

# Whole and Healthy Church: Policies & Procedures for the Episcopal Diocese of California

## Table of Contents:

Preface	Page 2
Theological and Ethical Foundations	Page 3
Definitions	Page 4
Standards of Conduct	Page 9
Policies & Procedures:	
- Alcohol and Substance Abuse Policy	Page 16
- Suggested Practices & Guidelines for Use of Social Networking and Other Forms of Digital Communication	Page 18
- Policy for the Protection of Children & Youth	Page 22
- Policies and Practices for the Protection of Vulnerable Adults	Page 30
- Sexual Harassment Policy	Page 35
- Title IV: Policy Regarding Clergy Misconduct	Page 40
Responding to Concerns	Page 44
Compliance with Whole and Healthy Church	Page 47
- Training & Screening Requirements	Page 48
Sample Forms & Forms Used by the Diocese:	
- Congregational Safe Church Self-Audit for Annual Review	Page 49
- Confidential Notice of Concern	Page 51
- Incident Report	Page 52
- Field Trip Permission and Medical Release Form for Minors	Page 53
- Driving Permission for Minors	Page 54
- Image Release Form for Minors	Page 55
- Volunteer Application	Page 56
- Volunteer Driver Application	Page 58

## Preface

The Called to Right Relationship documents are a statement of expectations for clergy, lay employees, volunteers, and all members of our congregations in their relationships with each other in church. Any discussion of ethics for the Church assumes the baptismal vocation of the whole community, which in turn assumes the holiness of human relations and their place in holy creation.

These guidelines are meant to encourage and inform all members of the diocese in their ministry-related activities involving the Episcopal Diocese of California, its congregations, and other entities. Please note, however, that the documents do not pretend to be a comprehensive statement of expectations for all relationships involving lay and ordained Episcopalians. Questions of civil, criminal, and employment offenses should be addressed with the relevant authorities first and then as questions of ministry misconduct when applicable.

Each congregation or institution is required to maintain a complete and current copy of this policy in a place accessible to all people. In addition, this policy may be found on the diocesan website. Local entities may make additions in developing local policy so long as they do not conflict with the requirements of these policies.

No policy can foresee every possible circumstance to which it may be applied. Local leadership must understand these policies thoroughly enough to make appropriate judgments about local circumstances. If this cannot be done, the local entity should contact the bishop's office for consultation.

Whenever applicable, questions of civil, criminal, and/or ecclesiastical discipline and employment offenses should be addressed to the office of the bishop immediately. Church governing bodies and all leaders should understand these policies and all local requirements thoroughly enough to make appropriate judgments and should consult with diocesan staff when unanticipated situations arise.

Local modifications and additions to these policies are appropriate, provided that they meet or exceed the standards contained herein. Please consult with the Whole & Healthy Church Coordinator in developing locally appropriate adaptations.

This policy is intended solely for the internal use of the diocese in performing its functions as a religious body. It is not a contract, agreement, promise, or undertaking by the diocese to do or refrain from doing anything. It is not intended that the policy described in the statement be imposed as rigid law binding the diocese or others; rather, the policy must be interpreted and applied compassionately in accordance with the theological and biblical principles of the Gospel. Any actions or decisions by the diocese in connection with the policy are to be undertaken at the diocese's sole discretion, in accordance with the theology and ecclesiology of the Episcopal Church, and in the exercise of the diocese's constitutional rights as a religious body. This document is not intended as a personnel policy or guide to employment decisions.

Ultimately, ordained leadership in each congregation is responsible for compliance with this policy within the congregation.

## Theological and Ethical Foundations

God expressed the fullness of humanity in Jesus of Nazareth, whom we worship as the Word made flesh. To be human is to live with God and the whole of creation in the fullness of freedom and the challenge of responsibility. The pattern of Jesus' life, death, and resurrection resonates unreservedly with God's call to perfect freedom and responsibility.

In baptism God, speaking through the Church, claims us in Christ. We become in Christ the community of God's final purpose: justice and peace, love and plenty for the whole creation. This new community lives in Eucharistic fellowship with God and Creation as a sign and instrument of God's reconciling purpose in the world.

The Church is called to minister in and to the world and such ministry is the vocation of the whole community. Laypersons, deacons, priests, and bishops together represent Christ and the Church in the world.

The obligation to seek and serve Christ in all persons and to respect the dignity of every human being is binding for all the baptized. The authority with which leaders — ordained persons and adults who minister with minors, vulnerable adults, and people of all ages — are entrusted creates an inherent power imbalance in the pastoral relationship. This power imbalance derives from the leadership role and, in the case of clergy, the symbolic authority of an ordained person. Christian leadership is intended to provide occasions for guidance and grace and its abuse is always and unequivocally wrong.

Ministry involves a necessary tension between a Gospel-based integrity and a Gospel-based intimacy as modeled by the life of Christ. A rigid adherence to a system of rules leads to an unproductive legalism. Yet, without the framework of the law, the intimate relationships into which Christ calls us risk distortion and harm. All the people of God are called to minister attentively within this tension. These policies are intended to provide a pattern for attentive practice of ministry.

This document is a statement for the Episcopal Church in the Diocese of California, setting forth expectations for its leaders in their pastoral relationships with all people. The purpose of these model policies is to foster the highest standards of behavior in ministry settings.

## Definitions

*NOTE: These definitions reflect our current understanding of terms describing gender identity and sexuality, which are ever-evolving.*

**Abandonment:** Desertion of a frail or vulnerable elder by anyone with a duty of care for an older adult.

**Accord:** A written resolution, which is negotiated and agreed among the parties resulting from an agreement for discipline or conciliation.

**Adult:** Anyone who is 18 years or older and not in high school.

**Adult Protective Services:** A social services program provided by state and local governments serving vulnerable adults and their families who are in need of assistance. Adult Protective Services receive and investigate reports of suspected abuse, neglect, and exploitation.

**Advisor:** A person designated to support, assist, consult with, and advise a Complainant or Respondent in any matter of discipline under Title IV.

**Advocate:** A friend, family member, support person, or other advocate (or diocesan-assigned advocate), of complainant's choice, that accompanies the complainant in meetings with diocese personnel.

**Background Check:** See "Public Record Check".

**Bullying:** Behavior that intimidates, humiliates, offends, degrades, or harms another person, whether verbal, psychological, social, physical, or otherwise.

**Chancellor:** Lawyer who advises and represents the church and/or the diocese in legal matters.

**Child:** Anyone under the age of 12 years.

**Child Protective Services:** A social services program provided by state and local governments serving children and their families who are in need of assistance. Child Protective Services receive and investigate reports of suspected abuse, neglect, and exploitation.

**Church Attorney:** One or more attorneys selected pursuant to diocesan canons to represent the Church in proceedings as under Title IV.

**Cisgender:** An adjective describing a person whose sense of personal identity and gender expression corresponds with their sex assigned at birth.

**Complainant:** (a) Any person or persons from whom the Intake Officer receives information concerning an alleged Title IV Offense and who consents to be so designated by the Intake Officer, or

(b) Any Injured Person designated by the bishop diocesan who, in the bishop diocesan's discretion, should be afforded the status of a Title IV Complainant provided, however, that any Injured Person so designated may decline this designation.

**Conference Panel:** A panel of the Disciplinary Board to serve as the body before which an informal conference is held, usually regarding Title IV issues.

**Confidential Notice of Concern:** A form filled out and submitted to either the congregation's rector, vicar, priest in charge, senior warden, or to the office of the bishop that outlines an incident in violation of these policies. See sample form on page \_\_\_.

**Coordinator:** A person, appointed by the bishop, who shall be responsible for coordinating the diocesan response to allegations of clergy sexual misconduct and for assisting the bishop with regard to any proceeding here under in any other manner the bishop may see fit.

**Covenant:** A written agreement between a congregation, its staff, volunteers, and the members of a particular ministry concerning behavior either online, in person, or pertaining to a specific situation.

**Diocese:** The Episcopal Diocese of California.

**Disciplinary Board:** The body which oversees the Title IV process concerning clergy.

**Domestic Abuse:** A pattern of physically, sexually, and/or emotionally abusive behaviors used by one individual to maintain power over or to control a partner in the context of an intimate or family relationship.

**Emotional abuse:** Verbal attacks, threats, rejection, isolation, bullying, or belittling acts that cause or could cause mental anguish, pain, or distress to another person including children, youth, and adults.

**Exploitation:** Theft, fraud, misuse, or neglect of authority, and use of undue influence as a way to gain control over a person's money or property.

**Gender Non-binary:** An umbrella term for people who identify their gender as neither male nor female. These people might identify as both genders ("bigender"), neither gender ("agender"), a mix between the two genders ("genderfluid"), or they can be unsure of their gender ("genderqueer").

**Hearing Panel:** A panel of both clergy and lay members of the Disciplinary Board who serve as the body before which a Title IV hearing is held.

**Intake Officer:** The person(s) designated by each diocese to receive information regarding an offense for which a member of the clergy may be held accountable. Anyone may contact an intake officer to report concerns.

**Lay Leader:** An elected or appointed lay person (whether paid or volunteer) with leadership responsibilities in the church, when engaged in church activities.

**Leader:** A person who, for the benefit of another, engages in ministry without responsibility for oversight of other adults engaged in that same ministry. Examples include: church school teachers, Eucharistic Visitors and members of pastoral care teams.

**LGBTQ+:** An acronym for Lesbian, Gay, Bisexual, Trans, Queer/Questioning, and others. It refers to people whose gender identities vary from their sex assigned at birth or whose sexual orientations differs from the heterosexual majority. The “+” is an effort to include additional gender identities. This is an evolving term, as our understanding and language around sexuality expands and matures.

**Mandated Reporter:** A person who is required by state law to report reasonable suspicions of abuse, neglect, and/or exploitation of vulnerable populations to the appropriate state agency. Individuals who are not mandated to report suspicion of abuse may make a report to the appropriate state agency, even when not legally required to do so.

*In California all Clergy and those who are paid to do work with minors are mandated reporters.*

**Neglect:** A caregiver’s failure or refusal to provide for a child, youth, or vulnerable elder’s safety, physical, or emotional needs.

**Off-site:** Any location other than the sponsoring Episcopal church or institutional facility or campus.

**Order:** A written decision of a Title IV Conference Panel or Hearing Panel.

**Organizations:** The Diocese and all institutions for which it has legal or fiduciary responsibility (examples: diocesan departments, camps, commissions, conference and retreat centers, adult day care centers, retirement communities, religious orders, congregations, schools, etc.) including the cathedral church and all diocesan departments, commissions, institutions, charter organizations, religious orders, schools, ecumenical associations, and other organizations listed on the Episcopal Diocese of California website [www.diocal.org/about/organizations/ministries](http://www.diocal.org/about/organizations/ministries).

**Overnight:** Any event that starts on one calendar day and ends on a different calendar day.

**Pastoral Ministry Agreement:** An agreement (preferably written and signed) between a parishioner, volunteer, staff member, or lay leader who has a felony or misdemeanor conviction on their background check, or has exhibited problematic behavior and the congregation specifying accountability partnerships, limitations to their involvement in the life of the parish, restrictions to participation and interactions, along with a plan to partner in their recovery.

**Pastoral Relationship:** Any relationship between a member of the clergy and any person to whom the member of the clergy provides or has provided counseling, pastoral care, spiritual direction, or spiritual guidance, or from whom such member of the clergy has received information within the Rite of Reconciliation of a Penitent. Also any relationship between a lay minister or leader and any person to whom they are offering prayer, ministry, and/or any person from whom the minister has received sensitive, personal, or confidential information in the course of offering ministry.

**Pastoral Support Team:** A team appointed by the bishop, in consultation with the diocesan coordinator, trained for sensitivity to the issue of clergy sexual misconduct. The pastoral support team includes all people, lay and ordained, heterosexual and LGBT persons, persons of color, cisgender and trans, who can serve as pastors and canonical advisors to complainants and respondents.

**Physical abuse:** Use of force to threaten or physically injure another person, including children, youth, vulnerable elders, and adults.

**Programs:** Official activities and programs sponsored by the Episcopal Church and its provinces, dioceses, and churches (examples include: the Episcopal Youth Event, provincial youth events, pilgrimages, mission experiences, camp programs, etc.).

**Public Record Check:** A search of documents and data available to the public including criminal and civil court records, credit reports, and driving records from the department of motor vehicles. Typically, such searches are conducted by a third party with expertise in this area. Also called a background check.

**Reference Panel:** A panel composed of the Intake Officer, the bishop diocesan and the president of the Disciplinary Board to refer an alleged Title IV offense to the appropriate body for further investigation and resolution.

**Residential Facility:** Any institutional or group home setting where children, youth, or vulnerable adults reside on a permanent or temporary basis such as a foster home, nursing home, rehabilitation center, assisted living facility, treatment center, or memory care facility.

**Respondent:** Any member of the clergy

- (a) who is the subject of a matter referred for conciliation or to the Title IV Conference Panel or Hearing Panel;
- (b) whose ministry has been restricted;
- (c) who has been placed on Administrative Leave;
- (d) who is the subject of an investigation and is asked by an investigator or the bishop diocesan to provide information or to make a statement; or
- (e) who agreed with the bishop diocesan regarding terms of discipline.

**Responsible Person:** The person designated as being accountable for compliance with this policy for a specific event or program.

**Sentence:** Within Title IV, the pronouncement of discipline of a member of the clergy pursuant to an Accord or Order in the form of:

- (a) admonition, in which the conduct of such member of the clergy is publicly and formally censured or reprimanded, or
- (b) suspension, in which such member of the clergy is required to refrain temporarily from the exercise of the gifts of ministry conferred by ordination, or
- (c) deposition, in which such member of the clergy is deprived of the right to exercise the gifts and spiritual authority of God's word and sacraments conferred at ordination.

**Sexual abuse:** Sexual contact that is forced, tricked, threatened, or otherwise coerced upon a vulnerable elder, anyone who is unable to grant consent to have sex, or minors.

**Sexual Exploitation:** A betrayal of trust in a pastoral relationship by the development or the attempted development of a sexual or romantic relationship between the cleric, other church worker, or leader and a person with whom they have a pastoral or fiduciary relationship, whether or not there is apparent consent from the individual.

**Sexual Harassment:** Unwelcome or unwanted sexually oriented humor or language, questions or comments about sexual behavior or preference, physical contact, inappropriate comments about clothing or physical appearance, or repeated requests for social engagements.

