

THE NATIONAL ASSOCIATION OF CATHOLIC CHAPLAINS

Ethics Procedures Manual

Approved April 2008
NACC Board of Directors
United States Conference of Catholic Bishops/
Commission on Certification and Accreditation

Copyright 2008 © National Association of Catholic Chaplains

~

National Association of Catholic Chaplains
5007 S. Howell Avenue, Suite 120
Milwaukee, Wisconsin 53207-6159
Phone: 414-483-4898

United States Conference of Catholic Bishops Commission on Certification and Accreditation
3211 South Lake Drive, Suite 317
St. Francis, Wisconsin 53235-3702
Phone: 414-486-0139



TABLE OF CONTENTS

Part One – Ethics Accountability Statement Procedures	1
Part Two – Ethics Complaint Procedures.....	2
Part Three – Ethics Appeals Procedures	5
Part Four – Ethics Accountability Statement for Initial Certification.....	7
Part Five – Ethics Accountability Statement for Renewal of Certification.....	8

Ethics Procedures Manual

Part One – Ethics Accountability Statement Procedures

- EP11 As part of the initial certification process and renewal of certification process, the applicant for certification or the certified member is required to sign a copy of the *Ethics Accountability Statement*. Signed statements are sent to the Administrative Specialist/Certification in care of the National Association of Catholic Chaplains (NACC) National Office.
- EP12 Failure to comply is grounds for disciplinary action, up to and including withdrawal of certification and removal of membership in the NACC.
- EP13 Statements of those unable to sign are sent to the Chair of the Ethics Commission in care of the NACC National Office.
- EP14 If an individual who wishes to remain a member of the NACC is unable to sign the Ethics Accountability Statement because of a recent or a pending complaint, the following process is used:
- 141 A written account of the complaint including the forum, the charges, and the final outcome is provided to the Accountability Review Team of the NACC Ethics Commission.
 - 142 The names and contact information for people involved in the process and authorized to provide full information to the Accountability Review Team is provided.
 - 143 The Accountability Review Team investigates and makes a recommendation to the Ethics Commission for disciplinary action, including withdrawal of certification and removal of membership in the NACC, or for no action on the part of the NACC.
 - 144 The Ethics Commission reviews the recommendation from the Accountability Review Team and makes a final determination.
 - 145 The Chair of the Ethics Commission communicates the final decision to the individual, to the Chair of the Certification Commission, and to the Executive Director.
 - 146 This decision cannot be appealed.

Ethics Procedures Manual

Part Two – Ethics Complaint Procedures

- EP21 When it is believed that the conduct of a member of the National Association of Catholic Chaplains (NACC) is in violation of the NACC Code of Ethics, a formal complaint may be filed with the association.
- 211 The NACC National Office notifies the Chair of the Ethics Commission upon receipt of any request for use of the NACC Ethics Complaint Process.
- 212 Within ten (10) days of the postmark of the request, the Chair of the Ethics Commission, via the NACC National Office, sends a Complainant Packet by certified mail including:
- 212.1 Ethics Complaint letter
 - 212.2 A copy of the NACC Code of Ethics
 - 212.3 A copy of the NACC Ethics Complaint Procedures
 - 212.4 An NACC Ethics Complainant Form
- 213 The Complainant completes the materials and returns them within fifteen (15) days to the Chair of the Ethics Commission in care of the NACC National Office. All materials are returned via certified mail and marked CONFIDENTIAL.
- 214 The Chair of the Ethics Commission shares copies of the Complainant's completed materials with at least two additional members of the Ethics Commission for the purpose of determining whether:
- 214.1 The alleged complaint demonstrates probable cause to believe there is a potential violation of the NACC Code of Ethics, or
 - 214.2 There are no grounds to proceed
- 215 Within fifteen (15) days of the postmark of the Complainant's materials, the Chair of the Ethics Commission sends to the Complainant notification of the determination and its rationale via certified mail. This determination cannot be appealed.
- 216 If there is determination that there are grounds to proceed, a Respondent Packet is sent within ten (10) days including:
- 216.1 Ethics Complaint letter
 - 216.2 A copy of the completed NACC Ethics Complainant Form
 - 216.3 A copy of the NACC Code of Ethics
 - 216.4 A copy of the NACC Complaint Procedures
 - 216.5 NACC Ethics Respondent Form
- 217 The Chair of the Ethics Commission appoints a three-member Ethics Complaint Review Team, consisting of a Chair, a Presenter, and a Reader from among the Ethics Commission members. The Chair of the Ethics Complaint Review Team takes primary responsibility for convening any necessary meetings; the Presenter

takes primary responsibility for fact-finding and preparing a summary of findings; the Reader participates in all discussions and determinations.

