

*Safe Church Policy
of
The Episcopal Diocese of Minnesota*

**Policies for the
Protection of Children and Youth from Abuse
and
Protection of Adults from Sexual Misconduct**

*Policy as Revised and Adopted by Diocesan Council
September 16, 2008*

Introduction

History of *Safe Church Policies*

The Committee on Sexual Exploitation ("COSE") was created by resolution of the 70th General Convention in 1991 to address issues of sexual misconduct in the Episcopal Church and has continued its work through the 74th General Convention in 2003. In 1999 in preparation for the 73rd General Convention in 2000, it conducted a survey of 100% of the domestic dioceses on how dioceses were dealing with issues of sexual misconduct. The survey indicated, among other things, that a conference for those who work on issues of sexual misconduct in the church was needed.

As a result, in June 2001 COSE and the Office of Pastoral Development sponsored the first national Pastoral Standards Conference. An extraordinary gathering of one hundred twenty-five bishops, chancellors, clergy and laity from 70 dioceses attended and unanimously called for review of existing sexual misconduct policies and development of the "next generation" of policies.

COSE gathered and reviewed policies submitted by 70 dioceses with the intention of circulating as model policies those that incorporated and reflected current best practices based on the Church's experience in the area of sexual misconduct over the past decade. COSE concluded that none of the policies gathered was a truly state-of-the-art, "next generation" policy that could serve as a model for those dioceses planning on revising and updating their current policies. COSE determined that it did not have the time or resources to create new state-of-the-art, next generation policies.

Encouraged to do so by COSE, with requests from a number of dioceses to do so, to support prevention efforts, and based on its own perception of the need, The Church Pension Group undertook to develop model child sexual abuse prevention and response policies.

Just prior to the meeting of the House of Bishops in March 2003, 47 bishops attended a training session on "What Every Bishop Should Know About Pedophiles and Preventing Child Sexual Abuse in the Church" put on by the Office of Pastoral Development and The Church Pension Group. Out of this training session came a Mind of the House Resolution presented by the 47 bishops in attendance that was approved unanimously by the House of Bishops.

Among other resolves, the resolution called for development of a statement of general expectations of behavior in this church by clergy, lay employees, and volunteers, when engaged in ministry with children and youth. The resolution stated that these

expectations should be specific enough to serve as clear directions and guidelines, but general enough that each diocese would expand upon or develop the specific content of policies and procedures and implementation according to the particularities of each diocese. The Bishops unanimously committed to reviewing current diocesan policies, and revising them as needed. In addition, the Bishops committed to working together to provide appropriate training, education, and materials to support each diocese in the five identified areas.

The Bishops also committed to putting forth a resolution to the 74th General Convention in 2003 as the statement of general expectations called for by the March 2003 House of Bishops Mind of the House Resolution. Resolution B008, Protection of Children and Youth from Abuse, was submitted and passed at that General Convention.

[This History section was drawn, in large part, from the Explanation section of Resolution B008 as submitted to the 74th General Convention in 2003]

Children’s Charter and Safe Church Ministry at the Beginning of the 21st Century

Resolution B008 and the policies included under this *Safe Church Policy* call the church to respond in new and intentional ways to care for, be responsible to, and create safe space for children and adults. Foundational to Resolution B008 and the work of the Church Pension Group’s partnership with The Nathan Network is the *Children’s Charter for the Church* (General Convention Resolutions 1997- B005 and 2000 – D045). The *Children’s Charter* holds advocacy for children as central to the mission and ministry of the church. The *Charter* calls the Church to love, shelter, protect, and defend children within its own community and in the world, especially those who are abused, neglected, or in danger.

Sample Forms

The Appendices contain **sample** forms. The word **sample** is emphasized because it is important that personnel policies and/or forms be carefully considered, developed and revised to fit the needs of each organization. These **sample** forms are provided strictly as a convenient reference and starting point to help churches in the development of policies and/or forms on the covered subjects, as desired.

