

PARISH RESOURCES
for the Prevention of
Sexual Misconduct in the Church



Provided by

THE EPISCOPAL DIOCESE OF DELAWARE

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Preamble

The Diocese of Delaware is committed to making the church a place where all may find abundant life and where victimization in any form does not occur. To this end, the diocese has “Safe Church” policies and procedures for clergy published in the document “Respect the Dignity of Every Human Being.” The supplementary material in this present document is for church wardens and vestries who are responsible for policies and procedures in each individual parish.

This packet is meant to inform and to provide resources for the faith community which will help prevent sexual, power and other forms of abuse of God’s people, both children and adults. Definitions and an article entitled “Power and Vulnerability in Ministerial Relationships” have been included in order to describe more fully the abuse of power represented by sexual misconduct. The packet also includes sample policies and procedures which individual congregations may adopt, as documentation is important in safeguarding the church. A clear and consistent policy at all levels of the church protects parishioners, priests, and parishes. Everyone benefits from having clear policies and procedures.

This set of documents is fundamentally about our relationships within the church, the Body of Christ. Our commitment as a Diocese is to making our churches and institutions places of safety, mutual respect and honor. As believers in Jesus Christ and the Gospel, we are called to provide environments that affirm the dignity and worth of persons created in the image of God. To this end it is our responsibility to oppose oppression in all forms, including sexual abuse, exploitation or harassment. We also believe that it is our responsibility to take whatever action may be needed to prevent and correct behavior that is contrary to this commitment. Elected parish leaders have the responsibility to carry out these commitments within the orbit of the local church, especially with regard to the behavior of church volunteers and parish staff. If the conduct of clergy is at issue, it is expected that elected leaders will call the bishop.

Leadership in the Christian Church is a calling which demands the highest standards of moral integrity and personal responsibility. As the Gospel witness makes abundantly clear, ‘From everyone to whom much has been given, much will be required; and from the one to whom much has been entrusted, even more will be demanded.’ (Luke 12:48) Since trust is so fundamental to the well-being of the Christian community, Christian people have the right to expect that those who are leaders (both lay and ordained) understand and are committed to standards of behavior that are trustworthy. In receiving the Sacrament of Baptism, we enter into a sacred covenant in which we pledge to live lives that ‘...seek and serve Christ in all persons’, and to ‘...respect the dignity of every human being’.

Resources and Samples for Parishes

For Promoting a Safe Environment in Churches

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“POWER AND VULNERABILITY IN MINISTERIAL RELATIONSHIPS”

by

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As the church continues to face the crisis of sexual abuse in ministerial relationships, many voices can be heard offering different solutions and strategies. This article is intended to offer an overview of several key issues that inform the discussion of professional ethics in ministerial relationships.

As defined in this article, ministerial relationship refers to any position of leadership within a church or religious community. It includes ordained clergy, volunteer and paid staff, wardens, deacons, church school teachers, organists, choir directors, youth leaders and any other person whose role authorizes ministry under the auspices of the church. With the role comes power; individuals with leadership positions in the life of the church carry the responsibility to use the power inherent in their roles in the best interests of those whom they serve. Therefore it is in the best interest of the church and its ministry to offer clear guidelines and expectations of those who would endeavor to minister on its behalf.

First, the issue of power and vulnerability engender tremendous confusion in the discussion of ethical behavior for religious leaders. The work of Marie Fortune is helpful here, and most of the ideas that follow rely heavily on her work as presented in the training manual entitled, “Clergy Misconduct: Sexual Abuse in the Ministerial Relationship”. While most times we think of power as a fixed concept; i.e., individuals having power over others, in reality power is a relational concept. Individuals have power in relationship to other individuals and the dynamics change from relationship to relationship. For example, a church school teacher has more power than the students whom she teaches, yet that same teacher has less power than the Christian Education director to whom she is accountable. Power and vulnerability are relational concepts determined by the nature of the relationship.

In our culture, sources of power rest in age (adulthood), gender (male), sexual orientation (heterosexual), race (Caucasian), physical resources (ability, size, strength), economic resources (wealth, job skills, credentials), intellectual resources (information, knowledge, etc), psychological resources (breadth of life experience, stability), social resources (support, community contacts), and life circumstances (security, well being). Add to this the role of minister, warden, youth leader, etc. and most often the sources of power will rest with the church leader.

When a person in changing life circumstance such as death or divorce seeks pastoral care from his/her minister, s/he is vulnerable to him because of his/her situation; security and well being are threatened and psychological coping mechanisms may be tested to their limit. S/he is vulnerable because of having fewer resources AT THAT MOMENT IN TIME. It is always the responsibility of the one with more power to use that power in the best interest of the ones whom they serve.

A further clarification is necessary. Even when power appears to be equal in a relationship, it is still the responsibility of the professional to set and maintain the appropriate boundary for the relationship. For example, a pastor and a warden, both with strong skills and gifts in ministry, both with stable life circumstances and relatively equal intellectual and psychological resources may appear to have pretty much equal power in this situation. However, it remains primarily a professional relationship and the responsibility for boundary maintenance falls to the pastor. The purpose of their relationship is professional, to serve the needs of the church that entrusts them with both power and responsibility.

