

Vestry Policy No. 19: Safe-Congregation Policy

A Policy for the Prevention of Sexual Misconduct, Physical Abuse and Harassment

PHILOSOPHY

Our commitments, as Unitarian Universalists, to the inherent worth and dignity of every person and to justice and compassion, compel us to strive to create an environment that protects children and adults from harm and promotes their spiritual growth.

It is both uncomfortable and sad that we need to be thinking of potential danger, but too often we find out too late what we should have known or done to protect our congregation and ourselves. We all want to believe that our church is a place where everyone acts out of good will, believes in forgiveness and where nothing bad ever happens. Unfortunately injurious behavior does happen and our congregation has the potential to contain all the ills of our society.

A variety of potential dangers are inherent in operating a church. These include physical site, including buildings and grounds, operation of the religious education program, transportation and supervision of children off-site and instances of disruptive behavior involving members and or staff of the church.

We believe our church can respond effectively to this challenge. The Unitarian Church in Charleston highly values the ideals of community and the search for truth. We encourage personal growth, allow for personal truth, and support individuals and families in their efforts to build healthier lives and a safer society.

As a caring, intergenerational community, we can respond to those in need in broader, more flexible ways than can many other institutions. This policy is aimed at the prevention of sexual misconduct, physical abuse and harassment.

RESPONSIBILITY AND COMMITMENT

We, the members of the Unitarian Church in Charleston, are aware of the prevalence of sexual and physical abuse and harassment in our culture; it crosses gender, race and class lines. There are survivors of sexual and physical abuse in our church, and statistics indicate that others, including many of our children, are at risk. We as a congregation must address these issues.

We, the Vestry, hold that it is the responsibility of all members of our church community to work at preventing sexual and physical abuse and harassment. To this end, we ask the members our congregation to accept the responsibility of educating ourselves and our children about sexual and physical abuse, molestation, harassment, and exploitation. We also ask church members to pledge to do our best to protect those who are at risk and to support those in crisis.

Regarding these issues we, the Vestry, pledge to conduct ourselves in a manner that conveys mutual respect and consideration and we seek support from the members of this congregation for this policy.

DEFINITIONS

The terms used in this document will have the following meanings:

Abuse includes non-accidental conduct that involves bodily injury or impairment, or offensive physical or sexual contact; including physical or sexual abuse, physical or sexual harassment, physical or sexual molestation, or physical or sexual exploitation.

Physical abuse includes activity that causes bodily injury or impairment or offensive physical contact.

Sexual abuse means any sexual touching of a child or any activity that causes a person to engage in any sexual act or conduct without that person's consent, or in circumstances where that person is unable to refrain from consenting due to age or mental capacity or unusual vulnerability derived from the person's mental health or the existence of a relationship of significant dependency or trust.

Physical harassment or molestation or exploitation means activity that places a person in fear of bodily injury by such acts as threatening or tormenting behavior, compelling a person by force or threat of force to engage in conduct from which the person has a right to abstain, knowingly restricting substantially the movements of

another person without that other person's consent, communicating to a person a threat to commit an act against that person or another person or entity where the natural consequence of the threat is to place that person in fear or cause that person to engage in conduct in which that person otherwise would not engage, or similar repeated offensive physical or verbal conduct.

Sexual molestation and sexual exploitation means activity that places another person in a situation where that person feels compelled to engage in sexual conduct to which that person would not voluntarily consent, or in circumstances where that person is unable to refrain from consenting due to age or mental capacity or unusual vulnerability derived from the person's mental health or the existence of a relationship of significant dependency or trust.

Sexual harassment means making sexual advances or requests for sexual favors to another person, or other verbal or physical conduct of a sexual nature, where the other person by words or conduct has indicated that such words or conduct are not desired, or where a reasonable person would expect that such words or conduct would not be desired.

Sexual Misconduct, Physical Abuse and Harassment Prevention Plan

We acknowledge that preventing sexual misconduct, physical abuse and harassment in our church communities and in society is a complex goal. Prevention education, training, careful hiring, and safety procedures are concrete steps toward creating a safer environment for all concerned.

