

Trinity Presbyterian Church Prescott, Arizona

SAFE CHURCH SEXUAL MISCONDUCT/CHILD SAFETY AND ANTI-HARASSMENT POLICY

This policy applies to all persons who are members of Trinity Presbyterian Church, Prescott, Arizona, those acting on behalf of our church or those utilizing the facilities.

*** I. Policy Statement**

* Any and all references to the Book of Order can be made available upon request. This is the policy of Trinity Presbyterian Church. We additionally adhere to and adopt the policy of the Presbytery of the Grand Canyon, Presbytery of the Grand Canyon Child Protection and Sexual Misconduct Prevention Policy and Its Procedures (PGC), attached.

“It is the policy of the Presbyterian Church (U.S.A.) and the Presbytery of Grand Canyon that all teaching elders, church members, church officers, nonmember employees, and volunteers of congregations, governing bodies, and entities of the church are to maintain the integrity of the ministerial, employment, and professional relationship at all times. Persons who engage in sexual misconduct are in violation of the principles set forth in Scripture, and also of the ministerial, pastoral, employment, and professional relationship. It is never permissible or acceptable for a church member, officer, employee, or volunteer to engage in sexual misconduct.” (PGC)

This policy applies and serves as a guide to all who serve on the staff, work with the programs of the church, are in positions of ordered ministry, leadership (volunteer or paid), and are in membership with Trinity Presbyterian Church.

DISTRIBUTION

Copies of this policy and its procedures shall be distributed to all employees and commissioned ruling elders. This policy shall be made available to all parties utilizing these facilities. “This policy and its procedures should be made available to persons who accuse others of misconduct, including those who are or claim to be victims of sexual misconduct and their families.

II. Standards of Conduct

... “As [God] who called you is holy,

be holy yourselves in all your conduct;

... Tend the flock of God that is in your charge, ...

not under compulsion but willingly, ...

not for sordid gain but eagerly. ...

not lord it over those in your charge,

but be examples to the flock.

... You know that we who teach will be judged with greater strictness.

1 Pet. 1:15; 5:2–3; Jas. 3:1, *NRSV*

The ethical conduct of all who minister in the name of Jesus Christ is of vital importance to the church because through these representatives an understanding of God and the gospel’s good news is conveyed. “Their manner of life should be a demonstration of the Christian gospel in the church and in the world.”

THE BASIC PRINCIPLES OF CONDUCT GUIDING THIS POLICY ARE AS FOLLOWS:

1. Sexual misconduct is a violation of the role of pastors, elders, deacons, employees, and volunteers of any kind who are called upon to exercise integrity, sensitivity, and caring in a trust relationship.
2. Sexual misconduct is a misuse of authority and power that breaches Christian ethical principles by misusing a trust relation to gain advantage over another for personal pleasure in an abusive, exploitative, and unjust manner. If the parishioner, member, or employee initiates or invites sexual content in the relationship, it is the pastor's, officer's, or supervisor's responsibility to maintain the appropriate role and prohibit a sexual relationship.
3. Sexual misconduct takes advantage of the vulnerability of persons who are less powerful to act for their own welfare, including children. It is antithetical to the gospel call to work as God's servant in the struggle to bring wholeness to a broken world. It violates the mandate to protect the vulnerable from harm." (PGC) It is the policy of this church to not tolerate any kind of "harassment" pursuant to the Anti-Harassment Policy document (Appendix H).

Church authorities must be sensitive to the needs of families and friends of persons who have been victimized and to the family and friends of those who have acted inappropriately. Church authorities are encouraged to seek assistance from appropriately trained professionals for the family and friends of the victims and for the family and friends of the accused.

The ethical conduct of all who minister in the name of Jesus Christ is of vital importance to the Church for through these representatives is conveyed an understanding of God and the gospel's good news. Their manner of life should be a demonstration of the Christian gospel in the Church and the world.

DEFINITIONS (PGC)

Sexual misconduct is defined as sexual advances, requests for sexual favors, and other verbal or physical conduct which may range in severity from sexist remarks to violent sexual assault. This would include sexual abuse, sexual harassment, sexual violence and all forms of sexual exploitation as described by Arizona and Federal law.

SEXUAL MISCONDUCT: is the comprehensive term used in this policy to include:

1. **Child sexual abuse;** including, but is not limited to, any contact or interaction between a child, defined as anyone under the age of eighteen, 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.
2. **Sexual abuse** as defined in the *Book of Order*: "Sexual abuse of another person is any offense involving sexual conduct in relation to (1) any person under the age of eighteen years or anyone over the age of eighteen years without the mental capacity to consent; or (2) any person when the conduct includes force, threat, coercion, intimidation, or misuse of office or position" (*Book of Order*, D-10.0401c).
4. **Sexual harassment;** defined for this policy is as follows: unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when
 - a. 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;

- b. submission to or rejection of such conduct is used as the basis for employment decisions affecting such an individual;
 - c. 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; or an individual is subjected to sexual jokes, or inappropriate touching, or display of sexual visuals that insult, degrade, and/or sexually exploit men, women, or children.
- 4. **Rape** or sexual contact by force, threat, or intimidation.
- 5. **Sexual conduct** (such as offensive, obsessive or suggestive language or behavior, unacceptable visual contact, unwelcome touching or fondling) *that is injurious* to the physical or emotional health of another.
- 6. **Sexual Malfeasance**; as 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.
- 7. **Misuse of technology**; use of technology that results in sexually harassing or abusing another person, including texting or emailing suggestive messages and images to persons with whom one has a ministerial relationship. 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. There is never an expectation of personal privacy when using technological equipment owned by a church or church entity or within the context of ministry." (PGC)

POLICY

It shall be the policy of the Trinity Presbyterian Church that all members, officers, non-member employees, and volunteers maintain the integrity of ministerial, employment, and professional relationships at all times. Sexual misconduct is not only a violation of the principles set forth in Scripture but is also a violation of these relationships and is never permissible.