This leads directly to a second important concept in understanding the nature of the ministerial relationship and the importance of maintaining them with integrity and faithfulness. The purpose of ministerial relationships is ministry, in all its rich and varied forms. And ministry exists so that the church might fully be the Church at work in the world for the sake of the gospel. It is a violation of role to step

outside of the prescribed boundaries that empower such relationships. The ministerial relationship presupposes certain role expectations: the ministry is expected to make available certain resources, talents, knowledge and expertise which will serve the best interests of the congregant, client, employee, student staff member, etc. Sexual contact or sexualized behavior is not part of the ministerial role. Such behavior is characteristic of a sexually intimate relationship, not a professional (i.e., ministerial) relationship.

Further, it is a misuse of power and authority. The ministerial role carries within it power and authority and the attendant responsibility to use this power to benefit the people who call upon that person for service. This power can be easily misused, as is the case when a minister uses (intentionally or unintentionally) his/her authority to initiate or pursue a sexual contact with a congregant or staff member. Even if the congregant/staff member attempts to sexualize the relationship it is still the responsibility of the minister to maintain the boundary of the ministerial relationship.

Finally, sexualized behavior within the ministerial relationship is an ethical violation because there is an absence of meaningful consent. This is a source of tremendous misunderstanding in the church. Comments like, “they were consenting adults”, “s/he went along of their own free will”, and “I didn’t force myself on her, how can you say I took advantage?” all represent misconceptions about consent and free choice.

Meaningful consent to sexual activity requires a context not merely of choice, but of equality; hence meaningful consent requires the absence of any constraint. Where there is an imbalance of power between two persons arising out of role difference, there is no true equality. And without equal power there can be no true and meaningful consent. In our work with survivors of clergy sexual abuse we often ask, “If this person were not your minister, if you had not needed help from him, if your life were healthy and happy and your needs were met, if you had met this person socially or if he were your next door neighbor – an equal – would you have gotten involved with him?” Their response is usually NO. This suggests that the relationship came about because of the individual’s vulnerability to the minister’s power and authority. Therefore the choice to become sexually involved was not a free choice and the minister’s behavior was abusive.

Clarity around these concepts is crucial if we are to act with integrity in our relationships and intervene in appropriate and healing ways when boundaries are violated. The nature of ministerial relationships means that we will oftentimes be with people in moments of great vulnerability and therefore be at risk to violate appropriate boundaries. The responsibility is ever before us to be cognizant of our responsibilities and our resources in relationship to those whom we serve.

Maintaining clarity about responsibilities and boundaries in ministry presupposes a level of personal and professional health as well as access to supervision and ongoing opportunities for professional development. Each individual in a ministerial position can greatly reduce the risk of boundary violation through self knowledge and self care. An understanding of personal history and its effects on our behavior and perception can make us less likely to violate boundaries. If we are aware of our personal needs and are taking care of those needs in appropriate ways we are less likely to impose those needs on others. In addition, peer supervision, trusting relationships with colleagues and formal supervision are important arenas for professional reflection wherein we can examine our ministerial roles and relationships and receive feedback. To regularly engage in such self assessment and supervision is a responsibility of each one in a ministerial relationship. It is the single most important factor in maintaining appropriate boundaries.

The difficult and complex issues faced by the church in regard to sexual abuse and ministerial relationships will remain for some time. However, each one who makes a conscious decision to increase his or her level of education and awareness, each one who engages in self reflective and supervisory behavior greatly reduces the incidence of and the potential for violation in ministerial relationships

Definitions

Sexual Misconduct is a broad term referring to ways in which power and trust are misused in a sexual way. The Diocese of Delaware adopts the 70th General Convention of the Episcopal Church definition of sexual misconduct:

Sexual abuse: sexual involvement or contact by a pastoral leader with a person who is a minor or who is legally incompetent. It is a criminal offense and must be reported to law enforcement officials.

Sexual harassment: unwelcome or undesired sexually oriented humor or language, questions or comments about sexual behavior or preference, physical contact, inappropriate comments about clothing or physical appearance, or repeated request for social engagements, in a situation where there is an employment, mentor, or colleague relationship between the persons involved.

Sexual exploitation: a betrayal of trust in a pastoral relationship by the development, or the attempted development, of a sexual or romantic relationship between a cleric or other church worker and a person with whom he or she has a pastoral or fiduciary relationship, whether or not there is apparent consent from the individual. (Sexual exploitation includes activity during the course of a pastoral relationship such as intercourse, kissing, touching breasts or genitals, verbal suggestions of sexual involvement or sexually demeaning comments.)

We understand a **pastoral relationship** to be a relationship between a cleric or a church worker whose responsibilities may include providing counseling, pastoral care, spiritual direction, guidance, or teaching, or receiving sacramental confessions, confidential or privileged information and any person who may be the recipient of such ministries, either through enlistment, such as church school students, or through deliberate arrangement, such as a parishioner seeking counsel.

Additional Definitions

Sexual coercion: the use of physical, emotional or supervisory power to gain sexual contact.

Church Worker: Any member of the clergy, either paid or volunteer; or any member of the laity working on behalf of the Church who is engaging in pastoral relationships.

