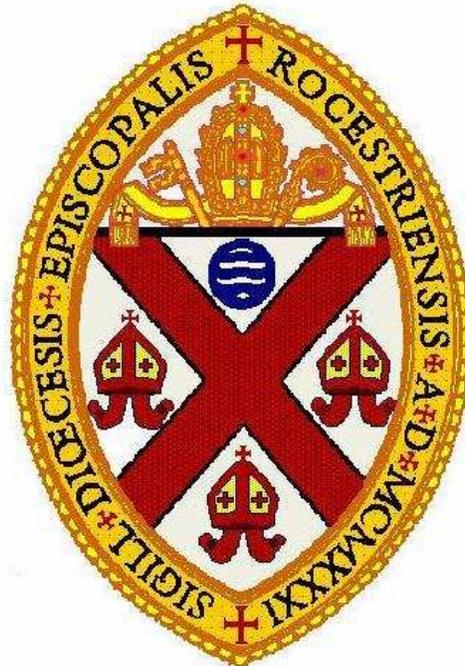


Policies and Procedures for Developing Safer Churches and  
Reducing Sexual Misconduct

*and*

Policies and Procedures for Responding to Allegations  
of Misconduct



**Episcopal Diocese  
of Rochester**

Approved by the Trustees Human Resources Committee, Dec. 2004  
Affirmed by the Diocesan Council

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*I. Introduction and Definitions*

Every time there is a baptism, the whole congregation pledges to “seek and serve Christ in all persons, loving our neighbor as ourselves,” and to “respect the dignity of every human being.” The church is a community grounded in the love of Christ, seeking to find Christ in every person, respecting the dignity of every person, especially the most vulnerable. The ancient Christian practice of hospitality suggests that every person who enters our church buildings will be treated with respect and generosity. Even our enemies will be safe under our roofs.

But we have learned through sad experience that Christian love and respect cannot be assumed. We do not always treat people with respect and generosity. We do not always give special care to the vulnerable. Indeed, sometimes some members of the church prey on other members. It is incumbent on us as members of the body of Christ to make self-conscious efforts to see that our life together reflects our baptismal commitments and that our policies and practices reflect thoughtful and concrete actions to protect every member from harm.

What we are trying to do is create a “safe” church or, at least, a “safer” church. Safety means that one’s person – spiritual, emotional and physical – are protected from harm. It does not mean that accidents or abuse won’t happen. But it does mean that we, as leaders, have thought about the issues and have tried to put in place reasonable safeguards against injury and exploitation. Although this policy is directed against sexual misconduct, the issues raised here include spiritual safety (valuing of differences, respect for vulnerability), emotional safety (confidentiality, courtesy and civility), and physical safety (cleanliness of facilities, lighting, food preparation, storage of dangerous substances, fire safety).

The policies listed below are meant to strengthen our church environments so that the likelihood of sexual misconduct is reduced and our members and employees know what is expected of them. We want to help people use common sense in their interactions with children, youth and adults and to maintain appropriate interpersonal boundaries in their conduct.

This document is divided into two sections: *Policies and Procedures for Developing Safer Churches and Reducing Sexual Misconduct*, and *Policies and Procedures for Responding to Allegations of Misconduct*. There are also several appendices containing helpful information and useful forms.

Throughout this document, the **DEFINITIONS** listed below will be used.

**Sexual Misconduct**, as used here, refers to:

**Sexual abuse or sexual molestation** of any person, including but not limited to, any sexual involvement or sexual contact with a person who is a minor or who is legally incompetent. New York State has statutes establishing criminal penalties and reporting requirements concerning sexual abuse. **It is diocesan policy to make required reports immediately and to cooperate fully with law enforcement officials in investigating allegations of sexual abuse that is within the scope of such statutes.**

**Sexual harassment** in a situation where there is an employment, mentor or colleague relationship between the persons involved, including but not limited to, sexually-oriented humor or language; questions or comments about sexual behavior or preference unrelated to employment qualifications; undesired physical contact; inappropriate comments about clothing or physical appearance; or repeated requests for social engagements.

**Sexual exploitation**, including but not limited to, the development of or the attempt to develop a sexual or romantic relationship between a cleric, employee or volunteer and a person with whom he/she has a supervisory or Pastoral Relationship, **whether or not there is apparent consent from the individual.**

The **sexual abuse of children** is part of a continuum of abuse that includes the following:

1. **Physical abuse** is non-accidental injury, which is intentionally inflicted on 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 where there is no consent, when consent is not possible, or when one child or youth has power over the other child or youth. This includes any activity which is meant to arouse or gratify the sexual desires of any of the children or youth. In New York State, an age difference of three years could make sexual relating a crime.
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.

**Pastoral Relationship**, as used in these policies, refers to a relationship between a cleric, employee or volunteer and any person to whom such cleric, employee or volunteer provides counseling, pastoral care, spiritual direction or Spiritual Guidance or from whom such cleric, employee or volunteer has received a confession or confidential or privileged information.

**Spiritual Guidance**, general and specific, may be seen as teaching, preaching, liturgical or other activity between a cleric, employee or volunteer and every member of the parish, individually and collectively.

**Counseling**, as used in these policies, refers to private or group meetings with the specific intention of making a therapeutic intervention in the lives of the persons receiving the counseling. Clergy **MUST** have separate credentialing and licensing to offer such counseling.