This policy and its procedures assure that there will be a quick, informed, and skilled response to the accuser's decision to report abuse, or to report initial advances or actions that are distressing and threatening to the victim. Each reporter is assured that emotional and spiritual guidance will be found and made available as quickly as possible. This policy and its procedures on sexual misconduct intends to provide quick, informed, and caring responses to assure all affected parties due process.

This policy incorporates all definitions and procedures in the separate attached Anti-Harassment Policy document and incorporates the policy as established by the Presbytery of the Grand Canyon (attached).

The Session of Trinity Presbyterian Church, Prescott, Arizona adopts this policy in order to:

- 1. Establish and enforce standards of ethical behavior consistent with Scripture and secular law.
- 2. Provide procedures for inquiry and for effective response to allegations of inappropriate sexual behavior and protection of persons in the church.

- Address the personal, emotional, spiritual, pastoral, legal, and financial needs of all affected parties in cases of sexual misconduct in the Church.
4. Serve as a guide for prevention of sexual misconduct through appropriate training and supervision of employees, and education of laity and clergy.
 5. Provide pastoral care for those in the Trinity Presbyterian Church who have been victims in situations of sexual abuse in this or other churches.
 6. To serve the peace, unity and purity of the Church through justice and compassion.
 3. Protect all persons mentioned in the separate attached Anti-Harassment Policy document from unlawful harassment as defined in the attached separate Anti-Harassment Policy document.

RESPONSIBILITIES

The Session will insure that this policy and these procedures are implemented and will monitor the process for their implementation.

The Clerk of Session must keep careful and accurate recordings of all actions, filing papers in appropriate time as per this policy and these procedures.

The Session shall establish guidelines to screen and train all volunteers and staff who will work with children, youth or vulnerable adults. The Session Personnel Committee shall be responsible for screening all paid personnel. The Teams with the guidance of Session shall be responsible for training all volunteers who may work with children, youth or vulnerable adults. Session shall offer yearly or as needed training sessions and invite the Team leaders. The Team leaders will then train their volunteers.

REPORTING AND RESPONSE

Any incident of sexual misconduct or harassment should be immediately reported to the appropriate authorities and the Pastor or the Clerk of Session. The pastor will report all alleged violations of this policy to the Stated Clerk of the Presbytery of Grand Canyon. If the allegations of sexual misconduct involve the pastor, the report will be given to the appropriate authorities and the Clerk of Session who will communicate this allegation immediately to the Stated Clerk of Presbytery. The reporting procedure shall adhere to the reporting principles and requirements as listed in section III of the PGC policy.

MANDATED REPORTING OF OFFENSES

By law, certain categories of persons (mandated reporters) are required to report to civil authorities if the person knows, has reason to believe or has reasonable cause to believe that a minor or vulnerable adult is being abused. Reports of suspected abuse should be reported within twenty four (24) hours to civil authorities (Child Protection Services 1-888-SOS CHILD (1-888-767-2445) or law enforcement 911; <https://dcs.az.gov/services/suspect-abuse-report-it-now>).

INVESTIGATION OF REPORTS OF ALLEGED SEXUAL MISCONDUCT AND HARASSMENT

Upon receipt of any report the Pastor or Clerk of Session shall:

1. Ensure that the appropriate authorities have been notified (Child Protective Services, Law enforcement, Presbytery)
2. Provide pastoral support to all parties to the allegations.
3. Suspend the services of the accused, whether a paid employee or a volunteer, pending the outcome of the investigation. The suspension of paid employees shall be with pay, in accordance with the guidelines established by the Session and the Presbytery. The accused shall be advised to have no contact with the accuser until the investigation and resolution is complete.
4. The pastor or Clerk of Session and all involved in the investigation shall maintain confidentiality concerning information surrounding the allegations and the findings of fact.
5. The Pastor or Clerk of Session shall appoint a responsible investigator to take prompt investigatory action on the complaint. The investigator shall follow the investigation policies of the EEOC as stated in § B, "Evaluating Evidence of Harassment," in the EEOC Policy Guidance No. A-915-050, dated March 19, 1990, a copy of such policy (Appendix I).
6. A report of allegations of sexual misconduct are never to be taken lightly or disregarded. Any written report of allegations made shall be acted upon according to the Rules of Discipline of the Book of Order.

RESOLUTION OF ALLEGATIONS OF SEXUAL MISCONDUCT AND HARRASSMENT

The pastor or Clerk of Session, as the case may be, shall review the findings of fact submitted by the investigator. If the allegations are found to be reliable, the pastor or Clerk of Session, in consultation with the Session (and Presbytery) shall take appropriate disciplinary steps, which may include suspension or dismissal. If the allegations are found to be unreliable, a written record of the determination shall be made. The accused and the accuser shall be notified of the findings of the investigator.

REVIEW OF THE INVESTIGATION AND RESOLUTION

Party, victim or accused, may request a review of the findings and disciplinary action by submitting a request for review to the Clerk of Session within ten (10) working days of the original decision and approval by Session or Presbytery. The Session will review the findings of fact, recommended action and make a determination to uphold the findings or to reject the findings. The determination of the Session or Presbytery shall be binding for the church.

Any person mandated to report shall, upon request to the Adult/Child Protection Service, receive a summary of the disposition of any report made by the reporter, unless release would be detrimental to the best interest of the minor or vulnerable adult.

Arizona provides protection from reprisal or civil liability if reports of suspected abuse are made in good faith.

CODE OF CONDUCT

This Code of Conduct defines individual responsibilities as teaching elders, ruling elders, employees or volunteers to meet the expectations of Trinity Presbyterian Church with respect to behavior or conduct in the service of the ministries of the church, especially those which serve children and “vulnerable adults”.

