop or another canonically competent authority.

In order to be a good steward of all parish resources, it is important that parishes adopt, and consistently apply, good employment practices. The following are critical elements in the establishment and maintenance of a good employment program; performing proper due diligence as part of the hiring process; conducting annual performance evaluations; reviewing and approving in writing, starting wages and all adjustments thereto; complying with all legal employment requirements and regulations set forth by federal and state authorities and maintaining proper employee personnel and other associated employment files. The policies contained within this Pastoral Handbook in the Exhibits (see Exhibit VI, Personnel and Other Employment Related File Contents), as well as the guidelines issued from time to time by the Director of Human Resources of the Office of FAP are intended to assist parishes with their individual employment programs.

When newly assigned to a parish, a pastor is strongly encouraged to work with the personnel employed in a parish. Specifically, removing personnel without cause to provide employment for someone with whom the pastor is familiar cannot be justified as an action consistent with Church teaching, values or employment practice. Re-assigned pastors are expected to communicate their approach, expectations and directions to employees. Employees are to perform their functions appropriately and to meet reasonable expectations of their positions. Likewise, employees are to adapt to new directions as may come from the assignment of a new pastor. Pastors are strongly encouraged to contact the Human Resources Department of the Office of FAP if they need assistance with employee/employment matters.

When there is employee turnover at a parish, it is an opportunity to take a fresh look and determine the current staffing needs. For example, it is not always necessary to replace a position, or replace it with the same title, responsibilities or same combination of skills. It is important to determine if the job duties can be absorbed by other individuals or performed by a volunteer, or if the position should be replaced with a different set of skills or responsibilities altogether.

Some action steps in this area include the following: identify the need, prepare, review and update the job description, review applications and resumes, check re-hire status with the Office of Human Resources of the Office of FAP, set up and conduct the interviews, check applicant references, determine the overall best qualified applicant, and make the job offer contingent upon the receipt of an acceptable background check.

When the pastor or his designee offer a position to a prospective employee, it is important to communicate the following specifics to the new employee: the title of the position; start date; hourly or monthly pay work schedule; employment status (full-time with benefit package, or

seasonal, part-time or temporary without benefit package), the responsibilities and expectations of the position and who is the supervisor of the position.

10.18.1. *Re-Hire Policy* – Employees who have resigned, or been a part of a reduction in force from employment within the Archdiocese, parish or related Ecclesiastical Organization (“the Archdiocesan system”) are eligible for re-hire within the Archdiocesan system. However, in recognition that the parishes of northern Colorado are called to assist one another in building the Kingdom of God, employees who have been terminated either for cause or at-will within the Archdiocesan system are not eligible for re-hire. Accordingly, it is required that a Pastor contact the Office of Human Resources of the Office of FAP to determine the re-hire status of prospective candidates who have been previously employed by another parish or related Ecclesiastical Organization.

10.18.2. *Performance Evaluation Program* – The parish evaluation program is an important tool to provide valuable feedback to employees on an annual, or bi-annual, basis. The evaluation program, when used consistently, is an opportunity to encourage, enlighten, and strengthen the work product of all the various ministries at a parish. Please note that this is a voluntary process for the parish as the employer. The parish may choose to use this process or not; however it is very important that parishes are consistent in the use, or non-use, of this process.

10.18.3. *Progressive Discipline Process* – The purpose of progressive discipline in the work place is to improve performance and/or behavior which are not meeting the employer’s expectations and to promote change to achieve an acceptable level of performance. The discipline process is not meant to punish employees and is a business practice encouraged within the Archdiocese.

It is recommended that a pastor contact the Office of Human Resources of the Office of FAP for consultation prior to performing any form of written discipline or termination of employment.

10.18.4. Employment contracts are utilized exclusively for schoolteachers or school principals only in accord with the norms established by the Office for Catholic Schools (See 10.25.8).

10.18.5. Parishes are required to follow the policies and guidelines as outlined and issued by the Office of Human Resources of the Office of FAP as they pertain to employment practices and benefits administration. Parishes are to implement Parish Employee Handbooks as such guidance is considered to be a “best business practice” in the secular business world.

10.18.6. Parishes should review, modify where necessary, and implement the guidelines set forth in the Parish Employee Personnel Handbook into the employment practices of the parish. Pursuant to the service agreement between the parish and the Archdiocese, (see 10.27.) the Parish Employee Handbook will be updated by the Office of Human Resources from time to time.

10.18.7. Parishes must use the approved Job Application form for all applicants for employment. Refer to Exhibit VI, Personnel and Other Employment Related File Content.

10.18.8. All wages, pay rates and adjustments must be approved by the pastor in writing.

10.18.9. Parishes are to comply with the requirements of the Office of Child & Youth Protection Code of Conduct and include the safe environment training documentation for each employee in a separate file (Ref. Chapter 3 – The Teaching Office)

10.18.10. Personnel Files are to be maintained on all full-time, part-time, current and temporary employees. Refer to Exhibit VI, Personnel and Other Employment Related File Content for a listing of personnel file contents and other employment related files that must be maintained. In addition, please refer to Exhibit III, Record Retention Schedule for guidance regarding retention files for former employees.

10.18.11. Proper classification of individuals is a critical responsibility for any parish. This is frequently referred to as making the employee vs. independent contractor determination. Each individual and their job responsibility must be properly classified based on the facts and circumstances of the job requirements.

In general, musicians will be treated as employees regardless of the frequency or infrequency of their work. It will be rare that the facts and circumstances would lead to a conclusion that a musician is an independent contractor. Musicians treated as employees must complete all appropriate paperwork in the same manner as any employee. In the rare situation where a musician is an independent contractor, they must complete all paperwork in the same manner as any independent contractor.

Parishes should use the guidance provided by the IRS and the Human Resources Department to properly determine an individual's job classification.

10.19.0. Payroll and Paid Time Off Benefits

10.19.1. Parish salary or pay rate policy may only be set by or modified with the written authorization of the pastor.

10.19.2. Written authorizations documenting individual wages or pay rates must be maintained in the parish files.

10.19.3. Pay rate and personal information contained within the payroll system is confidential and must be protected.

10.19.4. The pastor should approve payroll before it is processed.

10.19.5. At the pastor's discretion, the pastor and his finance council should review all the parish employee wages at least once a year as part of the parish budget process.

10.19.6. The person preparing payroll may not authorize pay rate additions, changes, and deletions.

10.19.7. Employees are always paid by check or through a direct deposit to a financial institution, not by cash.

10.19.8. After checks are signed, the supporting documentation is to be filed. The payroll checks are to be hand-delivered or mailed to each person. No checks may be given to anyone other than the employee, unless the employee has granted written permission.

10.19.9. A payroll check is not to be cashed by using petty cash, monies held for deposit or offertory collection monies.

10.19.10. Advances on wages or salaries are not permitted unless approved by the pastor in writing, who, having met with the employee, has agreed to the advance in a time of extreme need. The idea of an advance on salary is not to loan the employee money, but to simply accelerate the payment of the next regularly scheduled paycheck. Therefore, the advance must be limited to the amount of the expected net pay and the entire advance should be withheld from the next paycheck. An employee should never have more than one advance outstanding at any one time. An advance that is not repaid in the next paycheck is actually a loan and loans are prohibited (see 10.2.7).

10.19.11. The Archdiocese, the Ecclesiastical Organizations and parishes have exercised the option to opt out of unemployment compensation insurance through the State of Colorado.

10.19.12. Parishes are to ensure all monies withheld from employee's payroll are treated as Funds Held In Trust and are remitted to the appropriate recipient in a timely manner. Parishes may never delay remittance of employee withholdings or use monies withheld from

employees for other purposes. Employee's withholdings include payroll tax withholdings, pre-tax benefit withholdings and 403(b) plan withholdings.

10.19.13. Although parishes should always pay just and livable wages, defining an amount of just or fair wage can be difficult. Care should be taken to pay a fair wage, but care must also be taken to insure the financial resources of the parish are not used to pay excessive wages. The Human Resources Department of the Office of FAP may be consulted in establishing an appropriate salary range for a specific position. Pursuant to 10.3.0. – Parish Guidelines of Authority, pastors are not allowed to hire personnel with salaries greater than the amounts set forth in Exhibit V Section VIII without consulting the Moderator of the Curia or the Vicar for Clergy and pastors must seek the advice of both the parish finance council and the Director of Parish Finance when hiring a parish business manager or its equivalent position (see 10.2.4.).

10.19.14. Parishes are encouraged to provide sick and vacation time or PTO (Paid Time Off) benefits to their employees. Such decisions must be made at the parish level by the pastor in consultation with his finance council. If parishes provide sick and/or vacation time benefits to employees, it is important that the parish establish a written plan that details the benefit(s), who is eligible, the procedures for using the benefit(s), who are the eligible employees and the employee's supervisor's role in the process. Appropriate records must be maintained to identify benefit hours accumulated and used. The sick and vacation time can be tracked in the parish's accounting program. Priests' benefits, including four weeks annual vacation, are defined separately in Chapter 2 – The Clerical State.

10.20.0. Gifts and Bonuses

Prudent and reasonable decisions are to be carefully made in the matter of gifts or bonuses.

10.20.1. A gift to the parish remains with the parish subsequent to the departure of an employee, including the pastor or other ordained staff members. If the gift is clearly intended for individuals (including the pastor), the gift is not to be treated as a donation to the parish. The parish may not issue a tax-deductible donation letter for such pass through gifts. Pass through gifts to individuals should not run through the parish statement of activities / income statement unless part of charitable outreach except that such gifts may be made to the employee and subject to payroll tax reporting.

10.20.2. As a general guideline, gifts (farewell, appreciation, anniversary, etc) from the parish budget should be limited to small “token” gifts. No one, including the pastor, may give a gift to oneself or pay personal expenses with parish funds. Approbation by the parochial vicar or parish finance council is inadequate authorization as those forms of consent are strictly advisory. Gifts from the parish may include appreciation or reasonable anniversary gifts. Bonuses (or other compensation arrangements to priests) require consultation with the Vicar for Clergy or the Moderator of the Curia.

10.20.3. All gifts or bonuses (cash and non-cash) to employees in any amount, must be reported through the parish payroll system and is subject to withholding taxes, unless specifically excluded by IRS regulations.

10.20.4 Any and all gifts or bonuses to employees must be approved, in writing, by the pastor in advance of the payment and a record of the gifts must be maintained in the parish records.

10.21.0. Business Expenses

10.21.1. Expenses must be made according to an accountable expense reimbursement plan. An accountable expense reimbursement plan pays an employee for actual expenses incurred on the parish's behalf. Employee expense reimbursements are not reported on a 1099-MISC under an expense reimbursement plan.

10.21.2 Expenses to be reimbursed must be a legitimate parish expense and incurred on behalf of the parish. These expenses are to be substantiated on an expense reimbursement form, with original receipts and a written description of the expense, time, place, business purpose and for meals and entertainment, the people present. Credit card statements are insufficient for reimbursement. Credit card receipts and the store register receipt must be submitted to obtain reimbursement.

10.21.3. If an expense is for automobile mileage, the documentation would include a schedule detailing the date, number of miles, destination, and business reason for the trip. Each parish can establish the rate it will reimburse for mileage, but the amount cannot exceed the rate established by the Internal Revenue Service. The number of miles submitted for reimbursement must exclude the employee's normal commute to their primary work location.

10.21.4. Allowances for non-mileage automobile expenses and meals are prohibited.

10.21.5 Employee expense reimbursements are paid solely by parish check. Only when the expense is infrequent and minor in amount (under the amount set forth in Exhibit V Section II-c) may the reimbursement be made through petty cash.

10.22.0. **Taxation**

As a general rule, the parishes in the Archdiocese are exempt from paying sales taxes on parish purchases if the parish is the end-user of the product. If the products are to be resold (such as fundraising products or books to be sold to people taking a class), the sales tax must be collected and remitted to the appropriate authority in accordance with local and State sales tax regulations.

The parish sales tax exemption may only be used by the parish or individuals purchasing items strictly for the use and benefit of the parish. Parishes may never allow their sales tax exemption to be used by other entities and/or individuals for personal purchases.

10.22.1. Parishes are to comply with payroll tax laws including timely remittance of payroll taxes and withholding tax (see 10.19.12.).

10.22.2. Each parish must issue a 1099-Misc form to each vendor if the vendor is paid the amount set forth in Exhibit V Section II-h or more in a calendar year (for services or a combination of parts and services), and if the vendor is not either a: 1) corporation; 2) not-for-profit entity; or 3) governmental agency. Vendors include clergy providing services. If the payments were payable to a religious order, a 1099-Misc. is not required.

- a. A vendor is not an employee. Parishes must be careful to examine its relationship with vendors and ensure through the use of the various tests of independent contractor vs. employee that it has properly classified the vendor.
- b. Payments to corporations for legal or medical services are not exempt from Form 1099 reporting.

10.22.3. Vendors must provide a Federal Taxpayer Identification Number (TIN) on Form W-9. Form W-9 should be requested from the vendor prior to paying the vendor. If a vendor does not provide a TIN, the payment may be subject to withholding tax.

10.22.4. Mass offerings paid must be reported to the recipient. The mass offerings are included on a W-2 for an employee regardless of the amount or on Form 1099 for a supply priest provided such payments for Mass offerings and supply priest stipends (Mass, confession, etc.) totaled the amount set forth in Exhibit V Section II-h or more in a calendar year. Mass offerings paid to the priests employed at the parish are subject to payroll reporting and applicable payroll taxes.

10.22.5. Clergy earnings are subject to different IRS reporting rules depending on the nature of the cleric's employment. However, clergy employed by a parish must also comply with completing an I-9 and any other required employee verification documents. (See 10.18.0)

- a. A priest assigned to a parish in the Archdiocese of Denver is treated as an employee for payroll reporting purposes. For religious order priests, see 10.22.5b. While payroll tax withholding is required for employees, it is

optional to a priest. Priests are encouraged to participate in payroll income tax withholding. In contrast to typical employees, priests are treated as self-employed for social security tax purposes; therefore, priests do not have social security taxes withheld. The parish may not pay the "employer" portion of the Social Security taxes on priests' salaries. At year-end, the priest receives a W-2 as do all other employees. Other payroll considerations include:

- i. By federal statute, clergy hold dual status, they are employees for income tax reporting and they are self-employed for social security withholding. This means that a parish may never withhold the social security tax from a priest's salary. While this may seem unjust, be aware that the monthly clergy salary includes both the salary and an amount roughly equivalent to one-half of the cleric's self-employment tax (the SET) in their wages.
 - ii. While a parish employee contributes to social security through payroll withholding, a cleric pays the SET personally which funds the cleric's social security obligations. Through paying the SET over time, the cleric earns credits to become eligible to collect social security when they retire subject to Social Security Administration policies.
 - iii. It is important to recognize that each cleric's tax situation is different. Accordingly, consultation with the Office of Parish Finance is encouraged. In general, when a cleric files taxes, they owe federal (and state) income taxes and SET. The cleric files a Form 1040 and Schedule SE to determine their total tax responsibility. The total tax responsibility is offset by any amounts withheld from the cleric's wages and remitted to the IRS (remember this withholding is voluntary for a cleric). Therefore, to help clerics avoid owing a large amount when they file their annual taxes, it is recommended that a cleric estimate the amount needed at year end for income and SET and ensure that their monthly, bi-weekly or twice monthly wages have sufficient money withheld. The withholding is always reported by the parish as income tax withholding only and can be applied to the cleric's total tax responsibility as calculated when they file their annual tax return.
- b. If a religious priest is assigned to a parish, the priest may be paid without tax consequences or reporting provided the payroll or accounts payable check is made payable to the religious institute of the priest and that the religious institute/order maintains a vow of poverty. In this situation, there is no payroll tax reporting of the payments to the religious institute or the priest. The priest does not receive a Form 1099 or W-2 at year-end and no payroll taxes are withheld.
 - c. Priests who assist in a parish but are not regular employees (supply priests) are subject to Form 1099 reporting provided they are paid a minimum

of the amount set forth in Exhibit V Section II-h in a calendar year. The parish should request a W-9 form from the supply priest should they utilize such services. For example, if a priest, assigned to a parish, assists at another parish, the other parish would report the supply priest payments and Mass offerings on Form 1099 provided the payments equal or exceed the amount set forth in Exhibit V Section II-h in the calendar year.

10.22.6 Real property tax matters related to parish property are coordinated and processed through the Department of Real Estate of the Office of FAP. This includes annual reporting on parish properties that qualify for tax exempt status, new applications for exemption, property tax reporting and any taxable property issues. (See Chapter 8 – Building, Property and Construction Project Guidelines – Real Property).

10.23.0. Computer Usage

Copyright laws protect most computer software. Software is intended for the use of the purchaser only and is not to be "passed" around from person to person. The parish is to forbid the parish's use of software that was not purchased by the parish. The parishes are to incorporate the Archdiocesan policies regarding use of e-mail and voice mail (Ref: Chapter 7 - Finance Administration and Planning - Archdiocese of Denver and the Ecclesiastical Organizations – E-mail and Voice Mail Communications, Computer Hardware and Software and Information Systems Data Protection Plan).

10.23.1. Computer security entails the protection of the equipment itself, the software, and the data files on the computer.

10.23.2. The parishes are to keep computer equipment in a secure place, such as a locked office.

10.23.3. The parish computer is to be backed-up no less than weekly. If backup copies are stored at the parish, they should be in safes or file cabinets that are resistant to fire, flood, or humidity. It is strongly recommended that a backup should be made and stored in an off-site location.

10.23.4 The parish is to document computer backup and restore procedures.

10.23.5. Individual password protection is encouraged to prevent others from accessing or destroying records. Individual passwords should never be shared.

10.23.6. The pastor should retain a file with all computer hardware and software program passwords in a secure location.

10.24.0. **Categories for Reimbursement of Priests**

The parish may not pay for personal expenses of the priests. Accordingly, personal expenses must be separated from business expenses.

The following table is utilized for reimbursement of priests assigned to a parish. If there are any questions, call the Vicar for Clergy or the Director of Parish Finance.

PARISH VS. PERSONAL EXPENSE

PARISH EXPENSES	PERSONAL EXPENSES
Salary according to the Clergy Benefit Schedule (see also Chapter 2 - 2.2.3)	Bonuses (or other compensation arrangements) to priests require approval from or the Moderator of the Curia or the Vicar for Clergy
<p>Automobile:</p> <ul style="list-style-type: none"> • Reimburse the priests for parish business miles utilizing published IRS reimbursement rates • Auto travel in the conduct of his duties (e.g., to meetings, visit the sick, visit parishioners) 	<ul style="list-style-type: none"> • Providing a car or car allowances • Auto insurance • Maintenance: oil, gas, tires, tune-ups • Vacation trips, personal visits
<p>Housing:</p> <ul style="list-style-type: none"> • Providing a rectory • Providing food/meals to the priests for actual costs incurred • Furniture: beds, tables, chairs, lamps, drapes, artwork • Household supplies: cleaners, soap, towels, toilet paper, light bulbs • Vacuums, pots and pans, utensils • Housekeeping • Basic cable services • Basic cellular phone services 	<ul style="list-style-type: none"> • Hotel rooms for friends and family • Meals with friends • Food allowances • Vitamins, dietary supplements • Furniture/furnishings the priest takes with him when he moves • Toiletries (shampoo, razors, etc.) • Cigarettes, alcohol • Exercise equipment • Expanded cable, including movie channels and/or cable services beyond the level above basic service. • Pet supplies and food
<p>Clothing:</p> <ul style="list-style-type: none"> • Vestments (that remain at the parish) • Laundry of church linens • Dry cleaning of vestments 	<ul style="list-style-type: none"> • Vestments retained by the priest when he moves • Shoes, daily clerical clothes, jackets, dry cleaning of personal clothes or clerical garments
<p>Parish Office:</p> <ul style="list-style-type: none"> • Office furniture: desks, filing cabinets, tables, chairs, lamps • Office equipment, computers, copiers, faxes • Phones and phone lines • Office supplies, pens, paper, folders • Internet for business purposes 	<ul style="list-style-type: none"> • Furniture or equipment that the priest takes with him when he leaves • Computers, equipment the priest takes when moved • Personal telephone line, cellular telephones not used for parish operations, personal long distance calls and internet solely for personal use

PARISH EXPENSES**Other:**

- Parish gifts (gifts to employees and volunteers may have tax consequences)
- Parish entertainment: taking staff out for meals or entertainment, meeting and visiting parishioners or non-parishioners over meals at reasonable cost in the conduct of parish business or ministry
- Archdiocesan priests' retreat: mileage reimbursement
- Priests' continuing education: books, magazines, classes, travel, conferences, registration, hotels, meals ¹
- Archdiocesan priest convocation ¹

¹ Up to the amount defined in the annual Clergy Benefit Schedule.

PERSONAL EXPENSES

- Personal gifts to parishioners, friends, family, staff
- Personal entertainment
- Excessive parish entertainment.
- Medical co-payments or co-insurance, deductibles or medical costs not covered by insurance, employee portion of medical insurance premiums.
- Education expenses exceeding amounts in the Clergy Benefit Schedule. ¹
- Vacations, hobbies including equipment to support these activities.
- Retreats and related retreat expenses not approved by the Vicar for Clergy.

10.25.0. Legal, Governance and Other Matters

Pastors, as the parish administrator, may not file or contest a legal action with a civil court or governmental entity on behalf of their parish without consulting with the Archbishop and obtaining written authorization (canon 1288). If a parish or parish employee is named, subpoenaed, or given other notice (formal or informal) of litigation, intention to file a lawsuit, or governmental action, the parish is to notify the Archbishop or his designee immediately. Legal services required by a parish and approved by the Archdiocese, will be the responsibility of that parish unless agreed otherwise in writing by the Archbishop or his designee.

10.25.1. Parishes may not sell naming rights to any organization. Parishes may not sell sponsor arrangements without written approval of the Archbishop or his designee.

10.25.2. Parishes may not enter into a joint venture, partnership, legal alliance, create a separate 501 (c)(3) entity or civil corporation, merger, consolidation or reorganization without the prior written approval of the Archbishop. Likewise, no parish may independently seek or modify an existing corporation's status without the written approval of the Archbishop or his designee.

- a. Establishing any form of endowment agreement, or a separate parish foundation, wherein the parish relinquishes control or ownership of its assets, requires approval of the Archbishop or his designee.

10.25.3. Excluding situations of spiritual direction or the sacrament of Penance, should any member of the parish personnel suspect criminal behavior, the pastor is to be informed as soon as possible. If the pastor is unavailable or not the best person to inform, the Vicar for Clergy or the Office of Internal Audit of the Office of FAP is to be notified immediately.

10.25.4. Parishes may accept bequests given as a result of vows only with the written approval by the Archbishop.

10.25.5. Parishes with schools are required to utilize the Archdiocese of Denver, Office of Catholic Schools, Administrators Manual as issued by the Office of Catholic Schools in the management and operation of the school (Ref: Chapter 4).

10.26.0. Parish Conflict of Interest.

A Parish conflict of interest policy has been developed (see Exhibit II) to remind all who work for or on behalf of the parishes within the territory of the Archdiocese of their special degree of accountability as faithful servants of the Church and the need for operating with the highest ethical standards. The manner in which parish employees and council members provide service to their parish demonstrates to those around us the nature of our beliefs and how our faith guides our actions. It is incumbent upon all to demonstrate the highest level of integrity and honesty in the conduct of their responsibilities.

All who work on behalf of a parish within the territory of the Archdiocese have a responsibility to administer the parish affairs with their best skill, care and judgment for the highest benefit of the parish. Those who work for the parish may never use their positions in conducting the business of the parish for personal gain.

These protocols are issued and pertain to all who work or volunteer at a parish. Any parish employee or finance council member who is concerned about a potential or real conflict of interest should report their concerns to the pastor. If the conflict of interest includes the parish pastor, the Vicar for Clergy for the Archdiocese should be notified.

A conflict of interest arises whenever a decision to enter into a transaction would convey significant benefit to the pastor, employee, a parish committee member or their immediate families. If such conflicts of interest should arise it must be disclosed to the pastor and parish finance council before the action is taken.

A summary of potential conflicts of interests are contained in the actual policy (see Exhibit II).

10.26.1. Procedures to address a conflict of interest are contained in the actual policy (see Exhibit II).

10.26.2 Parish employees are also expected to abide by the standards of professional conduct as detailed in Chapter 7 - Finance Administration and Planning - Archdiocese of Denver and the Ecclesiastical Organizations – Professional Conduct. In particular, parish employees are to abide by the duty to care and act in good faith in handling or reporting suspected improper acts or violations.

10.27.0. **Parish Assessments**

Parishes are required to pay an annual assessment for the support of the Archdiocese consistent with canon law. Specifically, under canon 1263, the Archdiocese may impose an assessment on the parish subject to its governance to provide for the needs of the Archdiocese, in, among other things, providing assistance and services to such public juridic person. Furthermore, such assessments allow the Archbishop to exercise careful vigilance over the administration of all goods belonging to the public juridic persons subject to him, including all parishes within the territory of the Archdiocese consistent with canon law (specifically canon 1276). To assist the parish in its administration of goods on an efficient and consistent basis within the territory of the Archdiocese of Denver, the Archdiocese has agreed to assist the parish by providing certain administrative and consultative services to the parish. Such services and the payment thereof, are set forth in the parish services agreements between the Archdiocese and the parishes of northern Colorado.

10.27.1. The assessment is calculated on an annual basis and is billed pursuant to the terms of the service agreement. Changes in the method of calculation must be recommended by the Presbyteral Council and approved by the AFC. (canon 1263, Ref. Chapter 1 – Diocesan and Parochial Organization – Presbyteral Council).

10.27.2. Monies received as general offertory are to be recorded in the manner consistent with guidance issued by the Office of Parish Finance. No part of these monies may be recorded in separate accounts (see 10.6.0.). All money received by the parish as part of the general offering of the faithful is assessable income. How a parish decides to use this money does not affect whether the money is assessable, nor does it change how the money is recorded. All offertory contributions are recorded in one account, unless it is a second collection (see 10.6.12). Separate collections for maintenance or schools are considered offertory. If a parish decides to subsidize the school or pay off an existing parish debt from parish funds, the parish has made a budgetary expenditure decision. This end use decision does not affect the classification of the monies when received.

10.27.3. Capital Campaigns – Monies received through fundraising for a capital project (Reference Chapter 8 – Building, Property and Construction Project Guidelines) are eligible for full or partial exemption from assessment. Such exemptions are approved by the Archbishop or his designee. This approval should take place prior to fundraising activities.

- a. The Archdiocese's policy is to consider exempting all or a portion of funds raised and collected for a period up to and including the initial year of an approved capital campaign, plus the three subsequent fiscal years ending June 30th, from assessments.
- b. In order to guarantee full exemption, parishes must be in compliance with policies and procedures as contained within the Pastoral Handbook, active participant in Archdiocesan initiatives and programs, current with its Archdiocesan obligations, and the capital project and the project fundraising must be approved by the Archbishop or his designee in advance.

- c. To avoid undue burden, the entirety of a parish's financial situation will be considered when the amount of an exemption is determined.

10.28.0. Parish Risk Management

A consideration of parish risk management includes study of the nature and extent of the risk to which the applicable parish is exposed. All practical methods of eliminating the risk and/or preventing or minimizing losses must be explored in order to reduce the overall exposure to possible material losses. Events, situations or changes in parish business operations, including new programs, may present additional or new risk exposures to the ongoing operation of the parish. Accordingly, a parish may need to obtain proper insurance coverage and/or other means to protect assets. Such items must be brought to the attention of the Director of Risk Management of the Archdiocese of Denver Risk Management Property/Casualty Insurance Trust (Insurance Trust).

Parish properties must be insured through the Insurance Trust program. This insurance program includes: property insurance, builders risk insurance, general liability, automobile insurance, crime coverage, umbrella liability, directors and officers liability, morality liability, etc. Parish personnel are encouraged to contact the Risk Manager of the Trust in the Office for FAP for any specific coverage questions or for the cost of insurance, to review leases, for certificates or proof of insurance, to report property or bodily injury claims, etc. Each parish should be familiar with the nature and extent of the insurance provided by the Archdiocesan insurance program.

Education and consultation are provided in the areas of public safety, loss control inspections and recommendations, environmental protection, compliance with governmental regulatory agencies and risk management.

Parishes are strongly encouraged to follow the policies and guidelines as outlined and issued by the Office of Risk Management of the Management Corp. in order to minimize their exposure to uninsured and unnecessary financial risks. Parishes are to maintain a copy of and utilize the Archdiocese of Denver Risk Management and Insurance Manual. Significant risk management issues are addressed within that Manual, including the following:

10.28.1. If a parish makes available a portion of its property to individuals or groups, the principles and practices of the individuals or groups must be compatible with the teachings of the Church. In addition, if the individuals or groups require the use of the property for an event, a license agreement shall be provided and kept on file by the parish office, with a certificate of insurance naming the parish and the Archdiocese as additional insured parties. The license agreement shall be maintained during any period in which the facility is used and shall be required regardless of whether rent is charged. .

10.28.2. Parishes renting or leasing property must have a signed written lease agreement outlining the terms of use and payment (see 10.16.0.).

10.28.3. Consistent with the Archdiocese's commitment to promote and help assure a safe environment for children and young people in her care (Ref: Chapter 3 – The Teaching Office – Child and Youth Protection), those who use and occupy parish-owned buildings and other premises for parish activities, the Archdiocese and parishes within its territory are to:

- a. Pre-screen those organizations or individuals that lease or request a use agreement for parish properties.
- b. Require background checks on such tenants as a condition for tenancy when the proposed tenant and the parish share use and/or access to all or any portion of parish property, excluding parking areas.

10.29.0. Parochial Consultative Organizations

As set forth in Chapter 1 (Ref: Diocesan and Parochial Organization – Part 3 – Governance Structure of the Parishes), the pastor is assisted in the administration of his office and in the governance of the parish by the laity of the parish through the Parish Pastoral Council, the Parish Finance Council and the School Advisory Committee (collectively, the Councils). The pastor is not a member of these consultative organizations, but presides over them and carefully evaluates the advice given. These consultative Councils are not to exercise authority directly or to mandate any act, as this would undermine the personal authority of the pastor. To serve on a Council, the individual must demonstrate him/herself to be an active participant in the life of the parish. All parochial consultative organizations, including the parish finance and pastoral Councils, are required to record minutes of meetings and maintain the minutes in a permanent file at the parish offices.

While serving and thereafter, members of the Councils and of any of their sub-committees shall keep confidential all matters of record or reference, whether or not communicated or discussed in the Council meetings or among those serving. Members shall take all necessary steps to preserve the secular privileges and canon law confidentiality obligations that apply to their work. Trust, sensitivity and candor shall be observed. All Council members shall speak and act, both during Council meetings and outside of the Council meetings, in a manner supportive of the parish.

Chapter 11: Archdiocesan Fundraising and Charitable Gift Acceptance Guidelines

Overview

The Archdiocesan Fundraising and Charitable Gift Acceptance Guidelines are established to ensure the proper stewardship procedures over the acceptance and valuation of all charitable contributions to the Archdiocese, the Ecclesiastical Organizations and the parishes within the territory of the Archdiocese pursuant to canon law.

In accordance with the provisions of USCCB, the following general norms shall govern fundraising appeals to the faithful for Church support.

- Fundraising appeals are to be truthful and forthright, theologically sound and should strive to motivate the faithful to a great love of God and neighbor.
- Fundraising efforts are to be for defined needs.
- The relationship of trust between donor and fundraiser requires that:
 - Funds collected be used for their intended purposes; and,
 - Funds collected are not absorbed by excessive fundraising costs.
- Donors are to be informed regarding the intended use of donated funds and assured that any restrictions on the use of the funds by the donor will be honored.
- Institutes of consecrated life and societies of apostolic life require approval of the respective competent major superiors and the Archbishop to solicit funds; diocesan entities require approval of the Archbishop to solicit funds; other public juridic persons and Catholic organizations require the approval of the Archbishop to solicit funds.
- Approval for fundraising by the Archbishop is to be given in writing with reference to the purpose for which the funds are being raised, the time frame, and the methods to be used in raising them.
- Oversight of fundraising programs is to be maintained by competent authority through periodic review and, where necessary, appropriate sanction.
- Competent major superiors of institutes of consecrated life and societies of apostolic life are to submit to the Archbishop the place and/or region where the fundraising will take place, periodic reports on the fundraising programs and the apostolic activities they support.

Purpose and Confidentiality

The following Guidelines state the specific procedures for implementation of canon 1262 and for the proper handling of gifts. While gifts to other Catholic organizations (excluding parishes or Ecclesiastical Organizations) are governed by canon 1262, these entities within the territory of the Archdiocese should also maintain specific policies and guidelines for their respective organizations. The primary function of the accompanying policies and procedures is to preserve the donor's charitable intentions.

The Archdiocese encourages donors to review current Internal Revenue Service regulations that govern charitable contributions. Additionally, the Archdiocese highly encourages donors to review their charitable intent with legal and/or accounting professionals prior to presenting their gift. Gifts should not be considered final until the Archdiocese, the Ecclesiastical Organization or the parish acknowledges in writing acceptance or declination in accordance with guidelines set forth hereunder (Ref. 11.2.).

Confidentiality – The Archdiocese, a parish or the recipient Ecclesiastical Organization are to use reasonable efforts to keep all information concerning donors or prospective donors, including their names, the names of their beneficiaries, the amount of the gift, size of the estate, etc., strictly confidential whenever desired by the donor. Donor information should not be released unless written permission is obtained from the donor or estate to release such information and/or pursuant to a court order.

11.1. **Administrative Authority**

The Office of FAP, Moderator of the Curia and the CFO have the administrative authority of the Archbishop in all programs of fundraising and support pertaining to Ecclesiastical Organizations. The Office of FAP and/or the Management Corp. is to be of assistance to individuals, parishes, schools and other Ecclesiastical Organizations within the territory of the Archdiocese regarding fundraising and charitable gift issues.

11.1.1. As part of the annual budget process, each Archdiocesan office and/or department must submit their capital/fundraising programs above the amount noted in Exhibit V Section II-i for review and approval to the Moderator of the Curia and CFO of the Archdiocese.

11.1.2. Each parish or Ecclesiastical Organization must annually submit their fundraising programs that will exceed the limit (see Exhibit V Section VII) for review and approval to the Moderator of the Curia and CFO/President of the Management Corporation. (e.g. such programs are not generally offertory campaigns or capital campaigns as set forth in Chapters 8 and 10).

11.1.3. Although the generosity of parishioners enables parishes and missions to provide varied services, there are some services, ministries and initiatives that must be organized and financed by the Archdiocese. Since 1967, the Archbishop's Catholic Appeal (ACA) has become a primary means to fund an array of Archdiocesan ministries, enabling them to deliver corporal and spiritual works of mercy. The ACA is organized and managed by the Moderator of the Curia and his staff.

11.1.4. As the designees of the Archbishop, it shall be the responsibility of the Moderator of the Curia and the CFO, to coordinate with the Archdiocese, the parishes within its territory and the Ecclesiastical Organizations all types of fundraising programs and the solicitation of funds/grants from private individuals, foundations, businesses, corporations, and organizations in order to avoid an excessive number of solicitations in the name of the Archdiocese. Other Catholic organizations within the territory of the Archdiocese may

collaborate in the coordination of these fundraising programs as deemed advisable by the organizations' governing boards. Programs to be staffed and coordinated may include:

11.1.4.1. Plans to raise funds from parishioners/donors on an annual basis.

11.1.4.2. Establishment of an "associates," "friends," or "membership" program designed to solicit financial support.

11.1.4.3. Special fundraising efforts appealing to various constituencies regarding scholarships, memorial funds, aid programs, endowed chairs, etc.

11.1.4.4. Plans to raise funds for construction, expansion, or renovation.

11.1.4.5. Requests to sources for grant funding of new or existing programs.

11.1.4.6. All other Archdiocesan programs to raise funds from the private sector.

11.1.5. In order to clarify the intention of the donors, the Office of FAP has the responsibility of seeking clarification regarding unclear language in wills, trusts, foundations and other legal documents. Should donations or grants with conditions be proposed, the Office of FAP will assist in formulating clear language, in studying the conditions proposed and in advising the Archbishop or his designee, whether the acceptance of a donation or grant is appropriate.

11.1.6. The Archdiocese, its Ecclesiastical Organizations and parishes within its territory shall not engage in offering legal or tax advice to donors or gift prospects. Donors and prospects shall be urged to contact their own professional advisors.

11.1.7. As a general rule, a bequest or trust distribution to a parish or school now closed, or to an inactive organization to the Archdiocese, shall be directed to the Archbishop to determine the manner best meeting the intention of the donor and consistent with the principles of canon law.

11.1.8. Ultimately, the Office of FAP, the Ecclesiastical Organizations and/or the parishes will be responsible for any donation their respective organizations receive, to:

11.1.8.1. Provide written acknowledgment of contributions to those individuals and organizations that contribute in fundraising or capital campaigns. The amount of the contribution should be accurately indicated.

11.1.8.2. Where the payment of funds is a partial contribution and a partial reimbursement, the true value of the contribution should be stated. The Director for Parish Finance of the Office of FAP is available to assist parishes within the territory of the

Archdiocese in formulating acknowledgments of contributions that are in accordance with guidelines issued by the IRS.

11.1.8.3. All donations of funds, grants, services or talents are to be given without the expectation of procuring a financial or individualized benefit in any program offered by the Archdiocese, parishes or Ecclesiastical Organizations of the Archdiocese.

11.2. Gift Acceptance Provisions for the Archdiocese, Ecclesiastical Organizations and Parishes within the Territory of the Archdiocese

11.2.1. Gift Acceptance Provisions – All gifts to the Archdiocese, its Ecclesiastical Organizations and parishes must be properly accepted as described below. After properly recording and confirming the charitable donation, gifts may then be sold, transferred and/or otherwise invested or reinvested by the appropriate organization. A parish will be informed if a gift is received by the Archdiocese for the benefit of a specific parish.

11.2.2. *Types of Gifts* – Acceptance of gifts of securities, real estate, property, equipment, insurance, annuities, terminal trusts, revocable trusts, etc. are subject to the approval of the Archbishop, his designee, or the parish pastor. Cash gifts are generally approved without any reservation except for situations noted in section 11.2.4. Both unrestricted and restricted gifts must meet the guidelines which follow. All gifts must be properly received, and if deemed necessary by these Guidelines due to their overall significance, receive the approval of the appropriate finance council (parish or Archdiocesan) and, if applicable, the Archdiocese Investment Committee.

11.2.2.1. Acceptance of certain types of gifts can result in complicated transactions with potential or real liability. Therefore, Ecclesiastical Organizations or parishes receiving gifts of real estate, property, equipment, insurance, annuities, terminal trusts, revocable trusts, etc. are subject to the approval of the Archbishop or his designee.

11.2.3. *Unrestricted Gifts* – Unrestricted gifts are those gifts whereby the donor has not restricted the purpose of the principal or any earnings and that can be used at the discretion of the Archbishop, the parish pastor or officer of an Ecclesiastical Organizations.

The Archdiocese and the Ecclesiastical Organizations may accept gifts of property, which can be liquidated into cash unless any such gift would result in a potential liability to the Archdiocese and the Ecclesiastical Organizations or would be in violation of any standards or policies of the Archdiocese. Any gift to the Archdiocese about which there might be a question as to acceptability shall be referred to the appropriate committee (i.e. Investment, Accounting, or Real Estate) of the AFC and a formal recommendation made to the Archbishop. Any parish gift, in which there is a question of acceptability, shall be referred to its parish finance council and the Directors of Parish Finance or Real Estate of the Office for FAP for appropriate consultation.

11.2.4. *Restricted Gifts* – The Archdiocese, the Ecclesiastical Organizations and parishes within the territory of the Archdiocese, reserve the right to accept or refuse any gift. Restricted gifts for programs outside of a parish/school institution must earn sufficient net annual income, if required, to cover any investment and/or administrative costs. All gifts, pooled funds or trusts from donors or institutions must benefit either the Archdiocese, an Ecclesiastical Organization or a parish.

Parishes may not accept any restricted gift for the benefit of other entities or non-parish purposes without permission of the Archbishop or his designee. This does not apply to second

collections approved by the Archbishop (or small charitable appeals approved by the pastor and initiated by the parish).

Acceptance of a restricted gift by the Archdiocese or a Ecclesiastical Organization imposes an obligation to comply with the terms established by the donor and must be approved by the Archbishop, his designee, the CFO or the president of the respective Ecclesiastical Organization. Therefore, it is necessary that the nature and extent of this obligation be clearly understood. For this reason, the terms of each restricted gift will be reviewed with utmost care to ensure that they do not hamper the usefulness and desirability of the gift to the Archdiocese, parish or Ecclesiastical Organization. If a gift is deemed unacceptable by the Archbishop or the other individuals noted above because of the restrictions the donor has placed on its use, the donor will be informed immediately and provided with the opportunity to remove and/or modify the identified restriction(s) or revoke the gift.

11.2.5. *Unacceptable Gifts* – After consultation with the Archbishop, the Moderator of the Curia and/or the CFO, the Archdiocese, an Ecclesiastical Organization or a parish receiving a gift may refuse or return a gift when it:

11.2.5.1. Is inappropriate or not conducive to the best interests of the mission or ministry of the Archdiocese, the Ecclesiastical Organization and/or parish.

11.2.5.2. Is known or suspected to be from an illegal source.

11.2.5.3. Is for a commercial endeavor.

11.2.5.4. Would obligate the parish, the Archdiocese or a Ecclesiastical Organization to undertake responsibilities, financial or otherwise, which it may not be capable of meeting for the period required by the terms of the gift.

11.2.5.5. Creates excessive administrative, recording, tracking, or reporting procedures for the Archdiocese, parish and/or Ecclesiastical Organization.

11.2.5.6. Ordinarily mortgaged property will not be accepted as an outright gift; however, exceptions may be made when the property has sufficient equity to justify assumption of the liability and the property is marketable.

11.3. **Receiving Gifts in Kind**

Donated services and materials or gifts-in-kind are recorded as contributions and corresponding expenses at their estimated fair values at the date of donation. However, such gifts should be reviewed with special care to ensure that acceptance will not involve financial commitments disproportionate to the usefulness of the gift. Many individuals volunteer their time and perform a variety of services that assist the Archdiocese, the Ecclesiastical Organizations and parishes with specific program tasks. Generally, a contribution of services shall be recognized within the financial statements of the Archdiocese or the Ecclesiastical Organizations only if the services received (a) create or enhance nonfinancial assets or (b) require specialized skills that are provided by individuals possessing those skills, and would typically need to be purchased if not provided by donation. For instance, services requiring specialized skills are provided by accountants, architects, carpenters, doctors, electricians, lawyers, nurses, plumbers and other professionals and craftsmen.

11.3.1. *Appraisals* – When gifts-in-kind are given to the Archdiocese, a Ecclesiastical Organization or parish, it shall be the responsibility of the donor to obtain an appraisal or other valuation of the gift for their personal tax purposes. The Archdiocese, an Ecclesiastical Organization or parish shall not become involved in the appraisal process other than for internal valuation and accounting purposes.

11.3.2. *Documents to be Submitted* – Documentation regarding all prospective gifts-in-kind for the Archdiocese and the Ecclesiastical Organization using the accounting services of the Office of FAP/Management Corp. must be initially submitted to the CFO or the Moderator of the Curia for review and processing. Original documents will be forwarded to the Controller of the Archdiocese for recording and receipting purposes. Gifts-in-kind to the parishes or related Ecclesiastical Organizations not receiving accounting services by the Management Corp. should be documented, verified and become the legal property of the respective donee (the parish or an Ecclesiastical Organization) pursuant to the Donor's intentions.

11.4. Receiving Gifts of Securities

Gifts of marketable securities may be accepted by the Archdiocese, a parish or an Ecclesiastical Organization. Unless specifically instructed to be retained by the donee for a specific period of time, all gifts of securities, including bonds, will be liquidated immediately and the revenue will be deposited in the proper account in accordance with the donor's wishes. Parish receipt of marketable securities should be reviewed by the parish finance council.

11.4.1. *Taxes* – Tax substantiation verification is to be determined on the date that the wire transfer is received at the Archdiocesan brokerage firm or the date the actual securities are received by the Archdiocese, parish or Ecclesiastical Organization. The CFO or his designee at the Archdiocese will communicate with those donors who wish to donate securities to the Archdiocese.

11.4.2. *Limitations of Acceptance* – The Archdiocese discourages parishes from establishing brokerage accounts because it is difficult to monitor, control, record, and track activity and to ensure all required tax substantiation verification letters are sent in a timely manner. The Office of FAP can assist parishes in liquidating such securities (Ref: 11.4.4.1.).

11.4.3. The donor can:

11.4.3.1. Wire transfer securities from the donor's broker to the Archdiocesan broker. The donor must provide the Office of FAP, and/or the parish with a signed letter stating the name and quantity of the securities donated and the designation of their donation prior to the transfer of securities.

11.4.3.2. Alternatively, the donor should forward the original security (stock certificate) and appropriate paperwork listed below to the Office of FAP – attention CFO.

A limited stock power and Third-Party Release signed by the donor (signature guaranteed by an authorized banking institution), if the stock is in the donor's name.

- b. The documentation must include the following:
 - i. Original stock certificate;
 - ii. Signed letter from the donor;
 - iii. Limited stock power (signature guaranteed by an authorized banking institution), if the security (stock) is not in the name of the Archdiocese; and
 - iv. Copy of the thank you letter of acknowledgment and tax substantiation form/receipt.

11.4.5. *Acknowledgment of Gift* – The Office of FAP and the CFO of the Archdiocese, the pastor of a parish or the president of an Ecclesiastical Organization must require the following documentation from a donor:

11.4.5.1. A signed letter from the donor stating the name and quantity of the securities donated, the intended donee or donees and the amounts for each, and any specific donor restrictions prior to the initiation of the securities donation.

11.4.6. For gifts of securities to the Archdiocese, the Office of FAP will prepare all documentation for the signature of the Archbishop or his designee, with all the executed documents maintained by the Office of FAP. After liquidation of the stocks, all checks and documents related to the sale are returned to the Office of FAP to avoid transfer fees and to ensure there is closure on the transaction. A tax substantiation letter and an acknowledgment by the Archbishop or from the Office of FAP is sent to the donor for tax purposes if the gift's value is over the amount in Exhibit V – Section II-f. A copy of the check is sent to the department receiving benefit from the donation to communicate the completion of the transaction. For gifts of securities to parishes or Ecclesiastical Organizations, the Office of FAP can assist in the procedures noted above.

11.4.7. *Safeguarding Securities* – Securities should be transferred in such manner that the donor, the applicable Director/Officer of the Archdiocese or the Ecclesiastical Organization and/or the parish pastor sign specific documentation verifying date of actual transfer. The valuation of the securities will be equated as the average between the "high" and "low" trading price on the date of receipt of the securities by the Archdiocese, the parish or an Ecclesiastical Organization.

11.4.8. *Readily Marketable Securities* – Readily marketable securities are handled in the following manner:

11.4.8.1. The securities may be sold through the Archdiocese's trust broker, or an Archdiocesan approved trust broker on the open market (in special cases only).

11.4.8.2. If, in the opinion of the CFO, the number of shares involved is sufficient to have a depressing impact on the price of the stock, the sale may be extended over a period of time necessary to avoid such an impact. Parishes and the Ecclesiastical Organizations should consult with their respective finance councils.

11.4.8.3. Stock controlled under Securities and Exchange Commission Rule 144 will be held until the restriction on the sale expires and will immediately be sold in the same manner as stipulated above.

11.4.9. *Non-readily Marketable Securities* – Careful consideration will be given to the acceptance of gifts of securities that are not readily marketable or gifts of closely-held corporate stock and/or limited partnership interests. It is important to ensure that the donee assumes no liability in receiving such securities and that such property can be sold within a reasonable time period. If accepted by the CFO after consultation with the Investment Committee of the AFC, these securities will be carried on the applicable donee's books

(Archdiocese, Ecclesiastical Organization or parish) at the amount set forth in Exhibit V Section II-a in the absence of financial information that would enable the accurate determination of fair market value. Such securities will be carried at the fair market value only when complete financial statements are provided to the Archdiocese, the Ecclesiastical Organization or parish and a fair market value is established.

Note: If material, the parish finance council, the Investment Committee of the AFC, or the equivalent advisory body for the Ecclesiastical Organization, prior to acceptance, must review securities that are not readily marketable. Generally, the Archdiocese, the Ecclesiastical Organizations and parishes do not accept closely or privately held stock.

11.4.10. *Non-acceptable Gifts of Securities* – Securities that will not be accepted include:

11.4.10.1. Securities that are assessable or in any way could create a liability to the donee (the Archdiocese, its Ecclesiastical Organizations or parishes).

11.4.10.2. Securities that transfer an ownership interest that may convey a liability to the donee (the Archdiocese, its Ecclesiastical Organizations or parishes).

11.4.10.3. Securities that, by their nature, may not be assigned, transferred/conveyed to another party (such as series "E" savings bonds).

11.4.10.4. Securities that, upon investigation by either the CFO of the Archdiocese, the Director of Parish Finance (on behalf of the parishes), or the president of the Ecclesiastical Organization have no apparent value.

11.5. Receiving Gifts of Real Estate

As part of its overall strategy for financial resource development, the Archdiocese encourages gifts of real property (real estate, e.g., land and/or buildings) and interests in real property either for its use or for potential resale. Whenever a donor wishes to contribute real property or an interest in real property to the Archdiocese or to an Ecclesiastical Organization, the Director of Real Estate of the Archdiocese, with the assistance of outside counsel and other real estate professionals, as needed, shall consider all the facts and circumstances and these guidelines in determining whether to recommend accepting the gift. Parishes may not accept gifts of real property without the approval of the Archbishop or his designee (Ref: Chapter 8). Only after consultation with the Archbishop will the Moderator of the Curia and/or the CFO accept such gifts. Ecclesiastical Organizations may accept such gifts only after discussion with its Board of Directors and/or finance committee.

