



Ethics Procedures Manual

**United States Conference of Catholic Bishops (USCCB)
Subcommittee on Certification for Ecclesial Ministry and Service (SCEMS)**



**Revisions Approved September 2022
NACC Ethics Commission**

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The Members of the NACC Ethics Commission would like to thank the Association of Professional Chaplains (APC) and ACPE for giving their permission to use some of the wording in the APC “Process for Addressing Allegations of Ethical Misconduct” document and the ACPE “Processing Complaints of Ethics Code” in the most recent revision to the “NACC Ethics Procedures Manual.” The NACC Ethics Commission values the common commitment that our spiritual care associations have in promoting the professional and ethical development of our members.

Ethics Procedures Manual
Process for Addressing Allegations of Ethical Misconduct

Persons participating in a National Association of Catholic Chaplains (NACC) certification, ethics, or appeal process consent to that process as described in relevant NACC materials. Persons also give permission for the disclosure of information and materials from one NACC process to another NACC process, if it has been determined by a NACC representative that it is necessary to ensure compliance with NACC standards and procedures.

When one process makes referral to another, the referring body may be asked for additional information and may be informed of the work of the process to which the referral was made.

Launching and responding to a complaint is intensive and demanding, not to be undertaken casually. One should study the procedures closely and prepare carefully and thoughtfully for participation.

Grievances giving rise to a complaint should first be addressed at the site of origin. Attempts should be made to resolve grievances in an informal collegial manner or using local resources.

If the grievance is not resolved at the local level or issues remain over which NACC has jurisdiction, the complainant may register a complaint with the Chair of the NACC Ethics Commission, NACC, 4915 S. Howell Avenue, Ste. 501, Milwaukee, WI 53207.

ETHICS PROCEDURES MANUAL

Part One: Regulations

I. Complaints Alleging Violations of the NACC Ethics Code Defined

- A. A *Complaint* is a grievance presented in writing and signed, involving an alleged violation of the ethical criteria established by the NACC Code of Ethics. Complaints may be registered by those who consider themselves harmed by an alleged violation or by any person(s) having substantive knowledge of a violation of the NACC Code of Ethics by a NACC member.
- B. The Complaint must name an individual(s) over whom NACC has jurisdiction. The person filing the complaint consents to these processes and gives permission for the disclosure to the process investigators, adjudicators and the respondent of all information. In most instances, the complainant will be asked to submit an Ethics Complaint Form (available from the NACC office).
- C. NACC members, who are aware of ethical violations by colleagues which are not threatening to the wellbeing of the member or others, are encouraged to engage the member in discussion to clarify the behavior in question and correct it. If this intervention fails, or if an alleged violation appears to be a serious threat to the wellbeing of the member or others, members should consider filing an Ethics Complaint Form.
- D. NACC Ethics Standards in effect at the time of the alleged incident giving rise to the complaint will be used to assess conduct; the NACC Ethics Procedure Manual for processing complaints in effect at the time the complaint is addressed by NACC will be followed.
- E. Standard 102.43 of the NACC Code of Ethics states, “*Spiritual Care Professionals advocate for professional accountability that protects the public and advances the profession.*” This is binding on members. It is expected of nonmembers who engage the complaint process.
- F. Any NACC member may invoke an ethics review process when a member’s conduct, inside or outside their professional work, involves an alleged abuse of power or authority, involves an alleged felony, or is the subject of civil action or discipline in another forum when any of these impinge upon the ability of a member to function effectively and credibly as an educator, chaplain or spiritual care provider. (NACC Standards 102 and 106.11)

II. Time Limits for Registering Complaints

- A. Statute of Limitations: Reporting an alleged violation close to its occurrence is important to the effective investigation and evaluation of evidence as well as to the wellbeing of all people involved.
- B. An ethics complaint not involving sexual exploitation must be filed six months from the date of the alleged violation.
- C. An ethics complaint alleging sexual exploitation must be filed ten years from the date of the alleged violation. In cases involving a minor, the statute of limitation is seven years after the minor’s eighteenth birthday. “*Sexual exploitation*” is defined as any sexual advance, request for sexual favors, or physical contact of a sexual nature, even if by mutual consent, between persons in situations of unequal power. Sexual exploitation is inclusive of the terms “*sexual harassment*,” “*sexual abuse*” and “*sexual misconduct*.” Sexual contact with those served pastorally

or supervised, even if by consent, is considered a violation of the NACC Code of Ethics (Standard 103.7).

