

Churches of Southern New England Presbytery,

The Committee on Ministry offers this *Faithful Church Guide* in the hope that it will assist your church in developing safety policies, if it does not already have them in place, or in assessing the adequacy of existing ones. The guide provides an overview of relevant safety topics, links to online resources and sample templates for two required policies (sexual misconduct and child protection). However, one size does not fit all. The suggested actions and portions of the templates may not be right for your church's circumstances and needs – feel free to adapt them as needed. Additionally, your insurance carrier or church counsel may require different or additional provisions.

The *Faithful Church Guide* identifies policies and practices that can help create a safe community and the guide also helps prepare a church to respond should something unfortunate happen, such as a fire or a violent intruder. Some policies are required by the *Book of Order* or legal mandate, and may already be familiar to your church leadership. Others are “best practices” recommended to help minimize risks to a church and its people. If a harmful event does occur, your ability to respond for the good of all involved, and the extent of insurance coverage and any potential liability, may depend on the **adequacy** of your church's safety policies and actual practices.

This *Faithful Church Guide* is not meant to be an exhaustive piece, i.e., including every possible practice that might be good for a church to do or that it might decide it wants to do (given its particular circumstance), whether it is considered a typical or best practice or not. No doubt there are other practices and training, like CPR trainings, that churches might want to do even if they are not required to do so. This *Guide* can spur thinking on such additional topics.

Finally, nothing in this *Guide* is meant to be construed as legal advice. Any documents that your church ultimately creates should be reviewed by your insurance provider's risk manager and/or legal advisors.

Yours,

The Committee on Ministry

## Faithful Church Guide

The church is called to be a demonstration of the kingdom of God in the world, which is formed by the love of God, neighbor and self, and the teachings of Jesus Christ. Thus, it seeks justice, safety, and the well-being of all who participate in its life and mission. This involves a generosity of spirit, as well as a faithful integration of policies and practices that foster a trustworthy, secure, and nurturing environment.

The *Faithful Church Guide* identifies policies and practices that can help create a safe community and also help prepare a church to respond should something unfortunate happen, such as a fire or violent intruder. Some are required by the *Book of Order* or legal mandate, and may already be familiar to your church leadership. Others are “best practices” recommended to help minimize risks to a church and its people. If a harmful event does occur, your ability to respond for the good of all involved, and the extent of insurance coverage and any potential liability, may depend on the **adequacy** of your church’s safety policies and actual practices.

The Committee on Ministry offers this guide in the hope that it will assist your church in developing safety policies, if it does not already have them in place, or in assessing the adequacy of existing ones. It provides links to online resources and also two sample template policies. However, one size does not fit all. Parts of the templates may not be right for your church’s circumstances and needs, or your insurance carrier and/or church counsel may require different or additional provisions. The Committee on Ministry trusts in the integrity and faithfulness of each church to create policies and practices appropriate to its particular situation.

**NOTE: The *Faithful Church Guide* is informational only, and is in no way intended as legal or risk management advice. Please consult your insurance carrier and/or church counsel to create customized policies and practices for your church.**

### Faithful Church Considerations

Many factors impact the safety, security, and well-being of a church community, including:

- Adequate Property and Liability insurance
- Facility Safety and Maintenance
- Financial Safeguards and Controls
- Emergency Preparedness Planning for harmful events, such as fire, extreme weather emergencies, violent intruders, etc.
- Staff and Volunteer Protections and Safe Conduct Provisions
- Child and Youth Safety Protections

**NOTE: The *Book of Order* now requires churches to have a Child Protection Policy in addition to a Sexual Misconduct Policy. (G-3.0106) See Appendix A and B for sample policies.**

The guide highlights recommendations for each of the above considerations, with particular attention to child protection and sexual misconduct policies.

## General Recommendations

To increase awareness and faithful integration of safe church policies and practices, it is recommended that:

- Session review and update church policies annually, whenever possible, and the church's insurance carrier and/or legal counsel review its sexual misconduct and child protection policies at least every three years.
- Copies of all policies be provided to church leaders and leaders of relevant ministries.
- Policies are easily available to the church community (through the church office or church website, as appropriate to the type of policy).
- Sufficient training about what is required by a policy and ongoing supervision and oversight are provided.
- The congregation be reminded annually, such as at the church's annual meeting, that these policies and practices are being observed.

## Property and Liability Insurance

One of the most important practical factors that aids churches in being secure, and to begin to recover from whatever may happen in its shared life and mission, is **adequate** property and liability insurance.

- The *Book of Order* requires that churches “shall obtain property and liability insurance coverage to protect its facilities, programs, staff, and elected and appointed officers.” (G-3.0112)
- Presbyterian churches, being connectional, are responsible for the actions of those who engage in its ministries, whether professional staff, ordained officer, member, or volunteer, and should ensure that the church's insurance policies cover them and their ministries.
- **Liability insurance should include sexual misconduct coverage.**
- All persons engaging in any form of counseling should be held accountable that they are observing best appropriate practices. There may be legal consequences if this is not the case.
- Your insurance carrier should be familiar with the risks that churches face, as well as anything specific to your church and use of its facilities by outside groups.
- Review the **adequacy** of your insurance coverage **annually**. Are there new ministries or programs or changes to the church's facility and contents that require additional insurance?
- In consultation with your insurance carrier and church counsel, establish or review customized safety policies and practices, including emergency preparedness, and ensure sufficient communication and training about them. (See **Resources** sections.)

### Resources:

- Overview of minimum standards of property and liability insurance: [www.presbyterianmission.org/legal-resources/risk-management/](http://www.presbyterianmission.org/legal-resources/risk-management/)
- Insurance Companies with expertise in churches and their safety: [www.insuranceboard.org](http://www.insuranceboard.org); [www.GuideOne.org](http://www.GuideOne.org); and [www.churchmutual.com](http://www.churchmutual.com). These sites provide some free resources, such as safety recommendations, checklists, templates, and other useful information.

## Facility Safety and Maintenance

To keep all who come to your church physically safe, inspect your facility and property frequently for potential hazards and needed maintenance, and encourage all church staff and ministry leaders to notice and report anything that seems hazardous.

- Your insurance company can provide helpful safety checklists and guides, and will also inspect your building(s) and grounds for problem areas.

## Financial Safeguards and Controls

A faithful church is also faithful in its practices regarding money and finances, and is careful to establish sufficient controls and oversight to prevent financial harm to a church community.

