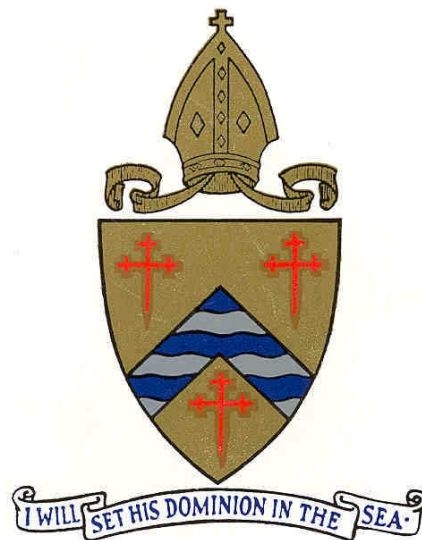


*Safe Churches
Ministry at the Beginning of the 21st Century*

Policies for the
Protection of all God's Children
in the

DIOCESE OF LONG ISLAND



Adapted from the Model Policies developed by
THE CHURCH PENSION GROUP

*These policies were adopted by the Diocesan Council, Diocese of Long Island
in April 1993 and revised in March 2008.*

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Disclaimer: The Diocese of Long Island and Church Pension Group provide these *Policies for the Protection of God's Children*, in the hope that they may assist dioceses, congregations, and other Episcopal entities in developing policies for the prevention of child sexual abuse, sexual harassment and exploitation in ministries and church activities for all God's people. They are intended as a guide, not a manual. They do not cover every issue that you may want to consider in the development of such policies, nor do they necessarily reflect in every aspect the laws of the State of New York. The Diocese of Long Island and the Church Pension Group are not engaged in giving legal or other professional advice or services by providing these *Policies*.

I. CODE OF CONDUCT FOR PROTECTION OF ALL GOD’S CHILDREN

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 all God’s people, especially our 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. This Code of Conduct has been adopted by the Diocese of Long Island to help the church create safe environments for children, youth, employees and volunteers and for those who minister to them. All Church Personnel are asked to carefully consider each statement in the Code and within the *Policies for the Protection of God’s Children* before agreeing to adhere to the statements and continue in service to the church.

Code of Conduct for Protecting God’s Children

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

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 a youth.

Church Personnel agree to comply with the policies for general conduct with children and youth as defined in the *Policies for the Protection of God’s Children from Abuse*.

All Church Personnel agree to comply with the *Guidelines for Appropriate Affection* 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 all God’s people and agree to report known or suspect abuse of children or youth to appropriate church leaders and state authorities in accordance with these policies.

Please reference Section IV A & B.

II. GENERAL DEFINITIONS

A. 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 (includes Sunday supply clergy, retired or otherwise).
2. All paid personnel whether employed in areas of ministry or other kinds of services by the diocese, its congregations, schools or other agencies. For example, sexton, administrator, secretary, youth minister, choir director, Christian Formation Director, school personnel.
3. Those who contract their services to the diocese, its congregations, schools or other agencies and that have regular access to children or the facilities.
4. Volunteers, including any person who enters into or offers him/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. Volunteers include members of advisory boards, vestries, Bishop's Committees, boards of directors, Sunday school teachers, nursery attendants, acolyte leaders, youth leaders, choir parents, etc.

B. 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 or older, but still in high school.

C. Regularly or Occasionally Work with or Around Children or Youth

Regularly Work With or Around Children or Youth

For the purpose of this policy, the following are included in the definitions 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 (includes Sunday supply clergy retired or otherwise).
2. All paid 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 volunteers who have keys giving them access to the buildings on the grounds except those who only occasionally access the building when little interaction with children or youth is likely (for example persons serving on the Altar Guild, ECW).
4. All persons who supervise or assist with supervising children or youth in ministries, programs or activities more often than occasionally, including teachers and assistants in day schools, church schools, pre-schools, and overnight or day camps.
5. All persons who provide transportation to children or youth more often than occasionally.

6. Any paid personnel whose living quarters are on the grounds of the church, school or other related agency.
7. All vestry members or other members of similar decision-making groups elected or appointed after December 31, 2005 who have the authority to approve the creation of ministries, programs or activities for children or youth.

Examples include, but are not limited to:

- Children's or youth choir directors
- Organists who work with children or youth
- Choir parents who assist with supervision of children or youth choir members
- Lay youth ministers
- Volunteer youth directors
- All Church Personnel who work or assist in the nursery more than three times a year
- All adult Church Personnel who work in the nursery, day school, before and after school programs, preschool programs.
- All staff, whether volunteer or paid, at church camps
- Adults who participate in overnight activities with children or youth

Occasionally Work with or around Children or Youth

For the purpose of this policy, the following are included in the definition of Church Personnel who *occasionally work with or around children or youth*:

1. 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).
2. All persons who provide transportation to children or youth infrequently, generally no more than three times a year.
3. All persons who work or assist in the nursery three or fewer times a year, whether on an emergency basis or otherwise.

