

Sample Local Church Abuse Prevention Policy and Disclosure Forms

It is important to note that this is a “model” or “sample” policy. It does not cover every issue that Local Churches may want to consider in the development of such a policy. Nor does it reflect the law of each and every state. Many states and localities are enacting laws that have specific requirements for harassment policies, and churches may be subject to these laws. Additionally, state and local employment laws may apply. Consistent with UCC polity and practice, Local Churches adopt their own policies. Local Churches and other settings are encouraged to consider adopting the policy as adapted, revised, or changed to meet their own unique circumstances, state laws, or other factors. It is very important that the policy a Local Church adopts and implements complies with applicable federal and state laws regarding employment, privacy, and inquiries regarding criminal history. All laws are subject to change from time to time by action of state legislature, Congress, and state and federal courts. Therefore, Local Churches should develop and periodically review the policy with the assistance of persons knowledgeable in these laws. The ministries of the National Setting of the United Church of Christ are not engaged in giving legal or professional advice or services by providing this model policy. Local Churches are encouraged to consult with their own legal counsel and professional advisors before adopting any abuse prevention policy.

Abuse Prevention Policy

Policy Prohibiting Abuse, Exploitation, and Harassment

As a community of Christian faith, (name of Local Church) is committed to creating and maintaining programs, facilities and a community in which members, friends, staff, and volunteers can worship, learn and work together in an atmosphere free from all forms of discrimination, harassment, exploitation, or intimidation. All persons associated with (name of Local Church) should be aware that the church is strongly opposed to sexual exploitation, sexual harassment, and harassment, and that such behavior is prohibited by church policy. It is the intention of the church to take action in an attempt to prevent and correct behavior that is contrary to this policy and, if necessary, to discipline those persons who violate this policy.

Ministerial Conduct

Consistent with our understanding of the priesthood of all believers, all Authorized Ministers, employees, elected and appointed lay leaders, and authorized volunteers are Ministers to the congregation.

It is important that every Minister to the church be adequately prepared and educated for the ministry in which they serve others, and to understand the ways in which their use or misuse of authority may impact others.

It is the policy of (name of Local Church) to encourage its Ministers to nurture safety within Ministerial Relationships by being attentive to self-care, education, maintaining appropriate boundaries, and the importance of referring those in need to supportive and helpful resources.

Sexual exploitation, sexual harassment, or harassment of parishioners or others by anyone engaged in ministry on behalf of (name of Local Church) is unethical behavior and will not be tolerated within this congregation.

Requirements for Commencing and Continuing Ministry

- Before beginning their duties, all Ministers will submit a disclosure form similar to the sample attached hereto as Exhibit A.
- Before beginning their duties, all Ministers will be personally interviewed to assess the suitability of their character and qualifications for the position they seek.
- The church will conduct a registered sex offender review for each Minister by searching their name on the Department of Justice website at www.nsopw.gov. This registered sex offender review will be repeated on an annual basis for all Ministers. Ministers working with children and youth have additional requirements, as listed below.
- Authorized Ministers of the church will attend all boundary workshops required by (name of Association or Conference) or will attend at least one workshop on this topic every three years, whichever is more frequent.

Additional Requirements for Child and Youth Ministry

(name of Local Church) is committed to providing a safe and healthy environment in which young people can learn about and experience God's love.

In order to promote this, we have established the following guidelines in addition to the general requirements for ministry to the church.

- We expect that those who volunteer to work with children and youth will have been members of or regularly and frequently associated with (name of Local Church) for at least six months.
- All employees and volunteers who regularly work with children and youth will complete and submit a disclosure document in a form substantially similar to the sample attached hereto as Exhibit B. Prospective employees will be required to submit a separate application for employment.
- Before beginning their duties, all prospective employees and volunteers who regularly work with children and youth will undergo a background check, including but not necessarily limited to inquiries of references and a criminal history verification by a third-party vendor. Prospective employees will be provided with appropriate notices under the Fair Credit Reporting Act.
- All volunteers and employees who regularly work with children and youth will receive orientation regarding abuse prevention policy and procedures.
- **Supervision:** It is the policy of this church to provide adequate supervision and safeguards for youth activities. There will be no fewer than two unrelated adults present with children. Youth over the age of _____ (*establish minimum age*) may assist an unrelated adult in supervising children and youth activities; however, such assistance does not alter the requirement that at least two unrelated adults be present.
- **Parental Consent:** Written consent of one parent or guardian of a minor will be required for all activities off the church property, and any overnight activities. Parents will be informed of sleeping arrangements for all overnight activities.
- **Virtual/Online Meetings:** All virtual or online meetings involving children and youth are subject to the same requirements as in person activities: no fewer than two unrelated adults will be online with children and consent of a parent will be required for participation. Additionally, parents will be provided with attendance credentials and invited to attend if they choose. Youth and adult attendees at a virtual event shall conduct themselves in a manner befitting a church event and be attentive to their backgrounds and what is visible to others. Persons behaving inappropriately will immediately be excluded from the meeting.
- **Communications with Youth:** No adult may communicate with any child one-on-one via email, social media, text, or phone call. If a child initiates the communication, the adult must immediately add another adult to the communication and inform the child of the policy. Parents should be copied on all electronic communications and should be members of any social media group maintained on behalf of (name of Local Church) of which children are members.