- D. Exception to Statute: Any complaint may be made within a longer period if the delay is caused by fraud, intimidation or other unethical conduct that prevents the earlier emergence of the complaint. In extraordinary circumstances, time lines may be waived by the Ethics Chair in consultation and agreement with two other Ethics Commission members (and legal counsel if used), at their discretion and at the request of the Executive Director where to do otherwise would seriously jeopardize the safety or welfare of those served or colleagues in the reasonable opinion of those waiving the time lines.

III. Confidentiality

- A. Confidentiality is of utmost importance. Those involved in investigations, mediations, fact finding reviews, appeals and record keeping shall respect the parties' confidentiality as far as possible without impeding the pursuit of the truth of the allegations or violating state reporting laws and evidentiary procedures.
- B. Parties and witnesses contacted are expected to respect the need for confidentiality in order to protect privacy and fair process for everyone involved. People designated by NACC to mediate, investigate or adjudicate the case must respect these same concerns.
- C. In order to obtain guidance and support, the parties to the complaint may discuss the complaint with their families and helping professionals; however, all must respect the need for confidentiality.
- D. In respecting confidentiality of those members and all others involved in ethics cases, all inquiries regarding current and past ethics cases must be directed to the Ethics Commission Chair.

IV. Bias or Conflicts of Interest

- A. It is expected that anyone invited to participate in any aspect of processing, mediating, investigating or adjudicating an ethics complaint will decline if they have a conflict of interest or personal or professional relationship with a party or entity which would lead to bias or the perception thereof.
- B. A member may challenge the appointment of any person to any of these positions if that member can demonstrate reasonable cause for the member to believe there is conflict of interest or bias. A member does not have unlimited challenges to appointments and the judgment as to whether or not a conflict or bias exists will remain with the people designated to make the appointments.

V. Accountability to the Code of Ethics Standards and Compliance with the Ethics Complaint Process

The NACC Code of Ethics Standard 101.3 states that the Code of Ethics *“provides a mechanism for professional accountability”* specifically by the following Standards:

- A. The NACC Code of Ethics Standard 102.2 states that Spiritual Care Professionals *“are called to nurture their personal health of body, mind and spirit, and be responsible for their personal and professional conduct as they grow in their respect for all living being and the natural environment.”*

- B. The NACC Code of Ethics Standard 102.43 of the NACC Code of Ethics states that Spiritual Care Professionals *“advocate for professional accountability that protects the public and advances the profession.”*
- C. The NACC Code of Ethics Standard 106 states that Spiritual Care Professionals *“are accountable to the public, faith communities, employers, and professionals in all professional relationships.”* These Standards are binding on members, and they are expected of non-members who engage the process. Members are obligated to cooperate with an ethics investigation. Refusal or failure to do so at any point shall be considered grounds for dismissal from NACC.
- D. If a criminal charge or conviction or the removal of ecclesiastical endorsement/faculties involves an action of a fraudulent, sexual or violent nature, then the member's membership in NACC will be suspended immediately while the matter is under review by the Ethics Commission and in accordance with the Ethics Procedures Manual.