- The *Book of Order* includes several requirements regarding financial management and oversight. (G-3.0113 and G-3.0205)
- It is considered a best practice that those charged with reviews of the church's financial records **not** be related to the treasurer.
- Check with your insurance carrier whether they require or recommend **criminal background checks** for persons with bank signature authority.
- Obtain an appropriate signed release before running a background check, and keep the report in a secure location.
- Create secure locations for church records, including financial records, and have backups of critical information.

## Emergency Preparedness

Major emergencies, such as fires, extreme weather events, or violent intruders, can significantly harm those gathered at church, so it is best to be prepared before such an event happens. An **Emergency Preparedness Plan** provides safe procedures to follow so that a church can respond appropriately in a crisis, and may mitigate some of the individual or property damage that might occur. In consultation with their insurance carrier, legal counsel, local law enforcement or emergency management personnel, every church should develop and distribute such a plan to staff and lay leaders, and conduct adequate training for those charged with implementing the plan. It is also a good idea to establish a process for major and minor medical situations.

### Developing an Emergency Plan (Including for Acts of Violence)

**(Source:** [www.presbyterianmission.org/legal-resources/creating-safe-ministries/](http://www.presbyterianmission.org/legal-resources/creating-safe-ministries/)**)**

- **Form a committee** to work on the plan, and include church elders and members experienced with emergency planning and law enforcement, or outside experts.
- **Contact your insurer**, who can advise you about potential risks on the church property and for your area, and **consult local authorities**, such as the police or town emergency management for their guidance.

- **Consult good online resources**, such as the Federal Emergency Management Agency’s “Guide for Developing High Quality Emergency Operations Plans for Houses of Worship,” and the Church Law and Tax site, risk management resources. (See **Resources** below)
- **Prepare a customized plan** based on the size of the congregation, number of buildings, and other factors specific to your church’s situation. Examine your property with a checklist of questions regarding security, alarms, accessible exits, remote sections, vulnerable spots, how the facility is used on Sundays and during the week, and have there been any past issues regarding safety and security.
- **Assess where and when incidents are more likely to occur**, and give thought to how you might need to secure various locations on the property on certain days of the week.
- **Assess who should be part of a plan and an emergency response**, and who may also be part of the planning team (such as medical/EMT’s, law enforcement, trained media communicators, security company employees).
- **Encourage/train staff and volunteers to notice and speak up** if they hear or see something they think is troublesome, and that they know to whom they should report problems.
- **Determine how to best communicate about, during, and following an emergency** (both internally and externally). Given your church’s size and facility, what is the quickest and safest way to alert all that an emergency is occurring, including those in immediate danger, church leadership, outside emergency services, authorized media point persons? Will you use cell phone texts, or a code over a church P.A. system, if available?
- **In addition to 911, what key contact numbers need to be listed?**
- **Evacuation or Shelter in Place?** Consult ahead of time with local emergency and law enforcement personnel about how best to evacuate people to safety in the case of immediate harm, such as from an active shooter, or when to shelter in a safe place and be still.
- **Include diagrams of your property and buildings**, including names of all rooms
- **Identify church offices with names of staffers**, so that law enforcement can find them.
- **For a daycare or school, indicate what rooms they occupy.**
- **Include a church calendar**, updated regularly, so emergency personnel can quickly determine what meetings, events, and activities are happening on the property
- **When first responders arrive**, make sure staff and volunteers have been trained to respond appropriately so that they remain safe.
- **Report all threats of violence from any source to law enforcement**, whether you have a plan or not, so they can help assess the credibility of the threat and the risk from it.
- **Training of staff and volunteers is essential** to ensure adequate implementation when an emergency unfolds. Hold emergency preparedness drills.
- **Share the plan** with all church staff and church leadership, and with the administrators of any daycare or church school on the property.
- **Hold an annual discussion about the plan** at staff and session meetings.
- **Make your congregation aware of the plan and where to find it.**
- **For church sanctuary safety**, train greeters and ushers on the plan and recommended responses, particularly with respect to an active shooter. How will everyone be able to exit or take cover, especially the young, the elderly, or those who are physically challenged?
- **Make local law enforcement contacts aware of your plan** and ask if they want a copy.
- **Have easily accessible electronic and print copies of the plan**, and make sure that all staff members have it nearby at work and also at home. Consider how it should or should not be

publicly distributed, e.g., for security reasons, it may not be appropriate to post it on your church website.

### **Resources:**

- PCUSA link to emergency planning through the *Presbyterian Mission Agency*, <http://www.presbyterianmission.org/legal-resources/creating-safe-ministries/>, which includes guidance (outlined above) on developing a plan for emergencies, including acts of violence.
- *Presbyterian Disaster Assistance* guide for disaster preparedness, response, and recovery; <http://pda.pcusa.org/pda/resources/list/?type=congregational>
- *Federal Emergency Management Agency (FEMA)* “Guide for Developing High Quality Emergency Operations Plans for Houses of Worship,” <http://www.fema.gov/media-library/assets/documents/33007>
- *Church Law and Tax* website, which includes additional links to helpful risk management publications: <http://store.churchlawtodaystore.com/emergencies.html>
- *Insurance Board article on active shooters*, “Is Your Church Prepared?” <http://www.insuranceboard.org/assets/1/AssetManager/newsletter%20spring%202016.pdf>

### **Staff and Volunteer Protections**

A faithful church seeks to be just in compensation that it provides, fair in its employment and review practices, and supportive of all who participate in the church’s mission and ministries, whether staff or volunteer.

- Churches have greater latitude than secular organizations regarding employment decisions, but there are *Book of Order* provisions regarding employment and compensation (G-3.0106; G-3.0303), as well as State and Federal regulations on employment and tax matters. Consult your church legal and/or tax advisors.
- Minimum Compensation for Teaching Elders is governed by the Presbytery’s [\*Policies for Pastoral Compensation\*](#).
- It is best to have **written** descriptions for both employee and volunteer positions, and for staff positions, to have established, clearly defined, and fair review practices.
- State and Federal tax laws may require reporting of any benefits volunteers receive, whether cash or in kind, and if volunteers receive benefits above a certain level, they may be considered “employees” by tax authorities. Consult your church tax and/or legal advisor.