These guidelines apply to all real property and interests in real property (such as a remainder interest in a personal residence). They apply to all gifts of such interests, and bargain sales of such interests (where the seller offers the interest to the Archdiocese at a price less than the fair market value).

11.5.1. The following issues must be addressed in reviewing the possible acquisition of real estate covered under this policy:

11.5.1.1. *The Value and Marketability of the Property* – When acquisition of a property is part of a gift or bargain sale transaction, the donor or seller is responsible for obtaining appropriate evidence of value for gift substantiation purposes.

11.5.1.2. *Carrying Charges of the Property* – In all cases, the property will have certain carrying charges. These could include taxes, sewer fees, condo fees, insurance, and other liabilities. The total of these expenses must be carefully reviewed as one of the criteria for approval.

Arrangements may be made by the prospective donor to cover these carrying charges.

11.5.1.3. *Environmental Aspects of the Property* – Because of strict liability imposed for certain environmental conditions and the potential costs associated with a required environmental cleanup or remediation, an environmental review must be conducted in accordance with these guidelines. The scope of such review will depend upon the type and condition of the property. The donor may be required to pay for the environmental impact review.

11.5.1.4. *Legal and Tax Aspects of the Property* – In order to assure that the donor/seller is permitted and authorized to sell or donate the property, the Director of Real Estate will obtain such information as may be necessary from the donor/seller or from public records to make such a determination. This includes title information, Federal, state or local

laws, regulations, ordinances or zoning or tax requirements. In the case of income-producing properties, questions of unrelated business income must also be addressed.

11.5.1.5. *Insurance and Protection Against Liability* – All issues regarding property and liability insurance must be researched and resolved.

11.5.1.6. *Suitability of the Property* – The property should be evaluated to determine that ownership of the property interest by the Archdiocese will be consistent with the mission of the Archdiocese.

11.5.2. *Information Required* – In order to conduct the review required to make a determination whether to accept a donation of real property, the following information shall be obtained by the Archdiocese. To the extent feasible, such information shall be obtained from the prospective donor/seller to assist in the evaluation.

11.5.2.1. In the initial stages of review, the Director of Real Estate shall obtain, if possible, the following:

- a. As applicable, any site plans, building plans, and other descriptive information relating to the property and improvements.
- b. As applicable, any prior environmental assessments and appraisal reports, market studies or descriptive information that could include a summary of any outstanding agreements that could survive closing, transfer or service contracts, listing agreements or the like. Appropriate evidence of value will be submitted to the Archdiocese when the prospective donor obtains it for gift substantiation purposes.
- c. Zoning information, including whether any existing or proposed use violates zoning provisions.
- d. An ownership and encumbrance report or title commitment from a title company.
- e. In the case of commercial property, the rent roll showing leases and amendments, commencement and expiration dates, rents, and pro rata shares actually being collected and security deposits being held.
- f. If the proposed gift is of an undivided interest in the real property, a copy of any tenants-in-common or other agreement, together with all amendments, which may affect the ownership of such real property.
- g. If the proposed gift is a partnership interest, a copy of the current partnership agreement or business formation agreement, together with all amendments, and evidence that all required filings have been made at the

Federal level and with the state in which the partnership or business was organized.

h. Where applicable, documents are required demonstrating that the donor has the authority to transfer all or a partial interest in the real property or partnership, to the Archdiocese, parish and/or Ecclesiastical Organization without the consent of any other party. If other such consents have been given, information relating to any restrictions on the ability of the Archdiocese, parish or Ecclesiastical Organization to sell the property will be required.

i. Copies of any current leases of the property together with all tenant information on residential property.

11.5.2.2. If the preliminary review is favorable, the Director of Real Estate and/or the designated officer of the Ecclesiastical Organization shall obtain the following information:

a. Complete legal description and property identification.

b. Title commitment to issue an owner's policy of title insurance, with copies of all documents that constitute exceptions to title.

c. Current real estate assessment notice and evidence of payment of current real estate taxes.

d. Evidence of all insurance policies currently in effect, including a description of coverage (certificate of insurance and declaration pages of policies indicating coverage may be used). The amount of annual premiums due with respect to such policies shall also be included.

11.5.3. *Physical Inspections* – Prior to accepting any gift of real property or any interest in real property, the Director of Real Estate of the Office of FAP, working in

conjunction with the designated officer of the Ecclesiastical Organization, shall physically inspect the real property (or cause such inspection to be conducted).

11.5.3.1. In the case of improved property, such inspection shall include, but not be limited to:

- a. Condition of Roof;
- b. Parking lot and other paving;
- c. Condition of HVAC;
- d. Structural components;
- e. Mechanical and electrical components;
- f. Compliance with applicable building codes; and
- g. Termite inspection.
- h. Assessment of potentially hazardous conditions such as asbestos, mold or excessive radon levels.

11.5.3.2. In order to assess the salability and marketability of unimproved property, the following specific factors (which can usually be assessed from visual inspection and readily available public records) shall be considered:

- a. Topography
- b. Access
- c. Boundary and area
- d. Wetland area (from soil maps) and forest buffers
- e. Availability of municipal water and sewer (or suitability for private sewage disposal if public sewer is not available)
- f. Regulatory restrictions or development moratoria
- g. Forest conservation or reforestation issues
- h. Master plan conflicts
- i. Impact fees or other exactions
- j. Drainage issues
- k. Any other relevant factors affecting property value or future development

11.5.4. *Environmental Review* – All property and property interests offered to the Archdiocese, parish or Ecclesiastical Organization shall be reviewed to assess the environmental liability risks associated with the property. In appropriate cases, as a prerequisite to accepting the property, the donor/seller shall be requested to indemnify the Archdiocese, parish or Ecclesiastical Organization and pay the cost of any clean-up work or, in the alternative, to provide the Archdiocese with insurance coverage for clean-up costs.

11.5.4.1. *Type of Assessment* – Except as otherwise provided herein or as otherwise may be determined by the Director of Real Estate, a phase one environmental assessment report shall be conducted in accordance with recognized standards as may be in use at the time prior to acceptance/acquisition. Such an audit shall be conducted to determine whether possible contamination may exist on the property, based on a site inspection, historic research, review of public records, examination of facility records, and interviews of past and present owners/operators. Additional environmental assessment may be required, at the discretion of the Director of Real Estate, based on the findings of the phase one assessment.

11.5.4.2. *Alternative Assessment* – In some cases, a less formal transaction screen or environmental review by the Director of Real Estate or a designated representative may be used in lieu of a phase one environmental assessment, but only for obviously benign properties where the likelihood of contamination is extremely remote (e.g. residential or agricultural). The decision whether to utilize this less formal process will be made at the discretion of the Director of Real Estate based on the findings of the transaction screen.

11.5.4.3. *Environmental Questionnaire* – Solely for the convenience of the Director of Real Estate, but without limiting the scope of its inquiry in any way, the environmental questionnaire (available upon request) may be used in the course of the Director of Real Estate's environmental review of real estate offered to the Archdiocese, a parish or an Ecclesiastical Organization.

11.5.4.4. *Timing of Gifts* – Because of the scope of review to be undertaken in connection with the offer and acceptance of real property, prospective donors are encouraged to submit their request no later than October 1 if a determination of acceptance of the gift is desired or required prior to the end of the calendar year.

11.5.4.5. *Unrelated Business Taxable Income (UBI) Issues* – If the proposed gift consists of income-producing property, a review should be made as to whether any of the income will constitute UBI and thereby subject the Archdiocese, a parish within its territory, or an Ecclesiastical Organization to income tax on such income. For example, rental income from mortgaged real estate may constitute UBI.

11.5.4.6. *Marketability* – Prospective donors will be encouraged to make gifts of real property or interests in real property which are readily saleable. If the property or interest in real property being offered is not readily saleable, the Director of Real Estate may request the donor to make a cash gift in an amount sufficient to pay for the anticipated expenses related to the ownership of the real property during the period of time that it cannot be sold.

11.5.4.7. *Additional Capital Requirements* – The Director of Real Estate shall consider whether or not additional capital is likely to be required during the period that the Archdiocese may be holding the real property or interest in real property. In the event that

such capital contributions are anticipated, the Director of Real Estate may request that the donor contribute additional cash as necessary to allow the Archdiocese to meet such capital requirements or execute a promissory note or pledge obligating the donor or the donor's successors to supply such capital requirements if and when they become necessary.

11.5.4.8. *Form of Deed* – All transfers of real property should be by general warranty deed or special warranty deed, or such other form as is customary in the state in which the real property is located.

11.5.4.9. *Tax Reporting* – In any case in which, within two years from the date of the gift, the Archdiocese, parish or Ecclesiastical Organization sells the property with respect to which it has received IRS Form 8283, the donee must report the details of the sale and gift to the Internal Revenue Service on IRS Form 8282. It is generally the policy of the Archdiocese to sell gifts of property. The Archdiocese will insist that no restrictions be placed on the manner in which the Archdiocese, parish or Ecclesiastical Organization may use or dispose of the property. The Archdiocese, parish or Ecclesiastical Organization will not establish or corroborate the value of any property for the purpose of substantiating the donor's income tax charitable deduction.

11.6. Receiving Other Gifts

Gifts of works of art, both self-created and purchased, may be accepted by the Archdiocese, a parish or Ecclesiastical Organization upon whatever terms are deemed appropriate and are consistent with the policies of the Archdiocese.

11.6.1. *Determination of Receipt* – The decision whether or not the art is displayed within the Archdiocese or parish will rest with the Archbishop, his designee or the parish pastor. No commitment will be made to keep the art. If the art is not suitable for display, requires restoration and/or storage, it may be sold.

11.6.2. *Valuation of Gift* – The gift will be placed on the Archdiocese's, Ecclesiastical Organization's or parish's books at the amount set forth in Exhibit V Section II-a unless a valid, independent appraisal is supplied by the donor.

11.6.3. *Valuation by Donor* – Donors are responsible for establishing the amount of their deduction. For instance, the donor will ask a furniture and/or antique dealer to give a written estimate of value so that it can be properly booked as an asset, in cases where the items are to be retained by the Archdiocese, an Ecclesiastical Organization or a parish.

11.6.4. Gifts to be considered include:

11.6.4.1. *Gifts of furniture* – Gifts of furniture and/or antiques may be accepted if the furniture and/or antique are useable to the Archdiocese or parish or the furniture and/or antique can be sold.

11.6.4.2. *Automobiles* – Automobiles may be accepted by the Archdiocese or parish if the vehicle is in working order and is saleable. If it is determined that the vehicle will not be of practical use, it will be sold immediately at public auction. Used vehicles that are to be retained by the Archdiocese and an Ecclesiastical Organization will be booked at retail “blue book” price less any necessary repairs.

11.6.4.3. *Personal Property* – Gifts of jewelry and/or miscellaneous personal property may be accepted if they are useable by the Archdiocese or parish or are saleable. Establishment of the value is the responsibility of the donor. Other matters that will be taken into consideration by the Archdiocese, the Ecclesiastical Organization or parish prior to acceptance of gifts of jewelry and/or miscellaneous personal property will be: cost of administration; cost of storage and/or transportation cost of selling and/or liquidation; cost of maintenance and/or repairs.

11.7. Planned Gifts and Bequests

A planned gift is legally established during the donor's lifetime or by means of the donor's will or other testamentary instrument, with the principal benefits generally not accruing to the Archdiocese, its Ecclesiastical Organizations and parishes until some future date. Planned gifts include bequests, life insurance, charitable gift annuities, pooled income funds, real property, and charitable trusts. When property, other than cash, listed securities or securities traded over the counter is involved, approval of the Office of FAP shall be required. If deemed necessary due to the significance of the gift, approval of the parish finance council or the AFC's Executive Committee shall be required. Parishes may not accept a planned gift greater than the parish minimum amount as set forth in Exhibit V without approval of the Archbishop or his designee.

11.7.1. *Charitable Remainder Trusts* – The Archdiocese, the Ecclesiastical Organizations and parishes shall not, except in extremely rare and extenuating circumstances (following consultation with appropriate councils and committees), act as trustee or co-trustee for any charitable remainder trusts. The Archdiocese, the Ecclesiastical Organizations and parishes shall abide by all charitable remainder probability tests and any other regulations set by the Internal Revenue Service when considering negotiating payout rates and shall require donors to seek independent counsel in drafting any trust documents.

11.7.2. *Charitable Gift Annuities* – No gift annuity shall be issued for an amount less than the amount set forth in Exhibit V Section II-L or for the life of an individual under 50 years of age without the approval of the Archbishop or his delegate. Any time a gift annuity is discussed with a potential donor, a Gift Annuity Disclosure Statement will be either handed, or mailed, to the individual(s) to comply with various regulatory provisions. No gift annuity agreement shall be executed unless the charitable gift, computed using government tables, exceeds the amount set forth in Exhibit V Section II-p of the amount transferred for the annuity.

11.7.3. *Life Estate Gifts* – The Archdiocese, its Ecclesiastical Organizations and parishes shall not serve as trustee for a short-term trust or a revocable trust but will refer this type of agreement to a corporate trustee. If an individual opens a bank account in trust for the Archdiocese or a parish, the individual retains the right to close the account at any time. Therefore, there is no necessity for a guideline governing deposit agreements.

11.7.3.1. The naming of the Archdiocese or parish as a beneficiary of an insurance policy/program implies no obligation on the part of the Archdiocese or parish.

11.7.3.2. A donor may transfer title of their home, ranch or farm to the Archdiocese, a parish or an Ecclesiastical Organization and retain a life estate therein along with the responsibility for expenses, such as real estate taxes and insurance, thus placing no obligation upon the Archdiocese. The minimum age of a donor under such agreements should

be no less than 55. Parishes may not accept such arrangements without approval of the Archbishop or his designee.

11.7.3.3. The donor must comply with all guidelines regarding a gift of real estate. (See Section 11.5.) The Archdiocese will not assist in the valuation of such property; therefore, there is no necessity for the guideline governing life estate gifts, except the approval of the AFC or the board of trustees.

11.7.4. Investment of Funds and the Interval of Payments:

11.7.4.1. *Charitable Remainder, Unitrusts, Annuity Trusts and Gift Annuities* – The management of funds, securities or property received under trust agreements in which the Archdiocese is the trustee shall be administered by the Office of FAP in separate accounts for each contract and managed to meet the objectives of each individual trust.

11.7.4.2. *Pooled Life Income Agreements* – The Archdiocese shall establish a co-trustee agreement with a corporate trustee to manage all monies and/or securities received under pooled life agreements in accordance with the objectives set by the Investment Committee of the AFC.

11.7.4.3. *Interval of Payments* – Each trust agreement shall designate the date for the initial and all subsequent payments to donors and their surviving beneficiaries on either a quarterly, semi-annual or annual basis.

11.7.5. *Disposition of Deferred Gift Funds* – Upon the death of the surviving beneficiary of the deferred gift agreement, the agreement shall terminate and the assets and any accruals shall be retained by the Archdiocese for its general purposes, or as restricted by the donor for specific use stated in the agreement. The Archbishop may allocate such funds to current unrestricted or restricted uses.

11.8. **Other Archdiocesan Guidelines**

11.8.1. The Archdiocese, the Ecclesiastical Organizations and parishes are not primarily designed to engage in money management, real estate or other securities management on behalf of donors.

11.8.2. Only rarely, and for relatively short terms, can the Archdiocese, the Ecclesiastical Organizations and parishes accept gifts with restrictions that would require administrative skills and/or responsibilities beyond normal trust officers (e.g. hold stock, not sell property).

11.9. **Permanency Clause**

As appropriate, the terms of an endowed fund must include the language noted below to permit the Archdiocese, the parish and/or the Ecclesiastical Organization to assign different, alternative, modified but related use of funds as conditions dictate in some distant future.

"If, in the opinion of the Archbishop or his designee (pastor/president of an Ecclesiastical Organization), all or part of the earnings of the fund cannot be usefully applied to the purpose designated (or in the manner requested), the Archdiocese, parish or an Ecclesiastical Organization may use the same for any purpose within its corporate powers to decide or for any other purpose, which, in its opinion, will most nearly accomplish my purposes, wishes, and intent."

11.10. **Contracts and Gift Processing**

Donor and agency contracts and/or letters of agreement are available for all gifts and required for all restricted gifts. These contracts and/or letters of agreement assure that the intentions of the donors are respected. All original correspondence and documentation should be forwarded to the Office of FAP, the Ecclesiastical Organization and/or parish office within three working days after receipt of the gift. Additionally, a summary document should be submitted pertaining to the gift containing the following information:

11.10.1. Donor's name and street address. If the gift is from other than an individual, e.g., corporation, foundation, association, etc., an individual's name and title should be reported in addition to that of the firm.

11.10.2. Nature of gift.

11.10.3. Amount of the gift and date the gift was received.

11.10.4. Account number and name in which the gift is to be deposited. If a new account is to be established for the gift, so indicate.

11.10.5. Designation (school, parish, ministry, trust, program).

11.10.6. Purpose (scholarship, institute, cost of education, general fund, historic preservation, etc.).

11.10.7. Other comments or special instructions. If no original correspondence accompanied the gift, this must be stated in writing when the gift is transmitted.

11.10.8. All correspondence pertaining to the gift, its handling or use, and a copy of any acknowledgment written by the recipient should be attached to the gift transmittal along with the check or currency. This should be done within three working days after receipt of a gift. Copies of the gift transmittal and related correspondence will become a part of the permanent gift files.

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Exhibit I

CONFLICT OF INTEREST POLICY and GIFT ACCEPTANCE POLICY OF THE ARCHDIOCESE OF DENVER AND ECCLESIASTICAL ORGANIZATIONS

SECTION 1. PURPOSE

The Archdiocese of Denver (the “Archdiocese”) and the Ecclesiastical Organizations are subject to scrutiny by, and are accountable to, the parishioners of northern Colorado, various governmental entities, and, when applicable, the customers or respective clientele of the ecclesiastical organizations. The Archdiocese must also meet the requirements of the Internal Revenue Code and of applicable state law. This Policy is intended to meet the requirements of state and federal law, but has also been developed to remind all who work for or on behalf of the Archdiocese and/or the ecclesiastical organizations their special degree of accountability as faithful servants of the Church and the need for operating with the highest ethical standards. The manner in which we, as individuals, provide service to the Church demonstrates to those around us the nature of our beliefs and how our faith guides our actions. It is incumbent upon all to demonstrate the highest level of integrity and honesty in the conduct of their responsibilities.

There exists between the Archdiocese, its Finance Council, officers, and administrators a fiduciary duty, which carries with it the broad and unbending duties of care and loyalty. The Archdiocesan Finance Council (the AFC) and its sub-committees and the administrators of the Archdiocese have the responsibility of administering the affairs of the Archdiocese conscientiously, honestly and prudently (see Archdiocese’s Pastoral Handbook, Section 1.2.3 – Duty of Care). To this end, the AFC and its sub-committees, and Archdiocesan administration are obliged to exercise their best care, skill, and judgment for the sole benefit of the Archdiocese. Those persons shall exercise good faith in all transactions involved in their duties, and they shall not use their positions with the Archdiocese or an Ecclesiastical Organization or knowledge gained there for their personal benefit. The interests of the Archdiocese must be the first priority in all decisions and actions.

SECTION 2. “RESPONSIBLE PERSONS”

This policy statement elaborates the Archdiocesan Pastoral Handbook, Section 1.2.1.- Conflict of Interest requirement to adopt policies to address conflicts of interest, and is directed not only to officers, senior management, AFC members, but also to all employees and committee members who can influence the actions of the Archdiocese (“Responsible Persons”). For example, this would include all who make purchasing decisions, all persons who might be described as administrators, including but not limited to the Directors, and anyone who has proprietary information concerning the Archdiocese.

This Policy is the policy of the Archdiocese on the issue of conflicts of interest. Consistent with the Archbishop’s obligations to oversee and provide stewardship to those canonical entities under his ecclesiastical care, the following Ecclesiastical Organizations, their employees and advisors are required to either adopt this Conflict of Interest Policy as their own, or adopt one that is substantially similar in content:

- Bishop Machebeuf High School, Inc., Holy Family High School, Inc., Camp St. Malo Religious Retreat and Conference Center, Inc., The Mount Olivet Cemetery Association, Archdiocese of Denver Mortuary at Mount Olivet, Inc., St. Simeon Cemetery Association, The Archdiocese of Denver Management Corporation, Catholic Charities and Community Services of the Archdiocese of Denver, Inc., John Paul II Center for the New Evangelization, Saint John Vianney Theological Seminary, Redemptoris Mater House of Formation, Family of Nazareth, Inc., and Seeds of Hope Charitable Trust .

- The parishes of the Archdiocese shall utilize a Conflict of Interest Policy tailored to the needs of a parish.

It is the responsibility of the above named Ecclesiastical Organizations to adopt, maintain and implement such a policy, and to require and keep the annual disclosure submissions executed by their respective Trustees, Council Members and employees and other individuals, as necessary (see Conflict of Interest Disclosure Statement and Gift Disclosure Form, attached hereto and incorporated herein).

SECTION 3. “RELATED PARTIES”

For purposes of this policy, “Related Parties” include the following: a Responsible Person’s spouse, parent, child or spouse of a child, grandchildren, great-grandchildren, a brother or sister, (whole or half-blood) or a spouse of brother or sister, grandchild or great-grandchild; any corporation or organization of which the Responsible Person is a board member, an officer, a partner, participates in the management of, or is employed by, or is, directly or indirectly, a debt holder or the beneficial owner of any class of equity securities; and any trust or other estate in which a Responsible Person has a substantial beneficial interest or as to which the Responsible Person serves as a trustee or in a similar capacity.

SECTION 4. AREAS IN WHICH CONFLICT MAY ARISE

Conflicts of interest may arise in the financial relations of Responsible Persons of the Archdiocese or its Ecclesiastical Organizations with any of the following third parties and/or in the following contexts:

1. Persons and firms supplying goods, facilities and services to the Archdiocese or an Ecclesiastical Organization, whether compensated or not.
2. Persons and firms from whom the Archdiocese or an Ecclesiastical Organization leases property and/or equipment.
3. Persons and firms with whom the Archdiocese or an Ecclesiastical Organization is dealing or planning to deal in connection with the gift, purchase or sale of real estate, securities, or other property.
4. Donors or probable donors of the Archdiocese or an Ecclesiastical Organization.
5. Agencies, organizations and associations which affect the operations of the Archdiocese or an Ecclesiastical Organization.
6. A Responsible Person who acts as a board member, an officer, a partner, participates in the management of or is employed by, or is, directly or indirectly, a debt holder or the beneficial owner of any class of equity securities; and any trust or other estate in which a Responsible Person has a substantial beneficial interest or as to which a Responsible Person serves as a trustee or in a similar capacity.
7. Family members, friends and other employees.
8. Responsible Persons use for personal advantage or for the advantage of any other group, organization or business any confidential information or material acquired in the course of carrying out the Responsible Person’s responsibilities with the Archdiocese or an Ecclesiastical Organization. Such information may include, but is not limited to, roster or mailing lists, telephone directories, business plans, information regarding donors, and confidential board proceedings.

SECTION 5. NATURE OF CONFLICT OF INTEREST

A conflict of interest transaction means: contract, transaction, or other financial relationship between the Archdiocese/the Ecclesiastical Organization and a Responsible Person, or between the Archdiocese/the Ecclesiastical Organization and a Related Party, or between the Archdiocese and an entity in which the Responsible Person is a director or officer or has a financial interest.

Such conflict of interest transaction might arise through:

1. Owning stock or holding debt or other proprietary interests in any third-party dealing with the Archdiocese or an Ecclesiastical Organization.
2. Holding office, serving on the board, participating in management, or being otherwise employed (or formerly employed) with any third-party (for profit and non-profit entities) dealing with the Archdiocese or an Ecclesiastical Organization.
3. Receiving remuneration for services with respect to individual transactions involving the Archdiocese or an Ecclesiastical Organization.
4. Using the Archdiocese's time, personnel, equipment, supplies, or good will for other than Archdiocese approved activities, programs, and purposes.
5. Receiving personal gifts or loans from third parties dealing or competing with the Archdiocese. Generally, receipt of any gift of a value greater than \$150.00 is disapproved unless it could not be refused without discourtesy, or falls within the exception for gifts of appreciation to clergy for their good works, with no expectation of economic benefit by the person or entity making the gift. (See Gift Disclosure form for more guidance)
6. Gaining confidential information from their positions, used for personal benefit, including rosters, mailing lists, telephone directories, business plans, information regarding donors, and confidential board proceedings.

SECTION 6. INTERPRETATION OF THIS STATEMENT OF POLICY

The areas in which conflicts of interest may arise as listed in Section 4, and the nature of such conflicts, as listed in Section 5, are not exhaustive. Conflicts might arise in other areas or through other relationships. It is the responsibility of a Responsible Person to recognize such areas and relationships. This conflict of interest policy is intended to supplement, but not replace, any applicable federal or state laws affecting conflicts of interest.

The fact that one of the interests described in Section 5 exists does not necessarily mean that a conflict exists, or that the conflict, if it exists, is material enough to be of practical importance, or if material, that upon full disclosure of all relevant facts and circumstances, it is necessarily adverse to the interests of the Archdiocese or an Ecclesiastical Organization.

However, it is the policy of the Archdiocese that the existence of any of the interests described in Section 5 shall be disclosed before any transaction is consummated. It shall be the continuing obligation of the Responsible Person to scrutinize his/her transactions and outside business interests and relationships for potential conflicts and to immediately make such disclosures according to this policy as periodically revised.

SECTION 7. DISCLOSURE POLICY AND PROCEDURE

Transactions involving parties with whom a conflict of interest exists may be undertaken only if all of the following are observed (as applicable):

1. The potential conflict of interest is fully disclosed;

2. The person with the conflict of interest is excluded from the substantive discussion and approval of such transaction;
3. A competitive bid or comparable valuation exists; and
4. The Archdiocese or Ecclesiastical Organization, as applicable, has determined that the transaction is in the best interest of the overall organization.

No loans shall be made by the Archdiocese to its officers, council members, administrators or clergy. Any member of the AFC or of its sub-committees or administration of the Archdiocese or an Ecclesiastical Organization who assents to or participates in the making of any such loan shall be liable to the Archdiocese or an Ecclesiastical Organization for the amount of such loan until the repayment thereof.

Disclosure, in writing, in the case of Archdiocesan staff should be made to the Moderator of the Curia (or if he is the one with the conflict, then to the chair of the Audit and Accounting Committee), who shall bring the matter to the attention of the AFC. Disclosure involving AFC or its sub-committee members should be made to the AFC chair, (or if the AFC chair is the one with the conflict, then to the chair of the Accounting and Audit Committee) who shall bring these matters to the AFC. Ultimately, the AFC shall determine whether a conflict exists and in the case of an existing conflict, whether the contemplated transaction may be authorized or recommended. The advice of the AFC on these matters will rest with the Archbishop in his sole discretion. However, the Archbishop's and the AFC's sole concern must be the welfare of the Archdiocese and the advancement of its mission.

Disclosure, in writing, or in the case of the Ecclesiastical Organization's staff, shall be made to either the President or Chairperson of the Ecclesiastical Organization's Board of Directors.

The minutes of the AFC, its related sub-committees or the Board of the Ecclesiastical Organization shall contain the following:

1. The names of the persons who, disclosed or otherwise were found to have an actual or potential conflict of interest in connection with a proposed transaction or arrangement, the nature of the interest, any action taken to determine whether a conflict of interest existed, and the board's or committee's decision as to whether a conflict of interest in fact existed and whether the conflict of interest is waived.
2. The names of the persons who were present for the discussions and votes relating to the transaction or arrangement, a summary of the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings

SECTION 8. ANNUAL SUBMISSIONS

No later than September 15th of each new fiscal year, all Responsible Persons will be required to sign and submit to the offices of the CFO of the Archdiocese or the designated officer of the Ecclesiastical Organization the following forms, which are attached hereto and incorporated herein:

- Conflict of Interest Disclosure Statement
- Gift Policy Disclosure Form

The Archdiocese of Denver and Ecclesiastical Organization
CONFLICT OF INTEREST DISCLOSURE STATEMENT
(Attached to and incorporated in the
Archdiocese of Denver Conflict of Interest Policy)

Preliminary note: In order to be more comprehensive, this Disclosure Statement also requires you to provide information with respect to certain parties that are related to you. These persons are termed "Related Parties" and include the following:

- a) your spouse, parent, child or spouse of a child, a brother, sister, grandchildren or great-grandchildren (whole or half-blood), or a spouse of brother or sister;
- b) any corporation or organization of which you are a board member, an officer, a partner, participate in management or are employed by, or are, directly or indirectly, a debt holder or the beneficial owner of any class of equity securities; and
- c) any trust or other estate in which you have a substantial beneficial interest or as to which you serve as a trustee or in a similar capacity.

1. NAME OF RESPONSIBLE PERSON: **(Please print your name)**

2. CAPACITY:

- _____ AFC member or Ecclesiastical Organization Board Member
- _____ Member of an AFC sub-committee
- _____ Officer
- _____ Other: _____
- _____ Director – staff position: _____

3. Have you or any of your Related Parties provided services, other than as an employee, or property to the Archdiocese or Ecclesiastical Organization in the past year?

____ YES ____ NO

If yes, please describe the nature of the services or property and if a Related Party is involved, the identity of the Related Party and your relationship with that person or entity:

4. Have you or any of your Related Parties purchased services or property from the Archdiocese or an Ecclesiastical Organization in the past year?

____ YES ____ NO

If yes, please describe the purchased services or property and if a Related Party is involved, the identity of the Related Party and your relationship with that person or entity:

5. Please indicate whether you or any of your Related Parties had or were planning to have any direct or indirect interest in any business transaction(s) in the past year to which the Archdiocese or an Ecclesiastical Organization was or is a party?

_____ YES _____ NO

If yes, describe the transaction(s) and if a Related Party is involved, the identity of the Related Party and your relationship with that person or entity:

6. Were you or any of your Related Parties indebted to pay money to the Archdiocese at any time in the past year (other than travel advances or commitments in Archdiocesan capital campaigns or the like)?

_____ YES _____ NO

If yes, please describe the indebtedness and if a Related Party is involved, the identity of the Related Party and your relationship with that person or entity:

7. In the past year, did you or any of your Related Parties receive, or become entitled to receive, directly or indirectly, any personal benefits from the Archdiocese or Ecclesiastical Organization or as a result of your relationship with the Archdiocese, that in the aggregate could be valued in excess of \$150.00, that were not or will not be compensation directly related to your duties to the Archdiocese?

_____ YES _____ NO

If yes, please describe the benefit(s) and if a Related Person is involved, the identity of the Related Party and your relationship with that person or entity:

8. Are you or any of your Related Parties a party to or do you or any of your Related Parties have an interest in any pending legal proceedings involving the Archdiocese or Ecclesiastical Organization?

_____ YES _____ NO

If yes, please describe the proceeding(s) and if a Related Party is involved, the identity of the Related Party and your relationship with that person or entity:

9. Are you aware of any other events, transactions, arrangements or other situations that have occurred or may occur in the future that you believe should be examined by the Archdiocese's Finance Council or the Board of Directors of an Ecclesiastical Organization in accordance with the terms and intent of the Archdiocese's Conflict of Interest Policy?

_____ YES _____ NO

If yes, please describe the situation(s) and if a Related Party is involved, the identity of the Related Party and your relationship with that person or entity:

I HERBY CONFIRM that I have read and understand the Archdiocese's Conflict of Interest Policy and that my responses to the above questions are complete and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this disclosure is inaccurate or that I have not complied with this policy, I will immediately notify either the Moderator of the Curia (if I am an Archdiocesan staff person), the AFC Chair (if I serve on the AFC or any of its committees) the Chairperson of the Board of an Ecclesiastical Organization (if I serve as a Board member of an Ecclesiastical Organization) as specified by the Archdiocese's Conflict of Interest Policy.

Signature

Date

The Archdiocese of Denver
GIFT POLICY AND DISCLOSURE FORM
(Attached to and incorporated in the
Archdiocese of Denver Conflict of Interest Policy)

As part of its Conflict of Interest Policy, the Archdiocese of Denver (the “Archdiocese”) requires that Responsible Persons and their Related Parties decline to accept certain personal gifts, consideration or remuneration from individuals or companies that seek to do business with the Archdiocese and the Ecclesiastical Organizations. This policy and disclosure form is intended to implement that prohibition on gifts.

Section 1. “**Responsible Person**” is any person serving as a trustee, officer, director, administrator or committee member of the Archdiocese.

Section 2. “**Related Party**” is a spouse, parent, child or spouse of a child, or a brother, sister, or spouse of a brother or sister, or a grandchild or great-grandchild of a Responsible Person.

Section 3. “**Contract or Transaction**” is any agreement or relationship involving the sale or purchase of goods, services or rights of any kind, receipt of a loan or grant, or the establishment of any other pecuniary relationship. The making of a gift to the Archdiocese or an Ecclesiastical Organization is not a “contract” or “transaction.”

Section 4. Prohibited gifts, gratuities and entertainment. With the exception of gifts to clergy given out of appreciation for their service and good works (and given with no expectation of economic benefit on the part of the individual/entity making the gift), and except as approved by the Moderator of the Curia, CFO or Chancellor (for Archdiocesan staff) the Chairperson of the AFC (for AFC and its sub-committee members), or the Chairperson of the Board (for Ecclesiastical Organization board members), as applicable, gifts, gratuities or entertainment that are greater than \$150.00 should not be accepted unless they cannot be refused without discourtesy. If there is a question of discourtesy, the individual should immediately consult with their immediate supervisor for guidance, or the Moderator of the Curia, CFO or Chancellor (for Archdiocesan staff), or Chairperson of the AFC or, the Chairperson of the respective Ecclesiastical Organization, as applicable. Likewise, any gift, gratuity or entertainment offered of \$150.00 or less that is accepted should also be immediately disclosed to the individual’s immediate supervisor and, if warranted, to the Moderator of the Curia, the CFO or the Chancellor (for Archdiocesan staff), or to the Chairperson of the AFC or to the Chairperson of an Ecclesiastical Organization, as applicable. Only in rare and pre-approved circumstances may a Responsible Person or Related Party accept gifts, gratuities, entertainment or other favors from any person or entity which:

1. Seeks to do business with the Archdiocese or an Ecclesiastical Organization or,
2. Seeks to compete with the Archdiocese or an Ecclesiastical Organization or,
3. Has received, is receiving, or is seeking to receive a Contract or transaction with the Archdiocese or an Ecclesiastical Organization.

GIFT STATEMENT

I have not received, nor has any Related Party received, any such gifts, entertainment or other favors during the preceding year, unless approved by the designated positions noted in Section 4 above. Furthermore, I certify that I have read the above policy concerning gifts, and I agree that I will not accept, nor will any Related Party accept, gifts, entertainment or other favors from any individual or entity, which would be prohibited by the above policy.

Signature

Date

Exhibit II

CONFLICT OF INTEREST POLICY AND GIFT ACCEPTANCE POLICY PARISHES WITHIN THE TERRITORY OF THE ARCHDIOCESE OF DENVER

SECTION 1: PURPOSE

The Parishes within the territory of the Archdiocese of Denver (the “Archdiocese”) and their Ecclesiastical Organizations (e.g. Parish schools, auxiliary organizations and school foundations) are subject to scrutiny by, and are accountable to, their Parishioners, donors and various governmental entities. As religious organizations exempt from federal income tax, Parishes must also meet the requirements of the Internal Revenue Code and state law.

This Policy is intended to meet the requirements of state and federal law, but has also been developed to remind all who work for or on behalf of the Parishes of their special degree of accountability as faithful servants of the Church and the need for operating with the highest ethical standards. The manner in which we, as individuals, provide service to the Church demonstrates to those around us the nature of our beliefs and how our faith guides our actions. It is incumbent upon all to demonstrate the highest level of integrity and honesty in the conduct of their responsibilities.

All who work on behalf of the Parish have a responsibility to administer the Parish affairs with their best skill, care and judgment for the highest benefit of the Parish. That is, there exists between a Parish, its Finance Council and its administrators, a fiduciary duty, which carries with it the broad and unbending duties of care and loyalty. Members of the Parish Finance Council and its various sub-committees (e.g. school and building committees), and the administrators of a Parish have the responsibility of administering the affairs of their Parish conscientiously, honestly and prudently (see Pastoral Handbook of the Archdiocese of Denver, Chapter 1 – Section 1.2.1 and 1.2.3. and Chapter 10 – Section 10.26.). To this end, the members of the Parish Finance Council and Parish staff are obliged to exercise their best care, skill, and judgment for the sole benefit of the Parish. Those persons shall exercise good faith in all transactions involved in their duties, and they shall not use their positions with the Parish or knowledge gained therefrom to benefit personally. The interests of their Parish must be the first priority in all decisions and actions.

SECTION 2: “RESPONSIBLE PERSONS”

This policy statement elaborates on the Archdiocesan Pastoral Handbook Conflict of Interest requirements to adopt policies to address conflicts of interest, and is directed not only to the Pastor of the Parish and Finance Council members, but also to all employees and committee members who influence the actions of the Parish (“Responsible Persons”). For example, this would include all who make purchasing decisions, all persons who might be described as administrators, including anyone who has proprietary information concerning the Parish.

SECTION 3: “RELATED PARTIES”

For purposes of this policy, “Related Parties” include the following: a Responsible Person’s spouse, parent, child or spouse of a child, grandchildren, great-grandchildren, a brother or sister, (whole or half-blood), or a spouse of brother or sister, grandchild or great-grandchild; any corporation or organization of which the Responsible Person is a board member, an officer, a partner, participates in the management of, or is employed by, or is, directly or indirectly, a debt holder or the beneficial owner of any class of equity securities; and, any trust or other estate in which a Responsible Person has a substantial beneficial interest or as to which the Responsible Person serves as a trustee or in a similar capacity.

SECTION 4: AREAS IN WHICH CONFLICT MAY ARISE

Conflicts of interest may arise in the financial relations of Responsible Persons of the Parish with any of the following third parties and/or in the following contexts:

1. Persons and firms supplying goods, facilities and services to the Parish, whether compensated or not.
2. Persons and firms from whom the Parish leases property and/or equipment.
3. Persons and firms with whom the Parish is dealing or planning to deal in connection with the gift, purchase or sale of real estate, securities, or other property.
4. Donors or probable donors of the Parish.
5. Agencies, organizations and associations which affect the operations of the Parish.
6. A Responsible Person who acts as a board member, an officer, a partner, participates in the management of or is employed by, or is, directly or indirectly, a debt holder or the beneficial owner of any class of equity securities; and any trust or other estate in which a Responsible Person has a substantial beneficial interest or as to which a Responsible Person serves as a trustee or in a similar capacity.
7. Family members, friends and other employees.
8. Responsible Persons use for personal advantage or for the advantage of any other group, organization or business any confidential information or material acquired in the course of carrying out the Responsible Person’s responsibilities with the Parish. Such information may include, but is not limited to, roster or mailing lists, telephone directories, business plans, information regarding donors, and confidential board proceedings.

SECTION 5: NATURE OF CONFLICT OF INTEREST

A conflict of interest transaction means: contract, transaction, or other financial relationship between the Parish and a Responsible Person, or between the Parish and a Related Party, or between the Parish and an entity in which the Responsible Person is a director or officer or has a financial interest.

Such conflict of interest transaction might arise through:

1. Owning stock or holding debt or other proprietary interests in any third-party dealing with the Parish.
2. Holding office, serving on the board, participating in management, or being otherwise employed (or formerly employed) with any third-party (for profit and non-profit entities) dealing with the Parish.
3. Receiving remuneration for services with respect to individual transactions involving the Parish.
4. Using the Parish's time, personnel, equipment, supplies, or good will for other than Parish approved activities, programs, and purposes.
5. Receiving personal gifts or loans from third parties dealing or competing with the Parish. Generally, receipt of any gift of a value greater than \$100.00 is disapproved unless it could not be refused without discourtesy or falls within the exception for gifts of appreciation to clergy for their good works, with no expectation of economic benefit by the person or entity making the gift (see Gift Disclosure form for more guidance).
6. Gaining confidential information from their positions used for personal benefit, including rosters, mailing lists, telephone directories, business plans, information regarding donors, and confidential board proceedings.

SECTION 6: INTERPRETATION OF THIS STATEMENT OF POLICY

The areas in which conflicts of interest may arise as listed in Section 4, and the nature of such conflicts, as listed in Section 5, are not exhaustive. Conflicts might arise in other areas or through other relationships. It is the responsibility of the Responsible Person to recognize such areas and relationships. This conflict of interest policy is intended to supplement, but not replace, any applicable federal or state laws affecting conflicts of interest.

The fact that one of the interests described in Section 5 exists does not necessarily mean that a conflict exists, or that the conflict, if it exists, is material enough to be of practical importance, or if material, that upon full disclosure of all relevant facts and circumstances, it is necessarily adverse to the interests of the Parish.

However, it is the policy of the Parish and the pastor that the existence of any of the interests described in Section 5 shall be disclosed before any transaction is consummated. It shall be the continuing obligation of the Responsible Person to scrutinize their transactions and outside business interests and relationships for potential conflicts and to immediately make such disclosures according to this policy as periodically revised.

SECTION 7: DISCLOSURE POLICY AND PROCEDURE

Transactions involving parties with whom a conflict of interest exists may be undertaken only if all of the following are observed (as applicable):

1. The potential conflict of interest is fully disclosed;
2. The person with the conflict of interest is excluded from the substantive discussion and approval of such transaction;

3. A competitive bid or comparable valuation exists; and,
4. The Parish has determined that the transaction is in the best interest of the overall organization.

No loans shall be made by the Parish to its council members, staff, administrators or clergy. Any member of the Parish Finance Council or of its sub-committees, or the administration of the Parish who assents to or participates in the making of any such loan shall be liable to the Parish for the amount of such loan until the repayment thereof.

These policies are issued and pertain to all who work at the Parish. Anyone who is concerned about a potential or real conflict of interest should report their concerns to the pastor. Specifically, disclosure, in writing, in the case of Parish staff should be made to the Parish pastor who shall bring the matter to the attention of the Parish Finance Council. Disclosure involving the Parish Finance Council or its sub-committee members should be made to the Finance Council chair, (or if the Finance Council chair is the one with the conflict, then to the pastor) who shall bring these matters to the Finance Council. If the conflict includes the pastor, the Vicar for Clergy for the Archdiocese of Denver must be notified. Ultimately, the Parish Finance Council shall determine whether a conflict exists and in the case of an existing conflict, whether the contemplated transaction may be authorized or recommended. The advice of the Parish Finance Council on these matters will rest with the pastor in his sole discretion. However, the pastor and the Parish Finance Council's sole concern must be the welfare of the Parish and the advancement of its mission.

The minutes of the meetings of the Parish Finance Council and all related sub-committees shall contain the following, when applicable:

1. The names of the persons who, disclosed or otherwise, were found to have an actual or potential conflict of interest in connection with a proposed transaction or arrangement, the nature of the interest, any action taken to determine whether a conflict of interest existed, and the board's or committee's decision as to whether a conflict of interest in fact existed and whether the conflict of interest is waived.
2. The names of the persons who were present for the discussions and votes relating to the transaction or arrangement, a summary of the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings

SECTION 8: ANNUAL SUBMISSIONS

No later than September 15th of each new fiscal year, all Responsible Persons will be required to sign and submit to the Office of the Parish pastor the following forms, which are attached hereto and incorporated herein:

- Conflict of Interest Disclosure Statement
- Gift Policy Disclosure Form

Parish (the Parish)

**CONFLICT OF INTEREST DISCLOSURE STATEMENT
(Attached to and incorporated in the Parishes within the Territory of the
Archdiocese of Denver Conflict of Interest Policy)**

Preliminary note: In order to be more comprehensive, this Disclosure Statement also requires you to provide information with respect to certain parties that are related to you. These persons are termed "Related Parties" and include the following:

- a) your spouse, parent, child or spouse of a child, a brother or sister, grandchildren or great-grandchildren (whole or half-blood), or a spouse of brother or sister;
- b) any corporation or organization of which you are a board member, an officer, a partner, participate in management or are employed by, or are, directly or indirectly, a debt holder or the beneficial owner of any class of equity securities; and
- c) any trust or other estate in which you have a substantial beneficial interest or as to which you serve as a trustee or in a similar capacity.

1. NAME OF RESPONSIBLE PERSON: **(Please print your name)**

2. CAPACITY: _____ Parish Finance Council member
 _____ Member of a Parish Finance Council sub-committee (e.g. Development, Building or Steering committees¹)
 _____ Pastor
 _____ Other (Business Manager, Bookkeeper, School Principal)

3. Have you or any of your Related Parties provided services, other than as an employee, or property to the Parish in the past year?

_____ YES _____ NO

If yes, please describe the nature of the services or property and if a Related Party is involved, the identity of the Related Party and your relationship with that person or entity:

4. Have you or any of your Related Parties purchased services or property from the Parish in the past year?

_____ YES _____ NO

If yes, please describe the purchased services or property and if a Related Party is involved, the identity of the Related Party and your relationship with that person or entity:

¹ Required only if such committees are approving and advising of financial related matters (e.g. fundraising, contracts)

5. Please indicate whether you or any of your Related Parties had or were planning to have any direct or indirect interest in any business transaction(s) in the past year to which the Parish was or is a party?

_____ YES _____ NO

If yes, describe the transaction(s) and if a Related Party is involved, the identity of the Related Party and your relationship with that person or entity:

6. Were you or any of your Related Parties indebted to pay money to the Parish at any time in the past year (other than travel advances or commitments in Parish capital campaigns or the like)?

_____ YES _____ NO

If yes, please describe the indebtedness and if a Related Party is involved, the identity of the Related Party and your relationship with that person or entity:

7. In the past year, did you or any of your Related Parties receive, or become entitled to receive, directly or indirectly, any personal benefits from the Parish or as a result of your relationship with the Parish, that in the aggregate could be valued in excess of \$150.00, that were not or will not be compensation directly related to your duties to the Parish?

_____ YES _____ NO

If yes, please describe the benefit(s) and if a Related Person is involved, the identity of the Related Party and your relationship with that person or entity:

8. Are you or any of your Related Parties a party to or do you or any of your Related Parties have an interest in any pending legal proceedings involving the Parish?

_____ YES _____ NO

If yes, please describe the proceeding(s) and if a Related Party is involved, the identity of the Related Party and your relationship with that person or entity:

-
9. Are you aware of any other events, transactions, arrangements or other situations that have occurred or may occur in the future that you believe should be examined by the Parish's Finance Council in accordance with the terms and intent of the Parish's Conflict of Interest Policy?

_____ YES _____ NO

If yes, please describe the situation(s) and if a Related Party is involved, the identity of the Related Party and your relationship with that person or entity:

I HERBY CONFIRM that I have read and understand the Parish's Conflict of Interest Policy and that my responses to the above questions are complete and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this disclosure is inaccurate or that I have not complied with this policy, I will immediately notify either the Parish Pastor (if I am a Parish staff person), the Parish Finance Council Chair (if I serve on the Parish Finance Council or any of its committees) as specified by the Parish's Conflict of Interest Policy. If the conflict of interest includes the Parish Pastor, I will notify the Vicar for Clergy of the Archdiocese of Denver.

Signature

Date

Parish(the Parish)
Parishes within the Territory of the
The Archdiocese of Denver

GIFT POLICY AND DISCLOSURE FORM

As part of its Conflict of Interest Policy, the Parishes within the territory of the Archdiocese of Denver (the “Archdiocese”) requires that Responsible Persons and their Related Parties decline to accept certain personal gifts, consideration or remuneration from individuals or companies that seek to do business with the Parish. This policy and disclosure form is intended to implement the prohibition on gifts.

Section 1. “**Responsible Person**” is any person serving as a trustee, officer, director, administrator or committee member of the Parish.

Section 2. “**Related Party**” is a spouse, parent, child or spouse of a child, or a brother, sister, or spouse of a brother or sister, or a grandchild or great-grandchild of a Responsible Person.

Section 3. “**Contract or Transaction**” is any agreement or relationship involving the sale or purchase of goods, services or rights of any kind, receipt of a loan or grant, or the establishment of any other pecuniary relationship. The making of a gift to the Parish is not a “contract” or “transaction.”

Section 4. Prohibited gifts, gratuities and entertainment. With the exception of gifts to clergy given out of appreciation for their service and good works (and given with no expectation of economic benefit on the part of the individual/entity making the gift), and except as approved by the Parish Pastor (for Parish staff) or by either the Pastor or the Chairperson of the Parish Finance Council (for Finance Council members), gifts gratuities or entertainment that are greater than \$150.00 should not be accepted unless they cannot be refused without discourtesy. If there is a question of discourtesy, the individual should immediately consult his/her supervisor, the Parish Pastor and/or the Chairperson of the Parish Finance Council, an appropriate. Likewise, any gift, gratuity or entertainment offered of \$150.00 or less that is accepted should also be immediately disclosed to the Pastor or, Chairperson, as appropriate. Only in rare and pre-approved circumstances may a Responsible Person or Related Party shall accept gifts, gratuities, entertainment or other favors from any person or entity which:

1. Seeks to do business with the Parish or,
2. Seeks to compete with the Parish or,
3. Is seeking to receive a Contract or transaction with the Parish.

GIFT STATEMENT

I have not received, nor has any Related Party received, any such gifts, entertainment or other favors during the preceding year, unless approved by the designated positions noted in Section 4 above. Furthermore, I certify that I have read the above policy concerning gifts, and I agree that I will not accept, nor will any Related Party accept, gifts, entertainment or other favors from any individual or entity, which would be prohibited by the above policy.

July 1, 2018

Signature

Date

Exhibit III
Records and Information Management (RIM) Policy

Records Retention Schedule

DEFINITIONS FOR USE IN RECORDS RETENTION SCHEDULE

RECORDED INFORMATION: information recorded on/in a tangible medium (e.g. paper documents and/or electronic documents) that has been created, produced, received, manipulated, maintained, or preserved for and/or on behalf of the Archdiocese, parishes within its territory, and/or for Ecclesiastical Organizations, or their respective employees, in the course or transaction of business and/or pursuant to legal obligations.