Fiduciary duty: A duty of TRUST. It is a charge to place the needs of others above the needs of one's self. It can be a bottom-up tool of service.

Fiduciary Relationship: A relationship of trust such that one must put the interests of the other person above his or her own.

Consent: Agreement in sentiment, opinion, etc., when there is a power relationship or when there is fiduciary responsibility it becomes especially problematic. It MUST be achieved through mutual agreement WITHOUT coercion or manipulation. The ability to consent is affected by: age, influence of drugs or alcohol, mental or physical impairment, or other reasons which may cause a person to be vulnerable to another.

Power: Begins when a position of authority and responsibility has been established and accepted. It can be cumulative and arise from a number of sources, such as: occupation, experience, physical size and/or attractiveness, gender, age, race, wealth, charisma. It can be negative: a top-down mechanism primarily benefiting the one who holds it. It can be positive: service to benefit others.

Dual Relationship: Relationship in which people attempt to relate on two levels – personally and professionally – at the same time. Dual relationships occur whenever a church representative enters into a personal relationship with a member of the congregation or group participant.

“When filling a position...”

References:

Do check references. In a number of cases, a phone call to a former employer or former church would have prevented many subsequent problems.

Interviewing suggestions:

Interviewing people for positions (salaried or volunteer) with children/youth can be a part of discussions on job description and expectations. A face-to-face interview is a central part of screening. If, during the interview, concerns arise about the fitness of the person, tell them you will make a decision and contact them. Then, consult with clergy or trusted authorities about the concerns. A good question to ponder is, “would I want this person to serve in a position of trust with *my* child?”

- Decide who will conduct the interviews. This number should be limited.
- Establish a list of questions that you would ask all applicants or volunteers.
- Keep notes on how they respond. Interview notes should be kept in a secure location.

Generally, when interviewing an applicant or volunteer you will want in any event to be looking for such traits as:

- * openness: a genuine interest in and concern for young people
- * dependability
- * self-confidence
- * self-awareness
- * sense of humor and the ability to relax
- * ability to tolerate conflict and discord
- * cooperative team spirit: ability to express viewpoints honestly and accept compromise
- * ability to make quick, sound decisions, often independently

Processing the application:

At the time that the applicant or volunteer has been accepted for the position, you may request that the applicant give you the following:

1. Copies of the degrees or credentials that they have listed on the application. Sometimes individuals claim to have credentials that they do not have. This is one measure of their integrity.
2. A copy of their driver’s license. Even if they are not going to be driving for you, this is another form of identification that is useful to have on file. Keep all written materials in a secure, confidential file.
3. Go over child abuse reporting obligations with your incoming staff or volunteers. At this time you should give them a copy of any parish policies; the appropriate guidelines, definitions, and reporting requirements from this document; and a copy of the “Safe Church” Policies and Procedures of the Episcopal Diocese of Delaware called **Respect the Dignity of Every Human Being**. Have them read these documents and sign **A Covenant for Responsibility** before beginning work.
4. The applicant should receive a job description that lists the general duties of the job, the specific responsibilities, to whom they report and the requirements for the job. There should be a job description for paid employees as well as for volunteers.

**BACKGROUND QUESTIONNAIRE
for Lay Employees and Volunteers**

Instructions for completing the Background information form:

The Episcopal Diocese of Delaware has established policies concerning professional conduct in order to maintain a healthy work and worship environment. Our commitment to these policies assumes that we conduct background referencing for certain persons who serve or intend to serve as lay employees or volunteers. The reference communications with your schools, employers, and congregations will make it clear that our inquiry is being made to comply with our policies, and not because we suspect that you are, or have been, involved in inappropriate conduct. What follows is our Background Information Form for those who serve or who apply to serve as employees or to do certain types of volunteer work.

Please fill out the following questionnaire and when it is complete, return it directly to the address below. Except as may be required by law, the Rector/Vicar and Senior Warden will be the only persons to see the information you supply. Where mandated by law (for example, suspected abuse of a minor or an incompetent person or lawful subpoena), the information you supply will be produced. Please answer all questions. Your answers will be kept as part of our confidential files. Upon request, your files will be available to you.

Please supply the names addresses, dates and, if available, telephone numbers of the following:

- * All schools you attended in the last ten years for at least one semester/quarter, with the number of years you attended, and degrees attained
- * All employers (give job title, employment dates, and supervisor) and/or congregations served for the past fifteen years
- * All organizations in which you have worked, as a volunteer or employee, with young people (under the age of eighteen) during the past ten years.

Authorization/Release

I understand and agree that a background review may be conducted with respect to me, and that the information I have provided may be verified by contacting persons and organizations with whom I have had contact or which may have information concerning me. I agree to release and hold harmless from liability and damages the entities or agent who conduct and participate in any such review and those individuals, organizations and agents who provide information about me during this review. I also agree to release and hold harmless the Diocese of Delaware and _____ Episcopal Church, _____, DE, and their officers, employees, agents and volunteers from any and all liability as it relates to any investigation taken by them regarding the information contained in this application, or any action by them as a result of such investigation. I authorize all persons to treat a photocopy of this Authorization/Release as though it were an original, executed Authorization.

