



## Child and Youth Protection Policy

The Reformed Episcopal Church Diocese of Mid-America *Special Committee on Diocesan Policies* is charged with providing resources and direction for minimizing any issues related to Abuse of Children or Youth in our Diocese. This Policy is intended to provide overall recommendations to each of our Parishes and require each Parish to adopt and implement a formal Parish Policy regarding Child Abuse Protection by the end of 2019.

*The policy will include, at least, three sections regarding 1) Screening and Selection process, 2) Education, and Training regarding Abuse, and 3) Reporting of Incidents.* Please read this policy carefully as it is important for all Parishes to create and follow these guidelines so as to provide boundaries that will protect and nourish our Children and Youth. A copy of this approved Parish Policy shall be provided to the Diocese. Each of these Parish Policies will need to be tailored for the particular needs of that Parish, but for convenience, templates and resource lists have been provided to facilitate formulation of Parish Policy. This document is intended to set forth “best practices” as well as other requirements and standards for use in the Churches and Ministries of the Diocese.

The Committee will continue to compile and distribute additional resources that can be used by our parishes. As stated above, we will be working during 2019 to develop “minimum insurance coverages” that each parish must have. We will also be working on financial guidelines and policies that will accompany the previously produced Diocesan Customary. If you have concerns, questions, or if you need resources about this policy or the work of the Committee, please feel free to contact the Committee chair.

A Parish may be granted variances to specific provisions of this Policy, but to be granted a variance, it must apply to the Bishop and the Child Protection Committee who will seek guidance from the Chancellor. To seek such a variance, please place the request in writing to the Diocese office.

On behalf of the Committee Chairman and members,  
Bishop Ray Sutton



***Reformed Episcopal Church  
Diocese of Mid America***

***Policy  
On Child and Youth Protection***



## I. INTRODUCTION

### A. Biblical Foundation and Purpose

The Diocese of the Mid America accepts with deep gratitude and seriousness the trust given us by God to nurture and care for his people, especially those who are most vulnerable and in need of protection. This is nowhere truer than when caring for our children and youth.

Current statistics regarding child abuse are alarming. One in every three to four girls and one in every six to eight boys are sexually abused before age eighteen. Physical and emotional abuses continue to be serious problems in our society. The effects of such abuse can damage children at the core of who they are, and often follow them into adulthood. Abused children are children at risk. They often become adults who suffer from low self-esteem, who are unable to form and keep healthy relationships, and who struggle to maintain healthy boundaries. As the Church, we declare that we will work together to see that the proper love and care are extended to the children entrusted to us.

Jesus teaches explicitly that children are of much value in Kingdom terms, and that to cause one to sin has the gravest of consequences. Caring for our children and youth is a sacred trust.

At that time the disciples came to Jesus, saying, "Who is the greatest in the kingdom of heaven?" And calling to him a child, he put him in the midst of them and said, "Truly, I say to you, unless you turn and become like children, you will never enter the kingdom of heaven. Whoever humbles himself like this child is the greatest in the kingdom of heaven. Whoever receives one such child in my name receives me, but whoever causes one of these little ones who believe in me to sin, it would be better for him to have a great millstone fastened around his neck and to be drowned in the depth of the sea." (Matthew 18:1-6 ESV)

Mark, in his Gospel account, adds the dimension of Jesus taking the children in his arms and blessing them (Mark 10:16).

As Christian adults we are called to establish a secure environment where the perfect love of God works to cast out all fear (1 John 4:18) and the nurture and love of God are made known to all, and in particular to our children and youth. In this way we can fulfill the biblical mandate to train up our children in the way they should go (Proverbs 22:6).

The purpose of this document is to give instruction to the clergy, laity, and churches of the Diocese of Mid-America that will inform our decisions and methods with regard to safeguarding the children and youth entrusted to us and instruct us, providing minimum standards of care and vigilance.

May God be glorified in all we do.

## B. The Diocesan Child Protection Policy

The Bishop in consultation with the Standing Committee appoints committee members. The Special Committee on Diocesan Policy is responsible for the creation and promulgation of the diocesan Policy for the Protection of Children, under the authority and oversight of the Standing Committee and the Bishop in accordance with the Canons of the Diocese.

The Committee will from time to time update and revise the Policy in light of practical experiences, medical and other scholarly research, legal developments, and other relevant considerations.

## C. Responsibility for this Policy

The Rector has overall responsibility for the administration of this policy within the church he/she leads and for providing all reports requested by the Diocese. In the absence of a Rector, the Priest- in- Charge, Lay Leader, or the Senior Warden will be responsible. If there is a parish school, the lead administrator overseeing the pre-school, daycare or day school is the responsible person at that Parish. Duties may be delegated, except in those areas specifically delineating action by the Rector.

## II. General Definitions

### Church Personnel

For the purposes of this policy, the following are included in the definition of Church personnel:

- A. Bishops, Priests, and Deacons (Clergy), and Deaconesses
  1. Clergy and Deaconesses canonically resident in the Diocese of Mid-America.
  2. Clergy and Deaconesses who are members of religious institutes or in other forms of consecrated life, and who are assigned to pastoral work in the Diocese or who are otherwise engaged in the care of souls, the public exercise of divine worship, and other works of the apostolate.
  3. Clergy and Deaconesses of other jurisdictions who are assigned to pastoral work in this Diocese, whether seeking canonical residency within the Diocese or not.
  4. Clergy and Deaconesses who are otherwise legitimately residing within the territory of the Diocese, including retired clerics and those engaged in part-time or supply ministry.
  5. In addition to the provisions of these Policies, the above-mentioned Clergy and Deaconesses are also bound by the Customary and Canons of the Diocese of Mid-America.

B. Seminarians and Religious Orders

1. All seminarians legitimately enrolled in the seminary program of the Diocese and those who are in process including aspirants, postulants and candidates to the priesthood.
2. Those who are enrolled in the permanent diaconate formation program.
3. Any members of religious orders working within the Diocese.