Sub-categories of Recorded Information:

RECORDS: information recorded on/in a tangible medium and intentionally retained and managed as evidence of the Archdiocese's activities, events, and/or transactions and because of their ongoing business, operational, legal, and/or historical value. Records are retained according to their respective Records Retention Schedule.

NON-RECORDS: information recorded on tangible medium with little to no organizational value and not subject to canon, federal, or state law. Non-Records are not included in Records Retention Schedules and shall be disposed of once they no longer have organizational value—normally not to exceed three years.

RECORDS RETENTION SCHEDULE: represents the particular law of the Archdiocese and specifies the Record categories and required retention periods per canon, federal, and state law requirements, and per operational requirements and historical value.

LEGAL HOLD: the procedure that ceases otherwise routine disposal of certain Recorded Information related to initiated, threatened, anticipated, or pending Church and/or secular investigations, or litigation, even if Records and Information Management Policies, including Records Retention Schedules, mandate disposal under normal circumstances.

**THE RETENTION PERIODS LISTED IN THIS RECORD RETENTION SCHEDULE
ARE ABSOLUTE AND ONLY TO BE SUPERSEDED BY A LEGAL HOLD**

RECORDS RETENTION SCHEDULE	
DEPT. / OFFICE	RETENTION PERIOD
Record Category / Type	
ALL DEPARTMENTS / OFFICES – ADMINISTRATIVE RECORDS	
applicable to every department / office unless otherwise specified by department / office policy	
Contracts / Leases (e.g., service agreements, copier leases)	Expiration + 7 years
Communications, Official (e.g., decrees, policies, directives, procedures, etc.)	Permanent
Communications, Routine (Office of Archbishop)	3 years, then transfer to Archives for review
Communications, Routine (excluding Office of Archbishop)	7 years, unless business needs require longer retention
Council Documents, Archdiocesan / Parish (e.g., minutes, agendas)	Permanent
Deeds / Abstracts	Permanent
Donative Instruments (e.g., bequests, estate papers, wills)	Permanent
Donor Lists	Permanent
Event Records (e.g., jubilee brochures, installation invitations, anniversary histories, worship aids)	Permanent
Governing Documents (e.g., articles of incorporation, bylaws, canonical statutes)	Permanent
Insurance Policies (active & cancelled)	Permanent
Inventories (e.g., property, equipment)	Permanent
Office Files, Subject (e.g., memos, schedules, notes, brochures)	7 years
Periodical Clippings / Photographs (e.g., newspaper articles, historical photos)	Permanent
Seminar / Workshop Records (e.g., attendee lists, worship aids, agendas)	Permanent
Studies / Reports, General (e.g., census / demographic reports, mass counts)	7 years, then transfer to Archives for review
Studies / Reports, Official (e.g., deanery reports, reports to Rome)	Permanent
Rosters (e.g., parishioner rosters)	Permanent

RECORDS RETENTION SCHEDULE	
DEPT. / OFFICE	RETENTION PERIOD
Record Category / Type	
ARCHIVES	
Approved Records Transfer Forms & Destruction Applications	20 years
Archbishop Decrees	Permanent
Baptism / Confirmation / First Communion / Marriage & Death Registers (closed parishes only)	Permanent
Building Blueprints	Permanent
Clergy Newsletters / Parish Bulletins (record copy)	Permanent
Denver Catholic Register (back-issues & photos)	Permanent
El Pueblo (back-issues & photos)	Permanent
Historical Files (e.g., archdiocesan / parish / parish school / cleric / parishioner histories)	Permanent
Kenedy Directory (Official Catholic Directory)	Permanent
Local Directories (e.g., archdiocesan, parish)	Permanent
Newsletters (archdiocesan, parish, etc.)	Permanent
Parish Decrees & Boundaries / Maps	Permanent
Periodical Clippings / Photographs (e.g., newspaper articles, historical photos)	Permanent
Research Requests	3 years
Sacramental Record Indices (inclusive of legal documentation regarding legal name changes, legal adoptions, etc.)	Permanent
School Historical Materials (e.g., yearbooks, newsletters)	Permanent
School Transcript Requests (closed parish schools)	3 years

RECORDS RETENTION SCHEDULE		
DEPT. / OFFICE	Record Category / Type	RETENTION PERIOD
CATHOLIC SCHOOLS		
<i>Consult Office of Catholic Schools</i>		
CEMETERIES, ARCHDIOCESAN & PARISH		
	Account Cards (record of lot ownership and payments)	Permanent
	Burial Cards (record of interred name, date of burial, etc., alphabetically)	Permanent
	Burial Records (record of interred name, date of burial, etc.)	Permanent
	Lot Maps	Permanent
	Anniversary Books	Permanent
	Contracts documenting lot ownership	Permanent
CHILD and YOUTH PROTECTION		
	Master Training Lists	Permanent
	Teaching Materials	Until superseded
	USCCB Charter for the Protection of Children and Young People (see Human Resources)	
COMMUNICATIONS		
	Advertiser Lists	Until superseded
	Media Lists (e.g., external reporter contact lists, external news outlets)	Until superseded
	News Releases / Press Statements	Permanent
	Photographs	Permanent
	Research / Issue Files (e.g., documentation of media coverage on)	Permanent

RECORDS RETENTION SCHEDULE	
DEPT. / OFFICE	RETENTION PERIOD
Record Category / Type	
Subscription Database	Until superseded
CONSTRUCTION	
Architectural Records / Drawings, Blueprints, Building Designs, Specifications, Permits (if project completed) (record copy)	Permanent
DIACONATE	
<i>Consult Office of Diaconate</i>	
FINANCE, ACCOUNTING & INTERNAL AUDIT	
Accounting	
Accounts payable invoices	7 years
Accounts payable ledgers	7 years
Accounts receivable ledgers	7 years
Invoices and paid bills, major building construction	7 years
Invoices and paid bills, general accounts, receipts	7 years
Cash journals	7 years
Cash journal, receipts on offering, and pledges	7 years
Mortgage payments	7 years
Banking	
Bank deposits	7 years
Bank statements	7 years
Cancelled checks	7 years
Check registers/stubs	7 years
General	
Audit Reports	Permanent
Balance Sheets, annual	Permanent
Balance Sheets & Income Statements, monthly/quarterly	2 years
Budgets, approved / revised	7 years
External CPA Review Reports and Management Letter	Chancery Audit Dept – 5 years Parishes – Permanent
Financial Reports / Statements, annual	Permanent
Financial Reports, quarterly	2 years
Internal Audit Reports & Supporting Documentation	5 years
Internal Audit Investigation Reports	Upon closure + 7 years

RECORDS RETENTION SCHEDULE	
DEPT. / OFFICE	RETENTION PERIOD
Record Category / Type	
Investment / Insurance	
Bonds, cancelled	Cancellation + 7 years
Certificates of Deposit, cancelled	Redemption + 3 years
Insurance Policies (active / cancelled)	Permanent
Letters of Credit	7 years
Mortgage records	Permanent
Securities sales	7 years
Stock investments	Sale + 7 years
Other Records	
General ledger/annual	Permanent
Journals, general and specific funds / entry sheets	7 years
Ledgers, subsidiary	7 years
Payroll journals	7 years
Payroll registers, summary schedule of earnings, deductions, and accrued leave	7 years
Pension records	Permanent
Pledge registers/ledgers	7 years
Tax Records	
Employment taxes, contributions, and payments (including taxes withheld) FICA	Filing + 7 years
W-2 Forms	Filing + 7 years
W-4 Forms	Filing + 7 years
IRS exemption determination letters	Permanent
Form 990	Permanent
State tax exemption certificates (income, excise, property, sales/use, etc.)	Permanent
HUMAN RESOURCES	
Employee Benefits	
Disability Records	Permanent
Pension Vesting Records	Permanent
Retirement Benefit Records	Permanent
Service Records	Permanent
General	
Permanent Earnings & Records	Benefit termination + 7 years
Attendance Records (unrelated to time sheets)	Termination + 7 years
Employee Salary Schedules & Pay Rate Changes	Termination + 7 years
Health & Safety	
Employee Medical Complaints	7 years
Employee Medical Records under Family Medical Leave Act	3 years
Employee Physical / Medical Records under Americans with Disabilities Act (ADA) & Age Discrimination in Employment Act of 1967 (ADEA)	1 year
Toxic Substance Control Reports	30 years

RECORDS RETENTION SCHEDULE	
DEPT. / OFFICE	RETENTION PERIOD
Record Category / Type	
Workers' Compensation Records	Filing, death or final compensation period + 12 years
Drug Testing Records	Test Result + 5 years
Material Safety Data Sheet (MSDS)	30 years
Personnel Actions	
Employee Evaluations	Termination + 7 years
Personnel Files, terminated / deceased	7 years
I-9 Form (hired on/after 11/6/1986)	Termination + 1 year, or Date of hire + 3 years (whichever is greater)
Colorado Affirmation of Legal Work Status (hired on or after 1/1/2007)	Duration of Employment
Salary Administration	
W-2 Forms	Filing + 7 years
W-4 Forms	Filing + 7 years
Time Sheets / Cards	Filing + 3 years
USCCB Charter for the Protection of Children and Young People	
Background Checks	Termination + 7 years
Safe Environment Proof of Training Records	Termination + 7 years
Executed Acknowledgement of Code of Conduct Receipt Forms	Termination + 7 years
REAL ESTATE	
Architectural Records / Drawings, Blueprints, Building Designs, Specifications, Permits (if project completed) (record copy)	Permanent
Deeds / Abstracts	Permanent
Government Related Documents (e.g., tax exemption certificates, etc.)	Until Sold
Inspections	Until Superseded
Leases	Permanent
Mortgage Documents	Permanent
Owner Records	Until Sold
Property Appraisals	Permanent
Surveys / Plots, Plans	Permanent
Title Search Documents / Certificates	Permanent

RECORDS RETENTION SCHEDULE	
DEPT. / OFFICE	RETENTION PERIOD
Record Category / Type	
Utility Records	Until Sold
RISK MANAGEMENT	
Bloodborne Pathogens / Infectious Material Standard	3 years
Drug Testing Records	Test Result + 5 years
Environmental Test Records / Reports	Permanent
Employee Physical / Medical Records (includes bloodborne pathogens, infectious materials)	Termination + 30 years
Hazardous Materials Exposure Records	30 years
Incident Reports / Claims (accident / injury)	Expiration of Statute of Limitations, or Claim Settlement + 7 years, as applicable
Insurance Certificates (issued internally)	Expiration + 7 years
Insurance Policies (active & cancelled)	Permanent
Material Safety Data Sheet (MSDS)	30 years
Toxic Substance Control Reports	30 years
Training Records (motor vehicle, OSHA)	7 years
Workers' Compensation Records	Filing, death or final compensation period + 12 years
TRIBUNAL	
Consult Office of the Tribunal	
VICAR FOR CLERGY	
<i>Consult Office of Vicar for Clergy</i>	

Exhibit IV
to the
Archdiocese of Denver Pastoral Handbook



ARCHDIOCESE OF DENVER

CODE OF CONDUCT

Revised effective July 1, 2018
ver. 1.2

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NOTE

APPENDIX E to this CODE OF CONDUCT is an *ACKNOWLEDGMENT OF RECEIPT & AGREEMENT*

All Church Workers are to acknowledge in writing that they have received and reviewed this Code of Conduct.

By executing the *Acknowledgment of Receipt & Agreement*, Church Workers are confirming that they understand and agree to act in conformity with the contents of this Code of Conduct.

After receiving and thoroughly reviewing this document, Church Workers are to promptly return their signed *Acknowledgment of Receipt & Agreement* form to their supervisor.

INTRODUCTION

*This is how all will know
that you are my disciples,
if you have love for one another
John 13:35*

Our behavior toward one another is at the essence of discipleship. It is in this light that this Code of Conduct (hereinafter referred to as either the “Code” or the “Code of Conduct”) is presented to the Faithful of the Archdiocese of Denver. The intent is to reinforce our Lord’s commandment to love one another through certain practical principles and guidelines.

As members of the Church founded by Christ¹, those who minister must always seek to uphold Christian values and conduct.² As good citizens and responsible members of society, we must endeavor to act properly at all times, obey all laws which seek the common good and employ morally licit means to attain the common good. As followers of Jesus, we are all called to live the Gospel and its mandates.³

This Code of Conduct does not presume to provide the answers to all ethical questions facing us; rather, it establishes a set of general principles, ethical standards and mandatory protocols for life and ministry that we must abide by, and thereby helps to delineate boundaries by which ethical questions can be evaluated. It is also intended that this Code will stimulate discussion within the Church community in order to broaden consensus on standards of practice and to further refine them. As well, it requires accountability from Church Workers who fail to abide by its terms.

Responsibility for adherence to this Code rests with each of us. If there is a failure to adhere to its contents, appropriate remedial action will be taken, including, but not limited to, termination.

Our public and private conduct has the potential to inspire and motivate people, as well as the potential to scandalize and tear down their faith. We must be aware of the responsibilities that accompany our work. God’s goodness and grace supports us in our work and ministries.

¹ Codex Iuris Canonici [1983] (“CIC”), cc. 208; 209.

² CIC, c. 210.

³ CIC, cc. 223; 227.

ENTITIES AND INDIVIDUALS SUBJECT TO THIS CODE OF CONDUCT

This **CODE OF CONDUCT** applies to all **Church Workers** (defined below) of the following entities:

- the **Archdiocese of Denver**, that public juridic person⁴ established by the Holy See, and a Colorado corporation sole;
- the **Catholic Parishes** and their **missions** located within the territory of the Archdiocese of Denver, which are public juridic persons⁵ erected by the Archdiocese, and some of which have been incorporated as Colorado corporations sole (note: parish schools are not separate entities but are ministries of their respective parish); and
- the following related **“Ecclesiastical Organizations”**:

<ul style="list-style-type: none"> ○ Annunciation Heights ○ The Archdiocese of Denver Management Corporation ○ Archdiocese of Denver Mortuary at Mount Olivet, Inc. ○ Bishop Machebeuf High School ○ Camp St. Malo Religious Retreat & Conference Center, Inc. ○ Catholic Charities of the Archdiocese of Denver ○ Family of Nazareth 	<ul style="list-style-type: none"> ○ Frassati Catholic Academy ○ Holy Family High School ○ The Mount Olivet Cemetery Association ○ Redemptoris Mater House of Formation ○ Saint John Vianney Theological Seminary ○ Seeds of Hope of Northern Colorado, Inc. ○ St. Simeon Cemetery Association
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NOTE

The above three categories of entities (the Archdiocese, the Catholic Parishes and their missions, and the Ecclesiastical Organizations) are referred to collectively in this Code of Conduct as the **“Archdiocesan Ecclesiastical Organizations”**.

“Church Workers” are defined as consisting of the following individuals:

- all secular priests, religious priests, deacons, deacons in formation, retired priests and retired deacons who are performing ministry within the territory of the Archdiocese of Denver who have been granted faculties by the Archbishop;
- all Archdiocese of Denver seminarians;
- all paid employees of the Archdiocesan Ecclesiastical Organizations;
- all volunteers of the Archdiocesan Ecclesiastical Organizations entrusted with the regular care and supervision of Minors or who may have regular contact with Minors (note: for Archdiocese of Denver Catholic Schools, the Office of Catholic Schools may determine when a volunteer is charged with regular care and supervision of Minors);⁶
- all consecrated lay individuals performing ministry within the Archdiocese with the permission of the Archbishop;
- all others who have read and have agreed to be bound by this Code.

⁴ CIC, cc. 113; 116.

⁵ CIC, c. 515.

⁶ The words “Child(ren)” and “Minors” have the same meaning. Please see the definition of “Child(ren)” and “Minors” in Part II: Section II of this Code.

PART I

STANDARDS OF MINISTERIAL BEHAVIOR AND BOUNDARIES

Relationships among people are the foundation of Christian ministry and are central to Church life. Defining what constitutes a safe relationship is not meant to undermine the strength and importance of personal interaction or the ministerial role. Rather it is designed to assist all who fulfill the many roles that make up the living Church to demonstrate their love for people (children and adults alike) sincerely, prudently, and by means that result in healthy relationships.

The following delineates the required conduct of every individual who falls within the definition of “Church Worker” (see the previous page for the definition of “Church Worker”). All Church Workers are to carefully consider each General Principle and each Ethical Standard listed below before agreeing to adhere to this Code and continuing in service to the Archdiocesan Ecclesiastical Organizations.

- I. **GENERAL PRINCIPLES.** Five key principles form the basis of this Code. Specifically, Church Workers are to embrace the principles of Ecclesial Commitment, Integrity, Respect for Others, Personal Well-Being and Professional Competence.
 - A. **Ecclesial Commitment.** Church Workers shall embrace the teachings of Jesus and work to promote the Gospel.⁷ Church Workers shall exhibit a deep commitment to the Church, and conduct themselves in a manner that is consistent with the Church’s discipline and teachings.⁸ Loyalty to the traditions of the past, attentiveness to the realities of the present, and readiness/preparedness for challenges of the future should be evident. Church Workers are responsible for providing for and nurturing the life of their respective parish community, especially its sacramental life. Church Workers shall evidence a commitment to their community at large and a special care and concern for the needs of society’s poor and oppressed. Church Workers shall address community social concerns by active reflection on Catholic teachings, and shall share the spirit of ecumenism in their interactions with other community religious groups.⁹
 - B. **Integrity.** The Catholic Church sets high moral standards for its Church Workers, who each have a responsibility to lead by example. Church Workers are expected to be persons of integrity who conduct themselves in an honest and open manner, free from deception or corruption. Church Workers shall handle the responsibilities of their office in a conscientious fashion. Church Workers shall witness in all relationships the chastity appropriate to their state of life, whether celibate, married, or single.
 - C. **Respect for Others.** Church Workers shall respect the rights, dignity and worth of every human being. Church Workers shall respect each person as a creation of God without regard to his/her economic status or degree of participation in parish life. Church Workers shall refrain from physically, spiritually, sexually, emotionally intimidating and/or otherwise abusing persons of any age in any manner. Church Workers shall strive to be aware of cultural differences and appreciate the opportunities that ethnic diversity brings. Church Workers shall be aware that issues of age, gender, race, religion, physical, mental and developmental disabilities, and language influence how the message of the Gospel is received and interpreted.

⁷ CIC, c. 217.

⁸ CIC, c. 225 § 2.

⁹ CIC, c. 227; c. 229 § 1.

- D. Personal Well-being.** Church Workers have a duty to be attuned to their own physical, mental and emotional health. They should be aware of warning signs in their behavior and moods that can indicate conditions that may be detrimental to their health or impair their ability to fulfill their responsibilities. Inappropriate use of alcohol or misuse of prescription drugs or other intoxicants are examples. Church Workers shall immediately seek help when they identify warning signs in their professional or personal lives. Church Workers shall be supportive of one another in terms of both affirmation and holding one another accountable.
1. Spiritual Well-being. Church Workers have a duty to stay attuned to their own spiritual health. They shall maintain and nurture an ongoing prayer life. If appropriate, regular meetings with a spiritual director are encouraged, as are retreats and days of reflection.
 2. Intellectual Well-being.¹⁰ Church Workers have a responsibility to attend to their ongoing intellectual development. To the extent possible, they shall participate annually in seminars and workshops in areas that are relevant to their current ministry. Church Workers shall stay informed of current issues through reading of both religious and secular sources. Archdiocesan instruments and procedures should be used where these exist. Church Workers shall make use of the time and funding provided for ongoing formation.
 3. Pastoral Well-being. Church Workers are responsible for providing for and nurturing the life of the Church community. They shall know and respect the people whom they serve. As appropriate to their ministry, they shall celebrate the sacraments with decorum and fidelity to the official rites of the Catholic Church.
 4. Clergy Well-being. Priests and deacons are encouraged to use charitable fraternal correction to help fellow priests and deacons overcome personal problems hindering their ministry.
- E. Professional Competence.** Church Workers shall maintain high levels of professional competence in their particular ministry. Training, education and experience all contribute to professional competence and credibility within their areas of expertise. Church Workers shall not attempt to provide services in those areas in which they lack competence, as competence also means recognizing one's limitations.

II. ETHICAL STANDARDS IN PROFESSIONAL RELATIONSHIPS.

- A. Church Administration.** Church Workers shall exercise just treatment of others in the day-to-day administrative operations of their ministries.
1. Church Workers shall seek to relate to all people with respect and reverence. Meetings are to be conducted with patience and courtesy toward the views of others, in an environment where it is safe for others to offer constructive criticism.
 2. Church Workers shall seek to support others, encouraging each person in living the life to which God calls him or her.
 3. Church Workers shall exercise responsible stewardship of all Church resources, in accordance with Church law, inclusive of the particular law of the Archdiocese of Denver to the extent applicable (see, e.g., the Archdiocese of Denver Pastoral Handbook).
 4. Church Workers shall ensure that systems are in place to protect both the Church and individuals from financial mismanagement. Financial operations are to be conducted according to Archdiocese of Denver policies to the extent applicable (see, e.g., the Archdiocese of Denver Pastoral Handbook).

¹⁰ CIC, 229 § 1.

5. Administrative decisions made by Church Workers shall not only meet civil and canon law obligations, but shall also reflect Catholic teachings to the extent applicable.

B. Conduct with Minors/Children.¹¹

1. Church Workers working with Minors shall use appropriate judgment to ensure trusting relationships marked by personal and professional integrity, and interaction is age appropriate.
 - (a) Church Workers shall be aware of their own vulnerability and that of any individual Minor with whom they may be working. In every instance possible, a team approach to youth ministry activities shall be considered. Church Workers shall avoid establishing an exclusive relationship with a Minor and exercise due caution when they become aware of a Minor desiring a relationship. Both the participants and members of the Church community can misunderstand such relationships.
 - (b) Physical contact with Minors can be misconstrued by both Minors and other adults, and should occur only under appropriate public circumstances. Touching must be age-appropriate and based on the need of the young person, not the need of the adult. Hugging can be an expression of love and respect; however, hugging should always be done in the presence of others and never while alone in a room behind closed doors. Physical contact shall at all times be public, appropriate and non-sexual.
 - (c) Clerics¹² bound to celibacy¹³ are prohibited from adopting Children, from serving as foster parents, from hosting foreign exchange students and, generally, from providing overnight accommodations for Minors in rectories or other personal residences. The only exception to providing overnight accommodations to a Minor is when the Minor is a family member (nephew, cousin, etc.) accompanied by a parent or guardian. Further, a Minor who is not a family member of the priest resident is not permitted as a guest in a parish rectory unless a parent or guardian is present (see Pastoral Handbook, Ch. 2.2.8).
 - (d) Church Workers shall not supply alcohol, illegal drugs or other intoxicants to Minors.
 - (e) Church Workers shall not provide any sexually explicit, inappropriate, or offensive material to Minors. Topics, vocabulary, recordings, films, games, computer software, or any other forms of personal interaction or entertainment that could not be used comfortably in the presence of parents must not be used with Minors.
 - (f) Church Workers shall know and understand Archdiocese of Denver policies and procedures concerning allegations of Sexual Misconduct involving Minors (see Part II of this Code entitled "Policy Regarding Sexual Misconduct and Child Abuse").
 - (g) Church Workers will be held to a policy of zero tolerance in regard to substantiated sexual abuse of Minors (see Part II of this Code entitled "Policy Regarding Sexual Misconduct and Child Abuse").
 - (h) Engaging in physical discipline of a Minor is unacceptable. Discipline situations are to be handled according to the applicable policies of the Archdiocesan Ecclesiastical Organization (see, e.g., Office of Catholic Schools Administrator Manual).

¹¹ The words "Child(ren)" and "Minors" have the same meaning. Please see the definition of "Children" and "Minors" in Part II: Section II.

¹² On the canonical juridical status of clerics and special obligations and rights, CIC, cc. 273-289.

¹³ CIC, c. 277.

- (i) Church Workers shall not be alone with Minors in areas inappropriate to a ministry relationship.
- (j) Church Workers are prohibited from taking overnight trips alone with a Minor who is not a member of their immediate family.
- (k) Church Workers shall never share beds with anyone except their spouse or their own Children. If attending a Church event that requires a stay in a hotel, the adult shall never sleep in a room alone with a single Child unless that Child is their own. If it is determined that adult supervision is needed for a number of Minors staying overnight in a room, Church Workers shall do their best to notify parents/guardians of this need prior to the event, and where possible, more than one adult is to stay in the room with the Minors (see also the Office of Catholic Schools Administrator Manual for more explicit requirements on this topic with regard to Catholic school related events; also see the chaperoning requirements, below, in section II.B.2.).
- (l) Before a Church Worker administers medication to a Minor, a signed authorization must be obtained from the parent or guardian (proper certification required as well, consistent with state law and associated regulation). If administration is occurring in a Catholic school, administration of medication must be done consistent with the provisions of the Office of Catholic Schools Administrator Manual.
- (m) If inappropriate personal or physical attraction develops between a Church Worker and a Minor, the adult is responsible for maintaining clear professional boundaries.
- (n) If one-on-one pastoral care of a Minor should be necessary, Church Workers shall avoid meeting in isolated environments. Meetings should be scheduled at times and locations that provide for clear accountability. Limit both the length and number of sessions, and make appropriate referrals. Notify parent(s)/guardian(s) of the meetings.
- (o) Adults shall never observe a Minor's intimate parts where there is an expectation of privacy on the part of the Minor. Taking photos of Minors while they are unclothed or in the process of dressing is strictly prohibited (see Part II of this Code of Conduct entitled "Policy Regarding Sexual Misconduct and Child Abuse").
- (p) Unless it is either (i) part of approved school curriculum, or (ii) a minor portion of a lengthy presentation/discussion on all manner of topics (the presenter is to use reasoned discretion in assessing what constitutes "minor portion"), Church Workers are to send a communication to parents/guardians prior to any scheduled session addressing human sexuality. Parents/guardians shall then have the option to withdraw their Child from the scheduled activity. This requirement does not apply to school curriculum in Catholic schools that has been mandated by the Archbishop of Denver or is otherwise required by the Office of Catholic Schools (e.g., Theology of the Body).
- (q) In the event that unscheduled or otherwise impromptu discussions occur with Minors that address human sexuality, or that address any other controversial issue, Church Workers shall use reasoned discretion with regard to the extent to which such discussion should continue. To the extent they are relevant, Church Workers have the obligation of teaching and advocating Church doctrine, which is contained in the *Catechism of the Catholic Church* or in other authentic teaching documents of the Catholic Church.
- (r) Dress shall always be in keeping with modesty and Christian values.

2. Church Workers serving as chaperones and supervisors of Minors at Church group activities (trips/events, etc.) shall act to promote a safe environment for themselves and for Minors.
 - (a) During all activities, the number of chaperones shall be sufficient for the type of activity that is taking place (please refer to the Office of Risk Management and/or Office of Catholic Schools Administrator Manual (as applicable) for the appropriate adult to Minor ratio and related guidance; note: ratios are to be determined by gender in the event of overnight activities).
 - (b) Facilities shall be monitored during all organization activities.
 - (c) Children may be released only to a parent, guardian, or other person who has been authorized to take custody of them. A chaperone/supervisor must remain on-site to ensure that all Children have appropriate transportation.
 - (d) Parental/guardian approval shall be obtained, including a signed authorization form, before permitting Children to participate in trips, athletic events or any other activity that involves potential risk.
 - (e) Dress shall always be in keeping with modesty and Christian values.
 - (f) An accountability system, similar to a “buddy system,” shall be used whenever Minors go on trips away from the original location of the activity. However, chaperone/supervisors shall also be sensitive to boundaries involved with personal sharing times and privacy needs.
 - (g) Only qualified adult drivers may transport Minors. Appropriate permission shall be received and all applicable insurance forms and motor vehicle record checks shall be completed and approved pursuant to the Archdiocese of Denver’s Office of Risk Management protocols and procedures.
 - (h) Consumption of alcohol during Church group activities where Minors are present is not encouraged, and in certain instances may be prohibited (please review the Office of Catholic Schools Administrators Manual). If Church Workers determine alcohol may be served during Church group activities where Minors are present, Church Workers shall strictly adhere to the policies and protocols of the Archdiocese of Denver’s Office of Risk Management regarding Liquor Liability Rules and Regulations. Church Workers are expected to act responsibly and well within the limits of the law with regard to alcohol consumption during Church sponsored/related events.
 - (i) The possession or use of illegal drugs is strictly prohibited, as is the misuse of intoxicants.
 - (j) If anyone is uncomfortable with the actions or the intentions of another during a Church trip/event, it should be reported to the chaperone/supervisor immediately.
 - (k) While on trips, groups of Minors will be assigned a specific chaperone who will be responsible for supervising their behavior throughout the event.
 - (l) Chaperones/supervisors shall make arrangements each day to check in with those entrusted to their care.
 - (m) On any trip, information will be distributed to chaperones/supervisors for review with all participants to help familiarize them with the program schedule and layout of the facilities where event activities will take place. This is also a good time to be sure that Minors understand important safety information.

- (n) A specific location must be designated where Minors will be able to locate their chaperone/supervisor or where the group will meet at an agreed upon time.
- (o) During overnight activities, chaperones/supervisors shall establish and enforce an appropriate curfew.
- (p) Chaperones/supervisors shall check rooms after curfew to ensure Minors are in their rooms and remain there.
- (q) Depending on the size of the space, sleeping arrangements should generally never include members of the opposite sex being in the same room, unless they are immediate family members, or unless the space being utilized is of such a size that segregated quarters are unreasonable/unnecessary (e.g., multiple cots set up in a school gymnasium or similar facility; chaperones/supervisors must be present in the space at all times if group sleeping arrangements are organized).
- (r) Adults shall not go anywhere during the event where youth may not accompany them (e.g. cocktail lounges, bars, etc.)

C. Sexual Conduct. Church Workers shall not exploit the trust of others for sexual gain or intimacy.

1. Church Workers shall never exploit a person for sexual purposes.
2. It is the personal and professional obligation of Church Workers to be knowledgeable about what constitutes sexual exploitation of another and to be familiar with the laws of the State of Colorado and its sexual assault laws and the contents of this Code of Conduct and its Part II entitled “Policy Regarding Sexual Misconduct and Child Abuse” addressing sexual exploitation, sexual abuse, and sexual assault.
3. Church Workers should be knowledgeable of the State of Colorado child abuse laws (see Appendix B to this Code) and know the proper reporting requirements. Church Workers shall comply with all internal and external reporting requirements of Sexual Misconduct and Child Abuse (see this Code, Part II: Policy Regarding Sexual Misconduct and Child Abuse).
4. Church Workers who have made a commitment to celibacy are called to witness this in all relationships. Likewise, those who have made a marital commitment are called to witness this fidelity in all their relationships.
5. Any allegations of Sexual Misconduct or Child Abuse will be taken seriously and shall be reported according to this Code of Conduct and its Part II entitled “Policy Regarding Sexual Misconduct and Child Abuse.”

D. Abuse and Exploitation of Minors and At-Risk Adults.

1. Reporting of Sexual Misconduct and Child Abuse. In the State of Colorado, certain categories of people are required, as a matter of state law, to report **Sexual Misconduct** and **Child Abuse** to civil law authorities (including “Clergy Members” unless a Priest has information secured through the Sacrament of Confession).

Regardless of whether a Church Worker is a mandatory reporter of Sexual Misconduct and Child Abuse under Colorado law, all Church Workers shall report incidents or suspected incidents of Sexual Misconduct and Child Abuse as set forth herein. Please carefully review Part II and Appendix B of this Code for a thorough review of Sexual Misconduct and Child Abuse reporting requirements.

2. Reporting of Abuse and Exploitation of At-Risk Adults.

- (a) In the State of Colorado, certain categories of people are required, as a matter of state law, to report actual abuse or suspected abuse of “**at-risk elders**” to the authorities (including “Clergy Members”, unless a Priest has information secured through the Sacrament of Confession). Currently, “at-risk elders” are a subset of “at-risk adults”, and specifically defined as adults that “are 70 years of age or older”.

Regardless of whether a Church Worker is a mandatory reporter under Colorado law of abuse of “at-risk elders”, please note that all Church Workers are expected to report actual incidents or suspected incidents of abuse of “at-risk elders” to civil law authorities pursuant to this Code of Conduct. For guidance regarding mandatory civil law reporting requirements, please review Appendix C of this Code entitled “Colorado Elder Abuse and At-Risk Adult Abuse Reporting Requirements”.

- (b) In the State of Colorado, certain categories of people are required, as a matter of state law, to report actual abuse or suspected abuse of “**at-risk adults with an intellectual and developmental disability**” to the authorities (including “Clergy Members”, unless a Priest has information secured through the Sacrament of Confession). “At-risk adults with an intellectual and developmental disability” are specifically defined as “adults that are 18 years of age or older”.

Regardless of whether a Church Worker is a mandatory reporter under Colorado law of abuse of “at-risk adults with an intellectual and developmental disability”, please note that all Church Workers are expected to report actual incidents or suspected incidents of abuse of “at-risk adults with an intellectual and developmental disability” to civil law authorities pursuant to this Code of Conduct. For guidance regarding mandatory civil law reporting requirements, please review Appendix C of this Code entitled “Colorado Elder Abuse and At-Risk Adult Abuse Reporting Requirements”.

E. Professional Behavior. Church Workers shall act professionally at all times, Church Workers shall not engage in physical, psychological or verbal harassment of others, and Church Workers shall not tolerate such behavior by other Church Workers (see Appendix A of this Code for “Harassment Reporting Procedures”).

1. Church Workers shall ensure/provide a professional work environment free from harassment.
2. Harassment encompasses a broad range of physical or verbal behavior, which can include, but is not limited to, the following: physical or mental abuse; racial insults; derogatory ethnic slurs; unwelcome sexual advances or touching; sexual comments or sexual jokes; requests for sexual favors used as a condition of employment such as hiring, promotion, or compensation; display of sexually offensive material, and observing another person’s intimate parts when that person has a reasonable expectation of privacy.
3. Harassment can occur as a result of a single severe incident or a pattern of conduct, which results in the creation of a hostile, offensive or intimidating work environment.
4. Church Workers are to follow the established procedures for reporting of harassment and are to ensure that no retaliation for bringing forward a claim of harassment will be tolerated. Those procedures are set forth in Appendix A of this Code, entitled “Harassment Reporting Procedures”.

- F. Conflicts of Interest.** Church Workers shall avoid putting themselves in a position that might present a conflict of interest, as the existence, or even the appearance, of a conflict of interest can call into question one's integrity and professional conduct.
1. The potential for a conflict of interest exists in many circumstances. Examples of such behavior by a Church Worker include: conducting private business or other dealings with the Church or any of its members; accepting substantial (non-token) gifts for services or favors; employing or engaging in transactions with friends or relatives; acting with partiality toward other Church Workers; or violating a confidence of another for personal gain.
 2. Disclosure of all relevant factors can in some circumstances lessen the potential for a conflict of interest (please see the Archdiocese of Denver Pastoral Handbook – Conflict of Interest Policy and Gift Acceptance Policy).

PART II

POLICY REGARDING SEXUAL MISCONDUCT AND CHILD ABUSE

I. STATEMENT OF POLICY. Sexual Misconduct and Child Abuse by Church Workers is prohibited.

Note: For purposes of this Code of Conduct, the terms Sexual Misconduct and Child Abuse include the concepts of Sexual Harassment, Child Sexual Assault, Child Pornography (all as defined below and further discussed in Appendix B, hereto).

Sexual Misconduct and Child Abuse violate Christian principles and run contrary to the duties and responsibilities of all who are in service to the Church. The gravity of such behavior is compounded when it occurs while performing the work of the Church. All Church Workers shall comply with this “Policy Regarding Sexual Misconduct and Child Abuse”, and shall comply with all applicable federal and state laws pertaining to actual or suspected Sexual Misconduct or Child Abuse. The Archdiocese is committed to preventing Sexual Misconduct and Child Abuse and to responding with justice and compassion should misconduct occur.

What follows are descriptions of programs and procedures designed to (1) prevent Sexual Misconduct and Child Abuse by Church Workers and the resulting harm to others, and (2) protocols that Church Workers must follow in responding to and reporting allegations of Sexual Misconduct or Child Abuse.

II. DEFINITIONS.

- A. Child(ren) or a Minor** is generally understood under civil law to be a person under 18 years of age.¹⁴ The terms “Child(ren)” and “Minor” are used interchangeably in this Code of Conduct.
- B. Child Abuse** is any conduct that causes or attempts to cause an injury to a child’s life or health; permits a child to be unreasonably placed in a situation that poses a threat of injury to the child’s life or health; or engages in a continued pattern of conduct that results in malnourishment, lack of proper medical care, cruel punishment, mistreatment, or an accumulation of injuries to the child. Child Abuse includes neglect and emotional abuse. Please see below for a thorough review of mandatory reporting of Child Abuse to both the Archdiocese and to civil authorities.
- C. Child Pornography** is a form of Child sexual exploitation, and is defined under federal law as any visual depiction of sexually explicit conduct involving a Minor. Images of Child Pornography are also referred to as Child sexual abuse images. Federal law prohibits the production, distribution, importation, reception, or possess of any image of Child Pornography. A violation of federal Child pornography law is a serious crime, and convicted offenders face severe statutory penalties.
- D. Child Sexual Assault** includes sexual molestation, sexual exploitation, or any other behavior, including the use of the internet or phone, by which an adult uses a Child as an object of sexual gratification; and the commission of a sexual offense against a Child as defined by civil or criminal law. Please see below for a thorough review of mandatory reporting of Child Sexual Assault to both the Archdiocese and to civil authorities.

¹⁴ For purposes of canon law, the 2011 USCCB Charter for the Protection of Young People and accompanying 2006 USCCB Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons include in the definition of “minor” . . . “a person who habitually lacks the use of reason”, regardless of age. Please take note that for purposes of this Code of Conduct, Church Workers are to report to the authorities actual or suspected incidents of abuse of “at-risk adults” (which would reasonably include “a person who habitually lacks the use of reason”). For further discussion and explanation of reporting requirements, review Part I: Section D of this Code, and review Appendices B and C of this Code.

- E. **Sexual Harassment** is any unwelcome sexual advance, request for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct is used as the basis for employment decisions, or such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive work environment. Sexual harassment does not refer to behavior or compliments of a socially acceptable nature; rather, it refers to behavior that, to a reasonable person, is unwelcome, that is personally offensive, lowers morale, and consequently interferes with work effectiveness. Sexual harassment can be verbal, non-verbal, or physical.
- F. **Sexual Misconduct** is any sexual conduct involving a Church Worker and another individual of any age that is unlawful or contrary to the moral teachings of the Catholic Church. This includes Sexual Harassment of any individual, as well as sexual conduct directed at a Minor by a Church Worker. Please see below for a thorough review of mandatory reporting of Sexual Misconduct to both the Archdiocese and to civil authorities.

III. **PREVENTING SEXUAL MISCONDUCT.** The steps that the Archdiocese is taking to prevent Sexual Misconduct by Church Workers include the following:

- A. **Education.** The Archdiocese has established its *Safe Environment Program* through its Office of Child and Youth Protection. The Office of Child and Youth Protection organizes education and training for all Church Workers, as well as education and training for all other individuals such as Minors, their parents and any other interested individuals/entities. This education and training focuses on such subjects as the dynamics of Sexual Misconduct, and the impact of such misconduct on its victims. The purposes of the Safe Environment Program are to identify areas of concern, to otherwise maintain awareness regarding the safety of Children, and to provide training dedicated to the prevention of harm to Children.

With regard to Safe Environment Program Training for Church Workers:

- 1. Church Workers who shall be entrusted with the regular care/supervision of Minors, or who shall have regular contact with Minors, ***shall complete*** Safe Environment Training ***prior*** to being entrusted with such care/supervision, or prior to such contact. All other Church Workers shall attend Safe Environment Training within 90 days of the start date of their position with the Church.
- 2. Church Workers shall complete the Safe Environment Training Refresher Course every five (5) years.

Education alone cannot shape mature attitudes, nor will it necessarily change inappropriate sexual behavior, but education can nonetheless make a positive difference.

- B. **Criminal Background Investigations.** As of September 27, 2002 (the first iteration of this Code of Conduct), all Church Workers were subjected to a criminal background check.

Subsequent to September 27, 2002:

- 1. All Church Workers that are applying to be either a paid employee or a volunteer shall complete and execute the following forms (note: if one is a volunteer, then the forms listed in paragraphs (b) and (c), below, may not apply; it will be dependent on the volunteer's role/contact with Minors – see page 4 of this Code and the definition of "Church Worker" to assist with that determination):¹⁵
 - (a) "Application for Employment" form (used for both potential employees and volunteers)

¹⁵ With the exception of Catholic Charities of the Archdiocese of Denver (which may utilize its own hiring forms), the three forms listed in this section are to be utilized by the hiring offices of the Archdiocesan Ecclesiastical Organizations. For questions/copies of these forms, please consult the Archdiocese of Denver's Office of Human Resources. Note that one of the two FCRA forms authorizes both a criminal background check and a credit check in the event the applicant is applying for what is deemed to be a senior finance employment position.

- (b) the “Personal Information” form
- (c) the Fair Credit Reporting Act (FCRA) Authorization and Disclosure Form

All applicants will be required to produce their date of birth/Social Security Number for the purpose of conducting this criminal background check (this information will not be used in the interview/selection process, and will be maintained in confidence and protected in full compliance with state and federal law). A copy of the completed “Application for Employment” form shall be retained in the employee’s personnel file or employer’s volunteer file. The results of the criminal background check, along with the Personal Information form, and the mandated FCRA Authorization and Disclosure Form shall be kept in a separate file at the employee’s or volunteer’s principle place of employment or volunteerism. To the extent permitted by law, such files are confidential.

- 2. All other individuals that fall within the definition of “Church Workers” but who are not employees or volunteers shall complete only the forms referenced in paragraphs (b) and (c), above.
- 3. Criminal background checks shall be re-run every five (5) years on every Church Worker.

IV. PORNOGRAPHY.

- A. **Generally.** In relation to their work for the Church, Church Workers are prohibited from: possessing pornography; searching through employer owned technology for pornography; searching through employer owned technology for any topic related to sexually explicit material that is unrelated to any ministry project addressing the prevention/treatment of addictions; and, producing, distributing, collecting or viewing sexually explicit content on employer owned technology, or allowing anyone else to do so.
- B. **Reporting of Child Pornography.** If a Church Worker encounters Child Pornography, they are subject to the internal and external reporting procedures outlined below.

V. PROCEDURES FOR REPORTING SEXUAL MISCONDUCT AND CHILD ABUSE. Church Workers shall comply with civil law with regard to reporting allegations of Sexual Misconduct or Child Abuse, and will cooperate with any investigation.

- A. **General Reporting Requirements.** Under this Code of Conduct, there are two distinct types of reporting for suspected or known instances of Sexual Misconduct or Child Abuse:

External reporting – external reporting involves notifying local law enforcement or the local department of social services of suspected instances of **Child Abuse**.

Internal reporting – internal reporting provides notice to Archdiocesan officials of known or suspected instances of any **Sexual Misconduct** (no age limit) or **Child Abuse** and allows the Archdiocese to investigate and, as appropriate, apply corrective measures.

NOTE: All Church Workers are mandatory reporters of Child Abuse pursuant to this Code. Church Workers must immediately report any suspected instances of Child Abuse to two different groups: first, report externally to the appropriate local civil authority; second, report internally to the appropriate office within the Archdiocese of Denver (see below for listing of such offices).

- B. **Requirements of the Colorado Child Abuse Reporting Law.** In accordance with this Code, ALL Church Workers **MUST** report allegations of Child Abuse in strict compliance with the Colorado Child Abuse reporting laws (please see Appendix B to this Code).

All Church Workers must remember:

1. Child Abuse Reports Must Be Made Promptly. Suspected or known instances of Child Abuse should be promptly reported to local law enforcement authorities or to the local department of social services in the county in which the Child resides. Further, each oral report must be followed immediately by a written report to the local law enforcement authority or the county department of social services.
2. All Church Workers Have a Duty to Report Child Abuse. It is the policy of the Archdiocese of Denver that no Church Worker is exempt from the reporting requirements of the Colorado Child Abuse reporting law, except for information received by a Priest secured through the Sacrament of Confession.
3. Responsibility to Ensure Compliance with Reporting Child Abuse. Every supervisor shares the responsibility to ensure compliance with external and internal reporting requirements. Every supervisor to whom a report is made must confirm that the local department of social services or the local law enforcement agency and the Archdiocesan officials designated to receive these reports have been notified.
4. Policies and Procedures for Student Reporting Child Abuse. In the case of Minors who are students at either of the two archdiocesan high schools or at parish schools, the Superintendent of Catholic Schools is authorized to promulgate and disseminate procedures for students and parents/legal guardians who believe they have been subjected to Child Abuse by any Church Worker for the reporting of such misconduct. Once such a report is received, the reporting and investigation procedures set forth below apply.

- C. **External Reporting Pursuant to Colorado Child Abuse Reporting Laws.** All Church Workers must report allegations of Child Abuse in accordance with the Colorado Child Abuse reporting laws (see Appendix B). A report to the Vicar for Clergy, to the Superintendent of Catholic Schools, to the Director of Human Resources, and/or to the Victims Assistance Coordinator of the Office of Child and Youth Protection, does not relieve any individual from the duty to report Child Abuse to the civil authorities.

Reporting can be made to the following state-wide phone number:
1-844-CO-4-KIDS (1-844-264-5437)

Per the State of Colorado, this number is designed to provide one, easy-to-remember phone number for individuals to use state-wide to report suspected child abuse. The hotline serves as a direct, immediate and efficient route to Colorado's 64 counties and two tribal nations, which are responsible for accepting and responding to child abuse and neglect inquiries and reports. All callers will be able to speak with a call-taker 24 hours a day, 365 days a year. See also the website of the Archdiocese of Denver's Office of Child and Youth Protection: <http://archden.org/child-protection>

All Church Workers must remember the following:

1. No Liability Arises from Reporting. No one who reports a known or suspected incident of Child Abuse shall be civilly or criminally liable for any report required by law, unless it can be proven that a false report was made and that the person knew that the report was false, or it was made with reckless disregard for the truth. No one should therefore fear for his/her own liability in making a report in good faith, even if the report turns out to be without substance. On the other hand, anyone who is required to report and who does not do so, faces possible civil and criminal liability. Therefore, if in doubt, make the report.

2. *A Report is Required Whenever there is Reason to Believe the Allegation.* Even if there is no evidence legally admissible in court, you must make a report if there is reason to believe that abuse has occurred/is occurring. "Reason to believe" includes any evidence that, if presented to a reasonable and prudent person, would cause that person to believe that a Child has been/is being abused.

3. *No One Is Bound to Report Unreliable Rumors of Alleged Abuse with "No Reason to Believe."* In case of doubt about a situation, however, you should discuss it with the local county department of social services or the local law enforcement authority using a hypothetical situation. If you are advised to report, you must do so immediately.

D. Internal Reporting – All Instances and Suspected Instances of Sexual Misconduct (all ages, and inclusive of Sexual Harassment) and Child Abuse. All internal reporting should be done promptly.

1. *Minors.* The Office of Child and Youth Protection oversees the internal reporting process with regard to instances and suspected instances of Child Abuse.

One critical role of the Office of Child and Youth Protection is: (i) to ensure that each allegation is handled in accordance with the policies of the Archdiocese and with the requirements of the Colorado Child Abuse reporting laws; and (ii) to assist the reported victim and/or their family in obtaining, if appropriate, pastoral assistance, including, but not limited to spiritual guidance and professional counseling.

Any internal report involving Child Abuse should be made directly to the **Victims Assistance Coordinator** of the Office of Child and Youth Protection:

Victims Assistance Coordinator, Office of Child and Youth Protection	720-239-2832
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See also the website of the Archdiocese of Denver’s Office of Child and Youth Protection:

<http://archden.org/child-protection>

A copy of any written reports involving Child Abuse filed with local departments of social services or with local law enforcement authorities should be forwarded to the Office of Child and Youth Protection. These written reports should be sent in a sealed envelope, addressed to the *“Victims Assistance Coordinator of the Office of Child and Youth Protection”* and marked *“Confidential”*.

2. *Adults.* All reports of instances or suspected instances of Sexual Misconduct involving only adults should be made to one’s **immediate supervisor** or to one of the **following administrative offices within the Archdiocese of Denver**, as appropriate:

Vicar for Clergy	303-715-3197
Superintendent of Catholic Schools	303-715-3132
Director of Human Resources	303-715-3193
Victims Assistance Coordinator, Office of Child and Youth Protection	720-239-2832

VI. INVESTIGATION PROCEDURES.¹⁶

- A. **Commencement of Investigation.** Once an incident of alleged Sexual Misconduct/Child Abuse is reported internally, an investigation shall immediately commence. Every investigation will be guided by Christian care for the reported victim, his/her family, the person reporting the incident, and the accused, all in keeping with the provisions of c. 220 of the Code of Canon Law.

The investigation procedures, persons, offices, and archdiocesan bodies involved are as follows:

1. *Allegations Against Church Workers Who Are Other Than Clergy, Seminarians, and Members of Religious Communities.* The **Victims Assistance Coordinator** of the Office of Child and Youth Protection will ordinarily serve as the primary investigative coordinator to aid a person alleging Child Abuse by any Church Worker other than Clergy, Seminarians, and members of religious communities. Depending on the nature of the complaint and the age of the alleged victim, the Victims Assistance Coordinator may be assisted by, or cede oversight of the investigation to, the **Archdiocese of Denver's Superintendent of Catholic Schools** (who will ordinarily serve as the primary coordinator of investigations involving Sexual Misconduct or Child Abuse within a parish school or archdiocesan high school), and/or to the **Archdiocese of Denver's Director of Human Resources** (who will ordinarily serve as the primary coordinator of the investigation into Sexual Misconduct involving all other Church Workers).
2. *Allegations Against Clergy and Seminarians.* Aided by the **Victims Assistance Coordinator**, the **Vicar for Clergy** will ordinarily serve as the primary coordinator of the investigation for a person alleging Sexual Misconduct or Child Abuse (regardless of the age of the alleged victim at the time of the alleged occurrence) by any member of the Clergy or a Seminarian.¹⁷
3. *Allegation Against a Member of a Religious Community Serving in the Territory of the Archdiocese.* See Section D, below, and see Appendix D for procedures involving an accusation of Sexual Misconduct or Child Abuse against a member of a religious community serving in the Archdiocese.
4. *The Archdiocesan Conduct Response Team ("CRT").* The **CRT** is the primary archdiocesan review board "which will function as a confidential consultative body to the Bishop in discharging his responsibilities" pertaining to allegations of Sexual Misconduct involving a Minor.¹⁸ Confidentiality shall be maintained by the CRT to the extent permitted by law.
 - a) The functions of the CRT include:
 - (1) advising the diocesan Bishop in his assessment of Sexual Abuse toward Minors and in his determination of suitability for ministry;
 - (2) reviewing diocesan policies regarding Sexual Abuse of Minors;

¹⁶ These procedures reflect the general procedures for investigating penal crimes according to the norms of canon law, especially canons 1717-1719 of the 1983 Code of Canon Law, *Sacramentorum Sanctitatis Tutela*, issued *motu proprio* by Pope St. John Paul II in 2001, *Normae de gravioribus delictis*, issued by Pope Benedict XVI in 2010, and the *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons* (hereafter, "*Essential Norms*"), issued by the United States Conference of Catholic Bishops (USCCB) in 2006.

