

## TRINITY PRESBYTERIAN CHURCH

### Safe Church Policy

#### DEFINITION

“*Sexual Misconduct*” is the comprehensive term used in this policy to include:

- A. Child sexual abuse; including, 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 person or of 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 consented to by the child. The sexual abuse definition of a child is anyone under age 18.
- B. Vulnerable adult abuse; including, but is not limited to, any contact or interaction with an adult age 18 or older who is mentally and/or physically unable to consent to or refuse sexual activity. This inability may or may not include inability to understand, give verbal consent, or physically refuse. This behavior may or may not involve touching. Sexual behavior between an adult and a vulnerable adult is always considered forced, whether or not consented to by the vulnerable adult.
- C. Elder sexual abuse; including, but is not limited to, any contact or interaction with a vulnerable adult over the age of 60 who is mentally and/or physically unable to consent or refuse sexual activity. This behavior may or may not involve touching. Sexual behavior involving an elderly adult without the mental capacity to consent – such as an adult with dementia or Alzheimer’s – is always considered forced.
- D. Sexual harassment; defined for this policy as follows: unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
  - 1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, or their continued status in an institution;
  - 2. submission to or rejection of such conduct is used as the basis for employment decisions affecting such an individual;
  - 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;
  - 4. an individual is subjected to unwelcome sexual jokes, unwelcome or inappropriate touching, or display of sexual visuals that insult, degrade, and/or sexually exploit men, women, or children.
- E. Rape or sexual contact by force, threat, or intimidation. This may include, but is not limited to: fondling; oral, genital, and anal penetration; and intercourse.
- F. Sexual Malfeasance; is defined by the broken trust resulting from sexual activities within a professional ministerial relationship that results in misuse of office or position arising from the professional ministerial relationship.
- G. Misuse of technology; use of technology that results in sexually harassing or abusing another person, including texting or emailing suggestive messages and images. It is never appropriate to view pornography on church property. When this includes a person under the age of eighteen, it is considered child abuse. Peer to peer interactions are not excluded.

## **POLICIES**

- A. Criminal background checks shall be administered when appropriate.
  - 1. All paid employees, including clergy, must submit to a criminal background check annually. No exceptions will be allowed.
  - 2. All volunteer staff who work with children or youth – such as a nursery attendant or youth worker - must submit to a criminal background check at least once every three years. No exceptions will be allowed.
  - 3. Employees and volunteers whose background checks show a history of sexual misconduct, physical violence, drug abuse, and/or felonies may not be permitted to work at Trinity.
  - 4. The results of criminal background checks will not be public church information; employees and volunteers may anticipate an appropriate level of privacy regardless of the results of the background check(s).
  
- B. Ministry with adults shall maintain an atmosphere of safety and responsibility.
  - 1. Adults should strive to meet in groups of three or more while on church campus.
  - 2. If a meeting must take place on church campus between two adults – such as between the Pastor and a member seeking confidential care – the meeting should, if at all possible, take place while other persons are in the church building, preferably in a room with either an open door or a closed door with a clear, unobstructed window.
  - 3. Sexual activity between two or more adults on church campus is prohibited at all times, even if said adults are consenting and/or married.
  
- C. Ministry with children shall maintain an atmosphere of safety and responsibility.
  - 1. Adults working with children shall observe the “Two-Adult Rule” (APPENDIX A) at all times.
  - 2. Supervisory adults should remain at each activity until its scheduled conclusion. Early dismissal of children should not be allowed, except at the express direction of a parent or guardian.
  - 3. All children at the church are the responsibility of their parent(s), and should not be left unattended.
  - 4. Parental permission forms will be required for any off premises activity involving children. These forms may be completed annually.
  - 5. On any church sponsored event, adults will provide transportation.
  - 6. Adults should strive to keep all church activities involving children in open areas where activities are clearly observable by passersby.
  - 7. Rest room supervision: If assisting younger children, doors to the facility must remain open. No child, regardless of age, should enter a public rest room alone when on a trip. Always send children in pairs and, whenever possible, with adult supervision.
  - 8. Discipline must remain compassionate and constructive at all times and never cross the line into verbal abuse. Physical discipline is strictly prohibited.
  - 9. Employees and youth volunteers may not date the youth participants with whom they work.

- D. Abuse – whether physical, sexual, mental, or verbal – is strictly prohibited. Abuse that takes place electronically, such as cyber-bullying, is not exempted.
- E. Employees and volunteers will respond to everyone with respect and consideration and will not discriminate against anyone because of sex, gender identity, sexual orientation, race, religion, culture, ability, or income.
- F. Employees and volunteers will respect each individual’s right to not be touched in ways that make them feel uncomfortable, and their right to say no. This includes friendly hugging among adults.
- G. Using or being under the influence of alcohol or drugs while working (paid or volunteer) at the church is prohibited. Use of these substances is also prohibited at any church sponsored function involving youth. This includes the use of tobacco. Exceptions shall be made for the use of wine during the Lord’s Supper.
- H. All types of harassment are prohibited, including the use of inappropriate jokes or inappropriate remarks.
- I. Employees and volunteers shall immediately report to the Pastor any behavior that seems abusive or inappropriate. This report must be made immediately and in no event more than 24 hours after the event.
  - 1. If the Pastor’s behavior seems abusive or inappropriate, then concerns should be reported to the Personnel Committee.
  - 2. If the combined behavior of both the Pastor and a member of the Personnel Committee seems abusive or inappropriate, then concerns should be reported to the church’s liaison on Heartland Presbytery’s Commission on Ministry.
- J. Abuse, suspected abuse, or neglect must be reported by the Pastor or an Elder to the appropriate authorities, including, but not limited to local police, the Children’s Division of the State of Missouri, or the Missouri Department of Health and Senior Services. This report must be made immediately and in no event more than 24 hours after the event or notification.
  - 1. Under Missouri Law, all ministers are mandatory reporters (MO 192.2405.1). Failure by a mandatory reporter to report abuse is a Class A misdemeanor (MO 565.188.1).
  - 2. Under the Book of Order, all Teaching Elders, Ruling Elders, and certified Christian educators are mandatory reporters (G-4.0302). Confidentiality may be waived if there is believed to be a risk of immediate or future harm (G-4.0301 & G-4.0302).
- K. Violation of any of the above policies shall be reported immediately to the Pastor or an Elder, and may result in termination of an employee or volunteer.

