

Second Congregational Church in Newcastle, UCC
Safe Church Policy and Procedures – Approved 1/25/2015

Policy Prohibiting Abuse, Exploitation and Harassment

As a community of Christian faith, Second Congregational Church in Newcastle, UCC (the Church) is committed to creating and maintaining programs, facilities and a community in which members, friends, staff and volunteers can worship, learn and work together in an atmosphere free from all forms of discrimination, harassment, exploitation or intimidation. All persons associated with the Church should be aware that the Church is strongly opposed to Sexual Exploitation and Sexual Harassment and that such behavior is prohibited by church policy.

Implementation

The described policies and procedures are to be implemented by the designated individuals or committees with overall administration and oversight being the responsibility of the Personnel Committee.

Definitions

Minister: a person authorized by the Church to carry out its ministry in the specific capacities of elected or appointed leaders of the Church, employees, or authorized volunteers, as well as Authorized Ministers, including but not limited to Sunday School teachers, nursery caregivers, youth group leaders and volunteers, and those who work with children and youth in music and drama programs.

Authorized Minister: a person who holds ordained ministerial standing or has been commissioned or licensed by an Association of the United Church of Christ or region of the Christian Church (Disciples of Christ). An Authorized Minister is one type of minister within the meaning of this policy.

Church Associate: a person or persons selected and approved by the Personnel Committee, in cooperation with the Senior Minister and whose primary responsibility is to protect the safety and welfare of the children attending church functions.

Ministerial Relationship: the relationship between one who carries out the ministry of the church and the one being served by that ministry.

Sexual Exploitation: developing or attempting to develop a sexual relationship between a Minister and an individual with whom the Minister has a Ministerial Relationship, whether or not there is apparent consent.

Sexual Harassment: any unwelcome behavior, verbal or physical conduct, advances, or requests for favors of a sexual nature that makes the recipient feel uncomfortable or threatened, or threatens the job security, work environment or advancement opportunities of an individual.

Ministerial Conduct

Consistent with our understanding of the priesthood of all believers, all Authorized Ministers, employees, elected and appointed lay leaders, and authorized volunteers are Ministers to the congregation.

It is important that every Minister to the Church be adequately prepared and educated for the ministry in which they serve others, and to understand the ways in which their use or misuse of authority may impact others.

It is the policy of the Church to encourage its Ministers to nurture safety within Ministerial Relationships by being attentive to self-care, education, maintaining appropriate boundaries, and the importance of referring those in need to supportive and helpful resources.

Sexual Exploitation or Sexual Harassment of parishioners or others by anyone engaged in ministry on behalf of the Church is unethical behavior and will not be tolerated within this congregation.

Requirements for Employees and Ministers to Children and Youth

Second Congregational Church in Newcastle, UCC is committed to providing a safe and healthy environment in which children and youth can learn about and experience God's love. In order to promote this, we have established the following guidelines in addition to the general requirements for ministry to the church.

- We expect that those Ministers who volunteer to work with or transport children under 18 years of age will be Members or Friends of the Church.
- Before beginning their duties, all Ministers who regularly work with or transport children under 18 years of age will submit both a signed Application Form (Exhibit A) and a Praesidium background check authorization form.
- Before beginning their duties, all prospective employees will submit both a signed Application and Disclosure Form (Exhibit B) and a Praesidium background check authorization form, be personally interviewed, and have their references checked by the Personnel Committee.
- The Personnel Committee will request a background check on Ministers and current and prospective employees from Praesidium, which includes a multi-state criminal background check and a national sex offender registry check. This background check will be paid for by the Church. Background checks may be repeated. This background check is to be undertaken annually.
- All employees and Ministers who regularly work with or transport children under 18 years of age will complete training as recommended by the UCC Insurance Board, currently Praesidium's Armatus online sexual abuse prevention training. Refresher training will be completed annually.
- All application and disclosure forms, and other records will be kept in a secure and confidential location. Background check documents are to be destroyed upon completion and use.
- If adverse action is taken against a prospective employee as the result of a background check, notice stating such along with a copy of the background check report and a copy of "A Summary of Rights Under the Fair Credit Reporting Act" is to be provided to the individual.
- Authorized Ministers of the Church will attend at least one boundary training workshop every 3 years.