¹⁷ "Clergy" or a "Clergy member" are those who have been ordained (c. 266); a "seminarian" is defined as any person studying for the Priesthood or Diaconate (whether permanent or transitional) and enrolled at a (major) seminary located in the territory of the Archdiocese of Denver, or any person sponsored by the Archdiocese of Denver to study for the Priesthood or Diaconate (whether permanent or transitional) and enrolled at another seminary. Note: see Part II: Section VI. E. regarding the procedure to be followed in the event of allegations against extern clergy serving in the territory of the Archdiocese of Denver.

¹⁸ *Essential Norms*, art. 4.

- a) Pastoral Response to the Reported Victim. When any claim is made with reasonable grounds to believe that it is truthful, the Victims Assistance Coordinator and/or the Vicar for Clergy will promptly offer to meet with the reported victim to offer pastoral encouragement and open communication with Archdiocesan officials and/or the CRT.
 - b) Notification. The accused will be informed of the specific allegations that have been made against him and will have the opportunity to ask clarifying questions before responding to the allegation. If reasonable grounds exist to believe the accusation, the accused will be informed that any statements or admissions by the accused can possibly be used against him in any subsequent civil law and/or canonical proceeding.
 - c) Legal/Canonical Counsel. The accused will also be advised to consider retaining his own civil law and/or canonical counsel, as appropriate.²³
 - d) Precautionary measures pursuant to c. 1722 (Administrative Leave for Clergy). If deemed to be in the best interest of the alleged victim, the accused or the Archdiocese, then in the sole judgment of the Archbishop or his designee, the accused shall be relieved of his responsibilities and be placed on administrative leave pending the outcome of any investigation. The Archbishop may also limit or revoke ministerial faculties, withdraw the accused from the exercise of sacred ministry or any ecclesiastical office or function, impose or prohibit residence in a given place or territory, and prohibit public participation in the Most Holy Eucharist pending the outcome of the process.²⁴
 - e) Presumption of innocence.²⁵ Any of the actions taken above shall not be interpreted to imply guilt on the part of the accused.
2. Every Credible Reported Incident Will Be Pursued Promptly. When an allegation of Sexual Misconduct/Child Abuse occurs, the Vicar for Clergy will confer with the Victims Assistance Coordinator. The Vicar for Clergy, in his discretion, may also attempt to contact the person making the allegation. If, after consulting with the Victims Assistance Coordinator, the Vicar for Clergy determines that the matter is a proper subject for the CRT's consideration, he shall ask the CRT Chairperson to convene the CRT to investigate the details of the allegation. If deemed appropriate, the alleged victim, the accused and any other person deemed necessary by the CRT Chairperson shall be invited to meet with the CRT. Each party will be advised of his/her right to have a civil law attorney or canonical advocate/counsel present during any interview with members of the CRT. In all its actions, the CRT will take care not to interfere with any criminal investigation. To the extent permitted by law, every investigation will respect the confidentiality of the alleged victim (if requested by the alleged victim, or in the case of a Minor, the parent/guardian), the family of the alleged victim, the person reporting the incident, and the accused.
 3. Findings of Judge Instructor and the CRT. Following the completion of its investigation, the Judge Instructor (Vicar for Clergy) will write a *votum* for the Archbishop and the CRT will promptly advise the Archbishop of its findings and any recommendations it deems appropriate. Once the Archbishop has made a determination in the matter, both the alleged victim and the accused will be promptly advised.

²³ *Essential Norms*, art. 6.

²⁴ CIC, c. 1722 and *Essential Norms*, art. 6.

²⁵ *Essential Norms*, art. 6.

Depending on the conclusion, the Archbishop will, at his discretion, do one of the following:

- a) Substantiated Claims Against Clergy Regarding Reserved Delicts.²⁶ If the Vicar for Clergy and the CRT investigation lead to a substantiated claim regarding a reserved delict (which includes Sexual Misconduct against a Minor, cf. c. 1395 §2) and the Archbishop deems that the claim has the *semblance of truth*, regardless of any pending civil investigation (which will continue its course), he is to close the preliminary investigation according to c. 1718 and send the file to the Congregation of the Doctrine of Faith.²⁷ The Archbishop is required to await further instruction from the Congregation before proceeding further. Pursuant to Article 8 of the *Essential Norms*, when a single, confirmed act of Sexual Misconduct against a Minor “*is admitted or is established after an appropriate process in accord with canon law*” – including an incident from the past – the offending Cleric will be removed permanently from ministry.
- b) Substantiated Claims Against Clergy Regarding Other Acts of Sexual Misconduct. If the CRT’s investigation leads to a substantiated claim regarding other acts of Sexual Misconduct (that is, those not reserved to the Holy See, and thus, not involving Minors), the Archbishop will close the preliminary investigation according to c. 1718 and will decide how best to proceed, according to canon law, either through an administrative penal process or a judicial penal process (cf. cc. 1720-1721).
- c) Further Action Involving Allegations Against Clergy.
 - (1) Damage. In the event that it is determined that any Archdiocesan Clergy has indeed caused damage to any person, the CRT shall make a written report with recommendations concerning fitness for ministry to the Archbishop.
 - (2) Psychological Evaluation. Regardless of whether the Cleric admits or denies that misconduct has occurred, and if the allegations are determined sufficiently serious and the evidence so warrants, the Cleric will be asked to participate voluntarily in a professional, independent psychological evaluation at a time and place determined by the Archbishop or his designee.²⁸ Informed decisions concerning further active ministry can be made only after receiving the results of this evaluation and pending further investigation of any allegations. The resulting professional evaluation will not be considered therapy, but rather a professional psychological assessment of fitness to remain in ministry. The Archbishop, upon receipt of the report, will evaluate it personally with the Clergy member in an effort to arrive at a mutual agreement on a response and, if applicable, subsequent treatment. If there is no mutual agreement between the Archbishop and the Clergy member, the Archbishop may act as he deems appropriate to protect those in the community who might be at risk and to promote the common good of the Church, which is the salvation of souls.²⁹

²⁶ Delicts can be described as crimes acknowledged in canon law, that is, external violations of canon law that may be subject to a penalty (c. 1321, c. 1399). Reserved delicts, are those which are subject exclusively to the authority of the Holy See in regard to judgment of the delict and the imposition/declaration of a penalty. In regard to Sexual Misconduct, the reserved delicts are specified in *Normae de gravioribus delictis*, articles 4 §1 1° and 4° and article 6 §1.

²⁷ *Normae de gravioribus delictis*, art. 16.

²⁸ *Essential Norms*, art. 7.

²⁹ CIC, cc. 223 §2; 381 §1; 383 §1.

- d) *Substantiated Claim Against Seminarians.* While not members of the Clergy until ordination, seminarians have the goal of ordination and therefore come under the jurisdiction of the Vicar for Clergy. If the CRT's investigation leads to a substantiated claim of Sexual Misconduct with a Minor, the Archbishop will close the preliminary investigation according to c. 1718 and immediately dismiss the seminarian from formation.
- e) *Unsubstantiated Claim.* If the CRT's investigation (including any investigation conducted by civil law authorities) leads to the conclusion that the allegations are unsubstantiated, the case will be closed according to c. 1718. A record of the complaint, and the Clergy member's or Seminarian's response (as applicable), as well as the conclusions of the investigation, will be maintained pursuant to canons 1719 and 489 §2. A summary of the complaint and the results of the investigation will be made a permanent portion of the accused's personnel file. If necessary, every step possible will be made to restore the good name of the Clergy member or the Seminarian, as applicable. In all circumstances, the Archdiocese will seek to treat all parties with pastoral sensitivity and with due regard to the privacy rights of all concerned.
- f) *Other General Principles to be Followed.*
- (1) In every confirmed case of Sexual Misconduct, especially those involving Minors, the Archbishop or his designee, if requested, will meet personally with the victim and his/her family.
 - (2) There shall be a pastoral response to any accused Clergy member. In keeping with canon law, the Vicar for Clergy will offer an accused Clergy member professional assistance for his own healing and well-being.³⁰
 - (3) If disciplinary action is indicated against a Clergy member, the proper canonical processes shall be observed and the provisions of canon law will be followed. These provisions may include a request by a Clergy member for dispensation from the clerical state, or a request by the Archbishop for his dismissal from the clerical state even without the Clergy member's consent. For the sake of due process, the accused will be encouraged again to retain civil law and canonical counsel.³¹ The cost of legal assistance shall be borne by the Clergy member.
 - (4) As appropriate to the circumstances, there shall be a pastoral response to the wider Church and community. The Archbishop or his designee, as necessary, will ensure effective communication and pastoral response to the people of the parish or community where the accused Clergy member is or has been assigned, or where the reported misconduct occurred. Note that any media contact or inquiries regarding such matters should be addressed only by the Archdiocesan Director of Communications. Please see Section VII, below, for further details regarding the role of the Archdiocese of Denver's Office of Communications.

³⁰ CIC, c. 384.

³¹ *Essential Norms*, art. 8a.

- g) Assignment, Transfer, and Residence of Clergy. No Clergy member who has committed an act of Sexual Misconduct with a Minor may be transferred for ministerial assignment to another diocese/eparchy or religious province. Before a Clergy member can be transferred for residence to another diocese/eparchy, his 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 Misconduct against a Minor and any other information indicating that he has been, or may be, a danger to Minors. This shall apply even if the Clergy member will reside in the local community of an institute of consecrated life or society of apostolic life (or, in the Eastern Churches, as a monk or other religious, in a society of common life according to the manner of religious, in a secular institute, or in another form of consecrated life or society of apostolic life). Every bishop/eparch or religious ordinary who receives a member of the Clergy from outside his jurisdiction shall obtain the necessary information regarding any past act of Sexual Misconduct against a Minor by the Clergy member in question.³²
- D. Allegations Against Members of Religious Communities Serving in the Territory of the Archdiocese. Under canon law, members of religious communities serving in the territory of the Archdiocese belong to communities separate from the Archdiocese and are responsible to their own religious superiors. Special procedures necessarily govern the response to allegations against members of religious communities residing or ministering within the territory of the Archdiocese (see Appendix D).
- E. Allegations Against Extern Clergy Serving in the Territory of the Archdiocese. All pertinent information concerning allegations against Clergy not incardinated in the Archdiocese of Denver will be forwarded as soon as possible to the bishop of the diocese in which that Cleric is incardinated.³³ Although the preliminary investigation will be conducted by the competent authority in that diocese, the Vicar for Clergy is responsible for coordinating the transfer of all pertinent information. In addition, the Vicar for Clergy will act as liaison with the other diocese and will assist that diocese as requested and insofar as assistance is deemed possible and appropriate.
- F. Investigations Into Alleged Sexual Misconduct That Constitute Sexual Harassment. If the allegations of Sexual Misconduct constitute Sexual Harassment directed at a Church Worker and the CRT Chairperson concludes that the matter is not a proper subject for consideration by the CRT, the procedures for investigation set forth in Appendix A entitled "Harassment Reporting Procedures" shall apply.
- G. Action Upon Completion of Investigation. Should the investigation reveal that Sexual Misconduct has occurred, corrective action shall be taken. Corrective action against Clergy members will be taken as set forth above. For all others who have been found to have engaged in Sexual Misconduct, disciplinary action, up to and including termination of employment, will take place.

³² Ibid., art. 12.

³³ According to canons 265 and 266, through ordination to the diaconate, a man becomes a member of the clergy and, at the same time, is *incardinated* in the diocese, particular church, personal prelate, institute of consecrated life, or society of apostolic life, for whose service he has been advanced.

VII. COMMUNICATIONS.

Regular, accurate and responsible communications are critical in our efforts to protect the Children in our care and to respect the rights of the accused. The Archdiocese of Denver's Office of Communications will assist the Archbishop, or his designee, in providing detailed information on safe environment programs, related policies and procedures, the Code of Conduct, and reporting requirements of Church Workers.

The Office of Communications will publicize Colorado abuse reporting requirements and relevant telephone numbers to assist those individuals seeking to make a report. These communications will be accomplished through available archdiocesan media, including a website focusing on Child and Youth Protection. The site is available on the Archdiocese of Denver's website (www.archden.org), providing 24-hour access to information related to the protection of Children. The Archdiocese's periodicals, the *Denver Catholic* and *El Pueblo Católico*, will publish (at a minimum) quarterly notices reminding readers where to locate Archdiocesan policies on abuse and how to file reports.

In the event of a report of Sexual Misconduct/Child Abuse, the Archdiocese commits itself to communicating openly and fully with any affected parish or community, consistent with respect for the privacy of the individuals involved and any ongoing legal processes.

The Office of Communications will utilize the *Denver Catholic*, *El Pueblo Católico*, the Archdiocese of Denver website, press releases and other available Archdiocesan and non-Archdiocesan media to assist in providing clear communications as appropriate. If possible, the accused will be notified in advance of the nature of any such public disclosure and will be invited to add remarks.

To encourage responsible and accurate coverage in the media, the Archdiocese of Denver's Director for Communications will serve as the primary spokesperson regarding allegations of misconduct.

PART III

SOCIAL MEDIA POLICY

In an increasingly digital world, much of the Church's ministry work is being conducted online. To that end, Church Workers shall never forget the public and far-reaching nature of the Internet. As opposed to print publications that have a more limited circulation, anything published on the Internet can be disseminated around the globe in a matter of seconds, and it cannot be withdrawn.

While the Internet provides a great opportunity for the Church's further evangelization efforts, modern technology also requires each of us to be conscientious residents of the "digital continent" and to know how to interact safely and responsibly online.

Church Workers are to act in accord with this Code of Conduct when they publish anything online or when they interact with others using social networks or new media technologies.

Church Workers shall at all times be mindful of what constitutes appropriate content/boundaries when it comes to interacting with Minors.

Church Workers shall ensure that anything they post online, whether it is in a personal or professional capacity, reflects the values of the Catholic Church and the dignity of the human person.

Parish Pastors and ministry heads should monitor their parish/ministry websites and blogs to ensure that they are being used to conduct ministry consistent with the values and teachings of the Catholic Church.

Church Workers with personal websites and personal blogs shall not engage in activity that contradicts the values and teachings of the Catholic Church.

Church Workers and students involved with Catholic schools should review and understand the policies of their school with regard to Internet use.

For additional resources on this topic, please visit:

<http://www.usccb.org/about/communications/social-media-guidelines.cfm>

<http://www.cymsource.org/resources/documents/TechnologyGuidelinesNov2010.pdf>

<http://www.netSMART.org>

<https://www.faihandsafety.org/>

<http://www.missingkids.com/cybertipline/>

<http://www.commonensemedia.org/>

APPENDIX A

HARASSMENT REPORTING PROCEDURES

The Archbishop holds every person associated with the Archdiocese in an official capacity accountable for maintaining the integrity of all ministerial and professional relationships. Any time that a Church Worker, while exercising his/her duties, engages in the harassment of another, he/she involves himself/herself in unethical and potentially unlawful acts. The Archdiocesan Ecclesiastical Organizations will not tolerate any form of sexual, racial, ethnic, national origin or youth peer sexual harassment, nor tolerate any retaliation against any employee, volunteer, or student for refusing unwelcome harassing overtures, for reporting instances of harassment, or for providing statements or evidence related to alleged harassment.

“Sexual harassment” is any unwelcome sexual advance, request for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct is used as the basis for employment decisions, or such conduct has the purpose or effect of unreasonably interfering with a person’s work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment does not refer to behavior or compliments of a socially acceptable nature; it refers to behavior that, to a reasonable person, is unwelcome, that is personally offensive, lowers morale, and consequently interferes with work effectiveness. It can be verbal, non-verbal, or physical.

“Youth peer sexual harassment” is any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature by or between Minors involved in any Church activity which has the purpose or effect of intimidating, embarrassing, or humiliating the other person.

If a Church Worker believes that he/she has been harassed, he/she should immediately notify their immediate supervisor. If the immediate supervisor is the source of the alleged harassment, or if the Church Worker is uncomfortable for any reason going to his/her immediate supervisor, then the Church Worker should report the problem to the supervisor’s supervisor, to the Archdiocese of Denver’s Vicar for Clergy or to the Archdiocese of Denver’s Director of Human Resources. Church Workers in the schools may also report allegations of harassment to the school principal, pastor of the parish school (as applicable), or to the Archdiocese of Denver’s Superintendent of Catholic Schools.

A Church Worker who brings a complaint in good faith will be listened to attentively and treated with respect. Upon receipt of such a report, a representative of the Archdiocese will carefully investigate the matter, and question all who may have knowledge of either the incident in question or similar problems. To the extent permitted by law, the investigator(s) shall take reasonable steps to preserve the confidentiality of the circumstances and any findings. During the investigation, the applicable Archdiocesan Ecclesiastical Organization may, at its sole discretion, take interim actions such as separating employees and suspending the accused, with or without pay. A copy of the investigation will be forwarded upon completion and as soon as possible to the Archdiocese of Denver’s Director of Human Resources and, in the event of a school employee, to the Archdiocese of Denver’s Superintendent of Catholic Schools.

At the completion of an investigation, necessary and appropriate remedial action shall be taken. This shall include communication with the individual(s) that brought the accusation and with the accused. Any employee who has been found, after investigation, to have engaged in behavior that the Archdiocese deems inappropriate or a violation of this Code will be subject to discipline, which may include immediate termination.

APPENDIX B

COLORADO CHILD ABUSE AND CHILD SEXUAL ASSAULT REPORTING ACT REQUIREMENTS

In Colorado, as in other states, Child Abuse and Child Sexual Assault are crimes. Colorado also has a specific statute, which requires that Child Abuse and Child Sexual Assault be reported to the county department of social services or to the local law enforcement agency. The Colorado reporting statute requires that any person who has reasonable cause to know or suspect that a Child has been subjected to abuse or neglect or sexual assault or who has observed a Child being subjected to circumstances or conditions which would reasonably result in abuse or neglect or sexual assault shall report the matter immediately to:

- (1) a local law enforcement agency; or
- (2) the county department of social services.

A “**Child**” is defined as any person under the age of 18.

Included among persons who are required to immediately report any known or suspected child abuse or sexual assault to the county or district department of social services or local law enforcement agency are the following professionals:

- (1) a member of the Clergy (unless a Priest has information secured through the Sacrament of Confession);
- (2) a registered nurse or licensed practical nurse;
- (3) a public and private school official or employee;
- (4) a social worker or worker in a family care home or day care center;
- (5) a mental health professional;
- (6) a psychologist;
- (7) a coach, assistant coach, etc.

Any other person may report known Child Abuse or Sexual Assault suspected Child Abuse or Sexual Assault to the local law enforcement agency or to the county or district department of social services. Any person who willfully violates the mandatory reporting provision of this statute commits a Class 3 misdemeanor. A separate Colorado statute provides that a person reporting an incident of alleged Child Abuse or Sexual Assault “acting in good faith in making the report shall be immune from liability, civil or criminal, or termination of employment that otherwise might result by reason of such reporting.” Colo. Rev. Stat. §19-3-309, and Colo. Rev. Stat. §18-6-401(4).

Colorado law changes from time to time by enactment of new legislation or by amendments to existing statutes and through judicial interpretations. Accordingly, it is beyond the scope of this Code to provide a current and comprehensive list of all the laws that bear upon Sexual Misconduct/Child Abuse. However, assistance will be given to all Church Workers having any questions or seeking knowledge concerning any of the laws governing these areas.

Be aware that the following statutes may have been amended by the time you have read this section.

The primary areas of concern are:

- (1) **Sexual Assault, Colo. Rev. Stat. §18-3-402.** Any individual who knowingly inflicts sexual penetration or sexual intrusion upon a victim without the victim's consent; or when the victim is incapable of appraising the nature of his/her own conduct or who is physically helpless or drugged commits a sexual assault. Sexual assault is a Class 4 Felony. If the victim is over 15 years of age, but less than 18 years of age and the individual is more than 10 years older than the victim, and the victim consented to the sexual contact, it is a Misdemeanor.
- (2) **Unlawful Sexual Contact, Colo. Rev. Stat. §18-3-404.** Any individual who knowingly subjects a victim to any sexual contact commits unlawful sexual contact when the victim does not consent; or the victim is incapable of appraising the nature of his/her own conduct; or who is physically helpless and the individual knows the victim is physically helpless; or the individual has drugged the victim without the victim's consent and the victim's power to appraise or control the victim's conduct is impaired by such drugs or alcohol (a misdemeanor unless the individual uses force, intimidation or threat against the victim, in which case it is a felony).
- (3) **Unlawful Sexual Contact, Colo. Rev. Stat. §18-3-404.** Any individual who knowingly, with or without sexual contact induces or coerces a child under 18 to expose intimate parts or to engage in any sexual contact, intrusion, or penetration with any person for the purpose of the individual's sexual gratification, commits unlawful sexual contact (a felony).
- (4) **Sexual Assault on a Child, Colo. Rev. Stat. §18-3-405.** Any individual who knowingly subjects another to any sexual contact commits sexual assault on a Child if the victim is less than 15 years of age and the individual is at least 4 years older than the victim (a felony; under certain circumstances, a person can be sentenced to a potential life sentence in prison).
- (5) **Sexual Assault on a Child By One in a Position of Trust, Colo. Rev. Stat. §18-3-405.3.** Any individual who knowingly subjects another to any sexual contact commits "sexual assault on a Child by one in a position of trust" if the victim is less than 18 years of age and the individual committing the offense is one in a position of trust with respect to the victim. "Position of Trust" is defined under Colorado law as: a parent of one acting in place of a parent charged with a parent's rights, duties, or responsibilities concerning a child, including a guardian or someone otherwise responsible for the general supervision of a child's welfare, or a person charged with any duty or responsibility for the health, education, welfare or supervision of a child, including foster care, child care, family care, or institutional care, either independently or through another, no matter how brief at the time of the unlawful contact. Colo. Rev. Stat. §18-3-401 (3.5). A conviction under this statute may subject an individual to a potential life sentence.
- (6) **Sexual Assault on a Client by a Psychotherapist, Colo. Rev. Stat. §18-3-405.5.** A psychotherapist (which is defined under this statute as any person who performs or purports to perform psychotherapy, when such person is licensed by the state), commits aggravated sexual assault if he/she knowingly inflicts sexual penetration or sexual intrusion on a victim or if the sexual penetration or intrusion occurred by means of therapeutic deception. Depending on the circumstances, sexual assault by a psychotherapist can be a felony or a misdemeanor.
- (7) **Sexual Exploitation of Children, Colo. Rev. Stat. §18-6-403.** Sexual exploitation of any Child under 18 constitutes a wrongful invasion of the Child's privacy and results in injury to the Child; any Child below the age of 18 is incapable of granting informed consent to the use of his or her body for a sexual purpose. To protect Children from sexual exploitation, it is necessary to prohibit the production of material which is derived from sexual exploitation and to exclude all such materials from commerce. Further, the mere possession of any sexually exploitative material results in continuing victimization of Children by the fact that such material is a permanent record of an act or acts of sexual abuse of a Child. Each time such material is shown or viewed, the Child is harmed. To stop the sexual exploitation and abuse of Children, the state has banned the possession of any sexually exploitative materials. Sexually exploitative material is defined as any photograph, motion picture, video, video tape, print, negative, slide, or other mechanically, electronically, chemically, or digitally reproduced visual material that depicts a child engaged in, participating in, observing, or being used for explicit sexual conduct. Sexual Exploitation of a child includes causing or permitting a child to engage in sexually explicit conduct for the production of sexually explicit materials; possessing such sexually explicit materials and/ or sharing such materials with any person.
- (8) **Enticement of a Child, Colo. Rev. Stat. §18-3-305.** A person commits the crime of enticement of a child if he/she invites or persuades, or attempts to invite or persuade a child under 15 to enter any vehicle, building, room or secluded place with the intent to commit sexual assault or unlawful sexual contact upon the necessary. Enticement of a Child is a felony.

- (9) **Internet Luring of a Child**, Colo. Rev. Stat. §18-3-306. Internet luring of a child occurs when a person communicates over a computer network, by telephone or text or instant message with a person who the person believes to be under 15, and the communication describes explicit sexual conduct, and the person attempts to persuade the child to meet the individual for any purpose, and the person is more than 4 years older than the perceived child. Internet luring of a child is a felony.
- (10) **Internet Sexual Exploitation of a Child**, Colo. Rev. Stat. §18-3-405.4. Internet Sexual Exploitation of a Child occurs when an individual invites or entices a child the person believes is under 15 through communication through a computer network, telephone, data network, text message or instant message to expose or touch the child's own or another person's intimate parts or to observe the individual's intimate parts while communicating with the person through the computer network, telephone, data network, text message or instant message. This applies to individuals who are more than 4 years older than the child. This crime is a felony.
- (11) **Indecent Exposure**, Colo. Rev. Stat. §18-7-302. A person commits indecent exposure by knowingly exposing his/her genitals to the view of any person. The seriousness of the offense depends upon whether the age of the victim is 15 years or older.
- (12) **Criminal Invasion of Privacy**, Colo. Rev. Stat. §18-7-801. Criminal Invasion of Privacy occurs when a person observes or takes a photograph of another person's intimate parts without the person's consent in a situation where the person has a reasonable expectation of privacy. Criminal Invasion of Privacy is a misdemeanor.
- (13) **Invasion of Privacy for Sexual Gratification**, Colo. Rev. Stat. §18-3-405.6. Invasion of Privacy for Sexual Gratification occurs when a person observes or takes a photograph for the purpose of sexual gratification of another person's intimate parts without that person's consent in a situation where there was a reasonable expectation of privacy. This crime is a misdemeanor. It is a felony if the person who was observed or photographed was less than 15 and the actor was more than 4 years older than the victim.
- (14) **Child Abuse**, Colo. Rev. Stat. §18-6-401. A person commits child abuse if such person causes an injury to a child's life or health, or permits a child to be unreasonably placed in a situation that poses a threat of injury to a child's life or health, or engages in a continued pattern of conduct that results in malnourishment, lack of proper medical care, cruel punishment, mistreatment or an accumulation of injuries that ultimately results in the death of a child or serious bodily injury to a child. Child abuse includes neglect and emotional abuse. Child abuse also occurs when a child is allowed to observe, live in or be cared for in a residence, or allowed to ride in a vehicle that contains methamphetamine or items used in the production of methamphetamine, or where methamphetamine is manufactured. Child abuse can be a misdemeanor or a felony.

APPENDIX C

COLORADO ELDER ABUSE AND AT-RISK ADULT ABUSE REPORTING REQUIREMENTS

At-Risk Elder

As of July 1, 2014, Clergy Members are mandatory reporters³⁴ of elder abuse. **Mandatory reporters who witness or become aware that an “At-Risk Elder” has been or is at imminent risk of mistreatment** (which means abuse, caretaker neglect or exploitation) **shall report the situation to law enforcement within 24 hours** (UNLESS a Priest has this information secured through the Sacrament of Confession). There are criminal consequences for a mandatory reporter failing to report elder abuse, such as a Class 3 Misdemeanor. However, a person who files a report in good faith is immune from civil or criminal prosecution.

At-Risk Adult with an Intellectual and Developmental Disability

As of July 1, 2015, Clergy Members are mandatory reporters³⁵ of the abuse or exploitation of an “At-Risk Adult with an Intellectual and Developmental Disability” (**Mandatory reporters who witness or become aware that such a person has been abused or exploited or is at imminent risk of mistreatment** (which means abuse, caretaker neglect or exploitation) **shall report the situation to law enforcement within 24 hours** (UNLESS a Priest has this information secured through the Sacrament of Confession). There are criminal consequences for a mandatory reporter failing to report such abuse, such as a Class 3 Misdemeanor. However, a person who files a report in good faith is immune from civil or criminal prosecution.

Please note the following definitions that are currently part of Colorado law on this topic:

“**Clergy Member**” means a **priest**; a rabbi; **duly ordained, commissioned, or licensed minister of a church; member of a religious order**; or a recognized leader of any religious body. “Clergy Members” therefore not only include pastors, parochial vicars, religious, etc., but also include deacons, including transitional deacons.

An “**At-Risk Adult with an Intellectual and Developmental Disability**” means a person who is 18 years of age or older and is a person with an “intellectual and developmental disability” (see the definition of such disability, below).

An “**At-Risk Elder**” is a person 70 years of age or older (regardless of whether the person suffers from a disability/impairment of any sort).

“**Abuse**” means any of the following acts or omissions committed against an at-risk adult with an intellectual or developmental disability, or against an at-risk elder: (a) the non-accidental infliction of bodily injury, serious bodily injury, or death; (b) confinement or restraint that is unreasonable under generally accepted caretaking standards; (c) subjection to sexual conduct or contact otherwise classified as a crime; and (d) caretaker neglect.

³⁴ Mandatory reporters include physical therapists; emergency medical service providers; chiropractors; physicians; surgeons; physicians’ assistants; osteopaths; physicians in training; podiatrists; occupational and physical therapists; medical examiners; coroners; registered nurses; licensed practical nurses; nurse practitioners; hospital and long-term care facility personnel engaged in the admission, care or treatment of patients; psychologists and other mental health professionals; social work practitioners; dentists; law enforcement officials and personnel; court-appointed guardians and conservators; fire protection personnel; pharmacists; community-centered board staff; personnel of banks, savings and loan associations, credit unions, another lending or financial institutions; caretaker, staff member, employee or consultant for a licensed or certified care facility, agency, home or governing board, including but not limited to home health providers; caretaker, staff member, employee of, or a consultant for, a home care placement agency, as defined in Colo. Rev. Stat. §25-27.5-102(5) and **clergy** (as defined in the children’s code, Colo. Rev. Stat. §19-3-304(2)(AA) and Colo. Rev. Stat. §13-90-107(1)(C)).

³⁵ See footnote 34.

“Caretaker neglect” means neglect that occurs when adequate food, clothing, shelter, psychological care, physical care, medical care, or supervision is not secured for an at-risk adult with an intellectual or developmental disability, or secured for an at-risk elder, or is not provided by a caretaker in a timely manner and with the degree of care that a reasonable person in the same situation would exercise; except that the withholding, withdrawing, or refusing of any medication, any medical procedure or device, or any treatment, including but not limited to resuscitation, cardiac pacing, mechanical ventilation, dialysis, and artificial nutrition and hydration, in accordance with any valid medical directive or order or as described in a palliative plan of care shall not be deemed caretaker neglect. As used in this subsection, "medical directive or order" includes but is not limited to a medical durable power of attorney, a declaration as to medical treatment executed pursuant to section 15-18-104, Colo. Rev. Stat., a medical order for scope of treatment form executed pursuant to article 18.7 of title 15, Colo. Rev. Stat., and a CPR directive executed pursuant to article 18.6 of title 15, Colo. Rev. Stat.

“Intellectual and developmental disability” means a disability that manifests before a person reaches 22 years of age, that constitutes a substantial disability to the affected person, and that is attributable to mental retardation or related conditions, which include cerebral palsy, epilepsy, autism, or other neurological conditions when those conditions result in impairment of general intellectual functioning or adaptive behavior similar to that of a person with mental retardation.

“Exploitation” means an act or omission committed by a person who:

- A. Uses deception, harassment, intimidation, or undue influence to permanently or temporarily deprive an at-risk adult with an intellectual or developmental disability, or deprive an at-risk elder, of the use, benefit, or possession of his or her money, assets, or property;
- B. In the absence of legal authority:
 1. Employs the services of a third party for the profit or advantage of the person or another person to the detriment of the at-risk adult with an intellectual or developmental disability, or to the detriment of the at-risk elder; or
 2. Forces, compels, coerces, or entices an at-risk adult with an intellectual or developmental disability, or an at-risk elder, to perform services for the profit or advantage of the person or another person against the will of the at-risk individual; or
 3. Misuses the property of an at-risk adult with an intellectual or developmental disability, or an at-risk elder, in a manner that adversely affects the at-risk person’s ability to receive health care or health care benefits or to pay bills for basic needs or obligations.

APPENDIX D

PROCEDURES FOR RESPONDING TO ALLEGATIONS MADE AGAINST MEMBERS OF RELIGIOUS COMMUNITIES SERVING IN THE TERRITORY OF THE ARCHDIOCESE OF DENVER³⁶

Notification of the Religious Community. Allegations of Sexual Misconduct presented to the Archdiocese that involve a priest, brother, monk, sister, nun or other member of a religious community serving in an assignment from that community will be referred to the appropriate superior for investigation and appropriate action.

Investigation. When an incident is reported, the Archdiocese shall expect the accused's religious community to initiate an investigation immediately. The investigation will be done with the highest level of Christian care, concern and confidentiality (to the extent permitted by law) for the reported victim, his or her family, the person reporting the incident and the accused. A copy of the report resulting from the investigation shall be forwarded to the Archbishop as soon as it is completed in order to assist him in determining the appropriateness of future ministry or the granting of faculties. Any recommendation concerning further ministry or service in the Archdiocese will be considered by the Archbishop in consultation with the major superior or otherwise competent authority according to canon law.

Status of the Member of the Religious Community. As circumstances warrant, the Archbishop may immediately withdraw an accused's faculties in the Archdiocese and/or exercise of the external apostolate (c. 678), thereby making the individual ineligible for active ministry in the Archdiocese, pending the outcome of the accused's religious community's internal investigation and any outside investigation. Such action does not imply guilt on the part of the accused religious.

Pastoral Response to the Reported Victim. The Archbishop expects the religious community to provide a prompt and appropriate pastoral response to the reported victim.

Pastoral Response to the Accused. The religious community will attend to the spiritual, emotional and physical well-being of the accused.

Pastoral Response to the Church and Community. Depending upon the circumstances, the Archbishop, or his designee, will ensure appropriate communication and pastoral response to the people of the parish or community where the religious is assigned and/or where the reported misconduct occurred. It is Archdiocesan policy to deal as openly as possible with the parish or community, consistent with respect for the privacy of the individuals involved and any ongoing legal processes.

³⁶ The Catholic Church recognizes several distinct forms of consecrated life. For the purposes of this Code, any member of a religious institute (c. 607), secular institute (c. 710), or society of apostolic life (c. 731) not incardinated in the Archdiocese is considered a member of a religious community.

APPENDIX E

ACKNOWLEDGMENT OF RECEIPT & AGREEMENT

I, the undersigned, hereby acknowledge that on the following date, _____, I received a copy of the Archdiocese of Denver's Code of Conduct.

I have since read its contents and understand its meaning, and agree to conduct myself in conformity with its terms.³⁷

I understand that this *Acknowledgment of Receipt & Agreement* will be maintained in my personnel file.

Signature of Church Worker: _____

Printed Name of Church Worker: _____

Archdiocesan Ecclesiastical Organization: _____

Signature Date: _____

³⁷ As Catholic employers, we welcome and are grateful to Church Workers of all faiths who fill those positions that do not require they be filled by a fully initiated Catholic in the communion of the Catholic Church and intentionally living out the five precepts of the Church (*Catechism of the Catholic Church* §§2041-2043). If you fill such a position, and you are not a fully initiated Catholic in the communion of the Catholic Church and intentionally living out the five precepts of the Church, it is understood that certain provisions of the Code may not apply to you, such provisions consisting principally of those terms regarding involvement in parish life and the practicing of the sacraments (as referenced in Part I, Sections I.A. and I.D.3. of the Code). All other provisions of the Code apply to all Church Workers.

Muestra IV
del
Manual Pastoral de la Arquidiócesis de Denver



ARCHDIOCESE OF DENVER

CÓDIGO DE CONDUCTA

Revisado el 1 de julio, 2018
ver 1.2

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NOTA

EL APÉNDICE E de este CÓDIGO DE CONDUCTA es un ACUSE DE RECIBO Y ACUERDO

Todos los Trabajadores Eclesiales han de reconocer por escrito el haber recibido y revisado este Código de Conducta

Al firmar el *Acuse de Recibo y Acuerdo*, los Trabajadores Eclesiales reconocen que entienden los contenidos de este Código de Conducta y acuerdan regirse por ellos.

Después de recibir y revisar este documento, los Trabajadores Eclesiales deben entregar este *Acuse de Recibo y Acuerdo* firmado a su supervisor, lo antes posible.

INTRODUCCIÓN

*Así sabrán
que son mis discípulos,
si se aman los unos a los otros
Juan 13:35*

El comportamiento entre unos y otros, está en la esencia discipulado. A la luz de esta verdad, la Arquidiócesis de Denver presenta a los fieles este Código de Conducta (al que en adelante nos referiremos como “Código” o “Código de Conducta”). Con esto, se busca reforzar el mandamiento del Señor de amarnos los unos a los otros, mediante ciertos principios y criterios de conducta practicos.

Como miembros de la Iglesia fundada por Cristo¹, aquellos que ejercen algún ministerio siempre deben buscar vivir los valores y conductas propios del Evangelio.² Como buenos ciudadanos y miembros responsables de la sociedad, debemos comportarnos de manera adecuada en toda circunstancia, obedecer las leyes que buscan el bien común y emplear medios lícitamente morales para fomentarlo. Como seguidores de Jesús, estamos llamados a vivir el Evangelio y seguir sus mandatos.³

Este Código de Conducta no busca dar respuesta a todas las cuestiones prácticas que enfrentamos; más bien, establece una serie de principios generales y normas éticas a las cuales nos debemos atener, y de esa manera ayudar a definir ciertos parámetros para evaluar cuestiones éticas. Este Código también busca estimular discusión entre la comunidad eclesial, para ampliar el consenso en normas practicas y definir las aun mas. Asimismo, exige que los Trabajadores Eclesiales que no sigan estas normas, se hagan responsables por ello.

Es responsabilidad de cada uno de nosotros seguir y adherirnos a este Código. Si no se sigue alguna de sus normas, se tomarán las medidas correspondientes, incluyendo, aunque no limitándose, a la expulsión.

Nuestra conducta pública y privada tiene el potencial de inspirar y motivar a las personas; y el potencial de escandalizar y destruir su fe. Debemos ser conscientes de las responsabilidades que implica nuestro ministerio. La bondad y la gracia de Dios apoyan nuestro trabajo y ministerios.

¹ Codex Iuris Canonici [1983] (“CIC”), cc. 208; 209.

² CIC, c. 210.

³ CIC, cc. 223; 227.

ENTIDADES E INDIVIDUOS REGIDOS POR ESTE CÓDIGO DE CONDUCTA

Este **CÓDIGO DE CONDUCTA** se aplica a todos los **Trabajadores Eclesiales** (definidos más abajo) de las siguientes entidades:

- La **Arquidiócesis de Denver**, como persona jurídica⁴, establecida por la Santa Sede, y como corporación única de Colorado;
- Las **parroquias católicas** y sus **misiones** (o “cuasiparroquias”) ubicadas en el territorio de la Arquidiócesis de Denver, que son personas jurídicas públicas⁵ erigidas por la Arquidiócesis, algunas de las cuales han sido incorporadas como corporaciones únicas de Colorado (nota: las escuelas parroquiales no son entidades separadas sino ministerios de la respectiva parroquia); y
- Las siguientes **“Organizaciones Eclesiásticas”**:
 - Corporación de Gestión de la Arquidiócesis de Denver
 - Mortuorio de *Mount Olivet* de la Arquidiócesis de Denver, Inc.
 - Escuela Secundaria *Bishop Machebeuf High School, Inc.*
 - Centro de Retiros y Conferencias *Camp St. Malo, Inc.*
 - Caridades Católicas de la Arquidiócesis de Denver, Inc.
 - Familia de Nazaret, Inc.
 - Academia Católica de Frassati
 - Escuela Secundaria *Holy Family, Inc.*
 - Asociación de Cementerios *Mount Olivet*
 - Casa de Formación *Redemptoris Mater*
 - Seminario Teológico *Saint John Vianney*
 - Corporación *Seeds of Hope*
 - Asociación de Cementerios *St. Simeon*
 - Centro de Retiros *Annunciation Heights*

NOTA

Este Código de Conducta se referirá colectivamente a las entidades ennumeradas arriba (la Arquidiócesis, las parroquias católicas y sus misiones, y las organizaciones eclesísticas) como **“Organizaciones Eclesiásticas Arquidiocesanas”**.

Se definen como “Trabajadores Eclesiales” los siguientes individuos:

- todos los sacerdotes diocesanos, sacerdotes religiosos, diáconos en formación, sacerdotes retirados, diáconos retirados que ejerzan su ministerio en el territorio de la Arquidiócesis de Denver, y a quienes el Arzobispo les haya otorgado sus respectivas facultades;
- todos los seminaristas de la Arquidiócesis de Denver;
- todos los empleados remunerados que formen parte de las Organizaciones Eclesiásticas Arquidiocesanas;
- todos los voluntarios de las Organizaciones Eclesiásticas Arquidiocesanas a quienes se les haya confiado el cuidado y supervisión de Menores o que tengan contacto regular con ellos (nota: para las Escuelas Católicas de la Arquidiócesis de Denver será la Oficina de las Escuelas Católicas la que podrá determinar cuando un voluntario es encargado del cuidado y supervisión regular de Menores);⁶
- todos los individuos laicos consagrados que ejerzan algún ministerio en la Arquidiócesis, con permiso del Arzobispo;
- todos aquellos que hayan leído las cláusulas de este Código y hayan acordado seguirlo.

⁴ CIC, cc. 113; 116.

⁵ CIC, c. 515.

⁶ Las palabras “Niños (as)” y “Menores” tienen el mismo significado. Por favor leer las definiciones de “Niños (as)” y “Menores” en la Parte II de este Código.

PARTE I

CRITERIOS DE COMPORTAMIENTO Y NORMAS PARA EL TRABAJO MINISTERIAL

Las relaciones entre las personas son el fundamento del apostolado Cristiano, y son centrales en la vida de la Iglesia. El querer definir lo que constituye una relación sana y segura no quiere disminuir la fuerza y la importancia de la interacción personal, o el rol del apóstol. Más bien, lo que busca es ayudar a todos aquellos que ocupan un lugar en el ministerio de la Iglesia, a que demuestren su amor por las personas (tanto por los niños como por los adultos), de manera sincera y prudente, dando por resultado relaciones sanas y equilibradas.

Las siguientes líneas describen la conducta esperada por parte de cualquier individuo que encaje en la definición de “Trabajador Eclesial” (ver la página previa para la definición de “Trabajador Eclesial”). Todos los Trabajadores Eclesiales deben considerar y reflexionar cuidadosamente sobre cada Principio General y cada Criterio Ético ennumerado más abajo, antes de aceptar las normas y contenidos de este Código de Conducta y continuar al servicio de las Organizaciones Eclesiásticas Arquidiocesanas.

- I. **PRINCIPIOS GENERALES.** La base de este Código está formada por cinco principios generales. Específicamente, los Trabajadores Eclesiales deben adherirse a los principios de Compromiso Eclesial, Integridad, Respeto a los demás, Bienestar Personal y Competencia Profesional.
 - A. **Compromiso Eclesial.** Los Trabajadores Eclesiales deben acoger las enseñanzas de Jesús, y trabajar para promover el Evangelio.⁷ Los Trabajadores Eclesiales deben reflejar un compromiso eclesial profundo ante los demás, y comportarse de manera coherente con la disciplina y enseñanzas de la Iglesia.⁸ Ser leales a las tradiciones del pasado, estar atentos a las realidades del presente, y preparados y listos para los desafíos del futuro. Los Trabajadores Eclesiales son responsables de proveer y nutrir la vida de su comunidad parroquial respectiva, especialmente su vida sacramental. Los Trabajadores Eclesiales deben evidenciar un compromiso en sus comunidades, tanto a pequeña y gran escala, y una preocupación especial por los más pobres y oprimidos de la sociedad. Los Trabajadores Eclesiales deben abordar los asuntos comunitarios y sociales con una reflexión asidua de las enseñanzas de la Iglesia, y deben compartir un espíritu de ecumenismo en sus interacciones con otros grupos religiosos.⁹
 - B. **Integridad.** La Iglesia Católica establece altos criterios morales para sus empleados, quienes tienen la responsabilidad de liderar dando ejemplo. Se espera que sean personas de integridad que se manejen de manera honesta y abierta, que no caigan en corrupción ni engaño. Los Trabajadores Eclesiales deben manejar las responsabilidades de su oficio de manera cuidadosa. Los Trabajadores Eclesiales deben dar testimonio de castidad en todas sus relaciones, acorde a su estado de vida, ya sean célibes, casados o solteros.
 - C. **Respeto a los demás.** Todos los Trabajadores Eclesiales deben respetar los derechos, la dignidad, y el valor de cada ser humano. Los Trabajadores Eclesiales deben respetar a cada persona como creación de Dios, sin importar su situación económica, o su grado de participación en la vida parroquial. Los Trabajadores Eclesiales deben abstenerse de intimidar y/o de abusar física, espiritual, sexual, o emocionalmente de cualquier manera, a otra persona de cualquier edad. Los Trabajadores Eclesiales deben estar atentos a las diferencias culturales y apreciar las oportunidades que trae esa diversidad étnica. Los Trabajadores Eclesiales deben estar atentos a los elementos de edad, género, raza, religión, discapacidades mentales y de desarrollo que pueden influenciar la manera en que el mensaje del Evangelio es recibido e interpretado.

⁷ CIC, c. 217.

⁸ CIC, c. 225 § 2.

⁹ CIC, c. 227; c. 229 § 1.

- D. Bienestar Personal.** Los Trabajadores Eclesiales tienen el deber de cuidar de su salud física, mental y emocional. Deben ser conscientes de los signos de alerta, en su comportamiento y estados de ánimo, que puedan indicar una condición que vaya en detrimento de su salud o impedirles cumplir con sus responsabilidades. El consumo inapropiado y excesivo de alcohol, o de medicinas y otras sustancias tóxicas, son un ejemplo de ello. Los Trabajadores Eclesiales deben buscar ayuda de inmediato cuando vean estos signos en su vida personal o profesional. Los Trabajadores Eclesiales deben apoyarse unos a otros en ambas maneras, afirmandose y velando para que cada quien cumpla sus responsabilidades.
1. Bienestar Espiritual. Los Trabajadores Eclesiales deben cuidar su salud espiritual. Deben de mantener y fomentar diariamente una vida de oración. Si se considera apropiado, se recomiendan reuniones periódicas con un director espiritual, además de retiros y días de reflexión.
 2. Bienestar Intelectual.¹⁰ Los Trabajadores Eclesiales son responsables de mantener una formación intelectual continua. En la medida en que sea posible, deben participar anualmente en seminarios y talleres en áreas relacionadas con su ministerio. Los Trabajadores Eclesiales deben mantenerse informados sobre la actualidad leyendo fuentes eclesiales y seculares. Se deben utilizar instrumentos y procedimientos arquidiocesanos, donde éstos existan. Los Trabajadores Eclesiales deben utilizar el tiempo y el financiamiento otorgado para la formación permanente de manera adecuada.
 3. Bienestar Pastoral. Los Trabajadores Eclesiales son responsables de nutrir y proveer a la vida de la comunidad eclesial. Deben conocer y respetar a las personas a las que sirven. Deben celebrar los sacramentos con decoro y fidelidad a los ritos oficiales de la Iglesia Católica, como corresponde a su ministerio.
 4. Bienestar del Clero. Se recomienda a los sacerdotes y diáconos usar la corrección fraterna con caridad para ayudar a sus hermanos sacerdotes y diáconos a superar problemas personales, que puedan afectar su ministerio.
- E. Competencia Profesional.** Los Trabajadores Eclesiales deben mantener elevados Criterios de competencia profesional en sus ministerios específicos. A esto contribuyen la formación, la educación y la experiencia, que también ayudan a aumentar la credibilidad en las correspondientes áreas de especialización. Los Trabajadores Eclesiales no intentarán proveer servicios en áreas en que sean incompetentes, ya que la competencia implica ser capaz de reconocer las limitaciones propias.

II. CRITERIOS ÉTICOS EN LAS RELACIONES PROFESIONALES

- A. Administración Eclesial.** Los Trabajadores Eclesiales deben tener un trato justo con los demás en las operaciones administrativas propias de sus ministerios.
1. Los Trabajadores Eclesiales buscarán relacionarse con todas las personas con el correspondiente respeto y reverencia. Las reuniones serán conducidas con paciencia y cortesía ante las opiniones de los demás, en un ambiente seguro para dar críticas constructivas.
 2. Los Trabajadores Eclesiales buscarán apoyar a otros, alentando a cada uno a vivir aquella vida a la que Dios lo llama o la llama.
 3. Los Trabajadores Eclesiales serán guardianes responsables de los recursos de la Iglesia, de acuerdo a la ley canónica, incluida la ley particular de la Arquidiócesis de Denver en la medida en que sea aplicable. (ver p.ej., el Manual Pastoral de la Arquidiócesis de Denver¹¹).

¹⁰ CIC, 229 § 1.

¹¹ "Archdiocese of Denver Pastoral Handbook" en inglés. Por ahora, no está traducido al español. En adelante este documento será llamado Manual Pastoral de la Arquidiócesis de Denver.