Definitions

Minister: a person authorized by the church to carry out its ministry. Ministers include elected or appointed leaders of the church, employees, and volunteers, as well as Authorized Ministers.

Authorized Minister: a person who holds ordained ministerial standing, lay ministerial standing, or has been commissioned or licensed by an Association of the United Church of Christ or region of the Christian Church (Disciples of Christ). An Authorized Minister is one type of Minister within the meaning of this policy.

Harassment: verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of their race, color, gender, gender identity and expression, national origin, ethnicity, age, marital status, sexual orientation, disability, genetic information or that of relatives, friends or employees, and that

- constitutes discrimination in the terms, conditions, and privileges of instruction, employment, or participation in any church activity; or
- has the purpose or effect of unreasonably interfering with an individual's job performance or participation in church activities or creating an intimidating, hostile, or offensive work or church environment.

Harassing conduct includes, but is not limited to the following:

- epithets, slurs, negative stereotyping or threatening, intimidating or hostile acts, that relate to race, color, gender, gender identity, national origin, ethnicity, age, marital status, sexual orientation, disability, genetic information; and
- written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, gender, gender identity, national origin, ethnicity, age, marital status, sexual orientation or disability and that is placed in emails, text messages or other electronic communications, on walls, bulletin boards or elsewhere on the church's premises, or circulated in the church.

Ministerial Relationship: the relationship between one who carries out the ministry of the church and the one being served by that ministry.

Sexual Exploitation: sexual activity or contact (not limited to sexual intercourse) in which a Minister engaged in a ministerial relationship with another takes advantage of the vulnerability of the person being served by causing or allowing that person to engage in sexual behavior with the Minister.

Sexual Harassment: repeated or coercive sexual advances toward another person contrary to that person's wishes. It includes behavior directed at another person with the intent of intimidating, humiliating, or embarrassing the other person, or subjecting the person to public discrimination. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition or circumstance of instruction, employment, or participation in any church activity.
- Submission to, or rejection of, such conduct by an individual is used as a basis for evaluation in making personnel or church-related decisions affecting an individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's performance or participation in church activities or creating an intimidating, hostile, or offensive work or church environment.

Prohibited sexual harassment includes unsolicited and unwelcome contact that has sexual overtones, particularly:

- Written contact, such as sexually suggestive or obscene letters, notes, e-mails, or invitations;
- Verbal contact, such as sexually suggestive or obscene comments, threats, slurs, epithets, jokes about gender-specific traits, sexual propositions;
- Physical contact, such as intentional touching, pinching, brushing against another's body, impeding or blocking movement, assault, coercing sexual intercourse; and
- Visual contact, such as leering or staring at another's body, gesturing, displaying sexually suggestive objects or pictures, cartoons, posters, or magazines.

Sexual harassment also includes continuing to express sexual interest after being informed directly that the interest is unwelcome and using sexual behavior to control, influence, or affect the career, salary, work, learning, or worship environment of another. It is impermissible to suggest, threaten, or imply that failure to accept a request for a date or sexual intimacy will affect a person's job prospects, church leadership, or comfortable participation in the life of the church. It is forbidden either to imply or actually withhold support for an appointment, promotion, or change of assignment; to suggest that a poor performance report will be given because a person has declined a personal proposition; or to hint that benefits, such as promotions, favorable performance evaluations, favorable assigned duties or shifts, recommendations, or reclassifications, will be forthcoming in exchange for sexual favors.

Procedures for Handling Complaints of Sexual Exploitation, Sexual Harassment, or Harassment

I. Generally

(name of Local Church) does not condone or tolerate acts of sexual exploitation, sexual harassment, or harassment. Employees and volunteers are under a duty to report any acts of harassment they may observe whether in the workplace, life of the church, or in any of the church's ministries. Any employee, volunteer, or church member or visitor who believes they are a victim of sexual exploitation, sexual harassment, and/or harassment in the church should immediately report the behavior as indicated below.