Dated this _____ day of _____, 200____, at _____

(Signature)

(Please print your name)

Please return this questionnaire and list of references to:
Insert the Name and Address of the Rector/Vicar-

8) Previous home addresses (including county) with dates (for the last fifteen years).

9) Names and Addresses of other churches you have attended regularly during the past fifteen years. If you did volunteer work in those churches, please include the name of your supervisor or of the priest in charge at the time.

Name: _____

Address: _____

Telephone: _____ Contact: _____

Volunteer work: _____ Supervisor: _____

Others: _____

10) Name and address of the church of which you are a member _____

11) Please list all previous church work involving children or youth. Identify the church,, location, dates and type of work. _____

12) Please list any gifts, callings, training, education, or other factors that have prepared you for the work you are planning to do in the parish.

13) List, by the name, address, telephone #, and contact person, your employers for the last fifteen years (Use the back of this form for additional space).

14) If you are applying for a position whose duties include driving others, please state if you have ever had a driver's license suspended or revoked? _____

If so, please give details _____

15) Have you ever been convicted of any crime other than minor traffic violations? _____
If so, list each such conviction, when and where it was made and its outcome:

16) Have you ever been convicted of child abuse or a crime involving actual attempted sexual molestation of another person? _____
If so, please explain _____

PERSONAL REFERENCES (not former employers or relatives):

NAME _____ NAME _____

ADDRESS _____ ADDRESS _____

PHONE _____ PHONE _____

ATTESTATION

I swear and affirm that the information given on the attached questionnaire is true, complete and correct. I understand and agree that a background review may be conducted with respect to me, and that the information I have provided may be verified by contacting persons and organizations with whom I have had contact or which may have information concerning me. I agree to release and hold harmless from liability and damages the entities or agent who conduct and participate in any such review and those individuals, organizations and agents who provide information about me during this review. I also agree to release and hold harmless the Diocese of Delaware and _____ Episcopal Church, _____, DE, and their officers, employees, agents and volunteers from any and all liability as it relates to any investigation taken by them regarding the information contained in this application, or any action by them as a result of such investigation. I authorize all persons to treat a photocopy of this Authorization/Release as though it were an original, executed Authorization.

APPLICANT/PARISHIONER'S SIGNATURE _____ DATE _____

WITNESS: _____

Application reviewed by: _____ Date of review _____

(It is recommended that every volunteer and employee receive a copy of the Diocese of Delaware policy “Respect the Dignity of Every Human Being” as well as the parish policy.)

A COVENANT FOR RESPONSIBILITY

For the purposes of this covenant, I, the undersigned, understand the following definitions of Sexual Misconduct:

- a) Sexual abuse or sexual molestation of any person, including but not limited to, any sexual involvement or sexual contact with a person who is a minor or who is legally incompetent; or
- b) Sexual harassment in a situation where there is an employment, mentor or colleague relationship between the persons involved including, but not limited to, sexually oriented humor or language, questions or comments about sexual behavior or preference unrelated to employment qualifications; undesired physical contact; inappropriate comments about clothing or physical appearance; or repeated requests for social engagements; or
- c) Sexual exploitation, including but not limited to the development, or the attempt to develop a sexual relationship between a cleric, employee or volunteer and a person with whom he/she has a pastoral relationship, whether or not there is apparent consent from the individual.

I agree to abstain from any behavior that constitutes Sexual Misconduct, while I minister in any institution related to the Diocese of Delaware, regardless of whether I work as a paid employee or volunteer.

I understand that if I engage in such behavior I will be subject to a disciplinary process that may include termination of employment, and if I am ordained, canonical discipline.

I acknowledge that I have received the Diocese of Delaware’s manual *Respect the Dignity of Every Human Being*, understand it, and agree to abide by it.

Signature

Print or type full name

Date

Witness Signature

Witness print or type full name

Note: This covenant is to be filed AFTER the cleric, employee or volunteer has read the Diocese of Delaware’s policy, *Respect the Dignity of Every Human Being*, and is to be retained in a secure file by the parish.).

Guidelines for Those Working with Adults

Those practicing pastoral care are responsible for knowing and complying with the following standards and prevention practices:

1. Be cognizant that a power differential exists between them and those whom they are serving and do not exploit the trust and dependency of these persons. It is inappropriate for a cleric, employee or volunteer who is in a pastoral relationship with a parishioner to have romantic involvement with that parishioner. In a single-priest parish, a parishioner dating the priest loses his or her priest. One or the other needs to find a new church home.
2. Be in supervision with a professional counselor, spiritual director, person of spiritual wisdom or one trained to act in a supervisory capacity.
3. Be aware of signs of sexual boundary breakdown: excessive self-disclosure by the pastor; excessive availability, including giving or receiving inappropriate gifts; excessive touch, however innocent; undue anticipation of future visits, including rearrangement of one's schedule; fretting about clothing or appearance; meeting at an unusual location; continual fantasy about the other person; and keeping of secrets which go beyond the requirements of professional confidentiality.
4. Be aware that sexual attraction between themselves and other staff members has the potential to cripple ministry. Develop appropriate staff relations and keep personal life separate from professional responsibilities. When aware of a personal attraction:
 - a. make a self-examination by asking such questions as:
 - What can I learn about myself through the experience of my attention being inescapably drawn to this other person?
 - What is lacking in myself, my marriage, or my relationships that an involvement with this other promises to satisfy?
 - What is it about this time in my life/ministry that I am vulnerable to falling in love outside of my commitments?
 - b. Address this issue in supervision.
5. Think proactively about ways to have private meetings while minimizing risks (glass in the door of the office, another person nearby, a corner in a public restaurant, e.g.). Assess the person being cared for. If that person might misinterpret (or misrepresent) their behavior, use consultation and/or arrange to meet them with others present. Document the interaction in writing.
6. Avoid the use of sexual humor, innuendo and flirtation.
7. Do not offer alcoholic beverages to underage people.
8. Self-disclosure regarding sexual or highly personal matters is inappropriate in a ministerial setting. It belongs in a context of trusted colleagues or trained professional/supervisory resource.
9. Be prudent about touch. Use "mirroring", i.e., if the other extends a hand, shake their hand, but do not hug them. Persons with a history of being abused, some cultural backgrounds, etc. may be uncomfortable being touched.
10. Those who learn of sexual misconduct by colleagues, even if the information is gained in a counseling setting, have an ethical responsibility to follow up on this information by seeking the counsel and pastoral guidance of a person of spiritual wisdom, by speaking directly to the individual, and by reporting the information to appropriate ecclesiastical authorities. Wardens and Vestry members who learn of misconduct by their clergy should report this to the Bishop.

Sample Parish Policy

_____ EPISCOPAL CHURCH
_____, DELAWARE

CHILD SEXUAL ABUSE & ADULT SEXUAL MISCONDUCT PREVENTION POLICY

The policy which follows is set forth for the protection, safety and well-being of children involved in the life and ministries of _____ Episcopal Church. This policy is also for the purpose of ensuring that our Baptismal Vow to "respect the dignity of every human being" is honored and practiced by every member of this parish as we exercise our common life in Jesus Christ. While this policy may be a new necessity in our church, it exists to proclaim that _____ shall be a safe haven and sanctuary for all who come to us seeking the comfort and care of God, the truth of his holy Gospel and the faith we proclaim in Christ Jesus.

SECTION 1 - TRAINING

In keeping with Diocesan policy, in an effort to increase the physical, emotional and spiritual safety of our parish, a minimum of four hours of specified education regarding child sexual abuse and four hours of specified education regarding adult sexual misconduct in church settings is required for the following persons:

- +All Clergy canonically resident or licensed
- +All employees of the congregation (secretaries, sextons, organists, church school directors, and anyone considered an employee for IRS purposes).
- +Anyone who regularly supervises youth activities (paid or volunteer), including youth group advisors, day care providers, acolyte trainers, youth choir leaders.

Training is not required by the Diocese, but is **strongly recommended** for:

- +Anyone who sees parishioners in a private setting on behalf of the parish, e.g., Eucharistic Visitors, parish visitors, etc.
- +Vestry members (canonically responsible for finances)
- +Sunday School teachers

The Diocese encourages broad training for all persons in positions of parish leadership.

The Rector and the Vestry of _____ are responsible for the congregation's compliance with the above Diocesan requirements for training.

As an insured parish of the Diocese of Delaware, _____ shall keep on file a list of those parishioners/employees who have completed the education, signed by each person who has attended.

SECTION 2- WRITTEN APPLICATION, REFERENCES & DISCLOSURE

1.) All lay employees, church school teachers, youth workers, anyone ministering to children or youth in any capacity, and all laypersons for whom the training in Section 1 is required shall complete a questionnaire provided by the parish, which includes references and a disclosure statement to be signed. The completed form shall be returned to the Rector or to the Director of Christian Education as appropriate. Questionnaires will be kept on confidential file in the Parish Office. It is recommended that all parishioners completing the above questionnaire provide a photocopy of their driver's license which will also be kept on file.

SECTION 3 - CHURCH SCHOOL AND YOUTH MINISTRY

- 1.) Only members of _____ shall work as volunteers with the children of the parish.
- 2.) There shall be a six month waiting period for any new members of the parish before they work in a leadership capacity with children or youth in the parish.
- 3.) Two adults shall be present at all times in groups of parish children or youth, except for Church School classes.
- 4.) No adult should be alone with a child where they cannot be visually observed by others, such as behind a closed door or in a car. Where children or youth meet, doors are to be left open at all times.
- 5.) Parents of the children or youth served, _____ clergy, administrative and professional staff shall have access to all meetings of children or youth at random to observe the relevant program.
- 6.) When one-on-one interactions are appropriate and/or necessary, care shall be taken that they are conducted in an environment that provides visibility to others. If at all possible, another adult should have knowledge of the adult person's whereabouts and with whom they are meeting.
- 7.) Under no circumstance is any staff member or volunteer to make secret deals with children or young people.
- 8.) No gifts shall be given by volunteers or staff to children or youth without the prior knowledge of the parents and/or the supervisory staff (D.R.E., Rector)
- 9.) No adult shall take children or youth on an off-campus outing or on an overnight outing without at least one other adult attending.
- 10.) Children with serious disciplinary problems shall be referred to their own parents immediately during Church School sessions and youth group events. It is not within the ministry of Church School teachers, volunteers, and youth workers to act *in loco parentis* with regard to serious behavior problems. Where discipline is called for in children and youth ministry settings, it shall be limited to appropriate reprimands and/or quiet time apart from the class or group until parents are next notified.
- 11.) No convicted sex offender shall be involved with children in the context of the _____ Church School or any of its youth ministries.
- 12.) No one accused of child abuse or neglect should be involved with children while the accusations are still pending. A careful evaluation of an individual's ability to work with children will be conducted by the professional staff after the accusations are resolved.