Table of Contents

I. General Definitions	
A. Children and Youth	5
B. Church Personnel	5
C. Church Personnel Who Regularly Work With and Around Children or Youth	6
D. Types of Abuse and Misconduct	7
E. Pastoral Relationship and Services	8
II. Safeguards	
A. Screening and Selection	9
B. Education and Training Requirements	10
C. Monitoring and Supervision of Programs Involving Children and Youth	10
D. General Conduct for the Protection of Children and Youth	12
III. Code of Conduct for Protection of Children and Youth	14
IV. General Policy on the Protection of Adults from Sexual Misconduct	
A. Protection of Adults from Sexual Harassment	15
B. Protection of Adults from Sexual Exploitation	15
V. Responding to Problems	
A. Reporting of Inappropriate Behaviors or Policy Violations with Children or Youth	17
B. Reporting of Known or Suspected Abuse of Children or Youth	17
C. Reporting of Known or Suspected Sexual Exploitation of Adults	18
VI. Adoption of Policies	19
Appendix A.Guidelines for Appropriate Affections With Children and Youth	20
Appendix B.Confidential Notice of Concern	22
Appendix C. Sample Application Form, Code of Conduct and Acknowledgment, Release and Signature	23
Appendix D.Child Abuse Reporting Statute Summary and Minnesota Statute § 148A	27

I. General Definitions

A. 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.

B. Church Personnel

For the purposes of this policy, the following are included in the definition of Church Personnel when they are functioning in their respective roles for the church:

1. All clergy whether stipendiary, non-stipendiary, or otherwise who are engaged in ministry or service to the church. Non-functioning retired clergy are excluded.
2. All lay employees whether employed in areas of ministry or other kinds of services by the diocese, its congregations, schools or other agencies.
3. Those who contract their services to the diocese, its congregations, schools or other agencies. Examples are a church organist or choir director. Service vendors such as heating/air conditioning technicians, plumbers or similar contractors are excluded.
4. Volunteers, including any person who enters into or offers him or herself for a church related service, or who actually assists with or performs a service, whether or not they have been selected or assigned to do so. Examples are members of advisory boards, vestries, Bishop's Committees, and boards of directors.
5. Lay volunteers who provide pastoral services. Examples include but are not limited to members of Total Ministry Teams, Eucharistic Ministers and Eucharistic Visitors.
6. All Church Personnel who regularly work with or around children or youth as defined in Section I.C of this *Safe Church Policy*.

All lay employees and volunteers defined as Church Personnel under this Section B shall be collectively referred to under this Policy as "Lay Church Personnel."

C. Church Personnel Who Regularly Work With or Around Children or Youth

For the purpose of this policy, the following are included in the definition of “Church Personnel Who Regularly Work With or Around Children or Youth:”

1. All clergy whether stipendiary, non-stipendiary, or otherwise who are engaged in ministry or service to the church.
2. All paid or volunteer Church Personnel whose work regularly takes them throughout the facility or grounds or who have keys giving them access to the buildings on the grounds.
3. All persons who supervise or assist with supervising children or youth in ministries, programs or activities three or more times a year.
4. All persons who provide transportation to children or youth three or more times a year.
5. All persons whose living quarters are on the grounds of the church, school or other related agency.
6. All vestry members or other members of similar decision-making groups who have the authority to approve the creation of ministries, programs or activities for children or youth.
7. All persons who work or assist in the nursery three or more times a year.
8. All adults who participate in any overnight activity with children or youth.

Examples include, but are not limited to:

- Children’s or youth choir directors
- Volunteer church schoolteachers
- Organists who work with children or youth
- Lay youth ministers
- Volunteer youth directors
- All Church Personnel who work in the nursery if they are the only person over 21 present at any time
- All staff, whether volunteer or paid, at church camps
- Peer leaders or mentors

For the purpose of this policy, the following are not included in the definition of “Church Personnel Who Regularly Work With or Around Children or Youth:”

- All persons who supervise or assist with supervising children or youth in ministries, programs or activities infrequently, generally no more than three times a year or for one program or activity during a year that lasts less than a month (i.e. assisting with preparation for the Christmas pageant, or teaching one “unit” of Church School for a month).

D. Types of Abuse and Misconduct

1. **Physical abuse** is non-accidental physical injury which is intentionally inflicted upon a child or youth.
2. **Sexual abuse** 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, child or youth.
3. **Sexual harassment** is a situation, contact or activity 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 qualification; undesired physical contact; inappropriate comments about clothing or physical appearance; or repeated unwelcome requests for social engagements.
4. **Sexual exploitation**, includes but is not limited to the development of or the attempt to develop a sexual or romantic relationship between a cleric or lay employee or volunteer and a person with whom he/she has a Pastoral Relationship, whether or not there is apparent consent from the individual.
5. **Emotional abuse** is mental or emotional injury to a child or youth that could reasonably be determined to result in a material impairment in the child or youth’s growth, development or psychological functioning.
6. **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.
7. **Economic exploitation** is the deliberate misplacement, exploitation, or wrongful temporary or permanent use of a child or youth’s or vulnerable adult’s belongings or money.