VI. Member Who Defaults on Ethics Review Process

- A. It is the responsibility of members to keep their contact information current with the NACC office.
- B. NACC and its representatives will exercise due diligence (certified mail, email, and phone) to inform a member when an action (such as response to a complaint or to a request for an interview) requires immediate attention. If after forty-five calendar days service has not been acknowledged by the member to NACC, the member's credentials may be suspended. Restoration of credentials will be decided on a case-by-case basis according to the professional judgment of the Executive Director, the Chair of the Ethics Commission, the Chair of the Certification Commission, and a Board member.
- C. A respondent who does not respond according to the time frame in a notice for information may be considered in default. The process may continue without the materials or input sought from the member.
- D. Default negates any rights of appeal of findings or disciplinary actions sanctions in a case against the member.

VII. Membership Status

- A. If the Respondent allows membership to lapse (from non-payment of membership dues) before the filing of a complaint or during an investigation against the said member, NACC retains the right to proceed with the investigation.
- B. If applicable, requests for resignation of membership will be deferred until a pending complaint is resolved.
- C. If the Respondent requests to resign his or her membership after the filing of a complaint or during an investigation, the complaint will proceed until an Action is determined by the Ethics Commission.
- D. If the Respondent wishes to rejoin the Association after an action has been imposed, the Respondent may rejoin on the condition that the terms of the action have been satisfactorily met. If the terms have not been met at the time of the request to rejoin, the Respondent may rejoin for a probationary period (for no more than one year) during which the person must satisfactorily complete the terms of the “action” that was set by the Ethics Commission. All requests to rejoin will be at the discretion of the Ethics Commission and the NACC Executive Director.

- E. If the person does not participate in the initial investigation and/or fact-finding process, there is no right of appeal of the findings or disciplinary actions sanctions in a case against the member.

VIII. Timelines in the Ethics Procedures

- A. The timelines provided in these Ethics Procedures are given to respect the importance of this process for all parties (Complainant, Respondent, and Ethics Commission members).
- B. Every effort will be made to meet the process timelines. Any exception to the timelines require prior communication and a reasonable alternative timeline which will be determined by the Ethics Commission.

ETHICS PROCEDURES MANUAL

Part Two: Ethics Accountability Procedures (Breach of Trust)

The members of NACC require the highest-possible standard of trust of their members, in the interest of the public, whom they serve.

EP21 As part of the membership process, all NACC members are required to sign a copy of the *Ethics Accountability Statement*. Copies of signed statements are submitted to the National Association of Catholic Chaplains (NACC) National Office.

EP22 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 or disciplinary or corrective action for unethical and/or criminal conduct in a civil, criminal, ecclesiastical, employment, or other professional organization's forum; the following process is used:

Statements of those unable to sign are sent to the Chair of the Ethics Commission in care of the NACC National Office.

221 The member completes and submits an Ethics Accountability Response Form and a written account of the complaint including the forum, the charges, and the final outcome (if completed) to the Chair of the Ethics Commission in care of the NACC National Office. All materials are submitted via certified mail and/or secure email and marked CONFIDENTIAL.

222 If the NACC Ethics Commission is informed of such a situation against the member by another agency, the Chair of the NACC Ethics Commission will inform the member of the need to self-report.

223 If the member fails to self-report within thirty (30) calendar days, the process articulated below will go forward immediately.

224 The Chair of the Ethics Commission in consultation with the Executive Director will assess the case and decide whether to establish an Accountability Review Team. The determination will be based on the gravity of the situation and will indicate Standards of the NACC Code of Ethics to be considered.

224.1 If determined that there are no grounds to proceed, the Chair of the Ethics Commission will notify the member to sign the Ethics Accountability Statement.

224.2 If determined that an Accountability Review Team will be established, the Chair of the Ethics Commission will convene a Review Team composed of three members of the Ethics Commission (the Chair can serve as well).

