

SAFE CHURCH POLICY

CHRIST CONGREGATIONAL CHURCH UNITED CHURCH OF CHRIST

Adopted November 11, 2007 and Amended May 4, 2009

Amended May 9, 2011

I. PREFACE

This policy is a living document guiding the authorized ministers, staff, volunteers, and congregation of Christ Congregational Church (CCC), United Church of Christ in the area of sexual misconduct. This policy recognizes and upholds relevant state and federal laws dealing with sexual misconduct and exploitation and also sets guidelines for prevention and intervention procedures within Christ Congregational Church, United Church of Christ. It is intended that this document be subject to review and/or revision at least every three to five years. In the event this policy is applied in any of its procedures, this policy shall automatically undergo review within one calendar year by a committee designated by the Executive Council.

II. POLICY STATEMENT

CCC, United Church of Christ is committed to nurturing a respectful, healthy, and safe congregational life. Within the wider United Church of Christ, a commonly held value posits that an individual in a position of authority or responsibility should not use his/her position, power, or authority to exploit another person. Sexual misconduct, in particular, does not contribute to a healthy congregational life. Thus, Christ Congregational Church hereby adopts and affirms the following policy on sexual misconduct:

- A. Sexual misconduct by any person in a position of power or authority in CCC with a member of CCC or a participant in CCC activities violates the values of CCC, is unethical, and should be subject to disciplinary action.
- B. Every reasonable effort will be made to bring any sexual misconduct to an end.
- C. Every report of sexual misconduct will be taken seriously.
- D. All persons involved in an allegation regarding sexual misconduct will be treated with compassion, sensitivity and concern.
- E. The confidentiality of persons and the specifics of an allegation will be maintained in so far as possible
- F. The right of all persons to obtain justice in a fair ecclesiastical hearing will be respected.
- G. There is always a presumption of innocence until allegations are proven.

- H. This document sets forth an ecclesiastical, not civil, process.
- I. Education and training will be provided for all paid and volunteer staff, including clergy and lay leaders, on sexuality and boundaries.

III. PURPOSE OF THE POLICY

- A. To diminish the likelihood of a sexual misconduct incident.
- B. To minimize the pain, hurt, and suffering experienced by all who are victimized by sexual misconduct and allegations of sexual misconduct.
- C. To discern the truth and take action that will result in healing and justice.
- D. To reconcile broken relationships and restore persons to community through grace and forgiveness based on healing and justice.

IV. SCOPE

- A. This policy applies to all current and former employees, members, and participants in the life of CCC, United Church of Christ.
- B. This policy covers the interaction of current and former employees, members, and participants both on the church premises and while away from the church building on activities related to the church.
- C. This policy understands that persons authorized for ministry should be held to an ecclesiastical standard and that any subsequent use of this policy is for an ecclesiastical, not civil, process. It understands, also, that misconduct on the part of staff or volunteers requires a different yet specific process within our local church structure.

V. DEFINITIONS

A. WHO IS A MINOR

- 1. A person under the full legal age of eighteen.
- 2. A youth who is eighteen but still in high school.

B. WHAT IS SEXUAL MISCONDUCT

- 1. Conduct by a person in a position of authority or power which takes advantage of the vulnerability of another person by boundary-crossing behavior of a sexual nature.
- 2. Sexual exploitation of another individual by a person in a position of authority or power.
- 3. Sexual harassment of another individual by a person in a position of authority or power.
- 4. Sexual activity between an adult in a position of authority or power and a minor.

C. WHAT IS SEXUAL EXPLOITATION

1. Sexual activity or contact (not limited to sexual intercourse) in which a person in a position of authority or power takes advantage of the vulnerability of another person for his/her own pleasure or gain.