E. Pastoral Relationship and Services

1. **Pastoral Relationship** is a relationship between a cleric or Lay Church Personnel and any person to whom such cleric or Lay Church Personnel provides counseling, pastoral care, spiritual direction or spiritual guidance, or from whom the cleric or Lay Church Personnel has received a confession or confidential or privileged information or to whom this role connotes trust. This relationship establishes a fiduciary relationship with the person who is the object of the pastoral relationship.
2. **Pastoral Services** is the provision of counseling, pastoral care, spiritual direction or spiritual guidance or the hearing of confession or confidential or privileged information.

II. Safeguards

A. Screening and Selection

1. Any and all Lay Church Personnel shall be screened and selected utilizing at least the following:
 - a. **A standard application** completed by the applicant that includes an authorization for the release of information to conduct background checks and an executed copy of the **Code of Conduct (Appendix C)**.
 - b. **Criminal records check** in any state or country where the applicant has resided during the past seven (7) years, and other jurisdictions, if any, as determined by the church.
 - c. **Sexual offender registry check** in any state where the applicant has resided during the past seven (7) years.
 - d. Individual **interview** with the applicant.
 - e. **Reference Checks** from persons outside the congregation who know the applicant. For applicants that will regularly work with children or youth, preferably from references who know how the applicant works with children.
 - f. **Driving or motor vehicle records check** if the person may be transporting children or youth, along with proof of a valid driver's license and current vehicle insurance coverage.
2. All information gathered about an applicant will be carefully reviewed and evaluated to make a determination, in consultation with others as necessary, of whether or not the person is appropriate for the position to which the applicant is applying.
3. Lay Church Personnel must have a personnel file containing the person's screening and selection records. These records are to be treated in strict confidence and be securely maintained, preferably kept in a locked file with limited access.
4. Criminal records checks and sexual offender registry checks will be conducted every five (5) years for Lay Church Personnel.
5. To the extent possible, no person will be permitted to supervise an immediate family member when working with or around children or youth. For the purpose of this policy, immediate family member is defined as spouse, partner, child, parent, sister, brother, similar in-law relationship, stepchild, stepparent, stepsibling, grandparent, or co-habitant.

6. Lay Church Personnel who transfer within the Diocese of Minnesota and apply for or are asked to or who do undertake positions working with or around children are required to undergo the same screening and selection process set out in this Section A. This requirement may be met through a transfer of a copy of the personnel file to the new congregation, school, agency, or program together with completion of a new application, individual interview and reference checks with the congregations, schools, agencies or other programs for which the applicant has worked with or around children since the screening was last done as shown in the applicant's personnel file.

B. Education and Training Requirements

1. Three hours of certified child abuse prevention education and training is required for all Church Personnel within six months of the person's start date.
2. Two hours of certified adult sexual harassment prevention education is required for all clergy, lay employees and lay volunteers who provide Pastoral Services.

Church Personnel are required to renew their training certification every five (5) years.

Online training offered through the Church Pension Group's *Safeguarding Online* program will be accepted as follows:

1. To comply with the recertification requirement.
2. As an interim training for new Church Personnel. Persons electing to use the online training as an interim training option must:
 - Complete the three hours of certified child abuse prevention training as set out in this Section B within three months of completing the online training; and
 - Provide their church administrator with a written affirmation of their intent to comply with the certified training requirement.

C. Monitoring and Supervision of Programs Involving Children and Youth

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. Programs and activities have to be monitored and supervised to do that.

Another aspect of monitoring and supervision is that supervisory personnel and others monitor and supervise the behavior of adults, youth and other children with children and youth so that inappropriate behaviors and interactions can be detected and stopped. Some behaviors and interactions are potentially harmful to children or youth in and of themselves. Examples include providing alcohol or drugs to children or youth or actually having sexual contact with a child or youth. Other behaviors and interactions are not necessarily harmful in and of themselves but are the same behaviors and interactions known to be used by those who abuse children or youth to “groom” them or their parents for eventual abuse or which provide the privacy child molesters need in order to abuse children or youth. Examples of those behaviors and interactions include holding children over the age of three on the lap, transporting a child or youth alone, and the like.

The structural standards guidelines and standards are covered in both the following **Monitoring and Supervision** section and in the following section, **General Conduct for the Protection of Children and Youth**.

The behaviors and interactions of persons with children and youth that need to be monitored and supervised are covered in the section on **General Conduct for the Protection of Children and Youth** and in the **Guidelines for Appropriate Affection (Appendix A)**.