C. The Laity

1. All paid personnel or contractors whether employed in areas of ministry or other kinds of services by the Diocese, its parishes, missions, schools or other agencies.
2. All volunteers. This includes any person who enters into or offers himself/herself for a Diocesan parish related service of his/her own free will.

D. Service Contractors

Any organization or individual under contract to the Diocese, its parishes, missions, schools or agencies who work around children or youth.

E. Children and Youth

A child is defined as anyone under the age of 12 years. A youth is defined as anyone who is at least 12 years old, but not yet 18 years old. A youth may also be an individual who is 18 years old or older, but still in high school.

F. Definition of Church Personnel who Work with or Around Children or Youth include, but are not limited to:

1. Children's or youth choir directors
2. Organists who work with children or youth
3. Lay youth ministers
4. Sunday Christian Education teachers
5. Parochial School teachers
6. Volunteer youth directors
7. All Church Personnel work or assist in the nursery (either volunteer or paid)
8. All staff whether volunteer or paid, at church camps
9. Adults who participate in overnight activities with children or youth
10. All volunteers who work or assist in Vacation Church School

Types of Abuse Covered by this Policy

- a. **Physical abuse** is non-accidental injury, which is intentionally inflicted upon a child or youth.

- b. **Sexual abuse perpetrated by an adult** is any contact or activity of a sexual nature that occurs between a child or youth and an adult. This includes any activity, which is meant to arouse or gratify the sexual desires of the adult.
- c. **Sexual abuse perpetrated by another child or youth** is any contact or activity of a sexual nature that occurs between a child or youth and another child or youth when there is no consent, when consent is not possible, or when one child or youth has power over the other child or youth. This includes any activity which is meant to arouse or gratify the sexual desires of any of the children or youth.
- d. **Emotional abuse** is mental or emotional injury to a child or youth that results in an observable and material impairment in the child or youth's growth, development or psychological functioning.
- e. **Neglect** is the failure to provide for a child or youth's basic needs or the failure to protect a child or youth from harm.
- f. **Economic exploitation** is the deliberate misplacement, exploitation, or wrongful temporary or permanent use of a child or youth's belongings or money.

### III. The Policy:

The Diocese will not tolerate any form of child or youth abuse involving our clergy, lay employees, teachers, support staff, volunteers or other persons. Everyone who serves the church through educational, pastoral, recreational or other activities is expected to maintain the highest biblical standards in relationships with those to whom they minister, avoiding any form of misconduct against children. That commitment extends to sexual behavior.

No one in the employ or volunteer service of the Diocese or its churches who has a civil or criminal record of child abuse, or who has admitted committing prior sexual abuse of a child, will be permitted to serve with children or youth.

Each existing Parish shall be in compliance by the end of 2019 upon the approval of this Policy, adopt a Parish Policy that is compliant with the Diocese Policy and adopted to the specific needs of that Parish. New Parishes shall be compliant within 18 months of their reception or of their achieving that status.

The document includes Policy items that are outlined in the Training Sections, the Screening and Selection Sections, the Reporting Sections, the Monitoring and Supervision Sections, and the provisions related to Parishes with Schools. The Diocese requires each Parish to comply with all of these Policy items.

We are also committed to providing pastoral care to all involved with, and/or affected by, instances of child abuse. Pastoral care grows out of Christ-centered relationships and proceeds with an awareness of the spiritual and emotional needs of both the individual and the community. It may

include providing guidance, support, consolation, and even confrontation in an effort to minister as we believe God would desire.

#### IV. Child Abuse Defined

Child abuse, in practical terms, refers to an act committed by a parent, caregiver or person in a position of trust (even though he/she may not care for the child on a daily basis) which is not accidental and which harms or threatens to harm a child's physical or mental health or welfare.<sup>1</sup>Each state and the District of Columbia has its own definition of what constitutes "child abuse" under civil and criminal laws, and each church in the Diocese should be familiar with the relevant laws and legal definitions in its jurisdiction. In general, the definitions of "child abuse" and "child neglect" in all states in our Diocese include the following elements (among others):

- Physical abuse
- Neglect (both physical and mental)
- Sexual abuse/Exploitation

Some general definitions of child abuse and resources for finding the relevant child abuse reporting laws and legal definitions in each jurisdiction in our Diocese may be found under Exhibit B.

#### V. Screening and Selection

The Diocese and each Parish shall, as a minimum requirement provide for the following Screening process and criteria for all canonically resident and licensed clergy, and for all employees and volunteers who work with children. Selection of the persons shall not be made until the completion of the Screening Processes and the review of the information obtained.

##### A. Screening Clergy

The screening of clergy is the responsibility of the diocesan office. Careful screening of clergy is conducted initially during the ordination and search processes and includes:

1. Conducting *National Sexual Offender Registry and Criminal Background* checks through a diocesan-approved screening provider. Checks should be renewed no less often than every two years. It is the responsibility of all clergy to cooperate fully in all aspects of the screening process and to submit in a timely manner all documents needed to complete such checks. Currently the Diocese recommends the *Ministry Safe* organization to help with screening, but other qualified entities can be approved if requested by a Parish.
2. Conducting personal and professional reference checks
3. Conducting face-to-face interviews

4. Requiring the clergy person to state whether or not the clergy person and/or other members of the household have been arrested for, or convicted of, any crime involving child abuse and/or neglect, or had any such conviction expunged; been charged with child sexual abuse in a civil proceeding; committed an act of child sexual abuse; or (except where such inquiry is prohibited or limited by applicable laws or regulations) been diagnosed with any paraphiliac psychological condition, as defined by the American Psychiatric Association, including, but not limited to, pedophilia, voyeurism, or exhibitionism. A sample copy of this statement is found in the Appendix under Exhibit C.

Note: In addition, a follow up background check shall be performed by the Diocese every five years.