**Supervisor:** A person who has oversight responsibilities for a ministry program and/or leaders in a ministry program.

**Title IV:** The canons (laws) of the Episcopal Church pertaining to clergy professional standards, accountability, and ecclesiastical discipline. More details and resources on Title IV can be found at <https://www.titleiv.org>

**Transgender:** An adjective describing a person whose sense of personal identity and gender does not correspond with their sex assigned at birth. This is an evolving term, as our understanding and language around gender identity and sexuality expands and matures.

**Training:** Organized activity aimed at imparting information and/or instructions to improve the recipient's understanding and performance.

**Vulnerable Adult:**

- an elder who is a person at or older than the age designated by applicable state law;
- any adult who is infirm or diminished in capacity due to age;
- any adult who is ministered to in their home (by Eucharistic Visitors, Pastoral Care Visitors, Stephen Ministers, or others);
- any adult who is wholly or partially dependent upon one or more other persons for care or support, either emotional or physical; such dependency may be temporary as in the case of an accident, illness, or birth of a child;
- any adult who by virtue of a crisis, experiences vulnerability leading to dependency on another or lacks agency in a pastoral relationship as in the wake of death of a family member or job loss.

**Youth:** Anyone 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 and still in high school or enrolled in a comparable non-traditional program.



## Standards of Conduct

### The Ministry

Q. Who are the ministers of the Church?

A. The ministers of the Church are lay persons, bishops, priests, and deacons.

Q. What is the ministry of the laity?

A. The ministry of lay persons is to represent Christ and his Church; to bear witness to him wherever they may be; and, according to the gifts given them, to carry on Christ's work of reconciliation in the world; and to take their place in the life, worship, and governance of the Church.

Q. What is the ministry of a bishop?

A. The ministry of a bishop is to represent Christ and his Church, particularly as apostle, chief priest, and pastor of a diocese; to guard the faith, unity, and discipline of the whole Church; to proclaim the Word of God; to act in Christ's name for the reconciliation of the world and the building up of the Church; and to ordain others to continue Christ's ministry.

Q. What is the ministry of a priest or presbyter?

A. The ministry of a priest is to represent Christ and his Church, particularly as pastor to the people; to share with the bishop in the overseeing of the Church; to proclaim the Gospel; to administer the sacraments; and to bless and declare pardon in the name of God.

Q. What is the ministry of a deacon?

A. The ministry of a deacon is to represent Christ and his Church, particularly as a servant of those in need; and to assist bishops and priests in the proclamation of the Gospel and the administration of the sacraments.

Q. What is the duty of all Christians?

A. The duty of all Christians is to follow Christ; to come together week by week for corporate worship; and to work, pray, and give for the spread of the kingdom of God.

- An Outline of the Faith, BCP page 855-856

The relationship of cleric and parishioner can be a powerful relationship in the lives of both and can be integral to a parishioner's faith journey. A parishioner puts their trust in a cleric. In this relationship of trust the cleric has a professional and moral responsibility to put the interest of the other person above their own needs. This relationship can become complex and in some cases seriously impaired. It is the cleric's responsibility to maintain the integrity of this relationship.

Lay people may be engaged in ministry by serving as elected parish leaders, by serving in leadership roles in worship or by serving in other ministries offered through the Church. All lay ministers are expected to respect the dignity of others. Many of the guidelines offered herein for ordained ministry apply to lay ministry as well. For example, lay ministers are expected to maintain appropriate confidentiality, boundaries, and self-care.

The ministry of the laity is the first one mentioned in our Catechism, it is the first one we are all baptized into, and all people should strive for healthy relationships within our congregations. Lay leaders have a responsibility to hold themselves to the highest standards of conduct when serving the people of God as leaders in congregations and in the diocese.

The diocese offers the following standards of conduct to assist and support all members of the diocese in maintaining the integrity of relationships in which they experience and offer ministry. It is expected that all ordained clergy and lay leaders in the diocese will be familiar with and will seek to follow these guidelines. These guidelines do not include all diocesan policies or contingencies. An attempt has been made to refer to additional diocesan policies where appropriate.

Clergy and lay leaders are encouraged to contact the office of the bishop as they seek to follow these guidelines, particularly if they are encountering struggles, confusion, or hurdles in so doing.

### **Lay leaders and Clergy in the Diocese of California are expected to:**

#### **Be screened, trained, and background checked;**

Training, either in-person or online, must happen every three years.

Background checks must be done every five years.

Training and background checks from other Episcopal dioceses may be transferred. Check with the Whole & Healthy Church Coordinator for restrictions and procedures.

#### **Treat themselves with dignity and respect by taking good care of themselves;**

This includes, but is not limited to, the following:

- Self-care: Regular and consistent incorporation of wellness and self-care practices in their life.
- Accountability: Lay leaders and clergy are strongly encouraged to have groups and peers to whom they are accountable, with whom they confer as a matter of ordinary course (e.g., colleague support groups, spiritual directors, therapists). For new clergy and for clergy in transition to new calls, the diocese offers Fresh Start groups. Diocesan staff are available for consultation on how to form other cohorts.
- Boundaries: Personal boundaries are guidelines, rules or limits that a person creates to identify reasonable, safe and permissible ways for other people to behave towards them and how they will respond when someone passes those limits. They include physical, mental, psychological and spiritual boundaries, involving beliefs, emotions, intuitions and self-esteem.

Clergy, staff, and lay leaders should set appropriate boundaries with parishioners and each other as to when they are available and boundaries in the relationship. If someone violates boundaries by going beyond what is appropriate in the relationship (e.g., seeking to romanticize the relationship, demanding inordinate amounts of attention, seeking to meet with you alone, sending you too many and/or inappropriate email or text messages, or does anything that makes you feel uncomfortable or unsafe), firmly and clearly communicate what behavior is acceptable and what is not.

Clergy, staff, and lay leaders should also make a point to respect the boundaries set by their peers and their parishioners; and encourage others to do the same.

Some people do not change their behavior in spite of all efforts to explain why change is needed. In such cases lay people and clergy are encouraged to seek consultation by contacting a member of the bishop's staff, specifically the Canon to the Ordinary or the Whole & Healthy Church Coordinator.

- Conflict-resolution: Addressing conflicts that may arise between an ordained minister and a parishioner, or a group of parishioners, or lay leaders, in healthy ways.

### **Comply with diocesan Whole & Healthy Church policies;**

These policies set forth behavioral standards for all adults engaged in ministry throughout the diocese. This policy also sets standards for screening and selecting staff and volunteers, with specific guidelines for those who work with children, youth, and vulnerable adults. The policy also sets out in detail the behavioral standards for youth and adults participating in diocesan sponsored youth events.

Ultimately, ordained leadership in each congregation is responsible for compliance with this policy within the congregation.

The diocese cannot emphasize strongly enough that it requires its lay and ordained ministers to adhere to a high standard of conduct.

### **The behavior standards applicable to all adults, ordained and lay, for ministry with children, youth, and adults are as follows:**

Neither ordained nor lay ministers shall:

- Provide minors with illegal drugs, legal drugs with the intent of misuse, pornography, or non-sacramental alcohol;
- Provide adults illegal drugs, legal drugs with the intent of misuse, or pornography;
- Consume illegal drugs, or misuse legal drugs at any parish event;
- Consume non-sacramental alcohol at any parish or diocesan event where they are acting as a leader, minister, or otherwise Responsible Person;
- Be under the influence of alcohol, illegal drugs or misused legal drugs at any parish or diocesan event;
- Engage in illegal behavior or permit others (adults, children, or youth) to engage in illegal behavior;
- Engage in any sexual, romantic, illicit, or secretive relationships or conduct with any child, youth, or person to whom you are ministering or leading;
- Discuss their own sexual activities or fantasies with children, youth, or adults.

Ordained and Lay Ministers shall:

- Maintain clear and appropriate professional boundaries;
- Do no harm. Inadequate or inappropriate ministry may be worse than no ministry.

In the state of California, clergy are mandated reporters for abuse of children, youth, elders, and dependent adults. See pages \_\_ for details on making a formal report.

### **Avoid dual relationships and be aware of their consequences**

Dual relationships in a church setting occur when clergy, staff, or lay leaders attempt to relate to a person on two levels at the same time. This can happen when a leader attempts to relate to an individual both personally and professionally (i.e., as cleric and parishioner, and at the same time in some other role such as supervisor and parish employee.) Dual relationships diminish the effectiveness of ministry.

To avoid dual relationships:

- Discourage hiring parishioners to serve in paid staff positions. If such an arrangement is unavoidable, the clerics and lay leaders should understand the risk to all relationships involved and take steps to mitigate the risk. The employment decision must be ratified by the vestry or bishop's committee, there must be clear guidelines for separation spelled out in the letter of agreement, and alternate arrangements must be made for pastoral support of the employee.
- Discourage clergy spouse, partner, or family member to serve on parish staff as a lay employee, or as a parish officer or vestry member in the congregation where the related clergy person serves.
- Avoid intimate personal relationships with parishioners and others to whom you minister.
- Do not sexualize any relationship with parishioners or others to whom you minister.
- Develop personal relationships with people outside of the congregation to whom you do not offer ministry.
- Cultivate good habits of mind. It is necessary to cultivate certain habits of mind that help prevent the misuse or abuse of clerical privilege and authority.
- Recognize danger signals: rationalizations, such as finding excuses for pushing back the usual boundaries; the need to be needed—getting a personal thrill from pastoral functions; failure to attend to any obsessive attachment to a pattern of fantasy (sexual, financial, self-aggrandizing, etc.).
- Cultivating the consciousness of possible problem situations in which your own history may make you particularly vulnerable.
- Cultivating a framework of containment: appropriate behavior, including physical, emotional, advisory: finding a stopping place.
- Aiming for the perspective that while both the leader and the protected person are engaged in the “good work” of responsible Christian living, it is nevertheless the leader's role that puts the burden of responsibility on them — particularly with regard to maintaining and respecting boundaries.

**Accept only token gifts from parishioners and others to whom you minister and not offer gifts beyond small tokens**

**Decline to accept loans of any kind from parishioners and others to whom you minister and not offer loans of any kind**

**Decline to agree to be named as a beneficiary**

or to act as an administrator or executor in a parishioner's will or that of anyone to whom you minister and not ask their cleric or lay leader to be named as a beneficiary or to act as an administrator or executor in their will.

**Maintain confidentiality of information shared in the pastoral relationship**

In plain language, this means that clergy and lay leaders will not tell other people personal information a parishioner shares, unless that parishioner gives permission. Our goal is to uphold the principle of pastoral confidentiality, which exists to serve the process of healing and reconciliation, and, in the case of sacramental confession, of repentance and amendment of life.

At the same time, there may be occasions when the person providing pastoral care may properly exercise discretion in violating such confidentiality when there is grave danger of harm to the person being offered pastoral care, or to another person.

We wish to alert clergy in particular to the need to seek wise counsel to help them deal with the competing moral claims, the potential conflicts between ordination vows and the laws of the state, and possible legal ambiguities that arise when they become aware of the possibility of physical or sexual abuse of minors, or where there is grave danger of harm to the protected person or to another person. Within this context and in relation to sacramental confession, we cite the Book of Common Prayer, which mandates that confidentiality is “morally absolute for the confessor, and must under no circumstances be broken” (p. 446). This mandate is supported by the Clergy–Penitent Privilege in California Evidence Code Section 1032, which defines a penitential communication as “... a communication made in confidence, in the presence of no third person so far as the penitent is aware, to a member of the clergy who, in the course of the discipline or practice of the clergy member's church, denomination, or organization, is authorized or accustomed to hear such communications and, under the discipline or tenets of his or her church, denomination or organization, has a duty to keep those communications secret.”

In general, California Evidence Code Sections 1033 and 1034 give both the person who makes a sacramental confession and the confessor the legal right to keep it secret.

At the same time, there may be occasions when the cleric involved may properly exercise discretion in violating such confidentiality when there is grave danger of harm to the protected person or to another person.

When clergy learn of abuse in the sacramental Rite of Reconciliation, where the obligation to confidentiality is morally absolute, they may well be advised to consider urging self-disclosure

as part of the counsel that precedes absolution, and under certain circumstances even withholding absolution until such self-disclosure is accomplished as a sign of penance and radical amendment of life.

Clergy are urged to seek wise and informed counsel to help them work faithfully, legally, and with integrity in this important and difficult area.

### **Comply with legally mandated reporting requirements**

regarding the suspected abuse and/or neglect of children, youth, the elderly, and vulnerable adults;

In California clergy, youth ministers, and children's ministers are legally mandated reporters of suspected abuse and/or neglect of children, of elders, and of dependent adults. This is not a choice but a legally enforceable responsibility. The diocese requires its clergy and other mandated reporters to be familiar with state law, as follows. Questions or need for clarification should be directed to the diocesan office.

The legal obligation of mandated reporting requires the disclosure of information to the appropriate state agency in specific situations, except when a cleric learns the information within the bounds of the sacrament of confession.

Sections 11165.7, 11166, and 11166.05 of the California Penal Code provide:

- That members of the clergy are mandated reporters (“clergy member” means a priest, minister, rabbi, religious practitioner, or similar functionary of a church, temple, or recognized religious denomination or organization”);
- That knowledge or reasonable suspicion of child abuse acquired during a penitential communication is exempt from the mandate to report;
- That “penitential communication” is defined as a “communication, intended to be in confidence, including, but not limited to, a sacramental confession, made to a clergy member who in the course of the discipline or practice of his or her church, denomination, or organization is authorized or accustomed to hear those communications, and under the discipline, tenets, customs or practices of his or her church, denomination, or organization, has a duty to keep those communications secret”;
- That “nothing in this subdivision shall be construed to modify or limit a clergy member’s duty to report known or suspected child abuse when he or she is acting in some other capacity that would otherwise make the clergy member a mandated reporter”.

### **Refer instances of mental health issues and substance abuse issues to licensed, insured, and certified health care providers;**

The line between pastoral care and more specialized care can sometimes be blurry. Clergy and lay leaders are advised to develop their own list of referrals for mental health, substance abuse, or domestic abuse problems and to rely on these experts for support and referral. Clergy and lay leaders who are licensed and/or certified are not to treat anyone who is a member or attends a parish in which they are serving.

Clergy and lay leaders should refrain from meeting with parishioners more than three times before referring them for specialized care. The exceptions to this guideline are spiritual direction, pre-marital counseling and general pastoral care, which clergy and lay leaders offer routinely both formally and informally in the course of their ministry. Please consult with a member of the bishop's staff if you need advice when making decisions to refer.