### **Resources:**

- Your church tax and/or legal advisors regarding state and federal employment and tax laws.
- Presbytery’s *Policies for Pastoral Compensation*: <http://www.psne.org/minicomp.pdf>
- Other online resources: [www.nonprofitrisk.org/library/articles/employee\\_or\\_volunteer.shtml](http://www.nonprofitrisk.org/library/articles/employee_or_volunteer.shtml)  
*Volunteer Protection Act*:  
[www.fcomi.org/uploads/3/3/7/4/3374831/volunteer\\_protection\\_act.pdf](http://www.fcomi.org/uploads/3/3/7/4/3374831/volunteer_protection_act.pdf)

## Safe Conduct Policies and Practices

A faithful church is committed to creating and maintaining a community in which its members, children and youth, friends, staff, and volunteers can worship, learn, serve, and be together free from all forms of exploitation or abuse. Sexual misconduct or abuse, when it occurs, is especially devastating to those who experience it, and the impact is severe and long-lasting. It also causes significant emotional and financial harm for the church. Though many think that “it could never happen in our church,” the reality is that it can happen anywhere, regardless of church size, composition, or cultural mores.

The best way to ensure that it does not happen in your church is to have adequate safe church policies and practices that help prevent sexual misconduct and abuse, and adequate training about them. Such policies **are required** by the *Book of Order*, and they provide each church a faithful opportunity to communicate clearly that it is a safe place for all its people. Should an allegation of misconduct occur, the policies and practices that you have in place will provide much needed guidance about how to respond in an intensely stressful time in your church’s life.

- **The *Book of Order* requires** that every church adopt and implement a sexual misconduct policy and a child protection policy. (G-3.0106)
- **If you do not already have safe conduct policies in place**, then, in consultation with your insurance carrier and/or church counsel, create them as soon as possible. Otherwise, your church community is not secure, and you may not be covered by your insurance if an incident occurs.
- **If your safe conduct policies are more than three years old**, review them with your insurance carrier and church counsel to ensure that they are still adequate.
- **There is no one way to create safe conduct policies**, and you can create separate Sexual Misconduct and Child Protection policies, or one combined Safe Church Policy that covers both misconduct and child protection. (See the **Resources** online links and the *Faithful Church Guide Appendices* for sample policy templates.)
- **States have Mandated Reporting Requirements** regarding misconduct and abuse regarding children and the elderly. Include your state’s provisions in your safe church policies and make sure your staff and ministry volunteers know what they are.
- **Safe Conduct Policy Scope:** You will need to determine the full scope of what your policies should cover, but at a minimum, they should include:
  - Faith-Based Introductory Statement of Purpose
  - Prohibited Behavior (Definitions, Standards of Conduct)
  - Prevention (Screening, training, and practices to minimize the risk)
  - Reporting Requirements and Procedures (Reporting within and outside of the church, including State Mandated Reporting requirements.)
  - Response Process and Procedures

**Churches should include use of social media** provisions in their policies. (See **Resources** below for options.)

## Child/Youth Protection Recommendations:

- Carefully screen employees and volunteers working with children and youth, through screening forms, interviews, reference and criminal background checks.
- Create written and adequate safe church policies and procedures.
- Provide adequate training for all staff and volunteers, and safety awareness for children and their parents
- Establish appropriate ratios of adults for infants, children, and youth; have two adults present with children at all times; follow the “6 months” rule of church involvement before volunteers can work with children or youth.
- Hold all activities or meetings for children in highly visible locations, and for all, have windows installed on doors where church activities or meetings take place, or leave doors open, if there are no windows present.
- Develop the best possible prevention program for your church by consulting with your insurance carrier and church counsel, and obtain sufficient liability coverage.

Listed below are a number of resources that may be helpful in developing your own safe conduct policies and practices. In addition to online resources, there are sample template policies in the appendices of this guide that you can customize for your church and its particular circumstances. Consult with your insurance carrier and/or church counsel as they may have policy provisions that they particularly favor or require.

## Resources:

- Appendix A, *Sexual Misconduct Sample Policy Template* (attached)
- Appendix B, *Child Protection Sample Policy Template* (with Sample Screening and Reference Check Forms; attached)
- PSNE *Sexual Misconduct Policy*, <http://www.psne.org/sexmis.pdf>
- Insurance Board *Safe Conduct Policy & Procedure Template*: [www.insuranceboard.org/safety\\_solutions/safe\\_conduct\\_workbench.aspx](http://www.insuranceboard.org/safety_solutions/safe_conduct_workbench.aspx). Detailed and extensive template guide covering sexual misconduct and child protection that includes screening applications and forms, social media policy options, and other valuable information.

**NOTE: The Insurance Board developed this template for the denominations it serves, including the PCUSA, and has given permission for its churches to customize it.**

- **Social Media Policy Options:** See especially pages 54 – 57 of the Insurance Board *Safe Conduct Policy & Procedure Template* above.
- GuideOne Safety Resources: *Sexual Misconduct*, [www.guideone.com/safety-resource/sexual-misconduct](http://www.guideone.com/safety-resource/sexual-misconduct); sample *Child Protection Policy for Churches*, [www.guideone.com/safety-resource/child-abuse-resources](http://www.guideone.com/safety-resource/child-abuse-resources) (select WORD file for *Child/Youth Protection Policy*).
- [www.presbyterianmission.org/legal-resources/creating-safe-ministries](http://www.presbyterianmission.org/legal-resources/creating-safe-ministries) (select “Create Policies”)

## APPENDIX A – SEXUAL MISCONDUCT SAMPLE POLICY TEMPLATE

<CHURCH NAME>

The ethical conduct of all persons who minister in the name of Jesus Christ is of vital importance to this church, because through these representatives an understanding of God and of the gospel's good news is conveyed. It is incumbent upon the church, if allegations of sexual misconduct arise, to respond to those involved with compassion and justice. To that end, this policy has been adopted.

It is the policy of this Church that all church members, church officers, elders, deacons, employees and volunteers working in, with and for this Church, are to maintain the integrity of the ministerial, employment and professional relationship at all times. Sexual misconduct is a violation of the employment and professional relationship and is never permissible or acceptable.

### PERSONS COVERED

- A. Persons covered by the Policy are all persons employed by or seeking employment with the Church; all volunteers of the Church (while acting on its behalf); and the Pastors, Elders, Deacons, and other representatives of the Church.
- B. This policy also covers those who are accused of sexual misconduct under the following two circumstances:
  - 1. Where access to the Accuser/alleged Victim by the Accused is related to the Accused performing some form of service to the church or appointment by a committee, group, council or board of the Church.
  - 2. When the behavior of the Accused, though not conducted in a Church-related setting, raises questions for the Church regarding the character and effectiveness of the Accused.

### SEXUAL MISCONDUCT

*Sexual Misconduct*, as used in this Policy, includes:

- A. Child Sexual Abuse, as defined in the Appendix; additional information and screening forms are contained in the Child Protection Policy.
- B. Sexual Harassment, as defined in the Appendix.