225 The Chair of the Ethics Commission will provide to the Accountability Review Team the submitted Ethics Accountability Response form and all other written documentation received, including the names and contact information for persons involved in the process and authorized to provide full information to the Accountability Review Team. If the Accountability Review Team decides that it needs additional information from the member to determine if the Code of Ethics has been violated, the Accountability Review Team may contact the member to obtain the necessary information. Failure and refusal to cooperate fully with the Ethics Commission process is in itself a violation of Standard 101 and might lead to

sanctions up to and including withdrawal of certification and removal of NACC membership.

- 226 The Accountability Review Team investigates, and a report is drafted. The report includes 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. Action review processes would be those used in a normal complaint process.
- 227 The Ethics Commission reviews the recommendation from the Accountability Review Team and makes a final determination. The Chair of the NACC Ethics Commission communicates the final decision to the member and to the Executive Director. The Chair of the Ethics Commission and the NACC Executive Director collaboratively determine who is entitled to have knowledge or information regarding the outcome of the ethics accountability process (may include but not limited to: Certification Commission, Board of Directors).
- 228 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:
- 228.1 The completed Ethics Accountability Response Form and any supplemental documentation provided by the member
 - 228.2 The completed Ethics Accountability Review Team Report
 - 228.3 Letters to the member communicating outcome.

All other written and electronic documents are destroyed.

- 229 The confidential file is the responsibility of the NACC Executive Director. No one is to have access to the contents of these files without a court order or without the written consent of the Chair of NACC Ethics Commission, Board Chair, and/or Executive Director (in consultation with counsel) for extraordinary circumstances. The Appeal process is the same as the outlined in the Complaint Appeal process.

Ethics Procedures Manual

Part Three – Ethics Complaint Procedures

- EP31 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 by contacting the NACC National Office.
- 311 The NACC National Office notifies the Chair of the Ethics Commission upon receipt of any request for use of the NACC Ethics Complaint Process.
- 312 Within ten (10) calendar days of the National Office receiving the request the Chair of the Ethics Commission, via the NACC National Office, sends a Complainant Packet by certified mail including:
- 312.1 Ethics Complaint letter
 - 312.2 A copy of the NACC Code of Ethics
 - 312.3 A copy of the NACC Ethics Complaint Procedures
 - 312.4 An NACC Ethics Complaint Form
- 313 The Complainant completes the materials and returns them to the Chair of the Ethics Commission in care of the NACC National Office. All materials are returned via certified mail and marked CONFIDENTIAL.
- 314 The Chair of the Ethics Commission shares copies of the Complainant's completed materials with at least two additional members of the Ethics Commission (Initial Review Panel). The Initial Review Panel convenes telephonically for the purpose of determining whether:
- 314.1 The alleged complaint demonstrates probable cause and jurisdiction. Jurisdiction requires an affirmative answer for ALL of the following questions:
 - a. Is/was the respondent a member of NACC at the time of the alleged violation?
 - b. Are the circumstances of conduct alleged within the purview of association standards?
 - c. Are time limits for filing met or are any exceptions applicable? (See II Time Limits for Registering Complaints.)
 - d. If alleged conduct were proven, would it violate standard(s) of NACC Code of Ethics?The Initial Review Panel may suggest additional NACC Code of Ethics Standards to be considered.
or
 - 314.2 There are no grounds to proceed.
 - 314.3 If the Initial Review Panel decides that it needs additional information

to determine whether the complaint demonstrates probable cause, the Chair may contact the complainant to obtain the necessary information.

