

Policies and Procedures  
for the  
Prevention of Sexual Misconduct  
in the  
Diocese of Alabama



Adopted by the Standing Committee of the Diocese of Alabama  
May 2006 & Revised September 2014  
These policies and procedures supersede policies adopted in 1993 and  
amended in 1999 and are effective immediately.

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## ***Safeguarding All of God's Children***

*A policy directing our parishes, ministries, and related entities in procedures and practices designed to protect children from sexual misconduct, and abuse.*

### **INTRODUCTION**

This manual supersedes earlier policies and procedures published by the Diocese of Alabama. It builds upon, strengthens, and in some cases, alters procedures and practices published in previous editions in 1994 and 2000. These policies and procedures have been developed in general conformity with the *Model Policies* published by the Church Pension Fund in 2005. These policies are applicable to all canonical or licensed clergy of the Diocese of Alabama, all employees and volunteers serving within parishes, ministries, and entities within the Diocese including groups, ministries, and organizations using church owned facilities.

These policies and procedures have been reviewed and adopted by the Standing Committee of the Diocese and become effective May 1, 2006. They are intended to protect the well being of those we serve, especially children and youth, as well as those who serve and to require responsible and respectful behavior of all persons within the understanding of sanctuary. Sanctuary is an ancient biblical tradition which teaches that the Church is a place where all can come to be at peace and to be safe. Sanctuary means that healthy and appropriate boundaries will be maintained and that no one will be harmed while participating in or attending to the work of the Church. It is a sacred trust we carry to insure that sanctuary is honored by the individual and corporate behavior accepted and encouraged by the Church.

Implementation of these policies is the responsibility of the clergy, wardens and vestries of all parishes in the Diocese of Alabama. The boards and officers of all church-related organizations are charged with responsibility for implementation. Conformity with these policies and procedures by outside groups and organizations using church-owned facilities is required for those events, programs, and ministries operating in church-owned facilities and shall be monitored by the clergy and wardens of associated parishes or, in cases in which the facility is directly operated by the Diocese, by the Diocesan Bishop. Support and guidance in the interpretation and implementation of these policies shall be offered by the diocesan staff.

## **A Statement on the Approach Taken by the Diocese of Alabama in our Work to Keep our Children and Youth Safe from Sexual Misconduct**

These policies have been compiled using as guides the prior policies of the diocese, the Model Policies published by the Church Pension Fund, and the experiences and insights of those who work with children and youth in the diocese.

These policies are meant to establish a minimum for all parishes, diocesan institutions, and ministries. While the requirements of these policies may not be diminished in anyway by these organizations, each organization may adopt additional policies, not in conflict with these. These additional policies may strengthen the effects of this prevention program.

The approach taken by the diocese is to prevent misconduct by three primary and on-going strategies. One is to do all that we can to know well each person, whether paid or volunteer, part-time or full-time, who has the potential for contact with children and youth in the church. The second strategy is to prevent opportunities for sexual misconduct including sexual abuse to occur by denying an offender the opportunity to be alone with children and youth or to solicit their involvement in sexual misconduct. The third strategy is to train as many people as possible to recognize the signs of possible sexual abuse or the attempts to recruit children and youth for such behavior. These people are to become our "eyes and ears", monitoring activities sponsored by our churches and activities occurring on church property and prepared to report signs of sexual abuse or boundary violations.

It is the intent of the training that as many church members as possible will receive the training and thus be enabled to monitor effectively church activities and to report any behavior that appears them to be either a boundary violation or evidence of sexual misconduct or the intent of such misconduct.

These policies make no distinction between paid employees and volunteers, full or part-time status, in the requirements for background checks, references, training, supervision, and conduct in the presence of children and youth.

# A SUMMARY OF THE REQUIREMENTS FOR ALL CLERGY, EMPLOYEES AND VOLUNTEERS

## FOR ALL CLERGY:

All clergy of the diocese, including licensed clergy from other dioceses who reside and function in the Diocese of Alabama as well as deacons and transitional deacons must:

Grant consent for and complete a **Sexual Misconduct Background Check** .

Read and sign the **Covenant for Sexual Responsibility** statement and return it to the Bishop of Alabama.

Read and sign the **Clergy Statement on Sexual Conduct** and return it to the Bishop of Alabama.

Complete both the **Child Abuse Prevention training module** and the **Adult Sexual Harassment training module**. This participation must be documented in writing.

Read and understand definitions of prohibited sexual behavior and all established policies of the diocese pertaining to **Sexual Conduct**.

Successfully undergo a review of **Sexual Offender Registries** every 5 years. (Success defined as no listing)

Rectors and Priests-in-charge of parishes are responsible along with their vestries for the maintenance of sexual conduct training materials, manuals and registers of training sessions/ attendees in the parish office.

## FOR LAY CHURCH EMPLOYEES:

All employees (except purely administrative personnel) of any parish, educational or diocesan affiliated program must:

Grant consent for and complete a **Sexual Misconduct Background Check and Reference Check**.

Read and sign the **Covenant for Sexual Responsibility** statement and return it to the Rector or the Director of the institution.

Read and sign the **Church Worker's Statement on Sexual Conduct** and return it to the Rector of the parish or Director of the institution or program.

Complete the **Adult Sexual Harassment/Exploitation training module** (maintenance personnel are exempt)

Successfully undergo a review of **Sexual Offender Registries** every 5 years. (Success defined as no listing)

## ALL LAY EMPLOYEES WHO WORK WITH CHILDREN AND YOUTH

In Addition to the requirements above:

All youth advisors, child care workers, day school workers, youth ministers or anyone providing on-going care of children must attend the **Child Abuse Prevention training module**. Documentation of participation must be maintained in the parish office.

## FOR VOLUNTEERS:

All volunteers *involved in ministry with children and youth or related ministries* must:

Grant consent for and complete a **Sexual Misconduct Background Check** (Sunday School Teachers under certain conditions may be exempt).

Read and sign the **Covenant for Sexual Responsibility** statement and return it to the Rector of the parish or program Director.

Read and sign the **Church Worker Statement on Sexual Conduct** and return it to the parish Rector or program Director.

Complete the **Child Abuse Prevention training module** (Sunday School Teachers under certain conditions may be exempt) including a review of all established diocesan policies pertaining to **Sexual Conduct**. The Rector must document this participation.

Successfully undergo a review of **Sexual Offender Registries** every 5 years. (Success defined as no listing)

## FOR VESTRY MEMBERS:

All vestry members must sign the **Covenant for Sexual Responsibility** with a copy kept on file in the parish. As part of the annual orientation of vestries, this summary document and other summary documents should be reviewed by the Rector and vestry.

## **Sexual Misconduct and Child Abuse Prevention Policies Definitions**

It should be recognized that these definitions are of necessity unable to reflect the complexities and painful realities of every situation. There may be instances when the impact of the sexual misconduct feels far more serious than the particular definition applied to the act. It should be emphasized that all instances of sexual misconduct (sexual coercion, sexual abuse, sexual harassment, and sexual exploitation) are inappropriate and serious offenses, and cause real pain.

**Applicant** as used throughout this Policy refers to any person seeking to engage in work or ministry in behalf of a parish or institution of the diocese regardless of whether the position sought is compensated or non-compensated.

**Bishop** as used throughout this Policy shall be understood to mean the Diocesan Bishop of The Episcopal Church in the Diocese of Alabama.