**Power**, in these policies, refers to the authority and influence conveyed to a cleric, employee or volunteer by their leadership role. Such power may be enhanced by personal factors such as age, size, sex, wealth, charisma or attractiveness. Power can be used either to benefit others or the one who holds it. Pastoral Relationships are intended to benefit the persons served. The imbalance of power in Pastoral Relationships calls into question the possibility of genuine consent in the development of personal and/or sexual relationships.

**Children** are persons under the age of twelve years. **Youth** are persons who are at least twelve, but not yet eighteen. A youth may also be a person who is eighteen years old or older, but is still in high school.

**Church Personnel**, for the purpose of these policies, refers to the following:

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. These would include secretaries, sextons, choir directors, organists, nursery or daycare staff, camp counselors, etc.
3. **Those who contract** their services in and through the diocese, its congregations, schools or other agencies, e.g., nursery schools, day care programs, etc. (Repair and delivery people are exempt.)
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, youth group leaders, Sunday School teachers, nursery attendants, trip leaders, persons whose positions give them keys and regular access to the building, etc.

For the purpose of these policies, 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 have keys giving them access to the buildings on the grounds.
3. All Sunday school teachers who teach regularly or more often than occasionally.
4. All persons who supervise or assist with supervising children or youth, other than Sunday school teachers, in ministries, programs or activities more often than occasionally.
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 of Church Personnel who **Regularly Work With or Around Children or Youth** 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 if they are the only persons over 21 present at any time.
- All staff, whether volunteer or paid, at church camps.
- Adults who participate in overnight activities with children or youth more than twice a year.

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**:

1. All occasional or substitute church school teachers.
2. 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).
3. All persons who provide transportation to children or youth without other adults in the vehicle infrequently, generally no more than three times a year.

4. All persons who work or assist in the nursery four or fewer times a year, whether on an emergency basis or otherwise.
5. Adults who participate in overnight activities with children or youth once or twice a year.

## *II. Policies for Developing a Safer Church*

### A. Sexual Misconduct Prohibited

The Diocese of Rochester strictly prohibits Sexual Misconduct by any Church Personnel including any ordained person, postulant, candidate or seminarian sponsored by or working in this Diocese, and by any lay employee or volunteer working in any capacity for the Diocese of Rochester, any diocesan-related institution or any parish or mission congregation in the Diocese of Rochester.

### B. Standards for Seeking, Screening and Employing Personnel

The Diocese of Rochester strictly prohibits interaction with children and youth by anyone with a civil or criminal record of child sexual abuse or who has admitted prior sexual abuse or anyone known to have a paraphiliac diagnosis (e.g., pedophilia, exhibitionism, voyeurism) as defined by the American Psychiatric Association.

Prior to ordination, employment or acceptance into the Diocese (either through initial licensing or acceptance of a letter of transfer) thorough background checks shall be made of all clergy. Clergy in charge of congregations or their designees should also make background checks on all employees and volunteers who Regularly Work With or Around Children and Youth. Among other things, such background checks shall make a reasonable effort to identify current or past Sexual Misconduct allegations, criminal records or paraphiliac behavior.

Background checks shall include, at a minimum, inquiries of all bishops having past or present canonical authority over the individual, all schools attended by the individual during the past ten years and all employers of the individual during the past ten years. If the individual has had one employer for over ten years, then inquiries will be made of the two most recent employers. Written records documenting compliance with these Policies shall be made contemporaneously and retained indefinitely.

A practical guide to personnel screening is included in Appendix D. A sample personnel application form and sample confidential reference form are included in Appendix E and Appendix F, respectively

## C. Requirements for Training and Education

Church Personnel required to take six hours of Safe Church Training shall include all clergy, whether paid or unpaid, all paid personnel and all volunteers who Regularly Work With or Around Children and Youth. Volunteers who Occasionally Work With or Around Children and Youth are strongly encouraged to take the training. Such training shall be undertaken at the earliest possible opportunity. Persons in the ordination process shall be trained prior to ordination. Clergy new to the diocese shall receive training as soon as possible. The diocese reserves the right to request periodic review and updating of training as appropriate.

## D. Supervision of Children and Youth

### 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 **MUST** 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.

1. Every program for children and youth **MUST** have at least two unrelated adults present at all times. Large groups should have least one adult for every six children or youth. Compliance with these ratios 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. When both boys and girls are participating, male and female adults MUST be present. For trips off church premises, we recommend placing two adults for each vehicle or traveling in caravans. In the event one adult MUST be in a vehicle with children, supervisors and parents should be notified and clear expectations stated about destinations and arrival times.

### General Guidelines 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 the Guidelines for Appropriate Affection (Appendix A) and to sign a copy of the Code of Conduct for Persons Working with Children and Youth.

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 age, 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 toward young people and one another. Church Personnel will avoid even the appearance of favoritism. Children and youth will learn respect if they are respected.

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. Church Personnel are prohibited from using sexual language, humor or innuendo with children and 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 or the threat of 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, threatening or menacing language or behavior, 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.

18. Church Personnel are responsible for supervising the behavior of children and youth in their care. Church Personnel will enforce the laws regarding illegal drugs and alcohol. Church Personnel will not permit children and youth to have sexual contact with one another, bring sexually oriented materials, use or view pornography, or use sexual language, humor or innuendo at church events or on church property. Church Personnel will not permit children or youth to strike one another or to use harsh or threatening language with one another or to engage hazing activities. Church Personnel will instruct children and youth to respect one another's privacy in relation to dressing, undressing, bathing, and showering.

## E. Maintaining Appropriate Boundaries between Adults

The Guidelines for Appropriate Affection (Appendix A) shall apply to expressions of affection between adults and well as with children and youth.