- C. Rape or sexual contact by force, threat, intimidation, or misuse of power in a trust relationship.
- D. Sexual conduct (including, but not limited to, sexual advances; requests for sexual favors; other kinds of verbal or physical conduct of a sexual nature, such as obscene or suggestive language or behavior; use of church property, computers and other equipment or social media for sexual or pornographic purposes; unacceptable visual contact; and touching or fondling) that is unwelcome and/or repeated when the person engaged in the conduct knows or has been informed that the conduct is unwelcome or offensive to the recipient.
- E. Sexual conduct within a pastoral (e.g. clergy with a member of the congregation) or a professional relationship (e.g. counselor with a client); lay employee with a Church member; officer or representative with a Church member (or any other person who may be a lay person, elder or deacon); including sexual advances, requests for sexual favors, and verbal or physical or social media conduct of a sexual nature. This definition does not apply to relationships between spouses.
- F. Sexual misconduct as used in the policy to include any conduct that would come within the meaning of “sexual abuse” as used in the Rules of Discipline of the Book of Order of the Presbyterian Church (U.S.A.).

## **PRINCIPLES AND STANDARDS OF CONDUCT**

- A. Sexual misconduct is a misuse of authority and power that breaches Christian ethical principles by misusing a trust relationship to gain advantage over another for personal pleasure in an abusive, exploitative and unjust manner. Even if someone such as a parishioner, client, employee or student initiates or invites sexual content in the relationship, it is always the responsibility of the pastor, elder, deacon, officer, employer, volunteer, counselor, supervisor, teacher or advisor to prohibit a sexual relationship.
- B. Sexual misconduct is a violation of the role of pastor, elder, deacon, officer, employer, volunteer, counselor, supervisor, teacher, or advisor of any kind who is called upon to exercise integrity, sensitivity, and caring in a trust relationship. Sexual misconduct is also a violation of the covenant to act in the best interests of persons such as parishioners, client, co-workers, employees, and students.
- C. Sexual misconduct takes advantage of the vulnerability of children and persons who may lack the power to protect themselves from such misconduct. Sexual misconduct is antithetical to the gospel call to work as God’s servant in the struggle to bring wholeness to a broken world. Sexual misconduct violates the mandate to protect the vulnerable from harm.

- D. For the above reasons, sexual misconduct is prohibited by this Church and will never be condoned or tolerated.
- E. <ADDITIONAL PROVISIONS REGARDING THE USE OF SOCIAL MEDIA COULD BE ADDED HERE>

## **SEXUAL MISCONDUCT RESPONSE PERSON**

### A. Purpose and Function

A **sexual misconduct response person** is appointed by this Church as the person to whom reports of allegations of sexual misconduct will be made, and whose function it is to receive and quickly and objectively respond to reports of sexual misconduct by persons covered by this policy. The response person's first priority will be to seek to provide support for the Accuser/Victim as he/she decides how to resolve the situation, as well as to exhibit appropriate and professional concern for the protection of the rights of the Accused.

### B. Sexual Misconduct Response Person

This Church's primary sexual misconduct response person is the <PASTOR/TITLE >.

If the primary sexual misconduct response person is not reasonably available at the time that an allegation of sexual misconduct arises, or if an allegation is raised against or involves the sexual misconduct response person him or herself, then the following persons, in order, are approved by this Church as persons authorized to receive such allegations and serve as the sexual misconduct response person:

<Name, Clerk of Session>

<Name, Chair of the Personnel Committee>

The sexual misconduct response persons shall be fully familiar with this policy and receive training in responding to allegations of sexual misconduct under this policy. Such training will include becoming familiar with the legal, administrative, secular and ecclesiastical policies and procedures for dealing with allegations of sexual misconduct.

## **NEEDS OF THOSE INVOLVED**

### A. Victims and Families

The sexual misconduct response person shall endeavor to assure that adequate treatment and care are available to the Victims of alleged sexual misconduct and to their families. If the Victim or family at first refuses help, the sexual misconduct response person should

remain available to continue to offer help. Above all, this Church shall not act in a self-protective manner by ignoring the Victims and their families.

The extent of the damage to the Victims of sexual misconduct will vary from person to person. The sexual misconduct response person is to assume in all cases that the Victim is experiencing pain, whether or not the allegations and accusations are deemed to be truthful, and must endeavor to make appropriate pastoral care available.

The following may be some of the needs of the Accuser/Victim:

1. To be heard and taken seriously.
2. To receive protection and care if the Victim, for whatever reason, is unable to care for him/herself. To be assured that justice within the Church judicial process will be pursued.
3. To be informed about church judicial process and progress with regard to the accusation.
4. To receive pastoral care.
5. To receive healing and reconciliation.
6. To be informed of the right to consult legal counsel.

## B. Congregations

The sexual misconduct response person should be aware of the problems the congregation may experience as a result of allegations of sexual misconduct being raised against a pastor, elder, deacon, employee, member or volunteer. The allegations may polarize the congregation, damage morale, and create serious internal problems. Efforts should be taken to recognize and identify the problems and heal the damage done to the congregation.

Where a case of sexual misconduct becomes a matter of public knowledge, the sexual misconduct response person, with the permission of the alleged Victim, will inform the appropriate members of the Church session and staff regarding the status of the case.

## C. The Accused

The sexual misconduct response person shall be mindful that any Accused is to be presumed innocent until an investigation shows otherwise. Appropriate consideration should be shown to the Accused as well as to the alleged Victims and their families.

If the Accused is a pastor or elder, the secondary sexual misconduct response person should assume the responsibility of informing the Presbytery's Response Team about the allegation.

Confidentiality for the Victim demands that the Accused may be approached by the sexual misconduct response person only if the sexual misconduct response person is given permission to do so by the alleged Victim.

There may be circumstances, such as when there is suspicion of child or elder abuse, when both ecclesiastical and secular law requires that the suspected abuse be reported to secular authorities.

If the accusation proceeds to the initiation of an ecclesiastical disciplinary case, the provisions of the Rules of Discipline of the Book of Order shall be followed.

- D. A person other than the Victim, such as a parent, guardian or other advocate for a person who has been the alleged Victim of sexual misconduct, may be an Accuser. In the case of a Child, his or her minority status requires involvement of an adult to act on behalf of the Child. The sexual misconduct response person shall be aware that a non-Victim Accuser may also have some of the same needs as a Victim.

## **RESPONSE PROCEDURES TO REPORTS OF SEXUAL MISCONDUCT**

Any person with a complaint or report of sexual misconduct or a question involving this policy may contact the sexual misconduct response person at the address of this Church.