**Adult** as used throughout this Policy shall be the same as the legal meaning of that term according to the laws of the State of Alabama.

**Child** as used throughout this policy refers to any person under the age of 12 years.

**Youth** as used throughout this policy refers to any person who is at least 12 years old, but not yet 18 years old. A youth may also be an individual who is 18 years old or older but still in high school.

**Church Worker** is any member of the clergy, paid or volunteer, full or part-time; any lay person working on behalf of the Church, paid or volunteer, full or part-time; and any who contract their services to the diocese, its congregations, schools or other agencies on a regular basis and on-going schedule.

**Pastoral Relationship** is a relationship between a cleric or a lay church worker, employee or volunteer, and any person to whom such cleric or lay church worker provides counseling, pastoral care, spiritual direction or spiritual guidance, or from whom the cleric or church worker has received a confession or confidential or privileged information, or to whom the roles connote trust. This relationship establishes a fiduciary relationship with the person who is the object of the pastoral relationship.

**Fiduciary Relationship** is a relationship of trust such that one must put the interests of the other person above their own.

**Parish** as used in this Policy shall mean any and all associated congregations/institutions/agencies, etc. that function under the authority of the Episcopal Bishop of Alabama; such associated terms as "rector", "warden", "vestry"

also shall be understood as including the comparable offices in other institutions and organizations.

**Sexual Misconduct** is engaging in sexual abuse, sexual coercion, sexual harassment, or sexual exploitation as defined below. Such misconduct is wrong and is not to be engaged in by any church worker.

**Sexual Abuse** is sexual involvement or contact by one person with a minor or one who is legally incompetent to consent. Sexual abuse of a minor or of one who is legally incompetent to consent is a criminal offense and must be reported to law enforcement officials, as specified in State law.

**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.

**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.

**Sexual Coercion** is the use of force, physical, emotional, or supervisory to gain sexual gratification.

**Sexual Exploitation** is a betrayal of trust in a pastoral relationship by the development, or the attempted development, of a sexual or romantic relationship between a church worker and a person with whom that worker has a pastoral relationship. Sexual exploitation includes activity during the course of a pastoral relationship such as intercourse, erotic kissing, touching breasts or genitals, verbal suggestions of sexual involvement, or sexually demeaning comments.

The apparent consent of a possible victim to the sexual or romantic relationship seldom determines whether there has been sexual exploitation because the imbalance of power between the church worker and the person in a pastoral relationship may undermine the validity of such consent. The fact that sexual activity is initiated by someone other than the church worker does not relieve the worker of responsibility, nor does it make sexual activity under those circumstances acceptable.

**Sexual Harassment** includes (but not limited) to unwelcome 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, in a situation where there is a supervisory, mentor, or colleague relationship between the persons involved.<sup>1</sup>

**Child Abuse** Under Alabama law, it is "harm or threatened harm to a child's health or welfare which can occur through non-accidental physical or mental injury; sexual abuse or attempted sexual abuse; sexual exploitation or attempted sexual exploitation.

**Child Neglect** Under Alabama law, it is "negligent treatment or maltreatment of a child, including the failure to provide adequate food, medical treatment, clothing, or shelter, provided however, that a parent or guardian legitimately practicing his (her) religious beliefs who thereby does not provide specified medical treatment for a child, for that reason alone shall not be considered a negligent parent or guardian; however, such an exception shall not preclude a court from ordering that medical services be provided to the child, where his (her) health requires it."<sup>2</sup>

**Boundary Violation** A boundary violation is behavior which is specifically prohibited by these policies but does not rise to the definition of sexual misconduct, abuse, or harassment. For example, a boundary violation would be transporting a child alone in the car of a church worker.

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<sup>1</sup> SOURCE: Respecting the Dignity of Every Human Being, Policy and Guidelines on Sexual Misconduct for Dioceses in the Episcopal Church, Committee on Sexual Exploitation, August 1994.

<sup>2</sup> SOURCE: Diocese of Alabama published Sexual Conduct Policies, 1994.

## **General Policies of the Episcopal Diocese of Alabama on Sexual Conduct and the Prevention of Sexual Misconduct involving Children and Youth**

The Diocese of Alabama prohibits sexual misconduct and sexual abuse (see definitions and the Covenant for Sexual Responsibility) by all church workers (see definitions) and seeks through these policies and procedures to provide an environment safe from these prohibited activities for the children and youth who participate in the programs and activities of its parishes and associated institutions (see definitions).

Further, the Diocese seeks through these policies and procedures to provide for an effective, balanced, and appropriate response to any and all accusations of behaviors prohibited by these policies and procedures. The pastoral concern of the Church and its bishop extends to both the accuser and the accused, the victim and the perpetrator, individuals and the parishes, organizations, and institutions of the Diocese.

It is the intent of the Diocese that these policies and procedures will be applied consistently in all situations involving accusations of sexual misconduct. In all cases in which a determination must be made regarding the implementation of these policies, the Diocesan Bishop of the Episcopal Diocese of Alabama in consultation with the Chancellor shall render a decision.

*These policies and procedures apply equally to those who work occasionally and to those who work regularly with children and youth.*

The Diocesan Bishop and Diocesan Chancellor shall be made aware of all accusations of sexual misconduct. The Diocesan Bishop assisted by the Standing Committee shall be responsible for the implementation and maintenance of such training opportunities as to make these policies and procedures available to the ordained and lay leaders of each diocesan parish and institution.

### **Policies Regarding the Conduct of Church Workers Involved in Ministry with Children and Youth**

The ministry of the church with children and youth requires of the church and of Church Workers extra care. No person shall be regularly (whether frequently or infrequently) placed in a position of ministry with children or youth who is not known to other Church Workers in the parish. No person previously convicted of sexual misconduct may be placed in direct contact with children or youth.

No person shall be placed in direct contact with children or youth who has not previously signed the **Covenant for Sexual Responsibility** and the **Church Worker Statement of Sexual Conduct**.

No Church Worker, other than a parent or legal guardian of the child or youth in question, shall be alone with a child or youth during any church related trip, activity, or program including travel required to attend or leave the church program.

A Church Worker may not transport children or youth alone. At least one other child or youth must be present.

Individual conversations and counseling with children or youth must occur in public facilities including church buildings and at times when other adults are present. Should contact of an urgent nature be necessary every effort shall be made to adhere to these policies and procedures and the rector of the parish shall be notified in advance. The intent of this policy is not to prevent private conversations but to require that such conversations occur in settings consistent with these policies.

Individual gifts given by a Church Worker to a child or youth are prohibited without the prior approval of the parent or legal guardian of the child and the rector of the parish. Gifts of equal value may be given by a Church Worker to members of a church group, program or activity. Such gifts shall be modest and appropriate to the occasion.

Secret deals or agreements between Church Workers and a child or youth are prohibited.

Church youth groups involving children and or youth on overnight trips or involved in an overnight stay at a location even without travel shall be chaperoned by a minimum of two adults. These two adults shall have signed the Covenant for Sexual Responsibility, received a clear report from a background check conducted according to these policies and procedures, reviewed these policies and procedures and at least one of them shall have completed the Sexual Misconduct Training prescribed by the Diocese. The two adults must be well known in the parish and proven in their ability to supervise children and youth activities. It is preferable that the two adults not be related and that they are at least 21 years of age. In no circumstance may one adult chaperone children or youth in any overnight activity.

