

**SAMPLE PRESBYTERIAN CHURCH'S
POLICY ON SEXUAL MISCONDUCT
AND CHILD PROTECTION**

I. PURPOSE

God has created us in God's own image and thus has made us equal in Christ. The Church, through the power of the Holy Spirit, was created and is meant to be a reflection of our relationship to one another and to God. The Church believes that God intends all men, women and children to have worth and dignity in all relationships. Through the sacrament of Baptism, the Church promises to love, protect, encourage, and support, and to teach all to know and follow Christ.

We believe that Sample Presbyterian Church is a place where children, youth, adults, and the elderly can join together for worship, fellowship, service, and education in the name of Jesus Christ. Because of that belief and our baptismal promise, we must maintain a safe environment within our community, where people of all ages can be accepted and loved.

We believe that the increase in incidents of sexual misconduct in the larger church and in our society threatens the community. We recognize that we have a responsibility to our faith, our society, and our local community to send a clear message: Sexual misconduct, in any form, is not acceptable in the eyes of God.

The purpose of this policy is to make clear the Church's position on sexual misconduct and to establish the procedures to be followed in investigating and resolving instances where misconduct is alleged to have occurred and to demonstrate our absolute and unwavering commitment to the physical safety and spiritual growth of all. Sexual misconduct is an abuse of power. Religious leadership involves a covenant relationship that presumes the trustworthy exercise of power in behalf of those in our care. A betrayal of this trust reflects a tragic breakdown in the character of the abuser that seriously threatens, not only those immediately affected, but the well-being of the Church itself. For the victim it is unjust and a personal tragedy. Charges of sexual misconduct must be dealt with swiftly, fairly, and with compassion for the accused, the accuser and the victim.

II. POLICY STATEMENT

It is the policy of Sample Presbyterian Church that it is not acceptable for persons in ministerial positions or in positions of leadership in our church community to engage in sexual misconduct as defined in this policy. This group includes, but is not limited to Pastors, Elders, Deacons, Christian Educators, Support Staff, Church School Teachers, Nursery School Staff, Youth Fellowship Advisors, Music Directors and Church Committee Members. Sexual misconduct is a violation of the principles set forth in Scripture and is never permissible. Attendance at a training session will be required for all individuals covered by this policy and failure to attend such training will result in dissolution of the relationship. Acknowledgment of receipt of this policy is also required.

This policy is not meant to cover private social relationships.

III. DEFINITION

Sexual misconduct is any offense involving sexual conduct in relation to:

- Any person under the age of eighteen years or anyone over the age of eighteen years without mental capacity to consent, or
- Any person when the conduct includes force, threat, coercion, intimidation, or misuse of office or position (D-10.0401a)

IV. PROCEDURES FOR REPORTING ALLEGATIONS OF SEXUAL MISCONDUCT

Reports of sexual misconduct are often difficult to make and to hear because we all want the Church to be a safe and sacred place. However, we cannot take any report of sexual misconduct lightly. We must always maintain a concern for the victim, the accuser, the accused and the Church. All reports will be treated confidentially and submitted to the appropriate legal and ecclesiastical authorities.

All persons must, under Pennsylvania State Law (§ 3490.11), make a report of suspected child sexual abuse. The incident must be reported immediately to the PA Department of Public Welfare-ChildLine at (800) 932-0313 or to the County office of the County in which the suspected abuse has occurred. (See County offices in "Reporting Sexual Misconduct")

All persons must comply with State and Local laws regarding incidents of actual or suspected child sexual abuse.

Allegations of sexual misconduct other than instances of child sexual abuse also must be reported and not taken lightly. Attempts to resolve accusations informally, while understandable, have often resulted in covering up the problem temporarily, allowing the accused to continue to victimize others and reinforcing the trauma to the victim. Reports of alleged sexual misconduct should be made to the Clerk of Session; ideally such reports should be made in writing by the victim after he/she has attempted to resolve the situation with the accused. It is recognized, however, that the victim may not be able to confront the accused or provide a written report of the situation so these

actions are not required in order to initiate an investigation. However, any report of sexual misconduct made by a third party must be made in writing.

The Clerk of Session, upon receiving notification of an alleged offense, shall immediately establish a special disciplinary committee consisting of a minimum of three members of the Session. Such committee will not have the responsibility of dealing directly with needs of the persons and groups affected by such allegations; rather it shall coordinate the Church's response to such allegations, including the following:

- consult with appropriate staff, officers and committees of the Church concerning appropriate ways to meet the needs that arise in the context of a sexual misconduct case and who is responsible for each task.
- provide or arrange for training for persons serving the Church to provide the tasks listed below.

Note that Ministers are not included as members of the special disciplinary committee convened by the Clerk of Session so that they are available to serve in the counseling roles outlined below.

Tasks to Be Addressed:

1. Required reporting to insurance carriers, appropriate Local, State or Federal authorities if the allegations involve the abuse of a minor child or other criminal behavior
2. Contact with the accuser and/or alleged victims and family as part of the investigation as well as to provide pastoral care (i.e. counseling, advocacy)
3. Contact with the accused and family as part of the investigation as well as to provide pastoral care (i.e. counseling, advocacy)
4. If an allegation of sexual misconduct is made against a minister, the Clerk of Session shall notify the Stated Clerk of the Presbytery and the provisions of the Philadelphia Presbytery Policy of Sexual Misconduct shall apply.