Reports of sexual misconduct will never be taken lightly or disregarded. Because information or rumors relating to such reports may affect the integrity and reputation of the Accuser, the Accused, the Victim, and the Church, reports of sexual misconduct should remain highly confidential both before and after they have been submitted to the appropriate authorities.

### **A. Notifying those with a Need to Know**

If an allegation is received by the sexual misconduct response person, that person will at a minimum ensure that the following Church-related persons are aware of the allegation having been raised: the Pastor, the Clerk of Session, the Church's insurance carrier, and the Church's legal counsel, if any.

## B. Subsequent Response

Once the sexual misconduct response person is made aware of a sexual misconduct complaint, a review will begin promptly. The sexual misconduct response person will contact the alleged Victim/Accuser and offer support on behalf of the Church. Because the role of the sexual misconduct response person is to support, educate, and listen compassionately, such person will treat all information as confidential except information that must be reported under ecclesiastical and secular law.

The sexual misconduct response person's task is to provide a safe place for the alleged Victim/Accuser to describe what has happened and to explore options available to him/her within the Church for dealing with what has happened. The decision for future action rests with the alleged Victim/Accuser. The goal of the sexual misconduct response person familiar with the Church's Policy and Procedures on Sexual Misconduct will be to provide accurate information, so that the alleged Victim/Accuser can make an educated decision.

The alleged Victim/Accuser may or may not choose to pursue further help from the sexual misconduct response person. Based upon information received from the alleged Victim/Accuser, the sexual misconduct response person may recommend that the alleged Victim/Accuser seek consultation with a professional (e.g., medical, legal). If such a recommendation is made, appropriate referrals would be provided if available.

If the Accuser is not the Victim, the sexual misconduct response person will encourage the Accuser to tell the alleged Victim about the services available through the Church. The Accuser will also inform the alleged Victim of the Accuser's intent to bring accusations to the attention of the sexual misconduct response person, and the Accuser will inform the sexual misconduct response person as to whether the Victim objects to the making of such accusations.

In some cases, the alleged Victim/Accuser may ask the sexual misconduct response person to contact the Accused. Before doing so, the sexual misconduct response person should have received a signed and dated authorization for release of information.

The alleged Victim/Accuser shall decide whether or not to file disciplinary charges under the Rules of Discipline. Should the Accuser decide to file charges, and if the Accused is an elder, the alleged Victim/Accuser will be informed by the sexual misconduct response person how to contact the Stated Clerk of the Presbytery to initiate such a process. The sexual misconduct response person's continued involvement at this point will be determined by the needs of the Accuser for continued support.

## C. Written Records

If the Victim/Accuser chooses to proceed and requests the sexual misconduct response person's continuing involvement, an adult Victim or non-Victim Accuser may be encouraged to write a detailed description of the alleged sexual misconduct. Because of possible future proceedings, the Victim may want to sign and date the description and attach any supporting documentation. The Victim/Accuser will maintain ownership and possession of this document. The Victim may wish to be in counseling during this process, in order to receive additional emotional support.

Any records kept by the sexual misconduct response person will be confidential. Such records should be kept in a locked space and should be shredded when the contact with those involved has ended, but only after consultation with legal counsel. These records may include names, dates of contact, recommendations, and personal notes.

#### D. Reporting Child Sexual Abuse or Rape

The sexual misconduct response person must be familiar with ecclesiastical and state law regarding the reporting of Child Sexual Abuse. If the sexual misconduct response person suspects that Child Sexual Abuse has occurred, the sexual misconduct response person will help the Victim/Accuser understand and comply with state laws regarding incidents of actual or suspected Child Abuse and the reporting of such incidents. The sexual misconduct response person will advise the Victim/Accuser to seek legal advice with regard to bringing criminal charges and will report the abuse to the Presbytery for further action consistent with secular law.

Whether or not the Accuser agrees, the sexual misconduct response person, if a member of the ordered ministries, or a certified Christian educator, is subject to and will comply with all secular law with regard to actual or suspected child or elder sexual abuse, including mandated reporting related to Child Sexual Abuse.

#### E. Voluntary Leave for Alleged Accused

For the protection of those involved, the sexual misconduct response person may suggest a voluntary leave for an elder, employee, volunteer and others who may be the subject of an accusation. If the matter involves a teaching elder, the terms of the leave will be worked out between the Presbytery and the session of the Church, with particular attention being paid to the provisions of the Rules of Discipline of the Presbyterian Church (U.S.A.) regarding administrative leave in such circumstances.

#### F. Compliance with Secular Authorities

The Church shall cooperate with Secular Authorities in their investigations of Child Sexual Abuse or other criminal misconduct. Church proceedings shall not interfere with

a criminal investigation by civil authorities. The Church proceedings may have to be suspended until secular investigations are completed.

## **RISK MANAGEMENT**

### **A. Implementation**

The Church will take appropriate steps to inform its members, employees, staff and volunteers of the standards of conduct and the procedures for effective response to be carried out if a report of sexual misconduct is received.

Clergy associated with the Church must be aware of how state law regarding clergy confidentiality intersects with state law on child sexual abuse and reporting obligations.

### **B. Liability and Insurance**

The church may potentially be liable for damages for harm caused by sexual misconduct of a minister, employee, staff member, volunteer or other persons acting on its behalf.

The Church should be certain that it obtains liability insurance covering sexual abuse and that it regularly informs the liability insurer of the activities and programs it operates and sponsors, particularly programs whose staff may be considered to be in high-risk occupations. Additions or deletions of such activities or programs should promptly be brought to the attention of their liability insurers.

### **C. Volunteers**

Volunteers acting on behalf of the Church are subject to this policy. An appropriate screening procedure shall be established by the Church before permitting the volunteer to work *in loco parentis* with children, including requiring criminal background checks before such persons are assigned to work with children. See the Child Protection Policy for additional information and screening forms.

### **D. Resources**

The sexual misconduct response person will become generally familiar with resources, counselors, advisors, medical and legal persons, and other resources available in the greater area of the Church to serve and support victims of alleged sexual misconduct, in order to provide references to such resources if and as needed.

## **EMPLOYMENT PRACTICES**

### **Record Keeping**

The church shall maintain a personnel file containing documents related to this policy for every employee, volunteer and elder.

#### **A. Pre-screening Applicants**

Pre-employment screening shall include specific questions related to discovering previous formal charges of sexual misconduct.