SECTION 4 - REPORTING

- 1.) Every allegation of child abuse or neglect will be taken seriously. No person who in good faith reports abuse or neglect is subject to any liability for doing so. (How to recognize child abuse and neglect is taught in the above mentioned training)
- 2.) When a staff member or volunteer believes abuse or neglect has been or is being visited upon a child, the staff member or volunteer will observe these guidelines:

- *Sensitivity shall be exercised towards the child who has disclosed abuse.
- *Refrain from denying or explaining away the abuse.
- *Assure the child that the abuse is not his/her fault and that he/she deserves to feel safe.
- *Refrain from being judgmental of the abuser since it is often someone for whom the child cares deeply.
- *Do not make promises that you are not certain you can keep.
- *Refrain from agreeing to keep a secret for the child. Assure the child that you will instead reverence the information shared. Remind the child that some secrets must be told if they involve someone being hurt. Respect the privacy of the child by not telling any more people than necessary.

3.) When abuse or neglect is disclosed or suspected in good faith, volunteers and staff shall make this known directly, in person, to the Rector. In the context of the Church School, the Director of Religious Education shall also be informed in person. Volunteers should be aware that all persons are, by state law, mandated reporters in instances of child abuse and/or neglect.

4.) Instances of suspected child abuse or neglect will be reported to the Delaware Division of Family Services (DFS) through the DFS In-state toll-free 24 hour Report Line **1-800-292-9582** which has been established to follow up on reports of child abuse and neglect.

5.) Protection of a child from further abuse or neglect is the first priority, and the reporting procedure outlined above will observe this priority in the most effective way.

SECTION 5 - ADULT MINISTRIES

1.) Adults exercising ministries of visitation in a private setting on behalf of the parish shall document their visits as to:

- Who was visited?
- Date and Time?
- Reason for Visit? (e.g. Eucharistic Visiting, lay pastoral visit etc.)
- Length of visit?

2.) The Rector shall be provided with a copy of the documentation indicated in #5:1 for all visits, such report to be provided no later than the last Sunday of the month in which any visits have occurred.

None of the above policies or procedures are a guarantee that someone has not been employed or recruited who will be abusive to children, young people or adults. It also does not mean that we will never have a staff member or volunteer act improperly. However, following this policy and procedure; involving as many parish members as possible in the training about child sexual abuse and adult sexual misconduct; following up complaints, incidents or disclosures with integrity; pursuing our intuitive hunches; and acting upon the facts when they are before us is the best insurance we can have for protecting the children, youth and adults of our congregation. *This policy shall be reviewed by the Parish Staff and the Christian Education Commission in June of each year, and it is subject to amendment by the Vestry at any time.*

Adopted by the Vestry of _____ on _____.

Signature, (_____ - Clerk of the Vestry)

Adapted from the policy of St. John's Episcopal Church, Vernon, CT, and materials produced by the Dioceses of Ohio, Los Angeles and Connecticut

Sample Anti-Harassment Policy

A. Overview

_____ [parish Name] is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunity and prohibits discriminatory practices, including harassment. _____ [parish Name] expects that all relationships among persons in the workplace will be businesslike and free of bias, prejudice and harassment.

B. Policy Statement

It is the policy of _____ [parish Name] that no employee shall harass another, sexually or otherwise. _____ [parish Name]'s policy applies in all work-related settings, and is not limited to the workplace. This policy also prohibits the harassment of any non-employee by any employee of _____ [parish Name] while on Firm premises or while on Firm business. In addition, _____ [parish Name] will not tolerate employees being harassed by non-employees while in the work setting. Any employees found to be violating this policy will be subject to disciplinary action up to and including termination.

C. Definitions of Harassment

1. Sexual harassment is unlawful discrimination under federal and state laws.

For the purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

2. Harassment on the basis of any other protected characteristic is also strictly prohibited. For purposes of this policy, "harassment" means verbal or physical conduct that denigrates or shows hostility or aversion toward an individual or his/her relatives, friends or associates because of his/her race, color, religion, gender, national origin, age, disability, marital status, citizenship or any other characteristic protected by law, and that: (1) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that

denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on [_____parish Name]'s premises or circulated in the workplace.

D. Reporting an Incident of Harassment, Discrimination or Retaliation

[_____parish Name] encourages reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victim of such conduct should follow the complaint procedure described below. If the conduct continues once reported, report it again. Retain any notes, letters or written material that relate to the complaint.