A. Education and Training:

Education and training is critical to the creation of a safer church environment. Information, knowledge, and understanding support the development of healthy relationships based on self-esteem and respect for others. Greater understanding of sexuality and abuse will make us better able to avoid situations that could lead to abuse, and to move more effectively toward justice and healing for us all. To this end we believe it is important to promote self-esteem and personal responsibility among our children and our adult membership. We will provide programs as follows:

1. The Director of Religious Education and Religious Education Committee are responsible to:
 - a. Offer age-appropriate information about development and sexuality for our children, youth, and adults on a regular basis, including clarification and understanding of the complex aspects of sexuality, as well as a focus on sexual abuse prevention and
 - b. Keep church workers, volunteer teachers, advisors and parents informed of this policy and review it at least annually through the use of the following:
 - 1) the Code of Ethics for Those Working with Children and Youth at the Unitarian Church in Charleston, herein identified as The Code of Ethics ,
 - 2) the Affirmation for Those Working with Children and Youth, herein identified as The Affirmation , and
 - 3) Safety Procedures, as described in Section D below, to create a safer space for everyone.
2. The Safe-Congregation Task Force is taking short-term responsibility to:
 - a. Promote congregational awareness about this policy. As part of this we will insure that all church members are aware of The Code of Ethics for Those Working with Children and Youth at the Unitarian Church in Charleston.
 - b. Inform church members and attendees regarding resources that address the issues of domestic violence and sexual abuse.

C. Hiring

Incidents of abuse and harassment often take place in the context of ongoing relationships. Therefore it is essential that recruitment and hiring procedures protect children, youth, adults and staff from injury as well as protect staff and volunteers from unfounded accusations and the church from ethical and legal liability.

All persons seeking paid employment at the Unitarian Church in Charleston, including (but not limited to) the Minister, the Director of Religious Education (DRE), the Music Director, the Office Manager, and the Sexton, will sign The Code of Ethics and Affirmation. They will be screened by the appropriate hiring committee, which will contact references (at least one of whom has known the applicant for a minimum of five years), record the contact, and conduct both a criminal history record check plus a formal interview with the candidate. The employment application and reference material will be confidential and will be available only as required by law

and to those responsible for screening, hiring, or participating in the Response Team. All employees will sign the Code of Ethics and Affirmation annually.

D. Safety Procedures

These procedures address legal requirements and insurance obligations as well as help staff, volunteers, teachers and youth advisors avoid creating situations in which personal boundaries can become problematic. The various prevention methods listed below are specifically designed to protect the children and youth of our community.

1. All volunteer teachers and youth advisors must have attended the Unitarian Church in Charleston for at least 6 months. This provision can be waived by the Minister and DRE, in consultation with each other, when the individual in question has been an active member with experience volunteering with children or youth at another UU church.
2. The Director of Religious Education will insure that all teachers and advisors are informed of this policy and these safety procedures. First-time teachers and advisors must attend an orientation on these safety procedures prior to assuming their positions.
3. All persons volunteering with children and youth, including but not limited to religious education teachers and youth group advisors, will read the Code of Ethics, and complete and sign the Affirmation. Teachers and advisors will read the Code of Ethics and sign the Affirmation anew at the beginning of each church year or when taking on a new position. These documents will be confidential and will be available only for those responsible for screening, and members of any Response Team, or as required by law.
4. The Director of Religious Education, or a designated substitute, normally will check in on all classes during the course of a Sunday morning.
5. At least two volunteers will be assigned to and will be present in each classroom and youth group activity, including in-church events and overnights, off-site retreats, conferences, and other church-related activities. One individual may be briefly alone with a group when the other must leave as dictated by common sense and necessity for such purposes as bathroom breaks and escorting individual children away from the group. Exceptions to the two-volunteer policy are discouraged but may be approved by the Director of Religious Education, Minister, or Religious Education Committee in an emergency situation.
6. If there is a foreseeable reason a teacher, advisor, or other volunteer will be alone with a child or youth, the written consent of the child's parent or guardian will be obtained in advance. The volunteers participating in the Coming of Age Program or other special programs will meet the parents or guardians of the children or youth prior to the program.
7. When traveling to and from outings, conferences, meetings, or other church activities, no child or youth will be alone with one adult in a car. The TJ District defines an adult as a person at least 25 years old.
8. Situations may arise involving individuals accused or convicted of sexually aggressive behavior. Those situations will be addressed as follows:
 - a. An individual who has been accused of, convicted of, or pled guilty, nolo contendere or "Alford" plea to a charge of sexual misconduct or who has been determined to have engaged in any form of child abuse in any civil, criminal, administrative or ecclesiastical forum or any forum, will not have contact with children or youth or the parties involved.
 - b. If an individual has been legally accused of sexual misconduct and is currently involved in civil or criminal litigation of such a charge, that individual will not have contact with children or youth or the parties involved.
 - c. If the local District Attorney's office has dropped charges and/or the S.C. Department of Human Services has neither opened a case or has closed the case as unsubstantiated, the accused shall still have no contact with children. In this situation, a Response Team shall determine whether there are exceptional circumstances or irrefutable evidence that no sexually inappropriate behavior occurred. Should the Response Team determine that this is so the Response Team can make recommendations about whether or not and in what manner the accused can resume contact with children.
 - d. In the event that a person has been convicted of a sexual offense and completed a term of incarceration and seeks to enter the life of the Unitarian Church in Charleston the Vestry, with recommendations from the Minister and DRE, will determine whether or not and the ways in which the individual may be safely involved in the life of the congregation.
9. Any teacher, advisor, or parent who suspects or is made aware of an allegation of child abuse will report that concern to the Director of Religious Education or the Minister as soon as possible. If neither the Minister nor DRE is available, the concern should be reported to the President of the Vestry.