#### B. Screening Employees

The screening of employees is the responsibility of the individual church or the Diocese if the person is an employee of the Diocese. Careful screening of employees includes:

1. Reviewing signed job applications for those working in youth and children's ministries. An application completed by the applicant that includes an authorization for the release of information to conduct background checks and the Code of Conduct. (SAMPLE IN EXHIBIT E)
2. Conducting National Sexual Offender Registry and Criminal Background checks; checks should be renewed no less often than every two years
3. Conducting personal and professional reference checks
4. Conducting face-to-face interviews
5. Requiring each applicant to state whether or not the applicant and/or other members of the household have been arrested for, or convicted of, any crime involving child abuse and/or neglect, or had any such conviction expunged; been charged with child sexual abuse in a civil proceeding; committed an act of child sexual abuse; or (except where such inquiry is prohibited or limited by applicable laws or regulations) been diagnosed with any paraphiliac psychological condition, as defined by the American Psychiatric Association, including, but not limited to, pedophilia, voyeurism, or exhibitionism. A sample copy of this statement is found in the Appendix under Exhibit C.

#### C. Screening Interns, Fellows, and Day Camp Staff

The screening of interns, fellows, and day camp staff is the responsibility of the individual church. Minimum screening of these individuals includes:

1. Reviewing signed applications for those working in youth and children's ministries
2. Conducting National Sexual Offender Registry and Criminal Background checks; checks should be renewed no less often than every two years

3. Conducting personal and other appropriate reference checks
4. Conducting face-to-face interviews.
5. Requiring each applicant to state whether or not the applicant and/or other members of the household have been arrested for, or convicted of, any crime involving child abuse and/or neglect, or had any such conviction expunged; been charged with child sexual abuse in a civil proceeding; committed an act of child sexual abuse; or (except where such inquiry is prohibited or limited by applicable laws or regulations) been diagnosed with any paraphiliac psychological condition, as defined by the American Psychiatric Association, including, but not limited to, pedophilia, voyeurism, or exhibitionism. A sample copy of this statement is found in the Appendix under Attachment C.

#### D. Screening Volunteers

The screening of volunteers is the responsibility of the individual church or the Diocese if for a Diocese functions. Careful screening of volunteers includes:

1. Requiring a six-month minimum attendance rule for volunteers in children's and youth ministries, except where the Bishop, in consultation with the Committee to Protect Children, has granted a variance.
2. Reviewing signed volunteer applications for those working in youth and children's ministries.
3. Conducting National Sexual Offender Registry and Criminal Background checks. Checks should be renewed no less often than every two years.
4. Conducting personal reference checks.
5. Conducting face-to-face interviews.
6. Requiring each applicant to state whether or not the applicant and/or other members of the household have been arrested for, or convicted of, any crime involving child abuse and/or neglect, or had any such conviction expunged; been charged with child sexual abuse in a civil proceeding; committed an act of child sexual abuse; or (except where such inquiry is prohibited or limited by applicable laws or regulations) been diagnosed with any paraphiliac psychological condition, as defined by the American Psychiatric Association, including, but not limited to, pedophilia, voyeurism, or exhibitionism. A sample copy of this statement is found in Exhibit C.

## VI. Training Procedures

Training is an important deterrent to child abuse. Those who work with children or youth must be trained to recognize the warning signs of potential abuse, as well as learn the procedures for reporting suspected abuse. They also must become familiar with safe practices specific to their church designed to reduce the potential for abuse occurring. The Diocese requires the following training in order to emphasize the policies included in this mandatory training:

A. Reading Requirements

All members of the clergy, all members of the vestry, and those staff members with direct supervision over youth or children must certify that they have read, understood and accepted the Diocese of the Mid-America Policies on the Protection of Children. A sample acknowledgement form is included in Exhibit D.

B. Workshop Attendance Requirements

Every two years, clergy, vestry, and those staff and volunteers who have contact with youth and children must either:

1. Attend a diocesan-approved training workshop on the prevention of child abuse or
2. Complete the online Sexual Abuse Prevention Course approved by the Parish Vestry. A copy of the certificate of completion that is presented at the end of the diocesan-approved workshop or the proof of completion of the Ministry Safe online training is sufficient to demonstrate compliance with this requirement.

Clergy are responsible to submit to the diocesan office evidence of completed training every two years. Each church is responsible to track and document the training/retraining of its vestry, staff and volunteers.

All volunteers who have contact with youth and children must also be trained in safe practices specific to their church as approved by the Vestry.

C. Training in Communication

The following areas of Diocesan Policy needs to be included in any training:

Communication:

Verbal interactions between clergy, staff members, or volunteers and children should be positive and uplifting. Staff members and volunteers should strive to keep verbal interactions encouraging, constructive, and mindful of their mission of aiding parents in the spiritual growth and development of children.

To this end, clergy, staff members, and volunteers should avoid talking to children or parents in a way that is or could be construed by any reasonable observer as harsh, threatening, intimidating, shaming, derogatory, demeaning, or humiliating. In addition, clergy, staff members, and volunteers are expected to refrain from using any inappropriate language in the presence of children. Concerns about children should be directed to parents, legal guardians, the appropriate ministry leader, or the clergy.

Clergy, staff members and volunteers should avoid engaging in any sexually-

oriented communications with children, (except as noted in the following in context such as abuse-reporting) and should refrain from discussing any inappropriate or explicit information about their own personal relationships, dating, or sexual activities with any child in the program.

Clergy, staff members, and volunteers should report any sexually-oriented communications involving a child to the appropriate ministry leader or clergy.

#### Avoidance of Use of certain products:

Clergy, staff members, volunteers, and participants in youth and children's ministries should refrain from the use, possession, or being under the influence of tobacco products, mind altering medication, alcohol, or any illegal drugs while in church facilities, while traveling with or in the presence of children or their parents, during church or school sponsored activities, or while working with or supervising children.

#### Social Media:

Social Media such Facebook and other social media avenues can be effective ways for youth ministry staff and volunteer leaders to connect with students. Their world is often constructed around social media, for better or worse. Having personal interactions in this venue allows adults to model appropriate behavior in social media, and it forms valuable connections with students. Thus any training should support the strong Diocese recommendation that each church have a proactive policy for social media and other forms of electronic communication in the context of children's and youth ministry. This policy should require all persons to abide by the age appropriate requirements of social media such as Facebook which has a current age 13 requirement.