REPORTING OBLIGATIONS

Each teaching elder or statutory “mandatory reporter” shall report:

1. Concerns or complaints about other employees and volunteers, other adults, or children to a supervisor. (Appendix A)
2. Allegations or incidents of “suspected abuse” to the designated law enforcement or child welfare authority. (Appendix A)

SPECIFIC INTERACTION STANDARDS

This Code of Conduct defines individual responsibilities as teaching elders, leaders, employees or volunteers to meet the expectations of (Your Church) with respect to behavior or conduct in the service of the ministries of the church, especially those which serve children and “vulnerable adults”.

GENERAL REQUIREMENTS

Each person subject to this Code shall

1. Act as a team member in fulfilling ministry objectives
2. Treat children and “vulnerable adults” (clients) with respect, and fairly without regard to race, age, gender, sexual orientation or religion
3. Practice those behaviors we regard as necessary and positive as well as to refrain from those behaviors which have been defined as prohibited.

GENERAL PROHIBITIONS

The following behaviors are prohibited at all times:

1. Display affection toward a child/client in privacy.
2. Use profanity or tell off-color jokes.
3. Discuss their sexual encounters with or around children or in any way involve children in their personal problems or issues.
4. Date or become romantically involved with children.
5. Use or be under the influence of alcohol or illegal drugs in the presence of children.
6. Possess sexually oriented materials, including printed or online pornography, on Church property.
7. Have secrets with clients
8. Stare at or comment on children’s bodies.
9. Engage in inappropriate or unapproved electronic communication with children.
10. Work one-on-one with children in a private setting.
11. Abuse clients in anyway including (but not limited to) the following:

- Physical abuse: hit, spank, shake, slap, unnecessarily restrain
- Verbal abuse: degrade, threaten, curse
- Sexual abuse: inappropriately touch, expose oneself, or engage in sexually oriented conversations
- Mental abuse: shame, humiliate, act cruelly
- Neglect: withhold food, water, shelter
- Permit children to engage in the following: Hazing, bullying, derogatory name-calling, games of Truth or Dare, ridicule or humiliation or sexual activity

12. Manipulate or exploit a “vulnerable adult” in any way.

SPECIFIC INTERACTION STANDARDS

Each teaching elder, employee or volunteer worker of Trinity Presbyterian shall conduct him/herself in a manner that fosters understanding of SafeConduct™ in the context of serving children and “vulnerable adults”. The standards articulated below serve two purposes:

To protect children and “vulnerable adults” from abuse or grooming for abuse elsewhere; and
To protect/prevent church staff from engaging in patterns of behavior that may be construed as abusive or predatory. While a single infraction of guidelines may not constitute abuse, a pattern of repeated violations will result in disciplinary action up to and including dismissal from ministry.

1. **Approval and Affection** – In providing approval or affection, the following guidelines apply:

<i>Appropriate Physical Interactions</i>	<i>Inappropriate Physical Interactions</i>
<ul style="list-style-type: none"> ☐ Side hugs ☐ Shoulder-to-shoulder or “temple” hugs ☐ Pats on the shoulder or back ☐ Handshakes ☐ High-fives and hand slapping ☐ Verbal praise ☐ Pats on the head when culturally appropriate ☐ Touching hands, shoulders, and arms ☐ Arms around shoulders ☐ Holding hands (with young children in escorting situations) <p>These may be inappropriate if unwanted by the child or the employee or volunteer.</p>	<ul style="list-style-type: none"> ☐ Full-frontal hugs ☐ Kisses ☐ Showing affection in isolated area ☐ Lap sitting ☐ Wrestling ☐ Piggyback rides ☐ Tickling ☐ Allowing a child to cling to an employee’s or volunteer’s leg ☐ Any type of massage given by or to a child ☐ Any form of affection that is unwanted by the child or the employee or volunteer ☐ Compliments relating to physique or body development ☐ Touching bottom, chest, or genital areas

2.Verbal interactions – The manner of speaking with children establishes respect. The following guidelines apply:

<i>Appropriate Verbal Interactions</i>	<i>Inappropriate Verbal Interactions</i>
<ul style="list-style-type: none"> ☐ Positive reinforcement ☐ Appropriate jokes ☐ Encouragement ☐ Praise 	<ul style="list-style-type: none"> ☐ Name-calling ☐ Discussing sexual encounters or in any way involving children in the personal problems or issues of employees and volunteers ☐ Secrets ☐ Cursing ☐ Off-color or sexual jokes ☐ Shaming ☐ Belittling ☐ Derogatory remarks ☐ Harsh language that may frighten, threaten or humiliate children ☐ Derogatory remarks about the child or his/her family

3. Out-of-Program (Off-Site) Contact –

Trinity Presbyterian strongly recommends that teaching elders, employees or volunteers observe the following forms of outside contact as appropriate and inappropriate:

<i>Appropriate Outside Contact</i>	<i>Inappropriate Outside Contact</i>
<ul style="list-style-type: none"> ☐ Taking groups of children on an outing ☐ Attending sporting activities with groups of children ☐ Attending functions at a child's home, with parents present 	<ul style="list-style-type: none"> ☐ Taking one child on an outing without the parents' written permission ☐ Visiting one child in the child's home, without a parent present ☐ Entertaining one child in the home of a church employee or volunteer ☐ A lone child spending the night with a church employee or volunteer

In addition, when outside contact is planned or occurs, the following steps are to be taken:

- A supervisor shall identify for employee and volunteers what types of outside contact are appropriate and inappropriate (above)
- A supervisor shall assure that the employee or volunteer has the parents' permission to engage in outside contact with the child. When time permits, parents shall execute a permission form with a waiver of liability (if permitted by state law).