### **Comply with the responsibilities of being an employer**

Clerics and lay leaders in charge of paid staff, wardens, members of personnel committees, and similar positions are expected to conduct personnel matters in fair, impartial, and compassionate ways. This includes making decisions regarding hiring, supervision, record keeping, and termination, either for cause or due to financial restrictions. It also includes responding to any and all allegations of misconduct by employees in a timely and appropriate manner.

### **Comply with financial practices as set forth by the Diocese of California and The Episcopal Church**

This includes conducting an annual audit of all accounts, including clergy discretionary and special ministry funds, and ensuring that the financial systems within your congregation, such as money counters and those authorized to sign checks, are in accordance with the internal practices recommended by the diocese and The Episcopal Church. The Diocesan policies can be found at <https://www.diocal.org/resources/finance-operations/finance-administration>

Discretionary funds are never to be used for personal gain or benefit; diocesan and parish guidelines must be strictly followed.

- Any money given to a cleric either must be reported as income (as prescribed by the IRS) or deposited in a discretionary fund. (If the congregation or other organization has a rule against gifts, this does not apply.)
- Any contribution or gift in excess of \$500.00 must be reported to the treasurer of the congregation or organization.

No cleric or lay leader should use their influence with members of the Church for personal financial gain or engage in some enterprise which would derive benefit from their connection with the Church (e.g., selling the parish list).

### **Bring resolution to relationships with parishioners and clerics when ministry at a parish ends.**

When it comes time to leave a parish, it is expected that clergy, lay staff, and leaders will bring resolution to relationships with all parishioners in a manner that is healthy for them and their family, as well as for the congregation.

It is expected that once a leader's service at a parish ends, they will no longer perform any clergy functions or pastoral concerns for any members of that congregation or others affiliated with the congregation and will not worship at that parish. In addition, it is expected that the cleric will not communicate with former parishioners about matters involving the congregation and will not meet with any members of the congregation for any reason during the interim period

nor will they resume attending services at the congregation or meeting with members until new ordained leadership is fully integrated into the life of the congregation. It is customary to ask permission of the new ordained leadership and the Canon to the Ordinary before resuming contact with the congregation for any reason. Questions regarding weddings, funerals, and special events should be directed to the Canon to the Ordinary.

A special word for interims and for their congregations: it is common for an interim and congregation to “fall in love” with each other and to lose sight of the reason and the importance for a well-defined and limited interim period. It is expected that interim clergy adhere to the guidelines for leaving the congregation given by the Interim Ministry Network ([www.imnedu.org](http://www.imnedu.org)) and to work with the congregation to facilitate a good leave-taking.

**Foster collegiality and accountability by participating in diocesan leadership opportunities and encourage the people with whom you minister to do likewise.**

It is a diocesan expectation that clergy attend diocesan convention and other regular diocesan events such as Clergy Retreats/Conferences. New clergy and clergy in transition are required to attend Fresh Start groups provided by the diocese. Participation in ordinations and celebrations of new ministry are strongly encouraged.

**Sign an agreement that they have read this document and will comply with the policies laid out within.**

Within 3 months of ordination or new call within the Diocese of California, all clergy and paid staff must sign an agreement stating that they have received and read a copy of these policies. A copy of the agreement should be sent to the diocesan office and a copy should be held in the church office. The agreement can be found on page \_\_\_\_\_. Or online at [https://diocal.org/sites/default/files/media/PDF%20Docs/WHC\\_Agreement-rev.pdf](https://diocal.org/sites/default/files/media/PDF%20Docs/WHC_Agreement-rev.pdf)



## Alcohol and Substance Use Policy for the Episcopal Diocese of California

### Adapted from General Convention Resolution 2015-A158

The 78th General Convention acknowledged The Episcopal Church's long-standing tolerance for the use of alcohol which, in some cases, has contributed to its misuse, and has undermined a climate of wholeness and holiness for all. Our Church culture too often avoids hard conversations about alcohol use and the role of forgiveness and compassion in healing and recovery. We aspire to be a place in which conversations about alcohol, substance misuse, or addiction are not simply about treatment but about renewal, justice, wholeness, and healing. We affirm that Recovery Ministries of The Episcopal Church has long been and continues to be a valuable resource for this work. (<https://www.episcopalrecovery.org>)

The Bishop, as head of the Diocese of California, has adopted the following policy on alcohol and other substance misuse following the directions of the 78th General Convention of The Episcopal Church. Congregations are encouraged to update their policies on the use of alcohol and other substances with the potential for misuse. These policies should consider and include the following:

- The Church must provide a safe and welcoming environment for all people, including people in recovery.
- Recognizing the effects of alcohol as a mood-altering drug, alcoholic beverages shall not be served when the business of the Church is being conducted. This includes vestry and annual meetings.
- All applicable federal, state and local laws should be obeyed, including those governing the serving of alcoholic beverages to minors. In California this includes evaluating whether a temporary liquor license is necessary to serve alcoholic beverages. Information and applications can be found at <http://www.abc.ca.gov/Forms/PDFSp.html>.
- The diocese and some congregations may decide not to serve alcohol at events or gatherings. Others may decide to permit a limited use of alcoholic beverages at church-sponsored events, in which case, an equally attractive non-alcoholic alternative must be offered.
- When alcohol is served, it must be monitored and those showing signs of intoxication must not be served.
- Whenever alcohol is served, the rector, vicar, or priest-in-charge must appoint an adult to oversee its serving. That adult must not drink alcoholic beverages during the time of the execution of their responsibilities. If hard liquor is served, a California Responsible Beverage Service (RBS) certified server is expected and encouraged for beer and wine service.
- Alcohol should not be available or served at congregational events specifically for minors. The reason for having alcohol at events for all people, including families and a broad age range, should be seriously considered, and a healthy relationship with alcohol should be modeled. If minors are present, alcohol must be served at a separate station that is monitored at all times to prevent underage drinking.
- Alcoholic and non-alcoholic beverages must be clearly labeled as such. Food prepared with alcohol should also be labeled.

- Whenever alcohol is served, appealing non-alcoholic alternatives must always be offered with equal prominence and accessibility.
- The serving of alcoholic beverages at church events should be publicized as an attraction of the event on a very limited basis. “Wine and cheese reception,” or “cocktail party” are discouraged. Diocesan publications will not advertise alcohol as an event’s attraction — with limited exception. Contact the Communications Working Group for details on exceptions.
- Given the Diocese of California’s relative location to wineries, breweries, and distilleries, congregations may at times feel drawn to hold alcoholic-beverage tastings. Care should be given for those in recovery and the potential presence of minors before deciding to host such an event. Alternative events not revolving around alcohol must be considered.
- Ministries inside or outside of congregations will make certain that alcohol consumption is not the focus of the ministry and that drinking alcohol is not an exclusively normative activity.
- Food must be served when alcohol is present.
- The groups or organizations sponsoring the activity or event at which alcoholic beverages are served must have permission — in writing — from the clergy or the vestry. Such groups or organizations must also assume responsibility for those persons who might become intoxicated and must provide alternative transportation for anyone whose capacity to drive may be impaired. Consulting with liability insurance carriers is advised.
- Any alcohol stored on church property should be in a locked cabinet, room, or closet. Key access should be limited and restricted to members of the clergy and church wardens. As with all congregational keys, this key holder must be current with Whole & Healthy Church certification.
- Clergy shall consecrate an appropriate amount of wine when celebrating the Eucharist and perform ablutions in a way that does not foster or model misuse.
- We encourage clergy to acknowledge the efficacy of receiving the sacrament in one kind, to teach on the historic doctrine of concomitance, and consider providing non-alcoholic wine.

**Amendment – Marijuana:**

The Diocese of California cannot condone nor allow behavior that is in willful violation of federal, state, or local law, constitution, ordinance, code, rule, regulation, order, injunction, judgement, ruling, or other similar requirement of any governmental authority or any court, administrative agency, or other regulatory authority.

As such, the use of marijuana, either medically or recreationally, and the recreational and intentional misuse of prescription drugs is prohibited at diocesan or parish events, whether held on or off of diocesan or parish property.

# Best Practices and Guidelines for Use of Social Networking and Other Forms of Digital Communication

## General Information about Social Networking & Digital Communication:

This section is not a legal standard but a suggestion for best practice in congregational and diocesan ministry. The Diocese of California's Communications Working Group is available to provide training, guidance, and workshops on using electronic communication management tools.

All communication sent digitally (email, social networking sites, notes or posts, etc.) is not confidential and may be shared or reposted to others. Even on apps which automatically delete posts after a certain amount of time.

Electronic interactions are just as real life as phone calls and in person meetings. Social media provides opportunity to bear witness to the wholeness of our beings. This means that in the way that our explicitly faith-based postings can share with the unchurched that we are people of faith, our non-church postings can show the same people that we do things other than church. We need to think about our electronic interactions as always public and consider how we are portraying ourselves, developing relationships, and living our faith through them.

Electronic interactions and the suggested rules governing them are stricter regarding minors and those in relationships of pastoral care due to issues of power imbalance. This also reflects the standards governing our in person interactions.

Laws regarding mandated reporting of suspected abuse, neglect, and/or exploitation of children, youth, elders, and vulnerable adults apply in the virtual world as they do in the physical world.

## Practices and Guidelines for Online Interactions

Clergy and lay leaders are strongly encouraged to set very stringent privacy settings on any social networking profile to shield both adult and youth members from viewing content that may be inappropriate.

Sites such as Twitter, blogs, Snapchat, Facebook, and Instagram have two settings for privacy: public and private. Private requires approval for followers, but it is not the default setting. Adults in ministry should be aware of who their followers are, whether there are minors among their followers, and should monitor their postings accordingly.

Clergy and lay leaders should not submit friend or follow requests to parishioners and others to whom they minister. The disparity of power may not give the other person the ability to decline such request. Clergy and lay leaders also cannot follow a parishioner's account on a social media platform without first being invited to by the parishioner. The parishioner may not be able to decline such requests due to the disparity of power. The parishioner may ask to be friends or follow the leader's account, and leaders should discern the level of contact they want to maintain prior to responding to these requests.

Clergy and lay leaders who want to connect via a social networking website with parishioners are encouraged to set up a group account or public profile that all parishioners may join or follow. The purpose of having a personal profile and a parish group or public profile is to create a line of privacy and maintain healthy boundaries with parishioners, close family, friends, and colleagues.

Clergy and lay staff should consider the impact of declining a friend or follow request from parishioners. These encounters may create a tension in real world relationships. Clergy and lay staff can direct friend or follow requests from parishioners to the parish's group page or their public profile.

If any adult chooses to accept friend or follow requests from minors or youth who are associated with their community of faith at least one other unrelated adult leader or responsible person must have full access to all aspects of that adult's profile and correspondence that are viewable by youth in order to consult on appropriateness and privacy settings.

Adults who want to connect via a social networking website with youth to whom they minister are strongly encouraged to set up a closed parish youth group within that site.

Any material on any site (whether affiliated with the church or not) that raises suspicion that a child has been or will be abused, neglected, and/or exploited should be immediately reported to the clergy and/or Diocesan Intake Officer and/or California Child Protective Services. (reporting instructions and pertinent contact information on page \_\_) If the material is on a church-affiliated site, that material should be documented for church records and then removed from the site after consultation with the police or local child welfare authorities.

Material on a young person's personal social media accounts is not the responsibility of the church or church leaders to monitor or critique. This should be made clear to parents and guardians. If a young person posts something that is inappropriate which is viewed by a youth minister or adult connected with the church it is a pastoral issue best dealt with in off-line conversations.

### Groups on Social Networking Sites

Online social networking groups can be created to maintain healthy boundaries while still connecting and communicating with specific ministry areas such as a parish youth group, confirmation group, pilgrimage, or event group. They should have at least two unrelated adult administrators as well as at least two youth administrators (if the group has youth members).

Invitations to youth to join the group should ideally be made by youth administrators, unless a youth previously asked an adult administrator to invite them to join the group. However, it is sometimes necessary for adult administrators to invite youth to ensure full and timely inclusion of youth group members.

Behavioral covenants should be created to govern what content is appropriate and inappropriate for an online group, particularly if it involves youth. They should be posted in a prominent place on the page.

Covenants should acknowledge that materials posted on church sponsored sites and/or group pages are not confidential and that that content deemed inappropriate will be removed from the site or group page.

Covenants should be created through consultation and conversation with group members, whether youth or adults.

Covenants for communities of faith should address the following issues:

- Appropriate language and content.
- That the covenant has been reached through a determining of group norms.
- Eligibility of membership to join a social networking group. Things to consider include whether you have to be a member of a parish or youth group and whether there are age requirements/restrictions for participation for youth groups.
- Loss of eligibility of membership and removal from the social networking group. Consider how and when members will be removed from the group due to moving away, leaving the faith community, becoming too old for youth group, clergy leaving to minister to another parish, or exclusion from ministry positions for other reasons.
- Who, how, and when may photos be tagged (members identified by name) It is suggested that individuals may tag themselves in photos but should not tag others.
- Appropriate and inappropriate behavior of members (bullying, pictures that depict abuse, violence, sexual acts, etc.) and the consequence for inappropriate behavior.
- Compliance with mandated reporting laws regarding suspected abuse.
- 

Inappropriate material posted online that does not raise suspicion that a child has been or will be abused, neglected, and/or exploited should immediately be removed from the site by an adult administrator. Any content that details inappropriate behavior (outside of the bounds of the established behavioral covenant) during a church sponsored event or activity should be addressed by adult youth leaders and parents.

Social networking groups for youth must be open to parents of current members.

Adult leaders of youth groups and former youth members who, due to departure, removal from position, or are no longer eligible because they aged-out of a program should be immediately removed from digital communication with youth groups via social networking sites, list serves, etc. It is good practice to have another group to which graduated youth can migrate so that they do not lose touch with their church community.

### Recommendations for Direct Digital Communication, Texts, Video Chats, Blogs, or Video Blogs

Adults should refrain from initiating text conversations or video chats with youth unless there are at least two youth and one unrelated adult present on the chat along with the adult, a minimum of 3 to 4 people in the conversation. If a youth initiates a private text conversation or video chat with an adult it is the responsibility of the adult to immediately bring in a second, unrelated adult.

Participants in a video chat or blog should consider what will be shown in the video such as their surroundings, their clothing, state of dress, etc.