Requirements for Transporting Children and Youth to and from Church Events

We have established the following guidelines for third party transportation of children under 18 years of age.

- The Church **requires** written permission of parents/guardians for transport of children under 18 years of age. Employees and Ministers will obtain written permission of one parent or guardian of a minor

for all activities off the church property, and for any overnight activities. See Exhibit C for a sample permission slip.

- Any person who transports children under 18 years of age to activities off church property must provide proof of a current driver's license and current required Maine automobile insurance coverage in advance. Drivers must be at least twenty-one years of age in order to carry participants to activities off church property.

Procedures for Handling Complaints of Sexual Exploitation or Harassment

I. Generally

A. Several approaches may be taken in addressing incidents of alleged sexual exploitation or harassment:

1. The complainant can attempt to resolve the matter directly with the individual accused of sexual exploitation or harassment.
2. The complainant can report the incident to a called minister, in an effort to resolve the matter informally.
3. If an informal resolution of the complaint does not seem wise, appropriate, possible, or does not succeed, the Personnel Committee will then be designated to address the complaint. The complainant can request that the Personnel Committee institute formal proceedings which will include the following steps:
 - The Personnel Committee will advise the Senior Minister and Moderator of the receipt of all complaints and will keep them apprised of ongoing steps and actions taken. If either the Senior Minister or Moderator is the subject of the complaint, this notice requirement will not apply as to that person.
 - The Personnel Committee will gather statements or other information in writing from the individuals involved (including complainant and accused) in the alleged exploitation or harassment and from others who may have pertinent information, such as qualified professional consultants.
 - Any individual accused of sexual exploitation or harassment will be notified in writing when a complaint has been filed and options being considered for resolution.
 - The Personnel Committee will make determinations and take actions appropriate to resolve the matter. These may include:
 - a. a finding that sexual exploitation or harassment has occurred, and that appropriate action should be taken; such action may include one or more of the following:
 - i. a formal reprimand, with defined expectations for changed behavior;
 - ii. a recommendation that an individual undergo psychological or psychiatric assessment, counseling and/or treatment;
 - iii. probation, with the terms of the probation clearly defined;

- iv. dismissal from employment or authorized volunteer position.
- b. a written finding that sexual exploitation or harassment did not occur, copies of which will be sent to all concerned parties and maintained in the confidential files.
 - The Personnel Committee may seek the advice of legal counsel. The Church and Ministry Committee of the MidCoast Association of the United Church of Christ may be contacted at (207) 846-5118 for specific resource recommendations.
- B. A confidential written summary of the Personnel Committee proceedings in such cases will be maintained.
- C. The complainant need not be the person(s) toward whom the inappropriate behavior is directed. Neither consent nor acquiescence will excuse or exonerate inappropriate behavior.
- D. In determining whether sexual harassment or exploitation has occurred, consideration will be given to the circumstances, including the context, in which the alleged incident(s) occurred.
- E. Any person bringing a sexual harassment or exploitation complaint or assisting in investigating such a complaint will not be adversely affected in terms and conditions of employment or church membership or affiliation, or otherwise discriminated against or discharged.
- F. If the complainant or accused individual is not satisfied with the disposition of the matter by the Personnel Committee, he or she has the right to appeal to the Moderator, (or to the Vice Moderator if the Moderator is the subject of the complaint), who shall refer the matter to the Board of Deacons for reconsideration. The decision of the Board of Deacons will be the final resolution of the matter. The Board of Deacons will document the appeal and make the appropriate written notification(s) as to the appeal outcome.

II. Child Abuse

Apart from any legal requirements, the Church will make a report to the appropriate authority, currently the Department of Health and Human Services of the State of Maine, if at any time the church has reason to believe that a minor may be an abused or neglected child. Any Minister of the Church who becomes aware that child abuse or neglect has occurred or believes that a substantial risk exists that child abuse or neglect may occur in the future, will immediately report the matter to the Senior Minister and Moderator so that the Church may take appropriate action. The State of Maine Child Abuse Hotline currently is: (800) 452-1999. Maine law states that certain people must report suspected abuse, neglect or exploitation of an adult if they believe the adult is incapacitated or dependent. Maine law also states that certain people must report to the Department if they know or have reasonable cause to suspect that a child has been or is likely to be abused or neglected.