V. PROCEDURES FOR EDUCATING AND TRAINING OUR CHURCH COMMUNITY

Provide information about this policy in our regular annual training sessions for all persons covered by this policy.

1. For newly elected/ordained Elders, Deacons and members of Session Committees, a training session will be offered in the spring to correspond with the start of a new committee year. Only new Elders, Deacons and Committee members will be required to attend detailed training and sign an acknowledgment of receipt of the policy. Attendance at the training session is mandatory. Returning Elders, Deacons and Committee Members will be reminded that the policy is in force and that they are obliged to abide by it.

For new Sunday school teachers, SCEEP tutors, youth group advisors or other volunteers working with programs on a School Year calendar, a similar training session will be offered in the fall. Attendance is mandatory.

2. Provide information about this policy and procedures for identifying and reporting sexual misconduct to the congregation.
3. Reassure children, youth and parents that this behavior is not acceptable and that their safety is vital to our community.
4. Require that the Nursery School staff be in compliance with the Pennsylvania Department of Public Welfare Administrative Code for Child Care Centers.
5. The following guidelines for recruiting teachers (other than Nursery School teachers), youth advisors, music directors, and paid staff:
 - six month membership/affiliation with the church before participating actively in programs involving children or youth (not required for paid staff).
 - regular participation in training and orientation events
 - reference checks for all new paid staff must be completed before they begin working with children/youth
 - Background checks completed prior to teachers working with children
 - final approval of teaching appointments resides with the Christian Education Committee of the Session; at their discretion the Committee can approve, request additional information or decline an individual's application for a teaching position.
6. Items 1-5 will be implemented by the appropriate Session Committee and the Church Staff. The Management and Administration Committee will report to the Session annually regarding the implementation of the Sexual Misconduct Policy.

VI. CHILD CARE

1. **Nursery Log:** All children being cared for in a church building must be signed in and out by a parent or guardian, who will indicate if there are dietary restrictions, allergies, medication and whether diaper may be changed.
2. **Bathroom Procedure:** The child shall be escorted to the bathroom by an adult. The adult is to remain in the hallway while the child uses the toilet. If the child asks for help, then the adult may enter and assist.
3. **Windows in Classroom Doors and Open-Door Counseling** remove the secrecy and isolation sought by child abusers and to protect workers from false allegations of abuse.
4. **Parental Consent Forms** will be required for overnight activities at the church and activities off church property.
5. **A child is defined** as age 12 years and under.

**ACKNOWLEDGMENT OF RECEIPT OF
SAMPLE PRESBYTERIAN CHURCH'S
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AND CHILD PROTECTION**

I hereby acknowledge that I received a copy of _____ Policy on Sexual Misconduct on (date) _____. I have read the policy, understand its meaning and agree to conduct myself in accordance with this policy.

Signature

Date

Witness

G-4.0302 Mandatory Reporting

Any member of this church engaged in ordered ministry and any certified Christian educator employed by this church or its congregations, shall report to ecclesiastical and civil legal authorities knowledge of harm, or the risk of harm, related to the physical abuse, neglect, and/or sexual molestation or abuse of a minor or an adult who lacks mental capacity when (1) such information is gained outside of a confidential communication as defined in G-4.0301, (2) she or he is not bound by an obligation of privileged communication under law, or (3) she or he reasonably believes that there is risk of future physical harm or abuse.

All persons must, under Pennsylvania State Law (§ 3490.11), make a report of suspected child sexual abuse. The incident must be reported immediately to the PA Department of Public Welfare-ChildLine at (800) 932-0313 or to Children & Youth Services of Montgomery County at (610)-278-5800. All persons must comply with State and Local laws regarding incidents of actual or suspected child sexual abuse.

A person who, in the course of employment, occupation or practice of a profession, has reasonable cause to suspect, on the basis of medical, professional or other training and experience, that a child under the care, supervision, guidance or training of that person or of an agency, institution, organization or other entity with which that person is affiliated is a victim of child abuse, including child abuse by an individual who is not a perpetrator. It is not necessary for mandated reporters to determine if an individual is a perpetrator under the CPSL and a report shall be made to ChildLine regardless of the status of the individual. The only exceptions to this are in respect to confidential communications made with a member of the clergy or an attorney. Yes. The child need not come before you directly in your professional or official capacity, but must be under the care, supervision, guidance or training of an agency, institution, organization or other entity with which you are affiliated. In your personal life, you may report a case as a non-mandated reporter.

§ 3490.11. Reporting suspected child abuse.

(a) A person may make a report of suspected child abuse to ChildLine or a county agency if the person has reasonable cause to suspect that a child has been abused. Reports shall be accepted by ChildLine or the county agency regardless of whether the person identifies himself.

Any suspicions about child sex abuse, whether committed by a priest or pastor, or even a parent, should be reported immediately to local law enforcement and Children & Youth Services agencies. In Pennsylvania, the following agencies handle reports of child abuse, sexual and physical:

Bucks County:

24 Hour Child Abuse Reporting Hotline: 1-800-932-0313

Delaware County:

- Upper Darby Office: 610-713-2000
- Chester Office: 610-447-1000
- Sexual Abuse Center: 610-891-5258

Montgomery County: 610-278-5800

Philadelphia County: 215-683-4DHS