- A. A subcommittee of the (name of committee) with no less than two members of two different genders, will be established each year in preparation for the possibility of hearing complaints under this policy. The subcommittee, hereinafter referred to as "the

Response Team,” will be familiar with the terms of this policy, as well as the established procedures of the church for dealing with a complaint.

- B. Several approaches may be taken in addressing incidents of alleged sexual exploitation, sexual harassment, or harassment:
1. The complainant can attempt to resolve the matter directly with the respondent, the individual accused of sexual exploitation or harassment.
 2. The complainant can report the incident to an Authorized Minister, in an effort to resolve the matter informally.
 3. If an informal resolution of the complaint does not seem wise, appropriate, possible, or does not succeed, the complainant may request that the Response Team institute formal proceedings which shall include the following steps:
 - The Response Team shall advise the most senior Authorized Minister and Moderator of the receipt of all complaints and shall keep them apprised of ongoing steps and actions taken. If either the most senior Authorized Minister or Moderator is the subject of the complaint, this notice requirement shall not apply as to that person.
 - The Response Team shall gather statements or other information from the individuals involved in the alleged exploitation or harassment and from others who may have pertinent information, such as qualified professional consultants, and present such information to the (name of committee) or an appropriate subcommittee thereof.
 - The (name of committee), or an appropriate subcommittee thereof, shall make determinations and take actions appropriate to resolve the matter. These may include:
 - a. finding that sexual exploitation, sexual harassment, or harassment has occurred, and that the appropriate body of the church is called upon to take action accordingly; such action may include one or more of the following:
 - (i) a formal reprimand, with defined expectations for changed behavior;
 - (ii) recommending or requiring psychological or psychiatric assessment, counseling and/or treatment;
 - (iii) probationary standing, with the terms of the probation clearly defined;
 - (iv) dismissal from employment or authorized volunteer position by, affiliation with, or membership in, the church.

- b. finding that sexual exploitation, sexual harassment, or harassment did not occur.
 - The Response Team may seek the advice of legal counsel or others to advise it in performing its functions.
- C. A written summary of the (name of committee) proceedings in such cases will be maintained.
- D. The person(s) toward whom the inappropriate behavior is directed need not be the complainant. Moreover, neither consent nor acquiescence will excuse or exonerate inappropriate behavior. At any time, the church may initiate or proceed with the formal complaint process.
- E. In determining whether alleged conduct constitutes sexual exploitation, sexual harassment, or harassment consideration shall be given to the record of the alleged incident(s) as a whole and to the totality of the circumstances, including the context in which the alleged incident(s) occurred.
- F. Any person bringing a sexual exploitation, sexual harassment, or harassment complaint or assisting in investigating such a complaint will not be adversely affected in terms and conditions of employment or church membership or affiliation, or otherwise discriminated against or discharged in retaliation.
- G. If the complainant or respondent is not satisfied with the disposition of the matter by the (name of committee), that person has the right to appeal to the Moderator, or to the Vice Moderator if the Moderator is the subject of the complaint, who shall refer the matter to the (name of governing board). The subject of any such appeal to the (name of governing board) shall be limited solely to whether the procedures of this policy were followed. The matter will not be reconsidered on the merits and the decision of the (name of governing board) will be the final resolution of the matter. If the (name of governing board) determines that the procedures of this policy were not followed, it will refer the matter back to the (name of committee) to complete the processing of the complaint in accordance with these procedures.

II. Child Abuse

(name of Local Church) will adhere to any legal requirements regarding the reporting of child abuse. Apart from any legal requirements, (name of Local Church) will make a report to appropriate authorities, including but not limited to the (name of State Department of Children and Family Services), if at any time the church has reasonable cause to believe that a minor may be an abused or neglected child. Any Minister of the church who becomes aware of facts or circumstances that child abuse or neglect has occurred or that there exists a substantial risk that child abuse or neglect may occur in the reasonably foreseeable future shall immediately report the matter to the most senior Authorized Minister and Moderator so that the church may take

appropriate action in a timely manner. The (name of State) Child Abuse Hotline currently is:
_____.

III. Clergy

Apart from any disposition of the matter by the church, all allegations of behavior which call into question the fitness for ministry of any Authorized Minister will promptly be forwarded to the Church & Ministry Committee of the (name of Association or Conference) of the United Church of Christ.