4. Los Trabajadores Eclesiales deben asegurarse de que haya sistemas que protejan a la Iglesia y a los individuos de malas gestiones financieras. Las operaciones financieras deben conducirse de acuerdo a las normas de la Arquidiócesis de Denver en la medida en que sean aplicables. (ver p.ej., el Manual Pastoral de la Arquidiócesis de Denver).
5. Las decisiones administrativas que tomen los Trabajadores Eclesiales no sólo deben estar de acuerdo con las obligaciones derivadas de la ley civil y canónica, sino que también deben reflejar las enseñanzas de la Iglesia, en la medida en que sean aplicables.

B. Conducta con Menores/Niños.¹²

1. Los Trabajadores Eclesiales que trabajen con Menores, deben usar un juicio apropiado que garanticen relaciones de confianza, marcadas por integridad personal y profesional, y por una interacción adecuada a las diferentes edades.
 - (a) Los Trabajadores Eclesiales deben ser conscientes de su propia vulnerabilidad y la de cualquier individuo menor de edad con el que trabajen. En todos los casos en que sea posible, se debe considerar un enfoque de trabajo en equipo en el ministerio con jóvenes. Los Trabajadores Eclesiales evitarán establecer relaciones exclusivas con un Menor, y deberán ser muy cautos cuando se den cuenta que un Menor está buscando una relación. Tanto los participantes como los miembros de la comunidad eclesial, podrían malinterpretar dichas relaciones.
 - (b) El contacto físico con los Menores puede ser malinterpretado tanto por los mismos Menores y también por otros adultos, y debe ocurrir sólo bajo circunstancias apropiadas y públicas. El contacto físico debe estar acorde con la edad, y basado en las necesidades del Menor, no en las del adulto. Abrazar puede ser una expresión de amor y respeto; sin embargo, debe hacerse siempre en presencia de otros, nunca estando solos en un cuarto a puertas cerradas. El contacto físico debe ser siempre hecho en público, de carácter apropiado y no sexual.
 - (c) Los clérigos¹³ que viven el celibato¹⁴, no pueden adoptar Niños, servir como padres adoptivos, alojar a estudiantes de intercambio, y en general, proveer alojamiento a Menores en las rectorías u otras residencias personales. La única excepción posible es cuando el Menor es un miembro de la familia (sobrino, primo, etc.) y está acompañado de uno de los padres o de un tutor legal. Un Menor que no es un familiar del sacerdote, no puede ser invitado a la rectoría parroquial a menos que un padre o tutor legal estén presentes (ver Manual Pastoral de la Arquidiócesis de Denver, c. 2.2.8).
 - (d) Los Trabajadores Eclesiales no deben proveer a los Menores con alcohol, drogas ilegales u otras sustancias tóxicas.
 - (e) Los Trabajadores Eclesiales no proveerán ningún material explícitamente sexual, inapropiado u ofensivo a los Menores. Los temas, vocabulario, grabaciones, películas, juegos, programas de computadora, u otras formas de interacción personal o entretenimiento que no puedan ser usados cómodamente en la presencia de los padres, no deben ser usados con los Menores.

¹² Las palabras “Niños (as)” y “Menores” tienen el mismo significado. Por favor leer las definiciones de “Niños (as)” y “Menores” en la Parte II de este Código, sección II.

¹³ Para ver el status de los clérigos y sus obligaciones y derechos específicos, revisar CIC, cc. 273-289.

¹⁴ CIC, c. 277.

- (f) Los Trabajadores Eclesiales deben conocer y entender las normas y procedimientos de la Arquidiócesis de Denver con respecto a acusaciones de Mala Conducta Sexual que involucren a Menores (ver la Parte II de este Código, titulada “Normas Concernientes a Malas Conductas Sexuales y Abuso de Niños”).
- (g) Se aplicará a los Trabajadores Eclesiales una política de “tolerancia cero” en lo referente a las denuncias de abuso de Menores que estén debidamente justificadas (ver la Parte II de este Código, titulada “Normas Concernientes a Malas Conductas Sexuales y Abuso de Niños”).
- (h) Ejercer disciplina física con un Menor es inaceptable. Las situaciones disciplinarias deben ser manejadas de acuerdo a las normas aplicables de la Organización Eclesiástica Arquidiocesana (ver p.ej., el Manual del Administrador de las Escuelas Católicas¹⁵).
- (i) Los Trabajadores Eclesiales no deben estar solos con Menores en áreas no apropiadas para una relación ministerial.
- (j) Los Trabajadores Eclesiales tienen prohibido hacer viajes a solas de más de un día con un Menor que no sea miembro de su familia inmediata.
- (k) Los Trabajadores Eclesiales nunca deben compartir una cama con nadie, a excepción de su esposa o sus hijos. Si el asistir a un evento eclesial requiere quedarse en un hotel, el adulto nunca deberá dormir a solas en un cuarto con un Menor, a menos que ese Niño sea su hijo. Si se determina que la supervisión adulta sea necesaria por cada cierto número de Menores que se queden por la noche en un cuarto, los Trabajadores Eclesiales deberán hacer todo lo posible para notificar a los padres o tutores legales respecto a esta necesidad, con anterioridad al evento en lo posible, más de un adulto debe quedarse con los Menores (ver también el Manual del Administrador de las Escuelas Católicas para requisitos más explícitos en este tema, con relación a eventos relacionados a las escuelas Católicas; ver también los requisitos para los acompañantes, más abajo, en la sección II.B.2.).
- (l) Antes que un Trabajadores Eclesiales administremedicina a un Menor, se debe obtener una autorización firmada por el padre o tutor legal (además se requerirá la certificación propia, de acuerdo a la ley estatal y las regulaciones asociadas). Si la medicina se da en una escuela Católica, se debe proceder de acuerdo a las previsiones del Manual del Administrador de las Escuelas Católicas.
- (m) Si surge una atracción inapropiada, ya sea física o personal, entre un Empleado de la Iglesia y un Menor, el adulto es el responsable de mantener los límites profesionales claros.
- (n) Si un Menor requiere de cuidado pastoral personal especial, que implique una relación sólo entre dos personas, los Trabajadores Eclesiales deberán evitar reunirse con ellos en ambientes aislados. Las reuniones deben fijarse en horas y ubicaciones de las que luego se pueda rendir cuentas. Se deben limitar la duración y el número de las sesiones, y hacer las remisiones respectivas. Notificar siempre de estas reuniones a los padres o tutores legales.

¹⁵ “Office of Catholic Schools Administrator Manual” en inglés. Por ahora, no está traducido al español.

- (o) Los adultos no deben mirar nunca las partes privadas de los Menores, cuando el Menor espera que su privacidad sea respetada. Tomar fotos de los Menores cuando estén desnudos, o mientras se visten, está estrictamente prohibido (ver la Parte II de este Código, titulada “Normas Concernientes a Malas Conductas Sexuales y Abuso de Niños”).
 - (p) A menos que sea (i) parte aprobada del currículum escolar, o (ii) sea una parte menor de una discusión o presentación más larga entre otros temas (el presentador debe considerar con discreción lo que constituye una “parte menor”), si van a tratar temas referentes a la sexualidad humana, los Trabajadores Eclesiales deben comunicarlo a los padres o tutores antes de cualquier sesión. Los padres o tutores deben tener la opción de retirar a sus Niños de esta actividad. Este requisito no se aplica al currículum escolar de las escuelas Católicas que haya sido ordenado por el Arzobispo de Denver o que sea requerido por la Oficina de Escuelas Católicas (p.ej., Teología del Cuerpo).
 - (q) Si ocurren discusiones espontáneas o no planeadas con Menores sobre el tema de la sexualidad humana, o algún otro tema controversial, los Trabajadores Eclesiales deben usar una discreción razonable para medir cuán lejos debe llegar la discusión. Los Trabajadores Eclesiales tienen la obligación de enseñar y defender la doctrina de la Iglesia en la medida en que sea pertinente. Ésta se encuentra en el *Catecismo de la Iglesia Católica* y en otros documentos magisteriales de la Iglesia Católica.
 - (r) El vestir debe ser siempre acorde a la modestia y los valores Cristianos.
2. Los Trabajadores Eclesiales que sirvan de acompañantes y supervisores de Menores en actividades grupales eclesiales (viajes/eventos, etc.) deben promover ambientes seguros para ellos mismos y para los Menores.
- (a) El número de acompañantes debe ser siempre suficiente para el tipo de actividad que se esté organizando (por favor acudir a la Oficina de Manejo de Riesgos y/o al Manual del Administrador de las Escuelas Católicas (si se aplica) para ver la proporción correspondiente entre Menores y acompañantes y otras orientaciones; nota: dichas proporciones deben ser determinadas para cada sexo en caso de actividades con pernoctación).
 - (b) Las instalaciones deben estar siempre monitoreadas durante la organización de las actividades.
 - (c) Al terminar las actividades, los Niños deben ser entregados solo a un padre o tutor, u otra persona a quien se le haya autorizado su custodia. Un acompañante o supervisor debe permanecer en el sitio para asegurar que todos los Niños tengan un transporte apropiado.
 - (d) Se debe obtener autorización de los padres o tutores, incluyendo una autorización escrita, antes de permitir a los Niños participar en viajes, eventos deportivos o cualquier otra actividad que implica un riesgo potencial.
 - (e) El vestido debe estar siempre de acuerdo con la modestia y con los valores Cristianos.
 - (f) Se debe usar un sistema de rendición de cuentas, similar a un “sistema de compañeros” cada vez que los Menores viajen a un lugar distinto del lugar original de la actividad. Sin embargo, los acompañantes o supervisores deben ser conscientes de los límites relativos al tiempo de compartir cosas personales y a las necesidades de privacidad.
 - (g) Sólo choferes adultos cualificados pueden transportar Menores. Se debe recibir el permiso correspondiente, y todas las formas de seguro que sean aplicables. Los vehículos deben ser revisados y deben contar con las certificaciones respectivas, además de cumplir

con los protocolos y procedimientos de la Oficina de Manejo de Riesgos de la Arquidiócesis de Denver.

- (h) Durante actividades de grupo que involucren a Menores, no se debe fomentar el consumo de alcohol, que en ciertas circunstancias será prohibido (por favor, revisar el Manual del Administrador de las Escuelas Católicas). Si los Trabajadores Eclesiales determinan que se puede consumir alcohol en actividades grupales eclesiales donde estén presentes Menores, se deben adherir estrictamente a las normas y protocolos de la Oficina de Manejo de Riesgos de la Arquidiócesis de Denver, relativas a las Reglas y Regulaciones del Uso Responsable del Licor¹⁶. Se espera que los Trabajadores Eclesiales actúen de manera responsable y dentro de los límites de la ley en lo que respecta al consumo de alcohol durante los eventos organizados o relacionados con la Iglesia.
- (i) La posesión o consumo de drogas ilegales están estrictamente prohibidos, así como también el uso de sustancias tóxicas.
- (j) Si alguien se siente incómodo con respecto a las acciones o intenciones de alguna otra persona durante un viaje o evento eclesial, debe ser reportado inmediatamente al acompañante o supervisor.
- (k) Mientras estén de viaje, los grupos de Menores deben ser asignados a un acompañante específico quien será responsable de supervisar su comportamiento a lo largo del evento.
- (l) Los acompañantes o supervisores tomarán medidas cada día para estar en contacto con aquellos confiados a su cuidado.
- (m) En cualquier viaje se distribuirá información a los acompañantes o supervisores para que la revisen junto a los participantes, para que se familiaricen con el horario y con las instalaciones en las que se llevarán a cabo las actividades. También es un buen momento para asegurarse que los Menores comprendan la información relativa a la seguridad.
- (n) Se debe designar una ubicación específica donde los Menores puedan encontrar a su acompañante o supervisor, o donde el grupo se encuentre a la hora acordada.
- (o) En las actividades durante la noche, los acompañantes o supervisores deben establecer y reforzar un “toque de queda” conveniente, una hora específica en que los Menores deban regresar y permanecer en sus habitaciones.
- (p) Los acompañantes o supervisores deben revisar los cuartos después de la hora acordada para permanecer en las habitaciones, para asegurarse que los Menores estén en sus cuartos y permanezcan en ellos.
- (q) Generalmente, y dependiendo del tamaño del espacio disponible, las decisiones para pernoctar nunca deben incluir miembros del sexo opuesto durmiendo en el mismo cuarto, a menos que sean parientes inmediatos, o a menos que el espacio utilizado sea de tal tamaño que dividir en zonas diferenciadas sea innecesario o poco razonable (p.ej. cuando se instalan catres en gimnasios escolares o en instalaciones similares; los acompañantes o supervisores deben estar presentes en este espacio todo el tiempo si se prepara una estadía grupal por la noche).
- (r) Durante el evento los adultos no deben ir a ningún lugar donde los adolescentes no puedan acompañarlos (p.ej. salones de cócteles, bares, etc.).

¹⁶ “Liquor Liability Rules and Regulations” en inglés.

C. Conducta Sexual. Los Trabajadores Eclesiales no deben utilizar la confianza que otros les dan para obtener beneficios o intimidad sexual.

1. Los Trabajadores Eclesiales nunca deben explotar a una persona con fines sexuales.
2. Es obligación personal y profesional de los Trabajadores Eclesiales conocer bien lo que se entiende por explotación sexual de otra persona y las leyes del Estado de Colorado y las leyes de agresión sexual, además de los contenidos de este Código de Conducta y su Parte II, titulada “Normas Concernientes a Malas Conductas Sexuales y Abuso de Niños”, que se refiere a la explotación sexual, al abuso sexual, y a la agresión sexual.
3. Los Trabajadores Eclesiales deben conocer bien las leyes del Estado de Colorado sobre Abuso de Niños (ver el apéndice B de este Código) y conocer los requisitos para la presentación de denuncias. Los Trabajadores Eclesiales cumplirán puntualmente los requisitos internos y externos para la presentación de denuncias de Mala Conducta Sexual y Abuso de Niños (ver la Parte II de este Código, “Normas Concernientes a Malas Conductas Sexuales y Abuso de Niños”).
4. Los Trabajadores Eclesiales que hayan hecho un compromiso de celibato están llamados a dar testimonio de esto en todas sus relaciones. De manera similar, aquellos que hayan asumido un compromiso marital también están llamados a testimoniar la fidelidad en todas sus relaciones personales.
5. Cualquier acusación de Mala Conducta Sexual será tomada seriamente y será denunciada, de acuerdo con este Código de Conducta y su Parte II, titulada “Normas Concernientes a Malas Conductas Sexuales y Abuso de Niños”.

D. Abuso y Explotación de Menores y de Adultos en Riesgo.

1. Denuncias de Mala Conducta Sexual y Abuso de Niños. En el Estado de Colorado, se requiere, como parte de la ley estatal, que algunas categorías de personas denuncien **Malas Conductas Sexuales** y **Abuso de Menores** a las autoridades civiles (incluyendo “Miembros del Clero”, a menos que un sacerdote posea información protegida por el secreto del Sacramento de la Confesión).

Todos los Trabajadores Eclesiales deben denunciar incidentes o sospechas de incidentes de Mala Conducta Sexual o Abuso de Niños como se establece en el presente documento, sin importar si el trabajador eclesial está obligado a denunciar bajo la ley estatal de Colorado. Por favor revisar atentamente la Parte II y el Apéndice B de este documento para un repaso minucioso de los requisitos para las denuncias.

2. Denuncias de Abuso y Explotación de Adultos en Riesgo.
 - (a) En el Estado de Colorado, se requiere, por ley estatal, que algunas categorías de personas denuncien casos de abuso o sospechas de abuso de **“adultos en riesgo”** a las autoridades (incluyendo “Miembros del Clero”, a menos que un sacerdote posea información dada en el Sacramento de la Confesión). En la actualidad, la categoría de “ancianos en riesgo” es un subgrupo de los “adultos en riesgo”, y son definidos específicamente como aquellos de “70 años o más”.

Se espera que todos los Trabajadores Eclesiales denuncien a las autoridades civiles casos o sospechas de abuso de “adultos en riesgo” como se establece en el presente documento, sin importar si el Empleado de la Iglesia está obligado a denunciar bajo la ley estatal de Colorado, de acuerdo a este Código de Conducta. Por favor revisar el Apéndice C de este documento titulado “Requisitos para las Denuncias de Abuso de Ancianos y de Adultos en Riesgo en Colorado” para ver los requisitos para hacer las denuncias.

- (b) En el Estado de Colorado, se requiere, bajo ley estatal, que algunas categorías o personas denuncien abuso o sospechas de abuso de **“adultos en riesgo con discapacidad mental y de desarrollo”** a las autoridades (incluyendo “Miembros del Clero”, a menos que un sacerdote posea información dada en el Sacramento de la Confesión). Se definen específicamente como “adultos en riesgo con discapacidad mental y de desarrollo” “adultos de 18 años o más”.

Más allá de si un Empleado de la Iglesia, está obligado o no, por la ley de Colorado a denunciar como informante obligado el abuso de “adultos en riesgo con discapacidad mental y de desarrollo”, por favor, nótese que se espera que todos los empleados denuncien los casos o sospechas de casos de abuso de “adultos en riesgo con discapacidad mental y de desarrollo” a las autoridades civiles de conformidad con este Código de Conducta. Para guiarse respecto a los requisitos de denuncia de la ley civil, por favor revise el Apéndice C de este código, titulado “Colorado Elder Abuse and Ar-Risk Adult Abuse Reporting Requirements”.

- E. **Comportamiento Profesional.** Todos los Trabajadores Eclesiales deben actuar de manera profesional en todo momento, sin involucrarse nunca en el acoso físico, psicológico o verbal de una persona, y no tolerarán semejante comportamiento de otros Trabajadores Eclesiales (ver Apéndice A de este Código, titulado “Procedimientos de Denuncias de Acoso”).
1. Los Trabajadores Eclesiales deben asegurarse de proveer un ambiente profesional libre de acoso.
 2. El acoso comprende una amplia gama de comportamientos físicos o verbales, que pueden incluir, sin estar limitados a ellos, los siguientes casos: abuso físico o mental; insultos raciales; calumnias étnicas derogatorias; avances o tocamientos sexuales indeseados; comentarios o bromas sexuales; petición de favores sexuales como condición para empleo, ya sea contrato, promoción, o compensaciones; mostrar material sexual ofensivo, y observar las partes privadas de una persona cuando ésta espera una privacidad razonable.
 3. El acoso puede ocurrir como un incidente severo aislado o como un comportamiento regular, que resulta en un ambiente de trabajo hostil, ofensivo e intimidante.
 4. Los Trabajadores Eclesiales deben seguir los procedimientos de denuncia de acoso y deben estar seguros de que no habrá venganza por hacer una denuncia de este tipo. Estos procedimientos se encuentran en la Apéndice A de este Código, titulado “Procedimientos de Denuncias de Acoso”.
- F. **Conflictos de Interés.** Los Trabajadores Eclesiales deben evitar ponerse en una posición que pudiera presentar conflictos de interés, ya que la existencia o simplemente la apariencia de tal conflicto, puede hacer que la integridad personal y la conducta profesional sean puestas en cuestión.
1. Las causas que pueden generar un conflicto de interés pueden ser muchas. Algunos ejemplos de este comportamiento en un Empleado de la Iglesia son: hacer negocios privados u otros tratos con la Iglesia o con cualquiera de sus miembros, aceptar regalos sustanciales (no simbólicos) por sus servicios o favores; hacer transacciones con o dar empleo a amigos o parientes; actuar con parcialidad con otros Trabajadores Eclesiales; o violar la confianza de otros para beneficio personal.
 2. Dar información sobre todos los factores relevantes puede, en ciertas circunstancias, reducir la posibilidad de un conflicto de interés (ver el Manual Pastoral de la Arquidiócesis de Denver – Política sobre Conflictos de Interés y Aceptación de Regalos¹⁷).

¹⁷ “Conflict of Interest Policy and Gift Acceptance Policy” en inglés.

PARTE II

NORMAS SOBRE MALA CONDUCTA SEXUAL Y ABUSO DE NIÑOS

I. DECLARACIÓN DE NORMAS. La Mala Conducta Sexual y el Abuso de Menores por parte de Trabajadores Eclesiales están prohibidos.

Nota: Para los propósitos de este Código de Conducta, los términos Mala Conducta Sexual y Abuso de Niños/Menores incluyen los conceptos de Acoso Sexual, Agresión Sexual de Niños, Pornografía Infantil (como son definidos más abajo, y discutidos más ampliamente en el Apéndice B).

La Mala Conducta Sexual y el Abuso de Niños violan los principios Cristianos y están en contra de los deberes y responsabilidades de aquellos que están al servicio de la Iglesia. La gravedad de tal comportamiento es mayor cuando se lleva a cabo durante labores ministeriales. Todos los Trabajadores Eclesiales deben cumplir puntualmente estas “Normas Sobre la Mala Conducta Sexual y el Abuso de Niños”, además de todas las leyes federales y estatales aplicables pertinentes hechos o sospechas de Mala Conducta Sexual o Abuso de Niños. La Arquidiócesis se compromete a prevenir la Mala Conducta Sexual y el Abuso de Niños, y a responder con justicia y compasión cuando dichas conductas ocurran.

Lo que sigue es una descripción de los programas y procedimientos designados para (1) prevenir la Mala Conducta Sexual y Abuso de Niños por Trabajadores Eclesiales y el resultante daño a las partes involucradas, y (2) los protocolos que los Trabajadores Eclesiales deben seguir para denunciar o responder a alegaciones de Mala Conducta Sexual y Abuso de Niños.

II. DEFINICIONES.

- A.** La ley civil entiende por **Niño(s)** o **Menor** a una persona de 18 años de edad o menos.¹⁸ Los términos “Niño(s)” y “Menor” son intercambiables en este Código de Conducta.
- B.** El **Abuso de Niños** se refiere a cualquier conducta que cause o intente causar daño contra la vida o salud de un Niño; que permita que un Niño sea puesto injustificadamente en una situación que presente una amenaza para la vida o salud del Niño; o que sea parte de una conducta continuada que resulte en mala nutrición, falta de atención médica, castigos crueles, maltrato, o acumulación de lesiones al Niño. El Abuso de Niños incluye negligencia y abuso emocional. Véase más abajo un repaso completo de las denuncias obligatorias de Abuso de Niños tanto a la Arquidiócesis como a las autoridades civiles.
- C.** La **Pornografía Infantil** es una forma de explotación sexual infantil, y está definida por ley federal como cualquier representación visual de una conducta explícitamente sexual que involucre a un Menor. También se refiere a las imágenes de Pornografía Infantil como imágenes de abuso sexual de Niños. La ley federal prohíbe la producción, distribución, importación, recepción, y posesión de cualquier imagen de Pornografía Infantil. La violación de la ley federal de Pornografía Infantil es un crimen grave, y los infractores enfrentan sanciones legales graves.

¹⁸ Para propósitos de la ley canónica, la *Carta para la Protección de los Jóvenes del 2011 de la USCCB* (“2011 USCCB Charter for the Protection of Young People” en inglés) que acompaña al documento de la USCCB *Normas Esenciales para las Normas de las Diócesis/Eparquías relativas al Abuso de Menores por parte de Sacerdotes o Diáconos del 2006* (“2006 USCCB Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons” en inglés), incluye la definición de “menor”... “una persona que habitualmente no tiene uso de razón”, independientemente de la edad. Por favor, notar que para los fines de este Código de Conducta, los Empleados de la Iglesia deben denunciar a las autoridades los casos o sospechas de abuso de “adultos en riesgo” (quienes están incluidos en la definición de “una persona que habitualmente no tiene uso de razón”). Para una explicación más detallada de los requisitos para estas denuncias, por favor revisar la Parte I: Sección D de este Código, y los Apéndices B y C del mismo.

- D. La **Agresión Sexual Infantil** incluye el acoso sexual de Niños, su explotación sexual, o cualquier otro comportamiento, incluyendo el uso de Internet o teléfono, por el cual un adulto usa a un Niño como objeto de gratificación sexual; y la realización de ofensas sexuales contra un Niño como está definido por la ley civil o criminal. Por favor ver más abajo una reseña completa de las denuncias obligatorias de Agresión Sexual de Niños tanto a las autoridades civiles como arquidiocesanas.
- E. El **Acoso Sexual** es cualquier avance sexual indeseado, petición de favores sexuales, y cualquier otra conducta verbal o física de naturaleza sexual, cuando se utiliza la sumisión o el rechazo de tal conducta como bases para decisiones sobre el empleo, o cuando la conducta busca interferir de manera injustificada en el desempeño del trabajo de un empleado o la creación de un ambiente de trabajo intimidante, hostil u ofensivo. El acoso sexual no se refiere a comportamientos o elogios aceptados socialmente; más bien, se refiere a los comportamientos que para una persona razonable son indeseados, personalmente ofensivos, que bajan la moral, y que consecuentemente interfieren con la efectividad en el trabajo. El acoso sexual puede ser verbal, no verbal y físico.
- F. **Mala Conducta Sexual** es cualquier conducta sexual que involucre a un Trabajador Eclesial y a otro individuo de cualquier edad, que esté en contra de la ley o contrario a las enseñanzas morales de la Iglesia Católica. Esto incluye el Acoso Sexual de cualquier individuo, como también las conductas sexuales con Menores Trabajadores Eclesiales provocadas por un Empleado de la Iglesia. Por favor ver más abajo una reseña completa de las denuncias obligatorias de Mala Conducta Sexual, tanto a las autoridades civiles como arquidiocesanas.

III. **CÓMO PREVENIR LAS MALAS CONDUCTAS SEXUALES.** Los pasos que la Arquidiócesis está tomando para prevenir la Mala Conducta Sexual por parte de Trabajadores Eclesiales son los siguientes:

- A. **Educación.** La Oficina de Protección de Niños y Adolescentes de la Arquidiócesis ha creado un *Programa de Ambiente Seguro*¹⁹. Esta oficina organiza programas educativos y de formación para todos los Trabajadores Eclesiales, como también la formación y educación de otros individuos, tales como los Menores y sus padres, y otras entidades o individuos interesados en el tema. La formación y la educación se centra tanto en los sujetos como en las dinámicas de la Mala Conducta Sexual, y en el impacto de tal conducta en las víctimas. Lo que busca el programa de Ambiente Seguro es identificar áreas problemáticas, y mantener una correcta vigilancia en lo que se refiere a la seguridad de los Niños, además de proveer formación para la prevención de daños a Niños.

Con respecto al curso del Programa de Ambiente Seguro para Trabajadores Eclesiales:

1. Aquellos Trabajadores Eclesiales a quienes se les confíe el cuidado y supervisión de Menores, o que tengan contacto regular con ellos, **deben completar** el Curso de Ambiente Seguro de **manera previa** al contacto, cuidado y supervisión de los Menores. Todos los trabajadores de la Iglesia deben asistir a un Curso de Ambiente Seguro dentro de los primeros 90 días de la fecha de comienzo de su nueva posición en la Iglesia.
2. Los Trabajadores Eclesiales deben completar el Curso de Actualización de Ambiente Seguro cada cinco (5) años.

Si bien esta formación por sí sola no puede forjar actitudes maduras, ni necesariamente va a cambiar conductas sexuales inapropiadas, puede hacer una diferencia positiva.

- B. **Investigaciones de Antecedentes Criminales.** Desde el 27 de septiembre del 2002 (la primera fecha de publicación de este Código de Conducta), todos los Trabajadores Eclesiales están sujetos a una verificación de antecedentes criminales.

¹⁹ "Safe Environment Program" en inglés. Por ahora, no está traducido al español. En adelante este programa será llamado Programa de Ambiente Seguro.

Después del 27 de septiembre del 2002:

1. Todos los Trabajadores Eclesiales que estén aplicando a ser empleados pagados o voluntarios deben completar y ejecutar los siguientes formularios (nota: si uno es voluntario, los formularios que están listados en los párrafos (b) y (c), más abajo, pueden no ser aplicables; dependerá del rol y contacto que el voluntario tenga con los Menores – ver la página 4 de este Código y la definición de “Empleado de la Iglesia” para más información sobre este término):²⁰
 - (a) Formulario de “Solicitud de Empleo” (potencialmente puede ser usado para empleados y voluntarios)
 - (b) Formulario de “Información Personal”
 - (c) Formulario de Autorización y Divulgación de Ley de Equidad de Informes de Crédito²¹

Se exigirá a todos los aspirantes proveer su fecha de nacimiento/Número de Seguro Social con el propósito de comprobar sus antecedentes criminales (esta información no será utilizada en el proceso de entrevista y selección, y será mantenida en secreto y protegida de acuerdo a la ley estatal y federal). Será retenida una copia del formulario de “Solicitud de Empleo” para el archivo personal del empleado o del voluntario. Los resultados de la investigación de antecedentes penales, el formulario de Información Personal y el Formulario de Autorización y Divulgación de Ley de Equidad de Informes de Crédito (FCRA) serán guardados en un archivo separado en el lugar principal de empleo o de voluntariado. Estos informes son confidenciales en la medida permitida por la ley.
2. Todos los individuos categorizados como “Trabajadores Eclesiales”, pero que no sean empleados o voluntarios deben llenar los formularios a los que se refieren los párrafos (b) y (c), más arriba.
3. La investigación de antecedentes penales se repetirá para cada trabajador eclesial cada cinco (5) años.

IV. PORNOGRAFÍA.

- A. **De manera general.** Los Trabajadores Eclesiales, en relación con su trabajo para la Iglesia, tienen prohibido: poseer pornografía; buscar pornografía por medio de medios tecnológicos de propiedad del empleador; buscar por medio de medios tecnológicos de propiedad del empleador cualquier información relacionada con contenido explícitamente sexual que no esté relacionado con algún proyecto que trate sobre la prevención o el tratamiento de adicciones, que tenga que ver con su ministerio; y producir, distribuir, coleccionar o ver contenido explícitamente sexual por medio de medios tecnológicos de propiedad del empleador, o permitir que otro lo haga.
- B. **Denunciar la Pornografía Infantil.** Si un trabajador eclesial encuentra Pornografía Infantil, están sujetos a los procedimientos de denuncia internos y externos, descritos más adelante.

V. **PROCEDIMIENTOS PARA DENUNCIAR MALAS CONDUCTAS SEXUALES Y ABUSO DE NIÑOS.** Los Trabajadores Eclesiales deben cumplir puntualmente la ley civil con respecto al proceso de denuncias y alegaciones de Mala Conducta Sexual y Abuso de Niños, y cooperarán con cualquier investigación.

²⁰ Los tres formularios enumerados en esta sección deben ser utilizados por las oficinas encargadas de la contratación de empleados de las Organizaciones Eclesiásticas Arquidiocesanas, con excepción de Caridades Católicas de la Arquidiócesis de Denver. Para preguntas o copias de estos formularios, por favor consultar a la Oficina de Recursos Humanos de la Arquidiócesis de Denver. Nótese que uno de los dos formularios de Autorización y Divulgación de Ley de Equidad de Informes de Crédito autoriza una investigación criminal y crediticia si es que el aspirante está solicitando un cargo financiero a nivel directivo.

²¹ “Fair Credit Reporting Act”; “FCRA” por sus siglas en inglés.

- A. **Requisitos Generales de las Denuncias.** Bajo este Código de Conducta hay dos tipos de denuncias para casos sospechosos o conocidos de Mala Conducta Sexual o Abuso de Niños:

Denuncias Externas – las denuncias externas implican notificar a las autoridades de la Policía o al Departamento de Servicios Sociales local, respecto a casos sospechosos de **Abuso de Niños**.

Denuncias Internas – las denuncias internas implican notificar a los oficiales arquidiocesanos de sospechas o casos de cualquier **Mala Conducta Sexual** (sin límite de edad) o de **Abuso de Niños** y permitir a la Arquidiócesis aplicar medidas correctivas si se considera apropiado.

NOTA: Todos los Trabajadores Eclesiales están obligados a denunciar el Abuso de Niños de acuerdo a este Código. Todos los Trabajadores Eclesiales deben denunciar inmediatamente cualquier sospecha de Abuso de Niños a dos grupos diferentes: primero, de manera externa a las autoridades civiles competentes; luego, de manera interna a la oficina pertinente de la Arquidiócesis de Denver (ver más abajo la lista de oficinas).

- B. **Requisitos de la Ley de Denuncias de Abuso de Niños de Colorado.** De acuerdo con este Código, TODOS los Trabajadores Eclesiales DEBEN denunciar alegaciones de Abuso de Niños de acuerdo a las leyes de denuncias de Abuso de Niños de Colorado (por favor, ver el Apéndice B de este Código).

Todos los Trabajadores Eclesiales deben recordar:

1. Las Denuncias de Abuso de Niños se deben hacer lo más rápidamente posible. Las sospechas o los casos de Abuso de Niños deben ser denunciados a las autoridades de la Policía o al Departamento local de Servicios Sociales del condado en que el Niño reside. Además, cada denuncia oral debe estar luego acompañada por un informe escrito dirigido a las autoridades o al departamento de servicios sociales del condado.
2. Todos los Trabajadores Eclesiales tienen la obligación de denunciar el Abuso de Niños. La norma de la Arquidiócesis de Denver es que ningún empleado eclesial está exonerado de los requisitos de los procesos de la ley de denuncias y acusaciones de Abuso de Niños de Colorado, con excepción de los sacerdotes que hayan recibido información a través del Sacramento de la Confesión.
3. La responsabilidad de procurar que las reglas de las Denuncias de Abuso de Niños se cumplan estrictamente. Los supervisores comparten la responsabilidad de asegurar que se cumplan los requisitos de denuncias, internos y externos. Cada supervisor que recibe una denuncia debe confirmar que el Departamento de Servicios Sociales, o las autoridades de la Policía y los oficiales arquidiocesanos designados que deban recibir los informes hayan sido notificados.
4. Normas y Procedimientos para Estudiantes que Denuncian Abuso de Niños. En el caso de Menores que sean estudiantes en cualquiera de las dos escuelas secundarias arquidiocesanas o en escuelas parroquiales, el Superintendente de Escuelas Católicas está autorizado para promulgar y promover procedimientos para los estudiantes y los padres o tutores legales, que crean haber sido víctimas de Abuso de Niños por parte de cualquier Trabajador Eclesial, para que puedan denunciar dicha mala conducta sexual. Una vez que se reciba la denuncia, se aplican los procesos de denuncia e investigación establecidos más adelante.

- C. **Las Denuncias Externas de acuerdo a las Leyes de Denuncia de Abuso de Niños de Colorado.** Todos los Trabajadores Eclesiales deben denunciar las acusaciones de Abuso de Niños, de acuerdo con las leyes de denuncias de Abuso de Niños de Colorado (ver Apéndice B). La denuncia ante el Vicario para el Clero, el Superintendente de las Escuelas Católicas, el Director de Recursos Humanos, y/o el Coordinador de Asistencia de Víctimas de la Oficina de Protección de Niños y Adolescentes, no exime del deber de cada individuo de hacer la denuncia correspondiente de Abuso de Niños a las autoridades civiles.

Las denuncias pueden hacerse al siguiente número a nivel estatal:
1-844-CO-4-KIDS (1-844-264-5437)

Este número está diseñado para proveer un número fácil de recordar y que se pueda usar en todo el Estado de Colorado para efectuar las denuncias de Abuso de Niños. Esta línea de asistencia directa sirve para los 64 condados de Colorado y para dos naciones tribales, quienes son responsables de aceptar y responder al Abuso de Niños y consultas y reportes de negligencia. Todos aquellos que llamen podrán hablar con una operadora 24 horas al día, 365 días al año. Ver también el sitio de la Oficina de Protección de Niños y Adolescentes de la Arquidiócesis de Denver: <http://archden.org/child-protection>

Todos los Trabajadores Eclesiales deben recordar lo siguiente:

1. La Denuncia no implica ninguna responsabilidad por parte del Denunciante. Nadie que denuncie una sospecha o un caso de Abuso de Niños debe sufrir ninguna consecuencia civil o criminal por hacer una denuncia requerida por la ley, a menos que se pruebe que el informe sea falso y que la persona lo sabía, o que fue hecho sin el interés de buscar la verdad. Por lo mismo, nadie debe temer las consecuencias si hace la denuncia con buena fe, aun cuando se pruebe luego que las sospechas eran infundadas. Por otra parte, cualquier persona que debió denunciar pero no lo hizo, puede enfrentar responsabilidades ante la ley civil y criminal. Por ello, si existe duda, se debe hacer la denuncia.
2. Se debe hacer una denuncia cada vez que haya razón para creer la alegación. Pese a que no haya evidencia legalmente admisible, se debe elaborar una denuncia si hay razón para creer que un abuso ha ocurrido o está ocurriendo. "Razón para creer" incluye cualquier evidencia que, si fuera presentada a una persona razonable y prudente, podría llevar a dicha persona a creer que el Menor ha sido o está siendo abusado.
3. Nadie está obligado a denunciar rumores sin fundamento respecto a un presunto abuso sin "razón para creer". Sin embargo, en caso de duda sobre alguna situación, se deberá discutir el tema con el Departamento de Servicios Sociales del condado local o con la Policía local planteándolo de manera hipotética. Si se le recomienda denunciar, usted deberá hacerlo inmediatamente.

- D. **Denuncia interna – Todos los Casos y Casos Sospechosos de Mala Conducta Sexual (en todas las edades, incluyendo acosamiento sexual) y Abuso de Menores.** Todas las denuncias internas deben hacerse prontamente.

1. Menores. La Oficina de Protección de Niños y Adolescentes vela por el proceso interno de denuncias en relación a casos o casos sospechosos de Abuso de Menores.

Un papel fundamental de la Oficina de Protección de Niños y Adolescentes es: (i) asegurar que cada alegación es manejada de acuerdo con las normas de la Arquidiócesis y con los requisitos de las leyes de Abuso de Menores de Colorado; y (ii) ayudar a la referida víctima y/o a su familia a obtener, si es apropiado, atención pastoral, incluyendo guía espiritual y asesamiento profesional.

Cualquier denuncia interna relacionada con Abuso de Menores deberá ser enviada directamente al **Coordinador de Atención a las Víctimas** de la Oficina de Protección de Niños y Adolescentes:

Coordinador de Atención a las Víctimas, Oficina de Protección de Niños y Adolescentes	720-239-2832
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Visite también la página web de la Arquidiócesis de Denver, Oficina de Protección de Niños y Adolescentes

<http://archden.org/child-protection>

Se deberá incluir una copia de cualquier denuncia escrita sobre Abuso de Menores, presentada al Departamento de Servicios Sociales del condado local o a la Policía local, y presentarla a la Oficina de Protección de Niños y Adolescentes. Estos informes escritos deberán ser enviados en un sobre sellado, dirigido al “*Coordinador de Atención a las Víctimas de la Oficina de Protección de Niños y Adolescentes*”, y deberá indicar “*Confidencial*”.

2. Adultos. Todos los informes de casos o sospechas de casos de Mala Conducta Sexual implicando sólo adultos, deberán ser presentados al **supervisor** inmediato o a alguna de las **siguientes oficinas administrativas al interior de la Arquidiócesis de Denver**, según corresponda:

Vicario para el Clero	303-715-3197
Superintendente de Escuelas Católicas	303-715-3132
Director de Recursos Humanos	303-715-3193
Coordinador de Atención a las Víctimas, Oficina de Protección de Niños y Adolescentes	720-239-2832

VI. PROCEDIMIENTOS DE INVESTIGACIÓN²²

- A. **Inicio de la Investigación**. Una vez que el caso de presunta Mala Conducta Sexual / Abuso de un Menor sea denunciado internamente, se deberá iniciar inmediatamente una investigación. Toda investigación deberá estar guiada por el cuidado Cristiano hacia la referida víctima, su familia, la persona que denuncia el incidente y la persona acusada, todo según lo estipulado por el canon 220 del Código de Derecho Canónico.

Los procedimientos de investigación, personas, oficinas y organismos arquidiocesanos involucrados son los siguientes:

1. Alegaciones Contra Trabajadores Eclesiales que no sean Miembros del Clero, Seminaristas o Miembros de Comunidades Religiosas. Normalmente, el **Coordinador de Atención a las Víctimas** de la Oficina de Protección de Niños y Adolescentes servirá como el principal coordinador de la investigación para ayudar a la persona que está denunciando el Abuso de Menores de cualquier Trabajador Eclesial que no sea miembro del Clero, Seminarista o miembro de comunidades

²² Estos procedimientos reflejan los procedimientos generales de investigación de crímenes penales de acuerdo a las normas de la ley canónica, especialmente los cánones 1717-1719 del Código de Derecho Canónico de 1983, *Sacramentorum Sanctitatis Tutela*, publicado como *motu proprio* por el Papa S. Juan Pablo II en el 2001; *Normae de gravioribus delictis*, publicado por el Papa Benedicto XVI en el 2010; y el *Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuses of Minors by Priests or Deacons (en lo sucesivo “Essential Norms”)* publicado por la Conferencia de Obispos Católicos de los Estados Unidos (USCCB) en el 2006.

religiosas. Dependiendo de la naturaleza de la queja y de la edad de la presunta víctima, el Coordinador de Atención a las Víctimas podrá ser asistido o podría ceder la supervisión de la investigación al **Superintendente de Escuelas Católicas de la Arquidiócesis de Denver** (quien normalmente será el principal coordinador de la investigación relacionada con la Mala Conducta Sexual o el Abuso de menores en una escuela parroquial o escuela secundaria arquidiocesana), y/o al **Director de Recursos Humanos de la Arquidiócesis de Denver** (quien normalmente será el primer coordinador de la investigación cuando la Mala Conducta Sexual involucre a otros Trabajadores Eclesiales).

2. *Alegaciones Contra Sacerdotes o Seminaristas.* El **Vicario para el Clero**, ayudado por el **Coordinador de Atención a las Víctimas**, servirá normalmente como el primer coordinador de la investigación para ayudar a la persona que está denunciando la presunta Mala Conducta Sexual o Abuso Sexual de menores (sin importar la edad de la referida víctima en el momento del supuesto incidente) por parte de cualquier miembro del Clero o un Seminarista.²³
3. *Alegaciones Contra un Miembro de una Comunidad Religiosa que Sirve en el Territorio de la Arquidiócesis de Denver.* Ver Sección D, abajo, y ver el Apéndice D para aquellos procedimientos que implican una acusación de Mala Conducta Sexual o Abuso Sexual en contra de un miembro de una comunidad religiosa que sirve en la Arquidiócesis.
4. *El Equipo Arquidiocesano de Respuesta ("CRT").* El **CRT (por sus siglas en Ingles)** es la comisión arquidiocesana evaluadora primaria que normalmente "funcionará como un cuerpo consultor confidencial para ayudar al Obispo a desempeñar sus responsabilidades" en lo que se refiere a acusaciones de Mala Conducta Sexual que involucren a un Menor.²⁴ El CRT deberá mantener la confidencialidad, hasta donde la ley lo permita.
 - a) Las funciones del CRT incluyen:
 - (1) Aconsejar al Obispo diocesano en su evaluación respecto a casos de Abuso Sexual de Menores así como en su resolución respecto a la idoneidad para el ministerio;
 - (2) Revisar las normas diocesanas sobre el Abuso Sexual de Menores;
 - (3) Ofrecer consejo sobre todos los aspectos relacionados con dichos casos, ya sea prospectiva o retrospectivamente;
 - (4) Investigar las presuntas acusaciones.
 - b) El CRT consistirá de un mínimo de cinco personas "de integridad excepcional y buen juicio, en total comunión con la Iglesia".²⁵ La mayoría de los miembros deben ser laicos Católicos activos en la práctica de su fe y que no estén empleados por la Arquidiócesis.²⁶ Entre los miembros, deberá haber por lo menos un profesional de salud mental "con experiencia

²³ "Clero" o un "miembro del Clero" son aquellos que han sido ordenados (c. 266); un "seminarista" es definido como cualquier persona que estudia para el Sacerdocio o Diaconado (ya sea permanente o transitorio) y que está matriculado en un seminario (mayor) ubicado en el territorio de la Arquidiócesis de Denver, o cualquier persona patrocinada por la Arquidiócesis de Denver para prepararse para el Sacerdocio o Diaconado (ya sea permanente o transitorio) que esté matriculada en otro seminario. Nota: Ver Parte II; Sección VI. E. con respecto al procedimiento que se deberá seguir en caso de alegaciones contra el clero externo (sacerdotes o diáconos no incardinados en Denver), que estén sirviendo en el territorio de la Arquidiócesis de Denver.

²⁴ *Essential Norms*, art. 4.

²⁵ *Ibid.*, art. 5.

²⁶ *Ibid.*

especial en el tratamiento de Abuso Sexual de menores”, y por lo menos un miembro que tenga formación en el área policial o judicial.²⁷ El Vicario para el Clero y el Promotor de Justicia de la Arquidiócesis deberán servir como miembros *ex officio* (el Promotor de Justicia será sólo un miembro consultivo).²⁸ El Arzobispo deberá elegir a cada miembro del CRT y nombrarlos por un plazo de cinco años. El Arzobispo deberá nombrar, de entre los miembros del CRT, un presidente para dicho período, según él decida. El Arzobispo puede reelegir a cualquier miembro para que sirva por uno o más períodos.

- c) Para los casos que involucran al Clero, el CRT deberá atenerse estrictamente a los cánones 220, 1717-1719 y 1722 del Código de Derecho Canónico de 1983 en relación al proceso, confidencialidad y pautas delineados en la Sección C, más adelante. La confidencialidad deberá ser mantenida por el CRT, hasta donde la ley lo permita.
5. Asesoría Legal. Los Asesores legales que aconsejan a la Arquidiócesis de Denver sobre estos asuntos serán notificados de toda investigación, serán informados a lo largo del proceso, y están autorizados a participar en todas las reuniones del CRT.

- B. Procedimientos de Investigación Interna con Respecto a Alegaciones de Mala Conducta Sexual / Abuso de Menores por un Empleado de la Iglesia que no sea Miembro del Clero, Seminarista ni Miembro de una Comunidad Religiosa.** Si el incidente denunciado implica Mala Conducta Sexual /Abuso de Menores por parte de un Empleado de la Iglesia que no sea del Clero, Seminarista o Miembro de una Comunidad Religiosa, y dependiendo de la edad de la referida víctima y la naturaleza de la denuncia, entonces el Director de Recursos Humanos y/o el Superintendente de Escuelas Católicas, según corresponda, después de haber consultado con el Coordinador de Atención a las Víctimas si fuera necesario, deberá investigar inmediatamente. Sin embargo, en última instancia, cualquier investigación y acción resultante se dejará a la discreción de la Organización Eclesiástica Arquidiocesana empleadora / supervisora del respectivo Trabajador Eclesial, de acuerdo a las normas y procedimientos de esa Organización Eclesiástica Arquidiocesana y según los requisitos de la ley civil.
- C. Procedimientos de Investigación Interna con Respecto a Alegaciones de Mala Conducta Sexual/Abuso de Menores por un Miembro del Clero o un Seminarista.**

1. La apertura de la investigación preliminar. Si el incidente denunciado implica una presunta conducta por parte de un miembro del Clero o por un Seminarista, el Vicario para el Clero, luego de consultar con el Coordinador de Atención a las Víctimas, deberá investigar inmediatamente. El Vicario para el Clero informará inmediatamente de la acusación al Arzobispo, quien deberá entonces abrir una Investigación Preliminar mediante decreto según los cánones 1717-1719, designando al Vicario para el Clero como Juez Instructor y teniendo a un miembro del Clero como notario. El Arzobispo abrirá el archivo de “Investigación Preliminar” con un número de protocolo distinto.
- a) La Respuesta Pastoral a la Presunta Víctima. Cuando cualquier demanda es hecha con fundamentos razonables para creer que sea verdadera, el Coordinador de Atención a las Víctimas y/o el Vicario para el Clero ofrecerán sin demora, recibir a la referida víctima para ofrecerle apoyo pastoral y abierta comunicación con los funcionarios arquidiocesanos y/o del CRT.
- b) Notificación. Se informará al acusado sobre las alegaciones específicas que se han hecho en contra suya y tendrá la oportunidad de hacer preguntas aclaratorias, antes de responder a la alegación. En caso de existir fundamentos razonables para creer en la acusación, el acusado

²⁷ Ibid.

²⁸ Ibid.

será informado de que cualquier declaración o confesión por parte del acusado podrían ser usadas en su contra, en cualquier proceso de ley civil y/o canónica posterior.

- c) Asesoramiento Legal/Canónico. Se aconsejará también al acusado considerar tener su propio abogado civil o canónico, según sea conveniente.²⁹
 - d) Medidas preventivas de conformidad con el canon 1722 (Licencia Administrativa para Clérigos). Si se considera ser lo mejor para la presunta víctima, el acusado o la Arquidiócesis, entonces según el solo juicio del Arzobispo o de quien él designe, el acusado podrá ser relevado de sus responsabilidades y otorgársele la licencia administrativa a la espera del resultado de cualquier investigación. El Arzobispo también podrá limitar o anular las facultades ministeriales, apartar al acusado del ejercicio del ministerio sagrado o de un oficio o cargo eclesiástico, imponerle o prohibirle la residencia en un lugar o territorio, y prohibirle que participacion públicamente la Santísima Eucaristía, mientras se espera el resultado del proceso.³⁰
 - e) Presunción de inocencia.³¹ Cualquiera de las acciones arriba mencionadas no deberán ser interpretadas como implicación de culpabilidad de parte del acusado.
2. Cada Caso Creible Denunciado se Revisará con Prontitud. Cuando se presente una acusación de Mala Conducta Sexual/Abuso Sexual de Menores, el Vicario para el Clero consultará con el Coordinador de Atención a las Víctimas. Según el parecer del Vicario para el Clero, él podrá contactar a la persona que ha hecho la acusación. Si después de consultar con el Coordinador de Atención a las Víctimas, el Vicario para el Clero determina que el asunto es materia apropiada para la consideración del CRT, deberá pedir al presidente del CRT que convoque al CRT para investigar los detalles de la acusación. Si se considera conveniente, la supuesta víctima, el acusado y cualquier otra persona que sea necesaria, podrá ser invitada por el presidente del CRT para reunirse con el CRT. Cada parte será informada respecto a su derecho de tener un abogado civil o un defensor canónico, presente durante cualquier entrevista con los miembros del CRT. En todas sus acciones, el CRT se preocupará de no interferir con ninguna investigación criminal. Hasta el punto que la ley lo permita, cada investigación deberá respetar la confidencialidad de la presunta víctima (si fuera solicitada por la supuesta víctima, o en el caso de un menor, por el padre o el tutor legal), de la familia de la presunta víctima, de la persona que está informando sobre el caso, y del acusado.
3. Resultados Hallados por el Juez Instructor y el CRT. Después del término de su investigación, el Juez Instructor (Vicario para el Clero) escribirá un *votum* para el Arzobispo y sin demora el CRT informará al Arzobispo respecto a lo que haya descubierto, así como respecto a cualquier recomendación que estime conveniente. Una vez que el Arzobispo haya tomado una decisión sobre la materia, tanto la presunta víctima como el acusado serán informados prontamente.