#### Photography:

Use of Photography should also be part of the training. Photos of children will not be used contrary to parental wishes. Churches should refrain from posting any personally identifying information about children pictured online or in print publications without prior written parental permission. This is easily handled by including a consent statement on programming registrations that are signed by the parent/guardian.

#### Physical Interaction:

Physical contact should be for the benefit of the child, and never be based upon the emotional needs of a staff member or volunteer. It is the diocesan policy that staff members and volunteers are prohibited from using physical discipline in any manner for behavioral management of children.

Examples of Training on physical interaction can use as examples:

Appropriate physical affection includes:

- high-fives
- handshakes
- fist bumps
- thumbs up
- head pat
- side hug
- smiling
- pats on the back

Inappropriate physical affection includes:

- wrestling
- tickling
- sitting in laps (except for nursery-aged children)
- kissing on the lips
- full frontal hugs
- commenting on children's bodies
- forcing unwanted affection

The Training should emphasize the following policies:

- ✓ **Inappropriate touching and inappropriate displays of affection are forbidden.** Any inappropriate behavior or suspected abuse by a staff member or volunteer must be reported immediately to 1) an immediate supervisor, and 2) the Senior Warden and/or clergy.
- ✓ **Physical contact and affection should be given only in observable places.** It is much less likely that touch will be inappropriate or misinterpreted when physical contact is open to observation.
- ✓ **Physical contact in any form should not give even the appearance of wrongdoing.** The personal behavior of staff members or volunteers in Youth and Children's Ministries must foster trust at all times. Personal conduct must be above reproach.
- ✓ **Do not force physical contact, touch, or affection on a reluctant child.** A child's preference not to be touched must be respected at all times.
- ✓ Children's staff members and volunteers **are responsible for protecting children** under their supervision **from inappropriate or unwanted touch by others.**

## Restroom Use

### *Nursery-Aged and Special Needs Children*

Because nursery and special needs children may require complete assistance with their bathroom activities, all staff members and volunteers will observe the following policies:

#### *Diapering*

- ✓ Only screened and trained nursery workers or the child's parent or legal guardian will undertake the diapering of children of either sex.<sup>2</sup>
- ✓ Changing of diapers should be done in plain sight of other nursery workers; children should not be left unattended while being changed.
- ✓ Children should be re-diapered and re-clothed immediately upon the completion of changing their soiled diaper.

#### *Toilet Training*

- ✓ No child will be forced to toilet train.
- ✓ Only screened and trained nursery workers or the child's parent or legal guardian will participate in toilet training efforts with children.
- ✓ When children are assisted in bathrooms the stall door will be left partially open.
- ✓ Preschool-aged children will never be left unattended in bathrooms.
- ✓ Children should be assisted in straightening their clothing before returning to the room with other children.
- ✓ "Accidents" should be handled by reassuring the child and completing the changing of diapers or underwear and clothing.

#### *Elementary-Aged Children*

- ✓ Elementary-age children may be accompanied to the restroom for supervision and assistance when needed. (However, children should receive the minimum amount of assistance needed based upon their individual capabilities.) A same-aged-peer buddy system may also be used.
- ✓ Staff members and volunteers should take steps to avoid being alone with one child in the restroom. If a staff member or volunteer must go into the restroom to check on an individual child, he or she should seek out another worker to accompany him/her. If another worker is not available to accompany, he/she should go to the exterior bathroom door, knock, and ask if the child needs assistance. If the child requires assistance, the worker should leave the exterior bathroom door open when entering the bathroom area and try verbally to assist the child in completing his/her activities, while the child remains behind the door of the bathroom stall.

## VII. Monitoring and Supervision of Programs

The monitoring and supervision of programs and activities involving children or youth is important for safeguarding children and youth and involves several aspects. One aspect involves having structural guidelines or standards for the programs and activities for children and youth. These include such things as who approves new programs, how many adults need to be present and the like. In addition to setting structural guidelines and standards, church leaders must make sure the structural safeguards are followed. The Parish Policy for protection of Children and Youth must have a section regarding how Programs and activities have to be monitored and supervised.

### A. This Policy must as a minimum specify standards such as:

1. No alcohol or illegal drugs shall be provided to Children or Youth at Parish functions.
2. Every program for children and youth must have a minimum of two adults with a ratio of one additional adult for every ten youth.
3. Church Personnel are prohibited from being alone with a child or youth or multiple children or youth where other adults cannot easily observe them.
4. An up to date list of approved congregation-sponsored programs for children and youth will be maintained in the church office or other place where church records are kept.
5. Church Personnel are not permitted to develop new activities for children and youth without approval from the rector or canonical equivalent. Requests to develop new activities should be submitted in writing to the rector. The rector will consider whether the plan for a new activity includes adequate adult supervision.
6. Each program will develop age-appropriate procedures to ensure the safety of children and youth using restrooms and showers or baths.
7. When supervising or assisting private activities such as dressing, showering or diapering infants or children, Church Personnel will remain in an area observable by other adults or work in pairs.
8. At least two Church Personnel must supervise activities. When both boys and girls are participating, male and female adults must supervise.
9. The policy must include the items included in the training such as Communication, Restroom, use, and Social Media use.

### B. First Aid and Medication

If possible, medication should be administered by the child's parent. Medication may be given to a child by a staff member or volunteer as authorized by the parent. The medication must be in the original packaging, including over-the-counter medication. When medically necessary,

medication or first aid may be given to a child by a staff member or volunteer consistent with the Supervisory Plan Parents should be notified whenever medication or first aid has been administered.

C. Release of Children

Any time that a child has been entrusted to church staff members or volunteers, the church incurs responsibility for the safety and well-being of the child. Staff members and volunteers must act to ensure the appropriate supervision and safety of children in their charge. Children's Ministries staff members or volunteers are responsible for releasing children in their care at the close of services or activities only to parents, legal guardians, or other persons designated by parents or legal guardians. It is presumed that a person who drops off a child or student has authority to pick up the child.