The (name of Association or Conference) may be contacted at: (telephone number of Association or Conference) and/or (email of Association or Conference).

Policy on Sex Offenders in the Life of the Church

Convicted sex offenders, registered sex offenders, or those who have been convicted of a sex-related offense who wish to participate in the life of the church by attending worship, attending church functions, as a church member, or as a visitor must identify themselves to the most senior Authorized Minister prior to participating. A limited access agreement will be required. The (name of committee) is responsible for the enforcement of this policy.

Policy on Excluding Behaviors Harmful to the Life of the Church

(name of Local Church) reserves the right to require a limited access agreement of any individual who has exhibited behavior that is not welcome in the life of the church, in the sole discretion of the (name of governing body). The church also reserves the right to exclude any person from the property or events of the church, or membership in the church, who has exhibited behavior that, in the sole discretion of the (name of governing body), is harmful to the life of the church. The (name of committee) is responsible for the enforcement of this policy.

Exhibit A

**(name of Local Church)
Authorized Volunteer (Not With Children)
Application and Disclosure Form
(Volunteers for children and youth work shall use Exhibit B)**

Name: Last First Middle

Address: Street City/State Zip Code

Daytime Phone/Mobile Evening Phone Email

References:

One reference should be related to you and the other references should not be related to you.

Name

Address City/State Zip Code

Telephone Email

Name

Address City/State Zip Code

Telephone Email

Name

Address City/State Zip Code

Telephone Email

I have been a member of this church since _____.

I have been a friend of this church since _____.

I have never been convicted of, nor pled guilty or no contest to, a crime. (Exclude convictions that have been sealed, expunged or legally eradicated, misdemeanor convictions for which probation was completed and the case was dismissed, or offenses about which inquiry is not permissible in this state.)

TRUE _____

FALSE _____

If not true, please briefly describe the nature of the crime(s), the date and place of conviction and the legal disposition of the case on a separate sheet, which shall be attached to this application and become part of it. The church will not deny a position to any applicant solely because the person has been convicted of a crime. The church, however, may consider the nature, date and circumstances of the offense, as well as whether the offense is relevant to the duties of the position applied for.

Is there any fact or circumstance involving you or your background that would call into question your being entrusted with the responsibilities of the position for which you are applying?

YES _____

NO _____

If yes, please provide a brief explanation on a separate sheet, which shall be attached to this application and become part of it.

The covenants between persons seeking authorized volunteer positions in the church require honesty, integrity, and truthfulness for the health of the church. To that end, I attest that the information set forth in this application is true and complete. I understand that any misrepresentation or omission may be grounds for rejection of consideration for, or termination of, the position I am seeking to fill. I acknowledge that it is my duty in a timely fashion to amend the responses and information I have provided if I come to know that the response or information was incorrect when given or, though accurate when given, the response or information is no longer accurate.

Beginning such relationships with an open exchange of relevant information builds the foundation for a continuing and healthy covenant between volunteers and the church they seek to serve. To that end, I authorize (name of Local Church) and/or its agents to make inquiries regarding my character and qualifications, including all statements I have set forth above. I also authorize all entities, persons, former employers, supervisors, courts, law enforcement, and other public agencies to respond to inquiries concerning me, to supply verification of the statements I have made, and to comment on and state opinions regarding my background, character, and qualifications. To encourage such persons and entities to speak openly and responsibly, I hereby release them from all liability arising from their responses, comments, and statements.

(name of Local Church)'s authorized volunteer recruitment process involves the sharing of information regarding applicants with those persons in a position to recruit, secure, and supervise both the position I am seeking to fill and program I am seeking to participate in. To that end, I authorize (name of Local Church) and its agents to circulate, distribute, and otherwise share

information gathered in connection with this application to such persons for these purposes. I understand that (name of Local Church) will share with me information it has gathered about me, if I request it to do so.

I acknowledge my receipt and understanding of the (name of Local Church) Abuse Prevention Policy.

(PRINT NAME & SIGN)

DATE

(PRINT NAME & SIGNATURE OF PARENT OR GUARDIAN FOR APPLICANTS UNDER 18) DATE

Sex Offender Registry (www.nsopw.gov) review performed on: _____

Personal interview conducted by staff on: _____

Reference inquiries completed on: _____

SAMPLE

Exhibit B
(name of Local Church)
Employment/Authorized Children and Youth Volunteer
Application and Disclosure Form

Name: Last First Middle

Address: Street City/State Zip Code

Daytime Phone/Mobile Evening Phone Email

References:

One reference should be related to you and the other references should not be related to you.