4. One-on-One Interactions –

Because most abuse occurs when an adult is alone with a child, private one-on-one meetings with a child are prohibited unless approved in advance by (Chair, Employment Committee). When so permitted, the following guidelines shall apply:

One-on-One Interaction Guidelines

- When meeting one-on-one with a child, always do so in a public place in full view of others.
- Avoid physical affection that can be misinterpreted. Limit affection to pats on the shoulder, high fives, and handshakes.
- If meeting in a room or office, leave the door open or move to an area that can be easily observed by others passing by.
- Inform other employees and volunteers that you are alone with a child and ask them to randomly drop in. (Ask to be supervised.)
- Document and immediately report any unusual incidents, including disclosures of abuse or maltreatment, behavior problems and how they were handled, injuries, or any interactions that might be misinterpreted.

To the extent any of these guidelines may appear to be in conflict, the spirit of them is that one shall seek to be under the supervision of others while meeting privately with a child.

5. Social Media – Electronic Communications

Social Networking Code of Conduct

Each teaching elder, employee or volunteer who leads using the resources of social media shall apply this Social Networking Code of Conduct:

- Prohibit comments that are, or could be construed by any observer, to be harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning, or humiliating.
- Prohibit sexually oriented conversations or discussions about sexual activities.
- Prohibit private messages between employees and volunteers and children.
- Prohibit posting inappropriate pictures (for example, sexually suggestive, exploitive or voyeuristic) or inappropriate comments on pictures.
- Provide children and their parents with this Social Networking Code of Conduct.

- Encourage parents to play a role in monitoring their children's interactions with employees and volunteers.
- Continuously remind children how to interact appropriately through social networking sites.
- Deny participation by individuals who repeatedly violate the Code of Conduct.

At the institution of the use of social media, the authorized teaching elder, employee or volunteer shall present this Social Networking Code of Conduct to children (or other client group) and parents/guardians.

If offered a position as teaching elder, employee or volunteer, I affirm that application disclosures are complete and truthful. I agree to comply with all code of conduct standards described above relating to children/clients as defined above. If requested to do so, I will cooperate with any investigation of a possible violation of church policies and rules by providing complete and truthful information in an oral and/or written statements.

Signature

Date

Name

MINISTRY STANDARDS

These ministry standards are intended to provide a safe environment for children and “vulnerable adults” in a variety of circumstances. From time to time it may not be possible to fulfill the standard to the letter. Permission is granted to Ministers in leadership to waive a standard with justification. If it is found that consistent fulfillment of a standard is not practicable, the matter shall be elevated to the (Your Committee) for resolution or amendment of these standards.

ADULT-CHILD RATIOS

For all activities there shall be a minimum of two adults maintained (until such a time that more are required). Employees or volunteers under the age of 18 are not included in the ratio.

In all cases, an employee or volunteer under the age of 18 working with minor children shall be under the supervision of an adult over the age of 21.

Employees or volunteer leaders under the age of 21 shall not supervise or lead a youth group in which the oldest participating minor child is less than three years younger than the supervisor/leader.

BATHROOMS, LOCKER ROOM AND OUT-OF-THE-WAY LOCATIONS

The following practices shall apply to supervision of bathrooms and changing areas for preschool and elementary age children

1. Minimize presence of diverse child age groups at the same time.
2. No employee/volunteer shall enter with a single unrelated child unless the entry door is ajar (propped open) in a way that (s)he can be observed by others.
3. Children shall not enter unsupervised.
4. Require children to ask permission before using bathrooms.

Employees and volunteers in leadership are to frequently and randomly check bathrooms to assure their security.

The following areas are to be locked at all times: Workroom and all storage areas

All unsupervised areas are off limits.

TRANSITION AND “FREE” TIME -

Especially during day long, off-site or overnight activities, children will periodically not be engaged in a supervised activity. Supervision shall be maintained during transition times through the use of chaperones, hall monitors and escorts to minimize the opportunity for security breach or child-on-child incidents. The Event Leader shall assess at what times and places additional duties are to be assigned to employees and volunteers to assure supervision of transition and free time.

TRANSPORTATION OF CHILDREN

Transportation of children, whether on buses, motor coaches or private passenger vehicles, is a serious responsibility. Especially when utilizing church owned vehicles or private vehicles of employees and volunteers, utmost care shall be taken in view of the risks associated with managing transportation.

The following standards shall apply:

1. No employee or volunteer shall transport a single child that is not his/her own, except as may be required in an emergency with the approval of a supervisor. Communications shall be established to verify the whereabouts, expected arrival and change of custody of the child.
2. Any driver operating a vehicle which holds 16 passengers or more, including the driver, shall possess a valid Commercial Driver License (CDL).
3. Any person who drives on behalf of (Your Church) sponsored programs shall be previously qualified under our transportation and driver qualification procedure.
4. Adult-child ratios shall be maintained and within the safe loading limits of the vehicles being used.
5. As practicable, mixed age groups are not to sit together.
6. Employees and volunteers are not to make unauthorized or unplanned stops.
7. On each trip, a vehicle log shall be maintained which documents the departing time, arrival time, destination, mileage, names of passengers and supervising staff and volunteers and any unusual occurrences.
8. All passengers are to be seated and to use safety belts as available.
9. Employees and volunteers are to be seated on larger vehicles in a way that permits them to supervise young passengers.
10. When passengers must disembark at a rest facility or destination, care shall be taken to obtain a headcount on arrival and departure. All passengers shall be required to complete a trip on the same vehicle to assure accountability.

OFF-SITE ACTIVITIES (DAY TRIPS)

Off-site activities require special additional planning, taking into account the nature of the destination and exposure to the public at large. For example, attendance at a public venue, such as an amusement park, will require greater supervision than a visit to a sister church. Due to the increased risk of a child becoming lost or injured during an off-site activity, extra care shall be taken to assure adequate supervision.