When an activity involving children or youth extends over night, if the group includes boys and girls, then at least one chaperone must be male and one female. When an activity involving children or youth extends overnight and involves children and youth of only one gender, at least one chaperone must be the same gender as the group.

Church Workers are prohibited from sleeping in the same bed or sleeping bag as a child or youth. Church Workers may occupy a hotel room or similar facility with children or youth but may not, at any time for any reason, be in the room with only one child or youth present. Planning for overnight events for children or youth should include reasonable attempts to obtain housing that will not require housing one Church Worker with children or youth and under no circumstances may one Church Worker be housed with fewer than 4 children or youth. The intent of this policy is not to authorize arrangements in which an adult occupies a hotel room, tent or similar facility with children or youth but rather to permit such arrangements only when other alternatives are not reasonably available.

Church Workers are prohibited from showering with children or youth. In shower facilities intended for use by groups, Church Workers must shower at times other than those when the facility is being used by children or youth.

Church Workers are prohibited from the use, possession, distribution of, or from 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 and youth.

Church Workers are prohibited from dating or becoming romantically involved with a child or youth.

Church Workers are prohibited from having sexual contact with a child or youth.

Church Workers are prohibited from possessing any sexually oriented materials (magazines, cards, videos, films, dvds, electronic files, etc.) on church property or in the presence of children or youth except as expressly permitted as part of a pre-authorized educational program.

Church Workers 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.

Church Workers 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, dvds, or materials on or from the Internet, with children or youth.

Church Workers are prohibited from using physical punishment in any way for behavior management of children and youth. No form of physical discipline is acceptable. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force. Physical force may only be used to stop a behavior that may cause immediate harm to the individual or to a child, youth or others.

Church Workers are prohibited from participating in or allowing others to conduct any hazing activities relating to children's or youth ministry or camp activities.

Church Workers are prohibited from using harsh language, degrading punishment, or mechanical restraints such as rope or tape for behavior management.

## **Policies Regarding Appropriate Affection between Church Workers and Children and Youth**

The Diocese of Alabama 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 Workers 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 Workers 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 Workers 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. Should any of these activities be initiated by a child or youth, e.g. sitting on the lap of an adult, the adult shall end the activity immediately but with sensitivity to the child and their intent to show affection:

- Inappropriate or lengthy embraces.
- Kisses on the mouth.
- Holding children over three years old on the lap.
- Touching bottoms, chests or genital areas other than for appropriate diapering or toileting of infants and toddlers.
- Showing affection in isolated areas such as bedrooms, closets, staff only areas or other private rooms.
- Occupying a bed with a child or youth
- Touching knees or legs of children or youth.
- Wrestling with children or youth.
- Tickling children or youth.
- Piggyback rides.
- Any type of massage given by a child or youth to an adult.
- Any type of massage given by an adult to a child or youth.
- Any form of unwanted affection.
- Comments or compliments (spoken, written, or electronic) that relate to physique or body development. Examples would be, "You sure are developing," or "You look really hot in those jeans."
- Snapping bras or giving wedgies or similar touch of underwear whether or not it is covered by other clothing.
- Giving gifts or money to individual children or youth.
- Private meals with individual children or youth.

## **General Policies Regarding the Monitoring and Supervision of Activities, Programs and Events Involving Children and Youth**

**Training in the Prevention of Sexual Misconduct** and the policies and procedures associated with the prevention of sexual misconduct shall be received by all Church Workers directly involved in work with or ministry with children and youth. Such training shall meet the requirements established by the Standing Committee of the Diocese of Alabama.

In addition to Church Workers directly involved in ministry with children and youth, all maintenance personnel shall be required to participate in the approved training program.

This training must occur within 6 months of the beginning of ministry or employment.

**Supervision** of all activities and ministries (e.g. youth groups, nurseries) involving children and youth shall be provided by persons who are a minimum of 21 years of age. Supervisors shall not be required to be present at all times but shall bear responsibility for implementing and monitoring compliance with all diocesan policies regarding the prevention of sexual misconduct involving children or youth.

## **General Policies Regarding Screening of Church Workers**

**No one previously convicted of child sexual abuse or of sexual misconduct involving children or youth will be employed by a parish for any position or placed in ministry with children and youth in any capacity.**

**No Uncompensated Church Worker (volunteer) may be placed in a ministry involving children and youth until that person has been a communicant of the parish for a minimum of 6 months.**

**Applications and Interviews** shall be used during the employment process for all compensated church workers. The use of applications and interviews is encouraged for non-compensated church workers as well. Applications will include release forms for background and reference checks.

**Background checks** for convictions for sexual misconduct or abuse, using the current residence address and the addresses of the Church Worker or applicant during the last ten years must be completed for all church workers and applicants (Uncompensated Sunday School teachers who teach only during normal church hours in areas of the building frequented by parishioners; have signed the Covenant for Sexual Responsibility; Have completed and signed The Church Worker Statement of Sexual Conduct and report no incidents; and have been a communicant of the parish for more than 6 months may be exempt). All Church Workers with the exception noted shall be subject to this requirement regardless of the level of direct contact with children or youth that their position requires. The purpose of such background checks will be to determine current or historic sexual misconduct allegations or convictions. This provision also includes leaders of community or "outside" groups of children/youth who use parish facilities or operate under the color of the parish. Such persons and groups who refuse to comply will not be allowed to use parish facilities.

Background checks for all Church Workers other than clergy will be conducted through the office of the Staff Officer for Finance and Administration of the Diocese of Alabama using either the Alabama Department of Human Resources (for Alabama residents who have resided in state for at least 15 years) or such commercial services as currently under contract for the diocese. A record of the background check shall be maintained in the parish office and by the diocese. The cost of such checks shall be paid by the parish. Background checks for clergy shall be conducted under the direction of the Staff Officer for Ministry Development.

Backgrounds checks are conducted under the provisions of the Federal Fair Credit Reporting Act. At the time release forms are signed, applicants and Church Workers shall be provided a statement of their rights under the law. Parishes will comply with requirements of the law regarding notification of applicants or Church Workers of decisions against employment based on the results of the background check. A summary of rights, release forms, and procedures for backgrounds may be found in the appendix.

**Sexual Offender Registration lists** available on-line nationally and for Alabama shall be checked for the names of all Church Workers prior to the beginning of their employment or ministry. It is recommended that a record be made of the date and results of the check. Such record will be maintained in the personnel file of the Church Worker.

Subsequent checks shall be made of national and state registries for all Church Workers every 5 years. A record including date and results shall be maintained in the parish of all registry checks.

**Reference Checks** shall be conducted for all compensated Church Workers with the exception of Sunday School teachers (see Background Checks above for details). The reference check will include former employers, leaders of congregations in which the person has formerly participated, leaders of other activities for children or youth in which the person has participated or is participating as a leader/chaperone, and or extend for a period of at least 5 years prior to the beginning of their ministry or work in the church. Among other questions, each contact will be asked if the applicant was ever accused of misconduct involving children or youth. Reference checks are strongly encouraged for non-compensated Church Workers.

A record of the check and the results shall be maintained in the parish files.

**Sexual Misconduct Policy Notices** shall be posted throughout parish buildings. The policy notice shall include information on reporting an incident; a clear statement that sexual misconduct is prohibited; and that the parish actively seeks to prevent sexual misconduct.