All transcripts of on-line text chats, phone texts, video chats, blogs, or video blogs should be saved. Messaging clients such as iChat/Messages, Trillian, Adium, and others integrate a variety of messaging services so that messages can be logged. It is the adult's responsibility to ensure that chats are on the record.

Adults should not use messaging service that automatically delete messages, such as Snapchat and Confide, to communicate with youth. Clergy and lay leaders should not use these platforms to communicate within the ministry context.

All clergy and adults engaged in ministry should consider the content and nature of any post that will be read by or visible to youth and other adults in your parish. Your voice is often considered the voice of the church.

### Recommendations for publishing/posting content online

Because church buildings are not considered public space congregations must inform participants when they are being recorded or photographed. Any faith community that distributes video of its worship services or activities on the internet or via other broadcast media must post signs that indicate the service will be broadcast.

All communities of faith should take care to secure signed Image Release forms (page \_\_\_) from adults and guardians of minor children who will or may participate in activities that may be photographed or videoed for distribution.

Photos that are published on church sponsored sites should not include name or contact information for minor children or youth. This includes making sure name tags are not visible in the picture.

There are further considerations when using photos and videos of minors for ministry purposes. Respect the dignity of every person depicted in an image. Do not attach student names with their image (ie: captions, tagging on Facebook, Twitter, or Instagram, visible name tags).

### Recommendations for use of written social media or electronic communication

Email and Social Media can be an appropriate and effective means of communicating basic factual information such as the time of an event, agenda for a meeting, text of a document, etc. However, they are not an appropriate communication method for matters that are pastorally or legally sensitive, emotionally charged, or require extensive conversation. Double check that stories are yours to tell or share before doing so, especially when breaking news about births, deaths, and other major life events.

Humor and sarcasm can be easily misinterpreted in an email. Use sparingly.

All email users should take a moment to consider the ramifications of their message before clicking on the “send” or “reply to all” button.

Parents should provide consent via a release form for adults, clergy, or youth ministers to text or email youth directly. It is preferable not to text or email individually whenever possible; best practice is to include at least one other adult and multiple youth in the text message or email. There are many great apps that allow for group texts and communication like GroupMe, Beluga, and WhatsApp.

All clergy and lay leaders should use good judgment when they communicate electronically. An example of good practice is to text or email, except in case of emergency, only during normal hours (9 a.m. to 9 p.m.). One way to practice good boundaries is to have a set definition of what qualifies as an emergency that needs to be communicated outside normal hours.

## Policy for the Protection of Children and Youth

A Responsible Person shall monitor and supervise the behavior of adults, children, and youth to ensure appropriate behavior and healthy boundaries.

All people who minister to children and youth must have ongoing supervision. Ongoing supervision should consist of regular check-ins by the Responsible Person who may be parish clergy, staff, or a team leader. Such supervision shall review the scope, accountability, and responsibility of the ministry with the person engaged in the ministry. Each person engaged in such ministry should know who supervises their ministry and how to contact the Supervisor at all times.

Dioceses, congregations, and organizations shall ensure that all people who minister to children and youth receive prior training as to the scope, accountability, and responsibility of the ministry.

Dioceses, congregations, and organizations shall maintain an up-to-date list of persons with their contact information approved to minister to children and youth. This list shall be kept in the organization's office.

### **Behavioral Standards for Adults in Ministry with Children or Youth**

Adults who work with children and youth are expected to model the patterns of healthy relationships that children and youth deserve in all settings. Interactions should meet all requirements outlined in the Standards of Conduct, and adults should be discouraged from initiating a private relationship with any unrelated child or youth from the church away from sanctioned church activities.

Adults are encouraged to:

- Have ongoing spiritual practices, which might include: daily prayer, regular participation in corporate worship, and Bible study;
- Spend time with and listen to children and youth, and advocate for their ministry within the Body of Christ;
- Offer appropriate physical expressions of care, which may include: high fives and fist bumps; hand-holding while walking with small children or in prayer; brief touching of shoulders, hands, or arms; "laying on of hands" under appropriate pastoral supervision; brief hugs and arms around shoulders;
- Model appropriate affection with other adults;
- Be accountable to the community for behavior.

Adults shall not under any circumstances:

- Provide children or youth with non-sacramental alcohol, marijuana, drugs (including over-the-counter medication), cigarettes, tobacco products, e-cigarettes, vapes, or pornography;
- Arrive under the influence of alcohol, illegal drugs, or misused legal drugs at any children's or youth event or when they are responsible for children or youth at an event;
- Consume non-sacramental alcohol or illegal drugs or misuse legal drugs at any children's or youth event or when they are responsible for children or youth at an event;



- Engage in illegal behavior or permit other adults or children or youth to engage in illegal behavior;
- Engage in any sexual, romantic, illicit, or secretive relationship or conduct with any child or youth;
- Apart from planned pre-approved educational programs, discuss their own sexual activities, fantasies, or their own use or abuse of drugs or alcohol with children or youth.

### **Unrelated Adults Required**

There shall be at least two unrelated adults (at least two years older than the eldest participant and having never been a member of the youth ministry at the same time as the current youth) present at ministry settings and events designed for children and youth. If unanticipated circumstances result in an adult being alone with children or youth, that adult shall report those circumstances in writing to the Supervisor, clergy in charge, senior warden, and/or Responsible Person as soon as possible.

Only one adult may be sufficient in well-monitored, visually accessible program space on the church grounds, such as a Sunday School classroom, provided that another adult can maintain visual contact with the adult program leader. This can be accomplished by designating an individual to conduct frequent random checks of classrooms and unlocked spaces throughout the building(s). These exceptional circumstances must be specifically described in a written document and approved by the governing body of the congregation.

### **Creating Safe Space for Children and Youth**

To create a safe space, it is necessary to anticipate and avoid circumstances in which children and youth are exposed to inappropriate consumables, materials, unmonitored adult contact, or unsupervised peer contact.

For example:

- **Alcoholic beverages.** Alcohol (sacramental or otherwise) shall not be stored in publicly accessible areas of the church buildings. (See the Diocesan Alcohol and Substance Abuse Policy on page \_\_)
- **Computers and electronic devices.** Children and youth shall have adequate supervision when using electronic devices belonging to dioceses, congregations, and other organizations. Devices shall have adequate password protection. Each user shall have their own account and password. Church wifi should be password protected.
- **Persons with keys and access to locked spaces.** Anyone with keys or electronic access to church buildings shall meet all the requirements for screening and training according to the Screening and Training Protocols on page \_\_.
- **Unused spaces.** Spaces not in use should not be readily accessible. Given the vast differences in facilities, each congregation, and organization should determine how best to meet this standard.

## **Basic Needs**

No one is to be deprived of the basic human needs of food, drinking water, shelter, sleep, access to restrooms, safety, and clothing at any event.

Exceptions may be made for programs intended to teach about poverty, need, and hunger, such as an intentional fasting program. In these cases, children and youth must agree to participate in writing, and parents or guardians must give written permission that includes certification that the youth or child does not have a medical condition that would put the participant at risk by fasting or missing sleep. Participants who wish to withdraw or who are unable to complete the program must have their basic needs met immediately.

## **Violence and Weapons**

No one is to strike, hit, or otherwise physically threaten or harm anyone at any time.

Bullying of any kind by anyone is prohibited.

Children and youth shall not have weapons of any kind at any event or program for children or youth. Exceptions to this restriction may be made for camp programs or other specific programs with prior approval from the diocese or parish governing body.

Report suspected violations immediately.

## **One-to-One Conversations with Children or Youth**

When one-to-one conversations occur between an adult and a child or youth, another unrelated adult is either to be present or capable of visually monitoring the conversation.

Examples include:

- Planned or unplanned on-site conversations can take place in a public location, away from where others can hear but in view of other adults.
- Planned off-site conversations/meetings can take place in a public place (such as a coffee shop or restaurant) in view of other adults. A Responsible Person shall be informed about the appointment or plans in advance.

Confidentiality cannot be guaranteed if a child or youth discloses a situation pertaining to abuse, neglect, self-harm, or exploitation because of mandatory reporting laws.

Impulsive, secluded or secretive activity, online or in person with children or youth, may foster a high-risk situation, and is therefore to be avoided. (see “Suggested Practices and Guidelines for Use of Social Networking and Other Forms of Digital Communication” pages \_\_)

## **Supervision**

At any gathering of children or youth, there shall be at least two unrelated adults with one being age 25 or older, reflecting the sex and gender identity of the participants.

Minimum ratios of adult to child/youth shall be in accordance with American Camp Association (ACA) guidelines as follows:

- 5 years & younger — 1 adult for each 5 overnight-participants and 1 adult for each 6 day-participants
- 6–8 years — 1:6 for overnight, and 1:8 for day

- 9–14 years — 1:8 for overnight and 1:10 for day
- 15–18 years — 1:10 for overnight and 1:12 for day

Additional adults can provide skills, mentorship, support, encouragement, spiritual guidance, and joy.

When you have new leaders-in-training, the leadership teams should also have a reasonable number of experienced adult leaders to provide support.

Adults should not have been active members of the youth group at the same time as the current youth. Recently graduated young adults should work with younger groups until their youth group peers have also graduated.

### **Inclusiveness**

No one shall be denied rights, status, or access to an equal place in the life, worship, and governance of any program or activity because of race, color, ethnic origin, national origin, marital status, sex assigned at birth, sexual orientation, gender identity and expression, differing abilities, or socio-economic class. To the extent possible, all spaces and settings for programs, activities, and ministry shall be accessible.

The Episcopal Diocese of California seeks to support all children and youth by providing reasonable alternative arrangements regardless of state law to address safety and comfort.

Transgender, genderqueer, or gender non-binary children or youth who express the need or desire for increased privacy should be provided with reasonable alternative arrangements. Reasonable alternative arrangements may include the use of a private area, a separate changing schedule, or use of a single stall restroom. Any alternative arrangement should be provided in a way that protects the child or youth's ability to keep their transgender status confidential. They should not be required to use a locker room or restroom that conflicts with their gender identity.

Safe bathroom/shower facilities will be provided by gender (or specific times will be assigned to the use of a single facility). This includes making sure the facilities can be monitored by adults for the safety of the children and youth. Whenever possible, private bathroom accommodations are preferred.

Adults should either have separate shower facilities or shower at other times than the youth. Separate dressing facilities should also be provided.

### **Overnight Programs**

In overnight programming, particular attention will be given to historically excluded or unrecognized people, such as LGBTQ+ and disabled individuals. In a situation of unequal power and safety, preferences of these individuals merit additional consideration, accommodation, and action to ensure participant privacy, maximization of social integration of all participants, minimization of stigmatization of any participants, equal opportunity to participate, and safety of all participants.

### Other guidelines for overnight programs:

The safe use of restrooms and showers by all participants requires the diocese, congregations, and other organizations to consider numerous factors, including, but not limited to: age, sex, gender identity and expression, and privacy. Adults should have separate showers or separate times for showers.

Overnight programs shall provide safe, supervised sleeping arrangements.

- No bed, cot, or sleeping bag shall have more than one person sleeping in it.
- Supervision by two unrelated adults is required in any space where one or more youth are sleeping.
- Adults supervising an overnight cannot use medicated sleep aids (neither prescription nor over the counter). They need to be able to be alert and awake at any time of the night in case of an emergency.
- It is acceptable for all participants to sleep in the same open area when dressing rooms and bathrooms provide appropriate privacy.

Participants shall have access to three substantial meals each full day and access to sufficient water.

Participants shall be given the opportunity for at least seven hours of sleep each 24-hour period, except for programs where parental/guardian permission is given to miss sleep. In these cases, children and youth must agree to participate in writing, and parents or guardians must give written permission that includes certification that the youth or child does not have a medical condition that would put the participant at risk by missing sleep.

Participants shall have some time set aside each day for rest or free time.

### Best practice guidelines for hotel stays:

- One child or youth per bed, including cots, pullouts or hide-a-beds, and rollaway beds;
- At least 2 children or 2 youth in each room.
- Adult supervisors or chaperones have rooms on the same floor, scattered among the rooms with children or youth, and at least one adult room is by the stairs or elevators;
- Adult leader assigns rooms and room occupants;

### **Transportation**

For the health and safety of all participants, the following practices shall be followed:

- For events that originate and/or terminate at the diocesan, congregation, or organization's facility, all drivers must be at least 25 years of age and provide proof of insurance, a current driver's license, a completed volunteer driver information form (sample form on page \_\_\_), and have a satisfactory DMV records check.
- All drivers and riders must comply with state laws including seat belt and cell phone usage.

- Parents/guardians are responsible for the transportation and safety of their children and/or youth to and from the event. This responsibility includes the transportation of any other passengers in their vehicle.
- Young people who are under 18 are expected to have written permission from their parent or guardian to drive to an event. They are also required to comply with California state laws concerning the number of minors allowed in the car. (Sample form on page \_\_)

### **Special Considerations & Off-Site Programming**

Off-site programs, trips, and events are a welcome and often necessary means for spiritual, social, and emotional development. They also present additional challenges for maintaining best practices for safe and healthy ministry. The expectations for safe space as described above should be observed off-site.

In the event of uncertainty about application of the policy, the Responsible Person should contact their Supervisor or the diocesan office with the relevant queries.

Because of the unique risks that can't always be anticipated, it is important to obtain permissions and manage documentation as described below.

#### Prior Approvals

Prior approval by the member of the clergy in charge (rector, vicar, etc.) is required.

Written parental approval is required prior to viewing any movie, whether off-site or on-site, rated "PG-13" or above, or participating in any conversation or program containing sexually explicit or violent content when discussing substance abuse or mental health issues.

These same prior approvals are required when the site is a private residence hosting such events as cook outs, pool parties, progressive dinners, etc.

#### Registration, Waiver, and Release Forms

All children, youth, and adults shall complete and sign a registration form and a waiver and release form before participating in any programs. Confidentiality must be preserved with respect to medical and other sensitive information in the forms. Such forms can encompass a program year.

There must be an actual parent/guardian's signature on all release and waiver forms for minors. Digital signatures are not currently acceptable.

Completed release and waiver forms shall be maintained in a secure location on-site. Permission slips shall be provided for each off-site event and shall be signed by the parent/guardian. (sample form on page \_\_)

Prior permission for a minor to be photographed or recorded on film, videotape, audiotape, or other electronic media is required from a parent/guardian. (Sample form on page \_\_)

### First Aid and Medications

Current certification in First Aid, CPR, and Automated External Defibrillator (AED) is strongly encouraged for those who work with children and youth.