Dependiendo del resultado, y según su criterio, el Arzobispo realizará una de las siguientes acciones:

- a) Denuncias Confirmadas en Contra de un Clérigo Respecto a los Delitos Reservados.³² Si la investigación del Vicario para el Clero y del CRT conducen a una demanda confirmada con

²⁹ *Essential Norms*, art. 6.

³⁰ CIC, c. 1722 y *Essential Norms*, art. 6.

³¹ *Essential Norms*, art. 6.

³² Los delitos pueden ser descritos como crímenes reconocidos en la ley canónica, es decir, violaciones externas de la ley canónica que puedan estar sujetas a penalidades (c. 1321, c. 1399). Los delitos reservados son aquellos que están sujetos exclusivamente a la autoridad de la Santa Sede, respecto al juicio del delito y a la imposición/declaración de la pena. Con respecto a la Mala Conducta Sexual, los delitos reservados están estipulados en Normae de gravioribus delictis, artículos 4 §1 1° y 4° y artículo 6 §1.

respecto a un delito reservado (que incluye Mala Conducta Sexual en contra de un Menor, cf. C. 1395 § 2) y el Arzobispo considera que la demanda tiene *aspecto de verdad*, sin tener en cuenta cualquier investigación civil pendiente (la cual continuará su curso), deberá cerrar la investigación preliminar de acuerdo al canon 1718 y enviar el archivo a la Congregación para la Doctrina de la Fe³³. El Arzobispo deberá entonces esperar instrucciones de la Congregación antes de seguir adelante. De conformidad con el artículo 8 de *Normas Esenciales*, cuando un único caso confirmado de Mala Conducta Sexual contra un Menor “es reconocido o es probado después del proceso apropiado de acuerdo con la ley canónica” - incluyendo un incidente del pasado- el Clérigo transgresor será retirado permanentemente del ministerio.

b) *Denuncias Confirmadas en Contra de un Clérigo Respecto a Otros Actos de Mala Conducta Sexual*. Si la investigación del CRT conduce a la confirmación de una demanda respecto a otros actos de Mala Conducta Sexual (es decir aquellos que no están reservados a la Santa Sede, y por lo tanto, que no involucran a Menores), el Arzobispo cerrará la investigación preliminar según el canon 1718 y decidirá sobre la mejor manera de proceder, de acuerdo a la ley canónica, ya sea a través de un proceso penal administrativo o un proceso penal judicial (cf. Cc. 1720-1721).

c) *Medidas Adicionales Respecto a Acusaciones en Contra de un Clérigo*.

(1) *Daño*. En el caso de que se determine que un clérigo arquidiocesano efectivamente ha causado daño a una persona, el CRT deberá elaborar un informe por escrito para el Arzobispo, con recomendaciones concernientes a la idoneidad de dicho Clérigo para el ejercer el ministerio.

(2) *Evaluación psicológica*. Sin importar si el clérigo admite o niega que la Mala Conducta haya ocurrido, y si las alegaciones son consideradas suficientemente serias y la evidencia así lo garantiza, se le pedirá al Clérigo que participe voluntariamente en una evaluación psicológica profesional independiente, en el tiempo y lugar determinados por el Arzobispo, o por aquel a quien él designe³⁴. Se podrán tomar decisiones informadas respecto a futuras actividades ministeriales, sólo después de recibir los resultados de dicha evaluación y en espera de investigaciones sobre cualquier otra acusación. La evaluación psicológica profesional no será considerada como terapia, sino más bien como una evaluación profesional, respecto a la idoneidad para permanecer en el ministerio. Luego de recibir este informe, el Arzobispo lo revisará personalmente con el miembro del Clero, con el fin de llegar a un acuerdo mutuo respecto a una resolución, y de ser necesario, también respecto al tratamiento posterior. En caso que no haya acuerdo mutuo entre el Arzobispo y el miembro del Clero, el Arzobispo podrá actuar según crea conveniente, para proteger a aquellos en la comunidad que podrían estar en riesgo y para promover el bien común de la Iglesia, que es la salvación de las almas³⁵.

d) *Denuncias Confirmadas Contra Seminaristas*. Pese a que los Seminaristas no son miembros del Clero hasta su ordenación, ellos tienen como meta la ordenación y por lo tanto están bajo la jurisdicción del Vicario para el Clero. Si la investigación del CRT conduce a confirmar las denuncias de Mala Conducta Sexual con un Menor, el Arzobispo cerrará la investigación preliminar de acuerdo al canon 1718 e inmediatamente despedirá al Seminarista del programa de formación.

³³ *Normae de gravioribus delictis*, art. 16.

³⁴ *Essential Norms*, art. 7.

³⁵ CIC, cc. 223 §2; 381 §1; 383 §1.

- e) Denuncias No Confirmadas. Si la investigación del CRT (incluyendo cualquier investigación realizada por autoridades de la ley civil) llevan a la conclusión de que la acusación no tiene fundamento, el caso será cerrado de acuerdo con el canon 1718. El registro de la denuncia, de la respuesta del Clérigo o del Seminarista (según sea) y los resultados de la investigación se guardarán en el archivo de la curia, de conformidad con los cánones 1719 y 489 §2. Un resumen de la denuncia y los resultados de la investigación se incluirán permanentemente en el archivo personal del acusado. Si fuera necesario, se hará todo lo posible para recuperar la buena fama del Clérigo o del Seminarista, según sea. En cualquier caso, la Arquidiócesis buscará tratar a todas las partes con sensibilidad pastoral y respetando los derechos de privacidad de todos los involucrados.
- f) Otros Principios Generales a Seguir.
- (1) En cada caso confirmado de Mala Conducta Sexual, especialmente aquellos que involucran a Menores, el Arzobispo o la persona que él designe, se reunirá personalmente, con la víctima y su familia, si lo solicitaran.
 - (2) Deberá haber una respuesta pastoral para cualquier miembro del Clero que hubiese sido acusado. Teniendo en cuenta la ley canónica, el Vicario para el Clero ofrecerá al Clérigo acusado asistencia profesional para su propio bienestar y sanación.³⁶
 - (3) Si es que se indicará alguna acción disciplinaria en contra del miembro del Clero, se deberán observar los procesos canónicos correctos y seguir las disposiciones de la ley canónica. Estas disposiciones pueden incluir la solicitud por parte del miembro del Clero de la dispensa del estado clerical, o la solicitud por parte del Arzobispo de su destitución del estado clerical, incluso sin el consentimiento del miembro del Clero. Por el bien del debido proceso, se recomendará de nuevo al acusado conservar su abogado civil o canónico.³⁷ El costo de la asistencia legal deberá ser asumido por el miembro del Clero.
 - (4) De forma apropiada según las circunstancias, deberá haber una respuesta pastoral a la Iglesia y a la comunidad. De ser necesario, el Arzobispo o la persona que él designe, deberá asegurar una comunicación efectiva y una respuesta pastoral a las personas de la parroquia o comunidad en la que el miembro del Clero acusado está o ha sido asignado, o donde ocurrió el mal comportamiento. Nótese que cualquier contacto con los medios de comunicación o cualquier consulta respecto a dichos temas deberán ser manejados sólo por el Director de Comunicaciones de la Arquidiócesis. Por favor, ver la sección VII, más adelante, para más detalles respecto a la función de la Oficina de Comunicaciones de la Arquidiócesis de Denver.
- g) Nombramiento, Transferencia o Residencia del Clérigo. Ningún miembro del Clero que haya cometido un acto de Mala Conducta sexual con un Menor podrá ser transferido para realizar otra responsabilidad ministerial en otra diócesis/eparquía³⁸, o provincia religiosa. Antes que el miembro del Clero pueda ser transferido para residir en otra diócesis/eparquía, su Ordinario religioso deberá enviar de manera confidencial al obispo local/eparca y al Ordinario religioso (si fuera el caso) el lugar propuesto para que resida,

³⁶ CIC, c. 384.

³⁷ *Essential Norms*, art. 8a.

³⁸ Circunscripción territorial bajo la autoridad de un obispo o eparca, en las Iglesias Orientales Católicas, la Iglesia Ortodoxa y las Antiguas Iglesias Orientales. Esta circunscripción corresponde a lo que en Occidente se denomina diócesis.

toda la información concerniente a cualquier acto de Mala Conducta Sexual contra un Menor y cualquier otra información sobre el referido miembro del Clero, que indique que ha sido, o podría ser un peligro para los Menores. Esto se deberá realizar incluso en caso que el miembro del Clero vaya a residir en una comunidad local de un instituto de vida consagrada o un sociedad de vida apostólica (o, en el caso de las Iglesias Orientales, como un monje u otro religioso, en una sociedad de vida común de tipo de religioso, en un instituto secular, o en cualquier forma de vida consagrada o sociedad de vida apostólica). Cada obispo local/eparca u Ordinario religioso que recibe a un miembro del Clero de fuera de su jurisdicción, deberá obtener la información necesaria respecto a cualquier acto pasado de Mala Conducta Sexual en contra de un Menor, por parte del miembro del Clero en cuestión³⁹.

- D. Acusaciones Contra Miembros de Comunidades Religiosas que Sirven en el Territorio de la Arquidiócesis.** Según la ley canónica, los miembros de comunidades religiosas que sirven en el territorio de la Arquidiócesis, pertenecen a comunidades separadas de la Arquidiócesis y están bajo la responsabilidad de sus respectivos superiores. Existen procedimientos especiales en respuesta a las acusaciones en contra de miembros de comunidades religiosas que residen o sirven en el territorio de la Arquidiócesis (ver Apéndice D).
- E. Acusaciones Contra de Clérigos Externos que Sirven en el Territorio de la Arquidiócesis.** Toda la información pertinente, concerniente a acusaciones contra Clérigos no incardinados en la Arquidiócesis de Denver, será enviada lo antes posible al obispo de la diócesis en la que el Clérigo esté incardinado⁴⁰. Si bien la investigación preliminar será conducida por la autoridad competente en aquella diócesis, el Vicario para el Clero es responsable de coordinar la transferencia de toda la información pertinente. Además, el Vicario para el Clero actuará como contacto con la otra diócesis y asistirá a dicha diócesis, tal como sea requerido y en tanto que la asistencia se considere posible y apropiada.
- F. Investigaciones sobre Presunta Mala Conducta Sexual que Constituya Acoso Sexual.** Si las acusaciones de Mala Conducta Sexual constituyen Acoso Sexual hacia un Empleado de la Iglesia y el Presidente del CRT concluye que la materia no es propia de ser considerada por el CRT, se deberán aplicar los procedimientos para la investigación, señalados en el Apéndice A, titulados “Procedimientos de Denuncia de Acoso”.
- G. Acciones al Término de la Investigación.** En caso de que la investigación revele que la Mala Conducta Sexual ocurrió, se deberá tomar acciones correctivas. Las acciones correctivas contra miembros del Clero serán tomadas según lo señalado anteriormente. Para todos los demás que se haya probado que han estado involucrados en Mala Conducta Sexual, se determinarán acciones disciplinarias, que incluso podrán incluir la terminación del contrato de empleo.

³⁹ Ibid., art. 12.

⁴⁰ De acuerdo a los cánones 265 y 266, por la recepción del diaconado uno se hace clérigo y queda incardinado en una diócesis, Iglesia particular, prelatura personal, instituto de vida consagrada o sociedad de vida apostólica, para cuyo servicio fue promovido.

VII. COMUNICACIONES.

Es fundamental tener una comunicación regular, precisa y responsable en los esfuerzos por proteger a los Niños bajo nuestro cuidado así como para respetar los derechos de los acusados. La Oficina de Comunicaciones de la Arquidiócesis de Denver ayudará al Arzobispo, o a quien él designe, ofreciendo información detallada sobre programas de ambiente seguro, normas y procedimientos relacionados, el Código de Conducta y la obligación de denunciar que tienen los Trabajadores Eclesiales.

La Oficina de Comunicaciones divulgará los requisitos de denunciar abusos en Colorado, así como los números telefónicos de emergencia para atender a aquellos individuos que desean hacer una denuncia. Estas comunicaciones se realizarán a través de los medios arquidiocesanos que se encuentren disponibles, incluyendo una página web dedicada a la Protección de Niños y Jóvenes. Esta página web está disponible en la web de la Arquidiócesis de Denver (www.archen.org), que ofrece información relacionada a la protección de Niños durante las 24 horas del día. Los periódicos arquidiocesanos *Denver Catholic* y *El Pueblo Católico*, publicarán (mínimo) cuatro veces al año, anuncios para recordar a los lectores dónde pueden encontrar información sobre las normas arquidiocesanas sobre abuso y cómo presentar una denuncia.

En el caso de una denuncia de Mala Conducta Sexual/Abuso de Menores, la Arquidiócesis se compromete a comunicarse abierta y completamente con cualquier parroquia o comunidad que se vea afectada, respetuosos de la privacidad de los individuos involucrados, así como de cualquier proceso legal en curso.

La Oficina de Comunicaciones utilizará el *Denver Catholic*, *El Pueblo Católico*, la página web de la Arquidiócesis de Denver, comunicados de prensa y otros medios disponibles, tanto arquidiocesanos como no arquidiocesanos, para ayudar a ofrecer comunicación clara, según sea conveniente. De ser posible, se notificará con anticipación al acusado sobre la naturaleza de dicha divulgación y será invitado a añadir sus comentarios.

Con el fin de alentar una cobertura responsable y precisa en los medios, el Director de Comunicaciones de la Arquidiócesis de Denver servirá como el principal portavoz para las acusaciones de Mala Conducta sexual.

PARTE III

NORMAS SOBRE REDES SOCIALES

En un mundo cada vez más digital, gran parte del ministerio de la Iglesia se está llevando a cabo en Internet. Por tal motivo, los Trabajadores Eclesiales no pueden olvidar la naturaleza pública y el amplio alcance del Internet. Contrariamente a las publicaciones impresas que tienen una circulación limitada, cualquier cosa publicada en Internet puede difundirse en todo el mundo en cosa de segundos, y no puede ser retirado de la red.

Si bien Internet provee una gran oportunidad para los esfuerzos más extensos de evangelización de la Iglesia, la tecnología moderna también requiere que cada uno de nosotros seamos residentes responsables en el “continente digital”, sabiendo cuánto y cómo interactuar en línea de manera segura y responsable.

Los Trabajadores Eclesiales deben actuar según este Código de Conducta, cuando publiquen cualquier cosa en Internet o cuando se comuniquen con otras personas utilizando las redes sociales o las nuevas tecnologías.

En todo momento, los Trabajadores Eclesiales deberán ser conscientes de qué constituye un contenido apropiado, así como de los límites apropiados a la hora de interactuar con Menores.

Los Trabajadores Eclesiales deberán asegurar que cualquier información que pongan en Internet, ya sea en el ámbito personal o profesional, refleje los valores de la Iglesia Católica y la dignidad de la persona humana.

Los Párrocos y líderes en los diferentes ministerios, deberán vigilar las páginas web y blogs de su parroquia o de su ministerio, para asegurarse de que están siendo utilizados para servir, de manera coherente con los valores y las enseñanzas de la Iglesia Católica.

Los Trabajadores Eclesiales que cuenten con paginasweb y blog personales, no deberán involucrarse en ninguna actividad que esté en contra de los valores y las enseñanzas de la Iglesia Católica.

Los Trabajadores Eclesiales y estudiantes que participan en las escuelas Católicas, deberán revisar y entender las normas de su escuela, en lo concerniente al uso de Internet.

Para mayor información sobre este tema, puede visitar:

<http://www.usccb.org/about/communications/social-media-guidelines.cfm>

<http://www.cymsource.org/resources/documents/TechnologyGuidelinesNov2010.pdf>

<http://www.netsmartz.org>

<https://www.faithandsafety.org/>

<http://www.missingkids.com/cybertipline/>

<http://www.common sense media.org/>

APÉNDICE A

PROCEDIMIENTOS PARA DENUNCIAR ACOSO

El Arzobispo considera a toda persona asociada oficialmente con la Arquidiócesis, responsable de mantener la integridad de todas las relaciones pastorales y profesionales. Cada vez que un Trabajador Eclesial comete acoso con otro en el ejercicio de su labor, se involucra en actos poco éticos y potencialmente ilegales. Las Organizaciones Eclesiásticas Arquidiocesanas no tolerarán ninguna forma de acoso sexual, racial, étnico, por nacionalidad de origen, o acoso sexual entre menores, ni tampoco tolerarán ningún tipo de represalia en contra de ningún empleado, voluntario o estudiante, ya sea por rehusarse ante cualquier insinuación de acoso desagradable, por denunciar casos de acoso, o por ofrecer declaraciones o evidencias relacionadas con supuestos acosos.

“Acoso Sexual” es cualquier insinuación sexual desagradable, petición de favores sexuales, y otras conductas verbales o físicas de naturaleza sexual cuando la aceptación o rechazo de tal conducta se utiliza como base para decisiones de empleo; o tal conducta tiene el propósito o efecto de interferir injustamente con el desempeño laboral de una persona; o crea un ambiente laboral intimidante, hostil u ofensivo. El acoso sexual no se refiere a comportamientos o halagos de naturaleza socialmente aceptables; se refiere a comportamientos que para una persona razonable, son desagradables, personalmente ofensivos, que bajan la moral y consecuentemente interfieren con la efectividad del trabajo. Puede ser verbal, no verbal o físico.

“Acoso sexual entre menores” es cualquier insinuación sexual desagradable, pedido de favores sexuales, y otras conductas verbales o físicas de naturaleza sexual, realizada por o entre menores involucrados en cualquier actividad de la Iglesia, que tiene como propósito o efecto intimidar, avergonzar o humillar a la otra persona.

Si un Empleado de la Iglesia cree que ha sido acosado, deberá informar inmediatamente a su supervisor inmediato. En caso que el supervisor inmediato sea el responsable del supuesto acoso, o si el Trabajador Eclesial se siente incómodo de ir a comunicar el tema a su supervisor inmediato, entonces el Trabajador Eclesial deberá denunciar el problema ya sea al supervisor de su supervisor, al Vicario para el Clero de la Arquidiócesis de Denver o al Director de Recursos Humanos de la Arquidiócesis de Denver. Los Trabajadores Eclesiales en las escuelas también pueden denunciar el presunto acoso al director de la escuela, al párroco de la escuela parroquial (si es el caso), o al Superintendente de Escuelas Católicas de la Arquidiócesis de Denver.

Un Trabajador Eclesial que presente una queja en buena fe, deberá ser escuchado con atención y tratado con respeto. Tan pronto como tal denuncia sea recibida, un representante de la Arquidiócesis deberá investigar el caso cuidadosamente, y preguntar a todos aquellos que tengan conocimiento ya sea del caso o de problemas similares. En tanto que la ley lo permita, el/los investigador(es) deberá(n) tomar pasos razonables para preservar la confidencialidad de las circunstancias y de cualquier descubrimiento respecto al caso. Durante la investigación, la Organización Eclesiástica Arquidiocesana pertinente, podrá según su criterio, tomar acciones temporales, tales como separar a sus empleados y suspender al acusado, con o sin pago. Tan pronto como la investigación se complete, una copia de la investigación será enviada lo antes posible al Director de Recursos Humanos de la Arquidiócesis de Denver y, en el caso de un empleado de la escuela, al Superintendente de Escuelas Católicas de la Arquidiócesis de Denver.

Al término de la investigación, se deberán tomar las acciones correctivas necesarias y pertinentes. Esto deberá incluir comunicación con la(s) persona(s) que presentó la demanda, así como con el acusado. Cualquier empleado que, después de la investigación, haya sido encontrado responsable de algún comportamiento que la Arquidiócesis considera inapropiado o una violación del presente Código de Conducta, será sujeto a algún tipo de sanción, que podría incluir el despido inmediato.

APÉNDICE B

REQUISITOS PARA DENUNCIAR CASOS DE ABUSO DE NIÑOS Y AGRESIÓN SEXUAL EN COLORADO

En Colorado, así como en otros estados, el Abuso de Niños y la Agresión Sexual de Niños son un crimen. Colorado tiene además una ley específica que requiere que el Abuso de Menores y la Agresión Sexual de Menores sean denunciadas al Departamento de Servicios Sociales del condado o a las autoridades policiales locales. La mencionada ley de Colorado exige que cualquier persona que tenga causas razonables para creer o sospechar que un niño haya sido sujeto a abuso, negligencia o agresión sexual; o cualquier persona que haya visto a un niño siendo sujeto a circunstancias o condiciones que razonablemente podrían resultar en abuso, negligencia o agresión sexual, deberá denunciar el caso inmediatamente a:

- (1) Las autoridades policiales locales; o
- (2) El departamento de servicios sociales del condado.

Un “Niño” es definido como cualquier persona menor de 18 años.

Entre las personas a las que se requiere denunciar inmediatamente cualquier caso sabido o sospechoso de abuso de niños o agresión sexual de niños al Departamento de servicios sociales del condado o distrito, o a las autoridades policiales locales están los siguientes profesionales:

- (1) Un miembro del Clero (a menos que el Sacerdote haya obtenido la información mediante el Sacramento de la Confesión);
- (2) Una enfermera certificada o auxiliar de enfermería con licencia;
- (3) Un empleado o cargo de una escuela pública o privada;
- (4) Un trabajador social o un trabajador en una casa de cuidado de menores o una guardería;
- (5) Un profesional de salud mental;
- (6) Un psicólogo;
- (7) Un entrenador, o asistente de entrenador, etc.

Cualquier otra persona también puede denunciar a la agencia de la Policía local o al Departamento de servicios sociales local, cualquier acto sabido o sospechoso de Abuso de Niños o Agresión Sexual a Niños. Cualquier persona que intencionadamente viola la obligación por esta ley de denunciar estos actos, comete delito Clase 3. Otra ley del estado de Colorado estipula que una persona que informa sobre un caso de presunto Abuso de Niños o Agresión Sexual de Niños “actuando en buena fe al presentar esta demanda, quedará inmune de cualquier responsabilidad, civil o criminal, o de despido laboral, que de otra manera podría resultar por razón de tal denuncia”. Colo. Rev. Stat. §19-3-309, and Colo. Rev. Stat. §18-6-401(4).

La ley en Colorado cambia cada cierto tiempo, debido a la promulgación de nuevas leyes, o debido a enmiendas a las leyes existentes, así como por interpretaciones judiciales. Por consiguiente, está fuera del alcance de este Código de Conducta ofrecer una lista actualizada y completa de todas las leyes que se refieren a la Mala Conducta Sexual o Abuso de Menores. Sin embargo, se ofrecerá asistencia a todos los Trabajadores Eclesiales que tengan alguna pregunta o que quieran conocer cualquiera de las leyes que afectan estos temas.

Tómese en cuenta que las siguientes leyes podrían haber sido corregidas para cuando usted haya leído esta sección.

Las áreas primarias referidas son:

- (1) **Agresión Sexual, Colo. Rev. Stat §18-3-402.** Cualquier individuo comete una Agresión Sexual cuando, a sabiendas, comete una penetración sexual o una intrusión sexual sobre una víctima, sin el consentimiento de la misma; o cuando la víctima es incapaz de evaluar la naturaleza de su propia conducta, o está indefensa o está drogada. La Agresión Sexual es un crimen clase 4. Si la víctima tiene más de 15 años, pero es menor de 18 y el individuo es 10 años mayor que la víctima, pero la víctima consintió el contacto sexual, esto es considerado un delito.
- (2) **Contacto Sexual ilegal, Colo. Rev. Stat §18-3-404.** Cualquier individuo comete un contacto sexual ilegal cuando a sabiendas, somete a una víctima a cualquier contacto sexual sin el consentimiento de la víctima; o cuando la víctima es incapaz de evaluar la naturaleza de su propia conducta; o cuando la víctima está indefensa y el individuo lo sabe; o cuando el individuo ha drogado a la víctima sin su consentimiento y la capacidad de la víctima de evaluar o controlar su propia conducta, está afectada por dicha droga o alcohol (Se trata de un delito, a no ser que el individuo utilice la fuerza, amenaza o intimidación en contra la víctima, en cuyo caso se tratará de un crimen).
- (3) **Contacto Sexual ilegal, Colo. Rev. Stat §18-3-404.** Cualquier individuo que a sabiendas, con o sin contacto sexual, induce u obliga a un niño menor de 18 años a exhibir sus partes íntimas o a involucrarse en cualquier contacto sexual, abuso o penetración con cualquier persona, con el fin de obtener gratificación sexual por parte del individuo, comete el crimen de contacto sexual ilegal.
- (4) **Agresión Sexual Contra un Niño, Colo. Rev. Stat. §18-3-405.** Cualquier individuo que, a sabiendas, somete a cualquier contacto sexual a otro que tiene menos de 15 años de edad, comete una agresión sexual contra un Niño si es que el individuo es por lo menos 4 años mayor que la víctima. (Se trata de un crimen (felony); bajo determinadas circunstancias, puede llevar a que el individuo sea condenado a prisión de por vida).
- (5) **Agresión Sexual Contra un Niño por Alguien en Posición de Confianza, Colo. Rev. Stat. §18-3-405.3.** Cualquier individuo que a sabiendas somete a otra persona a cualquier contacto sexual, comete una “agresión sexual contra un Niño por parte de alguien en posición de confianza”, si la víctima es menor de 18 años y el individuo que comete la ofensa está en una posición de confianza con respecto a la víctima. La ley de Colorado define “Posición de Confianza” como: la de un padre o una madre, o aquel/aquella que actúa en lugar de los mismos y que tiene los derechos, deberes o responsabilidades concernientes al niño, incluyendo a los tutores, o alguien responsable de la supervisión general del bienestar del niño, o una persona encargada con responsabilidad por la salud, educación, bienestar o supervisión de un niño, incluyendo el orfanato, cuidado de niños, family care, o cuidado institucional, ya sea independientemente o a través otra persona, sin importar por cuánto tiempo, en el momento del contacto sexual ilegal. Colo. Rev. Stat. §18-3-401 (3.5). Un veredicto de culpabilidad bajo esta ley, puede llevar a que el individuo sea condenado a prisión de por vida.
- (6) **Agresión Sexual a un Cliente por Parte de un Psicoterapeuta, Colo. Rev. Stat. §18-3-405.5.** Un psicoterapeuta (que es definido por esta ley como cualquier persona que ejerce o pretende ejercer la psicoterapia, cuando dicha persona está autorizada por el estado) comete una agresión sexual agravada, si él o ella, a sabiendas, somete a penetración o intrusión sexual a una víctima, o si la penetración o intrusión sexual ocurrió por medio del engaño terapéutico. Dependiendo de las circunstancias, la agresión sexual por parte de un psicoterapeuta podría ser considerado un crimen o un delito.
- (7) **Explotación sexual de Niños, Colo. Rev. Stat. §18-6-403.** La explotación sexual de cualquier Niño menor de 18 años, constituye una invasión injusta de la privacidad del Niño y ocasiona un grave daño al mismo; cualquier Niño menor de 18 años es incapaz de garantizar un consentimiento informado sobre el uso de su cuerpo para un propósito sexual. Para proteger a los Niños de la explotación sexual, es necesario prohibir la producción de material que proviene de la explotación sexual y eliminar del mercado ese tipo de material. Además, la sola posesión de cualquier material de explotación sexual produce la continua victimización de los Niños, por el hecho de que tal material es un registro permanente de un acto o actos de abuso sexual de Niños. Cada vez que dicho material es reproducido o visto, se daña al niño. Para detener la explotación sexual y el abuso de niños, el estado ha prohibido la posesión de cualquier material de explotación sexual. El material de explotación sexual es definido como cualquier fotografía, película, video, video-casette, impresión, negativo, diapositiva, u otro material visual reproducido mecánica, electrónica, química o digitalmente, y que muestre a un niño ya sea involucrado en, participando, observando o siendo utilizado en conductas explícitamente sexuales. La Explotación Sexual de un Niño incluye provocar o permitir que un niño se involucre en conductas explícitamente sexuales para la producción de material explícitamente sexual; poseer tal material explícitamente sexual y/o compartir dicho material con cualquier persona.

- (8) **Seducción de un Niño**, Colo. Rev. Stat. §18-3-305. Una persona comete crimen de seducción de un niño si él/ella invita o persuade, o intenta invitar o persuadir a un niño menor de 15 años a ingresar a un vehículo, edificio, cuarto o lugar solitario o apartado, con la intención de cometer una agresión sexual o un contacto sexual ilegal. La Seducción de un Niño es un crimen.
- (9) **Seducción de un Niño por Vía de Internet**, Colo. Rev. Stat. §18-3-306. Esto ocurre cuando un individuo se comunica a través de una computadora, teléfono, texto, o mensaje de texto, con una persona, creyendo que la persona es menor de 15 años, y en la comunicación, dicho individuo describe explícitamente conductas sexuales. Además el individuo, siendo por lo menos 4 años mayor que la edad percibida del niño, intenta persuadirlo a encontrarse con él/ella por cualquier propósito. La seducción de un niño por vía de Internet es considerada un crimen.
- (10) **Explotación Sexual de un Niño por Vía de Internet**, Colo. Rev. Stat. §18-3-405.4. La Explotación Sexual de un Niño por vía de Internet ocurre cuando un individuo, a través de comunicación por una red informática, teléfono, red de datos, mensaje de texto o mensaje instantáneo, invita o persuade a un niño -que la persona cree que es menor de 15 años- a exponer o tocar sus partes íntimas o las partes íntimas de otra persona; o a observar las partes íntimas del individuo mientras se comunica con él/ella a través de la red, el teléfono, red de datos, mensaje de texto o mensaje instantáneo. Esto se aplica a individuos que son 4 años mayores que el niño en cuestión. Este acto es un crimen.
- (11) **Exhibicionismo Sexual Indecente**, Colo. Rev. Stat. §18-7-302. Una persona comete exposición indecente cuando, a sabiendas, exhibe sus genitales a la vista de cualquier persona. La seriedad de la ofensa depende de si la edad de la víctima es de 15 años o mayor.
- (12) **Invasión Criminal de la Privacidad**, Colo. Rev. Stat. §18-7-801. La invasión criminal de la privacidad ocurre cuando un individuo observa o toma fotografías de las partes íntimas de otra persona, sin el consentimiento de la misma, en una situación en la que la persona tiene una razonable expectativa de privacidad. La invasión criminal de la privacidad es un delito.
- (13) **Invasión de la Privacidad para Gratificación Sexual**, Colo. Rev. Stat. §18-3-405.6. La invasión de privacidad para gratificación sexual ocurre cuando, con el propósito de obtener gratificación sexual, un individuo observa o toma fotografías de las partes íntimas de una persona, sin el consentimiento de la misma, en una situación en la que la persona tenía una razonable expectativa de privacidad. Este crimen es un delito, pero se tratará de un crimen si la persona que fue observada o fotografiada tenía menos de 15 años y el individuo en cuestión era 4 años mayor que la víctima.
- (14) **Abuso de Menores**, Colo. Rev. Stat. §18-6-401. Una persona comete abuso de menores si dicha persona ocasiona un daño a la vida o salud del niño, o permite que el niño sea puesto injustificadamente en una situación que ponga en riesgo su vida o salud, o se compromete en un patrón habitual de conducta que ocasione la desnutrición, carencia de atención médica apropiada, castigo cruel, maltrato o la acumulación de daños que finalmente ocasionan la muerte del niño o un daño corporal grave en el niño. El abuso de niños incluye abandono y abuso emocional. El abuso infantil también ocurre cuando a un niño se le permite observar, vivir o ser cuidado en una casa o ser transportado en un vehículo que contenga metanfetamina o artículos utilizados para la producción de dicha droga, o donde la metanfetamina es fabricada. El abuso infantil puede ser un delito o un crimen.

APÉNDICE C

REQUISITOS PARA DENUNCIAR CASOS DE ABUSO DE ANCIANOS Y ADULTOS EN RIESGO

Ancianos en riesgo

Desde el 1 de Julio del 2014, los miembros del Clero están obligados a denunciar el abuso de ancianos en riesgo.⁴¹ **Las personas que sean testigos o se den cuenta que un “anciano en riesgo” ha sido o está en riesgo de maltrato (es decir abuso, abandono o descuido con negligencia por parte de un cuidador, o explotación) deberán denunciar la situación a las autoridades policiales dentro de las 24 horas siguientes (a menos que el Sacerdote haya obtenido la información mediante el Sacramento de la Confesión)**. Hay consecuencias legales criminales para una persona que estando obligada a denunciar el abuso de un anciano no lo hace, tales como un delito Clase 3. Sin embargo, la persona que presenta una denuncia de buena fe, queda inmune de una acusación civil o criminal.

Adultos en Riesgo con Discapacidad Mental o de Desarrollo

Desde el 1 de Julio de 2015, los miembros del Clero⁴² están obligados a denunciar el abuso o la explotación de “adultos en riesgo con discapacidad mental o de desarrollo”. **(Las personas obligadas a informar del abuso, que sean testigos o se den cuenta de que un “adulto en riesgo” ha sido abusado o explotado o está en riesgo inminente de maltrato (es decir abuso, abandono o descuido con negligencia por parte de un cuidador, o explotación) deberán denunciar la situación a las autoridades policiales dentro de las 24 horas siguientes (A menos que el sacerdote haya obtenido la información mediante el Sacramento de la Confesión)**. Hay consecuencias legales criminales para una persona que, estando obligada a informar el abuso de un anciano no lo hace; las consecuencias son un delito Clase 3. Sin embargo, la persona que presenta una denuncia de buena fe, queda inmune de una acusación civil o penal.

Por favor, vea las siguientes definiciones actualmente existentes en la Ley de Colorado, respecto a este tema:

“Miembro del Clero” se refiere a un **sacerdote**; un rabino; **un ministro de una iglesia debidamente ordenado, encargado o autorizado; miembro de una orden religiosa**; o un líder reconocido de cualquier organismo religioso. Por lo tanto, “Miembros del Clero” no sólo se refiere a párrocos, vicarios parroquiales, religiosos, etc., sino también a diáconos, incluyendo aquellos que son transitorios.

Un **“Adulto en Riesgo con Discapacidad Mental o de Desarrollo”** quiere decir una persona de 18 años de edad o mayor que tiene una “discapacidad mental o de desarrollo” (ver abajo la definición de tal discapacidad).

Un **“Anciano en Riesgo”** es una persona de 70 años de edad o mayor (independientemente de si la persona sufre de alguna discapacidad o impedimento de cualquier tipo).

⁴¹ Las personas obligadas a denunciar abusos incluyen a terapeutas físicos; personal de servicios médicos de emergencia; quiroprácticos; médicos; cirujanos; asistentes de médicos; osteópatas; estudiantes de medicina; podólogos; terapeutas ocupacionales y físicos; médicos forenses; enfermeras profesionales o con licencia para ejercer; personal de hospitales de atención prolongada encargados de admisión, atención o tratamiento de pacientes; psicólogos y otros profesionales de salud mental; trabajadores sociales; dentistas; personal de la policía; guardianes de corte y procuradores; bomberos; farmacéuticos; miembros directivos de centros comunitarios; empleados de bancos, asociaciones de ahorro y préstamo, sindicatos y otras instituciones financieras; miembros del staff, empleados o consultores de hospicios certificados o con licencia de operar, agencias, incluyendo pero no limitándose a proveedores de salud a domicilio; miembros del staff, empleado consultor de agencias de empleo para proveedores de salud a domicilio, tal como está definido en Colo. Rev. Stat. §25-27.5-102(5) y **miembros del clero** (tal como está definido en el código de niños, Colo. Rev. Stat. §19-3-304(2)(AA) y Colo. Rev. Stat. §13-90-107(1)(C)).

⁴² Ver la nota 41.

“Abuso” quiere decir los siguientes actos u omisiones cometido contra un adulto en riesgo con una discapacidad mental o de desarrollo, o contra de anciano en riesgo: (a) la imposición no accidental de heridas físicas, heridas físicas graves o muerte; (b) confinamiento o encierro injustificado del adulto bajo Criterios generalmente aceptados en el cuidado/guardianía; (c) sometimiento a conductas o contactos sexuales que de otra forma serían clasificados como criminal; y (d) descuido/desatención por parte del cuidador.

“Descuido o desatención” se refiere a la negligencia que ocurre cuando la comida, vestimenta, vivienda, cuidado psicológico, cuidado físico, atención médica o supervisión apropiadas no se ofrecen a un adulto en riesgo con discapacidad mental o de desarrollo, o a un anciano en riesgo; asimismo se refiere a los casos en los que la persona encargada del cuidado, no lo ofrece en el tiempo adecuado ni con el grado de cuidado que una persona razonable lo haría en una situación similar. Sin embargo, no será considerado abandono por parte de la persona encargada del cuidado cuando la retención, retiro o rechazo de cualquier medicamento así como cualquier procedimiento o aparato médico, o cualquier tratamiento –incluyendo pero no limitándose a la resucitación médica, estimulación cardíaca, ventilación médica, diálisis, y nutrición e hidratación artificial, esté de acuerdo con cualquier directiva médica válida, orden o plan de cuidado paliativo. Tal como es utilizado en esta subdivisión, una “directiva u orden médica” incluye pero no se limita a un poder notarial médico, una declaración de tratamiento médico aplicada según la sección 15-18-104, Colo. Rev. Stat., un formulario para orden de tratamiento médico ejecutada según el artículo 18.7 del título 15, Colo. Rev. Stat., y una directiva de CPR en conformidad con el artículo 18.6 del título 15, Colo. Rev. Stat.

“Discapacidad mental y de desarrollo” quiere decir una discapacidad que se manifiesta en una persona antes de cumplir los 22 años de edad, y que constituye una incapacidad significativa en la persona, que puede ser atribuible a retardo mental o condiciones relacionadas, que incluyen parálisis cerebral, epilepsia, autismo, u otras condiciones neurológicas, cuando dichas condiciones resultan en un impedimento del funcionamiento intelectual general o del comportamiento adaptable, similar a aquel de una persona con retardo mental.

“Explotación” significa un acto y omisión cometido por una persona que:

- A. Utiliza el engaño, acoso, intimidación o influencia excesiva para privar -temporal o permanentemente- del uso, beneficio o posesión de su dinero, acciones o propiedades, a un adulto en riesgo con discapacidad intelectual o de desarrollo, o un anciano en riesgo.
- B. En ausencia de la autoridad legal:
 - 1. Emplea los servicios de una tercera persona para el beneficio o ventaja de la persona u otra persona, en detrimento del adulto en riesgo con discapacidad mental o de desarrollo, o en detrimento de un anciano en riesgo; o
 - 2. Fuerza, obliga, coacciona o persuade a un adulto en riesgo con discapacidad mental o de desarrollo, o a un anciano en riesgo, a desempeñar servicios para el beneficio o ventaja de la persona u otra persona, en contra de la voluntad del individuo en riesgo; o
 - 3. Usa incorrectamente las pertenencias de un adulto en riesgo con discapacidad mental o de desarrollo, o a un anciano en riesgo, de manera que perjudica la capacidad de la persona en riesgo de recibir cuidado médico o los beneficios del cuidado médico o de pagar las cuentas para sus necesidades básicas u obligaciones.

APÉNDICE D

PROCEDIMIENTOS PARA RESPONDER A ACUSACIONES REALIZADAS EN CONTRA DE MIEMBROS DE COMUNIDADES RELIGIOSAS QUE SIRVEN EN EL TERRITORIO DE LA ARQUIDIÓCESIS DE DENVER⁴³

Notificación a la Comunidad Religiosa. Las acusaciones presentadas a la Arquidiócesis respecto a Mala Conducta Sexual que involucre a un sacerdote, hermano, monje, hermana, monja u otro miembro de una comunidad religiosa que esté sirviendo en algún puesto de dicha comunidad, serán remitidas al superior correspondiente para la investigación y acción conveniente.

Investigación. Cuando un caso es denunciado, la Arquidiócesis podrá esperar que la comunidad religiosa del acusado inicie una investigación inmediatamente. La investigación deberá realizarse con el máximo nivel de cuidado, preocupación y confidencialidad cristiana (hasta donde lo permita la ley) con respecto a la presunta víctima, su familia, la persona que informa el hecho, así como el acusado. Una copia del informe que resulte de la investigación deberá ser enviada al Arzobispo, tan pronto quede concluida, con el fin de ayudarlo a determinar si la persona acusada podrá recibir facultades o servicios ministeriales en el futuro. Cualquier recomendación referente al futuro ministerio o servicio de la persona denunciada en la Arquidiócesis será considerada por el Arzobispo, en consulta con el superior, o en su defecto con la autoridad competente, según la ley canónica.

Condición del Miembro de la Comunidad Religiosa. Según las circunstancias lo permitan, el Arzobispo podrá retirar inmediatamente las facultades del acusado en la Arquidiócesis o el ejercicio de su apostolado externo (c. 678), haciendo de esta manera al individuo no apto para el ministerio activo en la Arquidiócesis, quedando a la espera del resultado de la investigación interna del acusado por parte de su comunidad religiosa, así como de cualquier investigación externa. Tal acción no implica la culpabilidad de parte del religioso acusado.

Respuesta pastoral a la Supuesta Víctima. El Arzobispo podrá esperar que la comunidad religiosa provea una apropiada y pronta respuesta pastoral a la presunta víctima.

Respuesta pastoral al Acusado. La comunidad religiosa deberá velar por el bienestar espiritual, emocional y físico del acusado.

Respuesta pastoral a la Iglesia y la comunidad. Dependiendo de las circunstancias, el Arzobispo o quien él delegue, asegurará una apropiada comunicación y respuesta pastoral a los fieles de la parroquia o comunidad donde el religioso está asignado y/o donde la supuesta mala conducta ocurrió. La norma arquidiocesana es trabajar de la manera más abierta posible con la parroquia o comunidad, respetando la privacidad de los individuos involucrados, así como cualquier proceso legal en curso.

⁴³ La Iglesia Católica reconoce varias formas diversas de vida consagrada. Para fines de este Código, cualquier miembro de un instituto religioso (c. 607), instituto secular (c. 710), o sociedad de vida apostólica (c. 731) no incardinado en la Arquidiócesis de Denver, es considerado un miembro de una comunidad religiosa.

APÉNDICE E

ACUSE DE RECIBO Y ACUERDO

Por medio de la presente, yo, el firmante, reconozco que en la fecha, _____, recibí una copia del Código de Conducta de la Arquidiócesis de Denver.

He leído el contenido y entiendo su significado, y acepto comportarme en conformidad con sus términos.⁴⁴

Entiendo que este *Acuse de Recibo y Acuerdo* permanecerá en mi archivo personal.

Firma del Trabajador Eclesial: _____

Nombre Escrito del Trabajador Eclesial: _____

Organización Eclesiástica Arquidiocesana: _____

Fecha de la Firma: _____

⁴⁴ Como empleadores Católicos, damos la bienvenida y estamos agradecidos a los Trabajadores Eclesiales de otras creencias religiosas que ocupan puestos que no requieren estar ocupados por católicos totalmente iniciados en la comunión de la Iglesia Católica, que viven intencionalmente los cinco mandamientos de la Iglesia (Catecismo de la Iglesia Católica §§2041-2043). Si usted está en ese tipo de puesto, y no es un Católico totalmente iniciado en la comunión de la Iglesia Católica viviendo intencionalmente los cinco mandamientos de la Iglesia, se entiende que algunas disposiciones del Código no necesariamente se aplicarán a usted, sobre todo aquellas que tienen que ver principalmente con los términos relacionados a la involucración con la vida de la parroquia y la práctica de los sacramentos (como está señalado en la Parte I, Secciones I.A. y I.D.3. del Código). Todas las demás disposiciones del Código se aplican a todos los Trabajadores Eclesiales.

Exhibit V
LIMITS FOR ALIENATION TRANSACTIONS,
ACTS OF EXTRAORDINARY ADMINISTRATION,
ACTS OF MAJOR IMPORTANCE AND OTHER LIMITS OR
REQUIREMENTS

Written approval by the appropriate authority must be granted for the following limits to be exceeded.

Archdiocese/Archdiocesan

I. Alienation

- a. The maximum limit for alienation and any transaction which, according to the norm of law, can worsen the patrimonial condition is \$7,500,000 for Dioceses with Catholic populations of 500,000* persons or more (Canons 1290-1298).
- b. The minimum limit for alienation and any transaction which, according to the norm of law, can worsen the patrimonial condition is \$750,000 for Dioceses with Catholic populations of 500,000* persons or more.
- c. The minimum parish amount is 5% of that parish's annual ordinary income. (10.3.6)
- d. Ordinary Annual Income:
For parishes - ordinary annual income is defined as total annual parish offertory revenues recognized during the most recently ended fiscal year.

For other juridic persons - ordinary annual income is defined as total unrestricted revenues, net of investment income/loss.

Leasing

- e. Prior to the leasing of ecclesiastical goods owned by the Archdiocese, the Archbishop must hear the Archdiocesan Finance Council and the College of Consultors, when the market value of the goods to be leased exceeds \$400,000.
- f. Prior to the leasing of ecclesiastical goods owned by the Archdiocese, the Archbishop must obtain the consent of the Archdiocesan Finance Council and the College of Consultors when the market value of the property to be leased exceeds \$1,000,000 or the lease is to be for three years or longer.

II. Monetary Amounts, Thresholds or Limits

- a. \$ 1 (11.6.2)
- b. \$ 10 (2.2.11.5)
- c. \$ 25 (10.21.5)
- d. \$ 75 (10.12.5)
- e. \$ 200 (7.1.15.8)
- f. \$ 250 (10.12.5; 11.4.6)
- g. \$ 500 (4.3.4)
- h. \$ 600 (10.22.2, 4, 5c)
- i. \$ 1,000 (7.1.14.1,2; 4.3.12.4; 10.4.3i)
- j. \$ 5,000 (7.1.4.4a, 7.1.17.4)
- k. \$ 10,000 (7.1.4.5b, 7; 4.3.9)
- l. \$ 25,000 (4.3.4; 10.13.0, 11.7.2)
- m. \$ 250,000 (10.4.6)
- n. \$ 500,000 (10.9.2)
- o. \$2,000,000 (10.9.1)
- p. 10% (11.7.2)
- q. 20% (7.1.15.17)

III. Insurance Limits

- a. The employee should insure personal vehicles used for business for a minimum of \$100,000/300,000 liability and \$100,000 property damage coverage. (7.1.15.5)
- b. Workers' Compensation and Employers' Liability (7.1.17.5a)
 - Limits:
 - Coverage A: Statutory
 - Coverage B: \$100,000 Each Accident
 - \$100,000 Each Employee by Disease
 - \$500,000 Aggregate by Disease
- c. \$1,000,000 (Vehicle liability limit 7.1.17.5b)
- d. General Liability: required minimum limits:
 - Each Occurrence \$1,000,000
 - General Aggregate \$1,000,000
 - Products/Completed Operations \$1,000,000
 - Professional Liability Insurance \$1,000,000
 - (i.e. Engineers, Architects and consultants)
- e. \$5,000,000 (minimum insurance for contracted bus service)

IV. Parishes and Other Juridic Persons

- For the alienation of property of other public juridic persons (e.g. Parishes of the Archdiocese and/or its Seminaries) subject to the Diocesan Bishop, the “Parish Maximum Limit” is \$3,500,000 and the “Parish Minimum Limit” is the greater of \$25,000 or 10% of the prior year’s ordinary annual income, whichever is higher.
- The valid leasing of ecclesiastical goods owned by a parish or other public juridic person subject to the governance of the Archbishop requires consent of the Archbishop when the market value of the goods to be leased exceeds \$100,000 or the lease is to be for one year or longer.
- The valid leasing of ecclesiastical goods owned by a pontifical institute of consecrated life or society of apostolic life requires, in addition to the consent of the competent major superior and council, the *nihil obstat* of the Archbishop when the market value of the property to be leased exceeds \$1,000,000 or the lease is to be for three years or longer.
- The valid leasing of ecclesiastical goods by any public juridic person requires the consent of the Holy See when the market value of the goods exceeds \$5,000,000.

V. PFRC Limits

- The PFRC members serve in an advisory capacity in areas pertaining to parish construction, major remodeling or renovation, Catholic educational facilities, and capital fund-raising for projects exceeding \$500,000.00 in estimated costs.

VI. Capital or Construction Limit

- A pastor or school president (Machebeuf, Holy Family, and Frassati only) has authority to approve the spending of up to \$35,000 for any single purchase, project, contract, etc.

VII. Fundraising

- Fundraising endeavors not related to capital or other singularly focused projects can be approved by the pastor up to \$300,000.

VII. Parish Personnel Salary Limit

- A pastor has authority to approve an annual salary of up to \$70,000 for new hires.

IX. Sabbatical Cost (see 2.2.6.6)

- The priest pays 20% of the total sabbatical cost.
- The Archdiocese will pay the remaining 80% of the sabbatical cost up to \$10,000

* *The Archdiocese of Denver has a Catholic population of more than 500,000.*

Exhibit VI

PERSONNEL AND OTHER EMPLOYMENT RELATED FILE CONTENTS

SECTION 1 of 2: Lay Employees (including Religious Brothers and Sisters) & Deacons Holding an Additional Employee Position at the Parish.