The following are minimum requirements:

1. All off-site activities shall be approved in advance by the Youth Director.
2. The trip leader shall provide a plan outlining transportation and supervision for the activity.
3. Parent/guardian permission shall be obtained. Permission forms are to site the destination(s) and activities in which the child might engage (e.g., climbing wall, horseback riding, soccer, baseball, etc.)
4. Parent/guardian providing permission shall indicate who will receive the child on return if other than the person signing the permission.
5. Adult-child ratios shall be increased by at least one person, which may include a person age 16 or older who is qualified to drive. One adult may supervise only one person under the age of 18 (employee or volunteer).
6. Each employee or volunteer shall be assigned to a specific group of children to supervise. Each employee or volunteer must then maintain a roll sheet listing all of the children in his or her group. Head counts and roll checks will be conducted routinely.
7. Standards for bathroom activities, transition time and transportation shall be maintained.
8. Parents/guardians shall be provided a means to make emergency contact with the trip leader.

OVER-NIGHT ACTIVITIES

Camps generally have the experience and staffing to adopt different standards than these below. The assumption for the purpose of this standard is lodging at a public hotel in an unfamiliar city. As with off-site activities, over-night activities present an even higher level or risk to children than day trips due to isolation from parents and the 24-hour supervision that is required throughout the activity.

The following standards will apply in addition to standards for off-site activities:

1. All overnight activities, whether on the church site or not, shall have prior approval of the Session.
2. All overnight activities include a minimum of two adult chaperones over 21 years of age.
3. All volunteers and employees under 18 years of age must be supervised at all times.
4. Parent/guardian permission shall be obtained. Permission forms are to site the destination(s) and activities in which the child might engage (.e.g., climbing wall, horseback riding, soccer, baseball, etc.)
5. The parent/guardian providing permission shall indicate who will receive the child on return if other than the person signing the permission.
6. At all times through the night an employee or volunteer must remain on duty at a location to supervise the coming and going of any child and to assure safe evacuation during an emergency and to prevent children sneaking out. (Maximum two hour watches through the night are recommended.)
7. Trip leaders or other designated adult shall conduct routine walk-throughs of high risk areas
8. For the event of a building evacuation, an outdoor rally point will be designated in advance.
9. A roster will be maintained of the room assignments for each child and adult.
10. A bed check will be conducted at a specific time known to all.
11. Adult-child ratios are to be maintained for outings away from the lodging site.
12. A daily schedule of events shall be maintained with supervisory duty assignments included.
13. Double-queen lodging is preferred at hotels, four to a room. Children in each room will be of similar age. No adult will share a bed with a child.
14. Adult rooms will be scattered among rooms occupied by children. There shall be at least one adult lodged on any floor on which children are sleeping.
15. Standards for bathroom, out-of-the-way, off limits locations and transition time shall be maintained as the site circumstances and facilities may require

Appendix A. Report of Suspected Sexual Misconduct

This exhibit provides entities with a sample Report of Suspected Sexual Misconduct. It provides space for the names, addresses, and telephone numbers of victims, the accused, possible witnesses, and others involved. It also provides space for a description of the offending behavior as well as other pertinent information. This form or a revision of it should be filed with the appropriate supervisor, office, or administrator of an entity who is required to file this with the constituting authority or its response coordination team. (See section on Subsequent Reporting in this policy and its procedures.)

Reported by:

Name

Title

Address

City, State, and Zip Code

Telephone

Date of Report

Person suspected of misconduct:

Name

Title

Address

City, State, and Zip Code

Telephone

Other person(s) involved (witness or victims):

Name

Title

Age _____ Sex _____

Address

City, State, and Zip Code

Telephone

Describe incident(s) of suspected sexual misconduct, including date(s), time(s), and location(s):

Identify eyewitnesses to the incident, including names, addresses, and telephone numbers, where available:

Appendix B. Confidential Screening Form

For Volunteers and Paid Staff Who Work with Minor Children and Vulnerable Adults
Trinity Presbyterian Church, Prescott, Arizona

This application is to be completed by all applicants for any position (volunteer or compensated) involving the supervision or contact with minors and vulnerable adults. It is being used to help Trinity Presbyterian Church, Prescott, Arizona provide a safe and secure environment for minors and vulnerable adults who participate in our programs and activities.

Date: _____
Church Program _____
Date/s of Involvement _____
Responsibility _____

PERSONAL

Name _____
Last First Middle

(Identity must be confirmed with a state driver's license or other photographic identification.)

Address: _____

City _____ State _____ Zip _____

County _____

Home phone number () _____ Work phone number () _____

Do you have a current driver's license?

_____ Yes Driver's License Number _____

_____ No (copy on file)

Have you ever been convicted of or pleaded guilty to a crime other than a misdemeanor, traffic or parking offense?

_____ No

_____ Yes (If yes, please describe all convictions)

Have you ever been accused of any sexual misconduct?

_____ No

_____ Yes (If yes, please describe outcome)

Has a civil, criminal, or ecclesiastical complaint ever been sustained against you involving sexual misconduct by you?

Have you ever resigned or been terminated from a position for reasons relating to allegations of sexual misconduct by you?

 No

Yes. If so, indicate the date, nature, and place of these allegations, and the name, address, and telephone number of your employer at that time.

Have you been required to receive professional treatment, physical or psychological, for reasons related to sexual misconduct to you?

If so, please give a short description of the treatment including the date, nature of treatment, place, and name, address, and telephone number of the treating physician or other professional.

Appendix C Church History And Prior Work

Name of church of which you are a member: _____

List (name and address) of other churches you have attended regularly during the past five years: _____

List previous church work involving minors and vulnerable adults including church name and address, type of work performed, and approximate dates for the last 10 years:

List previous non-church work involving minors and vulnerable adults listing each organization's name and address, type of work performed, and dates for the last 10 years:

Personal References (not former employers or relatives)

Name _____

Name _____

Address _____

Address _____

Telephone _____

Telephone _____

Applicant's Statement

The information contained in this application is correct to the best of my knowledge. I authorize any references or churches listed in this application to give you any information (including opinions) that they may have regarding my character and fitness for minor and vulnerable adult work. I release all such references from any liability for furnishing such evaluations to you, provided they do so in good faith and without malice.