1. Every program for children and youth must have established ratios for adults and children. Compliance with the established ratio is required at all times, including activities that occur off church premises.
2. Church Personnel are discouraged from being alone with a child or youth or multiple children or youth where other adults cannot easily observe them.
3. Church Personnel over the age of 21 must directly supervise Church Personnel who are 21 years of age and under and must be physically present during all activities.
4. No person is permitted to develop new church related or affiliated activities for children and youth without written approval from the rector or a canonical equivalent. Requests to develop new activities should be submitted in writing to the rector. Consideration is to include whether the plan for a new activity includes adequate adult supervision.
5. 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 and is to be conspicuously posted or regularly published in the congregation’s newsletter or similar communication.
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, bathing or diapering infants or children, Church Personnel will remain in an area observable by other adults or work in pairs.
8. When both boys and girls are participating, male and female chaperones must be present.

D. General Conduct for the Protection of Children and Youth

The following guidelines are intended to assist Church Personnel in monitoring and supervising behaviors and interactions with children and youth to identify and stop those that may be inherently harmful to children or youth, which are the type used by child molesters to “groom” children, youth and their parents, or which may create the conditions where abuse can occur more easily. They are also used to make decisions about interactions with children and youth in church sponsored and affiliated programs. They are not designed or intended to address interactions within families. When exceptions to these guidelines must be made, they will be reported to the supervisor of the Church Personnel making the exception as soon as possible.

1. All Church Personnel who work with children and youth must agree to comply with the **Guidelines for Appropriate Affection (Appendix A)**.
2. No person will be allowed to volunteer to regularly work with children or youth until the person has been known to the clergy and congregation for at least six months.
3. Programs for infants and children under six (6) years old will have procedures to ensure that children are released only to their custodial parents or legal guardians or persons designated by them.
4. Church Personnel are prohibited from the use, possession, distribution, or being under the influence of alcohol, illegal drugs, or the mis-use of legal drugs while participating in or assisting with programs or activities for children and youth specifically.
5. Custodial parents or legal guardians must complete written permission forms before Church Personnel transport children and youth for a church sponsored activity or for any purpose on more than an occasional basis, except for emergency situations.
6. Church Personnel will respond to children and youth with respect, consideration and equal treatment, regardless of sex, race, religion, sexual orientation, culture or socio-economic status. Church Personnel will portray a positive role model for children and youth by maintaining an attitude of respect, patience, and maturity. Favoritism is to be avoided.
7. One to one counseling with children and youth will be done in an open or public or other place where private conversations are possible but occur in full view of others and, for Lay Church Personnel, in consultation with the rector or canonical equivalent.

8. Church Personnel are prohibited from dating or becoming romantically involved with a child or youth.
9. Church Personnel are prohibited from having sexual contact with a child or youth.
10. Church Personnel are prohibited from possessing any sexually oriented materials (magazines, cards, videos, films, clothing etc.) on church property or in the presence of children and youth except as expressly permitted as part of a pre-authorized educational program.
11. Church Personnel are prohibited from using the Internet to view or download any sexually oriented materials on church property or in the presence of children and youth.
12. Church Personnel are discouraged from engaging in non-church related chat room or instant messaging conversations with children and youth who are or have participated in a church related activity in which the person is or has been involved.
13. Church Personnel are prohibited from discussing their own sexual activities, including dreams and fantasies, or discussing their use of sexually oriented or explicit materials such as pornography, videos or materials on or from the Internet, with children or youth.
14. Church Personnel are prohibited from sleeping in the same beds, sleeping bags or tents with children or youth unless the adult is an immediate family member of all children or youth in the bed, sleeping bag or tent. Church Personnel are prohibited from sleeping in the same hotel rooms or other rooms with children or youth. It is acceptable to have multiple adults sleep with all the children or youth participating in one open space such as a church basement or camp lodge.
15. Church Personnel are prohibited from dressing, undressing, bathing, or showering in the presence of children or youth.
16. Church Personnel are prohibited from using physical punishment in any way for behavior management of children and youth. No form of physical discipline is acceptable. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force. Physical force may only be used to stop a behavior that may cause immediate harm to the individual or to a child, youth or others.
17. Church Personnel are prohibited from using harsh language, degrading punishment, or mechanical restraint such as rope or tape for behavior management.
18. Church Personnel are prohibited from participating in or allowing others to conduct any hazing activities relating to children's or youth ministry or camp activities.