Documents to be Retained in the Employee's Individual Personnel File

- Employment Application Form
- Resume, if applicable
- Any employment contracts (i.e., teachers and other school employees.)
- Performance Evaluation Forms (if Employer utilizes this program, optional practice)
- A Pay Rate Authorization Form showing salary changes and effective dates, signed by the Pastor or a Priest with the title of "Administrator," except for employees whose wages are defined in a contract (i.e. teachers and other school employees).
- Deduction from Final Pay Agreement
- Copy of all W-4 Forms
- Unemployment Exemption Status Form
- Executed Acknowledgment of Drug and/or Alcohol Testing Policy
- Executed Acknowledgment of Receipt page for the Archdiocese of Denver and the Ecclesiastical Organizations' Employee Handbook
- Executed Workers' Compensation Acknowledgment of Receipt Form
- Copy of the Profile Form for Part-Time Lay Employee (either copy of employee profile form, or "print-screen" of profile printed from UltiPro)
- Copy of the Archdiocese of Denver Lay Employees' Money Purchase Pension Plan Profile Form for full-time employees (those employees who are regularly scheduled to work 30 or more hours per week) (either copy of employee profile form, or "print-screen" of profile printed from UltiPro)
- Letters of commendation and/or complaint, if applicable
- Written warnings and documentation of verbal warnings
- Employee emergency contact information
- Flex Time Work Plan Agreement, if applicable and approved by supervisor
- Telecommuting Work Plan Agreement, if applicable and approved by supervisor

Documents to be Retained in a Separate Medical-Related Individual Employee File

Subject to stringent Health Insurance Portability and Accountability Act (HIPAA) confidentiality requirements

- Workers' Compensation Injury Reports/Physician Status/Return to Work Information
- Job-required medical examinations
- Results of alcohol and drug screening
- Americans with Disabilities Act (ADA) information
- Family Medical Leave Act (FMLA) paperwork
- Short Term Disability claim paperwork
- Long Term Disability claim paperwork
- Employer copy of Health Insurance Enrollment/Change/Termination Form
- Flexible Spending Election Form/Pre-Tax Premium Election Form (if the employee is enrolled in the Flexible Spending Account (FSA) Program at a location that participates in this program)

- Post-Tax Election Form, if applicable (copy)
- Miscellaneous medical information (e.g., physician notes regarding absences, leave, etc.)
- HIPAA Forms
- Explanation of Benefits (EOBs) / Claim Forms, if applicable

Documents That Must Be Retained by Subject - One File/Notebook for all Employees

I-9 Employment Eligibility Verification Form – Required for employees hired on or after 11/6/1986 (per U.S. Citizenship and Immigration Service & Immigration Reform and Control Act of 1986).

Retention: The I-9 Form (and copies of related documents if it is the employer’s practice to keep these with the I-9) must be retained for the greater of the following retention periods:

- 1 year from date of termination, OR
- 3 years from date of hire

Note: It is permissible, but not mandated, to maintain copies of documents presented for work eligibility, though employers must ensure consistency of this business practice so as to reduce the risk of discriminatory practices.

Using a Notebook Binder System is Recommended as “Best Practice”

I-9 Verification Form /Copies (may include copy of documents if that is the Employers’ Practice)

1. I-9s for current employees, stored alphabetically
2. I-9s for former employees, stored chronologically by “destruction date”
3. I-9s for employees with future “employment authorization expiration dates” or other I-9s that require special attention, stored chronologically by date of “re-verification”
4. I-9 policies and procedures; I-9 Training documentation
5. Colorado Affirmation of Legal Work Status and Copy of Verified Documents (mandated)

C. USCCB Charter for the Protection of Children and Young People Records – Maintain bolded sections below separately.

***National Background Check Records:**

- National Background Checks
- Authorization to Obtain a Criminal Background Check Forms
- Fair Credit Reporting Act Disclosure and Authorization Forms (federally mandated)

***Executed Acknowledgement of Receipt Forms of the Code of Conduct**

***Safe Environment Proof of Training Records:** If there is no certificate, the master report from the parish coordinator must clearly indicate that the employee has completed the training.

**Note: Regarding Records of deacons holding an additional employee position at the parish, USCCB Charter for the Protection of Children and Young People Records are not required to be maintained at the parish as they are maintained by the Archdiocesan Diaconate Office.*

SECTION 2 of 2: Clerics (Priests and Deacons)*

Documents Required To Be Retained in a Cleric’s Individual Personnel File

- Copy of all W-4 Forms
- Letters of commendation and/or complaint, as applicable

Documents to be Retained in a Separate Medical-Related Individual Employee File

Subject to stringent Health Insurance Portability and Accountability Act (HIPAA) confidentiality requirements

- Workers’ Compensation Injury Reports/Physician Status/Return to Work Information
- Job-required medical examinations
- Results of alcohol and drug screening
- Americans with Disabilities Act (ADA) Information
- Family Medical Leave Act (FMLA) Paperwork
- Employer copy of Health Insurance Enrollment/Change/Termination Form
- Flexible Spending Election Form/Pre-Tax Premium Election Form (if employee is enrolled in the Flexible Spending Account (FSA) Program at a location that participates in this program)
- Post-Tax Election Form, if applicable (copy)
- Miscellaneous medical information (e.g., physician’s notes regarding absences, leave, etc.)
- HIPAA Forms
- Explanation of Benefits (EOBs)/Claim Forms, if applicable

Documents That Must Be Retained by Subject - One File/Notebook for all Employees

A. I-9 Employment Eligibility Verification Form – Retain in the same file as those of lay employees, as detailed in Section 1, above (**RI Visa Exception**: clerics with this work eligibility status will take a copy of their original I-9 to the new appointment/assignment location, and a note will be placed with the original I-9 at the former location indicating this practice).

B. USCCB Charter for the Protection of Children and Young People Records – With regard to clerics, it is not necessary that these Records be obtained/maintained at the parish level; these Records are managed by the Office of Vicar for Clergy or Diaconate Office at the Pastoral Center.

**Note: For files of deacons holding an additional parish employee position, follow the directions provided in “Section 1: Lay Employees & Deacons Holding an Additional Employee Position at the Parish.”*

Exhibit VII

MEDICAL AND HEALTH CARE DIRECTIVES

These Directives are based on theological principles that guide the Church's vision of health care and call Catholics of the Archdiocese of Denver to share in the healing mission of the Church. They express the Church's full commitment to health care ministry and offer encouragement to all who are involved in it, whether as sponsors, trustees, administrators, chaplains, physicians, health care personnel, and patients or residents of these institutions and services.

These Directives, therefore, seek first, to reaffirm the ethical standards of behavior in health care that flow from the Church's teaching about the dignity of the human person; second, to provide authoritative and normative guidance on certain moral issues that face Catholic health care today. These Directives promote and protect the truths of the Catholic faith as those truths are brought to bear on concrete issues in health care.

I. The Social Responsibility of Catholic Health Care Services

- A. A Catholic institutional health care service is a community that provides health care to those in need of it. This service must be animated by the Gospel of Jesus Christ and guided by the moral tradition of the Church.
- B. Catholic health care should be marked by a spirit of mutual respect among caregivers that disposes them to deal with those it serves and their families with the compassion of Christ, sensitive to their vulnerability at a time of special need.
- C. In accord with its mission, Catholic health care should distinguish itself by service to and advocacy for those people whose social condition puts them at the margins of our society and makes them particularly vulnerable to discrimination: the poor; the uninsured and the underinsured; children and the unborn; single parents; the elderly; those with incurable diseases and chemical dependencies; racial minorities; immigrants and refugees. In particular, the person with mental or physical disabilities, regardless of the cause or severity, must be treated as a unique person of incomparable worth, with the same right to life and to adequate health care as all other persons.
- D. A Catholic health care institution, especially a teaching hospital, will promote medical research consistent with its mission of providing health care and with concern for the responsible stewardship of health care resources. Such medical research must adhere to Catholic moral principles.
- E. Catholic health care services must adopt these Directives as policy, require adherence to them within the institution as a condition for medical privileges and employment, and provide appropriate instruction regarding the Directives for administration, medical and nursing staff, and other personnel.

- F. A Catholic health care organization should be a responsible steward of the health care resources available to it. Collaboration with other health care providers, in ways that do not compromise Catholic social and moral teaching, can be an effective means of such stewardship.
- G. A Catholic health care institution must treat its employees respectfully and justly. This responsibility includes: equal employment opportunities for anyone qualified for the task, irrespective of a person's race, sex, age, national origin, or disability; a workplace that promotes employee participation; a work environment that ensures employee safety and well-being; just compensation and benefits; and recognition of the rights of employees to organize and bargain collectively without prejudice to the common good.
- H. Catholic health care institutions have a unique relationship to both the Church and the wider community they serve. Because of the ecclesial nature of this relationship, the relevant requirements of canon law will be observed with regard to the foundation of a new Catholic health care institution; the substantial revision of the mission of an institution; and the sale, sponsorship transfer, or closure of an existing institution.
- I. Employees of a Catholic health care institution must respect and uphold the religious mission of the institution and adhere to these Directives. They should maintain professional standards and promote the institution's commitment to human dignity and the common good.

II. The Pastoral and Spiritual Responsibility of Catholic Health Care

- A. A Catholic health care organization should provide pastoral care to minister to the religious and spiritual needs of all those it serves. Pastoral care personnel—clergy, religious, and lay alike—should have appropriate professional preparation, including an understanding of these Directives.
- B. Pastoral care personnel should work in close collaboration with local parishes and community clergy. Appropriate pastoral services and/or referrals should be available to all in keeping with their religious beliefs or affiliation.
- C. For Catholic patients or residents, provision for the sacraments is an especially important part of Catholic health care ministry. Every effort should be made to have priests assigned to hospitals and health care institutions to celebrate the Eucharist and provide the sacraments to patients and staff.
- D. Particular care should be taken to provide and to publicize opportunities for patients or residents to receive the sacrament of Penance.
- E. Properly prepared lay Catholics can be appointed to serve as extraordinary ministers of Holy Communion, in accordance with canon law and the policies of the Archdiocese. They should assist pastoral care personnel—clergy, religious, and laity—by providing

supportive visits, advising patients regarding the availability of priests for the sacrament of Penance, and distributing Holy Communion to the faithful who request it.

- F. Responsive to a patient's desires and condition, all involved in pastoral care should facilitate the availability of priests to provide the sacrament of Anointing of the Sick, recognizing that through this sacrament Christ provides grace and support to those who are seriously ill or weakened by advanced age. Normally, the sacrament is celebrated when the sick person is fully conscious. It may be conferred upon the sick who have lost consciousness or the use of reason, if there is reason to believe that they would have asked for the sacrament while in control of their faculties.
- G. All Catholics who are capable of receiving Communion should receive Viaticum when they are in danger of death, while still in full possession of their faculties.
- H. Except in cases of emergency (i.e., danger of death), any request for Baptism made by adults or for infants should be referred to the chaplain of the institution. Newly born infants in danger of death, including those miscarried, should be baptized if this is possible. In case of emergency, if a priest or a deacon is not available, anyone can validly baptize. In the case of emergency Baptism, the chaplain or the director of pastoral care is to be notified.
- I. When a Catholic who has been baptized but not yet confirmed is in danger of death, any priest may confirm the person.
- J. A record of the conferral of Baptism or Confirmation should be sent to the parish in which the institution is located and posted in its baptism/confirmation registers.
- K. Catholic discipline generally reserves the reception of the sacraments to Catholics. In accord with canon 844, §3, Catholic ministers may administer the sacraments of Eucharist, Penance, and Anointing of the Sick to members of the oriental churches that do not have full communion with the Catholic Church, or of other churches that in the judgment of the Holy See are in the same condition as the oriental churches, if such persons ask for the sacraments on their own and are properly disposed.

With regard to other Christians not in full communion with the Catholic Church, when the danger of death or other grave necessity is present, the four conditions of canon 844, §4, also must be present, namely, they cannot approach a minister of their own community; they ask for the sacraments on their own; they manifest Catholic faith in these sacraments; and they are properly disposed. The Archbishop has the responsibility to oversee this pastoral practice.

- L. The appointment of priests and deacons to the pastoral care staff of a Catholic institution must have the explicit approval or confirmation of the local bishop in collaboration with the administration of the institution. The appointment of the director of the pastoral care staff should be made in consultation with the Archbishop or Auxiliary Bishop.

- M. For the sake of appropriate ecumenical and interfaith relations, a diocesan policy should be developed with regard to the appointment of non-Catholic members to the pastoral care staff of a Catholic health care institution. The director of pastoral care at a Catholic institution should be a Catholic; any exception to this norm must be approved by the Archbishop.

III. The Professional-Patient Relationship

- A. The inherent dignity of the human person must be respected and protected regardless of the nature of the person's health problem or social status. The respect for human dignity extends to all persons who are served by Catholic health care.
- B. In compliance with federal law, a Catholic health care institution will make available to patients information about their rights, under the laws of their state, to make an advance directive for their medical treatment. The institution, however, will not honor an advance directive that is contrary to Catholic teaching. If the advance directive conflicts with Catholic teaching, an explanation should be provided as to why the directive cannot be honored.
- C. Each person may identify in advance a representative to make health care decisions as his or her surrogate in the event that the person loses the capacity to make health care decisions. Decisions by the designated surrogate should be faithful to Catholic moral principles and to the person's intentions and values, or if the person's intentions are unknown, to the person's best interests. In the event that an advance directive is not executed, those who are in a position to know best the patient's wishes—usually family members and loved ones—should participate in the treatment decisions for the person who has lost the capacity to make health care decisions.
- D. The free and informed consent of the person or the person's surrogate is required for medical treatments and procedures, except in an emergency situation when consent cannot be obtained and there is no indication that the patient would refuse consent to the treatment.
- E. Free and informed consent requires that the person or the person's surrogate receive all reasonable information about the essential nature of the proposed treatment and its benefits; its risks, side-effects, consequences, and cost; and any reasonable and morally legitimate alternatives, including no treatment at all.
- F. Each person or the person's surrogate should have access to medical and moral information and counseling so as to be able to form his or her conscience. The free and informed health care decision of the person or the person's surrogate is to be followed so long as it does not contradict Catholic principles.
- G. All persons served by Catholic health care have the right and duty to protect and preserve their bodily and functional integrity. The functional integrity of the person may be sacrificed to maintain the health or life of the person when no other morally permissible means is available.

- H. The transplantation of organs from living donors is morally permissible when such a donation will not sacrifice or seriously impair any essential bodily function and the anticipated benefit to the recipient is proportionate to the harm done to the donor. Furthermore, the freedom of the prospective donor must be respected, and economic advantages should not accrue to the donor.
- I. No one should be the subject of medical or genetic experimentation, even if it is therapeutic, unless the person or surrogate first has given free and informed consent. In instances of non-therapeutic experimentation, the surrogate can give this consent only if the experiment entails no significant risk to the person's well-being. Moreover, the greater the person's incompetency and vulnerability, the greater the reasons must be to perform any medical experimentation, especially non-therapeutic.
- J. While every person is obliged to use ordinary means to preserve his or her health, no person should be obliged to submit to a health care procedure that the person has judged, with a free and informed conscience, not to provide a reasonable hope of benefit without imposing excessive risks and burdens on the patient or excessive expense to family or community.
- K. The well-being of the whole person must be taken into account in deciding about any therapeutic intervention or use of technology. Therapeutic procedures that are likely to cause harm or undesirable side-effects can be justified only by a proportionate benefit to the patient.
- L. Health care providers are to respect each person's privacy and confidentiality regarding information related to the person's diagnosis, treatment, and care.
- M. Health care professionals should be educated to recognize the symptoms of abuse and violence and are obliged to report cases of abuse to the proper authorities in accordance with local statutes.
- N. Compassionate and understanding care should be given to a person who is the victim of sexual assault. Health care providers should cooperate with law enforcement officials and offer the person psychological and spiritual support as well as accurate medical information. A female who has been raped should be able to defend herself against a potential conception from the sexual assault. If, after appropriate testing, there is no evidence that conception has occurred already, she may be treated with medications that would prevent ovulation, sperm capacitation, or fertilization. It is not permissible, however, to initiate or to recommend treatments that have as their purpose or direct effect the removal, destruction, or interference with the implantation of a fertilized ovum.
- O. An Archdiocesan ethics advisory committee is available to for consultation with institutions or individuals on particular ethical situations, to offer educational opportunities, and to review and recommending policy

Appropriate standards for medical ethical consultation within the Archdiocese will be established that will respect the Archbishop's pastoral responsibility as well as assist members of the ethics advisory committee to be familiar with Catholic medical ethics and, in particular, these Directives.

Institutions or individuals may contact the Ethics Advisory Committee through the office of the vice-chancellor.

IV. Issues in Care for the Beginning of Life

- A. When the marital act of sexual intercourse is not able to attain its procreative purpose, assistance that does not separate the unitive and procreative ends of the act, and does not substitute for the marital act itself, may be used to help married couples conceive.
- B. Those techniques of assisted conception that respect the unitive and procreative meanings of sexual intercourse and do not involve the destruction of human embryos, or their deliberate generation in such numbers that it is clearly envisaged that all cannot implant and some are simply being used to maximize the chances of others implanting, may be used as therapies for infertility.
- C. Heterologous fertilization (that is, any technique used to achieve conception by the use of gametes coming from at least one donor other than the spouses) is prohibited because it is contrary to the covenant of marriage, the unity of the spouses, and the dignity proper to parents and the child.
- D. Homologous artificial fertilization (that is, any technique used to achieve conception using the gametes of the two spouses joined in marriage) is prohibited when it separates procreation from the marital act in its unitive significance (e.g., any technique used to achieve extracorporeal conception).
- E. Because of the dignity of the child and of marriage, and because of the uniqueness of the mother-child relationship, participation in contracts or arrangements for surrogate motherhood is not permitted. Moreover, the commercialization of such surrogacy denigrates the dignity of women, especially the poor.
- F. A Catholic health care institution that provides treatment for infertility should offer not only technical assistance to infertile couples but also should help couples pursue other solutions (e.g., counseling, adoption).
- G. A Catholic health care institution should provide prenatal, obstetric, and postnatal services for mothers and their children in a manner consonant with its mission.
- H. Abortion (that is, the directly intended termination of pregnancy before viability or the directly intended destruction of a viable fetus) is never permitted. Every procedure whose sole immediate effect is the termination of pregnancy before viability is an abortion, which, in its moral context, includes the interval between conception and implantation of the

embryo. Catholic health care institutions are not to provide abortion services, even based upon the principle of material cooperation. In this context, Catholic health care institutions need to be concerned about the danger of scandal in any association with abortion providers.

- I. Catholic health care providers should be ready to offer compassionate physical, psychological, moral, and spiritual care to those persons who have suffered from the trauma of abortion.
- J. Operations, treatments, and medications that have as their direct purpose the cure of a proportionately serious pathological condition of a pregnant woman are permitted when they cannot be safely postponed until the unborn child is viable, even if they will result in the death of the unborn child.
- K. In case of extra-uterine pregnancy, no intervention is morally licit which constitutes a direct abortion.
- L. For a proportionate reason, labor may be induced after the fetus is viable.
- M. Prenatal diagnosis is permitted when the procedure does not threaten the life or physical integrity of the unborn child or the mother and does not subject them to disproportionate risks; when the diagnosis can provide information to guide preventative care for the mother or pre- or postnatal care for the child; and when the parents, or at least the mother, give free and informed consent. Prenatal diagnosis is not permitted when undertaken with the intention of aborting an unborn child with a serious defect.
- N. Non-therapeutic experiments on a living embryo or fetus are not permitted, even with the consent of the parents. Therapeutic experiments are permitted for a proportionate reason with the free and informed consent of the parents or, if the father cannot be contacted, at least of the mother. Medical research that will not harm the life or physical integrity of an unborn child is permitted with parental consent.
- O. Catholic health institutions may not promote or condone contraceptive practices but should provide, for married couples and the medical staff who counsel them, instruction both about the Church's teaching on responsible parenthood and in methods of natural family planning.
- P. Direct sterilization of either men or women, whether permanent or temporary, is not permitted in a Catholic health care institution. Procedures that induce sterility are permitted when their direct effect is the cure or alleviation of a present and serious pathology and a simpler treatment is not available.
- Q. Genetic counseling may be provided in order to promote responsible parenthood and to prepare for the proper treatment and care of children with genetic defects, in accordance with Catholic moral teaching and the intrinsic rights and obligations of married couples regarding the transmission of life.

V. Issues in Care for the Seriously Ill and Dying

- A. Catholic health care institutions offering care to persons in danger of death from illness, accident, advanced age, or similar condition should provide them with appropriate opportunities to prepare for death. Persons in danger of death should be provided with whatever information is necessary to help them understand their condition and have the opportunity to discuss their condition with their family members and care providers. They should also be offered the appropriate medical information that would make it possible to address the morally legitimate choices available to them. They should be provided the spiritual support as well as the opportunity to receive the sacraments in order to prepare well for death.
- B. A person has a moral obligation to use ordinary or proportionate means of preserving his or her life. Proportionate means are those that in the judgment of the patient offer a reasonable hope of benefit and do not entail an excessive burden or impose excessive expense on the family or the community.
- C. A person may forgo extraordinary or disproportionate means of preserving life. Disproportionate means are those that in the patient's judgment do not offer a reasonable hope of benefit or entail an excessive burden, or impose excessive expense on the family or the community.
- D. In principle, there is an obligation to provide patients with food and water, including medically assisted nutrition and hydration for those who cannot take food orally. This obligation extends to patients in chronic and presumably irreversible conditions (e.g., the "persistent vegetative state") who can reasonably be expected to live indefinitely if given such care. Medically assisted nutrition and hydration become morally optional when they cannot reasonably be expected to prolong life or when they would be "excessively burdensome for the patient or [would] cause significant physical discomfort, for example resulting from complications in the use of the means employed." For instance, as a patient draws close to inevitable death from an underlying progressive and fatal condition, certain measures to provide nutrition and hydration may become excessively burdensome and therefore not obligatory in light of their very limited ability to prolong life or provide comfort.
- E. The free and informed judgment made by a competent adult patient concerning the use or withdrawal of life-sustaining procedures should always be respected and normally complied with, unless it is contrary to Catholic moral teaching.
- F. Euthanasia is an action or omission that of itself or by intention causes death in order to alleviate suffering. Catholic health care institutions may never condone or participate in euthanasia or assisted suicide in any way. Dying patients who request euthanasia should receive loving care, psychological and spiritual support, and appropriate remedies for pain and other symptoms so that they can live with dignity until the time of natural death.

- G. Patients should be kept as free of pain as possible so that they may die comfortably and with dignity, and in the place where they wish to die. Since a person has the right to prepare for his or her death while fully conscious, he or she should not be deprived of consciousness without a compelling reason. Medicines capable of alleviating or suppressing pain may be given to a dying person, even if this therapy may indirectly shorten the person's life so long as the intent is not to hasten death. Patients experiencing suffering that cannot be alleviated should be helped to appreciate the Christian understanding of redemptive suffering.
- H. The determination of death should be made by the physician or competent medical authority in accordance with responsible and commonly accepted scientific criteria.
- I. Catholic health care institutions should encourage and provide the means whereby those who wish to do so may arrange for the donation of their organs and bodily tissue, for ethically legitimate purposes, so that they may be used for donation and research after death.
- J. Such organs should not be removed until it has been medically determined that the patient has died. In order to prevent any conflict of interest, the physician who determines death should not be a member of the transplant team.
- K. The use of tissue or organs from an infant may be permitted after death has been determined and with the informed consent of the parents or guardians.
- L. Catholic health care institutions should not make use of human tissue obtained by direct abortions even for research and therapeutic purposes.

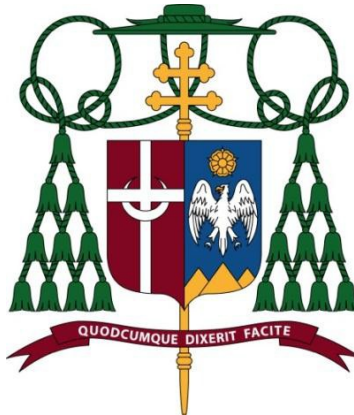
VI. Forming New Partnerships with Health Care Organizations and Providers

- A. Decisions that may lead to serious consequences for the identity or reputation of Catholic health care services, or entail the high risk of scandal, should be made in consultation with the Auxiliary Bishop.
- B. Any partnership that will affect the mission or religious and ethical identity of Catholic health care institutional services must respect church teaching and discipline. The Archbishop's approval is required for partnerships sponsored by institutions subject to his governing authority; for partnerships sponsored by religious institutes of pontifical right, his *nihil obstat* should be obtained.
- C. If a Catholic health care organization is considering entering into an arrangement with another organization that may be involved in activities judged morally wrong by the Church, participation in such activities must be limited to what is in accord with the moral principles governing cooperation.
- D. Catholic health care organizations are not permitted to engage in immediate material cooperation in actions that are intrinsically immoral, such as abortion, euthanasia, assisted suicide, and direct sterilization.

- E. The possibility of scandal must be considered when applying the principles governing cooperation. Cooperation, which in all other respects is morally licit, may need to be refused because of the scandal that might be caused. Scandal can sometimes be avoided by an appropriate explanation of what is in fact being done at the health care facility under Catholic auspices. The Archbishop has final responsibility for assessing and addressing issues of scandal, considering not only the circumstances in his local diocese but also the regional and national implications of his decision.

- F. The Catholic partner in an arrangement has the responsibility periodically to assess whether the binding agreement is being observed and implemented in a way that is consistent with Church teaching and discipline.

EXHIBIT VIII



Prot. N. 2013-0017 L

**STATUTES
OF THE PRESBYTERAL COUNCIL
OF THE
ARCHDIOCESE OF DENVER**

PREAMBLE

The Lord Jesus has provided continually for the care of the Church through the apostolic succession of bishops. “By divine institution bishops have succeeded to the place of the apostles as shepherds of the Church” (LG 20), charged “to attend to the whole flock in which the Holy Spirit placed them to shepherd the Church of God” (*Ibid*).

In order to provide more fully for the welfare of the portion of the people of God entrusted to their care (see c. 495.par.1), bishops call to themselves as “necessary helpers and counselors” (PO 7), priests who, “although dependent on the bishop in the exercise of their power [...] are nonetheless united with the bishops in sacerdotal dignity” (LG 28). Those called to this service of the People of God, exclusively in union with the bishop, constitute a hierarchical communion (PO 7) and form “one presbyterate and one family, whose father is the bishop” (CD 28; see also LG 28 and PO 8).

This hierarchical communion “manifests itself institutionally in the presbyteral council, insofar as it is ‘a group of priests which, representing the *presbyterium*, [...] assists the Bishop in the governance of the diocese according to the norm of law to promote as much as possible the pastoral good of the portion of the people of God entrusted to him.’

In this way, in addition to facilitating the necessary dialogue between the Bishop and the presbyterate, the council serves to foster fraternity between different groups of clergy in the diocese. The council is firmly rooted in the concrete reality of the presbyterate and in the particular ecclesial mission that falls to priests as principal co-workers of the order of Bishops. The council is therefore ‘diocesan’ by nature” (*Apostolorum Successores* 182).

The Presbyteral Council should be reflective of the composition of the whole presbyterate of the diocese. The representative character of the Council is effected by ensuring the following are represented within its composition:

- a) the different ministries
- b) the regions or pastoral zones of the diocese
- c) the different age groups or generations of priests (See c. 499)

ARTICLE I: NAME

The name of this body is “The Presbyteral Council of the Archdiocese of Denver.” In its statutes, it is hereafter referred to as the “Council”.

ARTICLE II: PURPOSE

The purposes of the Council are the following:

- 1: The Council is to function as an advisory body for the bishop, who is thus informed by the wisdom, experience, and prudent judgment of the presbyterate.
- 2: The Council aids the Archbishop (c. 495) in the governance of the Archdiocese according to the norms of law so that the pastoral welfare of that portion of the People of God committed to the Archbishop with the cooperation of the presbyterate may be carried forward as effectively as possible.
- 3: The Council is a consultative, non-deliberative body. The Archbishop is to consult with the Council on all affairs of great importance in the life of a diocese (c. 500 §2). Also, he must consult with it regarding the following matters:
 - a. the convention of a diocesan synod. (c. 461)
 - b. the establishment, suppression, or notable alteration of a parish. (c. 515)

- c. the establishment of prescripts regarding offerings of the faithful for parochial services, their allocation, and remuneration of clerics for the same. (c. 531)
- d. the establishment of parish pastoral councils. (c. 536)
- e. the decision to build a church or relegate one to profane use. (cc. 1215, 1222)
- f. the taxation of juridic persons. (c. 1263)
- g. the establishment of a group of pastors to serve as consultants in the removal or involuntary transfer of a pastor. (cc.1742-1750)

4: Finally, the Council provides a forum for discussion of other pastoral concerns proposed by the Archbishop or admitted by him for consideration.

ARTICLE III: MEMBERSHIP

1: Membership consists of any coadjutor bishop, any auxiliary bishop of the Archdiocese of Denver, one priest elected from each vicariate forane (deanery) (c. 497 §1), those priests who serve *ex-officio* (c. 497 §2), and those priests appointed by the Archbishop (c. 497 §3).

1.1: Among the members, at least one must be a religious priest of the presbyterate, and one other must be from the junior clergy of the diocesan priests, having been ordained five years or less. These positions will be filled by appointment of the Archbishop if they are not filled by election.

1.2: *Ex-officio* members are the vicar(s) general, episcopal vicars, and the judicial vicar.

1.3: When a member of the Council vacates his position, the vacancy is to be filled within three months by processes described in these statutes.

1.4: The number of elected priests should be as close as possible to half of the composition of the Council.

2: The election of the members:

2.1: All secular priests incardinated in the diocese and all priests who are living in the diocese and exercise any office for the benefit of the diocese whether they be secular priests not incardinated in the diocese or priest members of religious institution or of societies of apostolic life, possess active and passive voice in their deanery of their domicile (c. 498 §1). The Vicar for Clergy shall maintain a list of such priests for each deanery. Extern priests who have only domicile or quasi-domicile in the diocese without a ministerial assignment (c.498 §2) will be afforded active and passive voice according to the determination of the Vicar for Clergy.

2.2: Considering canons 119 and 164, which allow statutes to specify the manner of election, the election of members takes place under the direction of the Vicar for Clergy, who will mail to those in each deanery with active voice ballots containing the names of those with passive voice in each deanery. The Vicar for Clergy specifies when the ballots must be returned and any other requirements for the election.

2.3: Elections should take place during the month of July. The priest elected by a majority of those voting will be submitted by August 1st to the Archbishop and the Council. The vacancy of any elected member shall be filled by a special election for the completion of the term. This election must take place within three months.

2.4: Disputed cases concerning active or passive voice are to be discussed by the Executive Committee and submitted to the Archbishop for decision.

3: An elected member is elected for a three-year term. A member appointed by the Archbishop according to canon 497 §3, also serves a three-year term, which may be extended at the discretion of the Archbishop. The membership of an *ex officio* member is coterminous with his office.

4: An elected priest can serve no more than two (2) terms consecutively. Terms of office run from August 1 to July 31 of the appropriate years.

5: If the domicile of an elected member changes to another deanery, his membership ceases, and a new election for that deanery must be held within three months.

ARTICLE IV: CESSATION OF THE COUNCIL

1: The Council ceases at the time of and during the vacancy of the See until the newly appointed Archbishop establishes it (c. 501, § 2).

2: The Council is dissolved at the Archbishop's discretion according to the norm of c. 501 §3, when it no longer fulfills the functions committed to it or when it is gravely abusing its function.

ARTICLE V: PRESIDENT AND OFFICERS

1: The president of the Council is the Archbishop of Denver. The President alone has the right to call meetings of the Council, to preside over its meetings, to determine its agenda, to accept or reject the results of the Council's deliberations, and publicize the same (c. 500).

2: The officers of the Council are the chairman, and vice-chairman

2.1: The chairman presides only by specific delegation from the President at the meetings of the Council according to the parameters of his delegation.

2.2: The vice-chairman assists the chair and serves in his place when the chairman is absent. He is responsible for keeping the minutes of every meeting and performing other administrative functions at the request of the chairman.

2.3: When the vice-chairman is legitimately serving in the place of the chairman, the vice-chairman may delegate another member of the Council to assist him.

2.4: All members of the Council are *ipso facto* eligible to hold offices.

2.5: All officers are elected by and from among the members of the Council with a majority vote of those present and with the approval of the President.

2.6: Elections of officers takes place at the first meeting following the initial establishment of the Council and, thereafter, every two years following the initial election of officers.

2.7: The term of office of the Council officers is two years.

2.8: Following the vacancy of a Council office, a special election is to be held at the next meeting.

ARTICLE VI: MEETINGS

- 1: The Council is to meet when convoked by the President, who shall issue a regular schedule of meetings.
- 2: In accord with the Particular Law for the United States, the Council must meet at least four times per year (NCCB, Complementary Legislation for Canon 496).
- 3: The calendar of meetings scheduled by the President for the whole year must be communicated by mail to each member of the Council before the first meeting in a given year. In this way, communication of the calendar functions as legitimate convocation of all members. Special meetings may be convoked at the discretion of the President.
- 4: Only those legitimately convoked and present at the time and place specified in the notice of convocation are permitted to participate in that meeting's activity. At the discretion of the President, those present by teleconference, videoconference, or similar means of electronic communication may participate, as well.
- 5: Due to the collaborative nature of the Council, members of the Council, who were legitimately convoked, forfeit the right to participate in those meeting activities for which they were not present.
- 6: Whether through voting or counsel, each member who is present according to the above prescripts has the right to offer an opinion on each matter discussed.
- 7: While the President must convoke all members and seek the opinion of those present for each matter discussed at a meeting, a formal vote is not required. Votes may be initiated by the one presiding at the meeting.

ARTICLE VII: COMMITTEES

- 1: The Council has one standing committee, the Executive Committee.

1.1: The Executive Committee shall consist of the officers of the Council. As instructed by the Archbishop, the committee shall prepare the agenda for the meetings of the Council and shall coordinate the work of any other committees. The Executive Committee shall not have the power to act in the name of the Council.

1.2: In order to promote unity and collaboration within the Council, the creation of additional standing committees is prohibited. The President alone, however, may create special committees as needed, determining their scope and time of operation.

1.3: Any member of the presbyterate is free to propose to the President the creation of a special committee.

ARTICLE VIII: AMENDMENTS

1: The Archbishop of Denver alone may alter these statutes by notifying the members in writing of any changes. Any changes will take effect immediately, unless otherwise stated.

2: To receive the formal recommendation of the Council, amendments must receive at least a majority of two-thirds of the members present and voting.

ARTICLE IX: APPROBATION

These statutes are hereby approved by the Archbishop of Denver and are to be interpreted in accord with the 1983 *Code of Canon Law* and the customs, rules, regulations and statutes of the Catholic Church and the Archdiocese of Denver. They may be formally interpreted and amended only by the Archbishop of Denver.

On the 18th day of October 2013
Denver, Colorado



Most Reverend Samuel J. Aquila, S.T.L.

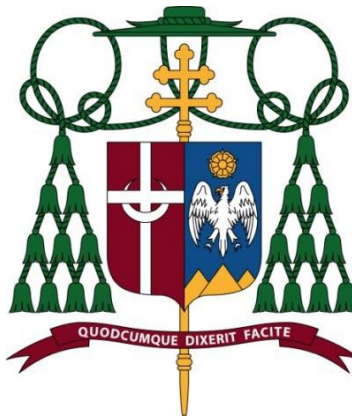
Archbishop of Denver



Mr. David Uebbing

Chancellor

EXHIBIT IX



Prot. N. 2013-0023 L

**STATUTES
OF THE COLLEGE OF CONSULTORS
OF THE
ARCHDIOCESE OF DENVER**

PREAMBLE

In order to provide more fully for the welfare of the portion of the people of God entrusted to their care (see c. 495 §1), bishops call to themselves as “necessary helpers and counselors” (PO 7), priests who, “although dependent on the bishop in the exercise of their power [...] are nonetheless united with the bishops in sacerdotal dignity” (LG 28). Those called to this service of the People of God, exclusively in union with the bishop, constitute a hierarchical communion (PO 7) and form “one presbyterate and one family, whose father is the bishop” (CD 28; see also LG 28 and PO 8).

While the Presbyteral Council assists the Archbishop in this hierarchical communion for the sake of shepherding the Faithful according to the norm of law, “from among the members of the presbyteral council and in a number not less than six nor more than twelve, the diocesan bishop freely appoints some priests who are to constitute for five years a college of consultors to which belong the functions determined by law” (c. 502 §1).

“The establishment of the college is intended to guarantee that the Bishop is ably assisted. It expresses its consent and its opinion as required by law when important decisions of an *economic nature* have to be made and, in the case of a *vacant or impeded* See, it assures continuity of pastoral governance and correct procedure regarding the succession” (*Apostolorum Successores* 183).

Thus, the College of Consultors in addition to the Presbyteral Council ensures that the pastoral care of the Archdiocese is always informed by the wisdom, experience, and virtues of the Presbyterate.

Although drawn from the Presbyteral Council, the College of Consultors, nonetheless, acts freely and autonomously, according to its statutes and the norm of law, especially the Code of Canon Law currently in force.

ARTICLE I: NAME

The name of this body is “The College of Consultors of the Archdiocese of Denver.” In its statutes, it is hereafter referred to as the “College”.

ARTICLE II: PURPOSE

The purposes of the College are the following:

1: In certain matters defined by law, the College acts as the principle consultative body in service to the Archbishop, Diocesan Administrator, or one temporarily taking the place of the Archbishop, for the sake of the wise governance of the Archdiocese.

2: During a vacant or impeded See and according to the norm of law, the College fulfills all of the functions of the Presbyteral Council, which is dissolved *ipso iure* (c. 501 §2).

3: The competent authority *cannot proceed validly* (c. 127) without first receiving the *consent* of the College regarding the following matters:

3.1 A Diocesan Administrator granting excommunication or incardination when the See has been vacant for a year (c. 272).

3.2 A Diocesan Administrator removing the Chancellor or a Notary from office (c. 485).

- 3.3 A Diocesan Administrator issuing dimissorial letters (c. 1018 §1, 2°).
- 3.4 Acts of extraordinary administration (c. 1277), which the United States Conference of Bishops (USCCB) has defined as follows (complementary norm, March 3, 2010) :
- 3.4.1 Initiating a program of financing by the issuance of instruments such as bonds, annuities, mortgages or bank debt in excess of the minimum amount set in accord with canon 1292 §1.
 - 3.4.2 Resolving an individual or aggregate claim(s) by financial settlement in excess of the minimum amount set in accord with canon 1292 §1.
 - 3.4.3 Engaging in the regular management or operation of a trade or business that is not substantially related to the performance of the religious, spiritual, educational or charitable purposes of the Church, for the purpose of generating income to carry on such activities.
 - 3.4.4 Entering into any financial transaction or contractual agreement, the terms of which address matters involving an actual or potential conflict of interest for the diocesan bishop, auxiliary bishop(s), vicar(s) general, episcopal vicar(s), or diocesan finance officer.
- 3.5 Alienation of the stable patrimony of the Archdiocese, a public juridic person subject to the Archbishop, and other public juridic persons not subject to the Archbishop, when their statutes do not lawfully provide otherwise, in excess of the minimum amount set by the USCCB according to canon 1292 §1, particular attention should be paid to § 4.
- 3.6 Any transaction which can worsen the patrimonial condition of the Archdiocese, a public juridic person subject to the Archbishop, and other public juridic persons not subject to eh Archbishop, when their statutes do not lawfully provide otherwise (canon 1295).
- 3.7 Prior to leasing or encumbering ecclesiastical goods (c. 1297) owned by the Archdiocese, when the market value of the property to be leased involved exceeds \$1,000,000 (USCCB, complementary norm, June 8, 2007).

3.8 Prior to leasing or encumbering ecclesiastical goods (c. 1297) owned by the Archdiocese when the lease is to be for 3 years or longer, regardless of the value of the goods (USCCB, complementary norm, June 8, 2007).

4: The competent authority cannot proceed validly (c. 127) without first *consulting* the College regarding the following matters:

4.1 Appointing the Finance Officer (c 494 §1).

4.2 Removing the Finance Officer during his term (c. 494 §2).

4.3 More important acts of administration, in light of the economic condition of the Archdiocese (c. 1277).

4.4 Prior to leasing ecclesiastical goods (c. 1297) owned by the Archdiocese, when the market value of the goods to be leased exceeds \$400,000 (USCCB, complementary norm, June 8, 2007).

4.5 Determination of the meaning of acts of extraordinary administration for Religious Institutes subject to the Archbishop's control if the statutes are not specific (*Particular Law of the Archdiocese of Denver [2010], 1.2.5.4.i.x*).

4.6 Investment of tangible and intangible property assigned to an endowment (*ibid., 1.2.5.4.i.xii*).

5: The College exercises the following functions as well:

5.1 Observing the apostolic letter of appointment when the Archbishop takes possession of the Archdiocese (c. 382 §3).

5.2 Observing the apostolic letter of appointment, when a Coadjutor Bishop assumes the office of Coadjutor Bishop (c. 404§1).

5.3 Observing the apostolic letter of appointment, when the See is impeded and a Coadjutor Bishop or Auxiliary Bishop assumes governance of the Archdiocese (cc. 404 §3 and 413 §1).

5.4 When the See is impeded, there is no Coadjutor Bishop (or he is impeded as well), and the order of succession has not provided otherwise, the College must select a priest to govern the Archdiocese (c. 413 §2).

5.5 When the See is vacant and there is no Auxiliary Bishop, the College assumes governance of the Archdiocese until the selection of a Diocesan Administrator (c. 419)

5.6 Unless the law or the Holy See provides otherwise, the College elects a Diocesan Administrator within eight days of notice of the vacant See or in the event that the Diocesan Administrator has been removed, resigns or dies (cc. 421 §1 and 430 §2).

5.7 If there is no Auxiliary Bishop, the College is to notify the Holy See about the death of the Archbishop (c. 422).

5.8 Receives the resignation of the Diocesan Administrator (c. 430 §2).

5.9 To be present when the Diocesan Administrator makes his profession of faith (c. 833 4°).

6: The Archbishop freely consults the College of Consultors on any other matters at his discretion.

ARTICLE III: MEMBERSHIP

1: Membership shall consist of at least six but no more than twelve members selected by the Archbishop from the Presbyteral Council.

1.1 In order to ensure definitive votes, it is advisable that the College consist of seven, nine, or eleven members.

1.2 The College is constituted for a five-year term, with each member's term coterminous with one another's. If a member vacates his position before the term of the College ceases, the Archbishop is free to appoint, from the Presbyteral Council, a replacement member who shall only be permitted to complete the remainder of the previous member's term.

1.3 If the vacancy of a member of the College reduces the College to five members or less, the Archbishop must appoint, from the Presbyteral Council, additional member(s) until there are at least six.

2: Once a member is appointed, membership in the College is not dependent upon membership in the Presbyteral Council such that membership in the College continues even in the event that membership in the Presbyteral Council ceases.

3: Loss of membership occurs when a member is freely removed by the Archbishop or upon notification (can. 186) of the cessation of the College.

ARTICLE IV: CESSATION OF THE COLLEGE

1: The College ceases to exist *ipso iure* when five years have elapsed, and the Archbishop has established a new College (c. 502 §1).

2: The establishment of a new Presbyteral Council following the appointment of a new Archbishop has no effect on the existence of the College.

ARTICLE V: OFFICERS

1: The President of the College is the Archbishop of Denver or the Diocesan Administrator. When the See is vacant or impeded, the Auxiliary Bishop serves as President until the Diocesan Administrator is appointed. When the See is vacant or impeded, if there is no Auxiliary Bishop, and before a Diocesan Administrator is appointed, the member of the College who is senior in ordination serves as President (c. 502 §2).

1.1 The President alone has the right to call meetings of the Council, to preside over its meetings, and to determine its agenda (c. 502 §2).

2: From among the members of the College, the President appoints a Chairman who is to record the minutes of the meetings and perform administrative functions at his request.

2.1 The Chairman serves at the will of the President and can be replaced at any time by him, just as he can designate another to serve temporarily in this capacity in the absence of the Chairman.

2.2 Although a new President may appoint a new Chairman, the former chairman does not lose membership of the college *ipso facto* when a new President assumes his function.

ARTICLE VI: MEETINGS

1: The College is to meet when convoked by the President, who shall issue a regular schedule of meetings.

1.1 Normally, meetings shall occur at least twice a year, but, during a vacant See, they shall occur at least four times per year, but, preferably, more frequently.

1.2 The calendar of meetings scheduled by the President for the whole year must be communicated by mail to each member of the College before the first meeting in a given year. In this way, communication of the calendar functions as legitimate convocation of all members.

1.3 Special meetings may be convoked at the discretion of the President and when required by law.

2: Only those legitimately convoked and present at the time and place specified in the notice of convocation are permitted to participate in that meeting's activity.

3: Members of the College, who were legitimately convoked, forfeit the right to participate in those meeting activities for which they were not present.

4: When the consent or vote of the College is required by law, each member who is present according to the above prescripts has the right to vote.

4.1 An absolute majority of those possessing the right to vote constitutes the will of the College (c. 127 §1).

5: When the counsel of the College is required by law or desired, each member who is present according to the above prescripts has the right to offer an opinion on each matter discussed.

5.1 When the counsel of the College is sought, the President must convoke all members and seek the opinion of all those present for each matter discussed at a meeting, but a formal vote is not required. Votes may be initiated by the President.

6: The established *quorum* to consider the college legitimately formed consists of at least half of the convoked members plus one (c. 167)

ARTICLE VII: COMMITTEES

1: The formation of committees is prohibited.


ARTICLE VIII: AMENDMENTS

1: The Archbishop of Denver alone may alter these statutes by notifying the members in writing of any changes. Any changes will take effect immediately, unless otherwise stated.

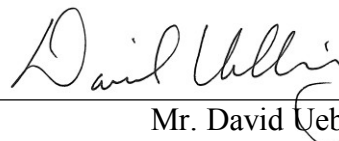
ARTICLE IX: APPROBATION

These statutes are hereby approved by the Archbishop of Denver and are to be interpreted in accord with the *Code of Canon Law* currently in force, the particular law of the Archdiocese of Denver, legitimate custom, and any other binding norms of the Latin-rite Catholic Church. These statutes may be formally interpreted and amended only by the Archbishop of Denver. Finally, these statutes will take effect immediately and will remain in force until revoked by the Archbishop of Denver, everything to the contrary notwithstanding.

On the 1st of November 2013
Denver, Colorado



Most Reverend Samuel J. Aquila, S.T.L.
Archbishop of Denver



Mr. David Webbing
Chancellor



Prot. N. 2015 – 0204 AB-L

STATUTES OF THE FINANCE COUNCIL OF THE ARCHDIOCESE OF DENVER

PREAMBLE

The Church acquires, retains, administers, and alienates temporal goods in order to pursue its proper purposes: “to order divine worship, to care for the decent support of the clergy and other ministers, and to exercise works of the sacred apostolate and of charity, especially toward the needy” (c. 1254). It is the duty of the diocesan bishop, manifesting Christ’s *munus regendi* in communion with the Universal Church, to exercise vigilance over the administration of ecclesiastical goods in his diocese (cc. 392, 1276). “As the one who presides over the particular Church, it falls to the Bishop to *organize* the administration of ecclesiastical goods. He does this through suitable norms and instructions, in harmony with the directives of the Apostolic See, and he may also make use of any guidelines and resources supplied by the Episcopal Conference” (*Apostolorum Succesores* 188). Nevertheless, “In every diocese a finance council is to be established, over which the diocesan bishop himself or his delegate presides” (c. 492§1). As one of the principal consultative bodies assisting the diocesan bishop in his ministry, the Finance Council is established for the purpose of advising and assisting him in all areas pertaining to the stewardship of ecclesiastical goods according to the norm of law.

In the Archdiocese of Denver (the Archdiocese), the Archbishop has established a Finance Council, primarily, to fulfill those functions prescribed in Canon Law. According to these

Statutes, it is charged, also, to provide strategic input and professional expertise on the formation of financial policy and implementation of strategies to achieve the financial priorities of the Archdiocese in service to the Church of Christ. In this way, the Finance Council serves the Archbishop in promoting the mission of the Church to wisely steward the financial resources entrusted to it in a manner consistent with the Gospel, which “demands that the disciples of Christ ‘make use of the world as though they were not using it’ (cf. 1 Cor. 7:31). Therefore, they should be moderate and detached, trusting in divine providence and generous towards the needy, always preserving the bond of love” (*Apostolorum Successores* 189c).

ARTICLE I: NAME

The name of this body, which functions under the presidency of the Archbishop of Denver or his delegate,¹ is “The Archdiocesan Finance Council.” In these Statutes, it is hereafter referred to as the “AFC”.

ARTICLE II: PURPOSE

The purposes of the AFC are the following:

- 1: According to the directions of the Archbishop, the AFC prepares, each year, a budget of income and expenditures foreseen for the entire governance of the diocese in the coming year and, at the end of the year, examines an account of the revenue and expenses (c. 493).
- 2: Review of annual reports submitted to the Archbishop by clerical and lay administrators of any ecclesiastical goods subject to the Archbishop’s power of governance (canon 1287§1).²
3. The Archbishop *cannot proceed validly* (c. 127) without first receiving the *consent* of the AFC regarding the following matters³:

- 3.1 Performance of an act of extraordinary administration as defined by the United States Conference of Catholic Bishops (USCCB).³ In compliance with canon

¹ The Archbishop or his delegate acts as President of the AFC unless the See is vacant or impeded. In such circumstances, the one who has the right to govern the Archdiocese, according to Canon Law, acts in his place. See Canons 412, 413 §1, 414, 416, 419, 427, and 492 §1. Hereafter, the term “Archbishop” shall be understood as equivalent to the competent authority taking the place of the Archbishop when the See is vacant or impeded, without prejudice to canon 428. Should the Archbishop choose to delegate his authority in relation to the AFC, canons 131 – 133 and 137-142 will be observed.

² This includes the goods of the Archdiocese, as well as goods belonging to other public juridic persons subject to his supervision and jurisdiction according to canons 1257, 1276, 1279 and 1287 §1. (e.g., parishes, seminaries, related Ecclesiastical Organizations erected as public juridic persons, etc.) “Related Ecclesiastical Organizations” refers to those entities defined in the Pastoral Handbook as Ecclesiastical Organization.