A first aid kit, appropriately stocked for the event and participants, shall be available in an easily accessible location.

A record must be kept for all medication or first aid given to a participant. This record shall include the participant's name, the date and time of service, the name of the person administering medication or treatment, and a description of the medication, dosage, and/or treatment given.

All medications (prescription and over the counter) belonging to minors shall be given to the Responsible Person, unless otherwise agreed upon by the parents and the Responsible Person. Exceptions may include inhalers, epi-pens, and birth-control pills.

Only the Responsible Person, or their adult designee, shall administer medications, with express permission of the parent/guardian.

### Insurance

All trips to off-site destinations must have adequate insurance in case of emergency. For more information, contact your insurance broker.

### **Out of Town or Overnight Travel**

Travel with children and youth presents amazing opportunities for participants to experience the church and the world on a larger scale with vastly different perspectives of faith communities and their contexts. It also presents challenges to normal safety protocols and opportunities for creativity if managed well. The following policies will help groups prepare for a variety of potential scenarios.

### Adult Leaders and Chaperones

Regardless of group size, no group should travel with fewer than three unrelated adult chaperones who have passed background checks and received Whole & Healthy Church training.

Adult chaperones may not drink or be under the influence of alcohol or drugs on youth trips.

Minimum ratios of adult to youth need to be greater due to the possibility of leaving an adult behind with a participant in the event of a medical emergency.

- 5 years and younger – 1:3
- 6–8 years – 1:4
- 9–14 years — 1:5
- 15–18 years — 1:7

One adult, minimum age 25, should serve as the travel administrator who is responsible for all aspects of the trip including carrying all necessary documentation, contacts, and forms

including: medical releases, community covenant, emergency contacts, itineraries, and cash and/or credit card capacity to address emergencies.

It is a best practice that, one adult, minimum age 25, should hold a current medical certification to manage administration of necessary and permissible medications, administer immediate and necessary first aid, and triage medical situations to determine if care of an individual needs to be taken to a higher level of care. When this is not possible, one person should be designated to supervise the administration of medications as instructed on medical release forms, and a clinic near your destination should be identified ahead of time in order to respond to health emergencies as rapidly as possible.

Acceptable medical certifications include:

- Wilderness Medical Response
- Outdoor Emergency Care
- Emergency Medical Technician/Paramedic
- Nurse — RN/LPN/Nurse Practitioner
- Physician's Assistant
- Medical Doctor

Best practice is to designate an adult to serve as back-up to the travel administrator and as back-up for simple first aid and administration of prescriptions. These could be the same person.

A copy of all documents should be left with an accountable person at the diocesan, congregation, or organization's office. That person should also serve as the local emergency contact person for communications between the traveling group and families at home.

### Insurance for Travel

Short-term trip or supplemental insurance, available through most church and organization's policies as an added rider, must be secured at-least one month prior to travel.

It is recommended that all travelers carry evidence of personal health insurance by virtue of a copy of the actual card provided to the insured person.

Because not all individuals have access to affordable and adequate health insurance, it is recommended that health insurance be added to trip insurance.

### International Considerations

Check in with the U.S. Department of State on travel requirements, including visas.

Make certain that every traveler's passport is valid for at least six months beyond your return date.

Determine whether or not vaccinations are required and/or recommended for entry into specific countries.

All those traveling with the group must adhere to US law when abroad. Specifically, youth under 21 may not drink alcohol while on a church sponsored trip, no matter what the laws of the country you are visiting state.

Arrange to have at least two cell phones with the group that will have active coverage in your destination(s). Make a back-up plan for communication with your Responsible Person at home.

A more thorough list of international travel considerations with links to U.S. and global organizations can be found in the Youth in Mission Manual here:

[http://www.episcopalchurch.org/files/7-traveling\\_7.pdf](http://www.episcopalchurch.org/files/7-traveling_7.pdf)

### **Camps and Retreat Centers**

Episcopal summer camps provide an extended time for youth in the diocese to spend intentional time together. While they follow the model of a youth overnight event, the prolonged time together allows for deep spiritual development as well as powerful emotions to arise. To attend to these community needs there are additional guidelines to create a safe and supportive community. All camps in the Diocese of California will follow the guidelines for off-site programming established in this document. In addition, camps should aim to follow American Camp Association standards to the best of their ability.

Camp staff will be two years older than the oldest camper, background checked, and provided a staff training to familiarize themselves with the camp and retreat center's policies and facilities. The camp director will clearly explain the center's Emergency Action Plan and provide adequate first aid training to staff members, preferably CPR/First Aid training, as well as abuse prevention training. There will be a chaplain available for spiritual support to campers and staff members, a camp director to coordinate staff members' personal and professional needs, and a designated nurse or "first aid person" to dispense medication and respond to first aid needs.

### **On Site Schools, Day Cares, and space rentals involving children and youth**

If there are spaces in the congregation's or organization's building(s) that are used at any time by a school, day care, or outside group involving children and youth, those groups are subject to these guidelines, unless the regulations put upon them by the State of California or their licensing board are more rigorous.



## Policies and Practices for the Protection of Vulnerable Adults

The Diocese of California takes seriously the welfare, respect, and care of its elders and vulnerable adults. In addition to the pastoral care responsibilities for elders and vulnerable adults that all Christians are called to observe, our Baptismal Covenant calls us to strive for justice and peace among all people and to respect the dignity of every human being. Because of this, we take seriously the guidelines for ministry with vulnerable adults.

### **Checklist for prevention of abuse of vulnerable adults**

Any person — elders, family members, or professionals — who suspects that abuse of an elder, whether it be physical, sexual, or financial, has occurred should report it to appropriate authorities, such as Adult Protective Services or a law enforcement agency. (see page \_\_\_ for contact information) Reports can be made confidentially and in most cases the reporting person is protected from civil and criminal liability.

Families, particularly those who find themselves in a caregiving role, should be aware of situations that place their loved ones at risk for abuse. Family members should periodically inquire about their older family members' financial resources and perceived limitations that may stem from their financial situation. They also need to keep an eye out for such things as:

- Unusual worry about finances
- Fear of an individual
- Unexplained trembling or crying
- Changes in communication patterns
- Abrupt change in behavior
- Overpayment for goods and services
- Unusual cash withdrawals from a financial account in a short period of time
- Missing belongings from the home or room in a facility
- Excessive time spent on the Internet
- A signature that seems forged, unusual, or suspicious
- An unexplained reduction in bank accounts
- An increase in the number and amount of credit card accounts
- An abrupt or unexplained change in the power of attorney, will, or other legal and financial documents
- Sudden transfer of assets to a family member or someone outside the family

Care must be taken to balance the duty to protect the safety of the vulnerable adult with the adult's right to self-determination. In addition, older people and people with disabilities who are victims of abuse, exploitation or neglect should be treated with honesty, caring and respect.

Pastoral care should focus on ministry that maximizes the vulnerable adult's independence and choice to the extent possible based on the adult's capacity. It should use family and informal support systems first as long as this is in the best interest of the adult. As in all ministries you must

maintain clear and appropriate professional boundaries. The bottom line is to do no harm. Inadequate or inappropriate intervention may be worse than no intervention.

Stay connected with your older friends, neighbors, and relatives. Maintaining communication helps decrease isolation, a risk factor for mistreatment. It will also give elders a chance to talk about any problems that they may be experiencing.

Suspected elder abuse or neglect among parishioners should be reported to the rector, vicar, or priest in charge. Anyone who knows of a violation of these policies by a clergy person shall immediately report the violation to the bishop's office.

Clergy and staff hearing reports of violations of this policy shall be responsible for providing appropriate pastoral care to all those affected and appropriate remedial and/or disciplinary action including reporting to appropriate authorities and/or termination of employment or volunteer ministry with the Church.

The bishop, hearing reports of violations by clergy, or by adults at diocesan events, shall be responsible for providing appropriate pastoral care to all those affected and appropriate remedial and/or disciplinary action, up to and including canonical disciplinary action.

All new activities that include pastoral relationships and/or ministry to vulnerable adults shall have a Responsible Person to monitor and supervise all events to ensure appropriate behavior and healthy boundaries.

Volunteers in regular ministry with elders and dependent adults should complete diocesan-approved training for eucharistic visitors, which includes attention to pastoral and abuse prevention standards. (see the training guidelines on page \_\_) Dioceses, congregations, and organizations shall ensure that all people who minister to adults receive prior training as to the scope, accountability, and responsibility of the ministry.

Dioceses, congregations, and organizations shall maintain an up-to-date list of persons approved to minister to vulnerable adults and/or engage in pastoral relationships with other adults which includes their contact information. This list shall be kept in the organization's office or other place where records are kept.

All people who minister to vulnerable adults and/or have pastoral relationships with others must have ongoing supervision. Ongoing supervision should consist of regular check-ins by the Supervisor who may be parish clergy, lay staff, or a team leader. Such supervision shall review the scope, accountability, and responsibility of the ministry with the person engaged in the ministry. Each person engaged in such ministry should know who supervises their ministry and how to contact the Supervisor at all times.

It is best practice for those ministering to vulnerable adults to document all their visits, including time, place, and any observations or concerns. Such documentation is reviewed by the Supervisor. Confidentiality among clergy and lay ministers is required and all documentation is to be kept confidential. This documentation promotes continuity of care and transparency in ministry.

## **Behavioral Standards for Ministry with Adults**

All who work with adults are expected to model the patterns of healthy relationships. To this end, lay, and ordained ministers working with adults shall:

- Take care not to unduly influence a person to whom they minister;
- Accept only token gifts from those to whom they minister. Ministers given gifts shall report those gifts in writing to their Supervisor, clergy, senior warden, or Responsible Person;
- Decline to accept loans of any kind from those to whom they minister;
- Decline to agree to be named as a beneficiary or to act as an administrator or executor in a will of anyone to whom they minister; and
- Inform Supervisor, clergy, senior warden, or Responsible Person of anything that causes concern for the safety or wellbeing of those to whom they minister.

All who minister to adults are encouraged to:

- Have ongoing spiritual practices, which might include daily prayer, regular participation in corporate worship, and Bible study;
- Spend time with and listen to vulnerable adults, and advocate for their ministry within the Body of Christ;
- Offer appropriate physical expressions of affection, as long as they are welcomed by the recipient. These may include brief hugs, pats on the shoulder or back, kisses on the cheek, handshakes, or holding hands during prayer;
- Maintain healthy boundaries when sharing personal information.

Adults shall not under any circumstances:

- Provide vulnerable adults with non-sacramental alcohol, marijuana, illegal drugs, legal drugs with the intention of misuse, cigarettes, e-cigarettes, vapes, or pornography;
- Arrive under the influence of alcohol, illegal drugs, or misuse of legal drugs when they are responsible for, leading, or ministering to an adult;
- Consume non-sacramental alcohol or illegal drugs or misuse legal drugs when they are responsible for, leading, or ministering to an adult;
- Engage in illegal behavior or permit others to engage in illegal behavior;
- Engage in any sexual, romantic, illicit, or secretive relationship or conduct with any vulnerable adult or any adult they pastor to.

## **Presence of Unrelated Adults**

It is best practice for those ministering to or leading adults, in the church building, on diocesan property, or in the homes of others, to do so with another trained adult minister to whom they are not related or married present. Those engaged in such ministries should minister in pairs. If circumstances result in a minister being alone with a vulnerable adult, that minister shall report this to the Supervisor, clergy, senior warden, or Responsible Person as soon as possible.

## **Creating Safe Space for Pastoral Relationships and/or Ministry with Vulnerable Adults**

To create a safe space, it is necessary to anticipate and avoid circumstances that could result in exposure of vulnerable adults to undue influence or exploitation. On-site and off-site settings for ministry with vulnerable adults and pastoral relationships and conversations should be in places where casual monitoring by others is convenient and convey safety and comfort.

### **Visits to Private Residences**

The safety of all persons and healthy boundaries are essential when visiting a vulnerable adult in a private home. Avoid situations that might compromise privacy; common examples include visiting behind closed bedroom doors, sitting on the bed of the person being visited, or visiting a person while they are not fully clothed.

The best practice is to visit in teams of two or more unrelated adults. If it is not possible for another adult minister to be present, a member of the vulnerable adult's household should be present. If neither is possible, documentation of the time, duration of visit, general matters discussed, and any pastoral concerns shall be provided in writing to the Supervisor as soon as possible after the visit.

### **Visits to Residential Facilities**

The safety of all persons and healthy boundaries are also essential when visiting a vulnerable adult in a Residential Facility. Best practices include:

- Informing facility staff of the visitor's presence;
- If a visit takes place out of sight of facility staff, the staff should be notified in advance and informed when such meeting is concluded;
- The door to a resident's private room must remain open during visits;
- Visitors should be mindful that LGBTQ+ residents may not be safe to express their sexual identity or orientation, as facility staff members may not yet have been trained;

In the event of uncertainty about application of this policy, the visitor is encouraged to contact their Supervisor with the relevant queries.

### **Mandated Reporters**

Our elders are often the people who depend most on the Church and its leaders for guidance and protection. The Church is thus responsible for a high level of care, attention, and compassion in this area. Clergy are mandated reporters for elder abuse, which involves not only physical and emotional abuse and harassment, but financial abuse as well. In the State of California, mandated reporters are expected to comply with the following:

“Any mandated reporter who, in his or her professional capacity, or within the scope of his or her employment, has observed or has knowledge of an incident that reasonably appears to be physical abuse, as defined in Section 15610.63 of the Welfare and Institutions Code, abandonment, abduction, isolation, financial abuse, or neglect, or is told by an elder or dependent adult that he or she has experienced behavior, including an act or omission, constituting physical abuse, as defined in Section 15610.63 of the Welfare and Institutions Code, abandonment, abduction, isolation, financial abuse, or neglect, or reasonably suspects

that abuse, shall report the known or suspected instance of abuse by telephone immediately or as soon as practicably possible, and by written report sent within two working days....”

### **Violence**

No one is to strike, hit, or otherwise physically threaten or harm anyone at any time. No one is to control or attempt to control another by bullying, intimidation, threats, verbal/emotional abuse, or isolation from others. Bullying of any kind by anyone is prohibited. Report suspected violations immediately.