- 315 Within fifteen (15) calendar days of the National Office receiving the Complainant's materials, the Chair of the Ethics Commission sends to the Complainant notification of the determination reached by the Initial Review Panel and its rationale via certified mail. A determination that there are no grounds to proceed cannot be appealed.
- 316 If there is determination that there are grounds to proceed, a Respondent Packet is sent to the person against whom the Complaint is filed within ten (10) calendar days including:
- 316.1 Ethics Complaint letter and additional narrative material
 - 316.2 A copy of the completed NACC Ethics Complaint Form
 - 316.3 A copy of the NACC Code of Ethics
 - 316.4 A copy of the NACC Complaint and Appeal Procedures
 - 316.5 NACC Ethics Complaint Response Form
- 317 The Chair of the Ethics Commission appoints a three-member Ethics Complaint Review Team. The team will elect a Chair. The Chair will convene the meetings of the Review Team and oversee its work.
- 318 The Chair of the Ethics Commission will ask the NACC Executive Director if there are any sealed files regarding any previous investigations involving the respondent. If there are any files, these files will be sent to the Chair of the Ethics Commission upon his/her request. The respondent cannot appeal a decision made by the Chair of the Ethics Commission to review the sealed files. The files may be reviewed by the Chair of the Ethics Commission/Ethics Complaint Review Team only for the specific purpose of determining their relevance to current investigation of the respondent. In the event that a previous file(s) has been considered for this purpose and informs part of the decision on the action to be taken against the respondent, this will be noted by the Ethics Commission in its report to the Board.
- 319 Both the Complainant and Respondent are notified by certified mail of the composition of the Ethics Complaint Review Team. Each party has ten (10) calendar days from the date they receive notification 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.
- 320 Failure and refusal to fully cooperate with the Ethics Commission process is in itself a violation of Standard 101 and might lead to actions up to and including withdrawal of certification and removal of NACC membership.
- 321 The Respondent completes the materials and returns them within fifteen (15) calendar 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. The Respondent's Response is shared with the Complainant.
- 322 Upon receipt of the Respondent's completed materials, the members of the Ethics Complaint Review Team acting as fact-finders and interview the complainant, the

respondent, and witnesses for both parties within a reasonable and responsible amount of time. When interviewed, the complainant will be asked to explain how the standards cited in the Code of Ethics have been breached from the complainant's perspective.)

- 323 Upon completion of the interviews, the Ethics Complaint Review Team prepares a written summary of findings. The Chair of the Ethics Complaint Review Team calls a deliberation hearing with the other two members of the Ethics Complaint Review Team for the purpose of adjudicating: to decide whether there was a breach of the Code of Ethics, and to make a recommendation from one of the actions described in EP327 to the Ethics Commission.
- 324 The Ethics Commission will be provided with the written summary report, which includes the summary of findings and either ratify the Review Team's recommendation, or not.
- 325 The Ethics Commission can request additional information from the Ethics Complaint Review Team if the Commission deems it necessary in order to make their determination with respect to ratification.
- 326 Within fifteen (15) calendar days of the ratified decision of the Ethics Commission, the Chair of the Ethics Commission communicates the decision to both the Complainant and Respondent in writing via certified mail.

The mailing includes:

- 326.1 A completed copy of the Ethics Complaint Review Team Report Form
326.2 The Ethics Appeal Procedures for the Respondent

- 327 Possible actions as outcomes of the deliberation:
- 327.1 **No action** (no violation of the Code occurred): The adjudication of no action is based on the assessment of the Ethics Commission. No corrective action is taken, and no record of the investigation is kept.
- 327.2 **Admonishment:** The adjudication of admonishment is based on the assessment of the Ethics Commission that the Respondent has accepted responsibility for a violation of the Code of Ethics and the Respondent's reconciliatory action is adequate to ensure that such a violation will not be repeated. Specific recommendations to enhance professional or ethical practice may be proposed. This action may be recommended only in those cases in which the conduct of the Respondent is assessed by the Ethics Commission not to threaten the wellbeing of third parties and/or bring the reputation of NACC into disrepute. A record of this action is to be maintained on file at the NACC National Office.
- 327.3 **Reprimand:** This is a serious rebuke of the member. The adjudication of reprimand is based on the assessment of the Ethics Commission that the complaint brought against the Respondent merits the Respondent's acknowledgement and ownership of her/his conduct that has brought harm.