10. In the event of allegations of child abuse or of perceived threats to children's safety within the Church Community, the Minister and/or the President of the Vestry will convene a Response Team in accordance with procedures described below.

Responding to Complaints of Sexual or Physical Abuse or Harassment

There are several situations that may prompt a response regarding a complaint or concern about sexual or physical abuse including but not limited to:

- A child, youth or adult reports possible abuse by a church official, member or attendee;
- Church official, member or attendee suspects that a child or youth is being abused;
- Child or youth reports possible abuse by a family member or other individual; or
- Church officials learn that a church member or attendee (child, youth or adult) is under investigation for alleged abuse.

When any of the situations described above is reported, the following procedure will be utilized.

A. Reporting Child Abuse to Community Authorities

It is not the function of the Minister, Director of Religious Education or Congregation President to conduct an investigation into accusations of child abuse. Rather it is both S.C. law and the policy of the Unitarian Church in Charleston to immediately report any situation in which we have reasonable cause to suspect that a child has been or is likely to be abused or neglected.

Once a report is made to the appropriate authorities, the church will rely on the decisions of those authorities as to the validity of the complaint. It is also the church's responsibility under these guidelines to develop an appropriate plan of response to the allegations.

In all cases, the Minister will also notify the TJ District Executive, and seek her/his advice and counsel.

Additionally the Minister will notify the church's insurance company.

In the event the accused abuser is the Minister, reports will be filed by and the notifications referenced above will be the responsibility of the President of the Vestry.

B. Convening a Response Team

When any such incident of suspected sexual or physical abuse is reported, a Response Team will be formed immediately by the Minister or Vestry chair. This Response Team normally will consist of the Minister, the Director of Religious Education, the President of the Vestry and at least two other members of the congregation appointed by the President. While the Minister is seeing to the required reporting (outlined in the paragraph above), the Response Team will gather necessary information and develop a response plan for the situation. This plan will be put in writing, be specific to the situation at hand, and include clearly delineated action items, time frames and responsibilities. Care will be taken to ensure confidentiality to protect the alleged victim, the accused person and the reporter until the appropriate state or local authorities issue a finding or take action. This plan must address the safety and peace of mind of all parties to the incident; including the alleged victim, the accused (if a member or attendee of the Church), the reporter, and church staff and members and friends and particularly the parents of children in the church school. The response plan will be designed first and foremost to address the needs of the victim. In constructing this plan, the Team will draw on the methods outlined in this document, and may use the scale for assessing the nature and severity of the referred problem contained in this policy.

Additional meetings of the Response Team will be scheduled as needed to monitor progress in carrying out the plan. Further, it may be necessary for the Response Team to craft a revised plan, once the findings of State and local authorities are made known.