Church Personnel having a Pastoral Relationship with other church members hold positions of authority and trust. Such positions create a power imbalance between Church Personnel and those with whom they have a Pastoral Relationship making the relationship less than fully mutual and calling into question the possibility of genuine consent to an intimate or sexual relationship.

It is therefore the policy of the Episcopal Diocese of Rochester that persons in Pastoral Relationships should not also be in intimate, personal relationships with one another. Those who find themselves developing an intimate, personal relationship should cease to be in a Pastoral Relationship. As a matter of course, clergy shall never be in anything other than a Pastoral Relationship with members of their congregations. (See the section below on Clergy Dating.) Lay employees and volunteers may find this situation a bit more complicated but, as a rule of thumb, lay employees or volunteers should not supervise persons with whom they are in an intimate, personal relationship.

Church Personnel shall acknowledge and honor their own marriage or partnership vows as well as those of persons with whom they have a Pastoral Relationship. In the case where a marriage or partnership is in distress, it is expected that Church Personnel will seek appropriate support and counsel and will resolve issues related to the marriage or partnership relationship before undertaking any new intimate, personal relationship.

## F. Clergy Dating – Some Guidelines

While it is to be expected that many of us meet our spouses and partners in our workplaces, the Pastoral Relationship between ordained persons and the members of their congregations creates an imbalance of power that requires special attention if damage is not to be done to either party in the relationship. Unmarried or unpartnered clergy who find they are developing an intimate relationship with a member of their congregation are asked to abide by the following guidelines:

1. Unmarried or unpartnered clergy, if assisting clergy, shall immediately inform their supervisors, and, in all cases, the bishop about the development of a personal relationship with a parishioner. The bishop, at his/her discretion, may ask for a meeting with the supervisor, the clergy person and the other party.
2. Both parties to the relationship shall state clearly to one another and to the bishop their intention to develop a personal relationship.
3. Both parties shall be cautioned about the risks involved in developing such a relationship, especially should the relationship break down and one of the parties be deprived of the support of his or her community.
4. One of the parties shall cease to be a member of the congregation in which the two currently reside. This will probably mean that the lay person needs to find a new church home.
5. The parties shall make clear to the community the fact of their relationship and the reasons why one of the parties is leaving the community.
6. If one of the parties is a church employee, the employee will not be expected to leave his or her employ, but the clergy person will cease to provide any supervision to the employee. Supervision will be transferred to other clergy or to the wardens. Such supervision will remain with other clergy or the wardens should the relationship end. The employee will also need to identify another clergy person to serve as priest and pastoral care giver

7. The couple shall not make a show of the relationship, but will be expected to address the development of their relationship on their own time and away from the congregation. The couple will be requested to address personal matters away from the workplace.

8. Should a marriage/partnership relationship develop, the parties will be expected to meet with the bishop or his/her designee for pre-marital counseling, marriage, etc.

## G. Pastoral Counseling and Spiritual Direction

The Diocese of Rochester requires that after six (6) counseling sessions have been held, clergy and other pastoral care providers either shall have ongoing professional supervision or refer an individual to professional counseling. Fees or donations for pastoral care are prohibited. Any person charging fees for counseling outside the scope of church employment MUST possess appropriate professional credentials and proof of separate professional liability insurance, including coverage for Sexual Misconduct, in force at all times. Persons practicing formal spiritual direction MUST have appropriate training and shall submit their ministry to peer or supervisory review with a spiritual advisor approved by the Bishop. Lay ministries which anticipate extended Pastoral Relationships with individuals or small groups MUST be reviewed by the rector and vestry for compliance with these policies.

## H. Reporting Inappropriate Behavior or Policy Violations and Sexual Misconduct or Abuse

When Church Personnel observe any inappropriate behaviors, behaviors that are inconsistent with the Guidelines for Appropriate Affection, or which may violate provisions of this Policy, 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 trips without other adults, making suggestive comments to children, youth or adults, showing affection in inappropriate ways or selecting or using volunteers without the required screening or training.

Such behaviors or policy violations should be reported immediately in one of the following ways:

- a. A telephone call or meeting with one's immediate supervisor;
- b. A telephone call or meeting with the rector, if the person involved is not the rector;
- c. A telephone call or meeting with a church warden, if the person involved is the rector;
- d. A telephone call, meeting or written complaint (mailed or faxed) to the bishop.

All reports of inappropriate behavior or policy violations will be taken seriously. Violations of policy should be addressed at the lowest possible level, i.e., within the program or with the rector. **Allegations of sexual misconduct or sexual abuse shall be reported immediately to the rector and/or wardens and the bishop.**

**All incidents or suspected incidents of child abuse or maltreatment, including sexual abuse, shall be reported to the relevant law enforcement authorities in conformity with applicable law.** A summary of the child abuse reporting requirements and procedures appears in Appendix C to these Policies.