In the event that staff members or volunteers are uncertain of the propriety of releasing a child, they should immediately contact their immediate supervisor before releasing the child.

D. Transportation

Staff members and volunteers may from time to time be in a position to provide transportation for children. The following guidelines should be strictly observed when workers are involved in the transportation of children:

1. Adult volunteer drivers must provide to the church copies of valid driver's licenses, vehicle registration, and proof of insurance.
2. It is understood that the adult driving the child must have undergone a background check including a DMV record check. Use of child safety seats that meet federal standards is required. Drivers and passengers must also follow airbag age/weight regulations per specific vehicle guidelines. Churches are advised to consult with their insurance provider regarding the minimum age for adult drivers. Under no circumstances should anyone under the age of 18 be allowed to drive children/youth as part of an event.
3. At no time shall there be one adult and one child traveling in a vehicle (except in a parent/child or other familial situation). Automobiles will contain either one driver and two or more participants or two adults and any number of children (within the seat belt limitations of the vehicle; seatbelts are ALWAYS required). If there is an extenuating circumstance causing only one adult and one child to travel together in an automobile, permission must be obtained by a parent or legal guardian of the child. This permission should be written and signed by the parent/guardian or documented by the volunteer if only verbal consent is obtainable. The child or youth should be transported in the back seat of the vehicle in such circumstances.
4. No cell phones, including hands-free devices, may be utilized by the driver while driving church-owned vehicles, unless in an emergency.

5. Children should be transported directly to their destination. Unauthorized stops to a non-public place should be avoided. Stops for meals, refueling, and restroom breaks should be done as a group. Staff members and volunteers should avoid transportation circumstances that leave only one child in transport.
6. Staff members and volunteers should avoid physical contact with children while in vehicles.
7. No one under age 25 may drive vehicles rented by a church unless explicitly allowed by the rental agreement.
8. No drivers under age 25 may drive church-owned vehicles unless explicitly covered by the church's auto insurance policy.

E. Monitoring Procedures

Monitoring helps detect problems before they turn into an incident of abuse and helps adults avoid wrongful allegations of abuse where none has occurred. Research confirms that off-site activities increase the risk of abuse. Vestry, clergy, staff, and volunteers must be diligent in monitoring and supervising children's and youth activities in all settings at all times. These Monitoring Procedures shall include:

1. All children and youth activities shall be designed to be supervised by two or more screened and trained individuals. No child will ever be left unattended in the building or on the property during or following a church activity.
2. Clergy, staff members, and volunteers should not conduct unobserved meetings or interactions with children.
3. In a discipleship or mentoring relationship, the interactions should take place in a public place or where other persons are present.
4. Watching for policy violations
5. An open invitation for parents to visit at any time unannounced
6. A careful review of new programs and/or significant changes to a program structure
7. Keeping interaction with children in full view of others at all times. Keeping unused rooms locked where possible
8. Keeping children and youth in supervised areas within the church building

F. Supervisory Plan

An onsite or offsite written Supervisory Plan shall be in place for all educational, pastoral, recreational, or other programming that involves youth or children. The purpose of the supervisory plan for any given activity is to give direction to staff, both volunteer and paid, to insure appropriate measures are in place to meet the diocesan standard for supervision. All staff for the activity need to be informed of the contents of the supervisory plan. It is recommended that a copy of the plan be provided for staff persons, and that the plan be posted in a visible location.

1. This Plan shall include at least the following items:
  - a. A description of the activity.
  - b. Details of the registration process and registration form.
  - c. Identification of the Personnel responsible for the activity.
  - d. Bathroom Procedures
  - e. First Aid and Medication Procedures
  - f. Reporting of discipline concerns
  - g. The release process of children.
  - h. Ratio of Adults to Children.
1. It is recommended that the following ratios of adults to children be maintained:
  - a. **Infants:** 2 adults for up to 8; 1 additional adult for every additional 1 to 4 infants.
  - b. **Young toddlers:** 2 adults for up to 10; 1 additional adult for every additional 1 to 5 toddlers
  - c. **2 and 3 years:** 2 adults for up to 16; 1 additional adult for every additional 1 to 8 2-to-3-year-olds
  - d. **4 years:** 2 adults for up to 20; 1 additional adult for every additional 1 to 10 4-year-olds
  - e. **School age:** 2 adults for up to 36; 1 additional adult for every additional 1 to 18 school-age child
  - f. **Mixed age group:** ratio for the youngest child in the group

## VIII. Reporting of Incidents

Each parish policy will include procedures for individuals to report any suspected or known incidents of abuse to children or youth. Such procedures will include who should be contacted, what to do if the accusation involves the rector, State law requirements, and any other instructions the parish deems necessary. These procedures should be specifically included in the training of all members of the Vestry. For example, the State of Texas in Family Code section 261.101. Other states have similar requirements which *must* be followed.

If a suspected action, behavior, or situation is observed that may be deemed inappropriate or harmful to a child or youth, it shall be immediately reported in accordance with the procedures contained in the policy of the parish or agency so that immediate and proper steps may be taken to ensure the safety of alleged victims.

In addition, reports or accusations of suspected abuse involving Church personnel within any of the parishes or agencies of the Diocese shall be reported to the Bishop of the Diocese (or his appointed representative) within 48 hours. However, if the incident is an observed or known case of abuse involving Church personnel, such shall be reported to the Bishop (or his appointed representative)

within 24 hours. If the incident involves allegations regarding a Bishop, then this shall be reported to the standing committee and the Chancellor.

The Bishop (or his appointed representative) will obtain further information regarding the incident and will assist the parish or agency in ensuring that proper steps, if not done already, are taken to ensure the safety of alleged victims and to help prevent future occurrences.

## IX. Suggestions on other Responses and Actions regarding alleged incidents

### A. Responding to the Child Victim

One of several ways in which the clergy, staff member, or volunteer may come to suspect child abuse or neglect is from information that a child himself or herself shares.

