The Diocese of Newark

MAKING CHURCH A SAFE PLACE

FOR ALL GOD'S CHILDREN

Policies for the Protection of Children and Youth from Abuse

Adapted from the Model Policies developed by The Church Pension Group in partnership with The Nathan Network

These policies were adopted by Diocesan Council, Diocese of Newark on 5/14/2008

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Disclaimer: The Diocese of Newark and Church Pension Group provides these *Policies for the Protection of Children and Youth from Abuse* in partnership with The Nathan Network, in the hope that they may assist dioceses, congregations, and other Episcopal entities in developing policies for the prevention of child sexual abuse in ministries and church activities for children and youth. 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 Jersey. The Diocese of Newark, the Church Pension Group and The Nathan Network are not engaged in giving legal or other professional advice or services by providing these *Policies*.

I. Code of Conduct for Protection of Children and Youth

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 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 Newark to help the church
create safe environments for children and youth 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 Children and Youth from Abuse* before agreeing to adhere to the statements and continue in service to the church.

Code of Conduct for Protection of Children and Youth

- 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 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 Children and Youth 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 children and youth and agree to report known or suspected abuse of children or youth to appropriate church leaders and state authorities in accordance with these policies.

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

II. General Definitions

A. Church Personnel

For the purposes of this policy, the following are included in the definition of Church Personnel for purposes only of these recommendations for which these policies are recommended, 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.

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, secretaries, youth minister, choir director, Christian Education Directors, school personnel, etc.

3. Those who contract their services to the diocese, its congregations, schools or other agencies.

4. Volunteers, including any person who enters into or offers him or 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, 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 old 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 definition 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.

2. All paid or volunteer Church Personnel whose work regularly takes them throughout the facility or grounds or who has 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 buildings when little interaction with children or youth is likely (for example persons serving on the altar guild or flower guild).

4. All persons who supervise or assist with supervising children or youth, in ministries, programs or activities more often than occasionally, including church school teachers.

5. All persons who provide transportation to children or youth without other adults in the vehicle 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 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
- Lay youth ministers
- Volunteer youth directors
- All Church Personnel who work or assist in the nursery more than four times a year
- All Church Personnel who work in the nursery
- 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:" 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.

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 without other adults in the vehicle infrequently, generally no more than three times a year.

3. All persons who work or assist in the nursery four or fewer times a year, whether on an emergency basis or otherwise.

D. Types of Abuse

1. **Physical abuse** is non-accidental injury, which is intentionally inflicted upon a child or youth.

2. **Sexual abuse perpetrated by an adult** 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. **Sexual abuse perpetrated by another child or youth** is any contact or activity of a sexual nature that occurs between a child or youth and another child or youth when there is no consent, when consent is not possible, or when one child or youth has power over the other child or youth.

4. **Emotional abuse** is mental or emotional injury to a child or youth that results in an observable and material impairment in the child or youth's growth, development or psychological functioning.

5. **Neglect** is the failure to provide for a child or youth's basic needs or the failure to protect a child or youth from harm.

6. **Economic exploitation** is the deliberate misplacement, exploitation, or wrongful temporary or permanent use of a child or youth's belongings or money.

III. Safeguards for Children and Youth

A. Education and Training Requirements *(approved by Diocesan Council 11/06)*

1. The following Education and Training is required for all diocesan personnel, including lay employees and volunteers who **regularly work with or around children and youth and employees and volunteers who chaperone diocesan youth events.** It is highly recommended for all church personnel, including lay employees and volunteers who regularly work with and around children and youth.

- At least three hours of child abuse prevention education and training within the first month of service or prior to attendance at youth events.

- These training requirements may be satisfied with participation in ***Safeguarding God's Children/Safeguarding Online*** or participation in a similar program with participant able to demonstrate, by certificate of completion, that they received training equivalent to ***Safeguarding God's Children/Safeguarding Online.*** A copy of certificate should be placed in the person's personnel file.
- Will receive a copy of **Policies for the Protection of Children and Youth from Abuse** (The Church Pension Group developed in partnership with The Nathan Network) from their priest, immediate supervisor or committee chair.
- Will read and initial the **Code of Conduct for the Protection of Children and Youth**. One copy will be kept by the individual and the original will be placed in the person's personnel file.
- Must have their training renewed every five (5) years.