In addition, [_____parish Name] also encourages individuals who believe they are being subjected to such conduct promptly to advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem.

[_____parish Name] recognizes, however, that an individual may prefer to pursue the matter solely through the complaint procedure described below. Individuals who believe they have been the victims of conduct prohibited by this policy or believe they have witnessed such conduct should discuss their concerns with their immediate supervisor, the offender's supervisor, the Senior Warden or the priest in charge.

E. Complaint Procedure

If for any reason an individual does not wish to address the offender directly, or if such action does not successfully end the offensive conduct, the individual should immediately notify his or her supervisor, the offender's supervisor, the Senior Warden or the priest in charge.

[_____parish Name] encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigative measures and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include, for example, training, referral to counseling and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, or termination, as [_____parish Name] believes appropriate under the circumstances. If a party to a complaint does not agree with its resolution, that party may appeal to the Bishop of the Diocese of Delaware. False and malicious complaints of harassment, discrimination or retaliation as opposed to complaints which, even if erroneous, are made in good faith, may be the subject of appropriate disciplinary action.

TRANSPORTING CHILDREN & YOUTH IN A MOTOR VEHICLE

All people who will transport children/youth within the scope of a church program are to complete this form. Completed forms should be kept on file in a secure place and should be updated regularly.

Attached to this form should be copies of:

Current Drivers License

Proof of Insurance (Insurance Card)

Current Vehicle Registration

Name: _____

Address: _____

Telephone: _____

Home

Work

Your Vehicle:

Make and Model _____

Year _____

Is your vehicle in good repair, and equipped with safety restraints (including those for infants and young children if you will be transporting them)? _____

If there is another vehicle you might use in the course of transporting children/youth, please describe it in the same way: _____

Have you ever had a Driver's License revoked or suspended? If so, give details _____

Have you ever been convicted of DWI (driving while intoxicated)? _____

Have you ever been convicted of any traffic offense in the last five years? _____

If yes, give details:

In transporting children/youth, I agree to:

- * Obey all traffic regulations including speed limits and safety restraint requirements.
- * Transport only the number of persons my vehicle is equipped to carry.
- * Drive only when I am not under the influence of alcohol or other intoxicating drugs.

Signed _____

(Sign also **Attest Statement** on reverse or second page)

Attest Statement

Under penalty of perjury, I swear or affirm that the information given above is true, complete and correct. I understand and agree that a background review may be conducted with respect to me, and that the information I have provided may be verified by contacting persons and organizations with whom I have had contact or which may have information concerning me. I agree to release and hold harmless from liability and damages the entities or agent who conduct and participate in any such review and those individuals, organizations and agents who provide information about me during this review. I also agree to release and hold harmless the Diocese of Delaware and _____ Episcopal Church, _____, DE, and their officers, employees, agents and volunteers from any and all liability as it relates to any investigation taken by them regarding the information contained in this application, or any action by them as a result of such investigation. I authorize all persons to treat a photocopy of this Authorization/Release as though it were an original, executed Authorization.

Dated this _____ day of _____, 200____, at

(Signature)

(Please print your name)

Witness

Person receiving/reviewing this form

PRACTICES FOR THOSE WORKING WITH CHILDREN/YOUTH

Although some suggestions may not be relevant to your ministry setting, whatever you can incorporate into your program will strengthen the climate of care. Legally, 'adult' means someone 18 years of age or older. However, it is inappropriate to have older teenagers or 18-23 year-old young adults working with children or Youth Groups without a mature adult present at all times.

1. It is wise practice to:
 - a. Require that all people working with child/youth ministries have been active members of the congregation for at least six months, and/or be well known to member of the church leadership.
 - b. All those working with children/youth must be screened.
 - c. Have two or more adults, preferably both men and women, accompany children or youth taken off church premises.
 - d. Make permission slips with details (including names of adults who will go along) signed by parents mandatory for all trips off church premises or overnight activities (lock-ins). Make parents aware of the ground rules which will govern all such events and, whenever possible, have the participants sign an agreement to abide by these rules in advance of the events itself. Be clear about specifying consequences of an infraction.

If children/youth are to be picked up by someone other than a parent or known babysitter, or dropped off somewhere other than home, parents should indicate that person's name and phone number. An adult leader should stay with all children/youth at the conclusion of an activity until every child/youth has been picked up. Never leave a child/youth alone waiting for a ride home.
 - e. For overnights, be sure that separate sleeping areas are provided for boys and girls, and that privacy is assured for use of bathroom facilities and changing clothes. Adults should bathe at separate times from children.
 - f. For those who will be driving children:
 - Have on file a form which records information about the vehicle operator and the vehicle to be used. Attach a copy of the driver's license, proof of insurance and vehicle registration to the form.
 - Screen potential drivers for previous record of Driving While Intoxicated or reckless citations.
2. Physical space: If possible install half-doors or plexiglass window doors for church school classrooms so someone can see into classrooms at all times. Have an 'open door' policy – that parents, clergy can always visit any classroom or youth group activity.
3. Touch – Don't assume that all children want to be touched. Give them options ("Would you like a hug or a handshake?") Establish touch boundaries within the classroom so that students learn some simple principles while at the same time learning the goodness of appropriate touching.
4. It is inappropriate to be alone or out of sight of anyone else with a child. Ask another adult to stand by.
5. If a child needs to undress (for costumes, first aid), call another adult of the same gender as the child to be nearby. Do not touch on any part of a child's body that would be covered by a modest swimsuit, even playfully or even if they ask. If you have an encounter with a child/youth that might be misunderstood, de-brief the episode with church school director, clergy, etc., document with dated memo, and, where possible, discuss with the child's parent.
6. Never meet a child or youth in a secret/unplanned way without clearing it with parents or supervisors. Never show youth any material which displays nudity or that could be called pornographic. If such material is brought by youth, confiscate it and consult with clergy/supervisor.
7. Never allow alcoholic beverages or illegal drugs to be brought to, or consumed during, any church related activity for children/youth. If a youth comes to any church program intoxicated, arrange to have the youth taken home and consult with the clergy or other authority as to further intervention.