C. Safety Needs of the Congregation Regarding Reports of Abuse

1. Interim Safety Plan: When a report is filed by any person on behalf of any child and the suspected abuser is a church employee, member or attendee, the Response Team will develop an interim safety plan during the investigation of abuse. This plan may include, but is not limited to restricting attendance of the suspected abuser to adult-only church events, having a same-sex "buddy" with the alleged abuser at all church events, and refraining from any contact with children while attending a church function. The purpose of this plan is not only to safeguard our children, but also to provide protection to the accused abuser from further complaints. If the accused abuser is another youth, the plan must be developed with input from both sets of parents or guardians. The plan will be clearly communicated to the accused abuser or, if a minor, his or her parents or guardians, by

the Response Team. The Minister and/or DRE may implement similar steps while awaiting initial action of the Response Team.

2. Permanent Safety Plan: Upon disposition by the Court, a permanent plan of restricted contact will be developed by the Response Team. This will follow the guidelines established above for interim safety plans.

D. Pastoral Needs of the Congregation Regarding Reports of Abuse

Following a report of suspected abuse, the Response Team will also develop a plan to address the pastoral needs of our congregation, including:

1. The victim: This may include providing information about or referrals to appropriate professional, community, and church resources, as needed. Additionally the Response Team may assist in dealing with DHS, the state solicitor or the Police Department.
2. Other members of our church Community: Support may be provided to:
 - a) church members or attendees immediately affected by the incident (such as family members or partners) whose needs we can help meet, either directly or indirectly;
 - b) the Minister (or other members of the church staff) to aid in dealing with the pastoral needs of the victim or accused person;
 - c) other members of the congregation who witnessed one or more incidents, or, who having heard about them, are reminded of their own concerns; and
 - d) other congregation members who are relied on to a great degree by the victim or offender (or those connected to them).

The plan established will be such that other individuals are not put at risk for further incidents.

3. The accused member of the congregation: Support may include helping the accused person access the appropriate professional, community, and church resources. While there may be feelings of ill-will toward the accused person, if that individual is a part of our community, he or she also deserves our support; withdrawing it at this critical point in that person's life might have severe detrimental long-term effects on his or her behavior in the future. It remains the mission of this church to recognize and support the integrity and inherent worth and dignity of that person even though we do not condone inappropriate behaviors, and to treat him or her with compassion.

4. Other victims who have been reluctant to come forward: If warranted, the response plan will include a way of reaching out to these individuals in a manner that is non-threatening.

E. Safety and Pastoral Needs of the Congregation Regarding Reports of Harassment

Incidents of alleged sexual or physical harassment of minors which do not warrant involvement of the DHS or state solicitor shall be referred to the Director of Religious Education and Minister. They may request that a Response Team be formed to investigate such allegations. A plan shall be developed to address and resolve these complaints which shall make clear to the accused person that this church will not tolerate harassment of any form, as well as provide information about appropriate counseling or other resources for both the victim and the offender. The parents of the minor(s) shall also be informed of this plan and involved, as appropriate, in its development.

Code of Ethics for Those Working with Children and Youth at the Unitarian Church in Charleston

The care and education of our children and youth is a sacred task. Wishing you great joy in it, and thankful for your participation in the Unitarian Church in Charleston's programs, we are obligated to remind you that the parents of this church trust you to abide by this Code of Ethics in your work with their children.

Our church is a voluntary association of people who gather for the purpose of religious fellowship. The relationships which develop within our church thus more resemble friendships, with their attendant risks and rewards, than professional relationships. The potential for intergenerational friendship and learning at our church is unique and important to the spiritual life of all concerned—adults, children, and youth.

Since there is an inherent power differential between adults and young people, it is important for adults to exercise good judgment and maturity in their influence upon children and youth, and to refrain from using young people to inappropriately fulfill their own needs. Young people are vulnerable, in that they may find it difficult to speak out about the inappropriate behavior of adults or even to recognize such behavior as

inappropriate.