III. Code of Conduct for Protection of Children and Youth

Relationships among people are at the foundation of Christian ministry and as such are central to the life of the church. Defining healthy and safe relationships through policies and codes of conduct is not meant, in any way, to undermine the strength and importance of personal interaction in our ministries. Rather, it is to assist in more clearly defining behaviors and practices that allow the church to more fully demonstrate its love and compassion for children and youth in sincere and genuine relationships.

Relationships in ministry should, ideally, always be experienced as caring and without intention to do harm or allow harm to occur. The Code of Conduct has been adopted by the Diocese of Minnesota to help churches create safe environments for children and youth and for those who minister to them. All Church Personnel are asked to carefully consider each statement in the Code and in the *Safe Church Policy* before agreeing to adhere to the statements and continue in service to the church.

Code of Conduct for Protection of Children and Youth

Church Personnel agree to do their best to prevent abuse and neglect among children and youth involved in church activities and services.

Church Personnel agree to not physically, sexually or emotionally abuse or neglect a child or youth.

Church Personnel agree to comply with the policies for general conduct with children and youth as defined in the *Safe Church Policy*.

All Church Personnel agree to comply with the **Guidelines for Appropriate Affection (Appendix A)** with children and youth.

In the event that Church Personnel observe any inappropriate behaviors or possible policy violations with children or youth, Church Personnel agree to immediately report their observations.

All Church Personnel acknowledge their obligation and responsibility to protect children and youth and agree to report known or suspected abuse of children or youth to the appropriate state authorities in accordance with state law.

Church Personnel understand that the church will not tolerate abuse of children and youth and agree to comply in spirit and in action with this position.

IV. General Policy on the Protection of Adults from Sexual Misconduct

The Diocese of Minnesota and its churches and organizations are committed to creating and promoting a positive and safe environment for all persons. Sexual harassment and sexual exploitation are unacceptable behaviors and, under the law, are illegal. Church Personnel are prohibited under state law from engaging in these behaviors in their relations with other adults.

A. Protection of Adults from Sexual Harassment

Unwelcome sexual advance, requests for sexual favors and other verbal or physical contact of a sexual nature constitute sexual harassment when:

1. Submission is made either explicitly or implicitly a term or condition of employment.
2. Submission to or rejection of the conduct is used as the basis for employment decisions.
3. Such conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive working atmosphere.

All churches and organizations in the Diocese of Minnesota are encouraged to adopt and implement personnel policies that prohibit sexual harassment and provide a complaint process with the establishment of penalties for violations of such policies.

B. Protection of Adults from Sexual Exploitation

Church Personnel engaged or formerly engaged in a Pastoral Relationship are to be cognizant of the power differential that exists between them and the recipients of their pastoral ministrations. The State of Minnesota specifically prohibits Sexual Exploitation under Minn. Statutes § 148A. A copy of Minn. Stat. § 148A is provided in **Appendix D**.

Church Personnel are responsible for adhering to the following guidelines:

1. Be cognizant of the power differential that exists between them and the other person(s) in a Pastoral Relationship and not exploit the trust or dependency of the other person(s).
2. Have read and understand the mandates set forth under Minn. Stat. § 148A.
3. Pastoral counseling sessions should be limited to six sessions unless the Church Personnel providing the counseling possesses the appropriate professional credentials and maintains separate professional liability coverage.

4. Be aware of the general danger signs that indicate there has been a sexual boundary breakdown. These signs include:
 - a. Excessive self-disclosure by the Church Personnel
 - b. Excessive availability
 - c. Giving or receiving inappropriate gifts
 - d. Excessive touching
 - e. Undue anticipation of future meetings
 - f. Frequent Fantasies about the other person
 - g. Meeting at unusual, secretive locations
 - h. Keeping secrets beyond the requirements of professional confidentiality

5. Report any knowledge of sexually exploitive behavior by colleagues.

V. Responding to Problems

A. Reporting of *Inappropriate Behaviors or Policy Violations* with Children or Youth

1. When Church Personnel observe any inappropriate behaviors, behaviors that are inconsistent with the Guidelines for Appropriate Affection, or which may violate any provision of the *Safe Church Policy* that relate to children or youth, they must immediately report their observations. Examples of inappropriate behaviors or policy violations would be seeking private time with children or youth, taking children or youth on over-night trips without other adults, swearing or making suggestive comments to children or youth, or selecting staff or volunteers without the required screening.
2. Such inappropriate behaviors or possible policy violations that relate to interactions with children or youth should be reported in one of the following ways:
 - a. A telephone call or meeting with the immediate supervisor of the person;
 - b. A telephone call or meeting with the rector, if the person is not the rector or a canonical equivalent;
 - c. A telephone call or meeting with a church warden if the person is the rector or a canonical equivalent thereof;
 - d. A telephone call, meeting or fax to the bishop;
 - e. Submit a (**Notice of Concern Appendix B**), signed or unsigned, to the bishop.
3. All reports of inappropriate behavior or policy violations with children or youth will be taken seriously.