It is understood that these individuals will work with and under the direction of a person who "regularly work with or around children or youth" and has received the training required under this policy.

D. Types of Abuse

- 1: *Physical abuse*** is non-accidental 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: ***Emotional abuse*** is mental or emotional injury to a child or youth, that results in an observable and material impairment in the child's or youth's growth, development or psychological functioning.
- 4: ***Neglect*** is the failure to provide for a child's or youth's basic needs or the failure to protect the same from harm.
- 5: ***Economic exploitation*** is the deliberate misplacement, exploitation, or wrongful temporary or permanent use of a child's or youth's belongings or money.
- 6: ***Unwanted Sexual Activity*** is any unsolicited or unwanted contact or activity of a sexual nature that occurs between children or youth.

III. SAFEGUARDS FOR CHILDREN, AND YOUTH

A. Screening and Selection

1. Any and all Church Personnel who ***regularly*** work with or around children/youth 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 the **Code of Conduct** (Section I).
 - b. **Criminal records check** in any state where the applicant has resided during the past seven (7) years, and other states, if any, as determined by the church.
 - c. **Sexual offender and predator 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** of persons outside the congregation who know the applicant, preferably who know how the applicant works with children or youth.
 - f. **Driving or motor vehicle records check** if the person may be transporting children or youth.
 - g. **The above shall be initiated prior to the start of service.**
2. Any and all Church Personnel who ***occasionally*** work with or around children, youth or the elderly 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 the Code of Conduct (Section I).
 - b. **Individual interview** with the applicant.
 - c. **At least one Reference check** of a person or persons outside the congregation who know the applicant, preferably who know how the applicant works with children or youth.
 - d. **Driving or motor vehicle records check** if the person may be transporting children or youth.
 - e. **Sexual offender and predator registry check** in any state where the applicant has resided during the past seven (7) years.
 - f. **The above shall be initiated prior to the start of service.**
3. 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 to work with children or youth.

4. Church Personnel who work with or around children or youth must have a personnel file that is kept where other church records are kept.
5. Criminal records checks and sexual offender and predator registry checks will be conducted every seven (7) years for Church Personnel who **regularly** work with or around children or youth.
6. To the extent possible, no person will be permitted to supervise an immediate family member without other adults present when working with or around children or youth. For the purpose of this policy, immediate family member is defined as spouse, child, parent, sister, brother, similar in-law relationship, stepchild, stepparent, stepsibling, or grandparent.
7. Church Personnel who transfer within the Diocese of Long Island 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 in Section A above. 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 child abuse prevention education and training is required for all Church Personnel [*see Sect. II A above*] who **regularly** work with or around children or youth before they start their work with children or youth or, if that is not possible, one hour of child abuse awareness training before they start their work and the rest of the training within three months of starting.
2. One hour of child abuse awareness education and training is required for all Church Personnel who **occasionally** work with or around children or youth before they start their work with children or youth or at least within three months of starting.
3. In the Diocese of Long Island, the approved training courses are *Safeguarding God's Children (CAP)* and *Safeguarding Online*.

C. 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. 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 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**.

Every program for children and youth must have established ratios for adults and children established by the Diocesan Council (for diocesan activities), Vestry (for congregational activities), or by the Board of Trustees of a church related institution such as a school, nursery, day care facility, or camp. Compliance with the established ratio is required at all times, including activities that occur off church premises. Recommended guidelines follow:

1. Church Personnel are prohibited from being alone with a child or youth or multiple children or youth where other adults cannot easily observe them or come to their assistance if an emergency occurs.
2. Church Personnel over the age of 21 must directly supervise Church Personnel under the age of 18 and be physically present during all activities.
3. Church Personnel are not permitted to develop new activities for children and youth without approval from the rector or canonical equivalent. The rector will consider whether the plan for a new activity includes adequate adult supervision.
4. Each program will develop age-appropriate procedures established by the Diocesan Council (for diocesan activities), Vestry (for congregational activities), or by the Board of a church related institution such as a school, nursery, day care facility, or camp, to ensure the safety of children and youth using restrooms and showers, baths, or swimming pools.
5. 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 will work in pairs.
6. At least two unrelated Church Personnel must supervise activities. To the extent possible, when both boys and girls are participating, male and female chaperones should 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 in order 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. The guidelines 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 person granting the exception as soon as possible.