### *III. Policies for Responding to Allegations of Misconduct*

#### DIOCESAN PROCEDURES FOR RESPONDING TO COMPLAINTS OF SEXUAL MISCONDUCT

##### A. When a Complaint is Received

**1. All Complaints of Sexual Misconduct to be Referred to the Bishop.** All complaints involving Sexual Misconduct by any Church Personnel (cleric, lay employee or volunteer) affiliated with the Diocese of Rochester, any parish or mission congregation or other institution affiliated with the Diocese of Rochester immediately shall be referred to the Bishop of Rochester.<sup>1</sup>

**2. Written Statement.** Upon receiving a complaint of Sexual Misconduct the Bishop will personally assure the person making the complaint of the Church's concern regarding the complaint and that the complaint will be promptly and thoroughly investigated. At the earliest opportunity, the Bishop will ask the complainant to sign a written statement which includes the name, address, and telephone number of the complainant.<sup>2</sup> The Bishop will explain that a copy of the written complaint will be furnished to the alleged offender. The written statement shall also include the date, location, time and a description of the alleged misconduct as well as the name and title of the alleged offender and the name, addresses and telephone numbers of any witnesses if known. If no written statement is made, the Bishop may decide to follow the procedures outlined in these Policies, in which case the Bishop will follow all applicable procedures, including notification of the alleged offender.

**3. Allegations of Sexual Abuse.** If the complaint alleges sexual abuse of a minor or an incompetent adult, the Bishop immediately will notify the relevant law enforcement authorities if required by law. The Bishop and any other church officials or employees with knowledge of the alleged abuse will cooperate fully with the law enforcement authorities. Further action by the Bishop will be guided by the progress of the law enforcement investigation.

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<sup>1</sup> If the complainant alleges sexual misconduct by the Bishop, the Standing Committee will perform the functions assigned to the Bishop herein.

<sup>2</sup> For the purposes of these Policies and Procedures, references to a "complainant" are intended to include both the individual who has brought a complaint of Sexual Misconduct and, where this person is not also the alleged victim, the victim of alleged Sexual Misconduct.

#### **4. Initial Actions by the Bishop.**

(a) As soon as possible, the Bishop, in consultation with the diocesan Chancellor, will undertake an investigation of the complaint. This investigation may be conducted by the Bishop's office or by other persons designated by the Bishop. The Bishop's office promptly will notify the complainant and the alleged offender that an investigation has begun. The Bishop will personally assure the complainant and the alleged offender of the Church's concern regarding the complaint and of the thorough investigation and response that the complaint will receive. The Bishop, at his or her discretion, may assign persons with knowledge of the process to the complainant and the alleged offender to serve as advocates and help them understand the process and their rights. The Bishop and Chancellor shall keep appropriate and confidential documentation of this investigation.

(b) A copy of the complainant's written statement will be provided to the alleged offender at this time.

(c) The Bishop will immediately direct that the alleged offender have no further contact with the complainant or engage in advocacy efforts of any kind in the community including, but not limited to, efforts derogatory to the credibility or character of the complainant until the investigation has been completed.

(d) The Bishop will consider whether or not the complaint rises to the level of a charge under Title IV of the Canons of the Episcopal Church. If at any time the Bishop believes this to be the case, the Bishop shall follow the procedures described in Title IV and will notify the Standing Committee of the charge. In any case, the Bishop may consider whether a temporary inhibition as described by Title IV of the Canons of the Episcopal Church is warranted.

(e) Following the making of the complaint, the Bishop will not hear the sacramental confession of either the complainant or the alleged offender.

**5. Voluntary Submission to Discipline.** At any time, the alleged offender, if a clergy person, may voluntarily submit to discipline as described by Title IV, Canon 2, of the Canons of the Episcopal Church. If such a submission is made, the Bishop shall follow the procedures described by Title IV.

**6. Supplemental Written Statements.** Any party or witness to an alleged act of Sexual Misconduct may submit to the Bishop a statement in writing if desired.

**7. Preliminary Report of the Investigation.** Absent unusual circumstances, the Bishop will make a preliminary report of the investigation to the complainant and the alleged offender within thirty days. If the Bishop has determined that the matter will be addressed according to the Title IV disciplinary canons, the timeline of that Title shall be followed.

**8. Mental Health Assessment.** As part of the investigation regarding the alleged act of Sexual Misconduct, the Bishop may arrange for the alleged offender to participate in a mental health assessment by a person professionally qualified and experienced in the evaluation of Sexual Misconduct. The Bishop may direct the alleged offender to participate in this assessment. Upon receipt of the appropriate re-

leases, the results of the assessment will be available to the Bishop and the alleged offender. The Diocese will pay for the evaluation.

**8. Final Report.** Following the preliminary report the investigation will move as swiftly as possible towards completion of a final report and recommendations to the Bishop. The final report will include the original written statement of the complainant and all written statements submitted by other persons. The Bishop will give notice of this Report, maintaining appropriate confidentiality, to the Standing Committee.

**9. Determination by the Bishop.** As soon as practicable following the final report and recommendations, the Bishop will make a determination (the "Response Determination") of how to respond to the allegation of Sexual Misconduct. The Bishop's Response Determination shall include a finding whether an allegation of Sexual Misconduct has been substantiated. If this determination includes a charge under Title IV of the Canons of the Episcopal Church, the Bishop shall follow the procedures described by Title IV.

## B. After a Determination is Made

### 1. Notification of the Response Determination

(a) Promptly following the making of a Response Determination, the Bishop will meet with the alleged offender and the complainant. The Bishop's meetings with these persons normally will occur in the foregoing sequence. In their respective meetings with the Bishop, the alleged offender and the complainant may be accompanied by a person of their choosing.

(b) A written copy of the Bishop's Response Determination will be placed in the case file maintained by the Bishop. If the alleged offender is a cleric canonically resident in the Diocese of Rochester, a copy of the Bishop's Response Determination also will be placed in the cleric's diocesan personnel file. If the alleged offender is a cleric not canonically resident in the Diocese of Rochester the Bishop will transmit a copy of the Response Determination to the bishop of the diocese in which the cleric is canonically resident.