Therefore, your signature on this page is a promise to:

1. refrain from engaging in sexual, seductive or erotic behavior with children and/or youth,
2. refrain from harassment or behavior which constitutes verbal, emotional or physical abuse,
3. refrain, while working with our children and youth, from being under the influence of alcohol, illegal drugs, or any other substances which impairs your judgment or the ability to function effectively in a leadership role; and
4. read, affirm, and sign the Affirmation for Those Working with Children and Youth about my past behavior, and to report any future action that may bear on your fitness to work with our children and youth.

In cases of any violation of this code, appropriate action will be taken.

I understand and hereby agree to abide by this code of ethics.

Signature _____ Date _____

Adapted from UUA's Code of Ethics for Persons Working with Children and Youth, adopted 1986.

Affirmation by Those Working with Children and Youth

Name _____ Phone _____

Address _____

I have read and understand the Code of Ethics for Those Working with Children and Youth and the Safety Procedures for the Prevention of Sexual and Physical Abuse and Harassment. I agree to uphold these principles in my work with the Unitarian Church in Charleston's children, youth, and adults.

I affirm that I have never been accused of, convicted of, or pled guilty, nolo contendere or taken an "Alford" plea to a charge of sexual misconduct, or been determined to have engaged in any form of child abuse in any civil, criminal, administrative, or ecclesiastical forum, or any other forum.

If there are any facts or circumstances in my background that might call into question my being entrusted with the supervision, guidance and care of children or youth, I have met to review this information confidentially with the Minister and DRE.

Signature _____ Date _____

ACTION PLAN for the Prevention of Sexual Misconduct, Physical Abuse and Harassment

The Unitarian Church in Charleston has enjoyed a long tradition of peace, fellowship and civility within its congregation. Each Sunday, we affirm our commitment to being a free and open church where differences are respected. In order to secure our tradition of civility and tolerance, we recognize the need to address the potential for behavior that may challenge our sense of individual and communal safety and wellbeing.

Therefore, the following shall be the policy of the Church if and when such a challenge may arise:

1. Situations involving suspected sexual misconduct will be brought to the attention of the Vestry. The Vestry may appoint an ad hoc committee to investigate the matter using this policy as its primary source of guidance.
2. Persons identified will be responded to as individuals of dignity and worth.
3. Information concerning the alleged incident(s) that led to concern will be systematically collected from the concerned parties by delegated committee members and documented before any action is taken.
4. The committee will meet to assess the findings and decide on a course of action, with the following four levels of response recommended to them.
 - a. Level One: A committee member or members contacts the person named as the source of the misconduct and informs them of the _____ nature of the concern. The person's viewpoint of the matter will be elicited, valued and documented. Committee members will then assess the situation.

- b. Level Two: If the basis of the original concern is determined to be valid, this finding will be clearly communicated to the person in question and a contract for clearly defined behavioral change will be negotiated. Such communication and contract will be documented.
- c. Level Three: If the person in question refuses to negotiate a contract, refuses to abide by a contract, or is engaging in behavior of sufficient severity, he or she may be excluded from the church for a specified period of time, with reasons for such action, and conditions for return, clearly communicated and documented.
- d. Level Four: The person in question is permanently excluded from the church and the church premises with steps taken as needed to enforce the integrity of this decision.
5. Should the ad hoc committee decide on the serious step of exclusion or expulsion from the Church, they will consult the Vestry prior to action being taken.
6. The four levels of response recommended by this policy may be applied in the order determined by the ad hoc committee and the Vestry in their best judgment.
7. If appropriate, the ad hoc committee may offer referrals for professional services.
8. In the event of imminent risk or actual harm to church members, church employees or church property, immediate action will be taken to secure the safety of persons and property.
9. All documentation developed in the course of investigating and resolving allegations of disruptive behavior will be kept confidential. The President of the Vestry will be responsible for determining access to such documentation and for ensuring its security.
- The following are offered as dimensions to be used in assessing the nature and severity of referred problems:
1. Dangerousness—Is the individual a source of threat or harm to persons or property?
 2. Disruptiveness—What is the extent of disruption to church functions?
 3. Congregational Integrity—How likely is it that existing or prospective church members will be driven away by the alleged behavior?
 4. Probability of Change—How likely is it that the problem behavior will diminish in the future?
 5. History—What has been the frequency and the degree of disruption caused by the individual in the past?