

## **Respecting the Dignity of Children and Youth:**

### **Standards Concerning Sexual Misconduct and Child Abuse Prevention in All Entities of the Diocese of Arkansas**

(Adopted by Executive Council September 27, 2011)

It is the policy of the Diocese of Arkansas that sexual misconduct and child abuse will not be tolerated.

- The diocese (including all its entities) will do everything in its power to prevent the occurrence of sexual misconduct or child abuse.
- The diocese (including all its entities) will provide training and other opportunities to raise awareness of issues surrounding sexual misconduct and child abuse.
- The diocese (including all its entities) will respond appropriately to alleged incidents of sexual misconduct and child abuse.

The standards outlined in this policy will apply to all clergy, lay employees, and volunteers of all congregations and entities within the diocese. The procedures will also apply, subject to canonical limitations, to all aspirants, postulants, candidates or seminarians sponsored by or working in this diocese.

### **Mandated Standards to Prevent Sexual Misconduct and Abuse**

#### **Sexual Misconduct and Child Abuse Defined**

Sexual misconduct by a caregiver, whether clergy or lay, employee or volunteer, includes the sexual abuse or sexual molestation (including exhibitionism, sexual exploitation, and genital contact) of a person who is a minor or who is legally incompetent, as well as those who are not legally incompetent.

Child abuse by a caregiver, whether clergy or lay, employee or volunteer, includes physical abuse (any non-accidental injury or pattern of injuries), emotional abuse (including verbal assaults and excessive demands on a child resulting in a negative self-image and/or disturbed behavior, as well as bullying), and physical neglect.

#### **Prevention of Abuse within the Church**

Abuse prevention measures include screening of paid employees and volunteers for past child abuse convictions or expungements, provision of regular training on child abuse issues, use of team teaching and chaperoning standards for appropriate classroom discipline, and an “open door” environment. Hiring and performance standards will comply with the Constitution and Canons of the Episcopal Church, as well as diocesan canons and policies.

#### **Screening of Paid and Volunteer Staff**

Church employees and volunteers who interact with children and youth (“Staff Members”) and who are covered by this screening policy include the following people:

- All members of the clergy, whether stipendiary, non-stipendiary, canonically resident in the diocese, licensed in the diocese, and engaged in ministry or service to the church, regardless of their duties.
- Paid employees, whether full time or part time, regardless of whether or not

- they work with children or youth.
- Volunteers serving in staff positions, whether full time or part time, regardless of whether or not they work with children or youth.
- Volunteers whose work routinely takes them throughout the facility or grounds and who have access to locked facilities (excluding people whose access is solely for altar or flower guild ministries).
- Persons who supervise or assist with supervising children or youth in ministries, programs or activities.
- Christian education or Sunday School teachers who work in any setting other than in an “always open for visits” classroom in which two or more students regularly participate.
- Nursery workers, whether paid or volunteer.
- Persons who provide transportation to children or youth without other adults in the vehicle.
- Persons involved in overnight trips with children or youth.
- Persons whose living quarters are on the grounds of the church, school or other related agency.
- Camp employees and counselors.

Exception: Parents who assist no more than six times a year with a program (including providing local, non-overnight transportation) in which their child is enrolled, are exempt from background checks.

Examples of people who are covered by this screening policy include, but are not limited to:

- Children’s or youth choir directors.
- Organists who work with children or youth.
- Lay Youth Ministers.
- Directors of Religious (Christian) Education.
- Volunteer Youth Directors.
- Church Personnel who work or assist in the nursery.
- All staff, whether volunteer or paid, at church camps.
- Teachers, substitute teachers, and staff in parochial schools.

These Staff Members will be screened and selected using the following tools and procedures:

- Background Screening: An application form (Appendix A to this policy) completed by the applicant that includes an authorization for the release of information to conduct background screening and reference checks.
- 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 engage in this work.
- Employees who work with children and youth must have a personnel file that is kept where other records are kept.
- Criminal records checks and sexual offender registry checks will be conducted every five (5) years on Staff Members.
- Persons who work with children and youth who transfer within the Diocese of Arkansas may be asked to undergo background checks and sexual responsibility training upon transfer.