D. WHAT IS SEXUAL HARASSMENT

1. Subtle sexual suggestions, coercive sexual demands, inappropriate physical contact that is one-sided, unwanted, unwelcome, and persistent (*e.g.*, hugging, tickling, kissing, and unusual gift-giving) and other behaviors fostering an offensive environment.
2. The use of one's authority or power, either explicitly or implicitly, to coerce another into unwanted sexual relations, or to punish another for his/her refusal; or, the creation of an intimidating, hostile, or offensive working environment through verbal, physical, or electronic conduct of a sexual nature.

E. WHAT IS SEXUAL MISCONDUCT BY CLERGY AS DEFINED BY THE POLICY OF THE CENTRAL ATLANTIC CONFERENCE, UNITED CHURCH OF CHRIST (See the Central Atlantic Conference website for the full policy: www.insuranceboard.org)

1. It is sexual misconduct when any authorized minister engages in sexual contact or sexualized behavior with, or the sexual harassment of, any person with whom there is a professional ministerial relationship.
2. Because the ministerial office in the United Church of Christ is one involving formal authorization, a minister is inherently in a position of power and authority relative to parishioners, clients, students, and others. Conversely, those with whom the minister is in a ministerial relationship are vulnerable relative to that power and authority.
3. Sexual contact, sexualized behavior or sexual harassment by the clergy within the ministerial relationship is a violation of ethics because an authorized minister is always in a position of authority and power over those being served.

F. WHO IS AN AUTHORIZED MINISTER

1. Any person who holds standing as an ordained minister in the Potomac Association, Central Atlantic Conference, United Church of Christ.
2. Any person who holds standing as a commissioned minister in the Potomac Association, Central Atlantic Conference, United Church of Christ.
3. Any person who holds standing as a licensed minister in the Potomac Association, Central Atlantic Conference, United Church of Christ.

G. WHAT IS ADMINISTRATIVE LEAVE

1. A granted period of time away from pastoral or staff responsibilities in the local church during which the church continues to pay full salary and benefits.
2. A granted period of time to allow a proper investigation and, if necessary, adjudication of an allegation of sexual misconduct against an authorized minister through the policies and procedures of the Central Atlantic Conference.

3. A granted period of time the purpose of which is to create a safe and unthreatening environment in which all parties may be heard.

H. WHAT IS LIMITING ACCESS

1. A means by which the church attempts to make safe a child, vulnerable adult, or accuser by limiting contact with either an accused authorized minister, staff or volunteer.
2. A means by which the church seeks to enable a fair and just hearing of the allegations, and any potential investigation, disciplinary review, and/or adjudication.

VI. PROCEDURE FOR REPORTING AND INVESTIGATING ALLEGATIONS OF SEXUAL MISCONDUCT

A. AGAINST AUTHORIZED MINISTERS

1. An allegation shall be reported to the Moderator and/or Senior Minister, if that person is not accused.
2. The Moderator shall report the allegation to the Central Atlantic Conference, United Church of Christ. The Conference will intervene as outlined in the most recent edition of the Clergy Sexual Misconduct Policy & Procedure for Response. (A copy is available in the church office.) This procedure provides that the response shall occur as "soon as possible," usually within hours, and details the complete investigative procedure including the interviewing of all parties.
3. The Church Response Team, comprised of the Moderator and one representative each from the Board of Deacons, the Board of Trustees, and the Personnel Committee, shall work with the Conference Response Team.
4. If action is indicated, a recommendation shall be made to the Executive Council of CCC, United Church of Christ, within ten days of the completion of the investigation procedures.
5. In the event that an allegation is first reported to the Central Atlantic Conference and/or the Misconduct Policy Coordinator, the Conference Policy shall automatically be in force once the Moderator and/or Senior Minister is informed and the Church Response Team is activated.