B. Reporting of *Known or Suspected Abuse* of Children or Youth

1. All Church Personnel are required by this policy to report known or suspected abuse of children or youth to the appropriate state authorities. (**Child Abuse Reporting Statute Summary Exhibit D**)
2. Failure to report suspected abuse of children or youth may be a crime if the person is required to report abuse by Minnesota law. Reports may be made confidentially or anonymously. Minnesota law provides immunity from civil liability for persons who report suspected abuse in good faith and without malice. Simply stated, “in good faith” means that the person submitting the report believes what he or she is reporting to be true. Retaliation by the reporter’s employer is prohibited.

3. In addition to reporting to the state authorities, Church Personnel are required to report any suspected or known abuse of children or youth that may have been perpetrated by Church Personnel directly to the rector or a canonical equivalent or if the suspected person is the rector or canonical equivalent, to a church warden or the Bishop so that immediate and proper steps may be taken to ensure the safety of alleged victims.
4. Reports of suspected or known abuse that involve Church Personnel may be reported in the following ways:
 - a. A telephone call or meeting with the rector or a canonical equivalent if he or she is not the person being complained about.
 - b. A telephone call, meeting or letter to the bishop;
 - c. Submit a (**Notice of Concern Appendix B**), signed or unsigned, to the bishop.
5. The Diocese of Minnesota and its churches and organizations will cooperate with any investigation by state authorities to the fullest extent appropriate and inform authorities that a concurrent internal investigation will be directed by the Diocese of Minnesota,

C. Reporting of *Known or Suspected* Sexual Exploitation of Adults

All Church Personnel are required by this policy to report known or suspected Sexual Exploitation in the following ways:

1. A telephone call or meeting with the rector or a canonical equivalent if he or she is not the person being complained about.
2. A telephone call, meeting or letter to the bishop;
3. Submit a (**Notice of Concern Appendix B**), signed or unsigned, to the bishop.

The Diocese of Minnesota and its churches and organizations will promptly initiate an inquiry into any allegations of Sexual Exploitation.

VI. Adoption of Policies

The Vestry, Bishop's Committee or Board of Directors of every parish, mission, or separate organization in the Diocese of Minnesota shall adopt this *Safe Church Policy* by formal resolution in which the text shall be recorded in the official minutes of the Vestry, Bishop's Committee or Board of Directors.

Appendix A. Guidelines for Appropriate Affection with Children and Youth

The Diocese of Minnesota and its churches and organizations are committed to creating and promoting a positive, nurturing environment for our children's and youth ministries that protect our children and youth from abuse and our Church Personnel from misunderstandings. When creating safe boundaries for children and youth, it is important to establish what types of affection are appropriate and inappropriate; otherwise that decision is left to each individual. Stating which behaviors are appropriate and inappropriate allows Church Personnel to comfortably show positive affection in ministry, and yet identify individuals who are not maintaining safe boundaries with children and youth. The Guidelines are based, in large part, on avoiding behaviors known to be used by child molesters to "groom" children, youth, and their parents for future abuse. The following guidelines are to be carefully followed by all Church Personnel working around or with children and youth.

1. Love and affection are part of church life and ministry. There are many ways to demonstrate affection while maintaining positive and safe boundaries with children and youth. Some positive and appropriate forms of affection are listed below:
 - Brief hugs.
 - Pats on the shoulder or back.
 - Handshakes.
 - "High-fives" and hand slapping.
 - Verbal praise.
 - Touching hands, faces, shoulders and arms of children or youth.
 - Arms around shoulders.
 - Holding hands while walking with small children.
 - Sitting beside small children.
 - Kneeling or bending down for hugs with small children.
 - Holding hands during prayer.
 - Pats on the head when culturally appropriate. (For example, this gesture should typically be avoided in some Asian communities).

2. The following forms of affection are considered inappropriate with children and youth in ministry setting because many of them are the behaviors that child molesters use to "groom" children or youth for later molestation or can be, in and of themselves, sexual abuse.
 - Full body hugs or embracing a child or youth for an inordinate amount of time.
 - Kisses on the mouth.
 - Holding children over three years old on the lap.
 - Touching bottoms, chests or genital areas other than for appropriate diapering, toileting or dressing of infants and toddlers.
 - Showing affection in isolated areas or locked areas such as bedrooms, closets, staff only areas or other private rooms.
 - Occupying a bed with a child or youth
 - Caressing knees or legs of children or youth.
 - Wrestling with children or youth.