III. Clergy

Apart from any disposition of the matter by the church, all allegations of behavior that call into question the fitness for ministry of any Authorized Minister will promptly be forwarded to the Church and Ministry Committee of the MidCoast Association of the United Church of Christ. Current contact

information for this Church and Ministry Committee may be obtained through the Maine Conference at (207) 622-3100.

IV. Registered Sex Offenders

As a community of faith, serving by the example of Jesus Christ, Second Congregational Church in Newcastle, UCC strives to attend to the needs of all who seek healing, redemption and fellowship among us. We shall be prepared to accept in our midst those who have violated the most sacred mores of our society at large, in order to provide them refuge, peace, example and support in their recovery and penitence. We commit to doing so with utmost care for the welfare of our congregation, collectively and individually, and the community we serve.

We accept that there are risks to be borne in our intentional association with and ministry to sex offenders who are considered outcasts among the community-at-large as evidenced by the many constraints placed upon their interaction with the community. We agree to honor the needs of the congregation and our community to have reasonable assurance that a sex offender in our care will not have an opportunity to re-offend as a result of lapses in our management of the offender.

We shall consider limited participation or membership of a sex offender in our congregation with utmost care which shall include the following elements:

1. Document understanding of the statutory limitations applying in the State of Maine to the movement and activities of a sex offender, taking into account the programs of the church or the operations of its tenants (including, but not limited to: Sunday School, nursery, youth group, intergenerational activities, seasonal camps and associations which serve children and “vulnerable adults”).
2. Consider the character of the crimes which have resulted in requiring an individual to register as a sex offender, the passage of time without repeated conduct or behavior and the risk and opportunity of re-offending that is presented by the particular programs of our congregation.
3. Document understanding of limitations and prohibitions placed upon the offender by courts and probation authorities. The opinion of a mental health professional regarding the suitability of the person to participate in the life of the church shall be obtained. In all cases where probation is in force, we shall obtain the explicit approval of and conditions of participation specified by the probation officer. A recommendation by law enforcement or mental health professionals to deny participation to an offender shall be followed in all cases. All documentation shall be maintained in written form.
4. Understanding that, with respect to a person who is an employee, volunteer or member, who has previously been convicted for acts of sexual misconduct as defined by insurance contracts, knowledge by church leaders and managers of such prior conviction will have the effect of voiding coverage for the individual employee, volunteer or member and for the church for future acts of sexual misconduct by that person.
5. Given that criminal convictions are a matter of public record, there shall be no expectation of secrecy on the part of the offender. As a condition of participation in our faith community, the offender must agree that the leadership of the church shall make it known to the members and friends of the congregation and all who are considering joining our church or youth group that we have accepted among us a registered sex offender. The conditions and limitations that apply to participation in the life of the church shall be known to all.
6. With the advice of legal counsel, and in all cases, the conditions of participation by a registered offender shall be defined by a Covenant Agreement. The Covenant Agreement will be written by the Personnel Committee, the Senior Minister, the Youth and Family Minister and a representative

chosen by the Board of Christian Education. The agreement will be executed by the offender and the Church. Such agreement shall be approved by probation authorities as may be necessary according to paragraph 3, above. The agreement shall be reviewed annually to validate ongoing eligibility. Violation of the agreement by the offender shall be cause for immediate cancellation of the agreement, revocation of membership, and prohibition from church property and events.

The following additional considerations shall apply:

Victims in the congregation – In such case as the victim of a RSO (registered sex offender) is a member of the congregation, employee or is a client of other services provided by the congregation, that RSO shall not be permitted to attend the church or church activities or be present on church premises.

Clergy-penitent privilege – “Clergy-penitent privilege” is a “Rule of Evidence” defining or limiting information which clergy may reveal in a court of law only. “Clergy penitent privilege” does not prevent clergy from informing the congregation of matters which may be relevant to their safety; it does not require clergy to hold information in secrecy.