Should my application be accepted, I agree to be bound by the Sexual Misconduct Policy of Trinity Presbyterian Church, Prescott, Arizona and to refrain from improper sexual conduct in the performance of my services on behalf of this congregation.

I further state that I HAVE CAREFULLY READ THE FOREGOING RELEASE AND KNOW THAT CONTENTS THEREOF AND I SIGN THIS RELEASE AS MY OWN FREE ACT.

Applicant's signature _____

Date _____

Witness _____

Date _____

Appendix D – Implementation of Sexual Misconduct Prevention Policy

Trinity

PRESBYTERIAN CHURCH (U.S.A.)

Safe Church

SEXUAL MISCONDUCT AND ANTI-HARASSMENT POLICY

It is necessary that all employees acknowledge being in receipt of the sexual misconduct policy. The policy provides protection and empowerment for the employee.

I hereby acknowledge that I received on _____ (date), a copy of the “Policy and Its Procedures on Sexual Misconduct of the Presbyterian Church (U.S.A.)” dated that I have read the policy, understand its meaning, and agree to conduct myself in accordance with the policy.

Signature _____

Print Name: _____

Date: _____

I would like a copy of this document for my files: Yes _____ No _____

Appendix E Transporting Children, Youth, and Adults in a Motor Vehicle

All people who will transport children, youth and adults within the scope of a church program are to complete this form. Completed forms should be kept on file in a secure place and should be updated regularly.

Attached to this form should be copies of:

- current driver's license
- proof of insurance
- current vehicle registration

Name: _____

Address: _____

Telephone: _____
Home Work

Your Vehicle:

Make & Model

Year	Color
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License Plate

Is your vehicle in good repair and equipped with safety restraints (including those for infants and young children if you will be transporting them)?

If there is another vehicle you might use in the course of transporting children/youth, please describe it in the same way:

Have you every had a driver's license revoked or suspended?

No

Yes	If yes, give details
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Have you ever been convicted for DUI (driving under the influence)? Yes No

If yes, give details as to where and when each charge was made.

In transporting children/youth/adults, I agree to:

- obey all traffic regulations including speed limits and safety restraint requirements.
- transport only the number of persons my vehicle is equipped to carry.
- drive only when I am not under the influence of alcohol or other intoxicating drugs.

Signature _____

Appendix F Employment Questionnaire

Name: _____

Last First Middle Address: _____

Street _____

City State Zip _____

Business Phone: _____

Home Phone: _____

Have you ever been known by any other name? Yes ___ No ___

If yes, please provide other name(s): _____

EMPLOYMENT RECORD (List current and previous employers for the last five years.)

Employed by: _____

Address: _____

City, State, Zip: _____

Supervisor: Phone: _____

Supervisor's Title: _____

Employed from _____ (month/year) to _____ (month/year)

Why did you leave? _____

Employed by: _____

Address: _____

City, State, Zip: _____

Supervisor: Phone: _____

Supervisor's Title: _____

Employed from _____ (month/year) to _____ (month/year)

Why did you leave? _____

Employed by: _____

Address: _____

City, State, Zip: _____

Supervisor: Phone: _____

Supervisor's Title: _____

Employed from _____ (month/year) to _____ (month/year)

Why did you leave? _____

I certify that (a) no civil, criminal, ecclesiastical complaint has ever been sustained or is pending against me for sexual misconduct; (b) I have never resigned or been terminated from a position for reasons related to sexual misconduct.

Signature _____

Date _____

Note: If you are unable to make the above certification you may instead give in the space provided a description of the complaint, termination, or the outcome of the situation and any explanatory comments you care to add.

RELEASE

The information contained in this questionnaire is accurate to the best of my knowledge and may be verified by the employing entity. I hereby authorize (*Name of Employing Entity*) to make any and all contacts necessary to verify my prior employment history, and to inquire concerning any criminal records or any judicial proceedings involving me as a defendant. By means of this release I also authorize any previous employer and any law enforcement agencies or judicial authorities to release any and all requested relevant information to the _____

(Name of Employing Entity)

I have read this release and understand fully that the information obtained may be used to deny me employment or any other type of position from the employing entity. I also agree that I will hold harmless the employing entity or judicial authority from any and all claims, liabilities, and cause of action for the legitimate release or use of any information.

Signature _____

Witness _____

Witness _____

Appendix G- Face-to-Face or Telephone Reference Checks

This form may be used to keep a record of all face-to-face or telephone reference checks. Additions that have to do with sexual misconduct or child abuse may be needed by the entity to justify to a court of law that they have done reasonable and prudent screening before hiring a person for a position within that entity.

CONFIDENTIAL EMPLOYMENT REFERENCE

1. Name of applicant:

2. Reference or church contacted (if a church, identify both the church and person contacted):

3. Date and time of contact:

4. Person contacting the reference or church:

5. Method of contact (phone, letter, personal conversation):

6. Summary of conversation (summarize the reference's remarks concerning the applicant's fitness and suitability for the position, any convictions for or actions pending related to sexual misconduct, sexual harassment or child abuse):

Name, Title

Signature

Date

Appendix H Anti-Harassment Policy

Trinity Presbyterian Church is committed to maintaining a work environment that is free of discrimination. In keeping with this commitment, we will not tolerate harassment of Church employees, parishioners, or anyone who uses the Church services or property by anyone, including any supervisor, co-worker, Church personnel, clergy, associates in ministry, persons in church employ, teachers, volunteers, and leaders in our Christian Education, Student Ministry and youth programs.