³ The consent of the College of Consultors, also, is required for validity, according to canons 1277 and 127.

1277, the particular law of the USCCB provides that the following are to be considered acts of extraordinary administration⁴:

- 3.1.1 Initiating a program of financing by issuance of instruments such as bonds, annuities, mortgages or bank debt in excess of the minimum amount set in accord with canon 1292 §1.
 - 3.1.2 Resolving an individual or aggregate claim(s) by financial settlement in excess of the minimum amount set in accord with canon 1292 §1.
 - 3.1.3 Engaging in the regular management or operation of a trade or business that is not substantially related to the performance of the religious, spiritual, educational or charitable purposes of the Church, for the purpose of generating income to carry on such activities.
 - 3.1.4 Entering into any financial transaction or contractual agreement, the terms of which address matters involving an actual or potential conflict of interest for the Archbishop, his Vicar(s) General, Auxiliary Bishop(s) or Chief Financial Officer (*Oeconomus*).
- 3.2 Alienation of the stable patrimony⁵ of the Archdiocese, a public juridic person subject to the Archbishop, or other public juridic persons (unless, regarding the lattermost, their statutes lawfully provide otherwise), in excess of the minimum amount set by the USCCB⁶ according to canon 1292 §1.⁷
- 3.3 Any transaction which can worsen the patrimonial condition of the Archdiocese, a public juridic person subject to the Archbishop, or other public juridic persons (unless, regarding the lattermost, their statutes lawfully provide otherwise) in excess of the minimum amount set by the USCCB according to canon 1292 §1 (canon 1295).⁸

⁴ USCCB, complementary norm, March 3, 2010.

⁵ Stable Patrimony” refers to the economic base of the juridic person, that is, all the goods intended to remain indefinitely in the possession of a juridic person in order to provide for its financial security, allowing it achieve its proper institutional purposes in perpetuity. The stable patrimony of the Archdiocese is defined in its particular law, while the stable patrimony of other public juridic persons is defined in their Statutes.

⁶ See “Pastoral Handbook”, Exhibit V.

⁷ The consent of the College of Consultors, also, is required for validity, according to canons 1291, 1292 §1, and 127. In addition, the consent of the Holy See is required, according to canon 1292 §2, when the value of the stable patrimony exceeds the maximum amount established by the USCCB or the goods were given to the Church by vow or are precious for artistic or historical reasons.

⁸ The consent of the College of Consultors, also, is required for validity, according to canons 1291, 1292 §1, and 1295, and 127. In addition, the consent of the Holy See is required, according to canon 1292 §2, when the value of the stable patrimony exceeds the maximum amount established by the USCCB or the goods were given to the Church by vow or are precious for artistic or historical reasons.

- 3.4 Prior to leasing or encumbering ecclesiastical goods (c. 1297) owned by the Archdiocese, when the market value of the property to be leased exceeds \$1,000,000 (USCCB, complementary norm, June 8, 2007).⁹
- 3.5 Prior to leasing or encumbering ecclesiastical goods (c. 1297) owned by the Archdiocese, when the lease is to be for 3 years or longer, regardless of the value of the goods (USCCB, complementary norm, June 8, 2007).¹⁰
- 4: The Archbishop *cannot proceed validly* (c. 127) without first *consulting* the AFC regarding the following matters:
- 4.1 Appointing the *Oeconomus* (c. 494 §1).¹¹
- 4.2 Removing the *Oeconomus* during his term (c. 494 §2).¹²
- 4.3 Imposition of taxes (e.g. assessments on parishes and/or other public juridic persons), either ordinary or extraordinary (c.1263).¹³
- 4.4 More important acts of administration, in light of the economic condition of the Archdiocese (c. 1277).¹⁴
- 4.5 Determination of the meaning of acts of extraordinary administration for juridic persons subject to the Archbishop if their statutes are not specific (c. 1281§2).
- 4.6 Prior to leasing ecclesiastical goods (c. 1297) owned by the Archdiocese, when the market value of the goods to be leased exceeds \$400,000 (USCCB complementary norm, June 8, 2007).¹⁵

⁹ The consent of the College of Consultors, also, is required for validity, according to USCCB complementary norms (June 8, 2007), canon 1297, and canon 127. When the market value exceeds \$5,000,000, the consent of the Holy See is required for validity, as well (ibid.).

¹⁰ The consent of the College of Consultors, also, is required for validity, according to USCCB complementary norms (June 8, 2007), canon 1297, and canon 127.

¹¹ Consulting the College of Consultors, also, is required for validity, according to canons 494 §1 and 127.

¹² Consulting the College of Consultors, also, is required for validity, according to canons 494 §2 and 127.

¹³ Consulting the Presbyteral Council, also, is required for validity, according to canons 1263 and 127.

¹⁴ Consulting the College of Consultors, also, is required for validity, according to canons 1277 and 127.

¹⁵ Consulting the College of Consultors, also, is required for validity, according to USCCB complementary norms (June 8, 2007), canon 1297, and canon 127

4.7 Investment of tangible and intangible property assigned to an endowment (canon 1305).

4.8 Modification of the obligations imposed in executing wills for pious causes if such obligations cannot be fulfilled (c. 1310§2).

5: In addition to the canonical requirements above, and consistent with the AFC's historical practice, the AFC, either as a body or through its Committees, will provide consultation to the Archbishop on the following:

5.1 Appointment of financial auditors, legal counsel and investment consultants

5.2 Employee compensation and benefits

5.3 Development (fundraising)

5.4 Insurance and risk management

5.5 Construction, property and real estate management

5.6 Investment and Accounting policies, including internal financial controls

5.7 Banking arrangements

5.8 Oversight of the Archdiocese of Denver Irrevocable Revolving Fund Trust¹⁶

5.9 Fulfilling the requirements of the Resolution on Diocesan Financial Reporting that became effective January 1, 2001, whereby each voting member of the AFC is required to sign a letter each calendar year acknowledging that he or she:

“has reviewed the financial statements of the Archdiocese, reviewed and discussed the financial statements and management letter, if any, for that fiscal year and have met and discussed the management letter and its recommendations with the auditors.”

6: The Archbishop freely consults the AFC on any other matter at his discretion.

7: If appropriate, the matters noted above that require consent and/or consultation may be discussed first by the appropriate committee of the AFC (see Article VI). In turn, the Committee will make a recommendation to the AFC on the particular matter.

¹⁶ In addition to regular oversight of the Archdiocese of Denver Revolving Fund Trust, the counsel or consent of the AFC and College of Consultors may be necessary for certain transactions, according sections 3 and 4.4 above.

ARTICLE III: MEMBERSHIP

1: As president of the AFC, the Archbishop appoints all other members to the AFC, in writing (canon 492§1-2).

2: Membership shall consist of members of the Catholic Faithful of outstanding practice and integrity who are skilled in financial affairs, civil law and have experience in accounting, investments, real estate, general management and/or other needed stewardship skills (c. 492§1).

3: No relative of the Archbishop up to the fourth degree of consanguinity or affinity (cc. 108, 109, and 492§3) may serve on the AFC.

4: Annually, during the term of appointment, a member of the AFC will be required to sign a Conflict of Interest Disclosure Statement and Gift Policy Disclosure form and, from time to time, a Confidentiality Pledge, as contained in the Pastoral Handbook of the Archdiocese of Denver.

5: The AFC shall consist of at least eleven but no more than twenty members appointed by the Archbishop.

5.1 The majority of the membership shall at all times be composed of individuals who are not employed by the Archdiocese or public juridic persons subject to the Archbishop.¹⁷

5.2 The full complement of membership shall be limited further and appointed in a number not to exceed the following:

<u>Member Description</u>	<u>Limit</u>
The Chairperson of the AFC and Chairpersons of the AFC Committees	6
<i>Ex officio</i> members	6
At-large members	8

5.3 *Ex officio* members, who may be either lay persons or members of the clergy, are drawn from the Archdiocesan Curia. The Archbishop, Auxiliary Bishop, Vicar(s) General, Judicial Vicar, and *Oeconomus* are *ex officio* members. At the Archbishop's discretion, an Episcopal Vicar or another member of the Curia may be appointed as an *ex officio* member within the limits delineated above.

5.4 The Archbishop may appoint up to eight at-large members, who shall not be persons employed by the Archdiocese or public juridic persons subject to the

¹⁷ For additional information regarding "public juridic persons subject to the Archbishop," see Footnote 2, *supra*.

Archbishop¹⁸ to serve on the AFC. The at-large members shall attend all AFC meetings and may be asked to serve on special committees and/or participate in special projects. One of the at-large members will be appointed as a member of the Priest Retirement Committee, pursuant to the requirements of the Priest Pension Plan. In all other respects, at-large members shall have the same privileges, vote and duties as are otherwise exercised by members of the AFC.

6: *Ex officio* members are non-voting members. All other members are voting members.

7: *Ex officio* members' terms of appointment are coterminous with their ecclesiastical office or employment with the Archdiocese.

8: All other members shall be appointed for a term of five years, which may be renewed, at the Archbishop's discretion, for additional five-year terms.

8.1 It is desirable that terms be staggered so that a certain portion of the membership is replaced each year, subject to the status of any exceptional or extraordinary financial matters impacting the Archdiocese. To ensure this rotation, in the event of a vacancy, appointments may also be made for the unexpired portion of the predecessor member's unfulfilled term.

8.2 In order to ensure consistency, the incoming Chairperson will serve on the Executive Committee of the AFC for one year prior to beginning his or her term as Chairperson.

9. Loss of membership occurs through death, resignation, removal, or expiration of the term of appointment.

9.1 The Archbishop may request the resignation of any member at any time and for any reason.

9.2 Resignation must be communicated in writing to the Archbishop. A lay member's resignation shall be effective upon receipt of such written request by the Archbishop.

9.3 At age seventy-five, clerical members are required to offer their resignations to the Archbishop. At any age, however, clerical members' resignations require acceptance by the Archbishop.

9.4 During a member's term he or she may be removed from the AFC by a decree of the Archbishop for any reason. In particular, members will be removed in the event of incapacity to fulfill the mandates of the AFC, public defection from the Catholic faith or from communion with the Church, loss of the clerical state, or the imposition of a canonical censure. Members, also, may be removed for failing to attend fifty percent of AFC meetings (or required AFC committee meetings) in

¹⁸ Ibid.

a twelve-month period. *Ex officio* members of the AFC shall lose their membership upon loss of office or employment, unless the Archbishop has determined otherwise.

ARTICLE IV: OFFICERS

1: The President of the AFC is the Archbishop or his delegate.

1.1 As President, the Archbishop or his delegate presents matters for the consideration of the AFC, whether required by Canon Law or at his discretion.

1.2 With the assistance of the Chairperson of the AFC, the Archbishop or his delegate convokes meetings of the AFC and determines the agenda.

2: The Chairperson of the AFC is appointed by the Archbishop and serves for a term of five years, preceded by a one-year term on the Executive Committee of the AFC.

2.1 The Chairperson may be a cleric or layperson.

2.2 The Chairperson shall direct the administrative affairs of the AFC, subject to the oversight and presidency of the Archbishop or his delegate, and shall assist at all meetings of the AFC.

2.3 In the absence of the appointed Chairperson and with the consent of the Archbishop or his delegate, the members of the AFC may elect a temporary Chairperson to act in that capacity for any given meeting.

3: The AFC shall appoint a Recording Secretary each year, who shall attend all meetings of the AFC and shall record votes and keep minutes of the proceedings of the AFC meetings and maintain such minutes in book(s) kept in the Archdiocesan Archives. The recording secretary shall also ensure that copies of the current AFC Statutes and Policies be made available to each member of the AFC and its committees and shall notify the AFC members of all meetings of the AFC and its committees. In the absence of an appointed Recording Secretary, the Recording Secretary shall be the Executive Assistant to the *Oeconomus* or designated *ad hoc* by the Chairperson.

ARTICLE V: MEETINGS

1: Regular meetings of the AFC shall be held not less than four times and not more than twelve times per year.

2: Special meetings may be called by the Archbishop, his delegate, or by the Chairperson of the AFC with the approval of the Archbishop or his delegate. The Chairperson shall also suggest holding a special meeting when at least six members of the AFC shall request one.

3: Meetings shall normally be held at the Pastoral Center of the Archdiocese, the Saint John Paul II Center for the New Evangelization.

4: Written notice of each meeting shall be sent to each member at least seven days prior to such meeting. A regular meeting notice shall be accompanied by copies of the meeting agenda and minutes of the prior meeting.

5: All meetings of the AFC shall be presided over by the Archbishop or his delegate. Minutes of each meeting shall be maintained by the Recording Secretary to the AFC. The *Oeconomus* or his or her designee may also retain a copy of the minutes.

6: Reasonable discussions, even when based upon countervailing viewpoints, shall be encouraged. It is desirable that all relevant matters and appropriate issues be briefly presented at AFC meetings or submitted in writing to the Archbishop. Each member of the AFC whose consent or counsel is required is obliged to offer his or her opinion sincerely and to observe the secrecy and confidentiality as prescribed for such membership in canon law (cc. 471 §2 and 127 §3), including the particular law of the Archdiocese of Denver.

7: Meetings of the AFC and its Committees shall be conducted informally according to commonly accepted practices, although Roberts Rules of Order shall govern, if clarification is necessary.

8: With the exception of the Chancellor and Controller of the Archdiocese, no person who is not a member of the AFC may attend an AFC meeting unless invited by the Archbishop, his delegate, or the Chairperson, with the approval of the Archbishop or his delegate.

9. Deliberations, advice and business of the AFC shall be considered confidential until released for publication by the Archbishop or his delegate. An AFC member may call for a vote proposing that a particular matter be publicly disclosed, subject to the concurrence of the Archbishop or his delegate.

10: As long as the Archbishop or his delegate is present, a simple majority of the voting members of the AFC must be present in person to constitute a quorum for the transaction of business at a meeting of the AFC, and the act of the majority of the members present at any such meeting shall be the act of the AFC. While members may participate in meetings by telephone or some other secure, electronic means, their presence will not count toward a quorum or vote tally. In addition, the AFC must receive an absolute assurance of confidentiality from those wishing to participate in this way.

11: All matters for which the consent of the AFC is required by Canon Law shall be put to a formal vote. Passage shall require the concurrence of a majority of the voting members present at the AFC meeting, unless otherwise herein specified. Each AFC voting member shall be entitled to one vote. In the event of a close voice vote, the Chairperson, the Archbishop, his delegate, or

any member of the AFC present, may call for a roll call vote or a secret written ballot. A call, by any member, for a secret written ballot shall take precedence over a call for a roll call vote.

12: When the counsel of the AFC is required by Canon Law or desired, each voting member who is present according to the above prescripts has the right to offer an opinion on each matter discussed.

12.1 When the counsel of the AFC is sought, the Archbishop, his delegate, or the Chairperson of the AFC with the approval of the Archbishop or his delegate must convoke all members and seek the opinion of all those voting members present for each matter discussed at a meeting, but a formal vote is not required. The Chairperson, the Archbishop or any member of the AFC present, may call for a roll call vote or a secret written ballot. A call, by any member, for a secret written ballot shall take precedence over a call for a roll call vote.

ARTICLE VI: DUTY OF CARE, CONFIDENTIALITY AND CODE OF CONDUCT

1: While serving and thereafter, members of the AFC and of any of its Committees (see Article VII) shall keep confidential all matters of record or reference, whether or not communicated or discussed in the AFC or its Committee meetings or among those serving. Members shall take all required steps to preserve the secular privileges and canon law confidentiality obligations that apply to their work. All AFC members shall speak and act, both during AFC meetings and outside of the AFC or its Committee meetings, in a manner supportive of the Archdiocese and its related ecclesiastical organizations.

2: AFC members shall avoid any conflict of interest, or the appearance of conflict of interest with the Archdiocese. Any business or transaction between the Archdiocese and a member or an entity in which a member shall have a beneficial interest in excess of a certain dollar amount, as set forth in the Conflict of Interest and Gift Acceptance policies of the Archdiocese, shall be disclosed in detail to the Chair of the AFC (or, if the AFC Chair is the one with a conflict, to the Chair of the Accounting and Audit Committee) pursuant to the policy contained in the Pastoral Handbook (Chapter 1, Section 1.2.1 and exhibit 1).

3: Acts emanating from advice or consent are acts of the Archbishop. All whose advice or consent is required are obliged to offer their opinions sincerely (canon 127 §3). Members of the AFC and its Committees are to exercise their responsibilities conscientiously and carefully with respect to each committee's mission. Where relevant, this duty of care includes, but is not limited to, familiarity with the governing documents and purpose of the organization, the review of financial matters with respect to the AFC's responsibilities, the review of minutes, proceedings, and policies of the Archdiocese and the diligent and careful exercise of their duties. AFC and Committee members shall raise appropriate questions whenever there is an issue or preceding that is unclear or appears questionable with respect to the Archdiocese.

ARTICLE VII: COMMITTEES

1: The AFC shall have those committees established herein or by the Archbishop according to Article IX of these Statutes.

2: The AFC Committees (the Committees) shall serve and report to the AFC as a whole, without prejudice to the right of the Archbishop, Vicar(s) General, or *Oeconomus* to seek directly their assistance on any matter, at any time.

3: The Archbishop shall designate, from the membership of the AFC, the Chairperson of each Committee. The Chairperson of a Committee shall not be a member of the clergy or an *ex officio* member.

4: The Archbishop shall designate other members of the Christian Faithful, not necessarily members of the AFC, as Committee Members. Unless they are already members of the AFC, Committee Members do not acquire membership in the AFC through their membership in an AFC Committee.

4.1 A reasonable attempt shall be made to recruit Committee Members from the various vicariates forane (deaneries) within the territory of the Archdiocese.

4.2 Committee Chairpersons and Committee Members shall be appointed for a term of five years and until a successor is appointed.

5: Committees shall review and propose policies relating to their areas of responsibility, and shall report a summary of their deliberations and findings, in writing, one week prior to the regularly scheduled AFC meeting.

6: In the event a Committee Chairperson shall be unable to attend an AFC meeting and if it should be reasonably anticipated that his or her Committee's report requires discussion, the Chairperson should then, with permission of the Archbishop or his delegate, secure the attendance of a member of his or her Committee at the AFC meeting to make the Committee report, or, due to the nature of the matter, delegate such responsibility to the *Oeconomus*.

7: Committee meetings shall be held as often as called by the Committee Chairperson or by a majority of the Committee Members. Written notice of the call of a committee meeting shall be sent to each committee member by either the Recording Secretary of the AFC, or the Committee itself, with a copy sent to the Chairperson of the AFC and the *Oeconomus*, at least seven days prior to such meeting.

8: Committees shall be required to record and maintain minutes of their meetings. Deliberations, advice, and the business of the committees shall be considered confidential until released for publication by the Archbishop or his delegate.

9: Executive Committee

- 9.1 There shall be an Executive Committee composed of the Archbishop (or his delegate), who shall be its Chairman, the Auxiliary Bishop, the Moderator of the Curia, the Chairperson of the AFC, the incoming Chairperson of the AFC, if applicable, and the *Oeconomus*.
- 9.2 Since the Archbishop or his delegate is the President of the AFC, the Executive Committee assists him in exercising responsibility for the affairs of the AFC between meetings, in coordinating the yearly schedule of AFC meetings, in recommending agendas for the AFC meetings, in recommending committee membership, and in recommending policies and procedures guiding the affairs of the AFC.

10: Accounting and Audit Committee

- 10.1 The Accounting and Audit Committee shall consist of the Moderator of the Curia and at least four members of the laity not employed by the Archdiocese. The Accounting and Audit Committee serves in an advisory capacity with its primary function to review the annual certified audits, related auditor management letters, and management's responses to the letters of recommendation of the Archdiocese and its related ecclesiastical organizations and recommend them for approval to the AFC.
- 10.2 The Accounting and Audit Committee shall also propose the auditing firm(s) for the formal recommendation of the AFC to the Archbishop and shall meet with the independent certified public accounting firm to establish the scope of the audits and review the proposed audit fees. The financial statements of the Archdiocese shall be prepared in conformity with accounting principles generally accepted in the United States of America. The Accounting and Audit Committee shall review and discuss management's recommendations to improving financial controls, and shall provide advice, guidance and oversight, as necessary, on any special projects/investigations as requested by the AFC. The Accounting and Audit Committee shall inform the Archbishop and the AFC of any non-compliance to the Auditor's recommendations and any other discovered or reported matter deemed serious by the Accounting and Audit Committee.
- 10.3 The Accounting and Audit Committee shall also review the annual operating/budget plans of the Archdiocese and its related ecclesiastical organizations and recommend them to the AFC and the Archbishop for approval. On a quarterly basis, the Accounting and Audit Committee will review actual operating results versus the budget for the Archdiocese and its related ecclesiastical organizations.
- 10.4 To assist the Archbishop in his vigilance over the goods belonging to the parishes within northern Colorado (cc. 1276, 1279, and 1287 §1), the Accounting and

Audit Committee will also provide oversight concerning compliance of the parishes with the particular law of the Archdiocese as set forth in the Pastoral Handbook as updated from time to time. In doing so, the Accounting and Audit Committee reviews information provided by the Director of Parish Finance and oversees compliance of the Internal Audit Charter of the Archdiocese, including reviewing information provided by the Director of Internal Audit (e.g. Internal Audit results, the annual internal audit plan, providing guidance and feedback germane to the planning and execution of Internal Audits) and carries forward pertinent issues to the AFC, as considered necessary by the Chairperson.

10.5 The Chairperson of the Accounting and Audit Committee reports to the AFC on a quarterly basis.

11: Investment Committee

- 11.1. The Investment Committee shall consist of the Moderator of the Curia and at least five members of the laity not employed by the Archdiocese. The members of the Investment Committee will be comprised of qualified individuals with professional competence in the area of investment management.
- 11.2 The Investment Committee serves in an advisory capacity to monitor the investment performance of the various Archdiocesan investment portfolios and provide strategic input and professional expertise for assurance of capable and competent stewardship to the Archbishop and his designee in this area, the *Oeconomus*.
- 11.3 In order to fulfill this responsibility, it is the policy of the Archdiocese to utilize its financial resources to serve Christ, in particular by emphasizing human dignity and social justice and to comply in principle with the socially responsible investment policies and principles as promulgated from time to time by the USCCB.
- 11.4 The Investment Committee's primary function shall be to monitor overall compliance with the Investment Policy and Guidelines of the Archdiocese, which include investment criteria, asset allocation, the hiring and firing of professional investment managers based on the recommendations of the Investment Consultant; to meet with the Investment Consultant of the Archdiocese on a quarterly basis to conduct reviews and evaluations of the investment managers' performances, to ensure that asset liquidity is sufficient to meet anticipated demand without materially sacrificing yield on investments; and to recommend, for the approval of the AFC, the investment consulting firm that will consult with and meet with the Investment Committee on a quarterly basis. The Investment Committee shall be alert to report on any portfolio holding which could cause embarrassment or conflict of moral interest to the Archbishop and the Archdiocese.

11.5 The Investment Committee has oversight responsibility with regard to all investments made within the Master Trust and the Preneed Master Trust of the Archdiocese of Denver. Such Trusts pool investments for both the Archdiocese and certain of its ecclesiastical organizations. In addition, the Investment Committee will oversee the investment portfolio of the Priest Pension Plan of the Archdiocese of Denver and the cash and short-term investment holdings of the Archdiocese and certain of its related ecclesiastical organizations.

The Chairperson of the Investment Committee reports to the AFC on a quarterly basis.

12: Project Financing and Review Committee

12.1 The Project Financing and Review Committee (PFRC) shall consist of a Pastor of a parish within the Archdiocese or a retired priest and at least five members of the laity not employed by the Archdiocese. The PFRC is comprised of individuals with professional competence and expertise in areas of parish administration, construction, and finance.

12.2 The PFRC serves in an advisory capacity in areas pertaining to new parish construction, major remodeling or renovation, Catholic educational facilities, liturgical design, and capital fundraising planning. Specifically, the PFRC members focus on projects exceeding the approval limits (specified in the Pastoral Handbook of the Archdiocese) in total estimated costs. Those projects that are estimated to be less than the approval limits in total expenditures will be reviewed by the Directors of Construction, Real Estate, and Parish Finance, the *Oeconomus* and the Moderator of the Curia for approval in order to simplify and expedite the process.

12.3 The pastor, members of his parish building committee and parish finance council, the parish architect and other necessary professionals will make a project presentation to the PFRC and respond to inquiries about the project's financial feasibility, estimated project cost, and parish master planning. Upon deliberation of parish submittals, the PFRC will make a recommendation to the Archbishop or his designee followed by a letter to the pastor. The staff of the PFRC will also update the Committee on the status of the various construction projects within the territory of the Archdiocese, including projects under construction and projects in planning.

12.4 The Chairperson of the PFRC reports to the AFC on a quarterly basis.

13. Real Estate Committee

13.1 The Real Estate Committee shall consist of a Pastor of a parish within the Archdiocese or a retired priest and at least five members of the laity not employed by the Archdiocese. The Real Estate Committee consists of individuals with professional competence and expertise in the areas of real estate, appraisals, law, land planning, and finance.

13.2 The Real Estate Committee serves in an advisory capacity to review and recommend policies regarding all real estate management considerations, including, but not limited to, sale, purchase and leasing of properties for the related ecclesiastical entities (including parishes) within the territory of the Archdiocese.

13.3 For unique or complex transactions and those transactions referenced above in Article II, 3.2 -3.5 and 4.6, review and favorable recommendation of such transactions by the Real Estate Committee of the AFC are generally prerequisite for receiving the Archbishop's approval.

13.4 The Real Estate Committee also reviews other significant leases and other real estate transactions pursuant to Canon Law.¹⁹

13.5 Further review by the AFC and the College of Consultors of the Archdiocese may proceed based on the Real Estate Committee's recommendation. Depending on the circumstances, these additional bodies' consent or consultation may be required by Canon Law before the Archbishop reaches a decision (see Article II, *supra*).

13.6 The Chairperson of the Real Estate Committee reports to the AFC on a quarterly basis.

14. Compensation Committee

14.1 The Compensation Committee shall consist of at least three lay members of the AFC, including the chairperson, and the Moderator of the Curia. Other than the Moderator of the Curia, all such members must be independent, not be employed by the Archdiocese and have no conflicts of interest.

14.2 The Compensation Committee serves in an advisory capacity with its primary function to review, administer and oversee the pay and benefits of highly compensated employees for the Archdiocese and certain of its related ecclesiastical organizations. Highly compensated employees are those whose total compensation equals or exceeds the limit established by the Internal Revenue Service ("IRS").²⁰

14.3 The Compensation Committee is responsible for ensuring that neither the Archdiocese, nor related ecclesiastical organizations (as applicable) enter into any excess benefit transactions, as that term is defined in the Internal Revenue Code ("IRC"). The Compensation Committee shall ensure that no disqualified person, the

¹⁹ For example, the particular law for the United States establishes, "The valid leasing of ecclesiastical goods owned by a parish or other public juridic person subject to the governance of the diocesan bishop requires consent of the diocesan bishop when the market value of the goods to be leased exceeds \$100,000 or the lease is to be for 1 year or longer" (USCCB, complementary norm, May 2, 2007).

²⁰ This amount is adjusted annually by the IRS.

Archdiocese, or a related ecclesiastical organization (as applicable) become subject to the provisions of Section 4958 of the IRC regarding excess benefits transactions. In addition, they will ensure that compensation is administered consistently by the Archdiocese and that the related policies and practices are consistently applied.

14.4 The Compensation Committee will meet at least two times each year. At one meeting the policies and procedures should be reviewed and approved. At the second meeting, compensation for the coming year should be reviewed for the qualifying individuals, adjusted as necessary and approved; and the current year's compensation reviewed to assure that it has been paid in accordance with the prior year's approval or any subsequent approval. Decisions must be based on appropriate comparability data and contemporaneous documentation of the Committee's deliberations and decisions should be made. The Compensation Committee will also have access to and the authority to engage appropriate compensation consultants and/or attorneys to support the work of the Committee.

ARTICLE VIII: MISCELLANEOUS

1: Expenditures

1.1 No member of the AFC, nor member of a Committee, shall authorize any expenditure on behalf of the AFC, its committees, or the Archdiocese.

1.2 No member shall seek reimbursement of any such expenditure from the AFC or the Archdiocese, unless such expenditure shall have received prior approval by the appropriate authority.

2: Compensation

2.1 Normally, no member or Committee member will be compensated for services.

2.2 If services are so extensive as to be considered for compensation, that proposal must be brought in advance to the AFC, in accordance with the requirements imposed by the Conflict of Interest and Gift Acceptance Policy of the Archdiocese.

2.3 Membership and participation which is *ex officio* or coterminous with civil employment, however, may be used as criteria for employment performance evaluations.

3: AFC Policies

3.1 Within the limits of Canon Law and these statutes, the AFC may create written policies to further specify its operations.

3.2 AFC policies may be adopted or amended following thirty-day prior written notice of the proposed policy or policy change, marked and delivered to each AFC member. Such amendments require a favorable vote of more than 50% of the quorum attending the next regularly scheduled AFC meeting and shall be effective upon the Archbishop's or his delegate's written confirmation.

3.3 Policies, in rare instances, may be waived by the appropriate authority, provided that the Archbishop and at least five members (excluding *ex officio* members) signify their agreement in writing and the remaining AFC members are notified immediately in writing.

ARTICLE IX: AMENDMENTS

1: The Archbishop of Denver alone may amend these statutes, following his own initiative or that of the AFC.

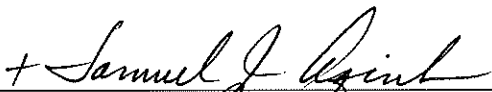
2: The AFC may present a proposal to the Archbishop to amend these statutes, provided that two-thirds of the members of the AFC vote, in person or by written proxy, in favor. The members of the AFC shall receive at least seven-day notice in writing of the proposed amendment(s).

3: An amendment established or approved by the Archbishop will take effect immediately, unless otherwise stated. All members will receive timely notice of the amendment(s).

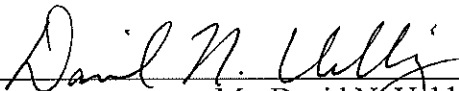
ARTICLE X: APPROBATION

These statutes are hereby approved by the Archbishop of Denver and are to be interpreted in accord with the *Code of Canon Law* currently in force, the particular law of the Archdiocese of Denver, legitimate custom, and any other binding norms of the Latin-rite Catholic Church. These statutes may be formally interpreted and amended only by the Archbishop of Denver. Finally, these statutes will take effect immediately and will remain in force until revoked by the Archbishop of Denver, everything to the contrary notwithstanding.

On the 24th day of April 2015
Denver, Colorado



Most Reverend Samuel J. Aquila, S.T.L.
Archbishop of Denver



Mr. David N. Uebbing
Chancellor

EXHIBIT XI



Prot. N. 2014-0077 L

**STATUTES
OF THE PASTORAL COUNCIL
OF THE
ARCHDIOCESE OF DENVER**

PREAMBLE

The Directory *Apostolorum Successores* states, “Ideally, every diocese should establish a diocesan pastoral council, although not bound to do so by canonical discipline, thus expressing through this institution the participation of all the faithful, of whatever canonical state, in the Church’s mission. The pastoral council is composed of members of the faithful: clerics, members of institutes of consecrated life and especially laity. It falls to the council, under the authority of the Bishop, to ‘investigate and consider matters relating to pastoral activity and to formulate practical conclusions’. Its statutes are established and, when necessary, modified by the Bishop.

“Even though the council does not, strictly speaking, represent the faithful, it should truly reflect the entire portion of the People of God which constitutes the particular Church. Its members should be chosen ‘with consideration given to the different areas of the diocese, social conditions and professions, and the role which they have in the apostolate whether individually or jointly’” (n. 184).

ARTICLE I: NAME

1: The name of this body is “The Pastoral Council of the Archdiocese of Denver.” In its statutes, it is hereafter referred to as the “Council.”

ARTICLE II: NATURE AND PURPOSE

1: By its nature, the Council is a consultative body constituted for a defined period (c. 513 - 514). It should never claim the authority to direct or coordinate activities beyond its competence.

2: The purpose of the Council pertains to the pastoral activity of the Archdiocese (c. 511). The Council is called to investigate and consider matters relating to pastoral activity and to propose practical conclusions (c. 511) or offer advice.

3: It is the Archbishop who determines the agenda to be discussed at the meetings. Members of the Council can suggest topics for the agenda but they must be presented to the Archbishop, who may accept them at his discretion.

ARTICLE III: MEMBERSHIP

1: Membership consists of those persons having domicile or quasi-domicile within the territory of the Archdiocese of Denver. Members are freely appointed by the Archbishop or serve *ex officio*.

2: All the members appointed to the Council should be in full communion with the Catholic Church, outstanding in firm faith, good morals, and prudence (c. 512).

3: The *ex-officio* members are the Vicar General, the Vicar for Clergy, the Judicial Vicar, the Vicar for Hispanic Ministry, the Chancellor, and the Archdiocesan Chief Financial Officer.

4: The Archbishop must appoint enough lay persons as members so that, excluding lay religious, the laity constitutes at least a two-thirds majority of the total membership. The Archbishop must also appoint a minimum of one religious sister, one religious brother, one deacon, and one lay person under twenty-five years of age. In addition to *ex officio* members, the Archbishop must appoint at least one priest but no more than two.

4.1: Although the Archbishop will aim to appoint members so that the Council accurately reflects the diversity that exists in the Archdiocese, in accord with canon 512 §3, he remains free to choose how best to achieve this.

4.2: To this end, the Archbishop will seek nominations from each deanery by communicating with the deans. It is foreseen that at least one layperson from each deanery will serve on the Council.

4.3: The Archbishop, however, is free to appoint whomever he deems well-suited.

5: When the council is first established, each member will serve a term of one year, plus an additional term of one to three years, which will be determined by last name. The division by last name will fall into the following categories: A through F (1 year), G through N (2 years), and O through Z (3 years). This ensures that the one-third of the council will be renewed each year. All appointees who are named to the Council to replace those whose terms have expired will serve a three year term.

6: Excluding *ex officio* members, a person previously appointed to the Council may serve in this capacity again, unless he or she has served two consecutive terms.

7: *Ex officio* members serve for as long as they hold their respective offices.

8: Otherwise, loss of membership occurs when any member is freely removed by the Archbishop, upon his or her resignation, death, or loss of domicile or quasi-domicile, and upon the cessation of the Council.

9: Vacancies of members shall be filled by the Archbishop at his discretion.

9.1: A replacement member shall only be permitted to complete the remainder of the previous member's term.

9.2: A replacement member need not be appointed nor share the same canonical status as the previous member, unless the vacancy causes the composition of the Council to fail to meet the requirements of article III, section 4, above.

ARTICLE IV: CESSATION OF THE COUNCIL

1: Given the staggered terms of the Council, it will be disbanded at the time of and during the vacancy of the See, until the newly-appointed Archbishop decides to reconstitute the Council.

2: The Council may also be dissolved at the discretion of the Archbishop.

ARTICLE V: PRESIDENT AND OFFICERS

1: The president of the Council is the Archbishop of Denver. The President alone has the right to call meetings of the Council, to preside over its meetings, to determine its agenda, and he decides whether or not it is appropriate to make public the topics considered.

2: The officers of the Council are the chairman, the vice-chairman and the executive secretary:

2.1: The chairman presides only by specific delegation from the President at the meetings of the Council according to the parameters of his delegation.

2.2: The vice-chairman assists the chairman and serves in his or her place when the chairman is absent.

2.3: When the vice-chairman is legitimately serving in the place of the chairman, the vice-chairman may delegate another member of the Council to assist him or her.

2.4: The executive secretary is responsible for keeping the minutes of every meeting and performing other administrative functions at the request of the chairman.

3: All appointed members of the Council are *ipso facto* eligible to hold offices.

4: All officers are elected by the members of the Council with a majority vote of those present and with the approval of the President.

5: The election of officers takes place at the first meeting following the initial establishment of the Council and, thereafter, every year following the initial election of officers.

- 6: The term of the Council officers is one year.
- 7: Following the vacancy of a Council office, a special election is to be held at the next meeting.
- 8: A replacement officer shall only be permitted to complete the remainder of the previous officer's term.

ARTICLE VI: MEETINGS

- 1: The Council is to meet when convoked by the President, who shall issue a regular schedule of meetings.
- 2: In accord with c. 514 §2, the Council is to be convoked at least once a year.
- 3: The calendar of meetings scheduled by the President for the whole year must be communicated by mail and/or email to each member of the Council before the first meeting in a given year. In this way, communication of the calendar functions as legitimate convocation of all members. Special meetings may be convoked at the discretion of the President.
- 4: Only those legitimately convoked and present at the time and place specified in the notice of convocation are permitted to participate in that meeting's activity.
- 5: Due to the consultative nature of the Council, members of the Council who were legitimately convoked, forfeit the right to participate in those meeting activities for which they were not present.
- 6: Whether through voting or counsel, each member who is present according to the above prescripts has the right to offer an opinion on each matter discussed.
- 7: When the President seeks the opinion of those present for each matter discussed at a meeting, a formal vote is not required. Votes may be initiated by the one presiding at the meeting.

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ARTICLE VII: COMMITTEES

1: The formation of committees is prohibited.

ARTICLE VIII: AMENDMENTS

1: The Archbishop of Denver alone may alter these statutes by notifying the members in writing of any changes. Any change will take effect immediately, unless otherwise stated.

ARTICLE IX: APPROBATION

These statutes are hereby approved by the Archbishop of Denver and are to be interpreted in accord with the *Code of Canon Law* currently in force, the particular law of the Archdiocese of Denver, legitimate custom, and any other binding norms of the Latin-rite Catholic Church. They may be formally interpreted only by the Archbishop of Denver. Finally, these statutes will take effect immediately and will remain in force until revoked by the Archbishop of Denver, everything to the contrary notwithstanding.

On the 10th of January 2014
Denver, Colorado



Most Reverend Samuel J. Aquila, S.T.L.
Archbishop of Denver



Mr. David N. Uebbing
Chancellor

EXHIBIT XII



Prot. N. 2016-0713 AB-L

STATUTES OF THE DEANS' BOARD OF THE ARCHDIOCESE OF DENVER

PREAMBLE

The Lord Jesus Christ has entrusted the pastoral care of the Christian Faithful of the Archdiocese of Denver to the Archbishop of Denver. Priests cooperate with the Archbishop in the pastoral care of the Archdiocese: "All priests, whether diocesan or religious, share and exercise with the bishop the one priesthood of Christ. They are thus constituted providential cooperators of this episcopal order" (*Christus dominus*, n. 28).

In order to effectively manage and coordinate this pastoral care, the Archbishop appoints certain priests to be pastors of individual parishes and appoints parochial vicars to assist the pastor in the discharge of his function. Only suitable priests are to be appointed as pastors and parochial vicars. Indeed, "In forming a judgment as to the suitability of a priest for governing a parish, the bishop should take into consideration not only his learning but also his piety, his zeal for the apostolate, and those other gifts and qualities which are necessary for the proper care of souls" (*Christus dominus*, n. 31).

It is necessary that the Archbishop inquire about the suitability of a priest before making an appointment to an ecclesiastical office requiring the care of souls. Therefore, "The Bishop must be especially diligent in his *choice* of pastors, considering the importance of the office of pastor for the care of souls. Through appropriate inquiries into the pastoral needs of the parish, conducted in consultation with the Vicar forane (Dean), the Bishop will be sure to find a suitable priest of sound doctrine and moral rectitude, who possesses apostolic zeal and the other virtues necessary for parish ministry, such as good communication skills and gifts of organization and leadership. The Bishop will weigh carefully and prudently the human conditions, the potential and the problems of the parish in question, in order to appoint a priest who is well matched to the particular parochial situation" (*Apostolorum successores*, n. 212).

ARTICLE I: NAME

The name of this body, which functions under the presidency of the Archbishop of Denver or his delegate, is the “Deans’ Board of the Archdiocese of Denver.” In these statutes, it is hereafter referred to as the “Deans’ Board.”

ARTICLE II: NATURE AND PURPOSE

1: The Deans’ Board is a consultative, non-deliberative body, which advises the Archbishop about the regular appointments of pastors and parochial vicars to individual parishes and other non-parochial assignments.

2: The Deans’ Board may offer counsel to the Archbishop if there is need for the appointments of pastors and parochial vicars outside the normal time line due to death, illness or other unexpected circumstances.

3: The Deans’ Board assists the Archbishop in ascertaining appropriate and suitable assignments of priests based upon the needs of the Archdiocese of Denver and the capabilities of the individual priest.

4: The Deans’ Board provides a forum for discussion of pastoral concerns regarding the appointment of priests in the Archdiocese of Denver.

5: The purposes of the Deans’ Board are the following:

5.1: To offer counsel to the Archbishop of Denver regarding the appointment of a priest to the office of pastor of an individual parish or quasi-parish within the Archdiocese of Denver.

5.2: To offer counsel to the Archbishop of Denver regarding the appointment of a priest to the office of parochial vicar of an individual parish or quasi-parish within the Archdiocese of Denver.

5.3: To offer counsel to the Archbishop of Denver regarding the appointment of a priest to the office of parochial administrator of an individual parish or quasi-parish with the Archdiocese of Denver.

5.4: To offer counsel to the Archbishop of Denver regarding the appointment of a priest to any non-parochial ecclesiastical office requiring the care of souls, including as chaplain or rector of a church.

5.5: To offer counsel to the Archbishop of Denver regarding the residence of priests who are not assigned to a parish.

5.6: To offer counsel to an Archdiocesan Administrator or another who governs the

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Archdiocese temporarily, *sede vacante*, regarding the appointment of a priest to the office of pastor of an individual parish or quasi-parish within the Archdiocese of Denver, only if the see has been vacant for a year or more.

5.7: To offer counsel to an Archdiocesan Administrator or another who governs the Archdiocese temporarily, *sede vacante*, regarding the appointment of a priest to the office of parochial vicar of an individual parish or quasi-parish within the Archdiocese of Denver.

6: Because the Deans closely share in the ministry of Archbishop, in addition to personnel consultation, he will seek the feedback and advice of the Deans about various issues and initiatives in the Archdiocese of Denver, at his discretion.

ARTICLE III: MEMBERS

1: The president of the Deans' Board is the Archbishop of Denver or his delegate.

2: The *ex officio* members of the Deans' Board are:

2.1: Any coadjutor bishop of the Archdiocese of Denver.

2.2: Any auxiliary bishops of the Archdiocese of Denver.

2.3: The Vicar General of the Archdiocese of Denver.

2.4: The Vicar for Clergy of the Archdiocese of Denver.

2.5: The Dean of each deanery of the Archdiocese of Denver.

ARTICLE IV: MEETINGS

1: The Deans' Board meets regularly, as determined by the Archbishop, Vicar General or the Vicar for Clergy, who may convoke and preside over meetings.

2: The Deans' Board assists the Archbishop according to the procedures and rules of order devised by him.

3: The agenda of the Deans' Board is established by the Archbishop, Vicar General or Vicar for Clergy.

4: Each member of the Deans' Board is required to bring forward the following at the meetings:

4.1: Any appointment requests which have been made known to them by the priests of the Archdiocese, whether orally or in writing.

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4.2: Any pertinent information about the suitability of a priest for a particular appointment, including his pastoral interests and aptitudes.

4.3: Any pertinent information which must be brought into consideration about the pastoral situation of a parish or quasi-parish of the Archdiocese, including, but not limited to, its size, location, financial situation and demographic composition.

4.4: Any sensitive pastoral circumstances which need to be considered by the Archbishop.

4.5: The honest and conscientious recommendation about a certain priest for a certain appointment, when solicited by the Archbishop or Vicar for Clergy.

5: Each member of the Deans' Board is bound by strict confidentiality regarding the discussions which occur during the meetings.

ARTICLE V: AMENDMENTS

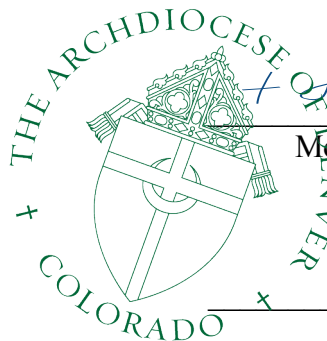
1: The Archbishop of Denver alone may amend these statutes, following his own initiative or that of the Deans' Board.

2: Any changes will take place immediately, unless otherwise stated. All members will receive timely notice of the amendment(s).

ARTICLE VI: APPROBATION

These statutes are hereby approved by the Archbishop of Denver and are to be interpreted in accord with the Code of Canon Law currently in force, the particular law of the Archdiocese of Denver, legitimate custom, and any other binding norms of the Latin-rite Catholic Church. These statutes may be formally interpreted and amended only by the Archbishop of Denver. Finally, these statutes will take effect immediately and will remain in force until revoked by the Archbishop of Denver, everything to the contrary notwithstanding.

On the 9th day of December 2016, the Memorial of St. Juan Diego.
Denver, Colorado



Samuel J. Aquila
Most Reverend Samuel J. Aquila, S.T.L.
Archbishop of Denver

David N. Uebbing
Mr. David N. Uebbing
Chancellor

EXHIBIT XIII
SPECIAL COLLECTIONS SCHEDULE AND INFORMATION

The following information is UPDATED on an annual basis per 10.6.12. Detailed information about special collections can be found at 3.3.12.1 & 10.6.12.

Note: 6 of these collections MUST be solicited in the pew.

Collections during calendar year 2019

Account #	Special Collection	Date	Designations
2264.00GEN	Retirement Fund for Religious	1/6	USCCB Mandated Collection. Determined by pastor if a donation is given or if it is solicited in the pew.
2270.00GEN	Church in Latin America	1/27	Determined by the pastor if a donation is given or if it is solicited in the pew.
2268.00GEN	Eastern Europe	3/6	Ash Wednesday- USCCB Mandated Collection. Must be solicited in the pew.
2256.00GEN	Black & Indian Missions	3/10	USCCB Mandated Collection. Determined by pastor if a donation is given or if it is solicited in the pew.
2251.00GEN	Catholic Relief Services	3/31	USCCB Mandated Collection. Determined by pastor if a donation is given or if it is solicited in the pew.
2254.00GEN	Holy Land	4/19	Good Friday- Universal Collection. Only collection taken up. Must be solicited in the pew.
N/A	ACA Commitment Weekend	5/5	Archdiocese of Denver Collection. Pledge cards must be available in the pew.
2269.00GEN	Catholic Home Missions Appeal	4/28	USCCB Mandated Collection. Determined by pastor if a donation is given or if it is solicited in the pew.
2267.00GEN	Respect Life	5/12	Mother's Day- Archdiocese of Denver Collection. Determined by pastor if a donation is given or if it is solicited in the pew.
2263.00GEN	Catholic Communications Campaign	6/2	USCCB Mandated Collection. Determined by pastor if a donation is given or if it is solicited in the pew.
2255.00GEN	Peter's Pence	6/30	Universal Collection. Determined by pastor if a donation is given or if it is solicited in the pew.
2274.00GEN	Church in Africa	7/14	Determined by pastor if a donation is given or if it is solicited in the pew. Not mandatory.
2253.00GEN	Catholic University of America	9/1	USCCB Mandated Collection. Determined by pastor if a donation is given or if it is solicited in the pew.
2257.00GEN	Retired and Infirm Priests of the Archdiocese of Denver	10/13	Archdiocese of Denver Collection. Must be solicited in the pew.
2258.00GEN	World Mission Sunday	10/20	Universal Collection. Determined by pastor if a donation is given or if it is solicited in the pew.
2271.00GEN	Archdiocese Seminary Appeal	11/3	Archdiocese of Denver Collection. Must be solicited in the pew.
2275.00GEN	Archdiocese for Military Services Collection	11/10	Determined by pastor if a donation is given or if it is solicited in the pew. Not mandatory.
2261.00GEN	Catholic Campaign for Human Development	11/24	USCCB Mandated Collection. Determined by pastor if a donation is given or if it is solicited in the pew.
2260.00GEN	Mission Co-op Appeal	Open	Archdiocese of Denver Collection. Must be solicited in the pew.

To assure credit of funds remitted, please indicate the account number on the check. Make checks payable to the Archdiocese of Denver, except for the Seminary Appeal, which should be made to: Seminary Appeal.

May 15, 2018

EXHIBIT XIV POLICY ON LOCATION FILMING OR PHOTOGRAPHY REQUESTS

Sometimes Archdiocesan locations receive a request to use their grounds and/or buildings as a backdrop for a professional film or photography project that is not associated with an event sponsored by the Church. **Such a request should only be approved if the promoters clearly demonstrate that the project can provide a positive benefit to the Catholic Church and its efforts to evangelize.** If approved, an agreement must be in place addressing access, insurance, (possible) use fees, assurances regarding consistency with Church teachings, and related topics. Those interested in conducting professional film or photography projects on Church grounds of entities subject to the Pastoral Handbook, must ultimately obtain approval from the Office of the Chancellor before the project may continue.

Amateur film or photography projects that seek to use Church grounds and/or buildings as a backdrop, may be approved by a pastor or local authority. That said, the Chancellor is available for consultation if desired.

Process to follow when a request for a professional project is received:

1. Upon receiving a request, the location may always say “no” without consulting the Office of the Chancellor.
2. If the location is amenable to the request, provide the following to the Office of the Chancellor:
 - a. on a cover page, note:
 - i. the location’s contact information
 - ii. the requestor’s contact information
 - iii. a brief description of the request
 - iv. a succinct few sentences on the location’s wishes and opinion of the request
 - b. as an attachment to the cover page, provide the completed script if the project is a film project, or a full project description if the request is a photo shoot request (the production of a draft or partial script will not result in approval; it is imperative that the entirety of the project be transparent so as to assess the message being conveyed; as well, the requestor should be put on notice at the outset that the location will reserve rights to view the final product and approve it prior to the Church permitting release)
3. Be ready to provide such other information as the Chancellor may require to assess the project.
4. If the project is approved, the location will be directed to work with the Legal Department and the Office of Communications to finalize details.

July 1, 2018

EXHIBIT XV
SUSTENANCE AND REMUNERATION FOR RETIRED PRIESTS

Content forthcoming.