## **Education and Training Requirements**

Persons working with children and youth, including Sunday School and Christian education teachers, will complete training (as approved by the diocese) on the prevention of sexual misconduct of children and child abuse. Within each five-year period of employment each person must review and discuss the then-current policy and participate in new training.

## **Team Teaching and Chaperoning**

Teachers shall endeavor to teach in teams of two or more for every class of children or youth. Concerted effort will be made to recruit sufficient numbers of volunteer teachers to permit such team teaching. Other church sponsored or community groups of children or youth who meet at the church should have two or more leaders present. When the group stays overnight at the church or if a church-sponsored group leaves the premises, two or more leaders must be present.

## **Driving Policies**

The designated leader of an event must know persons designated to provide automobile or van transportation to or from events. The driver must:

- Be at least 18 years old;
- Show a valid state driver's license, qualified for the vehicle being operated;
- Have no record of convictions within the previous five years for driving while intoxicated, driving with a suspended or revoked license, or reckless endangerment;
- Supply proof of insurance.

## **Gifts**

All Staff Members, either paid or volunteer, are not to give gifts to individuals or young people without the prior knowledge of the parent(s) or responsible clergy. Because gift giving can be a form of buying loyalty or silence, gift giving should be done on a group basis, or for special occasions only. Gifts should not be elaborate but should be modest and appropriate to the occasion.

## **General Conduct**

- Persons working with youth 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 specifically for children or youth. Persons working with youth will respond to children and youth with respect, consideration and equal treatment, regardless of sex, race, religion, sexual orientation, and culture 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.
- Persons working with youth are prohibited from dating or becoming romantically involved with a child or youth.
- Persons working with youth are prohibited from having sexual contact with a child or youth.

- Persons working with youth are prohibited from possessing any sexually oriented materials (magazines, videos, clothing, etc.) on church property or in the presence of children or youth except as expressly permitted as part of a pre-authorized educational program.
- Persons working with youth are prohibited from discussing their own sexual activities, including dreams and fantasies, or discussing their use of sexually oriented or explicit materials such as pornography, videos or materials on or from the Internet, with children or youth.
- Persons working with youth are prohibited from sleeping in the same beds, sleeping bags tents, hotel rooms or other rooms with children or youth unless the adult is an immediate family member of all children or youth in the bed, sleeping bag, tent, hotel room or other room. It is acceptable to have multiple persons sleep with all the children or youth participating in one open space such as a church basement or camp lodge.
- Persons working with youth are prohibited from dressing, undressing, bathing, or showering in the presence of children or youth.
- Persons working with youth 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.
- Persons working with youth are prohibited from using harsh language, degrading punishment, or mechanical restraint such as rope or tape for behavior management. Persons working with youth are prohibited from participating in or allowing others to conduct any hazing activities relating to children's or youth ministry or camp activities.
- Persons working with children and youth will not ask them to keep secrets known only to the two of them.

### **Overnight Trips**

Situations in which Staff Members are taking children or young people out of the area for long periods of time for overnight outings are to be carefully planned. Use only known, proven staff, along with any new staff or volunteers, so that staff that are new to the organization are not left alone with the children or young people in a situation where there are no other staff to observe. In no circumstances should one adult be allowed to take children or youth on an overnight outing alone.

### **"Always Open for Visits" Policy**

Each entity will have an "always open for visits" policy. This policy states that the parents of the children and youth served, the clergy, and administrative and professional staff of the entity have the right to visit and observe the program (for example, Sunday School, choir rehearsal, or EYC meetings) at any time unannounced.

### **Appropriate Discipline of Children and Youth**

Each entity should have a policy on disciplining the children and youth that includes discussion of issues such as reprimands, "time out," and when parents are notified. There should be a section clearly stating that the children will be treated with respect,

not be spanked or disciplined in ways depriving them of their basic right to be safe. Staff, volunteers, children, and parents should know this policy.

### **Complaint and Investigation Procedures**

The entity will have a procedure to make complaints about alleged sexual harassment, exploitation, misconduct or abuse. Once a complaint has been made, the leader, rector, senior warden, or another person is assigned to investigate the complaint. Once a conclusion has been reached, the maker of the complaint is notified of the conclusions reached and whether or not disciplinary action will be taken. All actions regarding the complaint should be documented in writing for the future. Complaints regarding members of the clergy will be handled in accordance with the Constitution and Canons of the Episcopal Church and of this diocese.