Name

Address City/State Zip Code

Telephone Email

Name

Address City/State Zip Code

Telephone Email

Name

Address City/State Zip Code

Telephone Email

I have been a member of this church since _____.

I have been a friend of this church since _____.

I have never been convicted of, nor pled guilty or no contest to, a crime. (Exclude convictions that have been sealed, expunged or legally eradicated, misdemeanor convictions for which probation was completed and the case was dismissed, or offenses about which inquiry is not permissible in this state.)

TRUE _____

FALSE _____

If not true, please briefly describe the nature of the crime(s), the date and place of conviction and the legal disposition of the case on a separate sheet, which shall be attached to this application and become part of it. The church will not deny a position to any applicant solely because the person has been convicted of a crime. The church, however, may consider the nature, date and circumstances of the offense, as well as whether the offense is relevant to the duties of the position applied for.

No civil lawsuit alleging actual or attempted sexual discrimination, harassment, exploitation, or misconduct; physical abuse; child abuse; or financial misconduct has ever resulted in a judgment being entered against me, been settled out of court, or been dismissed because the statute of limitations has expired.

TRUE _____

FALSE _____

If not true, give a short explanation of the lawsuit on a separate sheet, which shall be attached to this application and become part of it. (Please indicate the date, nature, and place of the incident leading to the lawsuit; where the lawsuit was filed; and the precise disposition of the lawsuit.)

I have never terminated my employment, professional credentials, or service in a volunteer position or had my employment, professional credentials, or authorization to hold a volunteer position terminated for reasons relating to allegations of actual or attempted sexual discrimination, harassment, exploitation, or misconduct; physical abuse; child abuse; or financial misconduct.

TRUE _____

FALSE _____

If not true, give a short explanation on a separate sheet, which shall be attached to this application and become part of it. (Please indicate the date of termination; name, address, and telephone number of employer or volunteer supervisor; and nature of the incident(s) leading to your termination.)

Do you have a valid drivers' license?

YES _____

NO _____

With respect to my driving record, I have not had my license suspended or revoked within the last five years due to reckless driving or driving while intoxicated and/or under the influence of a controlled substance.

TRUE _____

FALSE _____

Is there any fact or circumstance involving you or your background that would call into question your being entrusted with the responsibilities of the position for which you are applying?

YES _____

NO _____

If yes, please provide a brief explanation on a separate sheet, which shall be attached to this application and become part of it.

The covenants between persons seeking authorized volunteer positions in the church require honesty, integrity, and truthfulness for the health of the church. To that end, I attest that the information set forth in this application is true and complete. I understand that any misrepresentation or omission may be grounds for rejection of consideration for, or termination of, the position I am seeking to fill. I acknowledge that it is my duty in a timely fashion to amend the responses and information I have provided if I come to know that the response or information was incorrect when given or, though accurate when given, the response or information is no longer accurate.

Beginning such relationships with an open exchange of relevant information builds the foundation for a continuing and healthy covenant between volunteers and the church they seek to serve. To that end, I authorize (name of Local Church) and/or its agents to make inquiries regarding my character and qualifications, including all statements I have set forth above. I also authorize all entities, persons, former employers, supervisors, courts, law enforcement, and other public agencies to respond to inquiries concerning me, to supply verification of the statements I have made, and to comment on and state opinions regarding my background, character, and qualifications. To encourage such persons and entities to speak openly and responsibly, I hereby release them from all liability arising from their responses, comments, and statements.

(name of Local Church)'s authorized volunteer recruitment process involves the sharing of information regarding applicants with those persons in a position to recruit, secure, and supervise both the position I am seeking to fill and program I am seeking to participate in. To that end, I authorize (name of Local Church) and its agents to circulate, distribute, and otherwise share information gathered in connection with this application to such persons for these purposes. I understand that (name of Local Church) will share with me information it has gathered about me, if I request it to do so.

I acknowledge my receipt and understanding of the (name of Local Church) Abuse Prevention Policy.

(PRINT NAME & SIGN)

DATE

(PRINT NAME & SIGNATURE OF PARENT OR GUARDIAN FOR APPLICANTS UNDER 18) DATE

Sex Offender Registry (www.nsopw.gov) review performed on: _____

Personal interview conducted by staff on: _____

Reference inquiries completed on: _____

Abuse prevention awareness training and policy orientation performed on: _____

Criminal History Verification (if employee, with Fair Credit Reporting Act notices) completed on: _____

For volunteers: Church membership or association for 6 mos. confirmed on: _____

SAMPLE