### **Inclusiveness**

No one shall be denied rights, status, or access to an equal place in the life, worship, and governance of any program or activity because of race, color, ethnic origin, national origin, marital status, sex assigned at birth, sexual orientation, gender identity and expression, differing abilities, socioeconomic class, or age. To the extent possible, all spaces and settings for programs, activities, and ministry shall be accessible.

The Episcopal Church seeks to support all persons by providing reasonable alternative arrangements regardless of state law to address safety and comfort. Transgender, genderqueer, or gender non-binary adults who express the need or desire for increased privacy should be provided with reasonable alternative arrangements. Reasonable alternative arrangements may include the use of a private area, or a separate changing schedule, or use of a single-stall restroom. Any alternative arrangement should be provided in a way that protects the adult’s ability to keep their transgender status confidential, if they so desire.

Transgender, genderqueer, or gender non-binary adults should not be required to use a locker room or restroom that conflicts with their gender identity. Safe bathroom/shower facilities will be provided by gender (or specific times will be assigned for the use of a single facility).

### **Transportation of Vulnerable Adults**

For the health and safety of all participants, the following practices shall be followed:

- For events that originate and/or terminate at the diocesan, congregation, or organization’s facility, all drivers must be at least 25 years of age and provide proof of insurance and a current driver’s license, a completed volunteer driver information form, and have a satisfactory DMV records check;
- A list of those approved to provide transportation to vulnerable adults shall be maintained in the office of the organization;
- Anyone being transported must consent to such transportation beforehand. If a person is unable to consent due to impairment or lack of agency, then prior approval by that person’s guardian, spouse, or other trusted family member is required;
- All drivers and riders must comply with state laws including seat belt and cell phone usage.

## Sexual Harassment Policy

*Adapted from CPG's model policies and pending an update by both The Diocese of California and The Episcopal Church*

### **Introduction**

As of the preparation of these policies, laws protecting workers from sexual harassment or other harassment in the workplace only apply to employees and not to volunteers. Federal, state, and local laws, where applicable, provide various legal rights to employees who have been subjected to illegal sexual harassment by other employees. Some of those rights may include: the right to file a complaint with a government regulatory body; the right to have a government regulatory body investigate the complaint and negotiate a remedy with the employer; the right to have the government sue the employer on the employee's behalf; and the right for the employee to sue the employer for such damages as back pay, reinstatement, lost future wages, and attorney's fees. The rights available to employees may vary under applicable federal, state, and local laws.

Volunteer church workers are not protected by sexual harassment laws. However, General Convention Resolution A156 (2006) specifically states that all church workers, both paid and volunteer, must be protected by diocesan and congregational policies.

What this means is that both paid and volunteer workers and parishioners will have the same rights to an environment free from sexual harassment under the organization's policies, but volunteer workers and parishioners do not have the same legal rights given to paid employees under federal, state, and local sexual harassment laws. A church employer must work to prevent the sexual harassment of volunteer workers or congregants, stop any harassment that is occurring and protect the volunteer worker or congregant from retaliation, but the volunteer worker will not have a legal right to back pay, reinstatement, lost future wages, attorney's fees, or any other remedy provided by law. Similarly, a volunteer church worker or congregant does not have the legal right to file a complaint with a government regulatory body; or to have a government regulatory body investigate the complaint and negotiate a remedy with the Church; or to have the government sue the Church on the volunteer's behalf; or have the right to sue the Church for damages under the sexual harassment laws.

## **General Definitions**

For purposes of this Policy, the term “Church Personnel” shall mean:

- All clergy whether stipendiary, non-stipendiary, or otherwise who are engaged in ministry or service to the Church;
- All paid personnel (including Church employees) whether employed in areas of ministry or other kinds of services by the diocese, its congregations, schools, or other agencies.;
- Those who contract their services to the diocese, its congregations, schools, or other agencies;
- Volunteers, including any person who enters into or offers themselves for a Church related service, or who assists with or performs a service, whether or not they have been selected or assigned to do so. Volunteers include members of advisory boards, vestries, bishop’s committees, boards of directors, and advisory boards;
- All interns, persons in the ordination process, persons serving in field education assignments, and other education-based placements.

For purposes of this Policy, the term “Church employees” shall mean all individuals hired and paid by the Church who are employees of the Church for purposes of federal, state, and/or local discrimination and harassment laws

For purposes of this Policy, the term “supervisors and decision-makers” shall mean:

- All persons who have the express authority to hire, select, supervise, discipline, promote, demote, terminate, and set compensation or other terms and conditions of employment;
- All persons who have the express authority to recruit, duly appoint, select, license, discipline, supervise, terminate, or set terms and conditions of volunteer service;
- All members of decision-making bodies who have the authority to approve the creation of ministries, programs, Church activities, or personnel policies;
- Standing Committees, Diocesan Councils/Executive Boards, Vestries, and Bishop’s Committees who appoint or approve Persons Who Have Pastoral including all Standing Committees, Commissions on Ministry, Vestries, Boards of Directors for Schools, Bishops Committees, and the like.

## **Sexual Harassment Policy**

The Episcopal Diocese of California and its congregations (the “Church”) prohibit sexual harassment of Church Personnel by anyone (including supervisors or decision-makers, co-workers, consultants, vendors and other non-employees). Such sexual harassment is prohibited. The behavior of individuals engaging in such conduct, or supervisors or decision-makers who knowingly allow such behavior to continue, will not be tolerated.

All church personnel, whether supervisory or non-supervisory, and whether paid or volunteer, are prohibited from engaging in the conduct prohibited by this policy.

## **Sexual Harassment**

Sexual harassment is prohibited by this Policy. Sexual harassment includes unwelcome sexual advances and requests for sexual favors. Other unwelcome conduct which may constitute sexual harassment includes, but is not limited to, the following:

### Verbal Harassment:

- Repeated sexual innuendos, sexual epithets, derogatory slurs, off-color jokes (for example, jokes that include sexual language, innuendo, references, scenarios, etc.);
- Propositions, threats, or suggestive or insulting sounds (for example, comments about body or sexuality including insults and innuendo) even if the comment is about someone else;
- Inappropriate e-mail, text messages, or other electronic communication (for example, e-mail that includes sexual jokes or other references of a sexual nature about any person, gossip or speculation about a person's sexuality, sexual practices, sexual health, pregnancy, virility, etc.). This includes messages that were sent accidentally, for example by hitting the "forward" button instead of "reply," or forgetting that a particular individual or worker is on one of your group lists.

### Visual/Non-Verbal Harassment:

- Derogatory posters, cartoons or drawings (for example, cartoons and calendars that include nudity, sex acts, provocative poses, innuendo, sexual language, etc.);
- Suggestive objects or pictures (for example, photographs that include nudity, sex acts, provocative poses; wallpaper, screensavers, or other electronic displays of a sexual nature);
- Graphic commentaries; leering; or obscene gestures (for example, vulgar gestures, gestures simulating sexual acts, "shooting the finger," kissing the air toward someone or licking the lips in a sexually suggestive or provocative manner).

### Physical Harassment:

- Unwanted physical contacts (including touching, interference with an individual's normal work movement, unwelcome displays of romantic or sexual affection, aggressive physical contact or assault).

### Other forms of Harassment:

- Making or threatening reprisals to an individual who opposes, objects to or complains about sexual harassment;
- Possession of inappropriate material of a sexual nature in the Church or its display, duplication, or transmission.

### The above conduct constitutes harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, volunteer work, or status in the life of the Church;
- Submission to or rejection of such conduct by an individual is used as a basis for employment or other Church decisions affecting such individual;
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working and/or worshiping environment.



## **Retaliation**

The Church will not take any action in retaliation against any Church Personnel or congregant who, in good faith and with a genuine belief that they have been sexually harassed, brings or voices a complaint pursuant to this Policy or otherwise opposes sexual harassment. In addition, the Church will not tolerate any retaliatory acts by other individuals.

Retaliation is a serious violation of Church policy and applicable law. If you believe you have been subjected to retaliation in violation of this Policy, you should report your complaint immediately in the manner specified below. Individuals will be subject to discipline up to and including termination if they are found to have retaliated against an individual because such individual (1) in good faith and with a genuine belief that they have been subjected to sexual harassment, made an honest complaint about such conduct, (2) participated honestly and in good faith in any investigation into a sexual harassment complaint, and/or (3) in good faith opposed acts of sexual harassment.

## **Procedure for Reporting Suspected Sexual Harassment and/or Retaliation**

### **General Procedures Applicable to All**

If you believe that the actions or words of a supervisor/manager, co-worker, cleric, congregant, customer, vendor, volunteer, or other individual in the Church constitutes illegal or prohibited sexual harassment, you have a responsibility to promptly report that behavior to the Church's management. Prompt reporting enables the Church to stop the harassment before it becomes severe or pervasive.

If you believe you have been the victim of any form of sexual harassment or retaliation, you must promptly give notice of your complaint to one or more of the following:

- Your supervisor;
- Anyone in your supervisory chain;
- The rector or clergy person in charge of the congregation;
- A warden of the congregation;
- A diocesan intake officer (The Canon to the Ordinary, or other member of diocesan staff)
- The bishop

You are not required to complain to your supervisor or within your chain of command. In addition to reporting the offending behavior to one of the people listed above, you are encouraged to speak directly to the individual whose conduct you find objectionable. You are not required to do this and it is suggested for you to do so only if you are comfortable. If you decide to speak directly to the person involved, you may find that clear communication can sometimes resolve an issue immediately, as well as build greater understanding between individuals in the Church.

You may formally or informally complain to any of the above personnel via telephone call, letter, e-mail, fax, in-person meeting, filing a written Notice of Concern, and/or via the online notice of concern (link needed).

All supervisors and decision-makers are required to report all formal and informal complaints, as well as any suspected or known policy violations, immediately to the rector or clergy person in charge of the congregation (for parishes) or Canon to the Canon to the Ordinary, Whole & Healthy Church Coordinator, or Bishop (for dioceses), even if you ask the supervisor or decision-maker to keep the complaint confidential or indicate that you do not wish to file a formal complaint. Church Personnel both paid and volunteer are required to report immediately any suspected or known policy violations to the rector or clergy person in charge of the congregation.

All supervisors and decision-makers are expected to act promptly and appropriately to prevent sexual harassment in the Church, and retaliation against those who make a good faith complaint of sexual harassment or those who participate honestly and in good faith in either an investigation of a complaint or oppose illegal or prohibited sexual harassment in the Church.

All complaints of sexual harassment will be reviewed and investigated promptly and impartially by the Church's leadership and/or its designee. Complaints may be made verbally or in writing. Once Church leadership receives notice of any complaint of sexual harassment it will swiftly determine whether or not a fact-finding investigation is necessary.

If it is determined that a fact-finding investigation is necessary it will be launched promptly. If necessary, intermediate measures may be taken before completing the investigation to ensure that further sexual harassment does not occur.

Moreover, the Church will protect the confidentiality of the allegations to the extent possible; however, no individual can be promised or guaranteed strict or absolute confidentiality. For example, information may have to be disclosed to those officials and/or Church Personnel on a need to know basis in order to carry out the purpose and intent of this Policy.

Corrective or disciplinary action will be taken against any Church Personnel found to have engaged in sexual harassment. Such action may include counseling and/or appropriate disciplinary measures, up to and including termination.

As the complaining party, you will be given notice, in a timely fashion, of the outcome of the investigation of any formal or informal complaint

### **Additional Options for Church Employees, Not Volunteers**

This section provides additional options for Church employees, not volunteers, who believe they have been the victim of any form of sexual harassment as prohibited by federal, state, or local law.

If you are a Church employee, not a volunteer, as defined under this Policy and you believe you have been the victim of any form of illegal sexual harassment, in addition to the procedure set forth above, you also have the option of consulting with an attorney and/or filing a complaint with California Department of Fair Employment & Housing, as well as pursuing any other remedies permitted by law.

As a general matter, the time frame for filing a complaint with California Department of Fair Employment & Housing is one year from the date of the alleged act of unlawful sexual harassment.

The Church employee, not volunteer, must note that these time limits typically do not run from the date that the complaint made to the Church is resolved but from the date the act of sexual harassment, is alleged to have occurred. Please note that this is not legal advice. Individual employees are responsible for confirming the time frames for filing a complaint with these administrative agencies by contacting the agencies themselves and/or counsel.

Nothing in this posting or in the Church's sexual harassment policy creates any legal rights that did not otherwise exist nor does the Church admit that it is covered by or subject to any federal, state, or local laws.

## Title IV: Policy Regarding Clergy Misconduct

The Diocese of California is committed to prevent clergy misconduct within the Church and to respond with justice and compassion when misconduct occurs. The diocese and The Episcopal Church recognize that responding to allegations of misconduct requires determination, sensitivity, and respect for all persons affected, including the Complainant (the person reporting an offense), the Respondent (the clergy who is the subject of the reported offense), their families and friends, the congregation(s) involved, the diocese, and the whole church. The Church also endeavors to pursue paths of repentance, healing, restitution, and, whenever possible, reconciliation.

Title IV of the Canons of The Episcopal Church governs the handling of clergy misconduct, listing the following as offenses when they are “material and substantial or of clear and weighty importance to the ministry of the Church”:

- any act of sexual misconduct;
- holding and teaching publicly or privately, and advisedly, any Doctrine contrary to that held by the Church;
- engaging in any secular employment, calling, or business without the consent of the bishop of the diocese in which the member of the clergy is canonically resident;
- being absent from the diocese in which the member of the clergy is canonically resident, except as provided by the canons, for more than two years without the consent of the bishop diocesan;
- any criminal act that reflects adversely on the member of the clergy’s honesty, trustworthiness, or fitness as a minister of the Church;
- conduct involving dishonesty, fraud, deceit or misrepresentation;
- habitual neglect of the exercise of the ministerial office without cause; or habitual neglect of public worship, and of the Holy Communion, according to the order and use of the Church; and
- any conduct unbecoming a member of the clergy (any disorder or neglect that prejudices the reputation, good order and discipline of the Church, or any conduct of a nature to bring material discredit upon the Church or the Holy Orders conferred by the Church).

Anyone can report information concerning an offense by a member of the clergy. This can be in written or oral form.

All suspected child abuse or sexual misconduct involving minors should be reported to Child Protective Services. All suspected elder abuse or the abuse of dependent adults should be reported to Adult Protective Services. Clergy are mandated by California law to report suspected child or elder abuse to the civil authorities.

Similarly, if you suspect any other illegal or criminal activity, you are strongly encouraged to contact the civil authorities and appropriately ensure your safety and the safety of others prior to contacting church leadership.