An applicant shall be informed of any reports of sexual misconduct and shall be given an opportunity to submit additional references or to give other evidence to correct or to respond to harmful information obtained from a reference prior to a final decision being made on the applicant.

#### **B. Regarding Associations with Children**

Staff, elders, volunteers, youth leaders, school teachers, and others regularly associated with children and youth of the church shall have submitted to relevant background checks and clearances before being associated with children and youth. The reports of such clearances shall be maintained by the church for as long as the adult works with the children and youth and for six (6) years thereafter.

## **APPENDIX I—Definitions**

Accused is the person against whom a claim of sexual misconduct is made.

Accuser is the person claiming knowledge of sexual misconduct by a person covered by this policy. The Accuser may or may not be the Victim of alleged sexual misconduct. A person such as a family member, friend, or colleague of the Victim may be the Accuser whose information initiates an inquiry.

Child is a person under eighteen years of age.

Child Sexual Abuse includes, but is not limited to, any contact or interaction between a Child and an adult when the Child is being used for the sexual stimulation of the adult or a third person. The behavior may or may not involve touching. Sexual behavior between a Child and an adult is always considered forced, whether or not it was consented to by the Child.

Employee is the comprehensive term used to cover individuals who are hired or called to work for this Church for salary or wages.

High Risk Occupation is that which calls for a person to work in close contact with those who are vulnerable and less capable of protecting themselves, such as children, elderly persons, those who are wholly or partially incapacitated, or clients who are having emotional or personal problems.

Investigation is the term generally used by police, secular prosecutors, and child protective services when responding to allegations of an offense.

Response is the action taken by the Church when a report of sexual misconduct is received. It may include the following: 1) inquiry into facts and circumstances, 2) possible disciplinary action (administrative or judicial or both), 3) pastoral care and professional intervention for Victims, their families, and others involved in congregational and employment settings, and 4) pastoral care for the Accused.

Secular Authorities are the governmental bodies, whether city, county, state, or federal, who are given the responsibility to investigate, criminally prosecute, and/or bring civil charges against individuals accused of sexual crimes or offenses.

Secular Law is the body of municipal, state, and federal laws and is often referred to collectively as civil and criminal. Prohibited behavior addressed by this policy may result in criminal charges and/or civil lawsuits under Secular Law.

Sexual Harassment in this Policy means unwelcome sexual advances, requests for sexual favors, and other verbal or physical or social media conduct of a sexual nature when: 1) submission to such conduct is made either explicitly or implicitly a term or a condition of an individual's employment or volunteer service; 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, or offensive working environment.

Victim is the term used to identify the person alleged to have been injured by sexual misconduct.

Volunteer is the term used for those who provide services for the Church and receive no benefits or remuneration. Volunteers include persons elected or appointed to serve on boards, committees and other groups. For purposes of this policy, volunteers are treated the same as employees. Liabilities of the governing body or entity are the same for volunteers as for employees.

**See the Child Protection Policy of <CHURCH NAME> for supplemental information, procedures, and screening forms concerning child sexual abuse**

## APPENDIX B - CHILD PROTECTION SAMPLE POLICY TEMPLATE

<CHURCH NAME>

### General Purpose Statement

Children and youth are a gift from God entrusted to us, so that they may come to know God's abounding love and grace through Jesus Christ. With open arms, Jesus welcomed and blessed children, saying, "Let the little children come to me, and do not stop them; for it is to such as these that the kingdom of heaven belongs." (Matthew 19:14; Mark 10:15-16) As the body of Christ, the church is called to reflect Christ's love of all children, by welcoming them as he did, and by blessing them with a safe and nurturing environment, in which they can grow spiritually, be physically and emotionally safe, and be free from any form of exploitation or abuse.

< CHURCH NAME> seeks to provide such a safe and secure environment for the children who participate in our programs and activities. By implementing the practices of this policy, our goal is to protect the children of <CHURCH NAME> from incidents of misconduct or inappropriate behavior, while also protecting our staff, volunteers, and church community from the harm that can arise from allegations of abuse.

### Definitions

For purposes of this policy, the terms "child" or "children" include all persons under the age of eighteen (18) years. The term "worker" includes both paid and volunteer persons who work with the children of our church community, including all adults and teenagers.

### Screening and Selection

All persons who desire to work with the children participating in our programs and activities will be screened. This screening includes the following:

#### a) Six Month Rule

No volunteer will be considered for any position involving contact with minors until he/she has been involved with <CHURCH NAME> for a minimum of six (6) months. This time of interaction between our church leadership and the applicant allows for better evaluation and suitability of the applicant for working with children.

#### b) Written Application

All persons seeking to work with children must complete and sign a written application in a form to be supplied by us. The application will request basic information from the applicant and will inquire into previous experience with children, previous church affiliation, reference and employment information, as well as disclosure of any criminal convictions. The application form will be maintained in confidence on file at the <CHURCH NAME >.

### **c) Personal Interview**

Upon completion of the written application, and review of it by the church, a face-to-face interview will be scheduled with the applicant to discuss his/her suitability for the position and for working with children.

### **d) Reference Checks**

Before an applicant is permitted to work with children, the applicants' references will be checked by the church. At least two of these references should be of an institutional nature as opposed to personal or family references, preferably from organizations where the applicant has worked with children in the past. Documentation of the reference checks will be maintained in confidence on file at the church.

### **e) Criminal Background Check**

A national criminal background check is required for all employees (regardless of position) and for the following categories of volunteers:

- Those who will be involved in our church school/preschool/daycare center;
- Those who will be involved in overnight activities with children;
- Those counseling children (in any context);
- Those involved in one-on-one mentorship or counseling of children; and
- Those having occasional one-on-one contact with children (such as, church sponsored athletic team coaches and vehicle drivers).

Before a background check is run, prospective workers will be asked to sign an authorization form allowing the church to run the check. If an individual declines to sign the authorization form, s/he will be unable to work with children.

What constitutes a disqualifying offense that will keep an individual from working with children will be determined by <TITLE OF PERSON OR TEAM> on a case-by-case basis in light of all the surrounding circumstances. Generally, convictions for an offense involving children and/or for offenses involving violence, dishonesty, illegal substances, indecency and any conduct deemed contrary to our mission will preclude someone from being permitted to work with children. Failure to disclose a criminal conviction on the written application form will also be a disqualifying event. Every background check will be reviewed by <TITLE 1> and <TITLE 2> and they must agree that an applicant is suitable for the position and to work with children at the church.

The background check authorization form and results will be maintained in confidence on file at the church.