- 218 Both the Complainant and Respondent are notified of the composition of the Ethics Complaint Review Team. Each party has ten (10) days to challenge the composition of the Ethics Complaint Review Team because of conflict of interest by notifying the Chair of the Ethics Commission in writing.
- 219 The Respondent completes the materials and returns them within fifteen (15) days to the Chair of the Ethics Commission in care of the NACC National Office. All materials are returned via certified mail and marked CONFIDENTIAL. Upon receipt of the Respondent's completed materials, the Presenter, acting as fact-finder, interviews witnesses for both parties within fifteen (15) days of the postmark of the Respondent's completed materials.
- 220 Upon completion of the interviews, the Presenter prepares a summary of findings to be shared with all members of the Ethics Complaint Review Team for the purpose of seeking simple majority on an appropriate outcome.
- 221 Within thirty (30) days of the onset of the Ethics Complaint Review Team deliberations, the Chair of the Ethics Commission communicates the outcome to both parties in writing via certified mail. The mailing includes:
 - 221.1 A completed copy of the Ethics Review Team Report Form
 - 221.2 The Ethics Appeals Procedures for the Respondent
- 222 Potential outcomes for the Respondent include:
 - 222.1 No action
 - 222.2 Admonishment, with specific recommendations to enhance professional or ethical practice to be completed within a specified period of time
 - 222.3 Reprimand, with specific instructions to be followed for a specified period of time
 - 222.4 Suspension of NACC certification for a specified period of time with instructions to be followed in order to reinstate NACC certification
 - 222.5 Withdrawal of certification and/or membership
 - 222.6 A combination of any of the above
- 223 If outcomes include specific instructions or recommendations to be completed, the Respondent sends written response to the Chair of the Ethics Commission in care of the NACC National Office, within the specified period of time. Failure to comply will result in withdrawal of certification and/or loss of membership.
- 224 At the conclusion of the case the following written materials are sealed in a confidential file in the NACC National Office for a period of seven (7) years:
 - 224.1 The completed NACC Ethics Complainant Form
 - 224.2 The completed NACC Ethics Respondent Form
 - 224.3 The completed Ethics Review Team Report Form

All other written and electronic documents are destroyed.

- 225 The confidential file is the responsibility of the NACC Director of Operations.
- 226 If there is no ethics appeal, the Chair of the Ethics Commission, the Chair of the Certification Commission and the Executive Director collaboratively determine those with a need-to-know and communicate the outcome of the ethics complaint accordingly.

Ethics Procedures Manual

Part Three – Ethics Appeals Procedures

- EP31 When the Respondent receives notification of violation of the National Association of Catholic Chaplains (NACC) Code of Ethics and believes the NACC Standards or Procedures were violated, the right to a timely appeal process is ensured.
- 311 Within thirty (30) days of the postmark of the outcome, the Respondent requests an appeal in writing, describing the rationale, citing appropriate Standards and/or Procedures, and including any supportive materials. The request is sent to the Chair of the Ethics Appeals Panel in care of the NACC National Office via certified mail and marked CONFIDENTIAL.
- 312 The Chair of the Ethics Appeals Panel appoints a three-member Ethics Appeals Review Team consisting of a Chair, a Presenter, and a Reader from among the Ethics Appeals Panel members. The Chair takes primary responsibility for convening any necessary meetings; the Presenter takes primary responsibility for fact-finding and preparing a summary of findings; the Reader participates in all discussions and determinations.
- 313 The Appellant is notified of the composition of the Ethics Appeals Review Team and has ten (10) days to challenge the composition of the Ethics Complaint Review Team because of conflict of interest by notifying the Chair of the Ethics Appeals Panel in writing.
- 314 The only materials that can be considered in the Ethics Appeals Procedure are:
- 314.1 The Appellant's initial statement of appeal
 - 314.2 Appellant's supportive materials
 - 314.3 The completed Ethics Review Team Report Form
- 315 The Ethics Appeals Review Team has thirty (30) days from the postmark of the Appellant's materials to:
- 315.1 Deny the appeal by upholding the decision of the Ethics Commission
 - 315.2 Remand the matter back to the Ethics Commission if a violation of Standards and/or Procedures exists, with a recommendation for further action.
- 316 The Chair of the Ethics Appeals Review Team notifies the Chair of the Ethics Appeals Panel of the outcome. The Chair of the Ethics Appeals Panel notifies the Chair of the Ethics Commission.
- 317 If the Ethics Appeals Review Team upholds the decision of the Ethics Commission and denies the appeal, the Appellant is notified via certified mail by the NACC National Office.