B. AGAINST STAFF OR VOLUNTEERS

1. An allegation shall be reported to the Senior Minister, Associate Minister, Moderator, or Chair of the Personnel Committee.
2. The person receiving the report shall contact the Central Atlantic Conference, United Church of Christ, for consultation and guidance in investigation and response. The investigation and response shall occur as soon as possible and shall include interviews with all parties.
3. The Church Response Team shall be composed of the Senior Minister, Associate Minister, and one representative each from the Board of

Trustees and the Personnel Committee. As necessary, the Response Team shall consult with the Central Atlantic Conference.

4. The Church Response Team shall interview the accuser(s), the accused, and other individuals having relevant information. All interviews shall be conducted in a timely manner, treat the allegation(s) seriously, and be sensitive to the needs for confidentiality and the welfare of all involved. The purpose of these interviews shall be to listen to all parties involved and gather information that will be used for intervention and resolution of the matter. In every case, the Church Response Team shall take careful notes of the interview. The written record of an interview shall be shared with the person interviewed. That person shall be invited to offer written comments for the record.
5. The Church Response Team shall report its findings to the Personnel Committee and Moderator with its recommendations.
6. The Church Response Team shall give all written documentation to the Church Administrator for safekeeping after all proceedings are completed. The Church Administrator shall keep such documentation in a manner that ensures strict confidentiality.

C. LEGAL REQUIREMENT FOR REPORTING ABUSE OF CHILDREN AND VULNERABLE ADULTS WITHIN THE CONTEXT OF CHURCH PROGRAMS

1. Mandated reporters who know or have reason to believe that a child under the age of 18 has been subject to abuse/neglect are required by law to report that information to the Office of Child Protective Services in Montgomery County at 240 777 4417. (Note: Any employee who works with children or their families in Maryland is a mandated reporter.)
2. Any person reporting in good faith is immune from criminal or civil liability for that report.
3. People who work in a volunteer capacity with children or families and who know or have reason to believe that a child has been subject to abuse/neglect are strongly urged to inform a minister or appropriate staff in order to report that information as outlined below. (Volunteers are not mandated reporters)
4. The Board of Trustees shall, when appropriate, ensure that CCC's insurance company is notified.

D. SEXUAL ABUSE OUTSIDE THE CONTEXT OF CHURCH PROGRAMS

1. Church staff and volunteers who know or have reason to believe that a child or vulnerable adult has been subject to sexual abuse outside the context of church programs (at home or elsewhere) should report the abuse to the Senior and/or Associate Minister for a pastoral response and potential legal response.
2. Allegations of abuse outside the church programs should be reported to the Montgomery County Child Protection Services (240-777-4417) or to the police (301-565-5835) by the senior and/or Associate Minister.

E. STATUS OF ACCUSED DURING INVESTIGATION AND ADJUDICATION

1. In the case of an authorized minister, after interviews with the accuser(s) and accused are completed, the Church Response Team and the Misconduct Policy Coordinator of the Central Atlantic Conference may, if they deem it necessary, discuss with the CCC Executive Council the immediate steps, such as restricting the clergyperson's ministerial activity or placing him/her on Administrative Leave, that may be desirable to protect persons from potential abuse pending further investigation and adjudication of the allegation.
 - a. If an Authorized minister is placed on Administrative Leave, such leave shall be with full pay and without prejudice regarding the allegations.
 - b. It is the responsibility of the Executive Council in consultation with the Church Response Team to determine the appropriate action to be taken.
 - c. It may be necessary to review this determination from time to time if circumstances warrant.
2. In the case of an employee/staff person accused of sexual misconduct, after interviews with the accuser(s) and accused are complete, the Church Response Team may, if it deems it necessary, discuss with the Board of Trustees the immediate steps, such as placing the individual on Administrative Leave, that may be desirable to protect persons from potential abuse pending further investigation and adjudication of the allegation.
 - a. Placement of an employee/staff person on Administrative Leave shall be with full pay and without prejudice regarding the allegations.
 - b. The church shall assume all expenses for temporary coverage of the duties of the employee/staff person.
 - c. As in any other case, access of the accused to the accuser shall be limited in the church setting.
3. In the case of a volunteer accused of sexual misconduct, the Church Response Team, after interviews with the accuser(s) and accused are complete, may, if it deems it necessary to protect persons from potential abuse pending further investigation, direct the volunteer to cease his/her volunteer activities. Such an action shall be without prejudice regarding the allegations.
 - a. The church shall assume all duties of the volunteer.
 - b. As in any other case, access of the accused to the accuser shall be limited in the church setting.
4. The Church Response Team shall report any potential legal violations to the proper authorities and to the Board of Trustees, so that the Board may ensure CCC's insurance company is notified.