**The Covenant for Sexual Responsibility** shall be signed by all Church Workers and Vestry members prior to beginning their ministry, employment or term of office. The signed form shall be retained in the parish files.

**The Church Worker Statement on Sexual Conduct** shall be signed by all Church Workers prior to the beginning of their ministry or employment. The signed form shall be retained in the parish files.

**The Clergy Statement on Sexual Conduct** shall be signed by all clergy prior to the commencement of ministry within the diocese. The signed form shall be retained in the clergy personnel file in the diocesan office.

## **BACKGROUND AND REFERENCE CHECK POLICIES AND PROCEDURES**

Background checks covering a period of at least 5 years previous and at least 2 consecutive employers must be made for all Church Workers. The purpose of such background checks will be to determine current or historic sexual misconduct convictions. This provision also includes leaders of community or "outside" groups of children/youth who use parish facilities or operate under the color of the parish. Such persons and groups who refuse to comply will not be allowed to use parish facilities.

Uncompensated Christian education teachers or other workers who work with children only during public church school hours (Sunday School Teachers) and in places where other adults are routinely present may be exempted from this requirement.

### **BACKGROUND CHECKS FOR CLERGY/SEMINARIANS**

The diocese makes use of Oxford Document Management Company of Minneapolis, Minn. for the purpose of Sexual Conduct and Credit Background Checks for clergy and seminarians. Such background and credit checks are conducted in compliance with the Federal Fair Credit Reporting Act. Each parish or institution will be billed approximately \$175 for each background check initiated at their request or on their behalf. For more information regarding this process, contact The Staff Officer for Ministry Development, Diocese of Alabama at (205) 715-2060.

### **BACKGROUND CHECKS FOR CHURCH WORKERS**

The diocese makes use of Edge Information Management, Inc., SecureSearch, or the Alabama State Department of Human Resources for the purpose of Sexual Conduct Background Checks on all church workers. Each parish or institution will be billed approximately \$15 for each background check initiated at their request or on their behalf if the church worker has not lived in Alabama for a minimum of ten (10) years. For background checks on Church Workers working primarily with youth or children who also have been residents of the State of Alabama for the past 10 years, the State Department of Human Resources offers a Sexual Conduct Background Check for which there is no fee. Copies of the **DHR form** are available from The Staff Officer for Finance and Administration at Carpenter House. A release form necessary to initiate a background check through Edge or SecureSearch is included with these policies and may be duplicated as necessary.

All background checks, whether through the Department of Human Resources or through another agency shall be conducted through the office of the Staff Officer for Finance and Administration in the Diocese of Alabama. The parish should provide any person agreeing to undergo a background check with a copy of **Your Rights Under the Fair Credit Reporting Act** at the same time the person signs the release for the background check.

If a parish or institution decides not to hire an applicant and if the decision is based, even in part, on information contained in the background report, the parish must provide the applicant with three items: 1) A Summary of Your Rights Under the Fair Credit Reporting Act; 2) A letter reporting an adverse decision; and 3) A copy of the Background Report. For more information regarding this process, contact The Staff Officer for Finance and Administration, Diocese of Alabama.

## **Training Requirements**

### **Sexual Harassment and Exploitation: All Paid Employees (sextons exempt)**

All clergy functioning within the Diocese of Alabama and all other parish employees or employees of institutions of the diocese (excluding secretarial and maintenance personnel) must participate in training on sexual harassment in employment, mentor, and colleague relationships and sexual exploitation in pastoral relationships. Such training sessions must also include a review of all Sexual Conduct policies of the Diocese of Alabama but shall not replace the requirement for participation in such training.

### **Child and Youth Sexual Abuse Prevention: Church Workers in Ministries involving Children and Teens, Sextons, and Outside Groups involving Children or Teens**

In addition, all clergy functioning within the Diocese of Alabama, all Church Workers of parishes or institutions of the diocese involved in ministry with children and youth (Sunday School teachers under certain circumstances may be exempt); anyone, including volunteers, providing care or supervision of children and/or youth ministries or activities including "for fee" schools, nurseries, pre-schools, parent day out programs or day care programs; leaders of outside groups using parish facilities and involving children and youth; and sextons must complete online training on issues of child sexual abuse in church settings. Such training must also include a review of all Sexual Conduct policies of the Diocese of Alabama.

### **Responsibility for the Conduct of Training**

It is the responsibility of the parish vestry or institution governing board to see that all policies of the Diocese are reviewed, understood, and implemented including requirements for training. All training participants will be issued a Certificate of Completion of Training and a copy shall be maintained by the parish or institution permanently.

Only training conducted or authorized by the Diocese will satisfy these requirements. Authorization will be coordinated through the office of the Staff Officer for Finance and Administration for Child and Youth Sexual Abuse Training, and through the office of the Staff Officer for Ministry Development for the Harassment module.

## **PROCEDURES TO BE FOLLOWED REGARDING ACCUSATIONS OF SEXUAL MISCONDUCT, HARASSMENT, OR SEXUAL ABUSE**

- 1.** Any person who believes he or she has been sexually abused, harassed, or exploited by a church worker of the Diocese of Alabama, its parishes or associated institutions shall notify the Rector of the parish and or the Bishop Diocesan of the Diocese of Alabama.
- 2.** Any person who believes they know of someone sexually abused, harassed, or exploited by a church worker of the Diocese of Alabama, its parishes or associated institutions shall notify the Rector, the leader of the entity, and or the Bishop Diocesan of the Diocese of Alabama. Nothing in this provision is intended to supplant protections afforded by state law for privileged or confidential conversations with clergy.
- 3.** When information from a confidential background investigation, letter, telephone call, or personal conversation is received regarding alleged sexual misconduct by a cleric, the Bishop shall notify the Intake Officer of the Diocese of Alabama.

### **Preliminary Investigation**

- 4.** In accusations involving a cleric the procedures for disciplinary action as provided in Title IV of the Canons of the Episcopal Church in the United States and in Canon 6, Section 10 of the Canons of the Episcopal Church in the Diocese of Alabama shall be followed.
- 5.** In allegations not involving a cleric the Bishop shall request that the offended party file the accusation in writing. An accusation, as used in this document, is a specific, written complaint of sexual misconduct (as distinguished from a boundary violation) as defined in these policies and/or an action at law. An accusation may be filed only by the offended party or a legal representative thereof.
- 6.** The Bishop will contact the accused to arrange a meeting to be held as soon as possible. The church worker will be told in clear terms the nature of the meeting.
- 7.** The Bishop and at least one other diocesan representative will meet with the accused to obtain further information about the accusation(s). The meeting will be documented by the Bishop and at least one other diocesan representative.

### **Initial Determination and Next Steps in Accusations Not Involving a Cleric (Accusations involving a cleric will follow the disciplinary canons of the Church)**

- 8.** After this meeting, the Bishop has several options:
  - a) If the Bishop decides no further action is needed, the accuser and the church worker will both be notified in writing that the Bishop does not plan to take any further action, unless additional supporting information can be provided.

- b) If the Bishop decides that sexual misconduct may have taken place and corrective action by the Church is needed, the Bishop will then determine in consultation with the Chancellor a course of action.
- c) In all cases whether involving a cleric or lay employee the Bishop shall comply with all laws specifying mandated reporting of accusations of sexual misconduct and sexual abuse.