- Tickling children or youth.
- Piggyback rides.
- Any type of massage given by a child or youth to an adult.
- Any type of massage given by an adult to a child or youth.
- Any form of unwanted affection.
- Comments or compliments (spoken, written, or electronic) that relate to physique or body development. Examples would be, “You sure are developing,” or “You look really hot in those jeans.”
- Snapping bras or giving “wedgies” or similar touch of underwear whether or not it is covered by other clothing.
- Privately giving gifts or money to individual children or youth.
- Private meals in non-public venues with individual children or youth.
- Frequent association with individual children or youth outside of church related activities.

Appendix B. Confidential Notice of Concern

Individual(s) of Concern _____

Date of occurrence _____

Time of occurrence: _____

Type of Concern:

_____ Inappropriate behavior with a child or youth

_____ Policy violation with a child or youth

_____ Possible risk of abuse

_____ Other concern: _____

Describe the situation: What happened, where it happened, when it happened, who was involved, who was present, who was notified? If reported to the State, what was their recommendation about investigating?

To your knowledge has this situation ever occurred before?

What action was taken? How was the situation handled, who was involved, who was questioned, were police called?

What is the follow-up plan? Does anyone else need to be notified? Will the situation need monitoring? Would you like someone to call you to discuss this situation?

Submitted by: _____ Telephone number _____

Location and address: _____

Signature: _____ Date _____

Reviewed by: _____

****Once completed, please mark the notice as confidential and mail to the Bishop at The Episcopal Center.***

Appendix C: Sample Application Form, Code of Conduct, and Acknowledgment, Release and Signature

Instructions: Please complete all of the questions accurately and fully. Attach additional sheets if needed.

Today's Date: _____

Name: _____

Street address: _____

City: _____ State: _____ Zip: _____

How long at current address: _____

Phone: Home (_____) _____

Work (_____) _____

Best Time to Contact You: _____

E-Mail Address: _____

Are you legally eligible to work in this country?

___ Yes ___ No

Note: If you are chosen for a paid position, you will be required to show documents verifying your employment eligibility and identity to complete the INS Form I-9 as required by the Immigration Reform and Control Act.

Please list your addresses in the past five years:

For what position are you applying? _____

What interests you about the position for which you are currently applying? _____

What has prepared you for the position for which you are currently applying? _____

Employment history- Please complete for your prior employers, covering the past ten years.

Dates of employment (Start with most recent)	Company name and address (City, State Zip)	Immediate supervisor name and phone number	Position held	Reason for leaving position
Started ___/___/___ Ended ___/___/___				
Started ___/___/___ Ended ___/___/___				
Started ___/___/___ Ended ___/___/___				

Started ___/___/___				
Ended ___/___/___				

Volunteer experience

Organization	Duties	Dates	Contact	Phone

Educational history

Name of School	Address (City, State Zip)	Type of School	Name of Program or Degree	Program completed?

References

Reference Name	Address (City, State, Zip)	Daytime Phone	How long have you known this person?	Relationship to You
Professional/Civic				
Professional/Civic				
Personal				
Personal				
Family member				

Have you ever been accused of physically, sexually or emotionally abusing a child or an adult? _____

If yes, please explain. _____

Code of Conduct for the Protection of Children and Youth

Read and initial each item to signify your agreement to comply with the statement.

___ I agree to do my best to prevent abuse and neglect among children and youth involved in church activities and services.

___ I agree not to physically, sexually or emotionally abuse or neglect a child or youth.

___ I agree to comply with the policies for general conduct with children and youth defined in the *Safe Church Policy*.

___ I agree to comply with the Guidelines for Appropriate Affection with children and youth.

___ In the event that I observe any inappropriate behaviors or possible policy violations with children or youth, I agree to immediately report my observations.

___ I acknowledge my obligation and responsibility to protect children and youth and agree to report known or suspected abuse of children or youth to appropriate church leaders and state authorities in accordance with the *Safe Church Policy*.

___ I understand that the church will not tolerate abuse of children and youth and I agree to comply in spirit and in action with this position.

ACKNOWLEDGMENT, RELEASE AND SIGNATURE

To the best of my knowledge, the information contained in this application is complete and accurate. I understand that providing false information is grounds for not hiring me or choosing me for a volunteer position or for my discharge if I have already been hired or chosen.