If a child discloses abuse or neglect, the clergy, staff member, or volunteer receiving such a communication should attempt to:

1. Respect the child's privacy by finding an appropriate non-threatening place to talk, but not isolated.
2. If reasonably possible, ask a staff member, trained volunteer, or other responsible adult to join in listening to the child's/youth's account.
3. Keep calm, listen, and avoid expressing shock or outrage.
4. Let the child know that he/she is believed.
5. Assure the child that any abuse was not his/her fault.
6. If helpful, tell the child that he/she was brave to disclose the abuse.
7. Child victims are often vague in their initial disclosure. Avoid questions that could make the child feel responsible or plant ideas that could taint the child's recollection and account.
8. Write down as accurately as possible what the child disclosed. This information can be used in filing the Report of Suspected Abuse Form found under Exhibit -E.
9. Be careful afterwards not to discuss the information with or in front of other people who do not need to know what happened. Discussion about the information should be limited to appropriate church and legal authorities, as discussed further below.

### B. Reporting to Church Authorities

Churches should also have in place appropriate internal procedures and mechanisms for reporting to appropriate church leaders any suspected child abuse or neglect, any other suspected mistreatment of or injury to a child, and any suspicious information involving a child. Such internal reporting allows church leaders to determine whether a legal reporting obligation has been triggered, whether further information is needed, and/or whether pastoral or other care for children and others should be offered.

1. At times, when the church leader receiving such reports puts together the separate pieces of information provided by different workers, the leader may discern a pattern

or recognize information that triggers further investigation and/or a report to state authorities. (Such internal church reporting procedures are not intended to supersede any applicable legal reporting requirements.)

2. It is critical to be prepared in advance by adopting an appropriate plan and following that plan if an incident or allegation of child abuse occurs. When there is reason to believe child abuse or neglect has occurred or is occurring, act immediately. Do not ignore or fail to take seriously any reported incident.
  - a. Implement Your Response Plan.

The church should have in place an appropriate plan (even if only a very brief one) to use when responding to any allegation of child abuse. That plan may include a “response team” of individuals instructed with proper response mechanisms, along with additional procedures to implement throughout the church in responding to the allegation.
  - b. Report to the Rector (or another appropriate individual).

The individual(s) suspecting abuse or neglect should immediately notify the Rector and Senior Warden (or another person designated by the Rector or Senior Warden or otherwise identified in the church’s child abuse reporting procedures as authorized to receive such reports) of the suspected child abuse. The church should also identify in its response plan and other children’s ministry policies other persons who may receive such a report if the Rector or Senior Warden is the person who is the subject of the allegations or is otherwise suspected of having committed abuse or neglect.
  - c. Suspend Person Accused of Abuse from Duties.

If the person accused of abuse is employed by or volunteering with the church, the Rector (or his designee) should immediately remove the person accused of abuse from the situation in which the accusation arose and from any duties where he/she will have any further contact with children. This can be done quietly and without fanfare but should be done quickly and without exception. An interim transfer to a position that has no contact with children is one possibility; a leave of absence (with pay if the person is an employee) may be another solution. The church leadership will determine whether the person accused of abuse will continue in ministry.
  - d. Notify Parents Where Appropriate.

If the person accused of abuse is not the child’s parent or guardian or otherwise a member of the household, the Rector or his designee should contact the child's parents or appropriate guardians and offer support from the church.
  - e. Notify the Bishop.

The Rector shall notify the Bishop of the Anglican Diocese of the Mid- America. The Bishop shall notify the diocesan Chancellor. The Bishop may request periodic updates of the investigation being conducted and subsequent actions taken at the local church level and/or may initiate his own investigation into the allegations of child abuse.

f. Notify the Church Legal Counsel.

In most circumstances, the Rector should notify the church's legal counsel. Obtaining competent legal advice at the very outset of the matter will help protect the church from failing to comply with legal duties and/or being exposed to additional legal liability. In addition, if the investigation is conducted by legal counsel, the information gathered and conveyed to the attorney may be privileged from disclosure as a confidential attorney/client communication under certain state laws.

**C. Reporting to Legal Authorities and Insurance Carriers**

No allegations or complaints or reports of suspected abuse should be ignored. All Churches should comply with legal obligations to report child abuse. Each Parish should also consult with their legal counsel regarding these situations. Subject to advice from such counsel, the Church should fully co-operate with the Legal Authorities involved in any investigation. Also all such allegations, complaints or reports should be forwarded to the insurance carriers for the Church.

**D. Release of Information**

1. Carefully Consider Any Release of Information.

Identify a single person to respond to all inquiries (media or otherwise), such as a specially trained management person, and instruct all other workers politely to direct all inquiries to that person. Use an approved, prepared statement to answer media inquiries and to convey news to members of the church. Such a statement should normally be reviewed by the church's legal counsel. Don't release any information until the church has solidly confirmed its factual content. Safeguard the privacy and confidentiality of all involved by not releasing names or other identifying information, especially that concerning minors.

2. Maintain Appropriate Confidentiality of any allegations and of the investigation as much as possible.

Emphasize the importance of maintaining the confidentiality of the investigation to each person who is interviewed and instruct them not to disclose any information regarding the allegations or your investigation to anyone other than law enforcement or child protective authorities. Maintaining appropriate confidentiality will: (1) protect the privacy and reputations of those actually or allegedly involved in the incident; (2) reduce the risk that defamation may occur; and (3) help preserve the attorney-client privilege, where otherwise applicable.

3. Reach Out to and Care for Any Victims.

One of your church's primary missions is sharing the love of God with children. Offer whatever pastoral care and other help is appropriate and available to the alleged victim and his/her family.

4. Treat the Accused With Dignity and Support.

Since the accused has not been formally charged or convicted, he/she should be treated as innocent until proven guilty beyond a reasonable doubt. Be supportive but objective.