**9. If the Bishop** is undecided whether sexual misconduct took place after the preliminary investigation, he may continue the investigation using a variety of resources to determine the validity of the allegations. This may include a legal investigation. If, after further investigation, the Bishop decides that sexual misconduct took place, the Bishop will decide what further actions as outlined above are needed.

**10. In the event** that allegations are made against the Bishop(s), the Presiding Bishop shall be notified immediately by the Standing Committee. Appropriate action will be taken at the direction of the Presiding Bishop following the Disciplinary Canon of the Church.

The privacy and rights of the complainant and accused will be considered during all investigations and procedures. However, these interests may have to be balanced against the rights and interests of others.

**Lay Employees and Church Workers:** The Diocese of Alabama prohibits sexual misconduct, as that term is defined herein, by any church worker (see "church worker" under Definitions). As a result, any allegation of sexual misconduct by a church worker or volunteer will be promptly investigated and appropriate action, up to and including, discharge or severance of the relationship, will be taken.

## Additional Disciplinary Policies and Procedures Regarding Child Abuse

### **A. The Church and Relating to Known Perpetrators Who are Members of a Congregation**

1. At no time is a known sex offender to be assigned to ministries with children and/or youth.
2. Should such an offender disregard the directions of the clergy or parish leaders, the situation will be communicated to the police and the Bishop.
3. Known sex offenders who are members of the parish are to receive the normal pastoral care afforded any Child of God.
4. Congregations may impose limitations on the participation of the Member in the activities of the congregations and may require that the Member be

accompanied by another Member when attending activities.

**B. Child Abuse by Clergy, including Postulants and Candidates for Ordination**

1. If a member of the clergy is accused of child abuse or sexual misconduct in a congregation, the Wardens and Vestry shall:
  - a) Inform the Bishop and the Intake Officer
  - b) Consult the chancellor or other attorney as directed by the Bishop.
  - c) Cause prompt reports of the arrest and/or subsequent disposition of criminal charges to be made to The Church Insurance Company and/or other liability carrier. In making reports to insurers either verbally or in writing, remember that such communications are generally non-privileged. They may be divulged in subsequent criminal prosecutions and/or civil suits.
  - d) Not admit liability or seek to negotiate a settlement. This could void insurance coverage and might be seen as an attempt to hinder prosecution
  - e) Immediately report the alleged incident as required by law.
  
2. If a member of the clergy is convicted in a court of record of abuse against a child, he or she shall be immediately inhibited and the process begun for deposition. Under no circumstances shall Letters Dimissory or transfer be offered to another diocese for said person.
  
3. If a member of the clergy is accused of a crime against a child but, after a police investigation, is not charged with the crime, the potential for civil litigation still exists. If a member of the clergy is tried in criminal court, and acquitted, the potential for civil litigation still exists. The following policies will continue in effect:
  - a) The Bishop shall be kept informed.
  - b) The clergy shall continue to consult the attorney as the Bishop directs
  - c) The Bishop shall cause prompt reports of the incident(s) to be made to the Church Insurance Company and/or other liability carrier.
  - d) No Church official shall offer to pay for professional counseling or other treatment of victim(s) unless approved in advance by legal counsel of the diocese.
  
4. When no charges have been filed or when an acquittal verdict has been rendered, the Bishop may conclude that the charges are unfounded, or may consider further action under the canons of the Episcopal Church.
  
5. Nothing in this section is intended to supplant or circumvent procedures and policies provided in the Canons of the Episcopal Church.

**C. Child Abuse by Lay Church Workers in Parishes or Church Institutions**

1. Each parish shall have policies for the interviewing, hiring, and supervising lay employees having child care duties and volunteers having child care duties. These policies must be consistent with those of the policies of the diocese.
2. In the case of lay employees or volunteers accused of child abuse, the following policies shall be followed:
  - a) Immediately suspend the accused from performing his or her duties and all contact with children.
  - b) Report to the appropriate authorities, including the police.
  - c) Inform the bishop.
  - d) Secure legal counsel as directed by the bishop.
  - e) Inform liability insurance carrier.

Policies and Procedures  
for the  
Prevention of Sexual Misconduct  
in the  
Diocese of Alabama



**( FORMS & APPENDIX )**

Adopted by the Standing Committee of the Diocese of Alabama  
May 2006 & Revised September 2014  
These policies and procedures supersede policies adopted in 1993 and  
amended in 1999 and are effective immediately.



## A SUMMARY OF YOUR RIGHTS UNDER THE FAIR CREDIT REPORTING ACT

The Federal Fair Credit Reporting Act (FCRA) is designed to promote accuracy, fairness, and privacy of information in the files of every “consumer reporting agency” (CRA). Most CRAs are credit bureaus that gather and sell information about you such as if you pay your bills on time or have filed bankruptcy to creditors, employers, landlords, and other businesses. You can find the complete text of the FCRA, 15 U.S.C. 1681 – 1681u, at the Federal Trade Commission’s web site (<http://www.ftc.gov>). The FCRA also gives you specific rights, as outlined below. You may have additional rights under state law. You may contact a state or local consumer protection agency or a state attorney to learn those rights.

- You must be told if information in your file has been used against you.** Anyone who uses information from a CRA to take action against you such as denying an application for credit, insurance, or employment must tell you, and give you the name, address and phone number of the CRA that provided the consumer report.
- You can find out what is in your file.** At your request, a CRA must give you all the information in your file, and a list of everyone who has requested it recently. However, you are not entitled to any information concerning “risk scores”, “credit scores”, or other economic predictors in your file. There is no charge for the report if a third party used the information in your file to take unfavorable action toward you and you request the report within sixty days of receiving notice that the information in your file was used by a third party unfavorably. You are also entitled to one free report every twelve months upon request if you certify that: 1) you are unemployed and plan to see employment within sixty days, 2) you are on welfare, or 3) your report is inaccurate due to fraud. Otherwise, a CRA may charge you a fee of up to eight dollars.
- You can dispute the inaccurate information with the CRA.** If you tell a CRA that your file contains inaccurate information, the CRA must reinvestigate the items (usually within thirty days) by presenting to its information source all relevant evidence you submit, unless your dispute is frivolous. The source must review your evidence and report its findings to the CRA. (The source must also advise national CRA’s – to which it has provided date – if any error.) The CRA must give you a written report of the investigation, and a copy of your report if the investigation results in any change. If the CRA’s investigation does not resolve the dispute, you may add a brief statement to your file. The CRA must normally include a summary of your dispute statement in future reports. If an item is deleted or a dispute statement is filed, you may ask that anyone who has recently received your report be notified of the change.
- Inaccurate information must be corrected or deleted.** A CRA must remove or correct inaccurate or unverified information from its files, usually within thirty days after you dispute it. **However, the CRA is not required to remove accurate data from your file unless it is outdated (as described below) or cannot be verified.** If your dispute results in any change to your report, the CRA cannot reinsert into your file a disputed item unless the information source verifies its accuracy and completeness. In addition, the CRA must give you a written notice telling you it has reinserted the item. The notice must include the name, address, and phone number of the information source.
- You can dispute inaccurate items with the source of the information.** If you tell the third party who furnished information to a CRA such as a creditor who reports to a CRA  that you dispute an item, it may not then report the information to the CRA without including a notice of your dispute. In addition, once you have notified the source of the error in writing, it may not continue to report the information if it is, in fact, an error.