The Ethics Complaint Review Team's report indicates that violation of the Code of Ethics has occurred and that the Respondent must accept responsibility and change his/her conduct. Reprimand may include specific

disciplinary actions and specific instructions (including increased supervision and possible reporting documentation) to be followed for a specified period of time. A record of this action is to be maintained on file at the NACC National Office. The Respondent is required to report the Reprimand in his/her Ethics Accountability Statement Form at the time of the next submission.

- 327.4 **Suspension of NACC certification and or membership:** The adjudication of suspension is based on the assessment of the Ethics Commission that the conduct of the Respondent has brought serious harm to a third party and/or to the reputation of NACC. Suspension is also based on the assessment that the Respondent's continued participation in NACC may pose a serious threat to third parties, and/or bring the reputation of NACC into serious disrepute. Suspension would be set for a specific period of time determined by the Ethics Commission with instructions to be followed before certification and/or membership is reinstated. The Respondent will demonstrate compliance to the satisfaction of the Ethics Commission and the Certification Commission if the Respondent is certified. The suspension will be monitored.
- 327.4a The Ethics Commission Chair will appoint a member of the Ethics Commission to serve as a monitor of the member on suspension. The Ethics Commission Chair will then advise the respondent on suspension of the name of the monitor and of the reporting process.
- 327.4b The monitor will receive by certified mail the terms of the suspension.
- 327.4c The suspended member will submit quarterly reports to the monitor which document the member's co-operation with the terms of suspension.
- 327.4d The monitor will submit a report to the Ethics Commission Chair, confirming the member's co-operation with the terms of suspension.
- 327.4e In the event of non-cooperation by the member with the terms of the suspension, the monitor will immediately inform the Ethics Commission Chair, who will begin the proceedings for such non-cooperation.
- 327.4f Upon the successful completion of the suspension period, the monitor will inform the Ethics Commission Chair, who will, in turn, inform in writing: a. the Member on suspension; b. the Complainant; and c. the Chair of the Board of Directors.
- 327.4g Upon receipt of notification of successful completion of the suspension, the Ethics Commission Chair will advise other parties who may have been notified in the original notice.
- 327.5 **Recommendation of withdrawal of certification and/or membership** (withdrawal of certification would require final action by the NACC Certification Commission and withdrawal of membership would require final action by the NACC Board of Directors).

This recommendation is required when the assessment of Ethics Complaint Review Team is any one of the following:

- 327.5a The conduct of the Respondent has brought serious harm to an individual(s).
- 327.5b The conduct of the Respondent has caused serious harm to a third party and/or brought into serious disrepute the reputation of NACC.
- 327.5c The Respondent has been found guilty in a court of law of a criminal offence that is not in line with the Code of Ethics.
- 327.5d The Respondent has been dismissed from a professional organization with which NACC has reciprocity.

328 If the action includes specific instructions or recommendations to be completed and reported back to the Ethics Commission, the Respondent sends the written response with supporting documents 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 recommendation of withdrawal of certification to the Certification Commission and/or loss of membership recommendation to NACC Board.**

The response will be reviewed at the end of its specified time. If the Ethics Commission or its designee determines a reasonable need to continue monitoring the member, it may recommend further disciplinary actions for an additional specified time. Such additional actions will not be imposed lightly, will reflect concern for the well-being of the member, the public and/or the Association, and will be reviewed by the Ethics Commission within six months of additional imposition.

All inquiries regarding current and past ethics investigations must be directed to the Chair of the Ethics Commission.

329 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:

- 329.1 The completed NACC Ethics Complaint Form
- 329.2 The completed NACC Ethics Complaint Response Form
- 329.3 The completed Ethics Complaint Review Team Report Form
- 329.4 Letters to the Respondent and Complainant communicating outcome.

All other written and electronic documents are destroyed.

330 The confidential file is the responsibility of the NACC Executive Director. No one is to have access to the contents of these files without a court order or without the written consent of the Chair of NACC Ethics Commission, Board Chair, and/or Executive Director (in consultation with counsel) for extraordinary circumstances.