Ordained clergy shall assume responsibility and take extraordinary care to understand the scope and limitations of clergy-penitent privilege in the State of Maine, and the parameters of confidence and privilege as defined by our denomination. Authorized clergy shall inform the leadership of the church of the general principles of confidence and privilege under which (s)he performs his/her clerical duties.

Church Associate – Conditions of limited access for a RSO will commonly require that the offender have a Church Associate while on the church premises or at church events elsewhere. Church Associates will be selected and approved by the Personnel Committee, in cooperation with the Senior Minister. It shall be the Church Associate’s primary responsibility to protect the safety and welfare of the children attending the church function in accordance with the church’s “Conflict of Interest Policy.” A person serving as a Church Associate shall not be a spouse, partner or relative of the offender. All Church Associates will complete training as recommended by the UCC Insurance Board, currently Praesidium’s Armatus online sexual abuse prevention training. Refresher training will be completed annually.

Approval & Supervision – With the recommendation of the Church Council, a Covenant Agreement with a RSO may be signed only by the Moderator. The annual eligibility review will be the responsibility of the Personnel Committee. This committee shall provide an annual written report to the Church Council, which will be published in the Annual Report of the Church.

The Senior Minister, in association with the Personnel Committee and the Church Associates, who shall be named in the Covenant Agreement, shall be responsible for the general supervision of the RSO in all of the latter’s activity in relation to the church. Elements of supervision shall include the following:

- Knowledge of the terms of the Covenant Agreement, including activity limitations placed upon the RSO.
- Knowledge of the RSO’s offense history sufficient to understand the risks of association with the church and its ministries.
- Willingness to assert activity limitations and to report any violation of restrictions placed upon the RSO.
- Willingness to intervene in any onset of a risky or problem behavior.
- Willingness to report all cases of non-compliance to the Senior Minister.

Professional privacy – Members who are employed in certain occupations may have a statutory obligation to maintain privacy around the criminal history of their clients who may also be parishioners. Such members shall decline to accept leadership roles which may put them in a position of decision-making regarding individuals who may be their professional clients.

Juveniles – While the criminal record of a juvenile is ordinarily concealed by the courts, the church may come to know the juvenile's history by other means. Honest disclosure by a juvenile and parents in the volunteer application and screening process may reveal that a record exists without knowing the specifics. While a Covenant Agreement will be required for the juvenile, as for others, every precaution will be taken to preserve the privacy and confidentiality which the law affords a juvenile.

Exhibit A

**Second Congregational Church in Newcastle, UCC
Application for Volunteers (age 16 and above)**

Date _____

Name _____

Address _____

Telephone Number _____

Email Address _____

Volunteer Job _____

Experience _____

Have you ever been convicted of a crime or sex offense? _____

Emergency Contact _____

Additional Comments _____

I acknowledge my receipt and understanding of the Second Congregational Church in Newcastle, UCC's Safe Church Policy.

(PRINTED NAME & SIGNATURE) _____ DATE _____

(PRINTED NAME & SIGNATURE OF PARENT OR GUARDIAN FOR APPLICANTS UNDER 18) _____ DATE _____

Exhibit B
Second Congregational Church in Newcastle, UCC
Employment Application and Disclosure Form

Name:	Last	First	Middle
Address:	Street	City/State	Zip Code
Daytime Phone	Evening Phone	E-mail	

Please list three references. Only one reference may be related to you.

Name:	Last	First	Middle
Address:	Street	City/State	Zip Code
Telephone	E-mail		

Name:	Last	First	Middle
Address:	Street	City/State	Zip Code
Telephone	E-mail		

Name:	Last	First	Middle
Address:	Street	City/State	Zip Code
Telephone	E-mail		

Have you ever been convicted of, or pled guilty or no contest to, a crime? (Exclude convictions that have been sealed, expunged or legally eradicated, misdemeanor convictions for which probation was completed and the case was dismissed, or offenses about which inquiry is not permissible in this state) ___ Yes ___ No

If yes, please briefly describe the nature of the offense(s), the date and place of conviction and the legal disposition of the case. (The church will not deny a position to any applicant solely because the person has been convicted of a crime. The church, however, may consider the nature, date and circumstances of the offense, as well as whether the offense is relevant to the duties of the position applied for.)