REPORTING CHILD ABUSE AND NEGLECT

Summary of Delaware State Statute

In Delaware, the 1976 law regarding child abuse has been amended in large part by the Child Abuse Prevention Act of 1997, effective July, 1997. Section 902 defines child abuse as follows: (1) "abuse" shall mean any physical injury to a child by those responsible for the care, custody and control of the child, through unjustified force as defined in Section 468 (1) (c) of Title 11, emotional abuse, torture, criminally negligent treatment, sexual abuse, exploitation, maltreatment or mistreatment. (9) "neglect" shall mean the failure to provide, by those responsible for the care, custody and control of the child, the proper or necessary: education as required by law; nutrition; or medical, or surgical, or any other care necessary for the child's well-being.

Section 903. **Reports Required.** Any physician, and any other person in the healing arts including any person licensed to render services in medicine, osteopathy, dentistry, any intern, resident, nurse, school employee, social worker, psychologist, medical examiner or **any other person who knows or in good faith suspects child abuse or neglect shall make a report in accordance with Sect. 904** of this title. In addition to and not in lieu of, reporting to the Division of Family Services, any such person may also give oral or written notification of said knowledge or suspicion to any police officer who is in the presence of such person for the purpose of rendering assistance to the child in question or investigating the cause of the child's injury or condition.

Section 904. **Nature and content of report; to whom made.**

Any report required to be made under this title shall be made to the Division of Child Protective Services (Division of Family Services) of the Department of Services for Children, Youth and Their Families. An immediate oral report shall be made by telephone or otherwise. Reports and the contents thereof including a written report, if requested, shall be made in accordance with the rules and regulations of the Division of Child Protective Services, or in accordance with the rules and regulations adopted by the Division.

Section 908. **Immunity from liability.**

Anyone participating in good faith in the making of a report or notifying police officers pursuant to this title, performing a medical examination without the consent of those responsible for the care, custody and control of a child pursuant to Sect. 906 (b) (5) of this chapter, or exercising emergency protective custody in compliance with Sect 907 of this title, shall have immunity from any liability civil or criminal, that might otherwise exist and such immunity shall extend to participation in any judicial proceeding resulting from the above actions taken in good faith. This section shall not limit the liability of any health care provider for personal injury claims due to medical negligence that occurs as a result of any examination performed pursuant to this Sect. 906 (b) 3 of this title.

Penalty for not making a report:

Section 914. Penalty for violation. Whoever knowingly violates Section 903 of this title shall be fined not more than \$1000 or shall be imprisoned not more than 15 days, or both.

Making a Report

If you suspect a child under the age of 18 is being abused or neglected or is at risk for abuse or neglect, you should speak to your clergy and/or make a report to the Division of Family Services by calling 1-800-292-9582 within the state of Delaware (24 hours a day). Out-of-state calls are to be made to (302) 577-6550. The phones are answered 24 hours a day, 365 days a year by Division of Family Services' staff.

**Episcopal Diocese of Delaware
Child Abuse or Neglect Reporting Form**

If you suspect a child under the age of 18 is being abused or neglected or is at risk for abuse or neglect, you must make an oral report to the Division of Family services at 1-800-292-9582. (24 hours a day) If you call from out-of-state, call (302) 577-6550. Refer to *Parish Resources for the Prevention of Sexual Misconduct in the Church* for the definition of “abuse and “neglect” under the topic: “Reporting Child Abuse and Neglect.”

This form must be completed immediately after observed or suspected neglect and/or abuse is reported to the Division of Family service and, if appropriate, the police. It must be turned into the administrator or supervisor of the site where you work. If that site is a church, it must also be shared with the clergy in charge. This report must be stored in a manner that protects its confidentiality.

Date: _____

Name(s) of Supervisor/Administrator/Clergy given this form:

Circumstances in which child abuse and/or neglect was observed or disclosed. Be detailed and specific about time, place, and people, including the name of the alleged victim.

Use the reverse side of this paper, if needed.

Date and time abuse was reported to:

() Division of Family Services _____

() Police – which police agency? _____

Name of reporting staff: (Print) _____

Position of reporting staff: _____

Signature of reporting staff: _____

A copy of this form may be retained by reporting staff member, if handled confidentially.

Form adopted 2009