### **Two Adult Rule**

It is our goal that a minimum of two, preferably unrelated, adult workers will be in attendance at all times when children are being supervised during our programs and activities. Some youth classes may have only one adult teacher in attendance during the class session; in these instances,

doors to the classroom should remain open and there should be no fewer than three students with the adult teacher. The <TITLE OF MINISTRY LEADER> will make random drop by checks of classes with less than one adult teacher present. In general, we do not allow minors to be alone with one adult on our premises or in any sponsored activity with the exception of permitted and supervised mentoring or counseling.

### **Teenage Workers**

We recognize that there may be times when it is necessary or desirable for babysitters (paid or volunteer) who are themselves under age 18 to assist in caring for children during programs or activities. The following guidelines apply to teenage workers:

- Must be at least age 14
- Must be screened as specified above.
- Must be under the supervision of an adult and must never be left alone with children.

### **Open Door Policy**

Classroom or office doors should remain open unless there is a window in the door or a side window beside it. Except in the case of a violent intruder at the church, doors should not be locked while children are inside the room.

### **One-on-One Counseling and Mentoring**

One-on-one mentoring or counseling by adult workers of children may only take place where other church staff or leadership has sanctioned the activity, is aware that it is occurring, and provides appropriate oversight. It must be conducted in a church area visible to others, or there is a window that allows others to see the participants, and the door remains unlocked. It may also take place in approved public areas outside of the church.

### **Check-in/Check-out Procedure**

For children below third grade, a security check-in/check-out procedure will be followed. The child will be signed in by a parent or guardian, who will receive a “child check” for the child similar to a claim check. The parent or guardian must present the “child check” in order to sign out the child from our care. In the event that a parent or guardian is unable to present the “child check,” <TITLE OF CHILD CARE LEADER> will be contacted. <TITLE> will be responsible for releasing the child to the care of a parent or guardian after discussing the surrounding circumstances with the parent or guardian.

### **Sick Child Policy**

It is our desire to provide a healthy and safe environment for all of the children at <CHURCH NAME>. Parents are encouraged to be considerate of other children when deciding whether to place a child under our care for church activities, and children with obvious symptoms of illness, such as fever or infection, should not be present. Children who are observed by our workers to be ill will be separated from other children and the parent or guardian will be contacted to request that the child be picked up.

## **Medications Policy**

It is the policy of <CHURCH NAME > not to administer either prescription or non-prescription medications to the children under our care. Medications should be administered by a parent at home. Parents are reminded of our sick child policy. Exceptions to the medications policy may be granted to parents of children with potentially life-threatening conditions (such as asthma or severe allergic reactions). Parents of such children should address their situation with <TITLE OF CHILD CARE LEADER> to develop a plan of action.

## **Discipline Policy**

It is the policy of <CHURCH NAME> not to administer any form of corporal punishment, even if parents have suggested or given permission for it. There should be no spanking, grabbing, hitting, or other physical discipline of children. Workers should consult with <TITLE OF MINISTRY LEADER> if assistance is needed with disciplinary issues.

## **Restroom Guidelines**

Parents are strongly encouraged to have their children visit the bathroom prior to participating in church activities.

Children five years of age and younger should use a classroom bathroom if one is available. If a classroom bathroom is not available, workers should escort a group of children to the hallway bathroom. They should always go in a group, never taking a child to the bathroom alone. The workers should check the bathroom first to make sure that it is empty, and then allow the children inside. The workers should then remain outside the bathroom door and escort the children back to the classroom. If a child requires assistance, the workers should prop open the bathroom door, and leave the stall door open as they assist the child.

For children over the age of five, at least one adult male should take boys to the restroom and at least one adult female should take girls. The worker should check the bathroom first to make sure that the bathroom is empty, and then allow the children inside. The worker should then remain outside the bathroom door and escort the children back to the classroom. For the protection of all, workers should never be alone with a child in a bathroom with the door closed and never be in a closed bathroom stall with a child.

## **Accidental Injuries to Children**

In the event that a child or youth is injured while under our care, the following steps should be followed:

1. For minor injuries, scrapes, and bruises, workers will provide First Aid (Band-Aids, etc.) as appropriate and will notify the child's parent or guardian of the injury at the time the child is picked up from our care.
2. For injuries requiring medical treatment beyond simple First Aid, the parent and/or guardian will immediately be summoned in addition to the worker's supervisor. If warranted by circumstances, emergency services (911) will be called.

3. Once the child has received appropriate medical attention, an incident report will be completed in the case of injuries requiring treatment by a medical professional.

### **Child Abuse**

For purposes of this policy, “child abuse” is any action (or lack of action) that endangers or harms a child’s physical, psychological, or emotional health or development. Child abuse occurs in different ways and includes the following:

- **Physical abuse** – any physical injury to a child that is not accidental, such as hitting, beating, shaking, burns, and biting.
- **Emotional abuse** – emotional injury when the child is not nurtured or provided with love and security, such as an environment of constant criticism, belittling, and persistent teasing or bullying.
- **Sexual abuse** – any sexual activity between a child and an adult or between a child and another child, including, but not limited to, activities such as fondling, exhibitionism, intercourse, and pornography. The misuse of technology or social media, such as showing, texting, or emailing suggestive or pornographic messages, images, or photos to a child under the age of eighteen, is considered child abuse. There is never an expectation of privacy when using technology equipment owned by <CHURCH NAME> or one’s own technology equipment when used within the context of ministry.
- **Neglect** – depriving a child of his or her essential needs, such as adequate food, water, clothing, shelter, or medical care.

### **Responding to Allegations of Child Abuse**

State law mandates those who must report suspected child abuse and neglect to child welfare authorities:

<ENTER THE MANDATED REPORTER STATUTE FOR YOUR STATE>.

In addition, the *Book of Order* requires that “any member of the church engaged in ordered ministry and any certified Christian educator employed by the church shall report to ecclesiastical and civil legal authorities knowledge of harm, or the risk of harm, related to the physical abuse, neglect, and/or sexual molestation or abuse of a minor or an adult who lacks mental capacity.” (G-4.030)

### **Immediate Safety**

When anyone governed by this policy suspects child abuse, he/she will first determine if there are immediate safety issues. If there is an immediate danger to any child, all necessary steps shall be taken to insure the child’s safety. These may include calling for medical assistance or reporting the incident to the police.

## Response Procedure

In the event that an individual involved in the care of children at this church becomes aware of suspected abuse or neglect of a child under his/her care, this should be reported immediately to the <TITLE/PASTOR> for further action including reporting to civil authorities as mandated by state law, and as required, to the Presbyter or Stated Clerk of the Presbytery. If the alleged abuser is also the person designated by the church for reporting, then the abuse shall be immediately reported first to <TITLE OF BACKUP PERSON>, who will contact the civil authorities and Presbytery.