5. Bring Closure to the Investigation.

If the accused is eventually convicted, then discipline or dismissal is generally appropriate. Counseling may also be appropriate. If charges are unsubstantiated, the decision about whether to restore the accused to full employment or volunteer service may depend on a number of circumstantial factors. Consult the Bishop and legal counsel for guidance. Of course, all personnel actions should be well documented in writing and kept in confidential files. Attorney-client privileged material should never be disclosed without first consulting your attorney.

**E. Church Response.**

It is essential that each church respond to a report or instance of abuse in a manner that promotes healing for the victim, the person accused of abuse, and the loved ones of both parties, as well as healing in the local church.

**F. Internal Church Communication and Reporting.**

In addition to the reporting obligations discussed above, clergy, staff members, and volunteers shall also promptly internally report to the appropriate ministry leader or clergy, an immediate supervisor, and/or to the Rector (or his/her designee) whenever the clergy, staff member, or volunteer:

1. Is involved in or becomes aware of any sexually-oriented communications involving a child connected with the church; or
2. Is involved in or becomes aware of any inappropriate behavior involving a child by a clergy person, a staff member, or a volunteer; or
3. Is arrested for, or convicted of, any crime involving child abuse and/or neglect, is charged with child sexual abuse in a civil proceeding; commits an act of child sexual abuse; or (except as otherwise prohibited or limited by applicable laws and regulations) is diagnosed with any paraphiliac psychological condition, as defined by the American Psychiatric Association, including, but not limited to, pedophilia, voyeurism or exhibitionism; or
4. Becomes aware that a member of his/her household has been arrested for, or convicted of, any crime involving child abuse and/or neglect; been charged with child sexual abuse in a civil proceeding; committed an act of child sexual abuse; or (except as otherwise prohibited or limited by applicable laws and regulations) been diagnosed with any paraphiliac psychological condition, as defined by the American Psychiatric Association, including, but not limited to, pedophilia, voyeurism or exhibitionism; or
5. Becomes aware that a person who is attending the church has been arrested for, or convicted of, any crime involving child abuse and/or neglect; has been charged with child sexual abuse in a civil proceeding; has committed an act of child sexual abuse; or (except as otherwise prohibited or limited by applicable laws and regulations) has been diagnosed with any paraphiliac psychological condition, as defined by the American Psychiatric Association, including, but not limited to, pedophilia, voyeurism or exhibitionism.

## **G. Documentation Requirements**

Churches are responsible for obtaining and keeping documentation, which includes evidence of the following:

1. Employee and volunteer applications for those working in youth and children's ministries.
2. National Sexual Offender Registry and Criminal Background checks renewed every two years.
3. Personal and professional reference checks.
4. For drivers: copy of valid driver's license, vehicle registration, DMV record, and proof of auto insurance.
5. Interviews.
6. Certification that the clergy, vestry, and all lay workers, paid and volunteer, working in youth and children's ministries has read, understood, and accepted the Diocese of the Mid- America Policies on the Protection of Children.
7. workshop or online course completion and certificate renewal every two years.
8. Written supervisory plans.
9. Reports of suspected child abuse, which should be kept in a secure location.
10. Response Procedures for a Complaint

## **H. Before a complaint is received:**

1. The Bishop will appoint members of the laity and clergy to serve on Diocesan Response Teams.
2. The Bishop will choose more than are necessary for one Response Team. It should include at least one woman and one man; at least one lay person, and normally might include a cleric, an attorney and a mental health professional. From this membership will be appointed a Chair; a Complainant's Advocate, an Accused's Advocate and a Congregational Advocate. Before serving on a Response Team, members will receive training in crisis intervention and interviewing alleged offender, complainants, and witnesses. Training and ongoing supervision of Response Team members will be under the direction of a person skilled in these areas appointed by The Bishop.
3. In selecting persons to serve on a Response Team, the Bishop will take care not to assign any person whose judgment or objectivity might be impaired because of a relationship with, or knowledge of, any parties or witnesses to a complaint. If any member of a Response Team at any time has a potential conflict (as above), the person will disqualify herself or himself for this investigation.
4. The Chancellor of the Diocese shall be included as an advisor to the Response Team.

**I. Explanation of Duties of Advocates:**

1. The Complainant Advocate is responsible for interviewing the complainant, producing a report, functioning as the primary liaison between the Bishop and the complainant, and ensuring proper pastoral care is evident.
2. The Accused's Advocate is responsible for interviewing the alleged offender, producing a report, functioning as the primary liaison between the Bishop and the alleged offender, and ensuring proper pastoral care is evident.
3. The Congregational Advocate is responsible for interviewing the congregation, if needed, assisting the wardens and vestry during the investigation, functioning as a liaison between the Bishop and the congregation, ensuring information on the process is available, and assuring that proper aftercare is delivered to the affected congregation or community.

**J. Following the receipt of a complaint:**

1. The bishop will respond to requests for meetings with him as soon as possible. The bishop will meet with the party making the allegation and hear the specifics raised. At the bishop's discretion, such meetings may involve other staff members or consultants. An investigation cannot proceed unless a complainant is willing to drop conditions of anonymity for reporting purposes.

*If the Bishop is unavailable, then a person designated by the Bishop will begin the interview process.*

*If the complaint alleges sexual misconduct by the Bishop, the Standing Committee will perform the functions assigned to the Bishop by this policy and shall do so within 10 working days of the receipt of the complaint.*

2. If the complainant is not the alleged victim, the Bishop will meet with the complainant as well as the alleged victim. At the bishop's discretion, such meetings may involve other staff members or consultants.
3. The bishop will meet with the alleged offender as soon as possible. He will outline the allegations and hear all responses given. Such meeting may include other persons at the invitation of either the bishop or the alleged offender.
4. If the complaint alleges sexual abuse of a minor or an incompetent adult, the Bishop will in consultation with the Diocesan Chancellor, notify the relevant law enforcement authorities. The Bishop and any other church officials or employees with knowledge of the alleged abuse will be guided by the progress of the law enforcement investigation.
5. The Bishop will name the Response Team, if further investigation is deemed necessary.
6. The Complainant's Advocate, working with the alleged victim (if not the complainant) and/or the complainant, should draft a written statement which includes the date(s), location(s), time(s), the name of the alleged offender, and a description of the alleged offense(s); as well as the names, addresses, and telephone numbers of any witnesses if known. The statement is based upon the facts supplied by the person making the complaint.