- Outdated information may not be reported.** In most cases, a CRA may not report negative information that is more than seven years old; ten years for bankruptcies.
- Access to your file is limited.** A CRA may provide information about you only to people with a need recognized by the FCRA usually to consider an application with a creditor, insurer, employer, landlord or other business.
- Your consent is required for reports that are provided to employers, or reports that contain medical information.** A CRA may not give a report about you to your employer, or prospective employer, without your written consent. A CRA may not report medical information about you to creditors, insurers, or employers without your permission.
- You may choose to exclude your name from CRA lists for unsolicited credit and insurance offers.** Creditors and insurers may use file information as the basis for sending you unsolicited offers of credit or insurance. Such offers must include a toll-free phone number for you to call if you want your name and address removed from future lists. If you call, you must be kept off the lists for two years. If you request, complete, and return the CRA form provided for this purpose, you must be taken off the lists indefinitely.
- You may seek damages from violators.** If a CRA, users or (in some cases) a provider of CRA data, violates the FCRA, you may sue in state or federal court.

The FCRA gives several different federal agencies authority to enforce the FCRA:

<b>FOR QUESTIONS OR CONCERNS REGARDING</b>	<b>PLEASE CONTACT</b>
CRA's, creditors and others not listed below	<b>Federal Trade Commission</b> Consumer Response Center – FCRA Washington, DC 20580 * 202-326-3761
National banks, federal branches/agencies of foreign banks (word "National" or initials "N.A." appear in or after bank's name)	<b>Office of the Comptroller of the Currency</b> Compliance Management – Mail Stop 6-6 Washington, DC 20219 * 800-613-6743
Federal Reserve System member banks (except national banks and federal branches/agencies of foreign banks)	<b>Federal Reserve Board</b> Division of Consumer & Community Affairs Washington, DC 20551 * 202-452-3693
Savings associations and federally chartered savings banks (word "Federal" or initials "F.S.B" appear in federal institution's name)	<b>Office of Thrift Supervision</b> Consumer Programs Washington, DC 20552 * 800-842-6929
Federal credit union (words "Federal Credit Union" appear in institution's name)	<b>National Credit Union Administration</b> 1775 Duke Street Alexandria, VA 22314 * 703-518-6360
Banks that are state-chartered, or are not Federal Reserve System members	<b>Federal Deposit Insurance Corporation</b> Div. of Compliance & Consumer Affairs Washington, DC 20429 * 800-934-FDIC
Air, surface, or rail common carriers regulated by former Civil Aeronautics Board or Interstate Commerce Commission	<b>Department of Transportation</b> Office of Financial Management Washington, DC 20590 * 202-366-1306
Activities subject to the Packers and Stockyards Act, 1921	<b>Department of Agriculture</b> Office of Deputy Administrator – GIPSA Washington, DC 20250 * 202-720-7051

# COVENANT FOR SEXUAL RESPONSIBILITY

For the purposes of this Covenant, I, the undersigned, understand that the Diocese of Alabama defines sexual misconduct in the following manner:

**Abuse** Sexual abuse or sexual molestation of any person, including but not limited to, any sexual involvement, sexual activity, or sexual contact with a person who is a minor or who is legally incompetent.

**Harassment** Sexually oriented humor or language, questions or comments about sexual behavior or preference, unwelcome or undesired physical contact, inappropriate comments about clothing or physical appearance, or repeated requests for social engagements, in a situation where there is an employment, mentor, or colleague relationship between the persons involved.

**Exploitation** The development, or the attempted development, of a sexual or romantic relationship between a cleric or other church worker and a person with whom he/she has a pastoral and fiduciary relationship, whether or not there is apparent consent from the individual.

Pastoral relationship means: A relationship between a cleric, employee, or volunteer and any person to whom such cleric, employee, or volunteer provides pastoral counseling, pastoral care, spiritual direction, or spiritual guidance or for whom such cleric employee or volunteer has received confession or confidential or privileged information.

I understand that the Diocese of Alabama prohibits sexual misconduct and sexual coercion, or sexual exploitation of children or adults while I minister in any institution related to the Diocese of Alabama, regardless of whether I work as a paid employee or volunteer.

I understand that if I engage in such behavior I will be subject to a disciplinary process which may include legal action. I agree to fully participate in that process. Further, I acknowledge that such process may result in termination of employment and, if ordained, inhibition, suspension or deposition according to the Canons of the Episcopal Church.

I acknowledge that I have received the Diocese of Alabama's policy on Sexual Conduct. I understand it and agree to abide by it.

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Signature \_\_\_\_\_ Print or Type Full Name \_\_\_\_\_ Date \_\_\_\_\_

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Parish \_\_\_\_\_ City \_\_\_\_\_

All church workers who regularly supervise children's and youth activities with the exception of uncompensated Sunday School teachers who work with children/youth only during public church school hours and in places where other adults are routinely present must agree to a background check before beginning work or ministry. To request a check contact the office of the Staff officer for Finance and Administration in the Diocesan Office (Carpenter House).

- This Covenant must be signed and returned to the Bishop of Alabama by any and all clergy, regardless of canonical status, functioning in this Diocese. For lay church workers the document shall be kept on file in the parish office.
- This Covenant must be signed and returned to the Bishop of Alabama prior to the granting of any status by any and all aspirants to Holy Orders in the Diocese of Alabama.

This Covenant must be signed by all other church workers, including but not limited to, and without regard to compensated or volunteer service: vestry members, maintenance personnel, youth workers, "day school" teachers and aides, leaders of "outside" youth group using church facilities, and all other persons who work singularly or in an unsupervised capacity with children/youth. Such documents must be kept on file and submitted to the Bishop of Alabama on demand.

**DIOCESE OF ALABAMA  
CHURCH WORKER STATEMENT OF SEXUAL CONDUCT**

***(CHECK ALL APPROPRIATE BOXES)***

- I swear that I have never been charged in a court of law or other legal proceeding (or had a criminal offense expunged from my record) involving sexual abuse, harassment, or exploitation. (Exceptions should be noted in detail in a separate letter to the Bishop.)
  
- I swear that I have never been dismissed from employment/service or voluntarily resigned as a result of an allegation(s) of sexual misconduct. (Exceptions should be noted in detail in a separate letter to the Bishop.)
  
- If employed by the diocese/parish, I understand that misrepresenting the truth on this document constitutes grounds for disciplinary action against me including, but not limited to, termination of employment.

Church Worker	Date
Witness (Rector, Senior Warden, Parish Official)	Date
Parish	City

This document must be signed and retained on file for all LAY workers with children and youth including non-parishioners leading "outside" groups which use parish facilities. This form shall be retained in the parish files and given to the Bishop of Alabama upon his request.

Note: This form is not a substitute for backgrounds checks or the check of references as mandated by the diocesan policies on Child Sexual Abuse Prevention.