In the event that an incident of child abuse is alleged to have occurred at this church or during our sponsored programs or activities, the following procedure shall be followed:

1. As soon as practicable after receiving a report of an alleged incident of child abuse, the parents or guardians of the child will be notified.
2. The worker alleged to be the perpetrator of the child abuse will immediately be placed on leave from working with children pending an investigation and instructed to remain away from the church premises and activities during the investigation.
3. Civil authorities will be notified, and the church will comply with the state's requirements regarding mandatory reporting of abuse as the law then exists. The church will fully cooperate with the investigation of the incident by civil authorities.
4. Within 48 hours after the alleged incident, our insurance company and church counsel will be notified and we will complete an incident report. Any documents received relating to the incident and/or allegations will immediately be forwarded to the insurance company. The incident report will also be forwarded to the Presbyter or Stated Clerk of the Presbytery.
5. If the accused is subject to the jurisdiction of the Presbyterian Church (U.S.A.) and reasonable cause exists to believe that an offense has occurred, the disciplinary proceedings shall be commenced against the accused under the Rules of Discipline by causing a written statement of alleged offense to be filed with the Clerk of the Session of <CHURCH NAME>.
6. The person(s) making the initial report shall not conduct an investigation of the incident, but first shall take all necessary steps to insure the immediate safety of the alleged victim. Any further investigation shall be conducted by the investigating committee in accordance with the Rules of Discipline, by the appropriate insurance carrier, or by the civil authorities. The Pastor, in consultation with the Presbyter, shall determine to what extent the incident needs to be further investigated separately by the <CHURCH NAME> or the Presbytery. Any such separate investigation by this church or the Presbytery shall be performed at the direction of and under the supervision of the Pastor and/or Presbyter.
7. <TITLE OF DESIGNATED PERSON> will be our spokesperson to the media concerning incidents of abuse or neglect, unless he or she is alleged to be involved. We will seek the advice of legal counsel before responding to media inquiries or releasing

information to the congregation. All other representatives of the church should refrain from speaking to the media.

8. A pastoral visit will be arranged for those who desire it.
9. Any person who is not found innocent of the alleged abuse or misconduct will be permanently removed from their position working with children or youth.

### **Confidentiality**

Because an accused is presumed innocent until proven guilty, care will be taken to protect confidentiality. While the incident is being investigated, all persons with knowledge of the incident shall maintain strict confidentiality and shall share information with others only as permitted by the church's <TITLE OF PERSON > or Presbytery authority, or as required by state mandated reporting laws.

### **Training**

<CHURCH NAME> will provide training on this child protection policy to all new childcare workers before they are permitted to work with children. It will also strive to provide opportunities for additional training classes or events on an annual basis. All workers are required to attend these training events.

### **Review of Policy**

The Session of <CHURCH NAME> shall review this policy annually.

**CHILD/YOUTH WORKER  
SAMPLE APPLICATION, DISCLOSURE, AND CONSENT FORM**

**Applicant Information:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_  
Daytime Phone: \_\_\_\_\_ Evening Phone: \_\_\_\_\_ Email: \_\_\_\_\_  
Occupation: \_\_\_\_\_ Employer: \_\_\_\_\_  
Employer Telephone Number: \_\_\_\_\_  
Student? Yes \_\_\_ No \_\_\_ If yes, name of school: \_\_\_\_\_  
Previous work/volunteer experience with children:  
\_\_\_\_\_  
\_\_\_\_\_

I have been a member of this church since: \_\_\_\_\_  
I have been a friend of this church since: \_\_\_\_\_  
Name & Address of previous church: \_\_\_\_\_

**References: Please give three references, none of whom may be related to you.**

**Name (1)** \_\_\_\_\_  
Relationship: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**Name (2)** \_\_\_\_\_  
Relationship: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**Name (3)** \_\_\_\_\_  
Relationship: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**Self-Disclosure: Please answer the following questions. Attach additional sheets if you need more space.**

- a. **Have you ever been convicted of, or pled guilty or no contest to, a crime?**  
Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, give details.

**b. Has any civil lawsuit against you alleging actual or attempted sexual discrimination, sexual harassment, sexual exploitation, sexual misconduct, physical abuse, child abuse or financial misconduct ever been filed?**

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please give details and describe resolution of the lawsuit.

**c. 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, sexual harassment, sexual exploitation, sexual misconduct, physical abuse, child abuse or financial misconduct?**

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please give details.

**d. Do you have a valid driver's license?**

Yes \_\_\_\_\_ No \_\_\_\_\_

**e. Have you ever had your driver's license suspended or revoked due to reckless driving or driving while intoxicated or under the influence of a controlled substance?**

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please give details.

### **Certification and Consent to Background Check**

I certify that the foregoing information is true and complete to the best of my knowledge. I hereby authorize the <NAME OF CHURCH> to conduct a criminal background check on me and to verify all statements made on this form, and I hereby release the <NAME OF CHURCH>, and its employees and agents from all liability in connection therewith.

Date: \_\_\_\_\_

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

\_\_\_\_\_  
Social Security Number

If applicant is a minor, authorization of parent or guardian for background check on applicant:

Name (print) \_\_\_\_\_ Signature: \_\_\_\_\_

**SAMPLE REFERENCE CHECK FORM**

Reference Check for: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Reference: \_\_\_\_\_

Address \_\_\_\_\_ Phone: \_\_\_\_\_

Hello, my name is \_\_\_\_\_ with <CHURCH NAME>. <NAME OF APPLICANT> has applied to work/volunteer with children at our church, and said you would be a good person for us to talk with about him/her. Do you have a few minutes to talk now? [If no, arrange for a more convenient time. If yes, then thank the person, and continue with the questions below.]

What is your relationship to this person?

How long have you known him/her?

How would you describe his/her character?

How would you describe his/her ability to work with and relate to children?

Can you give me an example?

How would you rate the applicant's abilities to maintain appropriate boundaries with children?  
\_\_\_\_\_ Above satisfactory \_\_\_\_\_ Satisfactory \_\_\_\_\_ Below satisfactory (Please tell me why)

How would you describe this person's ability to relate to adults?

Do you have any knowledge that this person has ever been arrested for any reason? If so, please describe.

Do you have any knowledge that this person has ever been accused of sexual misconduct or child abuse?

Do you have any additional comments about this person or questions?

\_\_\_\_\_  
Name of Screener (Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date