331 If there is no ethics appeal, the Chair of the Ethics Commission, the Chair of the Certification Commission and the Executive Director collaboratively determines who is entitled to have knowledge or information regarding the outcome of the ethics complaint (may include, but not limited to: respondent's place of work, respondent's endorsing body, etc.).

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Part Four – Ethics Appeal Procedures

- EP41 The respondent as the appealing party is the appellant.
- EP42 When the Respondent receives notification of violation of the National Association of Catholic Chaplains (NACC) Code of Ethics and believes that the NACC Standards or Procedures were violated in the ethics complaint review process, the Respondent has the right to a timely appeal process. The only grounds for appeal are:
- 421 The Respondent was not offered reasonable opportunity to obtain and/or present evidence to the Ethics Complaint Review Team within these guidelines that could have substantially altered the outcome, and/or
 - 422 Gross irregularity in the proceedings as established by these guidelines that could have substantially altered the outcome.
- EP43 An appeal must be submitted in writing to the Ethics Appeals Panel within thirty (30) days of the postmark of the outcome. The appellant requests an appeal in writing, stating the grounds, describing the rationale, citing appropriate Standards and/or Procedures, and including any supportive materials. The request is sent to the Chair of the NACC Ethics Appeals Panel in care of the NACC National Office via secure email or certified mail and marked CONFIDENTIAL.
- EP44 The Chair of the Ethics Appeals Panel has sole discretion to extend the thirty (30) day deadline for extraordinary circumstances presented to the Chair of the Appeals Panel by the Appellant in writing prior to the 30th day. If the extension is denied, the Appellant must meet the thirty (30) day deadline or the decision of the Ethics Complaint Review Team remains in full force and effect as the final action of the Association.
- 441 The Ethics Appeal Panel is an NACC entity whose members are appointed by the NACC Board of Directors to serve in this appeals process.
- EP45 The procedure for appeal is as follows:
- 451 The Chair of the NACC Ethics Appeals Panel appoints a three-member Ethics Appeal Review Team consisting of a Chair and two other members. The Chair of the Ethics Appeal Review Team takes primary responsibility for convening any necessary meetings.
 - 452 The Appellant is notified of the composition of the Ethics Appeal Review Team and has ten (10) calendar days to challenge the composition of the Ethics Appeal Review Team because of conflict of interest by notifying the Chair of the NACC Ethics Appeals Panel in writing.
 - 453 The materials that can be considered in the Ethics Appeal Review are:
 - 453.1 The Appellant’s initial statement of appeal
 - 453.2 Appellant’s supportive materials
 - 453.3 The completed Ethics Complaint Review Team Report Form
 - 453.4 The Ethics Complaint Review Team’s procedural documentation including the summary of its findings.

- 454 The Ethics Appeal Review Team has thirty (30) days from the postmark of the Appellant’s materials to do one of the following:
- 454.1 Deny the appeal by upholding the decision ratified by the Ethics Commission.
 - 454.2 Affirm the grounds of the appeal if it determines that the decision of the Ethics Complaint Review Team was substantially altered because:
 - 454.2a Appellant was not offered reasonable opportunity to obtain and/or present evidence to the Ethics Complaint Review Team within these guidelines that could have substantially altered the outcome, and/or
 - 454.2b Gross irregularity in the proceedings as established by the Ethics Procedures Manual and that could have substantially altered the outcome.
 - 454.3 Remand the matter back to the Ethics Commission if a violation of the procedures exists, with a recommendation for further action.
- 455 The Chair of the Ethics Appeal Review Team notifies (via certified mail by the NACC National Office) the following of the determination either to deny or to accept the appeal:
- the Appellant,
 - the Complainant,
 - the Chair of the NACC Ethics Commission, and
 - the Executive Director.

EP46 At the conclusion of the ethics appeal procedure, the Chair of the Ethics Commission, the Chair of the Certification Commission, and the Executive Director collaboratively determine those who need-to-know and communicate the outcome accordingly.