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's protected status, such as sex, color, race, ancestry, religion, national origin, age, physical handicap, medical condition, disability, marital status, veteran status, citizenship status, or other protected group status. The Church will not tolerate harassing conduct which affects tangible job benefits, which interferes unreasonably with an individual's work performance, or which creates an intimidating, hostile, or offensive environment for any person.

Sexual harassment deserves special mention. Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex constitute sexual harassment when (1) submission to the conduct is an explicit or implicit term or condition of employment, (2) submission to or rejection of the conduct is used as the basis for an employment decision, or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile, or offensive environment. Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing," "practical jokes," jokes about gender-specific traits, foul or obscene language or gestures, display of foul or obscene printed or visual material, and physical contact such as patting, pinching, or brushing against another's body.

All Church employees, clergy, associates in ministry including but not limited to Elders and Deacons, persons in church employ, teachers, volunteers, and leaders in our Christian Education, Student Ministry and youth programs are responsible to help assure that we avoid harassment. Persons you should notify the Church Pastor of any suspected harassment, or if the conduct is against the Pastor, the Clerk of Session. The Church forbids retaliation against anyone for reporting harassment, assisting in making a harassment complaint, or cooperating in a harassment investigation. Retaliation includes any form of hostility or any conduct, actions, inactions or words designed to make a person reporting harassment feel unwelcome. The Church's policy is to investigate all such complaints thoroughly and promptly and take appropriate action. To the fullest extent practicable, the Church will keep complaints and the terms of their resolution confidential. However, the Church cannot guarantee that all complaints or all aspects of complaints of harassment will remain confidential in all circumstances. If an investigation confirms that harassment has occurred, the Church will take corrective action. The Session will proceed according to the procedures set forth in the Rules of Discipline of the Book of Order. Discipline, may include immediate termination of employment or dismissal of membership of the harasser, as is appropriate.

Appendix I Eeoc Notice #N-915-050

SUBJECT: Policy Guidance On Current Issues of Sexual Harassment

Evaluating Evidence of Harassment

The Commission recognizes that sexual conduct may be private and unacknowledged, with no eyewitnesses. Even sexual conduct that occurs openly in the workplace may appear to be consensual. Thus the resolution of a sexual harassment claim often depends on the credibility of the parties. The investigator should question the charging party and the alleged harasser in detail. The Commission's investigation also should search thoroughly for corroborative evidence of any nature. Supervisory and managerial employees, as well as co-workers, should be asked about their knowledge of the alleged harassment.

In appropriate cases, the Commission may make a finding of harassment based solely on the credibility of the victim's allegation. As with any other charge of discrimination, a victim's account must be sufficiently detailed and internally consistent. Thus, the Commission found that no harassment occurred with respect to an employee who had joined in the telling of bawdy jokes and the use of vulgar language during her first two months on the job, and failed to provide subsequent notice that the conduct was no longer welcome. By actively participating in the conduct, the charging party had created the impression among her co-workers that she welcomed the sort of sexually oriented banter that she later asserted was objectionable. Simply ceasing to participate was insufficient to show the continuing activity was no longer welcome to her. See also Loftin-Boggs v. City of Meridian, 633 F. Supp. 1323, 41 FEP Cases 532 (S.D. Miss. 1986) (plaintiff initially participated in and initiated some of the crude language that was prevalent on the job; if she later found such conduct offensive, she should have conveyed this by her own conduct and her reaction to her co-workers' conduct).

However, if the harassing supervisor engages in conduct that is sufficiently pervasive and work-related, it may place the employer on notice that the conduct constitutes harassment.

As the court said in Henson v. City of Dundee, 682 F.2d at 912 n.25, "In a case of alleged sexual harassment which involves close questions of credibility and subjective interpretation, the existence of corroborative evidence of the lack thereof is likely to be crucial. Lack of corroborative evidence where such evidence logically should exist would undermine the allegation. By the same token, a general denial by the alleged harasser will carry little weight when it is contradicted by other evidence."

Of course, the Commission recognizes that a charging party may not be able to identify witnesses to the alleged conduct itself. But testimony may be obtained from persons who observed the charging party's demeanor immediately after an alleged incident of harassment. Persons with whom she discussed the incident – such as co-workers, a doctor or a counselor – should be interviewed. Other employees should be asked if they noticed changes in charging party's behavior at work or in the alleged harasser's treatment of charging party. As stated earlier, a contemporaneous complaint by the victim would be persuasive evidence both that the conduct occurred and that it was unwelcome (see supra Section A). So too is evidence that other employees were sexually harassed by the same person.

The investigator should determine whether the employer was aware of any other instances of harassment and if so what was the response. Where appropriate the Commission will expand the case to include class claims.

In Sardigal v. St. Louis National Stockyards Co., 41 EPD ¶ 36,613 at 44,694 (S.D. Ill. 1986), the plaintiff, a waitress, alleged she was harassed over a period of nine months in a restaurant at noontime, when there was a "constant flow of waitresses or customers" around the area where the offenses allegedly took place. Her allegations were not credited by the district court because no individuals came forward with testimony to support her.

It is important to explore all avenues for obtaining corroborative evidence because courts may reject

harassment claims due to lack of corroborative evidence. See Hall v. F.O. Thacker Co., 24 FEP Cases 1499, 1503 (N.D. Ga. 1980) (district judge did not credit plaintiff's testimony about sexual advances because it was "virtually uncorroborated"); Neidhart v. D.H. Holmes Co., 21 FEP Cases 452, 457 (E.D. La. 1979), aff'd mem., 624 F.2d 1097 (5th Cir. 1980) (plaintiff's account of sexual harassment rejected because "there is not a scintilla of credible evidence to corroborate [plaintiff's version]").

See Commission Decision No. 81-17, CCH EEOC Decisions (1983) ¶ 6757 (violation of Title VII found where charging party alleged that her supervisor made repeated sexual advances toward her; although the supervisor denied the allegations, statements of other employees support them).