7. The Accused's Advocate will work with the alleged offender to prepare a written statement. If the Bishop deems necessary, the Congregational Advocate will work with the congregation to prepare a statement.
  - ◆ *It is intended that the Advocates will be the main point of contact during the investigation of the charges. This will help protect the alleged victims and other involved parties.*
  - ◆ *The Response Team will keep the Bishop informed of progress and findings during the investigation, and will move as swiftly as possible towards completion of a final report and recommendations to the Bishop. The final report can include the original written statement of the complainant and/or victim and all written statements submitted by other persons, as well as a plan for congregational aftercare.*
8. The Bishop should arrange for an evaluation of the alleged offender by a licensed mental health care professional qualified and experienced in the evaluation of sexual misconduct. This evaluation shall be arranged as soon as possible. The Bishop will encourage the alleged offender to undergo the evaluation and to agree that the results of the evaluation will be available to the Bishop and the alleged offender.
9. The Bishop will not at any time following the making of the complaint hear the sacramental confession of the complainant, the alleged victim (if other than the complaining witness), or the alleged offender. The Bishop may, if requested, recommend confessors.
10. Any party or witness to an alleged act of sexual misconduct may be asked to be interviewed or to submit a statement in writing.
11. After receiving the Response Team's recommendations and meeting with the Response Team, the Bishop will make a determination as to whether the complaint of sexual misconduct has been substantiated and, if so, the severity of the matter and what action, if any, is to be taken.

**K. When a Determination is made:**

The Bishop will inform the complainant, the alleged victim (if other than the complaining witness), and the alleged offender.

Unsubstantiated Complaints:

If the Bishop determines that the complaint is unsubstantiated, a written report to that effect will be placed in the Bishop's confidential file and a copy will also be given to the person accused. If the alleged offender is a cleric not canonically resident in this diocese, the Bishop should also transmit a copy of the report to the bishop of the diocese in which the cleric is canonically resident. The Bishop will also meet with the complainant to discuss the determination. He may meet with the alleged offender to discuss any steps that may be necessary to make known the determination.

### Substantiated Complaints:

1. The Bishop will meet the complainant and/or victim to express the Church's deepest regret and to discuss appropriate responses by the Church to assist in healing. The complainant and/or victim may be accompanied by person(s) of their respective choosing. The Bishop, in consultation with others, will determine what assistance should be offered.

*The Bishop may meet, if appropriate, with the victim's spouse and/or family to discuss how the church may assist them.*

2. The Bishop may meet with the offender. Another person may accompany the offender if he or she desires. The Bishop will inform the offender the actions the Bishop intends to take. Whenever an allegation of sexual misconduct in a current position is substantiated, the Bishop normally will act to remove the offender from all current positions of pastoral responsibility. When the allegation that is substantiated related to a previous context of ministry, the Bishop at his discretion may act to remove the offender from current positions. In the case of a cleric, the Bishop will also determine whether disciplinary action under Title IV of the Canons of the Episcopal Church is appropriate.

*The Bishop may meet, if appropriate, with the victim's spouse and/or family to discuss how the church may assist them.*

*In making any decisions about professional rehabilitation and future employment for the offender, the Bishop is guided by the assessments of those experts in the treatment of sexual misconduct who have treated or evaluated the offender. In most cases, significant involvement in personal psychotherapy and employment outside the Church will be required before any redeployment in the Church will be considered. At the Bishop's discretion, public acknowledgment of the misconduct, including exoneration of and restitution to the victim may be required. In no case will the victim be publicly identified without his or her consent.*

3. The Bishop, and others at the discretion of the Bishop, will notify the wardens, if the offender serves a parish, or the appropriate representatives of the place of ministry, if the offender does not serve a parish, and discuss with them what assistance would be most helpful or healing.
  - ◆ *The Bishop, Response Team members, and all other representatives of the Diocese will make every effort to protect the privacy of victims of sexual misconduct. All records of the investigations and determinations by the Bishop will be held in strict confidence and separate from ordinary personnel files except as specified in the procedures.*

#### **L. Mission Parishes and Extension Work**

Although it is recognized that Mission Parishes and Extension Work are not of sufficient size to be able to implement a Parish compliant Policy, it is imperative that these smaller organizations

implement policies that are designed to prevent Child and Youth abuse. Thus these organizations must as a minimum:

1. Require that the head of the Mission Parish or Extension Work participate in training such as offered by *MinistrySafe*.
2. Have a written policy disseminated to all those with authority over the Mission Parish or Extension Work requiring reporting of any allegations, complaints, or suspected improper activity to the Bishop.
3. Minimize any contact with Children that does not at least involve supervision by at least 2 adults.

## X. Special Provisions for Parishes with Schools

It is recognized that special provisions need to be placed in the Parish Policies for Parishes that have schools associated with the Parish. Each State has a manual for minimum standards for schools and Child care. For example, in Texas the standard for Child Care is found at [http://www.dfps.state.tx.us/Child\\_Care/documents/Standards\\_and\\_Regulations/746\\_Centers.pdf](http://www.dfps.state.tx.us/Child_Care/documents/Standards_and_Regulations/746_Centers.pdf)

There is also a standard for School Age and Before and After School Programs. These standards can be found at <https://nrhtx.com/DocumentCenter/View/3275/Minimum-Standards-for-School-Age-and-Before-or-After-School-Care>.

Each of these standards contains detailed requirements for screening, training, and operation of programs for Children and Youth. Any Parish operation that is covered by these manuals such as Schools, and day-care operations, must comply with their applicable state standards.

Also the detail in these manuals provide an excellent resource information to consider in the development of Parish Policy Manuals.