The Intake Officers of the diocese are trained to confidentially receive complaints regarding clergy misconduct and to make a determination whether the information in each complaint might constitute an offense under Title IV. The Intake Officer will first determine if the information reported, if substantiated, would constitute an offense. If so, the Intake Officer may conduct a preliminary investigation to gather more information or may immediately refer the matter to the Reference Panel as well as the Church Attorney.

Every effort shall be made to ensure the confidentiality of information received as part of the intake reporting procedure. Whenever possible, the name of the Complainant will be withheld if the Complainant so desires. Action requiring disclosure or identification of the Complainant in some manner will generally not take place without the Complainant's consent, unless it is necessary to protect the health or safety of others; if so, the Complainant will be informed. To also provide confidentiality for the Respondent, once a complaint is made to the Intake Officer, the Complainant will not be informed of subsequent action toward the Respondent unless or until such point as it is appropriate to share that information.

### **Frequently Asked Questions**

What can I expect from the Intake Officer?

- You will be listened to with respect.
- You will be offered pastoral care and a pastoral response.
- The Intake Officer will create a written report regarding your concerns.
- The Intake Officer will answer your questions about the investigation process.

You will also be offered an Advisor, a person familiar with clergy disciplinary process, to assist you through the intake proceedings and any further process that may follow.

What decision-making authority does the Intake Officer have?

The Intake Officer determines whether the reported information might constitute an offense under Title IV, the church's disciplinary canons.

What happens if the Intake Officer determines that the information I provide might constitute an offense?

The Intake Officer promptly forwards a written intake report containing all information gathered about the complaint to the Reference Panel for further determination.

What is the role of the Reference Panel?

The Reference Panel — comprised of the bishop, Intake Officer, and president of the Disciplinary Board — determines together which disciplinary process would be best to investigate and resolve the matter raised in the complaint. Depending on the nature of the allegations in the Intake Officer's report, the Reference Panel may refer the matter for:

1. A pastoral response by the bishop to resolve the matter;
2. Conciliation, a conversational process with a Conference Panel intended to resolve the matter by either a) dismissing the complaint; b) reaching an Accord, a written

agreement of all parties; or by c) issuing an Order, a written determination of the offense; or

3. Adjudication by a Hearing Panel which will more formally investigate the allegations. The panel may then, based on facts established regarding the alleged offense, dismiss the matter or it may issue an Order determining the Respondent's offense.

In cases where Accords or Orders are reached, the bishop may subsequently issue a Sentence of appropriate discipline for the Respondent.

What happens if the Intake Officer determines that information I provided would not constitute an offense?

The Intake Officer can dismiss the matter. Before dismissing the matter, the Intake Officer must inform the bishop of their intention to dismiss. If the bishop does not object, then the Intake Officer dismisses the matter by preparing written notice that includes:

1. The decision to dismiss;
2. The reasons for dismissal;
3. An explanation of the Complainant's right to appeal the decision to dismiss within thirty (30) days of the date of the notice.

The Intake Officer sends the notice of dismissal to both the Complainant and the bishop.

Even if a complaint is dismissed by the Intake Officer the bishop's office may offer pastoral counsel to the Respondent and other parties involved to help resolve the matter.

What happens if I wish to appeal an Intake Officer's decision to dismiss the complaint?

The Intake Officer will offer to assist you in filing the appropriate paperwork of appeal to the president of the Disciplinary Board, who will review the appeal and determine whether or not to overrule the Intake Officer's dismissal. When possible, a different Intake Officer may be assigned to assist you with your appeal.

The Diocese of California, in conjunction with the Dioceses of El Camino Real, Northern California, and San Joaquin, share a joint Disciplinary Board to review complaints that Intake Officers forward to them for further disciplinary action.

If you wish to give information regarding an offense of a member of the clergy in this diocese, contact one of the Intake Officers listed below, or call the diocesan office at 415.673.5015:

Rev. Canon Abbott Bailey [abbottb@diocal.org](mailto:abbottb@diocal.org)

Rev. Eric Metoyer [ericm@diocal.org](mailto:ericm@diocal.org)

Jack Fagan, Canon Director of Operations at Grace Cathedral, [jackf@gracecathedral.org](mailto:jackf@gracecathedral.org)

You will receive a response to your inquiry within 24 hours.

If a Complainant wishes to remain anonymous, the Intake Officer will take a "third person" report. This report allows a person to provide a detailed report about the offense without the obligation of pursuing an investigation and/or pressing charges. In such cases, the Disciplinary Board and diocese can initiate an investigation only after the appointed Reference Panel has reviewed the report and has recommended investigatory action.

If you wish to report an offense by a bishop, you may contact the leader of your congregation or directly contact the Intake Officer appointed by the Presiding Bishop of the Episcopal Church:

The Rt. Rev. F. Clayton Matthews (800) 334-7627 ext 6163

The bishop is required to provide an appropriate pastoral response to any persons who are affected by an alleged offense, including the Complainant, the injured party(s) (if not the person reporting), and the Respondent.

Proceedings concerning bishops under Title IV follow a parallel process to that for diocesan clergy and are undertaken with the oversight of the Presiding Bishop's Office and a church-wide Disciplinary Board for Bishops.

### **For members of the Clergy: What if I am accused of Misconduct?**

All clergy Respondents to an allegation of misconduct will be offered a high standard of respect and representation throughout the Title IV process, and are assured of:

- An Advisor throughout the process solely dedicated to advising and helping you navigate the process and be present in all proceedings;
- the right to retain legal counsel in addition to the offered Advisor;
- an offer of pastoral care for you, your family, and the community in which you serve;
- a full, respectful hearing of your understanding of the matter;
- confidentiality during the Intake Process, except as required by civil law;
- confidentiality if the allegations are dismissed;
- any disclosure of information regarding substantiated allegations and outcomes of the disciplinary process undertaken with the utmost care for all parties involved;
- an appraisal of your rights and options during each stage of the process;
- timely updates to keep you apprised of how the process is unfolding;
- the right to appeal Accords or Orders reached by panels in the disciplinary process up to the Provincial Court of Review.

As part of undertaking best practices for proper conduct of their ministry in the Church, and in conjunction with training in misconduct prevention, all clergy are strongly encouraged to read Title IV to gain familiarity with the terminology and process of the disciplinary canons and to contact diocesan staff with any questions they might have.

## Responding to Concerns

### **Misconduct or Inappropriate Behavior by a Member of the Congregation or Staff responded to with Pastoral Ministry Agreements and Pastoral Conversations**

If a member of the congregation has poor boundaries, makes others feel uncomfortable in their physical mannerisms or topics of conversation, or violates any of these policies and practices, a member of the parish staff, preferably the Rector, Vicar, or Priest in Charge, should initiate a pastoral conversation with that person. They should explain what behavior is not allowed, and if necessary, make a written Pastoral Ministry Agreement that includes reconciliation and a plan of action for future conduct, including consequences for further violations. Diocesan staff are available assist with writing, implementing, or negotiating these agreements.

If a member of the staff or a volunteer has a “flag” appear on a background check, that is not an immediate disqualifier for ministry. The Rector, Vicar, Priest in Charge, or staff person in charge of the ministry they are volunteering for should have a pastoral conversation about the incident. After discussion they may deem the issue irrelevant. If it could have an impact on their ministry (for example a DUI or financial crime) the staff person and the volunteer will make a written Pastoral Ministry Agreement that outlines future conduct and any limitations to that person’s participation in specific parts of the life of the congregation.

### **Mandated Reporters**

In the state of California mandated child abuse reporters include:

- teachers and instructional aides (in both public and private schools)
- administrators of both public and private day cares or youth centers, recreation programs, or other youth organizations
- Licensees, administrators, and employees of licensed community care or child day care facilities
- Physicians, surgeons, psychiatrists, psychologists, dentists, nurses, therapists, and social workers
- A clergy member (meaning a priest, rabbi, religious practitioner, or similar functionary of the church, temple or recognized denomination or organization)
- The custodian of records for a clergy member
- Athletic coaches
- 

It is also noted in the law:

“volunteers of public or private organizations whose duties require direct contact with and supervision of children are not mandated reporters but are encouraged to obtain training in the identification and reporting of child abuse and neglect and are further encouraged to report known or suspected instances of child abuse or neglect”. (citation needed?)

In the state of California, mandated elder abuse reporters are:

“Any person who has assumed full or intermittent responsibility for the care or custody of an elder or dependent adult, whether or not he or she receives compensation, including administrators, supervisors, and any licensed staff of a public or private facility that provides care or services for elder or dependent adults, or any elder or dependent adult care custodian,



health practitioner, clergy member, or employee of a county adult protective services agency or a local law enforcement agency”.

### **Suspected Abuse, Neglect, or Exploitation**

Any person who has reason to suspect that abuse, neglect, or exploitation of children, youth, or vulnerable adults has taken place, is strongly encouraged, and all mandated reporters are required, to contact the state’s legal authorities (Child Protective Services, Adult Protective Services, or the County Sheriff).

In addition, anyone who has reason to suspect that abuse, neglect, or exploitation of children, youth, or an adult has taken place within a facility or program of the diocese, congregation, or other organization, should immediately inform one of more or the following:

- The bishop or the bishop’s office in the case of a diocese;
- Member of the clergy in charge or the senior warden in the case of a congregation;
- The director, head, or other governing officer in the case of other organizations;
- The Intake Officer in case a member of the clergy is suspected of abuse, neglect and/or exploitation;
- Fill out and send the Confidential Notice of Concern (sample forms page \_\_)

### **Suspected Violations of this Policy**

Anyone who suspects a violation of these policies shall immediately report the violation to the Responsible Person, member of the clergy in charge, and senior warden. See sample forms page \_\_

Anyone who suspects a violation of these policies by a member of the clergy shall immediately report the violation to the bishop’s office and/or the Intake Officer. Anyone can make a report to an Intake Officer.

Clergy in charge receiving reports of violations of this policy shall be responsible for providing appropriate pastoral care to all those affected and appropriate remedial and/or disciplinary action, up to and including termination of employment or unpaid ministry with the church.

The bishop, hearing reports of violations by clergy, or by laity at diocesan events, shall be responsible for providing appropriate pastoral care to all those affected and appropriate remedial and/ or disciplinary action, up to and including canonical disciplinary action, as provided by Title IV of the Constitutions and Canons and/or termination of employment or unpaid ministry with the diocese.

### **Local Resources for Response**

Each congregation, or organization shall provide a list of local resources that can give information and assistance to anyone concerned about circumstances that may violate this policy. Such resources with contact information shall include:

- Responsible Person(s) for programs and ministries with children and youth. In the Diocese of California, this is Caren Miles, Associate for Faith Formation.
- Clergy in charge of a congregation;
- Wardens;

- Bishop; In the Diocese of California, this is the Rt. Rev. Marc Andrus
- Intake Officer(s);
  - Rev. Canon Abbott Bailey [abbottb@diocal.org](mailto:abbottb@diocal.org)
  - Rev. Eric Metoyer [ericm@diocal.org](mailto:ericm@diocal.org)
  - Jack Fagan, [jackf@gracecathedral.org](mailto:jackf@gracecathedral.org)
- Child Protective Services.
  - <http://www.cdss.ca.gov/Reporting/Report-Abuse/Child-Protective-Services>
  - In Marin County: (415)-473-7153
  - In Alameda County: (510)-259-1800
  - In San Francisco County: (415)-558-2650 or (800)-856-5553
  - In San Mateo County: (650)-595-7922 or (650)-802-7922 or (800)-632-4615
  - In Contra Costa County: (925)-646-1680 – Central, (510)-374-3324 – West, (925)-427-8811 – East, (877)-881-1116 – toll free
  - In Santa Clara County 833-722-5437
- Adult Protective Services
  - <http://www.cdss.ca.gov/Adult-Protective-Services>
  - In Marin County: (415) 473-2774
  - In Alameda County: (866) 225-5277
  - In San Francisco County: (800) 814-0009 or (415) 355-6700
  - In San Mateo County: (800) 675-8437
  - In Contra Costa County: (877) 839-4347 or (925) 602-4179
  - In Santa Clara County 408-975-4900
- Sheriff's Office, non-emergency numbers
  - Marin County 415-479-3211
  - Alameda County 510-667-3622
  - San Francisco County 415-554-7235
  - San Mateo County 650-216-7676
  - Contra Costa County 925-646-2441
  - Santa Clara County 408-299-2311

## Compliance with Whole and Healthy Church

### **Safe Church Self-Audit**

Each congregation is required to conduct a Safe Church Self-Audit annually to confirm compliance with diocesan safe church policies within the congregation. A copy will be returned to the diocesan office along with the annual parochial report. The Congregational Safe Church Self-Audit is with the sample forms on page \_\_\_.

### **Local Adaptations**

Congregations may adopt local safe church procedures that are consistent with and/or exceed the requirements in this policy. Site-specific additions to diocesan policies where permitted should be described in detail and should include the circumstances under which those additions should be permitted, be approved by the vestry or bishop's committee.

When these policies cannot be followed, an explanation of why and what measures are being taken instead should be written and on file in the parish office. Informed non-compliance with these policies is allowed in specific circumstances but should not be done lightly nor often.

### **Distribution of the Policies**

Congregational safe church policies should be posted in areas where activities for children, youth, and/ or adults take place, and should be given to parents, guardians, and all paid persons, volunteers, and clergy whose ministries include contact with minors and vulnerable adults.

Congregational policies should include the names and phone numbers of the rector/vicar or priest, senior warden, and contact person in the bishop's office (Caren Miles, Whole & Healthy Church Coordinator, [carenm@diocal.org](mailto:carenm@diocal.org)) and outline the procedures for reporting incidents or suspected policy violations. Incident Report forms and Confidential Notice of Concern forms should be readily accessible.

It's not enough to train the volunteers and staff alone. All members of a congregation are impacted by safe church policies and therefore should be given adequate opportunity to understand this policy, its local application, and their responsibility for meeting its requirements. This policy strongly encourages a congregation-wide program of awareness-building and education, including but not limited to preaching, adult education, parenting education, youth and children's awareness and education, use of communications media such as newsletters, bulletins, and website, to ensure that all members of the community have a chance to support the safe church practices as they are implemented.