I authorize any person or organization, whether or not identified in this application, to provide any information concerning my previous employment, education, driving record, criminal conviction record, sexual offender registry or other qualifications for my employment or volunteering. I also authorize _____ (*church or organization name*) to request and receive such information.

If hired or chosen, I agree to be bound by _____ (*church or organization name*) policies and procedures, including but not limited to the *Safe Church Policy* and **Code of Conduct for the Protection of Children and Youth**. I understand that these may be changed, withdrawn, added to or interpreted at any time at the sole discretion of the Diocese of Minnesota and without prior notice to me.

If hired or chosen, I agree to attend the educational training that is required for my position under the *Safe Church Policy*.

I understand that my acceptance for employment or volunteering is contingent upon satisfactory results from background checks as required under the *Safe Church Policy* and that in conjunction with any background checks, I may be required to provide my social security number, driver's license number and/or date of birth.

I also understand that my employment or volunteering may be terminated, or any offer or acceptance of employment or volunteering withdrawn, at any time, with or without cause, and with or without prior notice at the option of _____ (*church or organization*) or myself.

Nothing contained in this application or in any pre-employment or pre-volunteering communication is intended to or creates a contract between myself and _____ (*church or organization*) or the Diocese of Minnesota for either employment, volunteering or the providing of any benefit.

I have read and understand the above provisions.

Signature

Date

Appendix D: Child Abuse Reporting Statute Summary and Minnesota Statute § 148A

Minnesota Statute §626.556 sets forth the mandatory reporting requirements under Minnesota law regarding minors. The following has been prepared to summarize the statutory reporting requirements in Minnesota.

A. Mandatory Reporters

Mandatory reporters are defined as being professionals or professionals' delegates who are engaged in the healing arts, social services, medical or psychiatrist treatment, child care, education or law enforcement and members of the clergy who received the information outside of their confessional role.

The term "professional's delegate" may be defined quite broadly and may include employees or volunteers working under the auspices of a professional who is engaged in one of the professional capacities listed above.

B. Basis for Reporting

A report needs to be made any time a mandatory reporter knows or has "reason to believe" that a child has been maltreated within the preceding three years.

Maltreatment of a minor includes the neglect, physical abuse or sexual abuse of a child inflicted by a person responsible for the child's care within the previous three years. A person responsible for a child's care includes individuals who are part of a family unit such as parents, guardians or are acting in a capacity similar to a parent or guardian or persons outside the family unit and are responsible for caring for the child including, but not limited to, teachers, daycare or nursery workers, baby-sitters, counselors, youth leaders or coaches.

Neglect of a minor occurs when a person responsible for the care of child fails: to provide necessary food, clothing, shelter or medical care (unless the person responsible for the care of the child in good faith depends upon spiritual means for treatment unless such dependence may seriously endanger the child's health) when reasonably able to do so; to protect a child from conditions or actions which imminently and seriously endanger the child's physical or mental health when reasonably able to do so; and to ensure that a child is educated in accordance with state law. Neglect also includes prenatal exposure to controlled substances used for a nonmedical purpose.

Physical abuse occurs when a person responsible for the care of a child intentionally inflicts or threatens to inflict physical or mental injury to a child under his or her care.

Sexual abuse under the mandatory reporting statute means the subjection of a child to any act which constitutes a violation of certain statutory criminal sexual contact by a person who has a significant relationship to the child, (generally persons who are related to the child by blood, marriage, or adoption, or adults who jointly reside in the same dwelling as the child), or by a person in a position of authority to the child (generally a person charged with parental rights or responsibilities for the health, welfare, or supervision of a child, no matter how briefly, at the time of the act). Sexual abuse also includes any act which involves a minor which constitutes any sexual offense in any degree, including prostitution. Sexual abuse includes threatened sexual abuse.

C. Timing of the Report

The mandatory reporting statute dictates that persons who are mandatory reporters, and know or have reason to believe that a child has been maltreated, “shall immediately” report the information to an appropriate authority.

A written report may then be required within 72 hours, exclusive of holidays or weekends, to the appropriate reporting authority if the authority has informed the reporter that the information provided to it by the reporter requires a written follow-up report.

D. Making a Report

Initially, a report can be made by oral communication to an agency or department authorized by the mandatory reporting statutes to receive the reports. Authorized agencies and departments include local welfare agencies, police departments or county sheriff’s offices.

E. Failure to Report

A mandatory reporter may be found guilty of a misdemeanor if he or she is found to have had a sufficient basis to make a report but failed to so.