The purpose of the procedure is to ensure that children have an avenue to air their complaints about sexual misconduct or abuse, ensuring that they will be heard, and that action, when appropriate, will be taken on their behalf.

### **Reporting Suspected Misconduct or Abuse by Others**

Each entity must have an established procedure that requires that the persons working with youth or children notify the responsible clergy, supervisor or the bishop in the case of inappropriate sexual behavior or advances by a child, youth, or an adult toward another child, youth or adult.

It must be the policy of every entity not to ignore allegations or complaints, even when they think them to be false. Each complaint must be investigated and conclusions drawn about it only after all parties involved have been spoken to.

If child abuse is suspected, the responsible member of the clergy or supervisor must follow the proper procedures for reporting as required by law and outlined in this document. It is a diocesan policy to make such reports immediately and to cooperate fully with law enforcement officials in investigating any allegations of sexual abuse.

## **Guidelines for Appropriate and Inappropriate Behavior**

### **Appropriate Affection**

Some positive and appropriate forms of affection, unless not desired by the child or youth include:

- 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

## **Inappropriate Affection**

The following forms of affection are inappropriate with children and youth in ministry setting:

- 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
- Any type of massage given by a child or youth to an adult
- Any form of unwanted affection
- Comments or compliments (spoken, written, or electronic) that relate to physique or body development
- Snapping bras or giving wedgies or similar touch of underwear whether or not other clothing covers it
- Private meals with individual children or youth

## **Settings in Which Pastoral Relationships Take Place**

One-on-one interactions are sometimes necessary and appropriate, but care should be taken so that discussion occur in an environment that provides visibility by other persons, especially adults (persons over 18 years old). If at all possible, another adult should have knowledge of the location of the place where counseling is taking place. Such environments should:

- Whenever possible, be places where casual monitoring by others is convenient.
- Be in open, visible spaces or in closed spaces that have windows that remain unobstructed by closed blinds, furniture, plants, or other adornments.
- Should convey safety and comfort without the use of couches, loveseats, beds, futons or other furniture that would encourage close seating between the persons involved.

## **Communication/Supervision**

It is important that all Staff Members, both paid and volunteer, of any church or agency be involved in regular, scheduled meetings to discuss problems, policy, and potential problems. Clarification of staff action and plans of action should be open for discussion at each meeting.

## **For Further Information**

Persons in local congregations and other entities are encouraged to seek clarification and assistance from the bishop's office as to the interpretation and/or application of this policy. The contact person for this information is:

Randall Curtis, Jr.  
501-372-2168 x2024  
866-887-1114 (toll free)  
[rcurtis@episcopalarkansas.org](mailto:rcurtis@episcopalarkansas.org)

## Appendix A

### Diocese of Arkansas Background Screening Authorization Form

*Applicant should complete all relevant information and sign and date the form.*

Applicant's Full Name (Printed): \_\_\_\_\_

Maiden Name or Other Names Used: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

\*NOTE: The above information is required for identification purposes only, and is in no manner used as qualifications for employment, internship, or service as a volunteer. Episcopal Diocese of Arkansas abides by all applicable state and federal employment laws.

#### ADDRESSES (for the past 10 Years)

Present Address \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

How Long at Present Address? \_\_\_\_\_

Former Address: \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

How Long at Former Address? \_\_\_\_\_

Former Address: \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

How Long at Former Address? \_\_\_\_\_

Please list all other states and counties of residence since turning age 18:

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(Please circle any of the following states in which you have lived: CA, CO, DE, LA, MA, SD, VA, WV, WY)

I, hereby authorize the Episcopal Diocese of Arkansas and/or its agents to make an independent investigation of my background, references, character, past employment, education, credit history, adult criminal or police records, and motor vehicle records including those maintained by both public and private organizations and all public records for the purpose of confirming the information contained on my Application and/or obtaining other information which may be material to my qualifications for service now and, if applicable, during the tenure of my employment or service with Episcopal Diocese of Arkansas.

**I release Episcopal Diocese of Arkansas and its agents and any person or entity, which provides information pursuant to this authorization, from any and all liabilities, claims or law suits in regards to the information obtained from any and all of the above referenced sources used. The name above is my true and complete legal name and all information provided above is true and correct to the best of my knowledge:**

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_