VII. RESPONSE TO ALLEGATIONS

A. GENERAL RESPONSE

1. Disciplinary actions shall be designed to achieve the following goals:
 - a. Prevention of further misconduct
 - b. Attention to the needs of the victim
 - c. Acceptance of guilt and offering of repentance by the offender
 - d. Education on policy
 - e. Redemption
 - f. Healing of the victim, the offender, and the congregation

B. DISCIPLINARY ACTION INVOLVING AUTHORIZED MINISTERS

1. The Church & Ministry Committee of the Potomac Association, Central Atlantic Conference, United Church of Christ, shall decide on standing.
2. The CCC Executive Council shall decide on an employment recommendation to the congregation based on the outcome of the Church & Ministry Committee's decision regarding standing, and in keeping with the Constitution and Bylaws of CCC, United Church of Christ.

C. DISCIPLINARY ACTION INVOLVING CHURCH EMPLOYEES/STAFF

1. The Personnel Committee in consultation with the Senior Minister and Moderator shall make recommendations for decision by the Board of Trustees on the appropriate disciplinary action, up to and including dismissal.

D. DISCIPLINARY ACTION INVOLVING VOLUNTEERS

1. The Personnel Committee in consultation with the Senior Minister shall decide on the appropriate disciplinary action, up to and including relieving the volunteer of his or her roles and responsibilities.

E. MINISTRY TO THE VICTIM AND REPORTERS

1. The Church Response Team will initiate and coordinate efforts to provide counsel and support needed and/or requested by the victim and reporters.
2. Confidentiality of the victim(s) will be maintained as far as possible. The victim(s) name(s) and gender shall not be printed in any written accounts of meetings or communications to the church as a whole without permission.

F. MINISTRY TO THE CONGREGATION

1. Where there has been sexual misconduct by an authorized minister, the Church Response Team will coordinate with the Conference and Association to identify resources for ministering to the congregation.
2. Where there has been sexual misconduct by staff/employee or volunteer, the minister(s) and the Church Response Team will work with the Conference and/or Association in determining ways of ministering to the congregation.

VIII. RESPONSE TO UNSUBSTANTIATED ALLEGATIONS OF SEXUAL MISCONDUCT

A. AUTHORIZED MINISTERS

1. If it has been determined by the Church Response Team and the Misconduct Policy Coordinator of the Central Atlantic Conference that there is no merit to the allegations (as described in the Conference Policy), then the accuser(s) and the accused, as well as the Moderator and the Executive Council, shall be so notified in writing, with sensitivity paid to those who have brought the allegations, as well as the pain experienced by the accused and her/his family.
2. Upon direction by the Executive Council, the Church Response Team shall meet with the accuser(s) and accused, either separately and/or together, to develop a mutually acceptable plan for bringing closure to the situation. Such a plan shall include provision for exoneration and restoration of those involved back into the church family.

B. EMPLOYEE/STAFF AND VOLUNTEERS

1. If it has been determined by the Church Response Team that there is no merit to the allegations of sexual misconduct against an employee/staff or volunteer, the Moderator and the Senior Minister shall meet with the accuser(s) and the accused to bring closure and exoneration to the matter and to seek a restoration of relationship within the church family.