### 2. Meeting with the Alleged Offender

During the meeting between the Bishop and the alleged offender, the Bishop will provide the alleged offender with a written copy of the Bishop's Response Determination and discuss the specific actions the Bishop determines to be warranted, if any. Where the Bishop's Response Determination finds that no Sexual Misconduct has occurred, the Bishop will discuss with the alleged offender any steps that may be necessary to make such finding known.

The following provisions shall apply wherever the Bishop's Response Determination includes a finding that an allegation of Sexual Misconduct has been substantiated.

(a) Where appropriate, the Bishop may refer the offender for therapy by persons professionally qualified in treatment of Sexual Misconduct. If the offender is a cleric the Bishop will also determine whether initiation of a disciplinary proceeding under Title IV of the Canons of the Episcopal Church is warranted.

(b) The Bishop will notify the appropriate persons in leadership positions at the affected congregations, church-affiliated employers or Dioceses following a determination that an allegation of Sexual Misconduct has been substantiated.

(c) The Bishop may meet, if appropriate, with the offender's spouse and/or family to discuss how the Church may assist them.

(d) Whenever an allegation of Sexual Misconduct in a current position is substantiated, the Bishop normally will act immediately to remove the offender from all current positions of Church responsibility. When the substantiated allegation relates to a previous context of ministry, the Bishop may take action to remove the offender from current positions.

(e) Where appropriate, the Bishop will clearly indicate in writing the conditions that MUST be met in order for the offender to be eligible for continued service in the Diocese of Rochester, or in any parish, mission congregation or other affiliated institution of the Diocese of Rochester. The Bishop may require therapeutic or other interventions and, in such circumstance, MUST receive an acceptable professional rehabilitation assessment by a credentialed professional approved by the Church Insurance Company before reinstating the offender for service in the diocese.

(f) The Bishop may also require satisfactory public acknowledgment of the misconduct in order for an offender to be eligible for continued service or re-deployment.

(g) Unless there are specific factors that make it inappropriate, the Bishop normally will recommend, consistent with the policies described below, an open congregational meeting to begin the process of healing in the congregation. Absent extraordinary circumstances, the Bishop will attend such a meeting.

### **3. Meeting with the Complainant**

During the meeting between the Bishop and the complainant, the Bishop will advise the complainant whether the allegation of Sexual Misconduct has been substantiated. Where the Response Determination includes a finding that an allegation of Sexual Misconduct has been substantiated (or that the alleged offender has engaged in other inappropriate behavior) the Bishop will express the Church's deep regret and discuss appropriate responses by the Church to assist in the victim's healing. The Bishop will determine whether therapeutic or other assistance should be offered to the victim. The Bishop may meet, if appropriate, with the victim's spouse and/or family to discuss how the Church may assist them. The Bishop will summarize other pertinent information contained in the Response Determination.

#### **4. Request for Reconsideration**

The complainant and the alleged offender each may request, within five days of learning of the Bishop's Response Determination, that the Bishop reconsider a determination that a complaint of Sexual Misconduct has or has not been substantiated. The party requesting reconsideration shall specify with particularity the basis on which the request for reconsideration is requested.

### **C. Confidentiality**

**1. Principle of Strict Confidentiality.** All records of and information gathered during the course of the investigation and determination by the Bishop will be held in strict confidence and separate from ordinary personnel files except as specified above but these records will be made available by the Diocese if they are requested by subpoena.

**2. Privacy of Complainants and Alleged Offenders.** The Bishop and all other representatives of the Diocese will make every effort to protect the privacy of complainants and alleged offenders.

### **DIOCESAN PROCEDURES FOR RESPONDING IN THE CONGREGATION TO ALLEGATIONS AND INCIDENTS OF SEXUAL MISCONDUCT**

While the person with whom a cleric, lay employee or church volunteer was sexually involved is a victim, there are also other victims whenever there is an instance of Sexual Misconduct. Those persons include the families of the persons involved, the congregation, and the clergy who may have succeeded an offending cleric. The response of the congregation to the betrayal and violation of the trust relationship is akin to that in cases of physical or other psychic trauma as if the congregation has experienced the behavior firsthand. Despite growing awareness of the incidence of Sexual Misconduct and the Church's attempt to respond in justice, compassion and Christian love, there is still little experience with models of effective response in congregations. The impact on the life of the congregation is enormous. Research evidence shows that many congregations that have experienced the misconduct of a pastor subsequently have higher levels of conflict and other problems.

The following procedures are intended to facilitate the healing that will be needed in the congregation. They will be revised as new learning suggests improvements. They should be read in conjunction with the Policies set out above for the Diocesan response to complaints of Sexual Misconduct.

The principle guiding these procedures is that the healing of a congregation occurs best when people are informed of the facts of misconduct and are able to move forward as a community from the trauma.

#### **A. When a Complaint is Received**

1. When a complaint of Sexual Misconduct is received by the Bishop, the Bishop normally will inform the appropriate persons in positions of congregation leadership (the "Leaders") that an allegation of Sexual Misconduct has been made. The Bishop may provide such additional information as seems appropriate, balancing the importance of informing the congregation's Leaders against the need for privacy of the complainant and alleged offender. In making a determination concerning notification of congregational Leaders, the Bishop may consult with the alleged offender. Before notifying the congregational Leaders about the allegation of Sexual Misconduct the Bishop may inform the alleged offender of the extent of disclosure which the Bishop intends to make concerning the allegation.