2. The following Education and Training is required for all diocesan personnel, including lay employees and volunteers who **occasionally work with or around children and youth.** It is highly recommended for all church personnel, including lay employees and volunteers who occasionally work with and around children and youth.

- One hour of child abuse awareness education and training.
- These training requirements may be satisfied with participation in ***Safeguarding God's Children/Safeguarding Online*** or participation in a similar program with participant able to demonstrate, by certificate of completion, that they received training equivalent to ***Safeguarding God's Children/Safeguarding Online.*** A copy of certificate should be placed in the person's personnel file.
- Will receive a copy of **Policies for the Protection of Children and Youth from Abuse** (The Church Pension Group developed in partnership with The Nathan Network) from their priest, immediate supervisor or committee chairperson.
- Will read and initial the **Code of Conduct for the Protection of Children and Youth**. One copy will be kept by the individual and the original will be placed in the person's personnel file.
- Must have their training renewed every five (5) years.

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 guidelines and standards are covered in both this **Monitoring and Supervision** section and in 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**.

1. Every program for children and youth must have established ratios for adults and children. Compliance with the established ratio is required at all times, including activities that occur off church premises.

2. Church Personnel are prohibited from being alone with a child or youth or multiple children or youth where other adults cannot easily observe them.

3. Church Personnel over the age of 21 must directly supervise Church Personnel under the age of 18 and be physically present during all activities.

4. An up to date list of approved congregation-sponsored programs for children and youth will be maintained in the church office or other place where church records are kept.

5. Church Personnel are not permitted to develop new activities for children and youth without approval from the rector or canonical equivalent. Requests to develop new activities should be submitted in writing to the rector. The rector will consider whether the plan for a new activity includes adequate adult supervision.

6. Each program will develop age-appropriate procedures to ensure the safety of children and youth using restrooms and showers or baths.

7. 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 work in pairs.

8. 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 to identify and stop those that may be inherently harmful to children or youth, that are the type used by child molesters to groom children, youth and their parents, or that may create the conditions where abuse can occur more easily. These guidelines should also be 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 should be reported to the supervisor of the Church Personnel making the exception as soon as possible.

1. All Church Personnel who work with children or 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 specifically for children or 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 or 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 or 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 or 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 materials on or from the Internet, with children or youth.

13. Church Personnel 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 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 these *Policies the 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 or using 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 in one of the following ways:

a. A telephone call or meeting with the immediate supervisor of the person,
b. A telephone call or meeting with the rector, if the person is not the rector;
c. A telephone call or meeting with a church warden if the person is the rector;
d. A telephone call, meeting or fax to the bishop;
e. Submit a *Notice of Concern* (Appendix C), signed or unsigned, to the bishop.

3. All reports of inappropriate behavior or policy violations with children or youth will be taken seriously.

B. Reporting of *Suspected Abuse* of Children and 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.

2. Failure to report suspected abuse of children or youth may be a crime. Reports may be made confidentially or anonymously. Every state 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 or 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 Newark in the following ways:

a. A telephone call, meeting or fax to the bishop;

b. A telephone call or meeting with the priest, if the priest is not the person being complained about.
c. Submit a *Notice of Concern* (Appendix B), signed or unsigned, to the bishop.

5. The Diocese of Newark 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 Newark, 31 Mulberry Street, Newark, NJ 07102 973-430-9900.

Appendix A. Guidelines for Appropriate Affection

The Diocese of Newark is committed to creating and promoting a positive, nurturing environment for our 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 or youth. These Guidelines are based, in large part, on avoiding behaviors known to be used by child molesters to groom children or youth and their parents for future abuse. The following guidelines are to be carefully followed by all Church Personnel working around or with children or 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 and their parents 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.
- 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 or money to individual children or youth.
- Private meals with individual children or youth.

Appendix B: New Jersey Child Abuse Reporting Procedure

http://www.state.nj.us/dcf/abuse/how/

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, 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:_____

Mail to: The Rt. Rev. Mark M. Beckwith 31 Mulberry Street Newark, New Jersey 07102