IX. PREVENTION AND EDUCATION

A. BACKGROUND CHECKS

1. The United Church of Christ requires that all Ministerial Profiles include a background check. The Pastoral Search Committee shall review the information provided before presenting a candidate to the congregation of CCC, United Church of Christ, for consideration.
2. A background check regarding sexual misconduct shall be required for all other paid personnel of CCC. Such personnel shall complete and sign the form set forth as Attachment "B." The Personnel Committee shall use this form to conduct a National Sex Offender Registry check. All paid employees shall receive a copy of the CCC Safe Church Policy.
3. Volunteers who work with children, youth, or vulnerable adults in the church shall complete and sign the form set forth as Attachment "B". For those who work with children, this form shall be used to conduct a National Sex Offender registry check. These forms, updated annually, shall be kept on file in the church office. An abridged copy of the CCC Safe Church Policy shall be available to all volunteers.

4. Background checks for staff and volunteers will include the following steps:
 - a. The Personnel Committee in consultation with the **appropriate boards, program paid and volunteer staff and senior staff members** will process every teacher including nursery volunteers through the National Sex Offenders Registry every three years.
 - b. The Personnel Committee in consultation with the Board of Christian Education will complete Motor Vehicle Report checks on all individuals who provide transportation of another person's children or youth. (See Attachment "A")
 - c. The Personnel Committee in consultation with the Board of Christian Education will initiate a staged process of criminal background checks on key individuals working with children/youth. Background checks will be repeated every 3 years. .
 - d. Criminal background checks will be completed on all paid employees every three years.
5. The Church Administrator shall maintain files on background checks in a manner that ensures strict confidentiality.

B. EDUCATIONAL PROGRAMS

1. Appropriate Safe Church education for people of all ages at Christ Congregational Church, United Church of Christ, will be provided.
 - a. Programs on sexuality including sexual abuse awareness and sexual misconduct policies shall be included in the church's educational program.
 - b. It shall be the responsibility of the Board for Christian Education to develop a plan for educational programs involving volunteers.
 - c. This plan shall be carried out at least every two years and more often when necessary.
2. The Personnel Committee shall have the responsibility to provide training seminars for the staff sponsored by the church, the Central Atlantic Conference or others on sexual misconduct issues. Training sessions shall be provided at the beginning of employment and every three years.
3. Changes in the laws relating to required reporting of abuse of children or vulnerable adults shall be made known to staff and volunteers by the Personnel Committee.

C. POLICIES REGARDING SUPERVISION AND RATIOS

1. Every effort should be made to not have a child/youth be transported alone in a vehicle by a staff member/volunteer. In the event that transport of a single child/youth is necessary by one staff member or volunteer, a call shall first be made to a parent/guardian to secure permission, with an acknowledgement of the time for leaving and estimated time of

transport. Written permission by a parent/guardian acknowledging their consent to transportation arrangements is advisable.

2. Programs on site at 9525 Colesville Road, including Sunday church school and vacation church school, shall be supervised by Safe Church-trained adult volunteers. It is desirable that classes be team taught, with at least two adults present. At least one adult on the team shall be a CCC member. Youth volunteers may assist with programs and should be supervised at all times. Program leaders must either be members of CCC or be active participants in CCC for at least twelve consecutive months, be recommended by a CCC member, and complete the application/disclosure form. A person serving in a church school supervisory capacity shall visually check in with each church school class Sunday mornings. Desirable Teacher/student ratio should be infants 2:6; two's 2:12; three's 2:16; and four's plus 2:20.
3. Off site events require that two or more adults accompany the children or youth. A 2/5 ratio is desirable for children and a 2/8 ratio for youth. Two thirds or more of the adults supervising a given off site activity must have been members of CCC for at least twelve months.
4. Activities (such as camping or certain games) between adults and children/youth in secluded areas, particularly in one-to-one pairings, are discouraged. In instances where one-to-one conferencing is necessary between an adult and child or youth, a second adult must be visibly present.