2. If the complaint alleges sexual abuse of a minor or an incompetent adult, the Bishop will inform the Leaders of the details of the complaint and that the matter has been referred to law enforcement authorities.

3. The Bishop will inform the Leaders of the investigation and encourage the Leaders to respond fully to the inquiries of the investigation. If at any time Title IV is invoked, the Bishop will inform the Leaders of this development.

4. When the Bishop has made a determination as to whether the complaint of Sexual Misconduct has been substantiated and has informed the complainant and the alleged offender, the Bishop will then inform the Leaders.

## B. When a Complaint of Sexual Misconduct is Not Substantiated

If the Bishop determines that the complaint is unsubstantiated, the Bishop will discuss with the Leaders what steps may be necessary to make that determination known in the congregation.

## C. When a Complaint of Sexual Misconduct is Substantiated

1. If the complaint of Sexual Misconduct is substantiated, the Bishop will meet as soon as possible with the Leaders to discuss the needs for congregational healing.

2. The Bishop and the Leaders may invite other members of the congregation as appropriate to participate in the discussion of congregational healing.

3. Following a determination that there has been Sexual Misconduct, an open congregational meeting will normally be held if the misconduct occurred in the current congregation or if the misconduct is the subject of rumor or gossip in the congregation. Normally, the congregational meeting will be held in suitable space, perhaps the nave of the church, and the Bishop will be present at the meeting.

4. The Bishop will also encourage and assist the Leaders in planning regular follow-up sessions with the congregation in the first year after disclosure of the incident of Sexual Misconduct.

5. If an interim pastor is engaged, the Bishop will assist the Leaders in finding an interim pastor trained in working with congregations who have experienced Sexual Misconduct. If an interim pastor is engaged who does not have such training, the Bishop will assist the Leaders in making available this training. The Bishop will also offer the interim pastor and the Leaders regular opportunities to debrief, report, and consult about the congregation with the Bishop.

6. The Bishop will assist the Leaders in making available information about local mental health resources (including sliding-scale fee agencies) so that members of the congregation know how to obtain counseling services if necessary.

7. The Bishop will work with the Leaders in making every effort to protect the privacy of victims of Sexual Misconduct.

8. If the incident of Sexual Misconduct occurred at some time in the past and not immediately before the complaint and determination were made, the Bishop will adapt these procedures as appropriate. The aim of Diocesan policy is to avoid the festering of secrecy and rumors regarding incidents of misconduct.

#### *IV. Annual Adoption of Policies by Congregations*

These policies have been formulated to help make certain that the Church fulfills its baptismal commitment to provide a safe and secure environment. In addition, certain provisions in these Policies have been adopted to comply with certain conditions imposed by the Church Insurance Company, which is the liability insurance carrier for this Diocese and for the great majority of congregations in the Diocese.

These policies shall be reviewed and adopted annually by each Vestry or Executive Committee **on or before February 15 of each year.** (See Appendix G for format.) Following the annual adoption of these policies by each Vestry or Executive Committee,

1. the Vestry or Executive Committee is asked to reaffirm the applicability of these Policies to all Church Personnel of said congregation; and
2. all Church Personnel who Who Work Regularly With or Around Children and Youth, including unpaid Sunday School teachers, should be furnished with a copy of these Policies and complete and sign a certificate evidencing the receipt of and willingness to comply by these Policies. A sample form of receipt is provided as Appendix H.

Each congregation should retain the foregoing resolutions and receipts among its permanent records.

## Appendix A: Guidelines for Appropriate Affection

The Diocese of Rochester 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.

- Full frontal 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, individually or in groups.
- Any type of massage given by an adult to a child or youth, individually or in groups.
- 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: Code of Conduct for Persons Working with Children and Youth**

Church Personnel working with Children and Youth MUST sign a statement agreeing to the following Code of Conduct:

1. We agree to do our best to prevent abuse and neglect among children and youth involved in church activities and services.
2. We agree not to physically, sexually or emotionally abuse, or neglect a child or youth.
3. We agree to comply with the General Guidelines for the Protection of Children and Youth.
4. We agree to comply with the Guidelines for Appropriate Affection with children and youth.
5. We acknowledge our 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 diocesan policy.
6. We understand that the church will not tolerate abuse of children and youth and agree to comply in spirit and in action with this position.

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

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

## **Appendix C: Summary of Child Abuse Reporting Requirements**

**NOTE:** Fuller information may be found in the New York Family Court Act, Social Services Law and Penal Law. See also N.Y. Code of Rules and Regulations (NYCRR).

**1. Required Reporters.** In New York State the following persons are required to report suspected child abuse or child maltreatment (neglect): Any physician; surgeon; medical examiner; coroner; dentist; dental hygienist; osteopath; optometrist; chiropractor; podiatrist; resident; intern; psychologist; registered nurse; hospital personnel engaged in the admission, examination, care or treatment of persons; a Christian Science practitioner; school official; social services worker; day care center worker; provider of family or group family day care; employee or volunteer in a residential care facility or any other child care or foster care worker; mental health professional; peace officer; police officer; district attorney or assistant district attorney; investigator employed in the office of a district attorney; or other law enforcement official; staff of institutions (schools, medical facilities, etc.) must also make report to the institution's head, who then also has a reporting duty.

(Note: Clergy who do not also fit into one or more of the above listed categories are not required reporters under New York State law. However, clergy are required to report under diocesan policy.)