## REPORTING

If there is any knowledge or suspicion that abuse has occurred, the Pastor or a Ruling Elder shall report immediately to the proper authorities. Abuse must be reported whether it takes place on or off church campus. If the Pastor is unavailable, an Elder, preferably on Session, shall make the report. APPENDIX B may be used as a helpful tool in acquiring the appropriate information to report. *It is imperative that volunteers not engage in questioning the alleged victim.*

The report may contain information about:

- A. The identity of the person(s) who are reporting the suspected abuse and where they can be located if further information is needed.
- B. The identity of the suspected victim and information about where he or she can be located for interview.
- C. The identity of the alleged perpetrator and information about where he or she can be located.
- D. The nature of the alleged abuse, injuries, and statements made by the alleged victim.
- E. The reporting person can also request information on the general disposition after the report has been made.

A confidential record will be kept when a report of suspected abuse or neglect is made (APPENDIX B). This notation will include the name of the agency and the staff person to whom the report was made, the date and time that the report was made, and the names of the persons making that report.

## APPENDIX A

### The Two-Adult Rule

Simply stated, the Two-Adult Rule requires no fewer than two adults present at all times during any church-sponsored program, event, or ministry involving children.

- A. An “adult” for the purpose of this rule is defined as an individual aged 18 years or older who is of sound mental capacity. If working with high school aged children, the adult shall be no younger than 25-years-old. Adults and teenagers younger than this rule may work as helpers when deemed appropriate, but shall not be considered to fulfill the Two-Adult Rule.
- B. Two married adults shall only count as “one adult” under the Two-Adult Rule. If married adults are present with children, a third adult must be present for the Two-Adult Rule to be fulfilled.
- C. It is preferred that the two adults present not be related.
- D. The nursery is always attended by at least two adults.
- E. The youth fellowship group is always staffed with at least two adults.
- F. Confidential conversations between adult leaders and children (such as pastoral counseling or verbal discipline) shall take place with two adults present. In circumstances that require confidentiality, the second adult may stand outside the door of a meeting room *only if* the door has a visible window and both the child and adult in the room are within full view.
- G. In extreme circumstances, one adult may temporarily supervise children if three or more children are present. This should only take place if the second adult must be absent for the safety of themselves or another person (such as attending a medical emergency). Lack of proper planning or volunteer recruitment does not constitute an extreme circumstance.
- H. Hospital visits to children may be exempt from the Two-Adult Rule as hospitals are not private spaces and there is every expectation that the visit will be interrupted by numerous other adults. However, it is recommended that the Two-Adult Rule still be applied for the sake of consistency, and hospital room doors shall remain open during visits whenever possible.
- I. Adults may, at any time, be asked to disclose all electronic communication between themselves and a child of the church – this may include text messages, emails, and social media. Adults should strive to have another adult “present” in electronic communication with a child whenever possible.
- J. Under no circumstances shall the Pastor or any other church employee be exempt from the Two-Adult Rule.

The significance of this rule cannot be overstated. A church will drastically reduce the possibility of an incident of child abuse if this rule is followed. Thus, both children and adults are protected.

**APPENDIX B**

**Trinity Presbyterian Church Form for Reporting Abuse**

The following information may be asked by civil authorities when reporting abuse. The purpose of this form is to have the information in one central location. It is solely meant to be a useful tool, and is not required to report abuse.

To report Child Abuse: Children’s Division Hotline, phone 1-800-382-3738

To report Elderly and Disabled Abuse: Health and Senior Services Hotline, phone 1-800-392-0210

To report all other abuse: Local Police, phone 911

1. Person observing or receiving the disclosure of abuse:

Name: \_\_\_\_\_

Date: \_\_\_\_\_ Time \_\_\_\_\_ Place: \_\_\_\_\_

2. About the Alleged Victim:

Name \_\_\_\_\_ Age: \_\_\_\_\_

Birth Date: \_\_\_\_\_ Sex: M/F Race \_\_\_\_\_

Home Address: \_\_\_\_\_

\_\_\_\_\_

Home Phone: \_\_\_\_\_ Emergency Phone: \_\_\_\_\_

Parent(s) or Guardian(s) if under 18: \_\_\_\_\_

3. Any statement made by the alleged victim including the name of the alleged perpetrator, time, place, and nature of the alleged abuse, and/or observation of physical and/or behavior indicators which led to the suspicion of abuse: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. About the Alleged Perpetrator:

Name: \_\_\_\_\_

Address: (if known): \_\_\_\_\_

How does the alleged victim know the alleged perpetrator? \_\_\_\_\_

5. Date of Report: \_\_\_\_\_ Time \_\_\_\_\_

Name of caseworker spoken to: \_\_\_\_\_ Case Number: \_\_\_\_\_

6. Person Making the Report:

Name: \_\_\_\_\_ Job Title: \_\_\_\_\_

Signature: \_\_\_\_\_