THIS FORM AND ANY ACCOMPANYING MATERIAL MUST BE KEPT CONFIDENTIAL.  
FAILURE TO DO SO COULD CREATE A POTENTIAL LIABILITY

**Safeguarding God's Children©**  
**Sexual Misconduct Prevention Training In The Diocese of Alabama**

Training for employees and volunteers (Church Workers) involved in ministry with children and youth is provided on line. Church Workers may train at their own pace from any location with an internet connection. Their work through the modules is tested and the diocesan office is able to track their progress and completion of the modules. All Church Workers should complete the training within 6 months of beginning their ministry with the exception of Sunday School teachers who teach in high traffic areas of the building during normal church school hours, i.e. in times and locations when many other people are around (see full policy for guidance on screening and training). Average time to complete the four modules is two hours.

To enable a Church worker to access the system the Church Worker must first register with the Diocesan Office (Carpenter House). Carpenter House will establish a User Name and password for each person needing training. We will send the Church Worker information by email unless another preference is indicated on the registration form. There is no charge for the training. Costs are funded by The Church Pension Fund Group through the Church Insurance Company and through your diocesan covenant.

Church Workers must complete all four training modules for certification. The modules include one on policies within the Diocese of Alabama. In addition to completion of the online training parishes must have on hand in permanent files documentation that the following steps have been completed:

- 1) Successful completion of a background check through Carpenter House
- 2) A check of references should be completed and documented. References should be asked a minimum of three questions: (1) Did this person follow the rules? (2) Were there ever any complaints regarding this person? (3) Were there any accusations regarding sexual misconduct? Reference checks must be documented and may be done best in correspondence with the former employer or volunteer agency. In the case of volunteers who are parishioners what is known of the person (former volunteer roles, any problems, outside experience, comments from parishioners who know the person well) should be documented and retained in the parish files. Keep in mind that the Diocesan Policy requires that a person be a member of the congregation for a minimum of 6 months before being placed in direct contact with children or youth as a Church Worker.
- 3) Successful (clear) check of a sexual offender registry (required every 5 years). The check can be performed by the parish. Time, date, results, and person conducting the check should be retained in parish files with other misconduct prevention related documents. A suggested site is [www.nsopr.gov](http://www.nsopr.gov).
- 4) The Church Worker must sign the Covenant for Sexual Responsibility. This document should be retained permanently in the parish files.
- 5) The Church Worker must sign the Church Worker's Statement of Sexual Conduct. This document should be retained permanently in the parish files.
- 6) The Church Worker should be provided with a copy of the Diocesan Policies.

**Safeguarding God's Children©  
Sexual Misconduct Prevention Training In The Diocese of Alabama  
OnLine Training Registration**

FAX, SCAN and Email as attachment, or Mail to:  
Safeguarding, Episcopal Diocese of Alabama, 521 20<sup>th</sup> Street North, Birmingham, Alabama 35203  
[cjones@dioala.org](mailto:cjones@dioala.org) / FAX 205.715.2066

Parish \_\_\_\_\_ City \_\_\_\_\_

Church Worker \_\_\_\_\_

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

\_\_\_\_\_

Home or Cell Phone \_\_\_\_\_ Work Phone \_\_\_\_\_

Primary Position \_\_\_\_\_

Secondary Position \_\_\_\_\_

Describe the Program(s) in which you will be working \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If an employee I am considered  Full Time or  part time

Birthdate \_\_\_\_\_

Email \_\_\_\_\_

Name & Email of Supervisor or Person in Charge of the Program:

\_\_\_\_\_

Please send my User ID and password to me at the following address:

- Email address provided above
- Email address as follows: \_\_\_\_\_
- Parish Mailing address
- Church Worker's Home address

**SEXUAL CONDUCT POLICY COMPLIANCE CERTIFICATE  
AUDIT YEAR 2013**

*The Diocese of Alabama has a policy and procedure to aid in preventing and responding to incidents of sexual misconduct including abuse and harassment. This policy requires each parish and institution to regularly perform certain functions to assure proper screening, hiring, and training of all personnel.. We ask that as a part of the annual audit each parish survey its own compliance with the policy and procedures of the Sexual Conduct Policy. The checkpoints on this form are not intended to list all requirements of the policy, however, the use of this form will help detect major deficiencies in the compliance with these policies. Copies of the policy have been distributed to clergy and parishes. Additional copies may be requested from the Staff Officer for Finance and Administration of the diocese.*

<b>Policy</b>	<b>Compliance</b>
<b>A copy of the Sexual Conduct Policies is located in the parish office.</b>	<b>Yes / No</b>
<b>All vestry members have read and signed the Covenant for Sexual Responsibility. The signed Covenants are on file in the parish office.</b>	<b>Yes / No</b>
<b>Background checks have been performed for all employees through the Diocese. Purely Administrative personnel may be exempt.</b>	<b>Yes / No</b>
<b>Background checks have been performed for all volunteers involved in youth or children ministries including outside groups using church property (Sunday school teachers may be exempt – see the Diocesan Policy)</b>	<b>Yes / No</b>
<b>A certificate is on file in the parish office indicating that training in child sexual abuse prevention has been completed by every Church Worker working in youth and children ministries. Note, “Church Worker” includes volunteers. To arrange training, contact the Diocesan Office. Training is free and on-line. Sunday School teachers are encouraged but not required to participate.</b>	<b>Yes / No</b>
<b>The parish checks sexual offender registries for the names of all employees, and for volunteers working directly in children and youth ministries every 5 years.</b>	<b>Yes / No</b>
<b>All volunteers working in youth and children ministries and all employees have on file in the parish office a signed Covenant for Sexual Responsibility.</b>	<b>Yes / No</b>
<b>All volunteers involved with youth and children’s ministries and all employees have a signed statement on Sexual Conduct (Church Worker’s Statement on Sexual Conduct) on file in the parish office</b>	<b>Yes / No</b>

*Please note action recommended bringing the parish into compliance:*

\_\_\_\_\_  
Signature of Vestry Clerk/Secretary

\_\_\_\_\_  
Signature of Audit Committee Chair

\_\_\_\_\_  
Signature of Rector

**GENERAL QUESTIONS AND ANSWERS PERTAINING TO  
SEXUAL MISCONDUCT PREVENTION REQUIREMENTS  
EPISCOPAL DIOCESE OF ALABAMA**

<p><b>QUESTION:</b> In a parish, who is exempt from these requirements?</p>	<p><b>ANSWER:</b> The requirements are structured to address varying levels of contact with children and youth. However, no one is exempt from every requirement simply by virtue of their position.</p>
<p><b>QUESTION:</b> Are minors (persons under 18 years of age) subject to these Policies?</p>	<p><b>ANSWER:</b> Yes they are. If a minor volunteers in a nursery or other child related program of the church, that minor is considered to be an agent or representative of the church. Basic training should be provided in areas such as child safety, child health, emergency procedures, etc in addition to the training required by these policies. No minor should ever be left alone with children without direct and visible adult supervision. Common sense must prevail at all times. However, background checks are not possible for minors, therefore, references should be checked carefully.</p>
<p><b>QUESTION:</b> What is required of Sunday School Teachers?</p>	<p><b>ANSWER:</b> Sunday School Teachers should sign the Covenant for Sexual Responsibility, and The Church Worker Statement of Sexual Conduct (Sunday School Teachers under certain conditions may be exempt from training). Whenever possible, team teaching by two adults is encouraged and Sunday School Teachers are encouraged to attend training on Child Sexual Abuse Prevention sponsored by the diocese.</p>
<p><b>QUESTION:</b> What are the chaperoning requirements?</p>	<p><b>ANSWER:</b> Under no circumstances can one adult take children or youth on an overnight outing alone. If the group is composed of children or youth of both genders, one chaperone of each gender must be present. If the group is of one gender, at least one chaperone must be the same gender. Chaperones must be selected using the screening procedures outlined in these policies.</p>
<p><b>QUESTION:</b> How much training is required?</p>	<p><b>ANSWER:</b> There is a requirement for the Child Abuse Prevention module and a requirement for the Sexual Harassment/Exploitation module. These training modules are offered online. Check with the Staff Officer for Finance and Administration for information on the Sexual Abuse module and with the Staff Officer for Ministry Development for the Harassment module.</p>
<p><b>QUESTION:</b> Are Scout leaders or leaders of outside groups using parish facilities required to have background checks and reference checks?</p>	<p><b>ANSWER:</b> Anyone working directly with children or youth in activities sponsored by or occurring on church property must comply with all provisions of these policies including those for screening. In the case of Scout leaders, copies of background and reference checks conducted by that organization will be</p>