**2. Conduct to be Reported.** The above listed persons and officials are required to report, or to cause a report to be made, as specified by law, when they have reasonable cause to suspect that a child coming before them in their professional capacity is an abused or maltreated child or when they have reasonable cause to suspect that a child is an abused or maltreated child where the legally responsible person (parent, guardian, etc.) comes before them and states facts which indicate such abuse or maltreatment.

**3. Reporting Procedure.** Reports of suspected abuse or maltreatment shall be made immediately by phone or facsimile; oral reports shall be followed by a written report within 24 hours. Oral reports go to the statewide central register unless there is an approved local plan enabling a local child protective service, which then itself MUST report to the statewide office.

### **4. Summary Definitions:**

**A. Abused Child** - one under eighteen years whose parent or legally responsible person:

1. inflicts or allows non-accidental physical injury causing a substantial risk of death, serious disfigurement or protracted impairment of health or bodily organ function, or
2. creates or allows a substantial risk of the above, or
3. commits or allows a "sex offense" against the child (including sexual intercourse, rape, consensual sodomy, sodomy, sexual abuse)

**B. Maltreated ("Neglected") Child** - one under eighteen years:

1. whose condition (mental, physical, emotional) has been or is in imminent danger of being impaired,
2. as a result of the failure of parent or legally responsible person to exercise a minimum degree of care
  - a. in supplying food, clothing, shelter or medically related care though able and enabled financially to do so, or
  - b. in providing supervision, or by inflicting or allowing or risking harm, including excessive physical punishment, by misusing substances and losing self-control, or by any other similarly serious acts requiring the aid of Family Court.

The details of the child abuse reporting requirements are legion, and **MUST** be understood and followed with care.

**5. How to Report.** Any person who has reasonable cause to suspect a child is abused or maltreated should report this information to the **New York State Central Register Child Abuse and Maltreatment Hotline at 1-800-342-3720**. Mandated reporters should call **1-800-635-1522**. (Outside NY State: 1-518-474-8740; TDD: 1-800-638-5163.) If a child is in immediate danger, call 911. It is not necessary to be certain abuse or maltreatment has occurred before reporting. Persons making a report of suspected child abuse or maltreatment in good faith are immune from civil or criminal liability (Social Service Law, Section 419).

## **Appendix D: Information Concerning Personnel Screening**

The Episcopal Church in the Diocese of Rochester seeks to maintain a safe, secure and loving place where care givers, teachers and leaders, both paid and volunteer, minister appropriately to the needs of all persons. Among other efforts to preserve and maintain such an environment, it is appropriate that careful personnel screening procedures be conducted with respect to (i) all clergy, (ii) all Church employees and (iii) volunteers who regularly supervise youth activities (excluding unpaid Sunday School teachers). It is important to note that background checks are conducted not because the Church presumes any person to be unsuitable to engage in ministry; we conduct background checks to carry out our obligation to make affirmative efforts to maintain a safe environment within the Church.

There are certain routine aspects of any diligent personnel screening procedures, including the consistent use of applications prior to a person's engagement in ministry within the Church, consideration of the information contained in the completed application, careful and thoughtful inquiries of former employers and other persons, and such related follow up inquiries as may be suggested on the basis of information acquired through this process.

To assure the Church's ability to demonstrate that it has taken all reasonable action to assure that ministry is conducted by appropriate persons, complete records **MUST** be made of all activities constituting background checks and such records should be maintained indefinitely.

### **BASIC PROCEDURES FOR PERSONNEL SCREENING**

**Application Form.** Normally, the first step in screening of personnel is obtaining a completed, signed application form. A sample of such a form is included in Appendix E to these policies. A form such as this assures that all necessary information is obtained efficiently in written form. It is desirable to have a completed form prior to the personal interview, so that any incomplete or questionable responses can be explored at that time.

**Personal Interview.** The personal interview provides an opportunity to explore any respects in which information in an application is incomplete and to pursue any responses that raise issues of any kind. Written notes should be made evidencing questions asked and responses provided in the course of the interview.

**Reference Checks.** Following the personal interview and receipt of a completed application, contact should be made of all bishops having past or present canonical authority over the individual (where the individual is an ordained person), all schools attended by the individual during the past five years, and all employers of the individual during the past five years. If the individual has had only one employer for over five years, inquiries **MUST** be made of the two most recent employers. In addition, contact should be made with two personal references.

Reference checks may be made in writing, through the use of a form similar to that included in Appendix F, or through personal or telephone contact with the persons in question. Where contacts are made in person or by telephone, the questions included in Appendix F should be asked of each reference contacted. A detailed written record, indicating questions asked and responses given, should be made with respect to each reference inquiry made in person or by telephone.

**Public Records Checks.** A routine inquiry of public records also may be carried out with respect to all persons covered by mandatory personnel screening requirements.

**Other Follow Up.** The procedures described above constitute basic information gathering. It is vitally important that all information gathered be evaluated with care to ensure that the information is complete. Equally important, the information should be evaluated carefully to determine whether the responses suggest that further inquiry is warranted.

## MAINTENANCE OF RECORDS

Information collected during this process should be treated in strict confidence and maintained securely to protect the privacy of the applicant and persons furnishing background information or references. Records evidencing background investigations should be maintained indefinitely.