Has a civil lawsuit alleging actual or attempted sexual discrimination, harassment, exploitation, or misconduct; physical abuse; child abuse; or financial misconduct ever resulted in a judgment being entered against you, been settled out of court, or been dismissed because the statute of limitations has expired? ___ Yes ___ No

If yes, give a short explanation of the lawsuit. (Please indicate the date, nature, and place of the incident leading to the lawsuit; where the lawsuit was filed; and the precise disposition of the lawsuit.)

Have you ever terminated your employment, professional credentials, or service in a volunteer position or had your employment, professional credentials, or authorization to hold a volunteer position terminated for reasons relating to allegations of actual or attempted sexual discrimination, harassment, exploitation, or misconduct; physical abuse; child abuse; or financial misconduct? Yes No

If yes, give a short explanation. (Please indicate the date of termination; name, address, and telephone number of employer or volunteer supervisor; and nature of the incident(s) leading to your termination.)

Do you have a valid drivers' license? Yes No

With respect to your driving record, have you had your license suspended or revoked within the last five years due to reckless driving or driving while intoxicated and/or under the influence of a controlled substance? Yes No

Are there any facts or circumstances in your background that would call into question your serving in this position? If yes, please provide a brief explanation on the back of this disclosure form. Yes No

The covenants between the church and persons seeking employment in the church require honesty, integrity, and truthfulness for the health of the church. To that end, I attest that the information set forth in this application is true and complete. I understand that any misrepresentation or omission may be grounds for rejection of consideration for, or termination of, the position I am seeking to fill. I acknowledge that it is my duty in a timely fashion to amend the responses and information I have provided if I come to know that the response or information was incorrect when given or, though accurate when given, the response or information is no longer accurate.

Beginning such relationships with an open exchange of relevant information builds the foundation for a continuing and healthy covenant between employees and the church they seek to serve. To that end, I authorize Second Congregational Church in Newcastle, UCC and/or its agents to make inquiries regarding my character and qualifications, including all statements I have set forth above. I also authorize all entities, persons, former employers, supervisors, courts, law enforcement, and other public agencies to respond to inquiries concerning me, to supply verification of the statements I have made, and to comment on and state opinions regarding my background, character, and qualifications. To encourage such persons and entities to speak openly and responsibly, I hereby release them from all liability arising from their responses, comments, and statements.

Second Congregational Church in Newcastle, UCC's employment process involves the sharing of information regarding applicants with those persons in a position to recruit, secure, and supervise both the position I am seeking to fill and program I am seeking to participate in. To that end, I authorize Second Congregational Church in Newcastle, UCC and its agents to circulate, distribute, and otherwise share information gathered in connection with this application to such persons for these purposes. I understand that Second Congregational Church in Newcastle, UCC will share with me information it has gathered about me, if I request it to do so.

I acknowledge my receipt and understanding of the Second Congregational Church in Newcastle, UCC's Safe Church Policy.

(PRINTED NAME & SIGNATURE)

DATE

- Reference inquiries completed on _____
- Personal interview conducted on _____
- Background check completed on _____
- Sexual abuse prevention training completed on _____

Exhibit C

Parent or Legal Guardian Permission Slip

Student name: _____

Age: _____

E-mail: _____

Parents: _____

Parents' contact information:

Home phone: _____

Cell phone: _____

Other: _____

Medical Information:

Insurance Provider: _____

Policy number: _____

Family physician: _____

Office phone: _____

Allergies: _____

Any special needs: _____

It is agreed and understood that my son/daughter may participate and attend the youth group trip to (insert location, date(s), and times). Transportation will be by (specify type of transportation, if applicable). Lodging will be at (specify lodging arrangements, if applicable).

I will not hold the Second Congregational Church UCC in Newcastle, Maine or the Maine Conference UCC or the chaperones present liable for any accidents or injury incurred during this trip. All participants participate at their own risk.

In the event of accident or serious illness, I request the church to contact me. If the church is unable to reach me, I hereby authorize the church to make whatever arrangements seem necessary to secure emergency medical care for my child.

Signature: _____

Date: _____