Screening and Training Chart	Ministry position	Background Check				App & Interview	Online Training Courses											
		Basic	Credit	DMV	6 month residency		Keeping your Church Safe	Preventing Abuse & Exploitation in Pastoral Ministry	Social Media Safety	Preventing Sexual Abuse between Young Children	Preventing Sexual Abuse between Adolescents	Keeping Your Camp Safe						
Staff & Contracted Ministers	Paid Employees (Lay)	X				X	X											
	Clergy	X				X	X											
Program Supervisors	Contractors	depends	depends	depends			X											
	Children/Youth Minister	X		depends	X	X	X				X			X				depends
	Choir Director	X				X	X											
	Efm/Small Group leader	X			X	X	X											
	Cursillo/Retreat leader	X			X	X	X											
Program Participants	Acolyte Leader/Mentor	X			X	X	X											
	Kid's Choir Assistant	X			X	X	X				X (depends)			X (depends)				
	Church School Teacher	X			X	X	X				X (depends)			X (depends)				
	Nursery volunteer	X			X	X	X				X			X				
	Camp Counselor	X		depends		X	X				X (depends)			X (depends)				X
	Youth Group Leader	X		depends	X	X	X				X			X (depends)				
	Counselor-in-Training	X (over 18)			X	X	X				X			X (depends)				X
	Teenage Volunteers	X (over 18)			X	X	X				X			X (depends)				
	Confirmation Mentor	X		depends	X	X	X				X			X				
	Lay Chaplains	X			X	X	X				X							
	Pastoral Care Team	X			X	X	X				X							
Drivers	Drivers	X		X	X	X	X				X							
	Elected Positions	suggested			X	X	X				X							
Governance	Treasurer	X	X		X	X	X				X							
	Vestry	suggested			X	X	X				X							
	Wardens	X	X		X	X	X				X							
Key Holders	Alter Guild	suggested			X	X	X				X							
	Building Hosts	suggested			X	X	X				X							
	Renters	X				X	X				X							
Home Visitors	Eucharistic Visitors	X		depends	X	X	X				X							
	Stephen Ministers	X		depends	X	X	X				X							

# Congregational Whole & Healthy Church Self-Audit for Annual Review

## Screening of Ministry Leaders

There is a well-understood process for screening staff and volunteers who minister with and to children, youth, and adults, which includes:

- A written application (include a copy or link to online form)
- A personal interview (include a copy of your questions)
- Verification of personal references
- Criminal public records check (done every 5 years)

Individual records of these procedures are located:

These staff members have access to these records:

Additional Notes about Screening of Ministry Leaders:

## Training of Ministry Leaders

All paid employees and any volunteers whose ministry includes regular contact with children, youth, or adults, have completed Whole & Healthy Church training, either online or in-person, within the past 3 years. This includes a signature by each applicant verifying receipt of a copy of this policy, including any local procedures or variations.

Records of this training are located:

These staff members have access to these records:

## Safe Program Space

- There are always two or more unrelated adults present in ministry settings, meetings, and events
- All program space is visually accessible
- Alcoholic beverages are not stored in publicly accessible areas of the church buildings
- Publicly accessible computers with internet access are password protected
- The parish Wi-Fi is password protected
- Keys to church spaces are limited to people who have met all the requirements for screening and training of volunteers
- Records of who has keys are kept:

## Program Documentation

There is documented vestry/bishop's committee approval, and individual parent/guardian approval for:

- All programs for children and youth that are hosted off-site or in private residences
- Sexually explicit conversation or program content
- The screening of R-rated movies for children and youth

The following documents are on file for all programs involving children and youth:

- Registration forms
- Medical release forms
- Image release forms

- Field trip and transportation forms for off-site programming

These records and forms are located:

These staff members have access to these records:

These records are kept for 3 years after the child or youth has left the congregation or when they turn 18

These records are shredded or disposed of securely 3 years after the child or youth has left the congregation or when they turn 18.

### Congregational Education

There is one or more annual communication to the entire congregation explaining the provisions and requirements of Whole & Healthy Church.

The congregation has adapted and modified Whole & Healthy Church to address their specific ministry context.

Whole & Healthy Church and the congregation's specific policy are posted in public areas, along with the names and contact information of the rector/vicar/priest-in-charge, the diocesan Whole & Healthy Church contact, and a description of the procedures for reporting incidents of suspected policy violations.

Whole & Healthy Church and the congregation's specific policy are posted in an easily findable section of the parish website, along with the names and contact information of the rector/vicar/priest-in-charge, the diocesan Whole & Healthy Church contact, and a description of the procedures for reporting incidents of suspected policy violations.

## Confidential Notice of Concern

<https://diocal.wufoo.com/forms/confidential-notice-of-concern/>

### Confidential Notice of Concern

*Once you have completed this form please close in a sealed, confidential envelope, and deliver or mail to the rector or wardens in the parish office. Or mail to the Bishop's Office: 1055 Taylor Street, San Francisco, CA 94108*

Individual(s) of Concern

Congregation & City

Date & Time of occurrence

Type of Concern

- Inappropriate behavior with a child or youth
- Inappropriate behavior with an adult
- Policy violation with a child or youth
- Policy violation with an adult
- Possible risk of abuse to a child or youth
- Possible risk of abuse to an adult
- Other concerns

Please describe the situation.

(What happened? Where and when? Who was involved? Who was present?)

Have you reported this to legal authorities?

(eg. Child Protective Services or Adult Protective Services)

What action was taken?

(How was the situation handled? Who was involved? Who was questioned?)

What is the follow up plan?

(Does anyone else need to be notified? Will the situation need monitoring?)

Would you like someone to contact you to discuss this situation?

Submitted by

Phone Number

Email

## Incident Report

*As close to possible to the time the incident occurred, a copy of this report should be filled out by the Responsible Person. Other eyewitnesses to the incident (preferably adults) may also fill out additional copies of this form.*

Date of Incident

Date Report Filed

Person Filing Report

Location and time of incident

Description of the incident

Your involvement in the incident

Individuals who were injured and a description of the injuries

Description of action taken on behalf of the injured

Names of others involved in the incident or witnesses

Name of Responsible Person at the time of the incident and their position in the congregation (ex, paid staff, volunteer, clergy)

Cause of the incident (in your opinion)

Additional Comments



## Field Trip Permission

Dear Parent or Legal Guardian:

Your child is eligible to participate in a parish-sponsored activity requiring transportation to a location away from the parish grounds. This activity will take place under the guidance and supervision of adult chaperones. A brief description of the activity follows:

Name of event

Destination

Designated supervisor of activity

Date and time of departure

Date and anticipated time of return

Method of transportation

Participant costs

If you would like your child to participate in this event, please complete, sign and return the following statement of consent and release of liability. As parent or legal guardian, you remain fully responsible for the actions and conduct of your child.

I hereby consent to participation by my child \_\_\_\_\_ in the event described above. I understand that this event will take place away from the parish grounds and that my child will be under the supervision of designated responsible persons from the parish on the stated dates. I further consent to the conditions stated above on participation in this event, including the method of transportation.

In consideration of my child being allowed to participate in this field trip, I hereby agree on behalf of myself and my child, to release \_\_\_\_\_ Parish, the Diocese of California, and any and all affiliated organizations, their employees, agents and representatives, including volunteer drivers (collectively "Releases") from any and all claims, including negligence, which may be asserted by me or my child, or on behalf of my child, arising from or relating to my child's participation in the field trip. In the event this release on behalf of myself and/or my child is held to be invalid or unenforceable, I hereby agree to indemnify and hold harmless Releases from any and all claims, including negligence, which may be asserted by me or my child, or on behalf of my child, arising from or relating to my child's participation in the field trip. This release or indemnification does not apply to claims for intentional misconduct or gross negligence; nor does this release or indemnification apply to the extent of commercial insurance coverage for any claim, but this Release or Indemnification shall apply to the extent of any self- insurance or deductible applicable to any claim.

Parent or guardian's name — print

Parent or guardian's signature

## Driving Permission for Minors

*For other people to drive minors somewhere:*

I give my permission to \_\_\_\_\_ (name of driver)  
to transport my child(ren) \_\_\_\_\_ (name of child or children)

to, from and during these activities or meetings listed below (please list as much detail as possible including dates and times):

---

During these activities I may be reached at:

Home Phone # \_\_\_\_\_ Mobile Phone # \_\_\_\_\_

If I cannot be reached in the event of an emergency, the following person is authorized to act on my behalf:

Name \_\_\_\_\_ Phone # \_\_\_\_\_

Relationship to participant \_\_\_\_\_

Other comments \_\_\_\_\_

Parent/legal guardian name (printed) \_\_\_\_\_

Signature of parent/legal guardian \_\_\_\_\_

Date \_\_\_\_\_

*For minors to drive themselves somewhere:*

I give my permission to my child \_\_\_\_\_ (name of child) to drive themselves

Optional: and their sibling(s) \_\_\_\_\_ (names of siblings)

to, from and during these activities or meetings listed below (please list as much detail as possible including dates and times):

---

During these activities I may be reached at:

Home Phone # \_\_\_\_\_ Mobile Phone # \_\_\_\_\_

If I cannot be reached in the event of an emergency, the following person is authorized to act on my behalf:

Name \_\_\_\_\_ Phone # \_\_\_\_\_

Relationship to participant \_\_\_\_\_

Other comments \_\_\_\_\_

Parent/legal guardian name (printed) \_\_\_\_\_

Signature of parent/legal guardian \_\_\_\_\_

Date \_\_\_\_\_

## Minor Image Release Form

Event name: \_\_\_\_\_ Participant's  
name: \_\_\_\_\_ Age: \_\_\_\_\_  
Event date: \_\_\_\_\_  
Email: \_\_\_\_\_  
Church: \_\_\_\_\_

I give the Episcopal Diocese of California and \_\_\_\_\_ permission  
to take photographs, video, and/or record the voice of \_\_\_\_\_,  
a minor, and to use those images and recordings in Episcopal Church print and online publications  
only and following diocesan policies regarding social media.

Date: \_\_\_\_\_  
Relationship: \_\_\_\_\_  
Signature: \_\_\_\_\_

## Volunteer Application

<https://diocal.wufoo.com/forms/volunteer-application/>

LAST NAME                      FIRST                                      MIDDLE  
STREET ADDRESS              CITY                                      ZIP

Best time to contact you:

PHONE                      EMAIL

Have you ever been convicted of a criminal offense (misdemeanor or felony)? Exclude minor traffic violations. If yes, give details. A conviction will not necessarily disqualify you.                      YES      NO

Have you ever been accused of physically, sexually, or emotionally abusing a child or an adult? If yes, please explain.                      YES      NO

Has a family member, friend, supervisor, or acquaintance ever confronted you about the appropriateness of your behavior towards children, youth, or vulnerable adults? If yes, please explain.                      YES      NO

List your home addresses for the past three years

STREET ADDRESS              CITY ZIP                                      DATES

Personal Data

For which position(s) are you applying?

What interests you about the position?

What has prepared you for the position?

VOLUNTEER / PROFESSIONAL / PERSONAL REFERENCES

Please list at least two volunteer, professional, or personal references. It is preferable that your references be individuals from previous volunteer or employment organizations who can provide information regarding your job-related capabilities.

References

NAME

RELATIONSHIP

POSITION

ORGANIZATION / LOCATION

PHONE

EMAIL

Please include employment and volunteer experience, especially any experience working with children and youth. Alternately, you may attach a current resume or CV with supervisory and contact information.

Experience

ORGANIZATION

ADDRESS

CONTACT

PHONE

EMAIL

DATES (FROM – TO)

DUTIES

CODE OF CONDUCT AND ACKNOWLEDGMENT, RELEASE, AND SIGNATURE  
WHOLE & HEALTHY CHURCH

*Please read and initial each item to signify your agreement to comply with the statement.*

\_\_\_\_\_ I agree to do my best to prevent abuse and neglect among children, youth, and adults involved in church activities and services.

\_\_\_\_\_ I agree not to physically, sexually or emotionally abuse or neglect a child or youth.

\_\_\_\_\_ I agree to comply with the policies as outlined in Whole & Healthy Church and the policies of \_\_\_\_\_ church.

\_\_\_\_\_ In the event that I observe any inappropriate behaviors or possible policy violations with children, youth, or adults, I agree to immediately report my observations.

\_\_\_\_\_ I understand that the church will not tolerate abuse of children, youth, and adults, and I agree to comply in spirit and in action with this position.

To the best of my knowledge, the information contained in this application is complete and accurate. I understand that providing false information is grounds for not hiring me or choosing me for a volunteer position or for my discharge if I have already been hired or chosen.

I authorize any person or organization, whether or not identified in this application, to provide any information concerning my previous driving record, criminal conviction record, sexual offender registry or other qualifications for my volunteering. I also authorize

\_\_\_\_\_ Church, or the Episcopal Diocese of California to request and receive such information.

I also understand that my volunteering may be terminated, or any offer or acceptance of volunteering withdrawn, at any time, with or without cause, and with or without prior notice at the option of \_\_\_\_\_ Church, the Episcopal Diocese of California or myself.

Nothing contained in this application or in any pre-volunteering communication is intended to or creates a contract between myself and \_\_\_\_\_ Church, or the Episcopal Diocese of California for either volunteering or the providing of any benefit.

I HAVE READ AND UNDERSTAND THE ABOVE PROVISIONS.

Name (please print)

Signature

Date

## Volunteer Driver Information

<https://diocal.wufoo.com/forms/volunteer-driver-information/>

*Volunteer drivers must comply with all the application, screening, and training of volunteers along with filling out this form. They may be subject to additional public records checks pertaining to driving record.*

*These forms must be kept with the permission forms for the off-site activity or field trip.*

### Driver

Name

Address

Phone          Email

Date of Birth

Driver's license #

### Vehicle(s)\* that will be used

Name of owner

Address (street)          Address (city/zip)

Registration expiration date

Year and make

Model

License plate #

\* If more than one vehicle is to be used, required information must be provided for each vehicle.

### Insurance information

(Note: When using a privately-owned vehicle, the insurance coverage is the limits of the insurance policy covering that specific vehicle.)

Insurance company

Policy #

Expiration date

Liability limits of policy\*\*

*\*\* Please note: The minimum acceptable liability limits for privately owned vehicles is \$500,000 CSL (Combined Single Limit).*

### Certification

I certify that the information given on this form is true and correct to the best of my knowledge. I understand that as a volunteer driver, I am 25 years of age or older, hold a valid non-probationary driver's license, have no physical disability that may impair my ability to drive safely, and have required insurance coverage in effect on any vehicle used to transport students.

Driver's name (print)

Driver's signature

Date