## Appendix E: Application Form

*This application is to be completed by all clergy, all employees and all volunteers who regularly supervise youth.*

### Personal Information:

Name: \_\_\_\_\_  
Last First Middle

### Present Address:

\_\_\_\_\_  
Street  
\_\_\_\_\_  
City State Zip Code

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

E-Mail: \_\_\_\_\_

1. Position for which this application is being made: \_\_\_\_\_
2. On what date would you be available? \_\_\_\_\_
3. Minimum length of commitment: \_\_\_\_\_
4. Social Security Number: \_\_\_\_\_
5. Driver's License Number: \_\_\_\_\_ State \_\_\_\_\_
6. List the name and location and dates of attendance with respect to the last two educational institutions in which you have been enrolled.  
\_\_\_\_\_  
\_\_\_\_\_
7. List other names used (maiden, former, nickname, a/k/a's)  
\_\_\_\_\_  
\_\_\_\_\_
8. Previous home addresses with applicable dates (list last two):  
\_\_\_\_\_  
\_\_\_\_\_
9. Name and address of church of which you are a member:  
\_\_\_\_\_  
\_\_\_\_\_

10. List (name and address) other churches you have attended regularly during the past five years.

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11. List all previous church work involving youth (identify church, location, dates, and type of work).

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12. List any gifts, callings, training, education or other factors that have prepared you for work with children and/or youth.

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13. List by name, street address, telephone number and supervisor your employers for the past ten years. Give reason for leaving position.

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14. Have you had any driver's license or other license (e.g., professional) suspended or revoked? If so, give full details.

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15. Have you ever been arrested or charged with driving under the influence of alcohol or other substance? If so, list each such arrest or charge, when and where it was made and its outcome.

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16. Have you ever been convicted of child abuse or a crime involving actual or attempted sexual molestation of a minor? If so, please explain.

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19. Has any formal or informal charge, claim, or complaint ever been made that you engaged in inappropriate sexual behavior? If so, give full details.

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19. Is there any fact or circumstance about you or your background that would call into question the advisability of entrusting you with the supervision, guidance, and care of young people?

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20. Please furnish the names of two persons, other than relatives or present or former employers to serve as personal references.

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

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

Telephone: \_\_\_\_\_

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

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

Telephone: \_\_\_\_\_

Under penalty of perjury, I swear or affirm that the information given above is true, complete and correct. I understand and agree that a complete background investigation may be conducted with respect to me, and that this information may be verified by contacting persons and organizations with whom I have had contact or which may have information concerning me. I further understand that deliberate falsification of any information provided in this application offers grounds for immediate dismissal from any position I might secure with this church.

Applicant's Signature: \_\_\_\_\_

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

## Appendix F: A Confidential Reference Form

Your name has been given as a reference by \_\_\_\_\_ (the "applicant"), who submitted an application to work as an employee or volunteer with one of our youth programs. We would appreciate your completing this form and returning it in the enclosed envelope so that we may make a decision on the applicant's ability to fulfill this commitment. All information will be confidential. Thank you.

\_\_\_\_\_  
(Signature of person requesting the reference)

1. How long have you known the applicant?
2. In what capacity have you known the applicant?
3. Describe the applicant's reliability and willingness to make a commitment such as this.
4. Are you aware of any problems that would limit the applicant's ability to fulfill this obligation? If yes, please explain.
5. Are you aware of any problems or concerns that should limit or preclude this individual from working with children? \_\_\_\_\_ If yes, please explain.
6. Would you hire this person again?
7. Would you recommend the applicant for placement in a setting such as ours? \_\_\_\_\_  
Or, do you feel he or she may be more suited for another type of volunteer agency? If so, why?

8. Are you aware of any time at which the applicant's driver's license or other license (e.g., professional) has been suspended or revoked? If so, give full details.

9. Are you aware whether the applicant has ever been arrested or charged with driving under the influence? If so, please give full details known to you.

10. Are you aware whether the applicant has ever been convicted of child abuse or a crime involving actual or attempted sexual molestation of a minor? If so, please explain.

11. Are you aware of any formal or informal charge, claim, or complaint ever having been made that the applicant has engaged in inappropriate sexual behavior? If so, please explain. *Please note that this question does NOT seek any information concerning the sexual orientation of the applicant.*

12. Is there any fact or circumstance about the applicant's background that would call into question the advisability of entrusting the applicant with the supervision, guidance, and care of young people?

13. Are you aware of any other information that would bear upon the appropriateness of the applicant's involvement in Church activities? If so, please explain.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

**Appendix G: An Annual Resolution Adopting Diocesan Policies for Safer Churches and for Responding to Allegations of Misconduct**

The diocesan Policies for Safer Churches and for Responding to Allegations of Misconduct require the annual review and reaffirmation of said Policies by each Vestry of the diocese. Please use the form below to indicate your review and reaffirmation of the Policy.

Please return this form, signed and dated, to the Rev. Canon Dr. C. Denise Yarbrough, Episcopal Diocese of Rochester, 935 East Avenue, Rochester, NY 14607.

RESOLVED that the Vestry of \_\_\_\_\_, \_\_\_\_\_, NY, meeting in regular session on \_\_\_\_\_, 200\_, hereby adopts the Diocese of Rochester Policies for Developing Safer Churches and Responding to Allegations of Sexual Misconduct as the policies and procedures of this Congregation.

\_\_\_\_\_ Clerk

\_\_\_\_\_ Rector

Vestry:

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## **Appendix H: Form of Receipt**

I hereby acknowledge that I have received a copy of the Policies for Creating Safer Churches and Reporting Allegations of Sexual Misconduct of the Episcopal Diocese of Rochester, that I have read it, and that I understand, support and agree to abide by the content of these Policies and Procedures.

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Signature

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Print Name

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Date