EP47 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:

- 471 The Appellant’s initial statement of appeal
- 472 The completed Ethics Complaint Review Team Report Form
- 473 The completed Ethics Appeal Review Team Report Form
- 474 The Ethics Commission’s letter to the Appellant communicating the final decision regarding the appeal

All other written and electronic documents are destroyed.

EP48 The decision of the Ethics Appeal Review Team is final and cannot be further appealed.

National Association of Catholic Chaplains

Ethics Accountability Statement for New/Reinstated Membership EP51

NAME: _____

Date of Completion: _____

Membership in the National Association of Catholic Chaplains (NACC) means that you will abide by the [NACC Code of Ethics](#) and are qualified for the membership category elected. By becoming a NACC member, you are agreeing to be subject to the rules, regulations, and enforcement of the terms of the NACC Code of Ethics. Membership in the NACC requires the annual completion of the Ethics Accountability Statement.

Please initial by each statement to indicate your agreement with the statement:

- I understand that, as a condition of membership in the National Association of Catholic Chaplains, I will provide (self-report) to the Association notification of any complaint of unethical and/or criminal conduct filed against me within thirty (30) days that I receive any such complaint. The self-report shall include a copy of the complaint or criminal summons along with the completed Ethics Accountability Report Form and any supplemental document outlined in the Self-Report form. Information should include the circumstances of the complaint including the dates, forum, nature of the allegations and your relationship to the individuals involved and your response to the allegations. You will be required to provide the names/contact information for individuals with knowledge of the complaint and provide authorization to these people to speak with the Association about the circumstances of the complaint.
- I understand that failure to self-report will result in immediate suspension of membership and certification until the reporting process is complete.
- I understand that failure to 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.

Your signature attests that all information provided on your membership application is true and accurate, you have reviewed the NACC Code of Ethics and pledge to uphold it, and you acknowledge that you can be held accountable under the NACC Competencies and Procedures for any violation of the Code.

Member Signature

National Association of Catholic Chaplains
Ethics Accountability Statement – Member Annual Submission
EP51

NAME: _____ NACC Membership Number: _____

Date of Completion: _____

Membership in the National Association of Catholic Chaplains (NACC) means that you will **continue** to abide by the [NACC Code of Ethics](#) and you are agreeing to be subject to the rules, regulations, and enforcement of the terms of the NACC Code of Ethics. Membership in the NACC **requires** the annual completion of the Ethics Accountability Statement.

Please initial by each statement to indicate your agreement with the statement:

- I understand that, as a condition of membership in the National Association of Catholic Chaplains, I will provide (self-report) to the Association notification of any complaint of unethical and/or criminal conduct filed against me within thirty (30) days that I receive any such complaint. The self-report shall include a copy of the complaint or criminal summons along with the completed Ethics Accountability Report Form and any supplemental document outlined in the Self-Report form. Information should include the circumstances of the complaint including the dates, forum, nature of the allegations and your relationship to the individuals involved and your response to the allegations. You will be required to provide the names/contact information for individuals with knowledge of the complaint and provide authorization to these people to speak with the Association about the circumstances of the complaint.
- I understand that failure to self-report will result in immediate suspension of membership and certification until the reporting process is complete.
- I understand that failure to 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.
- I attest that in the time period since last signing the Ethics Accountability Statement that:
 - 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 not resigned, been transferred or terminated, nor negotiated a settlement from a position for reasons related to unethical and/or criminal conduct.

Your signature attests that you have reviewed the NACC Code of Ethics and pledge to uphold it, and you acknowledge that you can be held accountable under the NACC Code of Ethics and Ethics Procedures for any violation of the Code.

Member Signature

IMPORTANT: If you cannot sign the above Ethics Accountability Statement, please complete the Ethics Accountability Report Form to include 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 NACC Ethics Commission.