1. All Church Personnel who work with children and youth must agree to comply with these 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 parents or legal guardians or those designated by them.
4. Church Personnel are prohibited from the use, possession, distribution, or being under the influence of alcohol, illegal drugs, or the misuse of legal drugs while participating in or assisting with programs or activities for children and youth.
5. Parents or 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.
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. They will avoid even the appearance of favoritism.
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.
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 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 material on or from the Internet, with children or youth.
13. Church Personnel are prohibited from sleeping in the same beds or sleeping bags with children or youth unless the adult is an immediate family member of all children or youth in the bed or sleeping bag. 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.
14. Church Personnel are prohibited from dressing, undressing, bathing, or showering in the presence of children or youth.
15. 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.
16. Church Personnel are prohibited from using harsh language, degrading punishment, or mechanical restraint such as rope or tape for behavior management.

17. 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.

IV. 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 *Policies for Protection of Children and Youth from Abuse*, 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 as follows:
 - a. A telephone call or meeting with the immediate supervisor of the person and the rector.
 - b. A telephone call or meeting with a church warden if the person is the rector;
 - c. A telephone call, meeting or written notice to the Bishop or the Deputy for Episcopal Administration;
 - d. Submission of a *Notice of Concern* (Appendix C) to the Immediate Supervisor, Rector and the Bishop's Office.
3. All reports of inappropriate behavior or policy violations with children or youth will be taken seriously.

B. Reporting of *Suspect 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 and to the Rector using the form provided in Appendix C.
2. Failure to report suspected abuse of children or youth is a crime. Reports may be made confidentially or anonymously. The State of New York provides immunity from civil liability for persons required to report suspected abuse in good faith and without malice. Simply stated, "in good faith" means that the person submitting the report believes what he/she is reporting to be true.
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 of their parish 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 to the Diocese of Long Island in the following ways:
 - a. A telephone call, meeting or written notice to the Bishop or the Bishop's Deputy for Episcopal Administration;
 - b. A telephone call or meeting with the rector, if the member of the clergy is not the person against whom the complaint is being made.

5. The Diocese of Long Island and all of our congregations and institutions 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 Long Island.

Appendix A. Guidelines for Appropriate Affection

The Diocese of Long Island is committed to creating and promoting a positive, nurturing environment for its 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.
 - Inappropriate or lengthy embraces.
 - Kisses on the mouth.
 - Holding children over three years old on the lap.
 - Touching bottoms, chests or genital areas other than for appropriate diapering or toileting of infants and toddlers.
 - Showing affection in isolated areas such as bedrooms, closets, staff only areas or other private rooms.
 - Occupying a bed with a child or youth.

- Touching knees or legs of children or youth.
- Wrestling with children or youth.
- Tickling children or youth.
- Piggyback rides.
- Hugs from behind.
- 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.
- Giving gifts of money to individual children or youth.
- Private meals with individual children or youth in non-public places.

Appendix B: New York State law requires reporting by:

[Soc. Serv. Law § 413 & § 423(1)(e),(6)]

- Physicians, physician assistants, surgeons, medical examiners, coroners, dentists, dental hygienists, osteopaths, optometrists, chiropractors, podiatrists, residents, interns, nurses, hospital personnel, emergency medical technicians, or Christian Science practitioners
- School officials, social workers, social services workers, daycare center workers, providers of family or group family daycare, employees or volunteers in a residential care facility, or any other childcare or foster care worker
- Psychologists, therapists, mental health professionals, substance abuse counselors, or alcoholism counselors
- Police Officers, district attorneys or assistant district attorneys, investigators employed in the office of a district attorney, or other law enforcement officials
- Any other person who has reasonable cause to suspect that a child is abused or maltreated may report
- Clergy – are not mentioned in NY State law as mandatory reporters

Statute Text: § 423(1)(e), (6)

Except as provided by law, the child protective service shall be the sole public agency responsible for receiving and investigating or arranging with the appropriate society for the prevention of cruelty to children to investigate all reports of child abuse or maltreatment made pursuant to law for the purpose of providing protective services to prevent further abuses or maltreatment to children and to coordinate, provide or arrange for, or monitor the provision of those services necessary to safeguard and ensure the child's well-being and development and to preserve and stabilize family life wherever appropriate.

A social services district may establish a multidisciplinary investigative team or teams, at a local or regional level, for the purpose of investigating reports of suspected child abuse or maltreatment. The social services district shall have discretion with regard to the category or categories of suspected child abuse or maltreatment such team or teams may

investigate, provided, however, the social services district shall place particular emphasis on cases involving the serious abuse of children. A multidisciplinary investigative team may include, but is not limited to, representatives from the child protective service, office of the district attorney or local law enforcement, the medical profession, public health agencies, mental health agencies, schools and medical facilities, including hospitals or other appropriate agencies or institutions, and personnel of any existing child advocacy centers. Notwithstanding any other provision of law to the contrary, members of a multidisciplinary investigative team may share with other team members client-identifiable information concerning the child or the child's family.

Appendix C. 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, and who was notified? If reported to the State, what was their recommendation about investigating?

Has this situation ever occurred previously? _____

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: _____

Submitted to: _____ Date: _____

Reviewed by: _____ Date: _____