Class complaints in the federal sector are governed by the requirements of 29 C.F.R. § 1613 Subpart F.

Example Charging Party (CP) alleges that her supervisor made unwelcome sexual advances toward her on frequent occasions while they were alone in his office. The supervisor denies this allegation. No one witnessed the alleged advances. CP's inability to produce eyewitnesses to the harassment does not defeat her claim. The resolution will depend on the credibility of her allegations versus that of her supervisor's. Corroborating, credible evidence will establish her claim. For example, three co-workers state that CP looked distraught on several occasions after leaving the supervisor's office, and that she informed them on those occasions that he had sexually propositioned and touched her. In addition, the evidence shows that CP had complained to the general manager of the office about the incidents soon after they occurred. The corroborating witness testimony and her complaint to higher management would be sufficient to establish her claim. Her allegations would be further buttressed if other employees testified that the supervisor propositioned them as well.

If the investigation exhausts all possibilities for obtaining corroborative evidence, but finds none, the Commission may make a cause finding based solely on a reasoned decision to credit the charging party's testimony.

In a "quid pro quo" case, as finding that the employer's asserted reasons for its adverse action against the charging party are pretextual will usually establish a violation. The investigation should determine the validity of the employer's reasons for the charging party's termination. If they are pretextual and if the sexual harassment occurred, then it should be inferred that the charging party was terminated for rejecting the employer's sexual advances, as she claims. Moreover, if the termination occurred because the victim complained, it would be appropriate to find, in addition, a violation of section 704____).

In Commission Decision No. 82-13, CCH EEOC Decisions (1983) ¶ 6832, the Commission stated that a "bare assertion" of sexual harassment "cannot stand without some factual support." To the extent this decision suggests a charging party can never prevail based solely on the credibility of her own testimony, that decision is overruled.

See, e.g., Bandy v. Jackson, 641 F.2d 934, 953, 24 EPD ¶ 31,439 (D.C. Cir. 1981).

Appendix J Limited Access Agreement for Cases of Convicted Sex Offenders

_____, referred to below as “we”, “the congregation” and “clergy”;
(Trinity Presbyterian)

And

_____, referred to below as “you” and “your”
(Petitioner Name)

Trinity Presbyterian Church, is a welcoming congregation and as such affirms the dignity and worth of all persons as expressed in our Welcome Statement.

We are committed to being a religious community open to those who are in need of Worshiping with us, especially in times of distress and serious personal troubles. However, based On your background, we have concerns about your contact with children and youth in our congregation. The following guidelines are designed to reduce the risk to both you and them of an incident or accusation. We welcome you to our congregation and our membership but your participation will be limited to ensure the safety of our children and youth and to assure that you will not be subject to future accusations.

Within these guidelines, the congregation welcomes your participation in worship services, coffee hour, meetings, adult education, and all adult social events. Do not enter the class room wing or the lower level of the church building. You are to avoid all contact with children and youth on church property or congregation-sponsored events. This includes the following:

- Do not talk with children.
- Do not volunteer or agree to lead, chaperone or participate in events for children and youth including such things as religious education classes, stories or talks for worship, youth group events, activities during intergenerational events, driving or otherwise transporting children and/or youth.
- You will remain in the presence of a Parish Associate who knows your situation at all times. You must meet that person before coming onto church property (or before arriving at any church-sponsored event), remain with him/her at all times, and depart with him/her.
- If a child or youth in the congregation approaches you, either at church or in a community place, politely and immediately excuse yourself from the situation.
- Avoid being in the church or any church-owned building or church-rented space at any time without a Parish Associate present with you at all times.
- Do not ask for, seek access to, nor remove from the church any materials, files, directories, etc. listing members and friends of the church.
- We ask that you limit your time in coffee hour to about ten minutes.

As apart of this agreement it is understood that you will have three (3) members of his congregation, approved by the clergy, who know thoroughly your history and are willing to serve as your Parish Associates. You will be welcome on church property and at church-sponsored events but must be accompanied at all times by one of the church members named below:

(Named Church Member 1)

(Named Church Member 2)

(Named Church Member 3)

To engage your integration into the congregation and to assist you in maximizing your experience with the church it is agreed that you will meet on a bi-monthly basis with the Parish Associates and a member of the clergy together or separately to discuss matters of mutual interest and concern. These meetings will also serve as an ongoing review of the implementation of this agreement.

Implementation of this agreement is based upon a review by the clergy of the most current supporting documents as follows:

- A statement from the court as to the nature of the conviction.
- A risk assessment from a qualified therapist.
- A report from a certified treatment provider indicating that you are not at too high a risk for recidivism.

Any change in the above must be reported immediately to a member of the clergy.

REASONS FOR EXCLUDING A PERSON FROM ALL CONGREGATIONAL ACTIVITIES INCLUDE, BUT ARE NOT LIMITED TO:

- Refusal to allow the clergy to contact the treatment provider and parole officer. Refusal to go for a risk assessment with a qualified therapist.
- Report by a treatment provider that the individual is at too high a risk for recidivism. Refusal to sign a Limited Access Agreement.
- Refusal to comply with the requirements of the Limited Access Agreement.

This agreement will remain in effect until/unless:

- You fail to honor the terms of the agreement, thus nullifying it.
- It is superseded by any policies and procedures put in place by the church's Safe Conduct™ Committee. The Safe Conduct™ Committee in consultation with the clergy is the body responsible for providing you with guidelines, support and counsel for your participation in the life of the congregation.
- You, the clergy, and the Safe Conduct™ Committee mutually agree to change the terms of this agreement.

ATTEST: I have reviewed the terms of the above limited access agreement and agree to abide by its provisions. Failure to honor its terms will result in my being denied access to church property and all church events.

Signature

Date

Petitioner Name

Address

WITNESS FOR THE CHURCH:

_____ Signature

_____ Date

_____ Name

Church Official Title

YOUR CHURCH

(Address)