	acceptable and should be retained in the parish files.
<p><b>QUESTION:</b> Are volunteer Youth Advisors required to undergo background checks, reference checks and training?</p>	<p><b>ANSWER:</b> Yes. Background and reference checks are required for all compensated youth advisors or ministers. Background checks are required for non-compensated youth advisors or ministers (Reference checks are strongly encouraged). They are also required to complete the Child Abuse training module. If the advisor has worked in another parish as a Youth Advisor, a copy of the background check performed for that position may be used provided the report is no older than 5 years. Remember that a check of the sexual offender registry is required for all Church Workers every 5 years.</p>
<p><b>QUESTION:</b> Who is responsible for monitoring compliance with the diocesan policies in each parish or institution?</p>	<p><b>ANSWER:</b> The vestry of the parish is responsible for monitoring compliance with these policies. In parishes with “for fee” schools, nurseries, preschools or daycare operations with separate boards, those boards may function on behalf of the vestry with the understanding that the final responsibility, authority, and liability still remains with the vestry. It is the operational responsibility of the Rector to so advise and consult with the vestry on a regular and timely manner so that all policies and training programs remain current.</p>
<p><b>QUESTION:</b> Does the issue of dating by single clergy come under the Sexual Conduct Policies of the Diocese?</p>	<p><b>ANSWER:</b> The following should be considered as guidance in this matter:</p> <ul style="list-style-type: none"> <li>a) Clergy should always be aware of the power differential that exists between them and their parishioners and are never to exploit the trust and spiritual dependency of these persons;</li> <li>b) Single clergy should never date any parishioner with whom he or she has an <u>active</u> pastoral relationship, including spiritual direction, pastoral counseling or parish leadership roles;</li> <li>c) If a single clergy becomes aware of the potential of a romantic involvement between themselves and a member of their parish or agency, they are to immediately seek counsel and advice from the Bishop or someone to whom the Bishop refers them.</li> </ul>
<p><b>QUESTION:</b> Who is responsible to see that the training takes place?</p>	<p><b>ANSWER:</b> It is the responsibility of the vestry to see that all policies of the Diocese are implemented including the participation in training by those persons in the parish in ministry and work requiring participation.</p> <p>Further, vestries are urged to encourage participation in the training for the prevention of child sexual abuse by as many church members as possible.</p>

<p><b>QUESTION:</b> Can I transport a minor in my personal automobile by myself?</p>	<p><b>ANSWER:</b> A basic rule of these policies is that no adult (a parent or parental guardian of the child or youth excepted) shall ever be alone with a minor. For this reason, arrangements must be made so that adults providing transportation are never alone with a child or youth.</p>
<p><b>QUESTION:</b> What is the policy regarding overnight programs or events sponsored by a parish or institution of the diocese?</p>	<p><b>ANSWER:</b> If children or youth are involved in an overnight event, two or more adults must be present. If the overnight event includes boys and girls, at least one male and one female adult must be present. If the groups is of one gender, at least one of the chaperones must be the same gender. If a parish group consisting of young people leaves the premises for an overnight event, these same conditions apply.</p>
<p><b>QUESTION:</b> I have heard that a set of videos were produced and may be substituted for the diocesan training. Is that correct?</p>	<p><b>ANSWER:</b> Early in the 1990s a set of videos was produced. These videos are outdated and are no longer approved for use as training in the area of child sexual abuse prevention. More recently, the Church Pension Fund has made training available online. This is the only training which satisfies the requirements of these policies.</p>
<p><b>QUESTION:</b> To whom should I go if I see behavior which seems questionable to me or if I see actual sexual abuse?</p>	<p><b>ANSWER:</b> You should report your concerns to the rector of the parish or the director of the institution and to the supervisor of the activity or ministry. A distinction should be made between reporting a boundary violation or in appropriate behavior and a report of suspected sexual abuse.</p> <p>If the incident involves the rector or director of the institution, the diocesan bishop shall receive the report. If the incident involves a bishop, The Presiding Bishop of the Episcopal Church USA must be contacted.</p> <p>Nothing in this policy is intended to preempt reporting requirements mandated by law. These reporting requirements are intended to supplement the requirements established by law.</p>
<p><b>QUESTION:</b> What is the difference between a background check and a reference check?</p>	<p><b>ANSWER:</b> A background check involves a review of criminal convictions in the legal records of the county of residence and in any counties of prior residence. A reference check involves contact with former employers, former congregations, and leaders of other youth activities in which the Church Worker has been or is currently involved. Both are important because they access very different sources of information.</p>
<p><b>QUESTION:</b> If a person will be working only on a part-time basis, are they required to follow these policies?</p>	<p><b>ANSWER:</b> No distinction is made between part-time or full-time employment. All Church Workers (see the Definitions) are covered by these policies whether full or part-time, employed or volunteer. Note, however, that not <u>every</u> requirement of these policies applies to every Church Worker but some portion does apply to all Church Workers.</p>

**Safeguarding God's Children  
Sexual Conduct Policy  
Notice**

This parish and the Episcopal Diocese of Alabama strictly prohibit sexual misconduct of any type by any ordained person or any church worker, including volunteers, functioning in the Diocese of Alabama.

If you believe that sexual misconduct has occurred in this parish or in any of its operations; or if you believe that you have a cause for a complaint regarding sexual misconduct, you are required to notify the Rector, Interim Rector or Priest in Charge of this parish or the Diocesan Bishop, the Rt. Rev. Kee Sloan immediately and then follow up said notice within five (5) days with a written complaint outlining the facts supporting your complaint. Appropriate action will be taken to investigate all complaints. The privacy of all involved will be jealously guarded. If the Rector, Interim Rector or Priest in Charge is not immediately available, you may notify the Diocesan Bishop of the claim and then follow up with written notice to the Rector, Interim Rector or Priest in Charge within five (5) days. The Diocesan Bishop may be contacted at 205.715.2060 extension 9224.

You are also encouraged to discuss any concerns, complaints, or criticisms with the leader, director, or teacher of the specific program involved, but you are still required to give notification as described in the preceding paragraph.

A complete copy of the Diocesan Policies on Sexual Misconduct, including definitions, is available upon request from this parish office, the diocesan office (Carpenter House, 521 20<sup>th</sup> Street North, Birmingham, AL 35203), or from the web site of the diocese, [www.dioala.org](http://www.dioala.org).