318 If the matter is referred back to the Ethics Commission, it has twenty (20) days to render a decision on the recommendation and notify the Appellant via certified mail by the NACC National Office. This decision cannot be further appealed.

319 At the conclusion of the case the following written materials are sealed in a confidential file pertaining to the initial complaint and are kept in the NACC National Office for a period of seven (7) years:

319.1 The Appellant's initial statement of appeal

319.2 The completed Ethics Review Team Report Form

319.3 The completed Ethics Appeals Review Team Report Form

All other written and electronic documents are destroyed.

320 At the conclusion of the ethics appeals procedure, the Chair of the Ethics Commission, the Chair of the Certification Commission, and the Executive Director collaboratively determine those with a need-to-know and communicate the outcome accordingly.

Ethics Procedures Manual

Part Four – Ethics Accountability Statement for Initial Certification

EP41

I, _____, certify that within the past five years:
(Full Printed or Typed Name)

- a) No disciplinary or corrective action arising from a complaint of unethical and/or criminal conduct has been imposed on me, and no complaint against me for unethical and/or criminal conduct is pending in a civil, criminal, ecclesiastical, employment, or other professional organization’s forum; and
- b) I have never resigned, been transferred or terminated, nor negotiated a settlement from a position for reasons related to unethical and/or criminal conduct.

Signature

Membership Number

Date

If you cannot sign the above statement, please provide on a separate sheet(s) an account of the complaint including the forum, the charges, and the final outcome. Include the names and contact information for people involved in the process that you authorize to provide full information to members of the Accountability Review Team of the NACC Ethics Commission.

=====

I understand that, as a condition of membership in the National Association of Catholic Chaplains, I will provide to the Association notification of any complaint of unethical or felonious conduct filed against me within thirty (30) days of that complaint. Failure to report or provide accurate, full, and truthful information will be grounds for disciplinary action, including withdrawal of certification and removal of membership in the National Association of Catholic Chaplains.

Membership Number

Date

Ethics Procedures Manual

Part Five – Ethics Accountability Statement for Renewal of Certification

EP51

I, _____, certify that since my initial certification or last
(Full Printed or Typed Name) renewal of certification:

- a) No disciplinary or corrective action arising from a complaint of unethical and/or criminal conduct has been imposed on me, and no complaint against me for unethical and/or criminal conduct is pending in a civil, criminal, ecclesiastical, employment, or other professional organization’s forum; and
- b) I have never resigned, been transferred or terminated, nor negotiated a settlement from a position for reasons related to unethical and/or criminal conduct.

Signature

Membership Number

Date

If you cannot sign the above statement, please provide on a separate sheet(s) an account of the complaint including the forum, the charges, and the final outcome. Include the names and contact information for people involved in the process that you authorize to provide full information to members of the Accountability Review Team of the NACC Ethics Commission.

=====

I understand that, as a condition of membership in the National Association of Catholic Chaplains, I will provide to the Association notification of any complaint of unethical and/or criminal conduct filed against me within thirty (30) days of that complaint. Failure to report or provide accurate, full, and truthful information will be grounds for disciplinary action, including withdrawal of certification and removal of membership in the National Association of Catholic Chaplains.

Membership Number

Date